



Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 18, 2012

EXECUTIVE SESSION

None.

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

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

7:30 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 - 'Hispanic Heritage Month'



Proclamation

B. Proclamation - 'International Day of Peace'



Proclamation

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 4, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Report regarding the September 5, 2012 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

C. Report regarding the September 5, 2012 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

5. Resolutions - None.

6. Ordinances.

A. First Reading - None.

B. Second Reading

1. An Ordinance Repealing Oxford Zoning Code Section 1141.03, Supplemental Regulations, Section 1143.06, R-3 Multi-Family Residential District, And Section 1149.03, Vehicle Management, And Adopting New Oxford Zoning Code Section 1141.03, Supplemental Regulations, Section 1143.06, R-3 Multi-Family Residential District And Section 1149.03, Vehicle Management. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

2. An Ordinance Adopting Oxford Code Of Ordinances Chapter 1146, Neighborhood Conservation Overlay District. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

7. A. Announcements & Communications.

1. Discussion - Communication from MetroParks of Butler County. 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. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Sept 19 Board of Zoning Appeals Meeting 7:30 p.m.

THUR - Sept 20 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

FRI - Sept 21 Student Community Relations Commission Meeting 3:45 p.m. LCNB

WED - Sept 26 Civil Service Commission Meeting 7:00 p.m.

THUR - Sept 27 Annual Historic Marker Ceremony 5:00 p.m. OCAC

FRI - Sept 28 Community Improvement Corporation Meeting 12:00 p.m. LCNB

TUES - Oct 2 City Council Meeting 7:30 p.m.

WED - Oct 3 Community Relations Commission Meeting 4:30 p.m. Municipal Building

WED - Oct 3 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Oct 3 Environmental Commission Meeting 7:00 p.m. Municipal Building

FRI - Oct 5 Student Community Relations Commission Meeting 3:45 p.m. LCNB

TUES - Oct 9 Planning Commission Meeting 7:30 p.m.

THUR - Oct 11 Police Advisory Board Meeting 7:00 p.m. Senior Citizens Center

MON - Oct 15 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES - Oct 16 City Council Meeting 7:30 p.m.

WED - Oct 17 Board of Zoning Appeals Meeting 7:30 p.m.

THUR - Oct 18 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

THUR - Oct 18 City Council Budget Work Session 7:00 p.m.

FRI - Oct 19 Student Community Relations Commission Meeting 3:45 p.m. LCNB

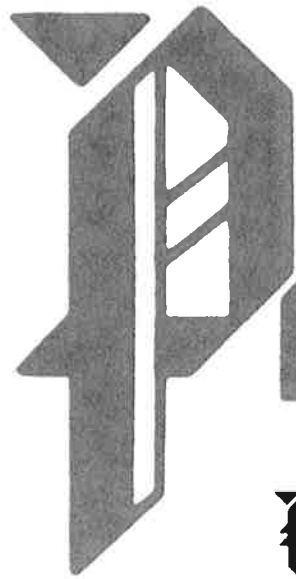
TUES - Oct 23 City Council Budget Work Session 7:00 p.m.

WED - Oct 24 Civil Service Commission Meeting 7:00 p.m.

THUR - Oct 25 City Council Budget Work Session 7:00 p.m.

FRI - Oct 26 Community Improvement Corporation Meeting 12:00 p.m. LCNB

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-Americans/Latinos are the fastest growing minority population in the country; and

WHEREAS, as a result of their determination, intelligence, hard work and perseverance, Hispanic-Americans/Latinos 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-Americans/Latinos 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-American/Latino 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-Americans/Latinos and recognize their contributions to our country; and

WHEREAS, National Hispanic Heritage Month is an opportunity to celebrate the spirit and accomplishments of Hispanic-Americans/Latinos 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'.

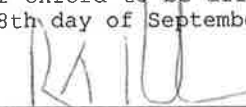
NOW, THEREFORE, I, Richard A. Keebler, Mayor of the City of Oxford, Ohio, do hereby proclaim September 15th thru October 15th, 2012 as:

'HISPANIC HERITAGE MONTH'

in the City of Oxford and urge all citizens to join me in celebrating the significant contributions of Hispanic-Americans/Latinos 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 18th day of September, 2012.


RICHARD A. KEEBLER, MAYOR

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 4, 2012

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 27, 2012

Date Prepared:

Agenda Title: PC-09-2012 Zoning Code Text Amendment – To Create a new Chapter 1146- Neighborhood Conservation Overlay District (NCD)
--

Recommendation: Approval

Discussion:

The purpose of this text amendment is to create a new overlay district to allow neighbors to petition for a Neighborhood Conservation Overlay District and the process of moving this petition forward.

The Housing Advisory Commission brought this issue to the Planning Commission for consideration last year. The HAC has been sharing their concerns with the Commission and Council about the loss of owner-occupied residential dwellings and has been committed to devise ways to preserve the remaining owner-occupied dwellings from being turned into rental properties. The Planning Commission also had a work session with the City Council to promote this overlay district at the beginning of this year.

This overlay district was modeled after the East Lansing Residential Rental Restriction Overlay District. The concept is fairly straight forward and was developed by a neighborhood-driven petition asking that an overlay district be placed on their neighborhood to restrict properties from being rented to unrelated tenants.

This is a tool that would be available for neighbors to protect their neighborhoods. It is a petition process to empower the neighborhoods to take this issue to their neighbors and work together to preserve and maintain the traditional character of their neighborhood. Because this is a newly developed petition process, the standards of map amendment criteria must be modified to reflect the intent of this overlay district.

The Planning Commission held its public hearing on August 14, 2012 and voted 7-0-0 to recommend Council approval.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC / 8/27/12
DRC / 8/28/12

ORDINANCE NO.

AN ORDINANCE ADOPTING OXFORD CODE OF ORDINANCES CHAPTER 1146, NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT.

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

SECTION 1: Council hereby finds that the City of Oxford Planning Commission held a public hearing on August 14, 2012, and following the public hearing, did deliberate. As result of that deliberation, the Planning Commission recommended adopting Oxford Code of Ordinances Chapter 1146, Neighborhood Conservation Overlay District.

SECTION 2: Council hereby adopts Oxford Code of Ordinances Chapter 1146, Neighborhood Conservation Overlay District as follows:

1146.01 PURPOSE AND OBJECTIVES.

The Neighborhood Conservation Overlay District (hereinafter referred to as “Overlay District”), R1A(O), R1B(O), R2A(O), R1MS(O), R2MS(O), R3MS (O) and MU(O) is a zoning classification that permits owners of properties within R1A, R1B, R2A, R1MS, R2MS, R3MS, and MU residential zoning districts to petition City Council to establish an Overlay District and district use regulations in their residential neighborhood in order to restrict rental use of one-family dwellings. The Overlay District establishes restrictions intended to preserve the attractiveness, desirability and privacy of residential neighborhoods by precluding all or certain types of rental properties, thereby precluding the deleterious effect rental properties can have on a neighborhood such as property deterioration, increased density, congestion, and noise and traffic levels leading to the reduction of property values. The goals of the Overlay District are to allow owners of properties within residential neighborhoods to control occupancy by unrelated persons in one-family dwellings within their neighborhood. It is also the purpose of the Overlay District to achieve the following objectives:

- (1) To protect the privacy of residents and to minimize noise, congestion and nuisance impacts by regulating the types of rental properties, particularly high-occupancy properties, occupied by unrelated persons.
- (2) To maintain an attractive community appearance and provide a desirable living environment for residents by preserving the owner-occupied character of the neighborhood.
- (3) To prevent excessive traffic and parking problems in the neighborhoods.

1146.02 USES PERMITTED.

Uses permitted in the R1A(O), R1B(O), R2A(O), R1MS (O), R2MS(O) R3MS(O) and MU(O) Overlay District are as follows:

- (1) Single family dwellings, except there shall not be more than two unrelated persons residing in a dwelling unit, or where there are more than two persons residing in a dwelling unit, persons classified as constituting a family shall be limited to relations by blood, marriage or adoption, including minor children in the lawful custody of an adult member.

- (2) Anyone seeking the rights and privileges afforded a member of a family by this code shall have the burden of proof by clear and convincing evidence of their family relationship.
- (3) Any other permitted and/or conditional uses of the underlying district.

1146.03 PROCEDURES.

The following procedures must be complied with in order to establish an Overlay District.

- (1) A petition requesting an Overlay District must be submitted to the City Clerk on forms provided by the City Clerk. The petition requirements are as follows:
 - a. The petition must clearly describe the specific boundary where the Overlay District is to be located.
 - b. Each petition must be circulated by a person who owns property within the proposed district and be signed by the circulator.
 - c. The petition must contain the signatures and addresses of two-thirds of parcel owners within the proper boundary of the Overlay District, exclusive of public property. Jointly-owned parcels will be considered owned by a single person for purposes of petitioning, and any co-owner may sign a petition for such parcel. Only one owner of each parcel will count towards the two-thirds requirement. If a person owns more than one parcel of property within the proposed district, that person may sign the petition for each parcel he or she owns.
 - d. Each person signing the petition must also enter on the petition, adjacent to their signature, the date the person signed the petition.
 - e. The petition must accurately advise the signer of the restrictions that would be imposed on the property if the Overlay District is established.
 - f. The proposed boundary may not overlay a boundary of an existing Overlay Districts or the boundary of an Overlay District that is already the subject of an introduced ordinance pursuant to this section.
 - g. When submitted, no signature dated earlier than six months prior to the time the petition is filed with the City Clerk shall be counted in determining the validity of the petition.
 - h. A minimum of ten adjacent parcels must be included in the proposed Overlay District, clearly bounded in a geographically logical way (for example two adjacent block faces, an entire block, a cul-de-sac) that does not cross any physical barrier in a single parcel extension fashion. In no instance shall the proposed boundary create an island surrounded by the proposed district. City Council may waive this minimum number of parcels/structure requirement, but only after a positive recommendation from the Planning Commission.

(2) Upon presentation to the City Clerk for review, the Clerk shall verify the signatures on the petition. If an insufficient number of signatures are presented, the Clerk shall return the petition to the person filing the petition and identify the valid and invalid signatures. If sufficient valid signatures are presented, the Clerk shall refer the petition to the Community Development Department, which shall within fifteen (15) days, determine whether the petition is in conformity with the remaining conditions of this section.

- a. If the petition is determined to be in conformity with the requirements of this section, the Clerk shall place this petition before the City Council for acceptance by adopting a Resolution to refer this petition to the Planning Commission for recommendations.

Upon receipt of a petition to establish an Overlay District, the Zoning Administrator shall then place this matter before the Planning Commission at the earliest possible meeting date, in accordance with the zoning map amendment procedures set forth in Chapter 1135, Zoning Code Amendment. All procedure set forth in Chapter 1135 shall be followed.

b. Decision Standards for considering Overlay District:

1. The proposed Overlay District meets the boundary criteria.
2. The proposed Overlay District will preserve and enhance the neighborhood character.
3. The proposed Overlay District will promote the public health, safety and general welfare of the people of the neighborhood.
4. The proposed Overlay District will promote and implement the intent of the Comprehensive Plan.
5. The proposed Overlay District will satisfy a legitimate need.

c. If the petition is not in conformity with the requirement of this section, the Zoning Administrator shall reject the petition and return it to the Clerk with a written explanation as to why the petition does not meet the requirements of this section.

The Clerk shall then forward the petition and the explanation to the person who filed the petition.

d. If the petition is rejected for failure to comply with the boundary requirements, it may be resubmitted with the corrected property boundary lines and accompanied by certification that a copy of the petition and written notice explaining the correction of the nonconformity was mailed to each property owner affected by the change, notifying them their property was either added or deleted from the petition and whether the correction to the boundary line means the petition still meets all other requirements of the Code.

e. If the petition is rejected for an insufficient number of valid signatures, it may be resubmitted with the additional signatures necessary for compliance as long as the other signatures remain valid.

f. Any resubmission after the initial petition has been rejected by the City must be filed within 60 days from the date of receipt of the rejection letter from the Clerk. Failure to meet this deadline shall constitute the petition being denied.

(3) Subsequent to the petition to establish an Overlay District, the circulator(s) of the petition for the proposed Overlay District or a majority of those persons who signed the petition for an Overlay District may file a written request with the City to table consideration of further proceedings toward the adoption of the Overlay District for 60 days in order to allow the submission of an alternate petition for a different boundary for the Overlay District. After the public hearing, the Planning Commission shall make its recommendations to City Council for legislative action.

1146.04 EFFECT OF OVERLAY DISTRICT.

a. Upon the passage of an ordinance by City Council establishing an Overlay District, no initial rental unit license shall be issued to an owner of property in the Overlay District that is inconsistent with the restrictions of the Overlay District, and it shall be unlawful to use or allow any property to be used except in conformity with requirements of the underlying zoning district and Overlay District.

Any property in the Overlay District that has an existing rental housing permit shall be allowed to continue its use and occupancy in accordance with the law existing prior to the date of the adoption of the Overlay District. If an owner surrenders an existing license or allows, either intentionally or unintentionally, a license to remain expired for more than one year, any subsequent use of the property shall be subject to the restrictions imposed by the Overlay District.

- b. Except as set forth in Section 1146.03(3), if a petition pursuant to this section is denied, a subsequent petition for an Overlay District that includes the same parcels may not be filed for one year following the denial of the previous petition.
- c. Any Overlay District petition not adopted within six months of its filing shall be deemed denied unless the petition was tabled or otherwise delayed pursuant to Section 1146.03(3).

1146.05 AMENDMENTS TO AN EXISTING OVERLAY DISTRICT.

- a. Adding parcels to an existing Overlay District – Any number of properties that are adjacent to an existing Overlay District may be added to the district, and those property owners may file a petition and follow the procedure as described in Section 1146.03. Those petitioned parcels will generally conform to the boundary criteria as described in Section 1146.03(1)(h). The number of signatures required is based upon the total parcels, including the existing Overlay District. The process is outlined in Section 1146.03.
- b. Removing parcels from an existing Overlay District – Any property owner of an existing Overlay District may petition to be removed from the Overlay District. The number of signatures required is also based on the total parcels, including the existing Overlay District. Those remaining parcels will generally conform to the boundary criteria as described in Section 1146.03(1)(h). The petition process is outlined in Section 1146.03.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

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

<u>Report Date</u>	August 27, 2012
<u>Case Number</u>	PC-09-2012
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	ZONING CODE TEXT AMENDMENT to create a new Chapter, 1146 Neighborhood Conservation Overlay District (NCD), City of Oxford, Applicant
<u>Public Hearing Information</u> <u>Commission Action</u>	On August 14, 2012 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on July 13, 2012. The Planning Commission voted 7-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Code Text Amendment approval so that neighborhoods can preserve and maintain the traditional character of their neighborhood.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated July 26, 2012 2. Interoffice Review Transmittal Sheets 3. Zoning Code Text Amendment Application dated June 11, 2012 4. Chapter 1146, Neighborhood Conservation Overlay District Language

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-09-2012

Date – August 14, 2012

APPLICATION

Applicant:	City of Oxford
Action Request:	Zoning Code Text Amendment- To create a new Chapter 1146 - Neighborhood Conservation Overlay District (NCD)

DESCRIPTION

This application is to create a new overlay district to preserve the neighborhood character by enacting some additional regulations to manage the conversion of owner-occupied dwellings to rental properties. The purpose of this overlay district is to provide a petition mechanism to preserve and protect existing neighborhoods and minimize the adverse impact from this conversion. This overlay district is designed as a grass-roots initiative to allow neighbors to have better control of their neighborhoods. This initiative has been developing for some time by the Housing Advisory Commission to make recommendations to City Council to promote certain areas in the Mile Square as still attractive for prospective homeowners to consider purchasing.

ZONING CODE

None

COMPREHENSIVE PLAN

Some of the key directions of the Comprehensive Plan are as follows:

- Preserve the small town character
- Enhance the Mile Square to preserve the traditional character of Oxford

The Conservation and Development map identifies existing residential neighborhoods intended to stabilize and enhance existing neighborhoods within the Mile Square, which include the maintenance and improvements to private and public property that reflect the traditional neighborhood character.

Land use objectives:

1. Enhance neighborhoods within the Mile Square
LU 2.1 Continue to promote diversity of housing opportunities in the Mile Square. Work towards a compatible zoning district with the County and Township to manage rural development.
7. Preserve open space and farmland, and expand existing open space areas
LU 7.4 Work toward adopting and promoting a new zoning designation to protect agricultural land.
LU7.6 Implement alternative cluster style subdivision development to encourage preservation of natural areas and farmlands as areas are developed.

Housing objectives:

1. H1.1 Ensure a quality residential environment through improved housing standards.
2. H1.3 Partner with local organization to support property improvements.
3. H3.4 Create a Neighborhood Improvement District to heighten code enforcement and support neighborhood improvements.

4. H3.5 Encourage rental units to meet the needs of the year-round resident population.
5. H5.2 Encourage rehabilitation of owner-occupied structures within the Mile Square.

AGENCY REVIEWS

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

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

The Housing Advisory Commission (HAC) has been instrumental in looking into an overlay district to protect some remaining neighborhoods from being turned into rental properties. At the request of the HAC, a presentation was made to the Planning Commission for their consideration in 2011. Additionally, the Planning Commission also met with the City Council in a work session format in January 2012 to outline several items that the Commission has planned to work on and sought input from the City Council for direction of those items. One of the items identified was the neighborhood rental restriction overlay district. City Council felt those items were priority items for the Planning Commission to move forward to develop draft language and to solicit public input.

The impetus of neighborhood conservation has been the heightened concern of losing the remaining traditional neighborhoods to rental properties. The increasing demand for rental housing in the last several years has caused many owner-occupied properties in the Mile Square to succumb to market pressure and sell to then become rental property. This trend has drained the quality character of traditional neighborhoods causing a domino effect for the owner-occupied who vacate their properties to be available for sale due to conflicts between renters and owner-occupied properties. Common problems perceived as factors leading to the decline of neighborhood quality associated with rental properties are property deterioration, noise and traffic, and life style differences.

Considering the enormous market dictating the fate of our neighborhoods, it would be relatively feasible to protect existing owner-occupied properties than attempt to turn the market around. This is the rationale behind the Housing Advisory Commission asking that the Planning Commission consider an overlay district to preserve existing neighborhoods by considering this proposed language.

The language was modeled after the East Lansing Residential Rental Restriction Overlay District. The concept is fairly straight forward and was developed by a neighborhood-driven petition asking that an overlay district be placed on their neighborhoods to restrict properties from being rented to unrelated tenants. There are several types of overlay districts in East Lansing, Michigan. Given the size of Oxford, it may be more feasible to have one overlay district to start. Since the legislation has been in place in East Lansing for many years and the number of neighborhoods petitioned to have overlay districts has increased every year, it would be evident to say the program is moving the right direction to encourage property owners to participate into this program.

Repopulating the Mile Square with permanent residents has been the goal for many community members, this may be the first step in initiating this effort to protect and preserve the neighborhoods. This is a grass-roots petition process to empower the neighborhoods to take this issue to their neighbors and work together to preserve and maintain the traditional character of their neighborhoods. Because this is a newly developed petition process, the standards of map amendment criteria must be modified to reflect the intent of this overlay district.

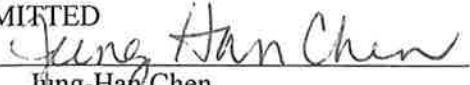
RECOMMENDATION:

Staff has been working with the Housing Advisory Commission for some time on this issue. Additionally, during a joint work session between the Planning Commission and City Council, the idea of providing a mechanism to preserve existing neighborhoods was considered a priority item.

Staff is **recommending approval** of this proposed overlay district for the reasons stated above.

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: July 26, 2012

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 8/2/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

**PC-09-2012 ZONING CODE TEXT AMENDMENT to create a new Chapter 1146 -
Neighborhood Conservation Overlay District (NCD), City of Oxford, Applicant**

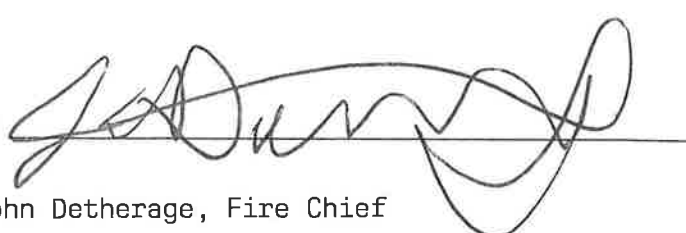
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/7/2012** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments ✓

Drawings reviewed by:


John Detherage, Fire Chief

Date: 8-3-12

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 8/2/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

**PC-09-2012 ZONING CODE TEXT AMENDMENT to create a new Chapter 1146 -
Neighborhood Conservation Overlay District (NCD), City of Oxford, Applicant**

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/7/2012** Note: If no comments are received, we will assume the project meets your department's standards.

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

Drawings reviewed by: _____



Victor Popescu, City Engineer

Date: 8-2-12

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 8/2/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

**PC-09-2012 ZONING CODE TEXT AMENDMENT to create a new Chapter 1146 -
Neighborhood Conservation Overlay District (NCD), City of Oxford, Applicant**

 X Review Revisions Other

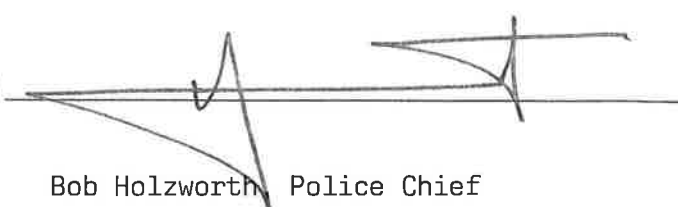
Comments or status update requested by: Lynn Taylor

Please return no later than: **8/7/2012** Note: If no comments are received, we will assume the project meets your department's standards.

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:


Bob Holzworth, Police Chief

Date: 8/6/2012

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 8/2/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

**PC-09-2012 ZONING CODE TEXT AMENDMENT to create a new Chapter 1146 -
Neighborhood Conservation Overlay District (NCD), City of Oxford, Applicant**

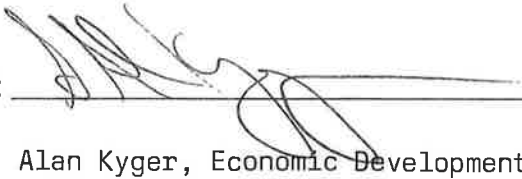
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/7/2012** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


Alan Kyger, Economic Development Director

Date: 8-7-2012

PC-09-2012

Case No.: PC-09-2012
Date Filed: 6/11/12**Zoning Code Text Amendment Application**
City of Oxford, OhioAugust
mtg 7/13
paper**REQUIRED INFORMATION**

Name of Applicant:

City of Oxford
(Attach a Letter of Agency if the applicant is not the property owner.)

Mailing Address:

101 E. High St.
Oxford, OH 45056

Telephone Number(s)

(513) 524-5204

Email Address

SUBMISSION REQUIREMENTS

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

Neighborhood Conservation
Overlay District

All applications must include:

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

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

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

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

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

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

SIGNATURE OF APPLICANT:

Jung-Han Chen

Date:

5/25/12

PRINTED NAME:

Jung-Han Chen

FEE / RECEIPT

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



Office of the Mayor

Proclamation

Whereas:

the Peace Pole was presented to the City of Oxford in 1989 by the Oxford Peace Breakfast Network, including Oxford Citizens for Peace and Justice, Campus Ministry Center, the Oxford United Methodist Church, Oxford Friends Meeting, Holy Trinity Episcopalian Church, Oxford Presbyterian Church, and other area groups interested in peace and justice; and

WHEREAS, its purpose is to serve as a lasting and visible symbol of this community's aspiration and commitment to peace in our community and throughout the world; and

WHEREAS, the message "May Peace Prevail on Earth" appears in English, Hebrew, Arabic, and Hopi to address Eastern and Western conflict; and

WHEREAS, at the time, more than 68,000 peace poles had been planted internationally and today that number is more than 200,000; and

WHEREAS, the United Nations has declared that September 21st of each year will be known as an International Day of Peace. The Theme for 2012 is "Sustainable Peace for a Sustainable Future".

NOW, THEREFORE, I, Richard A. Keebler, Mayor of the City of Oxford, Ohio, do hereby proclaim September 21, 2012 to be:

"International Day of Peace"

in the City of Oxford, and in recognition of this International Day of Peace, that a sustainable future requires sustainable communities, I hereby rededicate the Oxford Peace Pole.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 18th day of September, 2012.

RICHARD KEEBLER, MAYOR



**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 4, 2012

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

August 27, 2012
Date Prepared:

Agenda Title:	PC-08-2012 Zoning Code Text Amendment – To Amend 1141. 03(a) allowing multi-buildings on a R-3 Residential Zoning Lot, and 1143.06 Multi-Family Residential (R3) District and 1149.03(e) off-street parking for multi-family dwelling units.
----------------------	---

Recommendation: Approval

Discussion:

The Planning Commission established a subcommittee to review nonconformities in Oxford related to the Oxford Zoning Code. The Subcommittee was to review regulations and identify any barriers to the redevelopment of underutilized and potentially blighted apartment complexes to encourage quality, infill redevelopment that promotes the goals of the Comprehensive Plan. The Subcommittee decided early on to start with the current R-3 development regulations and address some common nonconformities that are exhibited in those apartment complexes.

Through reviewing existing conditions and issues, researching alternative practices and referencing the vision of the Comprehensive Plan, the Subcommittee prepared some major changes to the existing development regulations of the R-3 District. It was obvious that the existing regulations have significantly hampered redevelopment efforts, but it was not clear the degree of difficulty for redevelopment until the Subcommittee made comparisons between existing regulations with the site conditions of those apartment complexes.

There is a fundamental shift in the mindset within the recommended language that has moved away from a conventional approach. The needs to address storm water run-off, the alternative modes of transportation and the basis for computing maximum density. This Subcommittee also crafted language to provide incentives to increase lot coverage, yet retain storm run-off on site. A summary of those recommended changes are provided for your information.

Proposed 1141.03(a) would allow multi-buildings to be in an R-3 District, providing the site is less than three acres. Current regulations prohibit multi-buildings in any residential, except in a PUD.

Proposed R-3 Multi-Family Residential District: the maximum density would be limited to 450 sq. ft. per person for multi-family dwelling units. The minimum lot coverage is changed from 30% to 50% with the caveat that additional coverage may be permissible, provided best management practices are utilized to retain storm water run-off on site.

Proposed 1149.03(e) dealing with off-street parking requirement: would allow the required number of off-street parking to be based on the number of occupancies. The required number of off-street parking

may be reduced based on various criteria as outlined in the attachment.

The Planning Commission held a public hearing on the matter on August 14, 2012. Based on the presentations from staff and Planning Commission Subcommittee, the Planning Commission voted 7-0-0 to recommend Council approval of these changes to encourage redevelopment of underutilized and/or blighted apartment complexes.

Approved By:

Department Head:

City Attorney:

City Manager:

JHC 8/27/12
DAE 8/31/12

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD ZONING CODE SECTION 1141.03, SUPPLEMENTAL REGULATIONS, SECTION 1143.06, R-3 MULTI-FAMILY RESIDENTIAL DISTRICT, AND SECTION 1149.03, VEHICLE MANAGEMENT, AND ADOPTING NEW OXFORD ZONING CODE SECTION 1141.03, SUPPLEMENTAL REGULATIONS, SECTION 1143.06, R-3 MULTI-FAMILY RESIDENTIAL DISTRICT AND SECTION 1149.03, VEHICLE MANAGEMENT.

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

SECTION I: Council hereby finds that the City of Oxford Planning Commission held a public hearing on August 14, 2012 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Zoning Code Section 1141.03, Supplemental Regulations, Section 1143.06 R-3 Multi-Family Residential District, and Section 1149.03, Vehicle Management and adopting new Oxford Zoning Code Section 1141.03, Supplemental Regulations, Section 1143.06, R-3 Multi-Family Residential District and Section 1149.03, Vehicle Management.

SECTION II: Council hereby repeals Oxford Zoning Code Sections 1141.03, 1143.06 and 1149.03 and adopts new Oxford Zoning Code Sections 1141.03, 1143.06 and 1149.03 as follows: (additions are **bolded** and deletions are ~~struck through~~).

1141.03 SUPPLEMENTAL REGULATIONS.

In addition to all regulations specified for the Zoning Districts and in other sections of this Ordinance, the provisions of this Section inclusive shall be used for interpretation and clarification.

(a) **One Principal Building Per Lot.** In a Residential district, ~~except for R-3,~~ there shall be no more than one principal building or use on one lot. In commercial or industrial districts, more than one building is permitted provided all other site development regulations of the district are satisfied.

(b) Every building hereafter erected, converted, enlarged, reconstructed or structurally altered shall be located on a lot of record, and shall have its principal entrance upon a street bordering such lot. For the purpose of this provision an alley is not considered as a street.

(c) **Setback and Yard Requirements.**

(1) **Corner Lots.**

A. On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located. (See the definition of Yard- front.)

B. On a corner lot, accessory buildings and uses may be located in the side yard with the most distance to the neighboring property or the side yard located at the rear of the house as illustrated in Figure 1. (Corner Lots)

(2) **Double Frontage/ Through Lots.**

A. Buildings on lots having frontage on two streets (double frontage lots) need not have a rear yard setback; however, the required front yard shall be provided on both streets as illustrated in Figure 2.

B. On a double frontage lot, accessory buildings may be located in the front yard located to the rear of the house as illustrated in Figure 2.

(3) **Front Yards.**

A. The width of a lot is measured at the setback line established under the zoning district or on a plat of record on file with the Butler County Recorder.

- B. An average front yard setback may be established when more than 50% of the lots have been developed within that block face. The average front yard setback required shall, in no circumstances, be less than 16.5 feet.
 - C. Lots having frontage along a public street and one alley along the side of the property shall provide a side yard setback along the alley as illustrated in Figure 3.
 - D. Lots having frontage along a public street and one alley at the rear of the property shall provide a rear yard setback along the alley as illustrated in Figure 3.
 - E. Lots having frontage along a public street and two alleys² shall provide a side and rear yard setback along the alleys² as illustrated in Figure 3.
 - F. On any lot, having a portion of its land area vacated by Ordinance No. 103, and ownership of the vacated portion having not been obtained, the front yard setback shall be measured from the 16.5 foot vacated right-of-way line.
 - G. In any instance where the property line is in the center of the street and is not the same as the right-of-way line, the setback shall be taken from the right-of-way.
- (4) Rear Yards.
- A. Rear yard depths may be varied where the rear wall of a building is not parallel with the rear lot line or is broken or otherwise irregular. In such cases, the average depth of the rear yard shall not be less than the required minimum or narrower than 20 feet.

Figure 1: Corner Lots

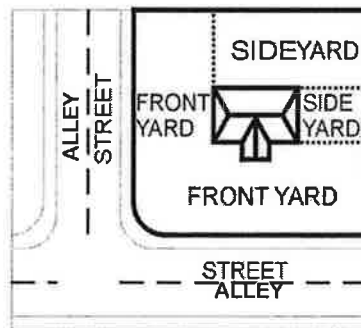


Figure 2: Double Frontage/
Through Lots

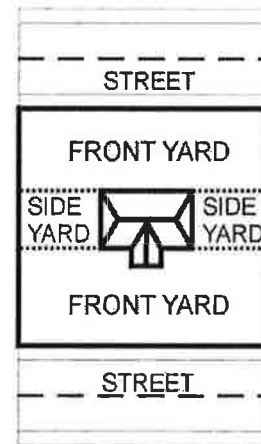
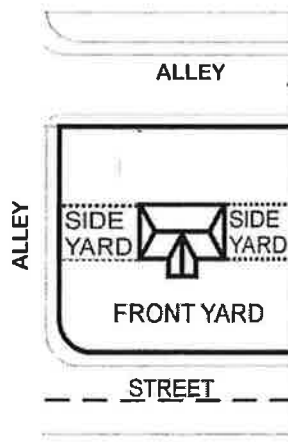


Figure 3: Alley Lots



- (5) Mixed Use Buildings. Where dwelling units are erected above commercial structures in commercial districts, no side yards are required, except such side yard as may be required in the district regulations for a commercial or industrial building on the side of a lot adjoining a residential district.

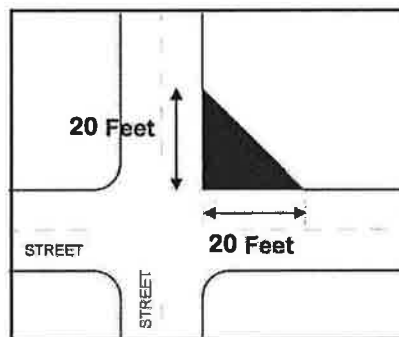
(6) Projections into Required Yards.

- A. Every part of a required yard shall be open to the sky except for accessory buildings and ordinary projections of sills, belt courses, cornices, canopies, eaves, and architectural or ornamental features which may project a distance not to exceed two feet, six inches. (1.5' above)
- B. An open air ramp and necessary landing may project a distance not to exceed six feet.
- C. Bay windows, balconies, or chimneys may project into a yard a distance not to exceed three feet; provided however, that the aggregate width of such projection shall not exceed one-third of the length of the wall upon which they are located.
- D. A porte-cochere may project into a required side yard provided every part of such porte-cochere is unenclosed and shall not be less than five feet from the side lot line. No porte-cochere roof top may be utilized as a deck or outdoor living space unless it satisfies the setback requirements of the district in which it is located.
- E. Stoops or steps to a building entrance, covered or uncovered, may project a distance not to exceed four feet.



(d) Projection into Right-of-Way in the UP Uptown District. No part of a building shall project into the public right-of-way unless specifically allowed by the Oxford Codified Ordinance Chapter 1301, Building Code; or by Chapter 1151, Signs.

(e) Visibility at Intersections. On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and a half and ten feet above the centerline grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots a line joining points along such street lines 20 feet from the point of intersection.



Vision Clearance Triangle

(f) Use of the Vacated Right of Way. On any lot, having a portion of its land area, vacated by Ordinance No. 103, the use of that vacated portion shall be restricted to lawn, landscaping, sidewalks and authorized egress and ingress driveways, except that in the Uptown District such land vacated by Ordinance No. 103 may be used for municipally-owned parking or municipally-regulated parking and outdoor patio areas as regulated in Section 1143.10 Uptown District Regulations.

(g) Exceptions to Height Regulations.

- (1) The height limitations contained in Chapter 1143 District Requirements do not apply to any agricultural farm structure provided they are located 50 feet or more from a lot line of residentially zoned property.
- (2) Church spires, belfries, cupolas, water tanks, ventilators, chimneys, air conditioning units, elevator bulkheads or other necessary mechanical equipment appurtenances usually required to be placed above the roof level and not intended

for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of an aircraft at an established airport. Such appurtenances shall be positioned, to the extent possible, to minimize the visibility from street level.

(3) Such height regulations shall not apply to fire towers, cooling towers, gasholders or other structures where the manufacturing process requires a greater height. All such structures shall not occupy more than 25 percent of the area of the lot and shall be at least 25 feet in all parts from every lot line.

(4) The height of cell towers and other wireless telecommunication towers are subject to the use-specific regulations of this Ordinance.

(h) Residential Building Additions. No addition to an existing residential building that results in or enables a new dwelling unit shall be approved, unless it is permitted by the underlying zoning district. The addition shall also be subject to the following requirements:

(1) Any addition shall reflect the character, material, style, mass and architectural features of the existing structure.

(2) Any habitable addition must be physically attached and share a common wall with the existing structure. The common wall between the addition and the existing structure shall not be less than 50% of the total square footage of the exterior wall where the addition is to be attached. Such measurement shall be based on the total square footage of the existing wall and shall only include the wall that completely encloses the interior space of the existing structure. The square footage of a wall shall be the length of the wall, where the addition is to be attached, multiplied by the height of that wall, excluding the attic area. (Ord, 3059 Passed 06-02-09)

(i) ADA Compliance Standards. Any additions to a nonconforming structure or use for ADA compliance (i.e. elevator, ramp) that does not expand the use shall be permitted, provided the setbacks for the district in which it is located are satisfied.

1143.06 R-3 MULTI-FAMILY RESIDENTIAL DISTRICT.

(a) Purpose. This zone is intended to accommodate multi-family structures suited to the lifestyles of individuals and families, generally located in areas adjacent to major thoroughfares and commercial areas.

(b) Uses.

(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 that do not include any activity conducted as business.

E. Day Care Home Type B family.

(2) Conditional uses. The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

A. Community-Oriented Residential Social Service Facilities (CORSSF's).

B. Shared Housing and Congregate Housing for the elderly.

C. Government owned and/or operated parks and recreation facilities.

D. Bed and breakfast homes.

E. Open space recreation areas that are privately or publicly owned, such as golf courses, tennis courts, parks, forests, or wildlife preserves.

F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.

G. Schools: primary, intermediate, and secondary, both public and private.

H. Places of worship.

I. Nursing homes for convalescent patients.

J. Professional Offices.

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

(1) Lot requirements.

A. Minimum lot area

- | | |
|--|------------------------------------|
| 1. One-family dwelling | 6,000 sq. feet |
| 2. Two-family dwelling | 7,500sq. feet |
| 3. Three-family dwelling and up | 9,000 sq. feet |
| 4. Four, five, or six-family dwelling | 2,200 sq. feet per unit |
| 5. Seven to 24-family dwelling | 1,800 sq. feet per unit |

B. Maximum Residential Density – Occupancy shall be limited to one person per 450 square feet of lot area for multi-family dwelling use.

C. B. Minimum Lot Width

1. One-family dwelling 60 feet
2. Two-family dwelling 75 feet
3. Three-family dwelling 90 feet
4. Four-family dwelling 100 feet
5. Five to 24-family dwelling 120 feet

(2) Yard requirements.

A. Minimum front yard depth 30 feet

B. Minimum rear yard depth

1. One, two, and three-family dwelling 35 feet
2. Four-family dwelling 40 feet
3. Five to 24-family dwelling 45 feet

C. Minimum side yard width on each side

1. One- and two-family dwelling 7.5 feet
2. Three to 24-family dwelling 15 feet

(3) Structural requirements.

A. Maximum building height 35 feet

B. Number of Principal Buildings Per Lot or Development Site. For lots or developments three acres and over, the project shall follow the PUD process in Section 1145 in order to permit more than one principal building per lot. For lots or developments under three acres, the project is not required to follow the PUD process for more than one building.

C. B. Minimum floor area per dwelling unit in multi-family dwellings

1. Efficiency 400 sq. feet
2. One-Bedroom 600 sq. feet
3. Two-Bedroom 800 sq. feet
4. Three-Bedroom 1,000 sq. feet
5. Four-bedroom 1,200 sq. feet

(4) Lot coverage.

~~A. Lots with vehicular access from a public street~~

~~A. 1. Lot total – 50 35 percent~~

- a. **Stormwater Reduction Incentive. Lot coverage up to 70% may be allowed if the stormwater management plan reduces projected runoff rate more than required. For every one percent reduction in the rate of stormwater runoff, the allowable lot coverage may be increased by one percent, up to 70% maximum lot coverage.**

~~B. 2. All enclosed buildings – 25 percent of lot~~

~~C. 3. B. 2. Front yard – 25 percent of front yard~~

~~B. Lots with vehicular access from a rear or side alley, and no access from a public street~~

~~1. Lot total — 40 percent~~

~~2. All enclosed buildings — 25 percent of lot~~

~~3. Front yard — 5 percent of front yard~~

~~(5) Usable open space. Multi-family units shall be designed so that each unit will abut upon common usable open space. Such common open space shall in total average a minimum of 500 square feet per unit, exclusive of areas used for vehicular circulation, parking and accessory buildings. Only areas having at least dimensions of 20 feet shall qualify for computation as usable open space.~~

1149.03 VEHICLE MANAGEMENT

GENERAL REGULATIONS.

- (a) All off-street parking and maneuvering areas shall be hard surfaced (includes concrete, asphalt, brick, stone, or bonded gravel). Loose materials are not permitted. The Zoning Administrator may permit alternate surfaces if they satisfy the intent of and satisfy all other provisions of this section.
- (b) All off-street parking shall be located on the same site as the use for which it is required or intended.
- (c) All off-street parking spaces shall contain a rectangular area a minimum of 9 feet wide and 20 feet long, except that parallel parking spaces shall be a minimum of 22 feet long.
- (d) Computation Rules.
 - (1) Any mixed-use structures or lots must provide parking in an amount equal to the sum of all the individual uses combined.
 - (2) Any fractional spaces required shall be rounded up to the next whole number.
- (e) Space Requirements.

Residential Uses Number Required

Single-Family

2 per dwelling unit

Two-family

2 per dwelling unit

Three-family

2.5 per dwelling unit

Multi-family

~~2.5 per dwelling unit~~

The minimum number of parking spaces shall be one times 50% of the number of permitted occupants.

- 1. The minimum number of off-street parking spaces may be reduced based on the following criteria, but not less than 25% of the permitted occupants:
- 2. Building distance to MU Metro Stops
 - a. Less than 500 feet 10% reduction
 - b. Less than 1000 feet 5% reduction
 - c. Less than 2000 feet 1% reduction
 - d. More than 2000 feet no reduction
- 3. Sheltered bike facility

- a. Each 10 bike shelter parking facility qualifies for 1 % reduction
- 4. Building distance to the MU campus
 - a. Less than 500 feet 10% reduction
 - b. Less than 1000 feet 5% reduction
 - c. Less than 2000 feet 1 % reduction
 - d. More than 2000 feet no reduction
- 5. Numbers of on-street parking
 - Each legal, adjacent, on-street parking space would reduce one required off-street parking space

Efficiency	1 per dwelling unit
Fraternity and Sorority	2 per each 5 beds permitted by a valid City of Oxford rental permit
Family community residence	1 plus 1 per each 2 support staff members
Group community residence members	1 plus 1 per each 2 support staff
Community residence	1 plus 1 per each 2 support staff members
Family day-care home, Type A	1 per each 6 children potentially enrolled
Family day-care home, Type B	1 per each 6 children potentially enrolled
Child day-care center	1 per each 6 children potentially enrolled

Non-Residential Uses Number Required

Amusement arcade	1 per each 200 square feet
Auditoriums, churches, temples & other places of public assembly (bench seating 20 inches equals one seat)	1 per each 8 seats in main auditorium (for
Bed & Breakfast	1 per guest room
Billiard parlor	2 per each billiard table
Bowling alley	5 per each alley
Bowling alley with restaurant	5 per each alley plus 1 per each 200 square feet of usable floor area in the restaurant
Car wash	1 per 6 wash bays
Cemetery	1 per each employee on largest shift plus 1 per each 2 seats in any chapel
Clinic, bank, independent offices	3 plus 1 additional per each 300 square feet of
usable floor area over 1,000 square feet	
Club or lodge	1 per each 5 members
Community center, library, museum, art gallery	1 per each 250 square feet of floor area plus 1

per each employee on largest shift

Funeral home	1 per each 30 square feet of usable visitation and funeral service area plus 1 per each employee on largest shift plus 1 per each funeral vehicle
Golf facility	10 per each hole plus 1 per tee at a driving range plus 50 percent of the spaces required for other on-site accessory uses
Hospital	1 per each 2 beds (excluding infant beds); 3 plus 1 additional per each 300 square feet of usable floor area over 1,000 square feet
Industrial wholesaling & manufacturing uses	2 per each 3 employees on largest shift for which building is designed plus 1 per each motor vehicle routinely stored on premises or in ratio of 1 space for every 1,000 square feet of total building area; provided, however, that if the number of spaces required by the building ratio is greater than that required by the employee ratios, additional parking spaces need not be provided physically but sufficient spaces shall be reserved for future physical development.
Miniature golf facility	1.5 per each hole
Nursing home	2 per each 3 beds
Offices with office buildings usable floor area over 1,000 square feet	3 plus 1 additional per each 300 square feet of
Other	As determined by Zoning Administrator based upon similarity to requirements for listed uses
Professional offices, studios, non-profit organizations	3 plus 1 additional per each 300 square feet of usable floor area over 1,000 square feet
Restaurant	1 per each 100 square feet of usable floor area. If a drive-through is present, each 20 feet of queuing between the points at which the order is taken and the where the food is served shall count as 1 space toward the total requirement, up to a maximum of 3 spaces.
Retail store, personal service establishment	1 per each 200 square feet of usable floor area.
School, elementary	1 per employee on largest shift plus 1 per

School, high	classroom 1 per employee on largest shift plus 1 per each four students potentially enrolled
School, junior high	1 per employee on largest shift plus 1 per classroom
Skating rink	1 per each 300 square feet of floor area
Stadium or spectator arena	1 per each 10 seats (for bench seating 22 inches equals one seat)
Swimming pool	1 per each 75 square feet of water surface area

(f) Exceptions.

- (1) In the UP district, all dwelling units are exempt from parking requirements.
- (2) All non-residential uses in the UP and RO districts are exempt from parking requirements.
- (3) For non-residential uses that require more than 80 parking spaces, the Zoning Administrator may permit a reduction of up to 50 percent of the total number of required spaces. Regardless of any permitted reduction, all uses shall have adequate land area to provide the total number of spaces required by this Chapter. The applicant shall provide proof that the reduced total number of parking spaces is sufficient for the use and location. The Zoning Administrator is not obligated to permit a reduction. If the Zoning Administrator finds that the total number of parking spaces is insufficient for the use, the landowner shall construct additional parking spaces within one year of notification from the Zoning Administrator.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

Certification of Action Oxford Planning Commission Recommendation to City Council

<u>Report Date</u>	August 27, 2012
<u>Case Number</u>	PC-08-2012
<u>Applicant Information</u>	City of Oxford, Applicant
<u>Requested Action</u>	Zoning Code Text Amendment
<u>Summary of Request</u>	ZONING CODE TEXT AMENDMENT to amend 1143.06 Multi-Family Residential (R3) District and 1141.03(a) allowing multi-buildings on a R-3 residential zoning lot, 1149.03(e) off-street parking for multi-family dwelling units, City of Oxford, Applicant
<u>Public Hearing Information</u>	On August 14, 2012 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on July 13, 2012.
<u>Commission Action</u>	The Planning Commission voted 7-0-0 recommending approval to City Council.
<u>Commission Findings and Conclusions</u>	The Planning Commission recommended this Zoning Code Text Amendment approval to encourage redevelopment of underutilized and/or blighted apartment complexes.
<u>Exhibits Submitted to the Commission</u>	1. Staff Report dated August 9, 2012 2. Interoffice Review Transmittal Sheets 3. Zoning Code Text Amendment Application dated June 18, 2012 4. Proposed Language

City of Oxford
Community Development Department
STAFF REPORT

Planning Commission

Case # PC-08-2012

Date – August 14, 2012

APPLICATION

Applicant:

City of Oxford

Action Request:

ZONING CODE TEXT AMENDMENT to amend 1143.06 Multi-Family Residential (R3) District and 1141.03(a) allowing multi-buildings on a R-3 residential zoning lot, 1149.03(e) off-street parking for multi-family dwelling units, **City of Oxford, Applicant**

DESCRIPTION

Earlier this year a subcommittee of the Planning Commission was tasked with addressing zoning nonconformities in Oxford. The **goal statement of the subcommittee was to review existing codes for barriers** to the redevelopment of underutilized and potentially blighted apartment complexes, to encourage quality, infill redevelopment that promotes the goals of the Comprehensive plan. The subcommittee is charged with reviewing existing conditions and issues, researching alternative practices, and drafting proposed code revisions as necessary for review by the Planning Commission. The **objectives** are to promote zoning (economic) incentives for redevelopment, while at the same time ensuring improved storm water management (quality and quantity), improved quality/functionality of open space (including reduced heat island effects), and a more balanced transportation system. The **geographic scope at this phase** is focused on redevelopment/infill in Oxford's core (e.g. R3 Zoning District).

The subcommittee decided early on that starting with the R-3 District would be helpful, because the **degree of nonconformity is significant**. There are seven R-3 Districts around Oxford, two of which are adjacent to the Mile Square. The subcommittee also decided that any changes to the R-3 code may be a good point of reference for text amendments for other districts. The subcommittee has held off the discussion of the text of the Nonconformities Section 1137 until after the R-3 draft has been finished.

ZONING CODE

The attached text amendment proposes changes to 1141.03(Supplemental Regulations), 1143.06(R-3 Multi-Family Residential District Regulations) and 1149.03(Vehicle Management Regulations). The proposed amendments fall within the Intent and Purpose statements listed in Section 1123.

COMPREHENSIVE PLAN

Some applicable **Land Use Principles** of the Comprehensive Plan are as follows (p. 3.9):

- Infill development and redevelopment of underutilized sites is a priority. (3.9)
- The development of new residential areas, and redevelopment of existing residential areas, will have strong neighborhood qualities. (3.10)
- Places will be connected to create better opportunities to walk, bike and access public transportation throughout the community. (3.12)

- Environmentally sensitive and sustainable practices will be encouraged in future developments. (3.12)

Some applicable **Land Use Goals** of the Comprehensive Plan are as follows (p. 3.21)

Objective 1: Manage Growth

LU 1.5 Charge the Planning Commission with planning and managing long term growth, including, but not limited to a comprehensive review of the zoning code and subdivision regulations. (p. 3.21)

Objective 2: Enhance neighborhoods within the Mile Square

LU 2.1 Continue to promote diversity of housing opportunities in the Mile Square. (p. 3.21)

Objective 9: Create new residential areas with traditional neighborhood qualities

LU 9.4 Create standards, or modify existing standards, to allow for a mix of housing types within neighborhoods. (p. 3.24)

AGENCY REVIEWS

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

Police:	Returned without comment
Fire:	Returned without comment
Engineering:	Question/Comment resolved
Econ. Dev.	Returned with comments attached

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

The numerical standards of the R-3 district were found to be more akin to a suburban single family subdivision than an apartment district. Therefore, the subcommittee worked with staff to identify several standards which should be revised (see below). Apartment dwellers in recent years have come to prefer smaller, private spaces, rather than congregate-style open floor plans. This means smaller bedrooms with shared kitchens and private baths. Although this would seem to increase the permitted occupancy of the site, it actually reduces it. In reality, units that were designed with double occupancy bedrooms in the 1960s and 70s are not getting fully leased because of current market preferences. These text amendments were crafted with **either redevelopment or new construction** in mind.

The most obvious barrier in the R-3 code is the lot coverage. The current requirement is 35 percent for all buildings and parking combined. Many of the R-3 sites have 70-80% lot coverage. The subcommittee believed that jumping from 35 to 70% was too much of a jump. So, with some influence from the Environmental Commission, the subcommittee is proposing a zoning incentive which seeks to lessen the impacts of downstream stormwater runoff. Therefore, the proposed change is to **increase the allowable lot coverage from 35 percent to 50 percent**, with a potential for up to 70 percent, but only if the stormwater runoff rate is reduced. **For every one percent that the storm water runoff rate is reduced beyond the requirement, the lot coverage can increase by one percent, up to 70%.** Codifying a storm water quality requirement was also discussed, but at this time, there is not enough standardization on the permitting/enforcement side, to effectively craft code.

A consequence of an automobile-oriented development pattern is the expectation for some available **vehicle parking spaces**. Many of the apartment sites in the R-3 district have a nonconforming number of parking spaces. This could be because the current parking requirement is based on the number of dwelling units (2.5 spaces required for each unit), regardless of the number of occupants or bedrooms in each unit; or it could be because the requirement changed after the site was developed. Not all the parking spaces in the R-3 district are being used because of other modes of transportation or off-site vehicle storage. In order to bring more standardization to the parking requirement, the subcommittee is proposing to change

the parking requirement to be based on the number of occupants instead of the number of dwelling units. **The proposal is to require parking spaces for at 50% of the occupants and as few as 25% of the occupants if special conditions exist (see attached).**

Consistent with that same rationale (basing standards on occupancy), **a maximum density is proposed** rather than a lot size/per dwelling unit ratio. For buildings over seven units, the current code requires 1,800 square feet of lot for every one dwelling unit. The proposal is to remove the 1,800 square foot requirement and replace it with a maximum occupancy of one person for every 450 square feet of lot. A similar approach was used in the Uptown Zoning district in 2011, but at a higher density -- one person for every 200 square feet of lot.

Useable Open Space (green space) was also discussed on the subcommittee. City staff looked at typical apartment developments in other college communities and determined that usable open space is an integral part of healthy community living, and also a key point throughout the Comprehensive Plan. However, the current code requiring 500 square feet of open space for each unit has not been tested since it was adopted as part of a comprehensive zoning code re-write in 2003. Therefore, the subcommittee **opted to strike the requirement and rely on the yard (setback) areas as the green space** for the development. Current code requires a 30 foot front yard. Developments **three acres and over, with multiple principal buildings, would be required to go through the PUD (Planned Unit Development)** process, which could address the functionality and accessibility of green space on those larger sites.

No changes are proposed to the existing code for maximum building height of 35 feet because of the relative scale of Uptown buildings. Thirty-five feet typically allows a three story structure. The current heights of apartment buildings in the R-3 district seem to be acceptable by the community and surrounding neighborhoods.

Professional Offices have been added as a conditional use in the R-3 district regulations.

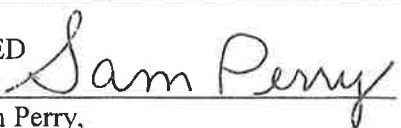
See the attached zoning code text amendment. The full text is included. Sub-sections with any changes are in red. Bold and underlined text is new. Bold and strikethrough text is removed.

RECOMMENDATION

Staff recommends that the Commission dialogue on each point of revision so that the full Commission is up to date with the subcommittee's rationale before moving forward.

SUBMITTED

BY:


Sam Perry,
Planner

DATE: August 9, 2012

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 8/2/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-08-2012 ZONING CODE TEXT AMENDMENT to amend 1143.06 Multi-Family Residential (R3) District, City of Oxford, Applicant

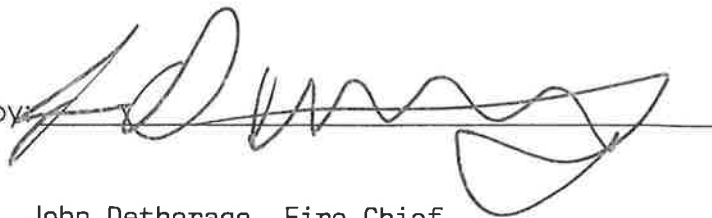
 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/7/2012** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Detherage, Fire Chief

Date: 8-6-12

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 8/2/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-08-2012 ZONING CODE TEXT AMENDMENT to amend 1143.06 Multi-Family Residential (R3) District, City of Oxford, Applicant

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/7/2012** Note: If no comments are received, we will assume the project meets your department's standards.

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

see memo dated 8/7/12

Drawings reviewed by: Scott Otto

Date: 8/7/12

Scott Otto, Engineering

6-11-2017

6-11-2017

6-11-2017



Memo

Service Department
Engineering Division

513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Scott Otto, P.E.
Engineering Division

RE: Case # PC-08-2012
Zoning Code Text Amendment- 1143.06 R3 Multi-Family Residential
District

DATE: August 7, 2012

The Engineering Division has reviewed the subject case.

The following is our comment:

- What are the limits of where on-street parking spaces are credited? Can a space be counted that is across the street?

If there are questions, please contact the Engineering Division at 513-524-5208.

8/9/2012

Called Scott Otto back and told him only adjacent spaces would be counted. Spaces across the street could not be counted.

(Therefore, Scott's question has been taken care of)

Sam Perry

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 8/2/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-08-2012 ZONING CODE TEXT AMENDMENT to amend 1143.06 Multi-Family Residential (R3) District, City of Oxford, Applicant

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

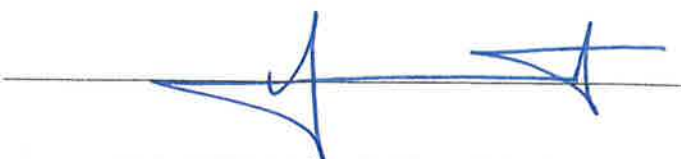
Please return no later than: **8/7/2012** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned:

 w/comments

without/comments

Drawings reviewed by:


Bob Holzworth, Police Chief

Date: 8/8/2012

City of Oxford
Inter-Office Review Transmittal Sheet

Date: 8/2/2012

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

Drawings are being submitted to you for the following:

PC-08-2012 ZONING CODE TEXT AMENDMENT to amend 1143.06 Multi-Family Residential (R3) District, City of Oxford, Applicant

 X Review Revisions Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/7/2012** Note: If no comments are received, we will assume the project meets your department's standards.

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

As a member of the Non-Conforming Structures/Uses/Lots Subcommittee, the first order of business we performed was to look at the underlying zoning requirements for the R-3 zone. The thought being, if there were obvious areas of the code would impede the redevelopment of R3 zoned sites and let's fix those issues first.

I agree with the changes which the committee is recommendation.

I do want to point out; this marks a major shift in how the City approaches parking. In the past it seemed providing more parking was better. In some PUD cases, up to one parking space per occupant. This plan reduces the required parking areas and encourages reliance on alternative forms of transportation by allowing the reduction of parking spaces based on the availability of alternative forms of transportation.

Drawings reviewed by: 

Alan Kyger, Economic Development Director

Date: 8-7-2012

PC-08-2012
Zoning Code Text Amendment Application
City of Oxford, Ohio

August
mtg 7/13
paper

REQUIRED INFORMATION

Name of Applicant:

City of Oxford

(Attach a Letter of Agency if the applicant is not the property owner.)

Mailing Address:

196 E High St
Oxford OH 45056

Telephone Number(s)

Email Address

R3 District

SUBMISSION REQUIREMENTS

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

All applications must include:

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

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

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

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

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

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

SIGNATURE OF APPLICANT:

Jing-Han Chen

Date:

7/5/12

PRINTED NAME:

Jing-Han Chen

FEE / RECEIPT

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

NA

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, September 4, 2012 at 7:30 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kevin McKeehan, Kate Rousmaniere and Steve Snyder.

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

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Blackburn seconded. The motion passed 7-0-0.

PUBLIC PARTICIPATION

PUBLIC COMMENTS

Mr. Larry Rankin, 610 French Drive, advised he reviewed the capital budget for 2013-2017 and he felt it was a very reasonable type of budget. Mr. Rankin noted compared to the 2013-2016 capital budget it was more prudent and relevant. Mr. Rankin applauded staff and Council for their efforts in starting off the budget process.

Mr. Rankin noted as an Oxford citizen, there were a series of questions about vehicles he would like to ask. Mr. Rankin inquired about the following:

How many vehicles does the City own?

Are we increasing the fleet, maintaining it or decreasing it?

Is the average age of the fleet becoming newer, older, or being maintained?

Is the City consistently reviewing insurance policies for all of the vehicles?

Is the City consistently monitoring fuel usage?

Can the citizens be assured that City owned vehicles are never utilized for personal use?

Mayor Keebler noted prior to purchasing any additional vehicles Council was going to ask for a complete report to include a lot of the issues Mr. Rankin raised. Mayor Keebler advised there would not be any requests for new vehicles until January at the earliest.

Mr. Ari Frum, 5262 Brown Road, Associated Student Government, invited Council to attend the Off Campus Housing Fair which would take place tomorrow from 11:30 a.m. to 4:00 p.m. in the Multi Purpose Room at the Shriver Center.

Ms. Prue Dana, 6314 Fairfield Road, noted she was speaking this evening for herself and as a former City Councilor and Mayor. Ms. Dana commended Council and staff for methodically planning City services including street repairs, cleaning of pumps for safe and sufficient water, cleaning of the City when students leave town and when they returned. Ms. Dana noted she felt City services were top notch for everyone. Ms. Dana advised she was disappointed with Council's budget discussion especially concerning the pool at the Community Park. Ms. Dana noted Council planned for a new pool by designating the Community Park as the location for a new water park during her time on Council and it was still not a part of the budget. Ms. Dana urged Council to consider this community asset as they reconsidered the budget, and urged Council to go about it in the same methodical way of planning that other City services were planned. Ms. Dana urged Council to consider this soon noting it would save money by avoiding a crisis if something happened to the 40 plus year old pool that would shut it down in mid-season and cost a lot of money to repair. Ms. Dana advised by being part of the plan the City considered it would be an asset very important for families, swim teams, and community members. Ms. Dana noted there were citizens who were watching the budget process and looking for when this community asset could come on line.

CONSENT AGENDA

MINUTES

Minutes of the August 21, 2012 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the August 21, 2012 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the August 14, 2012 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 15, 2012 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Mr. McKeehan moved to approve the consent agenda. Mr. Snyder seconded. The motion passed 7-0-0.

RESOLUTIONS

RESOLUTION **CONTRACT WITH** **R&B CONTRACTORS**

A Resolution No. 4698 accepting the bid and authorizing the City Manager to enter into a contract with Robert McConnell DBA R&B Contractors for the replacement of roof and gutter systems at the Water Treatment Plant and Water Distribution maintenance facilities at a cost of \$98,400.00 plus a contingency amount of ten percent (10%) of the contract price or \$9,840.00 for a total cost not to exceed \$108,240.00. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised the Water Treatment Plant was now 20 years old and was going to need some basic structural maintenance. Mr. Dreisbach noted the roof was showing signs of wear and needed to be replaced. Mr. Dreisbach advised this was a fairly difficult roofing job since there were several dormers and a cupola involved which added to the cost. Mr. Dreisbach noted the contract price included new roofing for the Water Treatment Plant and the Distribution facility behind the plant. Mr. Dreisbach advised the lowest bidder had done work for Miami University and the university was very pleased with their work. Mr. Dreisbach noted staff would like Council's approval to move forward with the project.

There were no questions or comments from the public or from Council.

Mr. Snyder moved to approve Resolution No. 4698. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION
GRANT APPLICATION

A Resolution No. 4699 of Council supporting the submission of a grant application for the Ohio Public Works Commission Issue 1 Funds in the amount of \$172,500.00 to be used for the reconstruction of the Dana Drive Bridge over Collins Run. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised staff performed annual inspections of the Dana Drive Bridge and recently noticed more significant deterioration of the bridge decking and foundation concrete. Mr. Dreisbach noted it was time to start discussing and planning for the bridge replacement. Mr. Dreisbach advised the proposed Resolution would allow the City to apply for grant funding from the Ohio Public Works Commission whose share of the cost would be \$172,500.00 and the City's share would be \$77,500.00. Mr. Dreisbach noted should Council approve the Resolution and should the grant be awarded, the project would be constructed in the summer of 2014.

Mr. Bogard advised he was familiar with the bridge and noted there were a lot of tree limbs and debris in the stream and inquired what efforts would be made to control the Collins Run stream. Mr. Dreisbach advised City staff would remove debris from culverts or structures in the right-of-way but much of the area was private property. Mr. Dreisbach noted staff could advise the property owners of the City's curbside yard waste recycling program. Mr. Dreisbach advised some situations were referred to the Code Enforcement Department since the Property Maintenance Code prohibited tossing debris into a creek. Mayor Keebler advised many bridges within cities were the responsibility of the County Engineer and inquired how it was decided whether a bridge was a city or county responsibility. Mr. Dreisbach advised he would have to research each specific structure and noted ODOT had replaced some bridges as being part of a state route. Mr. Dreisbach advised he would research the issue and report back to the City Manager and Council. Ms. Rousmaniere noted there was erosion and storm water damage along Collins Run and inquired if a different bridge would worsen the issue. Mr. Dreisbach advised no and noted a new bridge would release the same amount of water downstream as the current bridge did.

Mr. Blackburn moved to adopt Resolution No. 4699. Mr. Harman seconded. The motion passed 7-0-0.

RESOLUTION
AGREEMENT WITH ODOT

A Resolution No. 4700 by the Oxford City Council authorizing the City Manager to execute an agreement with the Ohio Department of Transportation for the resurfacing of State Route 732 (Chestnut Street) from Main Street to Oxford-Reily Road. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised this project was discussed during the CIP Work Session with Council. Mr. Dreisbach noted the total cost of the project was \$431,500.00 and the local share was estimated to be \$199,000.00. Mr. Dreisbach noted this was preliminary legislation with ODOT and final legislation would be presented in early 2013 to move forward with the project. Mr. Dreisbach advised letters were sent to property owners regarding the need to repair defective curbs, gutters and sidewalks prior to the commencement of the resurfacing project.

Mr. McKeehan advised east of Locust Street on Chestnut Street nearly every curb and gutter was marked for repairs even though they didn't appear to be damaged. Mr. Dreisbach advised he would need to know the specific area Mr. McKeehan was referring to and noted there were 5 or 6 criteria that would cause the City to mark an area for repair. Mayor Keebler noted there was a process for property owners to contact the City if they disagreed with the need for repairs.

Mr. Snyder moved to adopt Resolution No. 4700. Ms. Rousmaniere seconded. The motion passed 7-0-0.

RESOLUTION
TAX LEVIES

A Resolution No. 4701 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 this was an annual step of the budgeting process and noted the County Budget Commission sent the estimated revenue the City would receive for property taxes and the proposed Resolution would certify that the 3.65% inside millage would generate income for the City which would be incorporated into the budget.

There were no comments from the public or from Council.

Mr. Bogard moved to adopt Resolution No. 4701. Mr. Blackburn seconded. The motion passed 7-0-0.

ORDINANCES
FIRST READING

ORDINANCE
ZONING TEXT
AMENDMENTS

An Ordinance Repealing Oxford Zoning Code Section 1141.03, Supplemental Regulations, Section 1143.06, R-3 Multi-Family Residential District, And Section 1149.03, Vehicle Management, And Adopting New Oxford Zoning Code Section 1141.03, Supplemental Regulations, Section 1143.06, R-3 Multi-Family Residential District, And Section 1149.03, Vehicle Management. (Jung-Han Chen, Community Development Director)

Mr. Chen thanked Alan Kyger, Scott Webb, Kate Rousmaniere and David Prytherch for their efforts as a sub-committee to look at the barriers in the zoning code which prevented redevelopment of apartment complexes and craft language to address those barriers. Mr. Chen discussed his staff report as presented on page 35 of the agenda and highlighted the proposed changes. Mr. Chen advised the proposed 1141.03 would allow multi-buildings in the R-3 District provided the site was less than three acres and noted the current regulations prohibited multi-buildings in any residential district, except in a PUD. Mr. Chen advised the proposed 1143.06 would limit the maximum density to 450 square feet per person for multi-family dwelling units and the minimum lot coverage was changed from 30% to 50% with the caveat that additional coverage may be permissible provided best management practices were utilized to retain storm water run-off on site. Mr. Chen noted the proposed 1149.03 would allow the required number of off street parking spaces to be based on the number of permitted occupants and noted the required number of off street parking spaces could be reduced based on certain criteria such as being close to a Metro Bus Stop. Mr. Chen also noted that "Professional Office" was added as a conditional use in the Multi-Family Residential District.

Mr. Blackburn noted he felt the proposed language was more user-friendly for those who wanted to rebuild houses. Mr. Blackburn advised there would be less need for people to obtain variances from the Zoning Code due to the proposed changes. Mr. Blackburn noted additional parking area on site was beneficial for the redevelopment of the mile square as a garage could be built on a property making it more attractive for families to occupy. Mr. Blackburn thanked the subcommittee for their efforts.

Mr. Bogard advised he believed Southern Knolls was in a R3 District and noted the owner of a duplex could demolish it and build a larger facility. Mr. Chen advised that was true, however it would be based on the lot size. Mr. Bogard noted concern that to some residents that situation would not be welcome in Southern Knolls.

Mayor Keebler noted he was in favor of allowing redevelopment of substandard areas and older apartment complexes and the only way of getting this done was to make it easier for developers. Mayor Keebler noted concern that the regulations for R3 districts in suburban areas would be the same as R3 districts in the urban areas. Mayor Keebler advised it made sense to relax the parking requirements in the urban areas but areas such as Indian Trace and Level 27 needed more parking spaces.

Mr. Chen advised sites over 3 acres had to follow procedures for a PUD and noted the parking regulations were minimum requirements.

Ms. Rousmaniere advised the requirement was 1 car for 2 people and the sub-committee felt this was part of the plan and vision for the City of Oxford. Ms. Rousmaniere noted the sub-committee got a sense from the architect member that the proposed language would not prohibit real estate developers from developing such property. Ms. Rousmaniere noted the lot coverage moved from 35% to 50% if no exemptions were made. Ms. Rousmaniere advised the lot coverage limit would be 50% unless exemptions were made for the availability of alternative modes of transportation and alternative storm water procedures.

Mr. Snyder applauded the subcommittee for their efforts noting they did what Council asked them to do. Mr. Snyder advised he didn't want to see the proposed legislation get voted down and inquired how to eliminate the unintended consequences.

Mayor Keebler advised he felt there needed to be a R3 district that would have differences for the outskirt areas. Mayor Keebler advised he felt Council should adopt the proposed legislation and ask the Planning Commission to look at how to adjust it by creating a R3 suburban district.

Ms. Rousmaniere noted a definition needed to be established for urban and suburban areas.

ORDINANCE **ADOPT CHAPTER 1146**

An Ordinance Adopting Oxford Code Of Ordinances Chapter 1146, Neighborhood Conservation Overlay District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this was an item the Housing Advisory Commission (HAC) discussed with the Planning Commission and Council and the Planning Commission held a joint work session in January where it was also discussed. Mr. Chen noted during the work session Council felt the proposed legislation should be moved forward. Mr. Chen advised the proposed legislation allowed neighbors to petition to create a conservation district and they would be empowered to preserve the character of their neighborhood. Mr. Chen noted the purpose of the proposed legislation was to limit the rental permit to no more than 2 unrelated persons. Mr. Chen advised neighbors needed to file a petition with 2/3 of the signatures of people living in the boundary they wanted to establish as an overlay district. Mr. Chen noted the petition would come to Council to consider making the zoning map amendment to keep the neighborhood owner occupied.

Mr. Snyder noted Mr. Chen's staff report made a reference to East Lansing and inquired how many overlay districts they had. Mr. Chen advised the procedure had been in place in East Lansing for 10 years but he was unsure exactly how many overlay districts they had.

Mr. Bogard inquired how many single family homes there were in the northern square mile as opposed to rentals. Mr. Chen advised in the mile square there were less than 60 but there were other neighborhoods such as people living on Silvoor Lane that were interested in preserving their neighborhood. Mr. Chen noted existing rentals would not be affected.

Mayor Keebler noted the proposed legislation would not prohibit rentals, it would limit new rentals. Mayor Keebler clarified that it pertained to property owners, not neighbors who signed the petition and it was 60% of the property owners who needed to sign the petition. Mayor Keebler noted the area had to be a natural boundary such as an entire block face to give it the character of a neighborhood. Mayor Keebler advised the proposed legislation came from the HAC and from people who lived in areas such as Wespiser Place, Silvoor Lane and Cedar Lane. Mayor Keebler noted the definition of 2 unrelated people was not too restrictive as it included unmarried couples, foster children and adopted children. Mayor Keebler advised existing rentals could continue and the overlay districts would likely occur more in periphery areas. Mayor Keebler noted the concept had been used successfully in other college communities. Mr. McHugh advised the boundary needed to consist of a minimum of 10 parcels.

Mr. Snyder thanked the HAC for their efforts.

ORDINANCE
SECOND READING

CURB, GUTTER & SIDEWALK
ASSESSMENTS

An Ordinance No. 3185 Levying Upon The Lots And Lands Enumerated In The List Of Estimated Assessments (Exhibit A) The Amounts Set Forth On Such List And Setting Forth Terms For Payments Of Assessments. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised he had no new information since the first reading of the proposed Ordinance.

There were no additional comments from the public or from Council.

Mr. Snyder moved to adopt Ordinance No. 3185. Mr. Bogard seconded. The Ordinance was adopted by the following roll call:

AYE: Ms. Rousmaniere, Mr. Snyder, Mr. Blackburn, Mr. Bogard, Mr. Harman, Mr. McKeehan, Mr. Keebler (7)

NAY: None (0)

ABS: None (0)

ANNOUNCEMENTS

Mayor Keebler advised at the Council Retreat they discussed a different process for awarding community grants for social service agencies. Mayor Keebler noted a subcommittee of Council would work with Mr. Elliott to review the applications for financial assistance and bring recommendations to Council for budgeting purposes. Mayor Keebler advised he would like Ms. Rousmaniere, Mr. Snyder and Mr. McKeehan to serve on the subcommittee and work with Mr. Elliott on the budget recommendations.

Mr. Elliott thanked Mr. Rankin for his comments regarding the City's CIP and noted he and staff felt the proposed CIP was a responsible and lean program.

Mr. Elliott advised he didn't have the information with him to address all of the questions Mr. Rankin raised regarding City vehicles. Mr. Elliott noted his goal was not to increase the fleet but sometimes it was decided on a case by case basis. Mr. Elliott advised a new ambulance was purchased and the old one was retained as a back-up. With regard to the average age of the vehicles, Mr. Elliott noted the City usually stretched the useful life of the vehicles. Mr. Elliott advised he and the Finance Director reviewed insurance policies and bid out the property and casualty insurance to obtain competitive rates. Mr. Elliott noted the Police Chief, Fire Chief and Service Director took their cars home because they could be called back to work any time of the day or night. Mr. Elliott advised there was a take home policy for police cruisers which was in place when he came to the City and staff saw fit to continue that policy for officers living in Oxford Township. Mr. Elliott noted he would provide a list of all vehicles to Mr. Rankin.

Mr. Elliott advised he and Mr. Snyder served on the United Way of Oxford's Board and their 2012 campaign kick-off would take place Friday, September 21, 2012 at the Senior Citizens Center from 8:30 to 10:00 a.m. Mr. Elliott noted Ms. Joan Potter-Sommer, Executive Director of Oxford Seniors would be the speaker.

Mr. Elliott discussed the reallocation of idle transportation earmarks noting the City of Oxford was set to lose funding for the US27 South improvement project. Mr. Elliott advised he contacted ODOT and Representative Derickson and resolved the matter. Mr. Elliott thanked Mr. Derickson and ODOT District 8 for their assistance.

Mr. Elliott discussed the General Assembly's work with regard to Municipal Income Tax reform and noted he would keep Council and the public informed as he learned more about it.

Chief Holzworth thanked everyone involved with the 2012 Pig Roast. Chief Holzworth noted the City was geared up to feed 6,000 people and he estimated approximately 3,500 people were fed which was a lot more than in previous years. Chief Holzworth advised he felt it was a marvelous event and he received positive feedback from those attending. Chief Holzworth thanked Council for their support and for volunteering at the event.

Mayor Keebler advised he and his wife helped at the Pig Roast for about 5 hours that evening and it was a great community event. Mayor Keebler noted he couldn't begin to thank all of the people it took to plan the event, put it on, and make it work smoothly. Mayor Keebler thanked City employees, VCB employees, interns and board members who assisted with the event. Mayor Keebler thanked merchants who supported the event with donations as well as goods and services. Mayor Keebler thanked the Kiwanis for providing and setting up the grills and staying to cook and clean up after the event. Mayor Keebler thanked Miami University for their donations including the use of a refrigerated truck during the event. Mayor Keebler advised John Buchholz did a masterful job of planning the event this year and noted his hope the event would continue for many years to come.

Mr. Blackburn referred to an article in Governing Magazine regarding playgrounds for senior citizens. Mr. Blackburn noted he thought it was a good concept for an aging community like Oxford and it would be an asset for the Community Park.

Ms. Rousmaniere noted the concept of an overlay district was complicated and she served on the commission that designed it. Ms. Rousmaniere advised the goal of the overlay district was to allow owners of property within residential neighborhoods to control the occupancy of the number of unrelated persons that are permitted in single family rental dwellings within their neighborhood. Ms. Rousmaniere advised property owners petitioned to create an overlay district and there were certain regulations in the guidelines. Ms. Rousmaniere noted overlay districts promoted families moving into a neighborhood and not just traditional married families. Ms. Rousmaniere advised the overlay district allowed 2 unrelated persons in a dwelling and there were very liberal provisions for the definition of unrelated persons. Ms. Rousmaniere noted she was glad Council supported the proposed legislation.

Ms. Rousmaniere noted the Masters Games at the Senior Citizens Center would take place September 10th through September 20th. Ms. Rousmaniere advised this was a fundraiser for the Senior Center and encouraged those 50 and over to participate. Ms. Rousmaniere noted an Ice Cream Social and Croquet event would take place on September 17th at the Senior Citizens Center.

Mr. Bogard congratulated Ms. Rousmaniere on the article she wrote regarding bicycle and vehicular safety and courtesies and noted it was published in the Oxford Press. Mr. Bogard noted it was an excellent article and he hoped it would be repeated in the Oxford Press.

Mr. Bogard referred to the weekly report from the Service Department which stated that staff was working with Butler County to provide a household hazardous waste collection day in Oxford. Mr. Bogard inquired where the collection would take place. Mr. Dreisbach advised the collection would take place at the former High School on Chestnut Street and the date was still being decided upon. Mr. Dreisbach advised staff was working with Goodwill Industries to schedule an electronic waste collection day in Oxford at the same location.

Mr. Snyder congratulated Bobbe Burke for another successful Walk About event which was in its 10th year. Mr. Snyder noted the Walk About was a program where community members and Miami students went into the neighborhoods to welcome back students living off campus and provide important and pertinent information to them regarding off campus living. Mr. Snyder noted the event took a lot of work and thanked Ms. Burke for taking on the responsibility.

Mr. McKeehan congratulated John Buchholz for a job well done in preparation for the Pig Roast.

Mr. McKeehan reminded everyone that Oxford was a wonderful community and a great place to live.

ADJOURN

Mr. Bogard moved to adjourn at 8:45 p.m. Mr. Snyder seconded. The motion passed 7-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 18, 2012

Sam Perry

Account Code No. #:

Prepared By

Budgeted Amount:

September 12, 2012

Date Prepared

HAPC MEETING REPORT – September 5, 2012

Requests for Review:

HAPC-11-2012 36 W. High Doughby's installation of a wall sign and gooseneck lighting,
Beau Hiner, Applicant, Agent

The HAPC approved the re-use of an existing sign box on the Koffenya building for Doughby's Calzones and Crepes. The sign will be lit with three gooseneck lights overhead.

Old Business:

303 W. High – The HAPC reviewed and approved the exterior paint scheme with the condition that future painting be reviewed by the HAPC before being applied.

15 S. Beech – The HAPC reviewed and approved the exterior detail materials, textures and paint colors of the proposed new building to replace the Oxford Press building. The building permit process has not yet been completed for the building.

New Business:

Staff presented the idea of new directory lettering on the two kiosks at Main and High Streets, which would be readable from a greater distance. HAPC gave some suggestions on design and discussed the kiosks as a whole. Staff will follow up with appropriate agencies.

Ongoing:

Historic Marker Ceremony, Thursday, Sept 27th, 5-7 p.m., Oxford Community Arts Center, Ballroom. Public welcome!

Department Head:

City Attorney:

City Manager:

JHC / 9/12/12
[Signature] 9/14/12

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 18, 2012

Service Department
Originating

Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

September 7, 2012
Date Prepared

Agenda Title: Environmental Commission Meeting of September 5, 2012

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, September 5, 2012 meeting were: Chair, Mr. Vince Hand; Vice-Chair, Mr. Kevin Armitage; City Council Representative, Ms. Kate Rousmaniere; Planning Commission Representative, Mr. Ted Wong, Mr. Charlie Ford, Mr. Wright Gwyn, and Ms. Kelly Church. A quorum was present.

Minutes from the August 1, 2012 Commission meeting was unanimously accepted as presented.

Mr. Ted Wong apprised Commissioners of the Planning Commission's Tuesday, August 14th work session and meeting. The Planning Commission discussed how to progress with the proposed bicycle and pedestrian plan prepared by Ms. Anna Dragovich, a graduate student with Miami University's Institute for the Environment and Sustainability. One option the Planning Commission was considering is selecting portions of the proposed plan that are deemed achievable and request City Staff to determine feasibility. Mr. Wright Gwyn asked that a tentative time frame for the evaluations by the Planning Commission and City Staff be provided to the Environmental Commission.

The Planning Commission continued evaluation of revisions to R-3 zoning (multi-family residential) to encourage re-development and/or improvements to existing apartment complexes by encouraging "green" sustainability features. Incorporation of "green" features, as sheltered bicycle storage structures, efforts to reduce storm water runoff through various possible best management practices (BMP), etc. would be rewarded by allowing the re-development to have increased permitted lot coverage. The Planning Commission also discussed the proposed re-development plan for the former Wal-Mart property on South Locust Street.

Ms. Kelly Church updated the Commission on her research into potential revisions to Oxford's existing codified ordinances to accommodate specific references to storm water management, storm water BMP, and low-impact development features and structures. It appears that while some applicable regulations would require revisions, some appear to only need clarification. Ms. Church found that there was not one specific place where applicable storm water management regulations are presented, but that they were lo-

(Continued)

Approved By:

Department Head:

City Manager:

Initial

Date

MD 9/12/12
[Signature] 9/14/12

cated in multiple chapters of Oxford's Codified Ordinances. Also, storm water requirements were found in supporting "background" documents and/or attachments to the codified ordinances. Planning Commission Representative Ted Wong expressed the opinion that there would likely be a fair amount of amendments and revisions to existing ordinances to incorporate additional storm water management aspects into the ordinances.

Ms. Church and Chair Vince Hand volunteered to prepare a rough draft of a storm water management ordinance, with the intended goal of decreasing storm water run-off, and improvement of the water quality from run-off that does occur. The potential of a storm water utility was discussed, with the intention of providing a mechanism of incentive for use of storm water BMP on new, re-developed properties, and/or on existing properties in exchange for a reduced storm water utility fee. As the development codes and regulations are deemed the likely place to include storm water management regulations, it was suggested the inclusion of the Community Development Department would be appropriate.

The Commission adjourned at 9:10 p.m. The next regularly scheduled meeting of the Environmental Commission is on Wednesday, October 3, 2012 at 7:30 p.m. in the Municipal Building's Second Floor Conference Room.