



Agenda

Oxford City Council

Court House

TUESDAY, SEPTEMBER 19, 2017

EXECUTIVE SESSION

None.

1. Roll call. Kate Rousmaniere, Mayor; Mike Smith, Vice-Mayor; Glenn Ellerbe; Bob Blackburn; Kevin McKeehan; Steve Dana; Edna Southard

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

REGULAR MEETING

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 - "Caroline Scott Harrison Day"



Proclamation

B. Proclamation - "Hispanic Heritage Month"



Proclamation

C. Proclamation - "Walk-A-Thon Plus 2017"



Proclamation

D. Presentation - Butler County Mental Health and Addiction Recovery Services Board - Tiffany Lombardo.

E. Presentation - ShareFest 2017 - Carol Michael.

F. Presentation - Oxford Parks and Recreation Department - Casey Wooddell.

G. 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 5, City Council Work Session. (Mary Ann Eaton, Clerk of Council)



Minutes

B. Minutes of the September 5, 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)



Minutes

C. Report regarding the September 6, 2017 Historic and Architectural Preservation Commission Meeting. (Jung-Han Chen, Community Development Director)



Report

D. Report regarding the September 6, 2017 Environmental Commission Meeting. (Mike Dreisbach, Service Director)



Report

- E. Report regarding the September 7, 2017 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)



Report

- F. A Resolution declaring certain City property no longer needed for municipal purposes as surplus and authorizing its sale to the highest bidder by internet auction. (Mike Dreisbach, Service Director)



Staff Report/Resolution

5. Resolutions.

1. A Resolution of Council authorizing alcoholic beverages to be served free of charge at private events held for "Members Only and Invited Guests" at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056 provided an additional liquor liability insurance policy is obtained. (Doug Elliott, City Manager)



Staff Report/Resolution

2. A Resolution authorizing a temporary abatement of the noise Ordinance No. 2550, Section 509.09, on Friday, October 6, 2017 from 11:00 p.m. until 1:00 a.m. on Saturday October 7, 2017 in the Uptown Parks for the Miami Athletics Midnight Madness event. (Doug Elliott, City Manager)



Staff Report/Resolution

3. A Resolution authorizing the City Manager to enter into an agreement with Southeastern Equipment Co., Inc. for the purchase of a New Holland TS6.110 tractor with Alamo Machete Boom Mower at state contract pricing at a cost not to exceed \$112,741.60. (Mike Dreisbach, Service Director)



Staff Report/Resolution

4. A Resolution to declare the necessity and intent to acquire fee simple interest in certain parcels or real estate and other property interests owned by Ella Mae Lawson, Trustee, with interest by others, for a road project in the City of Oxford, Ohio. (Doug Elliott, City Manager)



Staff Report/Resolution

6. Ordinances.

A. First Reading.

1. An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located Along The West Side Of Country Club Drive For The Purpose Of Acquiring Fee Simple Interest For A Road Project In The City Of Oxford, Ohio And Declaring An Emergency. (Doug Elliott, City Manager)



Staff Report/Ordinance

2. An Ordinance Repealing Ordinance No. 2944 And Adopting A New Investment Policy. (Joe Newlin, Finance Director)



Staff Report/Ordinance

B. Second Reading.

1. An Ordinance Approving A Conditional Use Permit To Allow A Place Of Worship Related Gathering/Study Space For Crossroads Community Church In The R-2MS (Single, Two-Family Mile Square Residential) District At 406 E. Withrow Street Oxford, Ohio 45056 With Conditions. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

2. An Ordinance Accepting the Planning Commission's Recommendation And Granting Zoning Map Amendments For Certain Properties In The City of Oxford's Mile Square, And Rezoning The Properties From R-1MS District To R-2MS District, From R-2MS District To R-3MS District And From R-1MS District To R-3MS District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

3. An Ordinance Repealing Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single-Family Residential Mile-Square District, And Adopting New Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

4. An Ordinance Repealing Oxford Codified Ordinance Section 1143.05 Entitled R-2MS Single And Two-Family Mile-Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.05 Entitled R-2MS Single And Two-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

5. An Ordinance Repealing Oxford Codified Ordinance Section 1143.07 Entitled R-3MS Single and Two Family Mile-Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.07 Entitled R-3MS Single, Two and Three-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

6. An Ordinance Repealing Oxford Codified Ordinance Section 1141.01 Entitled Accessory Regulations, And Adopting New Oxford Codified Ordinance Section 1141.01 Entitled Accessory Regulations. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

7. An Ordinance Repealing Oxford Codified Ordinance Section 1141.03 Entitled Supplemental Regulations, And Adopting New Oxford Codified Ordinance Section 1141.03 Entitled Supplemental Regulations. (Jung-Han Chen, Community Development Director)



Staff Report/Ordinance

8. An Ordinance Repealing Oxford Codified Ordinance Section 1147.03 Entitled Use Specific Regulations And Potential Concerns, And Adopting New Oxford Codified Ordinance Section 1147.03 Entitled Use Specific Regulations And Potential Concerns. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

9. An Ordinance Repealing Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 Entitled Design Standards And Construction Standards, And Adopting New Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 Entitled Design Standards and Construction Standards. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

10. An Ordinance Repealing Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 Entitled Design, And Adopting New Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 Entitled Design. (Jung-Han Chen, Community Development Director).



Staff Report/Ordinance

11. An Ordinance Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director).



Staff Report/Ordinance

7. A. Announcements & Communications.

1. Remarks from City Council and City Staff.

B. Future Meetings.

WED - Sept 20 Board of Zoning Appeals Work Session 6:00 p.m.

THUR- Sept 28 Police Community Relations & Review Commission Meeting 7:00 p.m.

FRI - Sept 29 Student Community Relations Commission Meeting 2:30 p.m. LCNB

TUES - Oct 3 City Council Meeting 7:30 p.m.

WED - Oct 4 Historic and Architectural Preservation Commission Meeting 6:00 p.m.

WED - Oct 4 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES - Oct 10 Recreation Board Meeting 4:00 p.m. Senior Citizens Center

TUES - Oct 10 Planning Commission Meeting 7:30 p.m.

WED - Oct 11 City Council Budget Work Session 6:30 p.m.

THUR - Oct 12 Civil Rights Commission Meeting 4:00 p.m. Oxford Lane Library

MON - Oct 16 Housing Advisory Commission Meeting 7:00 p.m. Municipal Building

TUES - Oct 17 City Council Work Session 6:30 p.m.

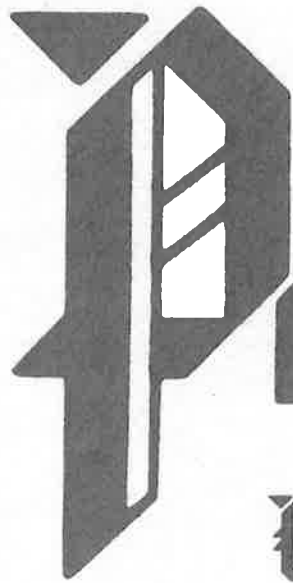
TUES - Oct 17 City Council Meeting 7:30 p.m.

WED - Oct 18 Board of Zoning Appeals Meeting 7:30 p.m.

WED - Oct 25 Civil Service Commission Meeting 5:30 p.m. Municipal Building

FRI - Oct 27 Community Improvement Corporation Meeting 12:00 p.m. LCNB

8. Adjourn.



Office of the Mayor

Proclamation

Whereas:

Caroline Scott Harrison was born in Oxford, Ohio, at Two South Campus Avenue, on October 1, 1832; and

WHEREAS, her father, John Witherspoon Scott, was a professor at Miami University, and her mother was Mary Neal Scott; and

WHEREAS, Caroline met Benjamin Harrison in Cincinnati while her father taught at Farmer's College. In 1852, Benjamin graduated from Miami University, and Caroline graduated from the Oxford Female Institute. They married in Oxford on October 20, 1853, in her parents' home at 131 West High Street; and

WHEREAS, Benjamin won the U.S. presidential election in 1888, and Caroline and Benjamin left for Washington, D.C., in 1889. Benjamin Harrison became the 23rd President of the United States when he was inaugurated on March 4th of that year; and

WHEREAS, Caroline was the first in the White House to have a decorated Christmas tree, and she was also responsible for having electricity installed in the White House; and

WHEREAS, An advocate of education for women, Caroline agreed to raise funds for the Johns Hopkins Medical School in 1890 on the condition that women be admitted on the same basis as men; and

WHEREAS, Caroline became the first President General of the newly formed Daughters of the American Revolution (DAR) in 1890; and

WHEREAS, Caroline Harrison's contributions as First Lady unfortunately are often overlooked, but she did much to further equality for women, and her plan for White House renovation contributed greatly to its future evolution; and

WHEREAS, Caroline died in the White House on October 25, 1892, and she was mourned by the nation. Funerals were held both in Washington, D.C., and in Indianapolis, Indiana, where she is buried at Crown Hill Cemetery, beside her husband who died in 1901; and

WHEREAS, a bronze sculpture will be dedicated in her honor on October 15, 2017, in the backyard garden of the Oxford Community Arts Center.

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim October 15, 2017, as:

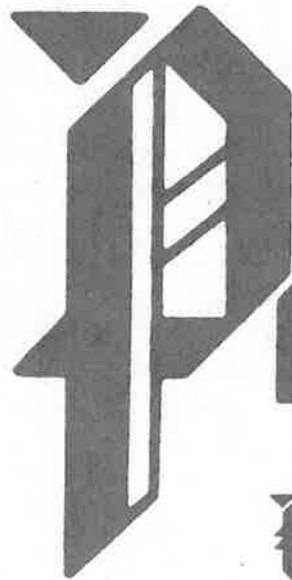
'Caroline Scott Harrison Day'

in the City of Oxford and urge all citizens to celebrate her importance here in Oxford and as First Lady.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 19th day of September, 2017.


KATE ROUSMANIERE, MAYOR





Office of the Mayor

Proclamation

Whereas:

Oxford has always embraced the many cultures and peoples that make our country so diverse and Hispanic/Latino Americans are the largest minority population group in the country; and

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

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

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

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

NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim September 15th thru October 15th, 2017 as:

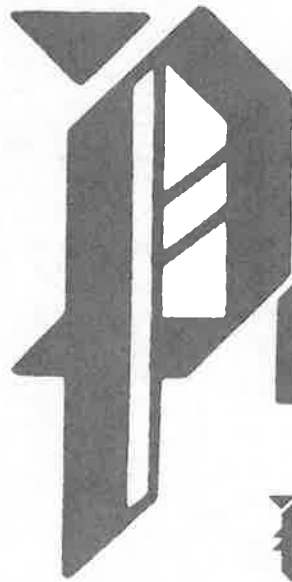
'NATIONAL HISPANIC HERITAGE MONTH'

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



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 19th day of September, 2017.


KATE ROUSMANIERE, MAYOR



Office of the Mayor

Proclamation

Whereas:

The Oxford Hike-A-Thon, an annual event held in the Miami University Natural Areas, offers opportunities to discover local natural resources, learn from various demonstrations, and explore over 1,000 acres and 17 miles of trails that cross beautiful streams, woodlands and wildlife, will take place on Saturday, September 23, 2017; and

WHEREAS, the Oxford Hike-A-Thon was founded by Jim Reid, and has attracted as many as 1,000 participants whose lives have been enriched by partaking in the event; and

WHEREAS, the Hike-A-Thon is now called Hike-A-Thon Plus to incorporate all of the other activities associated with the event including birding, recycling education, and geocaching; and

WHEREAS, Oxford Hike-A-Thon Plus annually contributes to a significant charity and this year, 2017, the Hike-A-Thon Plus charity is 4-Paws for Ability, a global organization committed to enriching the lives of veterans and children with disabilities by providing them with trained service dogs to increase their independence; and

WHEREAS, 4 Paws for Ability has a local presence in the Oxford community with 20 dogs having been trained in Oxford and on Miami University's campus in the spring of 2017.

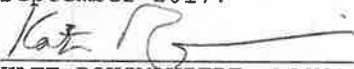
NOW, THEREFORE, I, Kate Rousmaniere, Mayor of the City of Oxford, Ohio, do hereby proclaim Saturday, September 23, 2017 as:

'Hike-A-Thon Plus Day'

in the City of Oxford and encourage all citizens to recognize the important community engagement occurring this day.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 19th day of September 2017.


KATE ROUSMANIERE, MAYOR

A Work Session of the Oxford City Council was called to order by Mayor, Kate Rousmaniere on Tuesday, September 5, 2017 at 6:30 P.M. Council members present were Steve Dana, Glenn Ellerbe, Kevin McKeehan, Mike Smith and Edna Southard. Bob Blackburn was excused.

Staff members present: Doug Elliott, City Manager; Jung-Han Chen, Community Development Director; Alan Kyger, Economic Development Director; Steve McHugh, Law Director and Mary Ann Eaton, Clerk of Council.

Ms. Wendy Moeller, AICP, Compass Point Planning, was also in attendance.

APPROVAL OF AGENDA

Mr. McKeehan moved to approve the Agenda. Ms. Southard seconded. The motion carried 6-0-0.

PRESENTATION PROPOSED ZONING MAP AND ZONING TEXT AMENDMENTS

Ms. Wendy Moeller, advised she worked with Mr. Chen and the Oxford Planning Commission for 1.5 years to address various issues in the City's Zoning Code. Ms. Moeller with Mr. Chen's assistance provided a PowerPoint presentation.

Ms. Moeller discussed the proposed Zoning Map amendments which included rezoning certain properties from R-1MS to R-2MS, from R-2MS to R-3MS and from R-1MS to R-3MS. A slide was shown depicting the areas for the proposed rezoning and Ms. Moeller advised it was the outcome of a series of Planning Commission Work Sessions. Ms. Moeller noted the Planning Commission addressed issues related to nonconforming properties, increased student enrollment and finding ways to encourage redevelopment in a managed fashion. Ms. Moeller advised the proposed map amendment reflects the Planning Commission's desire to change the zoning designation in certain areas to better represent actuality, and to plan increased density in areas located adjacent to campus or near a major corridor to campus. Ms. Moeller noted the Planning Commission also took the City's Comprehensive Plan into consideration.

Ms. Moeller discussed proposed changes to Oxford Codified Ordinance Sections 1143.03, 1143.05 and 1143.07 (R-1MS, R-2MS and R-3MS) and advised the purpose statements were revised and site development regulations were modified to encourage redevelopment and to allow higher density in the areas near campus. Ms. Moeller advised a provision to allow an accessory building to be a dwelling unit was added to the R-3MS District as a conditional use.

Ms. Moeller discussed proposed changes to Oxford Codified Ordinance Section 1141.03, Supplemental Regulations, which would allow alley lots to have their principal entrance on the alley and eliminate those requests from going before the Board of Zoning Appeals.

Ms. Moeller referred to Oxford Codified Ordinance Section 1147.03, Use Specific Regulations & Potential Concerns (Conditional Use Chapter) and advised the proposed amendment added the provision for accessory buildings to be used as dwelling units as a conditional use in the R-3MS District.

Mr. Scott Webb, noted from a developers point of view, the Planning Commission did a fantastic job in recommending the proposed amendments.

Ms. Moeller and Mr. Chen addressed a few questions from Council and advised if approved, the proposed amendments would be reevaluated in 3-5 years to see if there were other areas of the Mile Square to be considered for rezoning.

ADJOURNMENT

Mr. McKeehan moved to adjourn at 7:20 P.M. Mr. Dana seconded. The motion carried 6-0-0.

A regular meeting of the Oxford City Council was called to order by Mayor Kate Rousmaniere on Tuesday, September 5, 2017 at 7:30 p.m. Those members present were Steve Dana, Glenn Ellerbe, Kevin McKeegan, Mike Smith and Edna Southard. Bob Blackburn was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. John Jones, 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 Rousmaniere requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Dana moved to approve the agenda. Mr. Smith seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

INTRODUCTION – K-9 UNIT **“ROSCOE”**

Chief Jones Introduced Officer Matt Hardin and the Oxford Police Division’s new K-9 “Roscoe”. Chief Jones asked Havercamp Foundation and Tri-Health representatives to come forward. Chief Jones advised Roscoe was a 20 month old German Shepard imported from Holland by Shallow Creek Kennels of Sharpsville, Pa. Chief Jones noted Roscoe went through a training program there before Officer Hardin arrived for his 6 week handler course with Roscoe. Chief Jones advised Roscoe was a dual purpose K-9 used for narcotics detection and for patrol work. Chief Jones noted Roscoe could search for missing persons, articles, chase suspects and prevent officers from getting hurt. Chief Jones advised Roscoe’s first day on the job was August 8th and he has had four finds of narcotics and one area search. Chief Jones advised OPD was excited for Officer Hardin who was selected to be the handler out of a group of officers that applied. Chief Jones noted Officer Hardin has been with OPD for 4 years, serves on the Regional Traffic Crash Reconstruction Team and always works hard to prevent crime. Chief Jones advised he felt Officer Hardin was the right Officer to be the K-9 handler due to the leadership ability he gained while serving his country overseas as a United States Marine. Chief Jones noted OPD was proud of Officer Hardin for agreeing to take on the challenge of being OPD’s next K-9 Officer.

Chief Jones advised Roscoe was funded through the Matt Havercamp Foundation and Tri-Health. Chief Jones noted the Havercamp Foundation has provided 41 K-9s since its inception in 2006. Chief Jones advised Nancy and Bruce Havercamp were in attendance noting their son was a K-9 Officer in Golf Manor and it was in his memory that they provide the K-9s to area police departments. Chief Jones noted Tri-Health provided \$14,000 for the dog, for the training, and they have agreed to fund additional expenses such as the bullet proof vest for Roscoe. Chief Jones advised it was great to have such community support.

Ms. Jeanette Altenau, Director of Community Relations for TriHealth, advised TriHealth had partnered with the Haverkamp Foundation for a year and Roscoe was the 3rd K-9 Officer to be placed with a City noting the other cities were Cincinnati and Cheviot. Ms. Altenau advised Officer Hardin was wonderful to work with and TriHealth was excited to partner with the Oxford community as they looked at it as an investment to keep the community safer. Ms. Altenau noted the K-9 Officers abilities were amazing as she had watched them and their handlers over the past year. Ms. Altenau encouraged Council or staff to contact her or Brett Kirkpatrick at McCullough Hyde if TriHealth could be of further assistance.

Mayor Rousmaniere thanked Ms. Altenau and TriHealth noting they were great community partners.

Officer Matt Hardin, thanked TriHealth and the Haverkamp Foundation for making this a possibility for OPD noting he would keep everyone apprised of how things were going with Roscoe.

Ms. Nancy Haverkamp, advised she and her husband were happy to be able to help Oxford with a K-9 noting they help keep communities safe and they were very proud to keep their son's legacy alive.

Officer Hardin walked Roscoe around the dais to meet each Council member and Chief Jones thanked Council for their time.

PRESENTATION **POLICE COMMUNITY RELATIONS AND** **REVIEW COMMISSION**

Mr. Pat Meade, Chair, Police Community Relations and Review Commission, thanked City Council for establishing the Police Community Relations and Review Commission noting during the year they had been meeting the City Manager had been extremely helpful to the new members. Mr. Meade thanked the OPD and especially Chief Jones for their cooperation and transparency. Mr. Meade noted he felt the commission got off to a good start and they were achieving their goals. Mr. Meade referred to the Police Community Relations and Review Commission report on page 6 of Council's packet and noted his hope it could be posted on the City's website once approved by Council. Mr. Meade advised the report summarized each of the commission's meetings. Mr. Meade noted the commission had not yet received a complaint, an issue rising to the point it would be appealed to the commission. Mr. Meade advised over the past year the commission worked to learn about and understand community policing and he felt with the integrity of the commission members they would be able to deal with any complaints. Mr. Meade noted since the meetings were now taking place at the Courthouse the commission has had much better citizen participation and attendance. Mr. Meade advised the commission was very interested in receiving stop data that does not result in an arrest or citation and at this time the OPD did not have the means to collect that data. Mr. Meade offered to answer any questions.

Ms. Southard noted she was impressed that so many members of the commission attended the Police Academy which she felt was a tremendous experience for every citizen. Ms. Southard advised 3 members of Council attended the academy and found it to be very valuable.

Mr. Mead noted every member of the Police Community Relations and Review Commission attended the academy or participated in a ride-a-long.

Mayor Rousmaniere inquired if citizens had raised concerns to the commission. Mr. Meade noted citizens come to some of the commission members and bring up issues particularly those who are active on social media. Mr. Meade advised citizens had brought up issues during the meetings as well. Mr. Meade advised Chief Jones attended the meetings and addressed questions which was very positive.

Chief Jones advised there had been instances of citizens contacting Mr. Meade or other members about things like 'is OPD trained on how to deal with my autistic son' for example and Mr. Meade facilitated a meeting with the OPD. Chief Jones noted that citizen probably would not have reached out to the OPD directly. Chief Jones advised part of the commission's purpose was to facilitate community relations between citizens and the Police Division.

Mr. Elliott advised it had been a great learning experience for members of the PCR&RC and for staff and he expected that to continue. Mr. Elliott noted at the last meeting OPD's Use of Force Policy was discussed for the first time during a public meeting. Mr. Elliott thanked Mr. Meade for being instrumental in helping to establish the commission.

Mr. Meade noted he felt the City had a forward looking Council.

Mr. Ellerbe referred to the PRC&RC report and noted the commission liked to see continual improvement with public perception especially with African American and international communities and inquired if there was a base line and a way to collect that data. Mr. Ellerbe inquired if the commission sent surveys to various groups. Mr. Meade advised the commission wanted to arrange a meeting with younger African American citizens of Oxford and noted Ms. Franklin hears a lot from students and grad students that he doesn't hear and OPD doesn't hear. Mr. Meade noted there were policing issues in the country that people bring with them to Oxford and the commission was interested in gathering information and people's perception.

NOTICE TO LEGISLATIVE AUTHORITY

Change of Corporate Stock Ownership for RBHHL Inc. DAB MIA 75-77 S. Main Street Oxford, Ohio 45056. (Alan Kyger, Economic Development Director)

Mr. Kyger discussed the stock transfer for the restaurant MIA on S. Main Street. Mr. Kyger complimented the former owners of the establishment noting they brought it up to a very high quality restaurant.

Mr. McKeehan moved to accept the notice without comment. Mr. Dana seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

Ms. Kathy McMahon Klosterman, 165 Shadowy Hills Drive, thanked City Council and staff noting a small group of Oxford citizens gathered to take positive action for Oxford by making a statement about the climate of the City. Ms. McMahon Klosterman advised Margaret Beckwith Chapman and Marilyn Elzey came up with the idea of having a banner hung across High Street proclaiming a positive message for everyone to see as they came to the City. Ms. McMahon Klosterman noted Ms. Beckwith Chapman explored the rules for placing the banner while Ms. Elzey ordered wristbands and the banner and a group of citizens pooled funds to pay for the items. Ms. McMahon Klosterman thanked City staff and community members who showed up at 7:30 last Thursday morning to hang the banner. Ms. McMahon noted this was a good example of citizens working together collectively for positive action. Ms. McMahon Klosterman advised the Oxford Chapter of PFLAG through tireless work of Sabrina Jewell and Linda Boardman initiated an agreement between the City of Oxford and Miami University to bring the concepts of 'Not In Our Town' to Oxford. Ms. McMahon Klosterman advised the goal of Not In Our Town was to stop hate, address bullying and build safe inclusive communities for all. Ms. McMahon Klosterman noted she felt this partnership demonstrates powerful leadership from Oxford City Council, the City Manager and Miami University's administration. Ms. McMahon Klosterman advised this type of work made her proud to be a citizen of Oxford.

Ms. Janis Dutton, 302 W. Vine Street, thanked City staff on behalf of Oxford Citizens for Peace and Justice for their service and for hanging the "Love not Hate" banner across High Street. Ms. Dutton noted the banner was an example of members of the community coming together to lead and engage in conversations about community issues that included the government and did not just rely on government to do it. Ms. Dutton advised too often people hand over the responsibility to the community and their power as citizens to elected officials and others in positions of authority and then turn away. Ms. Dutton noted Oxford Citizens for Peace and Justice is honored to have had the opportunity to help provide funds to support this message and the efforts of the women who took the lead in this campaign. Ms. Dutton noted Oxford Citizens for Peace and Justice also wanted to recognize the network of women who spread the word and garnered more financial support from the community to continue and advance the message. Ms. Dutton advised this is the way Oxford should be and the Love not Hate banner and bracelets were visual representations of ongoing conversations about what it means to live in community. Ms. Dutton noted the opposite of love is not just hate, the opposite of love is also indifference, not seeing others, thus rendering them invisible. Ms. Dutton advised the comments on social media recently about sidewalk accessibility are an example of indifference and making people invisible. Ms. Dutton thanked Council for their efforts with the "Walk About" and raising awareness of those issues. Ms. Dutton noted 'Oxford the way it should be' was a campaign slogan for a ballot issue in the 1990's to raise taxes so a seriously underfunded Oxford City government could afford to provide necessary services and it passed overwhelmingly. Ms. Dutton advised the concept of "Oxford the way it should be" was more than City services it was love, not indifference, love not hate, love not erasure, love not exclusion and love not privilege. Ms. Dutton thanked Council now and in advance for their assistance in furthering this important conversation.

Council members thanked Ms. Dutton for her comments.

Mayor Rousmaniere advised the 'Not In Our Town' banner was at the Hillel Foundation fall party on Friday and it got 100 more signatures and noted it will be at the Thursday Music Festivals for the next 4 weeks along with the Love not Hate banner.

Ms. Southard advised Love not Hate wristbands would be available at the Thursday concerts.

CONSENT AGENDA

MINUTES

Minutes of the August 14, 2017 City Council CIP Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the August 15, 2017 City Council Work Session. (Mary Ann Eaton, Clerk of Council)

Minutes of the August 15, 2017 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the August 8, 2017 Recreation Board Meeting. (Casey Wooddell, Parks and Recreation Director)

Report regarding the August 8, 2017 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 16, 2017 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Mr. Dana moved to approve the consent agenda. Mr. Smith seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION

DRUG USE PREVENTION

GRANT

A Resolution No. 5090 authorizing the City Manager to accept the Ohio Attorney General's Office Drug Use Prevention grant in the amount of \$11,536.60 for the 2017-2018 academic year to assist with the compensation of the City's School Resource Officer and with Drug Use Prevention programs conducted in the school. (John Jones, Police Chief)

Chief Jones advised he brought this matter to Council at the last meeting and a motion was made to accept the grant. Chief Jones noted he informed Council that a formal Resolution would be forthcoming.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana noted this was a most welcome grant and it works hand and hand with the efforts of the Coalition for a Healthy Community.

Mr. McKeehan applauded Chief Jones and others for doing the work to secure these types of grants.

Mr. Dana moved to adopt Resolution No. 5090. Mr. McKeehan seconded. The motion passed 6-0-0.

RESOLUTION **OPWC GRANT**

A Resolution No. 5091 of Council supporting the submission of a grant application for Ohio Public Works Commission Issue 1 Funds in the amount of \$113,850.00 to be used for the reconstruction of the culvert on Contreras Road between Stone Creek Drive and Olde Farm Road. (Mike Dreisbach, Service Director)

Vice Mayor Smith recused himself as a resident near the culvert in question.

Mr. Dreisbach advised through annual inspections staff noticed the continual degradation of this culvert and head wall and it needed to be replaced. Mr. Dreisbach noted the City had the opportunity to apply for a grant from the Ohio Public Works Commission. Mr. Dreisbach advised the City was successful in obtaining this grant several times. Mr. Dreisbach noted the estimated cost was \$165,000 for the replacement and he hoped to fund 69% of that through the Public Works Commission so the local cost would be approximately \$51,150. Mr. Dreisbach advised the project would occur in 2019 if the grant is awarded.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana congratulated Mr. Dreisbach for finding the funds noting they were significant.

Mr. Ellerbe inquired what the likelihood was of obtaining the grant. Mr. Dreisbach advised he felt the City would score very highly and he was optimistic the City would receive the grant.

Ms. Southard moved to adopt Resolution No. 5091. Mr. Ellerbe seconded. The motion passed 5-0-0.

Vice Mayor Smith returned to the dais.

RESOLUTION **TAX LEVIES**

A Resolution No. 5092 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 the second part of the budget process noting the first part was passing the tax budget in June.

Mr. Newlin advised the proposed Resolution certifies the 3.65 inside millage which never changes. Mr. Newlin noted this was a formality of the Butler County Tax Commission.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana referred to Section 4 on page 43 of Council's packet and inquired how the ten mill limitation was established. Mr. Newlin advised it was based on a state formula where the City can get ten mills for levying taxes noting the county received a portion and the school district received a portion.

Ms. Southard moved to adopt Resolution No. 5092. Mr. Dana seconded. The motion passed 6-0-0.

ORDINANCES **FIRST READING**

ORDINANCE **CONDITIONAL USE**

An Ordinance Approving A Conditional Use Permit To Allow A Place Of Worship Related Gathering/Study Space For Crossroads Community Church In The R-2MS (Single and Two-Family Mile Square Residential) District At 406 E. Withrow Street Oxford, Ohio With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised this was a conditional use application to utilize an existing fraternity house as a place of worship for Crossroads Community Church. Mr. Chen noted the building would be used for gathering and studying. Mr. Chen advised they currently held Sunday services at Benton Hall and that would not change. Mr. Chen noted Crossroads Community Church wanted to create a positive influence in this neighborhood. Mr. Chen advised the 1st and 2nd floors would be renovated for office uses and the third floor would house student church members for housekeeping and safety purposes. Mr. Chen noted the Planning Commission had a lengthy discussion with the applicant and recommended approval with conditions. Mr. Chen discussed the proposed conditions as outlined on page 50 of Council's packet. Mr. Chen offered to answer any questions.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mayor Rousmaniere inquired if the church was renting the house from the fraternity and Mr. Chen advised yes.

Mr. Dana advised he felt this was a worthy request because it sets a standard of healthy living for students and community members on the edge of campus. Mr. Dana noted he agreed with the proposed conditions.

Ms. Southard noted she felt this was a good use for an underused building in poor condition.

Mayor Rousmaniere inquired how long the building had been empty and Mr. Chen advised 3 years.

Mr. Smith inquired if the off-street parking would face Tallawanda Road and Mr. Chen advised it would be accessed from Tallawanda Road. Mr. Smith referred to page 73 of Council's packet and inquired if the proposed patio would be concrete and Mr. Chen advised yes.

ORDINANCE
ZONING MAP AMENDMENT

An Ordinance Accepting the Planning Commission's Recommendation And Granting Zoning Map Amendments For Certain Properties In The City of Oxford's Mile Square A Map Of Which Is Attached Hereto as Exhibit "A" And Incorporated Herein, And Rezoning The Properties From R-1MS (Single-Family Mile Square Residential) District To R-2MS (Single And Two-Family Mile Square Residential) District, From R-2MS (Single And Two-Family Mile Square Residential) District To R-3MS (Single, Two And Three-Family Mile Square Residential) District And From R-1MS (Single-Family Mile-Square Residential) District To R-3MS (Single, Two And Three Family Mile Square Residential) District. (Jung-Han Chen, Community Development Director)

Mr. Chen showed a slide of the recommended zoning map changes which would occur in three areas of the Mile Square. Mr. Chen advised the Planning Commission wanted to address the issue of increasing density in areas closer to campus, provide redevelopment opportunities and address some of the non-conforming issues.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mayor Rousmaniere advised the Planning Commission worked on the proposed Ordinances for over a year. Mr. Chen noted the Planning Commission reviewed these issues very thoroughly.

Mr. Dana referred to page 100 of Council's packet and noted the proposed change will compliment the widening of Heather Lane.

ORDINANCE
AMENDING ZONING CODE
SECTION 1143.03

An Ordinance Repealing Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single Family Residential Mile-Square District, And Adopting New Oxford Codified Ordinance Section 1143.03 Entitled R-1MS Single-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed Ordinance dealt with the R-1MS District and referred to page 111 of Council's packet which showed the revised purpose statement. Mr. Chen noted the site development regulations were also revised as shown on page 112 of Council's packet. Mr. Chen advised the lot coverage was increased from 40% to 45%.

Mayor Rousmaniere inquired if there were any comments from the public or from Council and there were none.

ORDINANCE
AMENDING ZONING CODE
SECTION 1143.05

An Ordinance Repealing Oxford Codified Ordinance Section 1143.05 Entitled R-2MS Single And Two-Family Mile-Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.05 Entitled R-2MS Single And Two-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the changes for the R-2MS District were the same as the ones he just reported to Council on for the R-1MS Districts.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana referred to page 126 of Council's packet and noted the Ordinance encouraged redevelopment by allowing higher density in the areas near campus. Mr. Chen noted Mr. Dana's comment related to the next Ordinance for the R-3MS District.

ORDINANCE
AMENDING ZONING CODE
SECTION 1143.07

An Ordinance Repealing Oxford Codified Ordinance Section 1143.07 Entitled R-3MS Single and Two-Family Mile-Square Residential District, And Adopting New Oxford Codified Ordinance Section 1143.07 Entitled R-3MS Single, Two and Three-Family Mile Square Residential District. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed changes would reduce the lot area requirement and reduce the lot width of each dwelling unit. Mr. Chen noted the lot coverage would be increased to 40%. Mr. Chen advised the proposal would also allow accessory buildings to be used as a dwelling unit as a Conditional Use. Mr. Chen referred to page 128 of Council's packet and noted a lot of changes were proposed for design regulations to encourage redevelopment. Mr. Chen advised the Planning Commission worked on the proposed Mile Square changes for the last year and a half. Mr. Chen noted he felt this had been a worthwhile endeavor of the Planning Commission and they believed the changes would encourage redevelopment and could preserve some homes by allowing dwelling units in certain accessory buildings.

Mr. Dana referred to page 134 of Council's packet 'it is the intent of this district to be located in areas that are in close proximity to commercial services, public institutions, and adequate infrastructure to serve the residents within the district.'

Mr. Dana advised this would encourage pedestrian use within the district.

Mr. Scott Webb, 103 W. Walnut Street, advised the Planning Commission spent a lot of time on the proposed changes and in his nearly 20 years of practicing in Oxford as an Architect this was the most comprehensive review he had ever seen the Planning Commission undertake and he felt they did a fantastic job looking at the districts. Mr. Webb noted he spent a lot of time before the Board of Zoning Appeals because the R3 district never matched the lots it was imposed upon. Mr. Webb noted his hope the same care would be taken to look at the R-2MS and R-1MS districts and he appreciated the Planning Commission's hard work on the zoning code.

ORDINANCE
AMENDING ZONING CODE
SECTION 1141.01

An Ordinance Repealing Oxford Codified Ordinance Section 1141.01 Entitled Accessory Regulations, And Adopting New Oxford Codified Ordinance Section 1141.01 Entitled Accessory Regulations. (Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed change to this Section was shown on page 144 of Council's packet which states it would allow 2 principal buildings in the R-3MS District because of the proposed new provision to allow an accessory building to be used as a dwelling unit.

Mayor Rousmaniere inquired if there were any comments from the public or from Council and there were none.

ORDINANCE
AMENDING ZONING CODE
SECTION 1141.03

An Ordinance Repealing Oxford Codified Ordinance Section 1141.03 Entitled Supplemental Regulations, And Adopting New Oxford Codified Ordinance Section 1141.03 Entitled Supplemental Regulations. (Jung-Han Chen, Community Development Director)

Mr. Chen noted changes to certain sections of the zoning code required changes to other sections as shown on pages 159 and 162 of Council's packet with regard to alley lots and residential building additions.

Mr. Ellerbe inquired if there were regulations for party games being held on an alley lot. Mr. Elliott and Chief Jones advised those regulations were in the outdoor furniture Ordinance which required the tables/furniture to be brought inside after use.

ORDINANCE
AMENDING ZONING CODE
SECTION 1147.03

An Ordinance Repealing Oxford Codified Ordinance Section 1147.03 Entitled Use Specific Regulations And Potential Concerns, And Adopting New Oxford Codified Ordinance Section 1147.03 Entitled Use Specific Regulations And Potential Concerns. (Jung-Han Chen, Community Development Director)

Mr. Chen referred to page 173 of Council's packet and advised accessory buildings being used as dwelling units would be added to the Conditional Use Chapter. Mr. Chen noted regulations needed to be created to address potential concerns with those units.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana referred to page 172 of Council's packet regarding proximity to mass transit and noted this was a positive because Council would like to see more mass transit in Oxford.

ORDINANCE
AMENDING ZONING CODE
SECTION 1101.4

An Ordinance Repealing Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 Entitled Design Standards And Construction Standards, And Adopting New Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 Entitled Design Standards And Construction Standards. (Jung-Han Chen, Community Development Director)

Mr. Chen advised Council directed the Planning Commission with assistance of the Environmental Commission to look at Sensitive Development Areas and what stipulations could be added to the zoning code so the developer would look seriously at environmental issues. Mr. Chen referred to pages 185 and 186 of Council's packet and discussed the recommendations from the Environmental Commission regarding proposed extra data needed for Subdivision Plat applications.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. McKeehan inquired approximately how much time it would take a developer to gather the sensitive area data and at what cost to the developer.

Mr. Chen advised there was no cost other than the developer's time to research certain websites to gather the data. Mr. Chen noted it may take a day or two to collect the sensitive area data.

Mayor Rousmaniere advised she was a member of the Environmental Commission and they wanted sensitive area information to be collected but did not want to over burden developers. Mayor Rousmaniere noted the new criteria would be added to the Planned Development Section of the Zoning Code as well.

Mr. Elliott referred to page 185 of Council's packet and noted concern with item C. "After the approval of the Preliminary Subdivision Plat, the applicant must develop a detailed site analysis of sensitive environmental areas on the site, conducted by firm(s) that is pre-qualified by the Ohio Department of Transportation". Mr. Elliott noted there wasn't a lot of new development in town and there was a cost to every regulation Council passed. Mr. Elliott advised Council was also concerned with housing affordability.

Mr. McKeehan noted he may call Bayer Becker to get an idea of the costs involved.

Ms. Southard advised she felt natural areas should be protected when possible.

Mr. Ellerbe inquired if the proposed Ordinance only applied to an urban development where there is a sensitive area. Mr. Chen advised yes and noted staff would need to make sure due diligence was done with regard to identifying potential sensitive areas.

Mr. McHugh noted for example, the OEPA would be involved when sewer systems are installed and the Civil Engineers would work with many of the agencies listed on page 185 of Council's Packet when working on Preliminary and Final plans for urban development. Mr. McHugh advised there would be some duplication of efforts.

Mr. Ellerbe noted it seemed these were things being done already by the engineers and the developers and the City was just codifying it.

Mayor Rousmaniere advised a member of Oxford's Environmental Commission would be present at the next meeting to address further questions.

ORDINANCE
AMENDING ZONING CODE
SECTION 1145.12

An Ordinance Repealing Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 Entitled Design, And Adopting New Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 Entitled Design.(Jung-Han Chen, Community Development Director)

Mr. Chen advised the proposed new language for the Planned Development Chapter of the Zoning Code would mirror the language presented in the Subdivision Chapter with regard to sensitive development areas.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana referred to page 210 of Council's packet 'the impact to the developer is considered to be minimal' and inquired if that was true. Mr. Chen advised staff did not want the developer to incur additional cost on the front end noting the developer would look at the publically available information on websites including OEPA, ODNR, FEMA, OSFWS, OHPO and other public entities websites.

Ms. Southard noted she felt it was clear this was needed and was a long time coming. Ms. Southard advised the Environmental Commission and Mr. Chen did a great job working on this project. Ms. Southard referred to a comment from the Fire Chief on page 212 of Council's packet and suggested his title be added to page 209.

Mayor Rousmaniere referred to Mr. Kyger's comment on page 214 of Council's packet with regard to the proposed environmental requirements 'If the costs are minor and the rewards high, then it is a no brainer'. Mr. Kyger noted the purpose of his comment was to cause Council to do what they've done tonight and that was to explore potential cost and potential benefits.

Mr. McKeehan noted concern that people asked about affordable housing in Oxford and the proposed language could be a detriment to that.

Mr. Kyger noted he felt if Mr. Webb (Architect) was concerned with the proposed language he would have stayed for this portion of the meeting.

Mr. Southard advised Council discovered the State had more stringent environmental regulations than the City and that was a reason to examine it.

Mr. Dana noted he felt the question of cost could not be determined until an actual proposal was before the Planning Commission or Council and then the facts would begin to come out.

Mr. Ellerbe noted developers must follow state requirements and he felt Council was codifying those requirements.

ORDINANCE **SUPPLEMENTAL BUDGET**

An Ordinance Amending Ordinance No. 3381. Supplemental Budget Ordinance Number 7 To Make Supplemental Appropriations For Fiscal Year 2017. (Joe Newlin, Finance Director)

Mr. Newlin discussed the Supplemental Budget as presented on page 219 of Council's packet with regard to a 2% salary increase for non-union employees, expenditures for a right-of-way purchase in the Heritage subdivision, and mowing equipment for the Service Department.

Mayor Rousmaniere inquired if there were any comments from the public and there were none.

Mr. Dana inquired if negotiations were still in process for the right-of-way acquisition. Mr. Elliott advised a notice was sent to the property owner and the property owner had 30 days to respond. Mr. Elliott noted as of today the property owner had not responded and if nothing changes legislation will be brought forth at the next meeting to begin acquiring the property.

ANNOUNCEMENTS

Mr. Elliott advised Mr. Newlin and his staff received a Distinguished Budget Presentation award from the Government Finance Officers Association for the annual budget and congratulated Mr. Newlin and his staff.

Mr. Elliott noted he would send Council some options for scheduling their annual Budget Work Session.

Mr. Elliott advised the Board of Elections certified the City of Oxford's Charter Amendment issue to the November 7th General Election ballot as Issue #5. Mr. Elliott noted he scheduled presentations with various local organizations to present the proposed Charter Amendments and answer any questions. Mr. Elliott advised the City was required by the Constitution to advertise the proposed changes or send a copy to each registered voter and staff was looking at the most cost effective way to do that.

Chief Jones thanked everyone who volunteered at the Community Picnic noting he heard it was a wonderful event. Chief Jones also thanked those who attended.

Chief Jones noted with school back in session OPD's workload has increased somewhat. Chief Jones advised OPD did a good job with social media but could not keep up with some of the rumors being posted regarding property crime. Chief Jones noted OPD had been working on those crimes and had made some arrests recently for thefts from autos. Chief Jones advised rumors get inflated and OPD was very well aware of the crime patterns and the crime issues and was working to address those.

Mr. Kyger thanked Assistant to the Chief, John Buchholz for allowing him to flip pork burgers at the Community picnic noting it was a great event and he had a great time doing it.

Mr. McKeehan thanked Assistant to the Chief, John Buchholz for allowing him to roll hot dogs at the community picnic noting it was a great time. Mr. McKeehan noted a lot of volunteers from the community, the City of Oxford and Miami University helped make this a great event.

Mr. McKeehan advised Councilor Blackburn was doing very well and has hopes of being released from the Knolls of Oxford very soon.

Mr. McKeehan noted he would not be in attendance for the next meeting as his daughter was getting married in Florida.

Mr. Dana commended School Resource Officer, Matt Wagers for working with a family dealing with some addiction issues.

Ms. Southard congratulated OPD and especially Officer Buchholz on the Community Picnic and noted Lt. Fenning had the wonderful idea of finger painting a police car during the event which everyone had a lot of fun doing.

Ms. Southard advised the City of Oxford's proposed Charter Amendments would be discussed at the League of Women Voters meeting on September 25, 2017 at 7:30 p.m. at Holy Trinity Church. Ms. Southard noted Mr. Elliott would be in attendance for that discussion.

Mayor Rousmaniere advised the Darrtown Fall Festival was this weekend and the annual Hike-A-Thon was September 23 from 9 a.m. to 3:00 p.m. Mayor Rousmaniere noted the League of Women Voters Forum was Thursday, October 5, 2017 from 7:00 p.m. to 9:00 p.m. at the Knolls of Oxford for all candidates running for election in this region.

ADJOURN

Mr. Dana moved to adjourn at 9:11 p.m. Mr. Smith seconded. The motion passed 6-0-0.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 19, 2017

Sam Perry
Prepared By

Account Code No. #:

Budgeted Amount:

September 14, 2017
Date Prepared

HAPC MEETING REPORT – SEPTEMBER 6, 2017

New Business: Certificates of Appropriateness (COA's)

HAPC-2017-15, 12 S. Poplar Street, replacement of existing windows, **George Simonds, Applicant**

Original wood windows were recently replaced with vinyl windows at this property. The project was not reviewed administratively or on a regular agenda. The Commission reviewed and discussed the COA application with staff and the applicant and approved the replacement 6-0, with the condition that the trim be completed.

HAPC-2017-16, 117 E. High Street, The Den, approval of an existing ATM location, **Jeff Robinson, Applicant, Agent**

An ATM had been installed in an existing commercial door in 2016 without approval. The Commission discussed the project history with staff regarding the previous conceptual discussion. The Commission determined that the tenant had not addressed the feedback of the Commission. Staff reported that the tenant was improving the façade conditions with regard to signage, lighting, paint and removal of bulletin board. The Commission denied the ATM installation 6-0, which allows the applicant to appeal the decision to BZA, restore the door to the previous condition or submit a new and different design. Suggested alternative designs were offered for staff to communicate to the applicant, who was not in attendance.

HAPC-2017-17, 45 E. High Street, formerly 45 East Bar & Grill, Pre-Application Discussion, **Scott Webb Applicant, Agent**

Architect Scott Webb presented conceptual renderings of a removal and replacement of the 'greenhouse' addition within the 16.5 foot setback of 45 East Restaurant. The project would modernize the commercial facility internally and externally. Currently the addition is at a lower grade from the main building which limits functionality. The project also would include upper level interior conversion to residential use with new east window openings. The Commission offered positive feedback and questions for the architect to incorporate into a complete application for review.

Continued on next page.

HAPC-2017-19, 15 S. Beech Street, installation of a new wall sign, Sweet Heart Dessert, **Scott Webb, Applicant, Agent**

Architect Scott Webb presented the missing information regarding the materials and finishes for the wall sign. This would be the first tenant to occupy this space. The Commission approved the sign design 6-0, with the condition that the additional information be submitted with the sign permit application to City staff.

Old Business:

104 W High Street, update on details: Architect Scott Webb reported details on the façade match with the adjacent buildings as well as plans for a potential commemorative plaque in the building façade.

Uptown Historic Inventory, update on status. Staff reported on the progress of the Inventory Committee, regarding the completed open houses and upcoming minor revisions based upon feedback provided. The tentative plan was to schedule a work session with Council in early 2018 to discuss the draft inventory.

Administrative Approvals (already approved)

HAPC-2017-18, ADM, 112 S. Campus Avenue, Tau Kappa Epsilon Fraternity, approval of various exterior repairs, **Peter Lindsay, Applicant, Agent**

HAPC-2017-20-ADM, 117 E. High Street, The Den, wall sign installation, **Bryan Blankenship, Applicant, Agent**

HAPC-2017-21-ADM, 35 E Church Street, formerly La Pinata, wall sign for a grocery store, **Steve Thomas, Applicant, Agent**

Commission members asked staff to follow up on two enforcement matters: 1) satellite dish on one property and 2) treated wood railing on another property.

Regarding requests for approval after-the-fact, The Commission encouraged staff to educate property owners about the rules of owning property in a historic district. This could be done potentially as part of the notice of adoption of the Uptown District Inventory early in 2018.

Next regular meeting scheduled for Wednesday, October 4, 2017 at 6:00 p.m. at 118 West High Street (Court House).

Department Head:
City Attorney:
City Manager:

gbc, 9/14/17
DRE, 9/15/17

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 19, 2017

Service Department
Originating Department

Account Code #: N/A

David Treleaven
Prepared By

Budgeted Amount: N/A

September 12, 2017
Date Prepared

Agenda Title: Environmental Commission Meeting of September 6, 2017

Recommendation: For Review and Consideration

Discussion:

Environmental Commission members present at the Wednesday, September 6, 2017 meeting were: Chair, Mr. Wright Gwyn; Vice-Chair, Ms. Madeline Maurer; City Council Representative, Mayor Kate Rousmaniere; Planning Commission Representative, Mr. Bill Snavely; Mr. Vince Hand, Mr. Jon Ralinovsky, and Mr. Andor Kiss. A quorum was present. Ms. Suzanne Zazycki, Associate Director at Miami University's Institute for the Environment and Sustainability (IES), and five IES Graduate Students (Ms. Celeste Bronson, Ms. Clare Quinlan, Ms. Page Jordan, Mr. Ryan Bronson, and Ms. Sara Rudokas), and MU undergraduate student, Ms. Shannon Pressler, were also in attendance.

The Minutes from the August 2, 2017 Environmental Commission meeting were unanimously approved as presented.

Ms. Zazycki introduced the five IES Graduate Students, who have been assigned the academic year-long Professional Service Project (PSP) to investigate the details (including time commitment from City staff) involved with Oxford's potential participation in the Global Covenant of Mayors for Climate and Energy. During the August Commission meeting, the Environmental Commission agreed to be the client for this PSP. Participation in the Global Covenant of Mayors for Climate and Energy requires a city formally commits that within specified time periods, a greenhouse gas (GHG) emission inventory for the city will be compiled (within the first year), climate hazards that could potentially confront the city are identified (within the first year), reductions of GHG emissions are developed and enacted (within two years), and within three years, an action plan to address climate change mitigation is developed and formally adopted. Afterwards, annual reports of the city's progress on mitigation and the action plan would be required to maintain compliance. Part of the PSP investigation will include if there is an associated program for smaller communities such as Oxford. Mr. Hand volunteered to act as the Commission's contact with the PSP team. A PSP team member is to attend upcoming monthly Commission meetings to provide project status and to receive Commission comments and input, with a mid-term presentation in December 2017 and the final presentation in April 2018.

(Continued)

Approved By:

Department Head:
City Manager:

Initial Date
DRE 9/14/17
DRE 9/15/17

Mayor Rousmaniere informed the Commission that City Council had the first reading of the Sensitive Development Area ordinance revision. At the City Council meeting, concerns were expressed about the revision's potential to increase the expense of land development in Oxford. Commissioners agreed with the suggestion to remove the requirement to utilize Ohio Department of Transportation pre-qualified firms for ecological surveys, environmental site assessments, etc., and include the Butler County Soil and Water Conservation District as a potential source for having these surveys and assessments performed. Mayor Rousmaniere indicated she would discuss these revisions in the ordinance's text with Community Development Director Jung-Han Chen.

Mr. Snavelly informed the Commission that Mr. Robert Bell had presented the Environmental Commission's proposed revision to Oxford's Codified Ordinance on trees (Chapter 935 Trees, Shrubs and Other Plants) to the Planning Commission. The Environmental Commission sought the Planning Commission's input as the draft revision expands tree preservation requirements and adds requirements for tree replacements on private property. At the Planning Commission meeting, City staff had advised the Planning Commission that they do not oversee this section of Code, even though the existing Chapter 935 refers to, and is referenced in sections that the Planning Commission does oversee. The Planning Commission therefore did not vote on the revised tree ordinance, and it was returned to the Environmental Commission without comment. The Commission discussed the draft revision, and Mr. Hand took on the task to refine the revision's language and its requirements with an eye toward possible legal entanglements.

The Commissioners concluded discussion at 8:45 p.m. The Environmental Commission is next scheduled to meet at 7:00 p.m. on October 4, 2017, in the Municipal Building's Second Floor Conference Room.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Parks and Recreation

Originating Department

Council Meeting Of: September 19, 2017

Account Code No. #: N/A

Prepared By: Casey D. Wooddell

Budgeted Amount: N/A

Date Prepared: September 8, 2017

Agenda Title: Recreation Advisory Board Meeting, 9/7/17

Recommendation: Approve

Attendance: Members: Ken Bogard, Kevin Ackley, Craig Bennett, Wes Cole

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

Discussion:

Recreation Advisory Board (RAB) met Thursday, September 7, 2017 at the Oxford Seniors Center. Mr. Wooddell informed the RAB members of the work session with City Council scheduled for Tuesday, October 17 at 6:30pm. Mr. Wooddell informed RAB members this meeting would be centered on the funding of the family aquatic center, as well as the timeline and process. RAB members were also informed this meeting may include discussion of a possible levy to help fund this project.

Mr. Wooddell presented a list of potential items to include in a fundraising campaign for the aquatic center. Some of these items had recommended donation amounts associated, while others still needed additional research. RAB members discussed each item individually, making notes as to the costs and quantities of each item. Some items were removed, while some costs were adjusted based on RAB member recommendations. Some example items included on this list were walkway pavers, concessions tables, touchpad timers, scoreboard, solar panels and activity structures.

Mr. Ackley provided some recommendations and price suggestions based on research conducted with Vortex Aquatics, Goggin Ice Arena and through conversations with other professionals in the field.

Mr. Bogard previously suggested at a prior meeting about the RAB producing a five year plan. Mr. Wooddell provided the RAB members with a list of projects to include in the five year plan which included the family aquatic center, updating the parks and recreation master plan, new city tennis courts, an outdoor fitness trail and new gymnasium. RAB members agreed this list was appropriate for the time being.

Next meeting date: October 10, 4:00pm at Oxford Seniors Center. Discussion will be focused on preparation for the Council Work session and answering questions council members will have regarding this project.

Meeting adjourned 5:10pm.

Approved By:

Initial Date

Department Head:

CDW \ 9/8/17

City Manager:

D/E \ 9/15/17

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Council Meeting of: September 19, 2017

Account Code #: N/A

Budgeted Amount: N/A

Service Department
Originating Department

Michael Dreisbach, Service Director
Prepared By

Sept 6, 2017
Date Prepared

Agenda Title: Authorization for Disposal of Surplus Equipment

Recommendation: Approve

Discussion:

The City has, or will be, replacing the equipment listed on the attached Exhibit "A", and the listed equipment is no longer needed for municipal purposes.

Staff has found the highest return when selling surplus property comes from utilizing Internet auction services such as GovDeals.com when compared with typical local advertising.

Staff recommends the City Council authorize the City Manager to take all measures necessary for the disposal of the surplus equipment listed in the attached Exhibit "A" by means of Internet auction.

Approved By:

Department Head:

Initial Date
MBD \ 9/6/17

City Manager:

DRE \ 9/15/17

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AS SURPLUS AND AUTHORIZING ITS SALE TO THE HIGHEST BIDDER BY INTERNET AUCTION.

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

SECTION 1: The vehicles and equipment set forth in Exhibit 'A' attached hereto and incorporated herein, are hereby declared surplus for City purposes and no longer needed for municipal purposes, and that said property is hereby declared to be surplus.

SECTION 2: Council hereby authorizes the sale of said vehicles and equipment by internet auction to the highest bidder with proceeds thereof deposited in the General Fund.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City Property for Disposal (pic below description)

#1 - Veh # 87 - 2002 Dodge Ram 2500 2 wheel drive pick-up (truck was replace in 2016)



#2 - Veh# 05-36 – 2005 Ford F350 4x4 with utility body (truck was replaced in 2016)



#3 - Veh# 35 – 1988 Ford F800 Dump truck (Kept for Leaf Truck when truck was replaced in 2007, No longer used)



#4 - Veh # 95-14 – 1995 Ford F150 4x4 (truck was replaced in 2016)



#5 - Veh# 88 – 1999 Dodge Ram 1500 4x4 (truck was replaced in 2015)



#6 - Veh# 47 – 1995 Ford E350 Van (truck was replaced in 2017)



#7 -10 ft. Gledhill Snow Plow # 51B (No longer used)



#9 - Graco Paint Traffic Paint Sprayer (non working)



#10 - 54" Scag Wildcat (No longer operational, replaced in 2017)



#11 1980 Cummins Portable Back-up Generator (No longer operational)



CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council

Originating Department

Council Meeting Of: September 19, 2017

Mary Ann Eaton

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 14, 2017

Date Prepared

Agenda Title: A Resolution of Council authorizing alcoholic beverages to be served free of charge at private events held for "Members Only and Invited Guests" at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056 provided an additional liquor liability insurance policy is obtained.

Recommendation: N/A

Discussion:

For Council's consideration based on a request from F. Stephen Schnabl, Executive Director, Oxford Seniors.

The lease agreement between the City of Oxford and Oxford Seniors states in part "Oxford Seniors will not permit to be manufactured or sold on the premises any intoxicating liquor."

Approved By:

Initial Date

Department Head:

City Manager:

DRE 9/15/17

RESOLUTION NO.

A RESOLUTION OF COUNCIL AUTHORIZING ALCOHOLIC BEVERAGES TO BE SERVED FREE OF CHARGE AT PRIVATE EVENTS HELD FOR “MEMBERS ONLY AND INVITED GUESTS” AT OXFORD SENIORS, 922 TOLLGATE DRIVE OXFORD, OHIO 45056 PROVIDED AN ADDITIONAL LIQUOR LIABILITY INSURANCE POLICY IS OBTAINED.

Be it resolved by the Council of the City of Oxford, Butler County, State of Ohio, that:

SECTION 1: Oxford Seniors leases the premises located at 922 Tollgate Drive from the City of Oxford for the purpose of operating a senior citizen center.

SECTION 2: Oxford Seniors wishes to serve alcoholic beverages free of charge at private events held for “Members Only and Invited Guests” at 922 Tollgate Drive Oxford, Ohio 45056.

SECTION 3: In addition to their liability insurance policy Oxford Seniors shall obtain an additional liquor liability policy prior to serving any alcoholic beverages.

SECTION 4: Council hereby authorizes alcoholic beverages to be served free of charge at private events held for “Members Only and Invited Guests” at Oxford Seniors, 922 Tollgate Drive Oxford, Ohio 45056 provided an additional liquor liability insurance policy is obtained.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

Clerk of Council
Originating Department

Council Meeting Of: September 19, 2017

Mary Ann Eaton
Prepared By

Account Code No. #: N/A

Budgeted Amount: N/A

September 7, 2017
Date Prepared

Agenda Title: A Resolution authorizing a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, on Friday, October 6, 2017 from 11:00 p.m. to 1:00 a.m. on Saturday, October 7, 2017 in the Uptown Parks for the Miami Athletics Midnight Madness event.

Recommendation: n/a

Discussion:

Please see the attached Resolution, Request for Public Park and Public Right-of-Way Permit, and the Noise Abatement Application.

The event itself has been approved. If Council approves the Noise Abatement request, the applicant can proceed with plans for a DJ. Council has approved this noise abatement request for the past two years (until 12:30 a.m.)

Approved By:

Department Head:
City Manager:

Initial Date

DRE \ 9/15/17

RESOLUTION NO.

A RESOLUTION AUTHORIZING A TEMPORARY ABATEMENT OF THE NOISE ORDINANCE NO. 2550, SECTION 509.09, ON FRIDAY, OCTOBER 6, 2017 FROM 11:00 P.M. UNTIL 1:00 A.M. ON SATURDAY, OCTOBER 7, 2017 IN THE UPTOWN PARKS FOR THE MIAMI ATHLETICS MIDNIGHT MADNESS EVENT.

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

SECTION 1: The City Manager and the Police Chief recommend a temporary abatement of the Noise Ordinance No. 2550, Section 509.09, for the Miami Athletics Midnight Madness event on Friday, October 6, 2017 from 11:00 p.m. until 1:00 a.m. on Saturday, October 7, 2017 in the Uptown Parks in accordance with the provisions in the Noise Ordinance No. 2550, Section 509.11, Exceptions to Noise Restrictions, Section G: "Noises resulting from authorized public activities such as parades, fireworks, sports events, musical productions and other activities which have the approval of the City of Oxford, Ohio."

SECTION 2: Council having reviewed the recommendation and finding this to be a favorable event hereby authorizes the City Manager to issue a temporary abatement of the Noise Ordinance.

SECTION 3: The City Manager is hereby authorized to approve a temporary abatement of the Noise Ordinance No. 2550 Section 509.09 for the Miami Athletics Midnight Madness event on Friday, October 6, 2017 from 11:00 p.m. until 1:00 a.m. on Saturday, October 7, 2017 in the Uptown Parks.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

RECEIVED

APPROVED

Rev. 1/17



MAY 12 2017



REQUEST FOR PUBLIC PARK PERMIT



REQUEST FOR PUBLIC RIGHT-OF-WAY PERMIT

Date(s) of Event: 10/16/17 through 10/17/17 From: 10 a.m.(p.m) To: 2 (a.m)/p.m.

Today's Date: 5/12/17

☐ Emergency Utility Repair (check box, if applicable)

--- Applicant shall allow a minimum of 3 business days for processing ---

Responsible Adult:
(18 years of age or older)*

Address:

Telephone:

Cellular:

Fax:

Email:

Organization:

Advisor:

Address:

Telephone:

Cellular:

Fax:

Email:

Non-Profit:

☒ Yes ☐ No

* Person in charge - Primary contact

PARK REQUESTED

- ☐ Merry Day Park (adjacent to the Miami Mobile Home Park, Reagh Way Drive)
☐ Leonard Howell Park (Bonham Road)
☐ Oxford Community Park (Fairfield Road) - Contact 523-6314 to confirm date(s)
☒ Memorial Park (E. Park Place & N. Main Street - has pavilion)
☒ Martin Luther King Jr. Park (W. Park Place & N. Main Street - animal sculptures & fountain)
☐ Other: _____

TITLE OF EVENT (be specific and include projected attendance)

Miami Basketball Midnight Madness
Projected Attendance: 200 Has this event been held previously? ☒ Yes ☐ No If "YES", when? 2015
2016

Will food, goods, services or merchandise be sold at the event? ☐ Yes ☒ No

If "YES", please see Section 729.05, Sales on Certain Municipal Property Prohibited (attached to last page of application.)

Note: If you or your organization are handing out information on the public sidewalk, no permit is required.

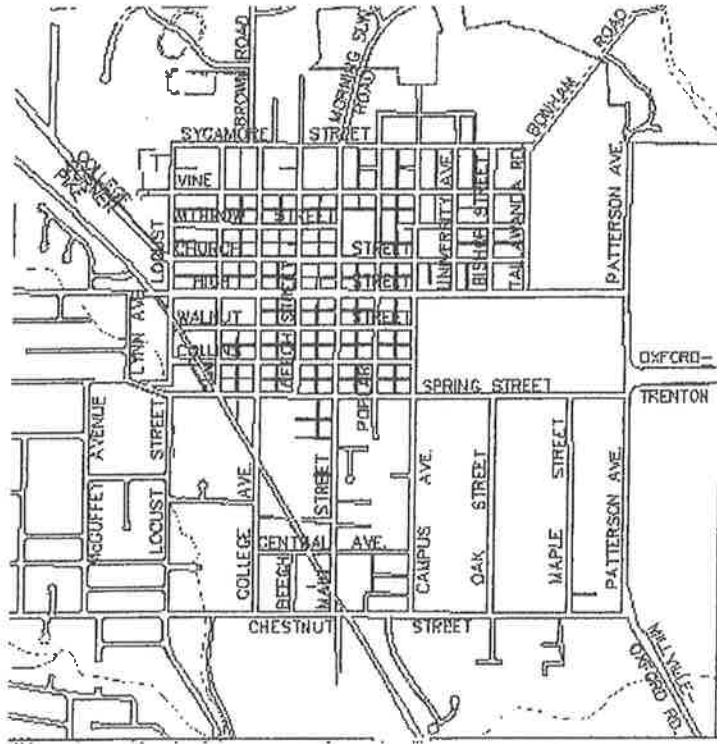
DESCRIPTION OF EVENT

Place a description of the event, along with additional requests, on the appropriate attachment. If request is only for use of a right-of-way, use the attachment labeled City of Oxford / Right-of-Way Request Details.

Applicant's Signature: Lindsay Sparks / Jessica Greene Date: 5/12/17

I have read and understand the rules, guidelines and conditions. Furthermore, I understand that acceptance of them is a condition of approval; and, if approval is granted, it is only for the event specified above. I also understand that the request will be reviewed by various City of Oxford officials and additional conditions may be required before final approval is granted. If additional conditions are required, I agree to meet with the appropriate officials and/or the Oxford Community Event Coordinating Committee.

Note
If your event is outside the boundaries of this map, either attach a separate map or contact the City for assistance.



CITY OF OXFORD / RIGHT-OF-WAY REQUEST DETAILS

Instructions for Applicant: Please clearly denote the parade route, streets and/or sidewalk areas being requested. Place a concise narrative explanation on the following lines. Attach additional pages if necessary.

10 No Parking spots on East + West Park (5 on each side)
for event booth space / vendors.

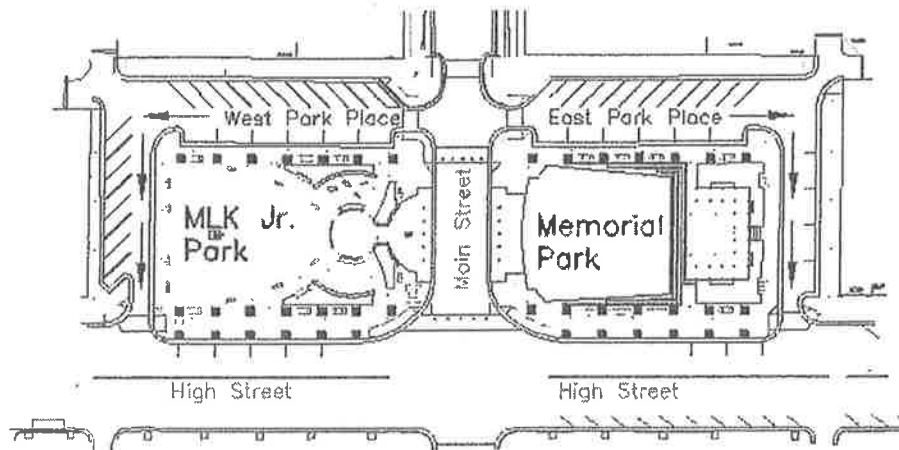
Additional Requests:
(Include details in narrative)

- ☒ No Parking Signs* 10
☐ Detour(s)
☐ Police Assistance

Time Details

	Start	End
Setup	10 pm	11 pm
Event	11 pm	1 am
Breakdown	1 am	2 am

*Generally the responsibility of the applicant.



OXFORD MEMORIAL PARK & MARTIN LUTHER KING JR. PARK

Instructions for Applicant: Please clearly denote (1) the sections of the parks that you are requesting, (2) parking spots needed and (3) proposed street closures. Place a concise narrative explanation on the following lines. Attach additional pages if necessary.

Request closure of Main St - temporary basketball court with hoop facing North. Will have shoot out comp.

Request stage lights - will hire DJ + Sound tech

Request power on at trees for extra lights on temporary court.

Vendors to pass out free items

Additional Requests:
(Include details in narrative)

- ☒ Pavilion
- ☐ Extra trash cans*
- ☐ Sound system (with operator)**
- ☒ Stage lighting*
- ☒ Special power requirements (explain in narrative)** on at trees
- ☒ Street Closure**
- ☒ Other: ~~XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX~~

*See fee sheet

Time Details

	Start	End
Setup	10 pm	11 pm
Event	11 pm	1 am
Breakdown	1 am	2 am

**** Contact the Streets & Maintenance Division 3 days prior to the event at 513-523-8412**

NOTE: Street closures will be at the discretion of the Oxford Police Department



Stipulations and Fees

Note: FULL PAYMENT REQUIRED BEFORE THE EVENT

RIGHT-OF-WAY

Applicants should allow a minimum of **three (3) business days** for the request to be processed from the time it is submitted to city officials. *(Please provide the City with as much lead time as possible. Events requiring road closures and staffing will require additional processing time. Large event requests shall be submitted no less than fourteen (14) days in advance of the event.)*

1. Applicant shall manage all work zones in the Right-of-Way in compliance with the Ohio Manual of Uniform Traffic Control.
2. Large events (estimated at over 500 people, including all concerts and performances, will require a pre-meeting with the Police (524-5247) and Service Department (524-5206) prior to approval. *Note: Requests **WILL NOT** be approved prior to the pre-meeting.*
3. The period of use may not exceed two (2) days without city council approval.
4. At least one legally responsible adult must sign the request.
5. The usage may not discriminate for or against a given class of people.
6. All ordinances that regulate noise **shall** be observed.
7. NO nails, spikes, tacks or adhesive material may be driven into or affixed to trees or into the ground within the public right-of-way.
8. The requestor is responsible for cleanup. Failure to cleanup may result in subsequent requests being denied or a deposit being required. In addition, a cleaning charge may be assessed.
9. Safety staffing levels will be determined by the Oxford Police Division and the requestor may be required to hire police officers.
10. All special conditions specified by department heads must be complied with. Fees may be assessed for special services – see below.
11. Miami University approval is required for student events.
12. NO markings may be made on streets or sidewalks within the public right-of-way.

USE OF PARKS (ALL THOSE ABOVE, PLUS)

1. No motor vehicles may be parked within the area of the park or on any sidewalk.
2. Banners are only permitted on the stage area during the function and must be removed immediately after the event. Tying is the only acceptable way of affixing a banner to the stage area.
3. No signs are permitted.
4. The requestor is responsible for damage to grass, shrubs or trees as a result of the event and agrees to compensate the City of Oxford the cost of repairs and/or replacement.
5. No structure shall be defaced and no structure shall be erected within four (4) feet of the base of a tree or shrub.
6. NO nails, spikes, tacks or adhesive material may be driven into or affixed to trees or into the ground within the public right-of-way.

FEE INFORMATION

No Parking Signs \$.35 ea.
Metered Parking \$10.00/ea
Trash Boxes \$5.00/ea.

Personnel

Police Officer(s) Contact OPD
Sound Technician \$25.00/hr
Street Dept. Personnel \$25.00/hr
Electrician \$100.00
Park & Rec Personnel Contact OPRD

Road Closures

Main Street \$135.00**
US 27 Detour \$135.00**

**Includes labor

Sports Fields/Gazebo

Contact OPRD – 523-6314

APPLICANT'S ASSURANCE

I have reviewed the estimated cost for the event and agree to compensate the City for services rendered as specified above. If the event runs past the stated end time, I understand that additional charges will accrue and agree to compensate the City accordingly.

Jimmy Sparks
Applicant's Signature

Date: 5/12/17

CITY USE ONLY

	Service	Hours	Rate	Estimate	Final
1	Detour	1	\$ 135	\$ 135	\$
2	Meters	10	\$ 100	\$ 100	\$
3			\$	\$	\$
4			\$	\$	\$
5			\$	\$	\$
			Total	\$	\$

	Applicant's Initials	Review Date
Police Department		
1		
2		
3		
4		
Fire Department		
1		
2		
3		
4		
Service Department		
1		
2		
3		
4		
Recreation Department (if applicable)		
1		
2		
3		
4		
City Manager		
1		
2		
3		
4		

Pre-Meeting (if applicable): _____ Reviewed with _____ on _____.

Reviewer(s): _____

APPROVAL SECTION (with conditions)

Police Chief: ☒ Approved

☐ Not Approved

Fire Chief: ☐ Approved

☐ Not Approved

Service Director: ☒ Approved

☐ Not Approved

Recreation Director: ☐ Approved

☐ Not Approved

City Manager: ☒ Approved

☐ Not Approved


City Manager's Signature

Date: 5/19/17

Reason(s) event not approved:

CITY OF OXFORD
NOISE ABATEMENT APPLICATION

DATE REQUESTED

10/10/17

From: 10:30 P.M.

To: 1:00 P.M.

ORGANIZATION (Event Sponsor)
ADDRESS:

500 E. Sycamore St.
Oxford, OH
45056

RESPONSIBLE (must be over 18 yrs.)
PARTY:

Miami Athletics/
Lindsay Sparks

ACTIVITY/EVENT TO BE UNDERTAKEN: Miami Athletics Midnight Madness

NUMBER OF PEOPLE ESTIMATED TO ATTEND: 500

OPEN TO PUBLIC

YES

NO

ALCOHOL AVAILABLE

YES

NO

HELD ON PUBLIC PROPERTY

YES

NO

INTENDED AUDIENCE: Students / Miami families / Oxford community

DESCRIPTION OF EVENT: Basketball Kickoff event with half-court and basketball hoop uptown

PLACE OF EVENT: Main between High & Church

TYPE OF SOUND EQUIPMENT TO BE USED: DJ positioned next to event to localize the announcements

SOUND MONITORING PLANS (including person in charge of this process)

Pre-set music level + monitor

I have read and understand the rules, guidelines and conditions for the waiver of the noise ordinance, and understand that acceptance of them is a condition of approval.

Applicants signature

Lindsay Sparks Date 9/11/17

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: Sept. 5, 2017

Account Code #: 140.720.61183

Budgeted Amount: \$112,741.60 (w/ Sup.Bud)

Service Department

Originating Department

Michael B. Dreisbach

Prepared By

August 1, 2017

Date Prepared

Agenda Title: Purchase of Right of Way Mowing Tractor and Boom Mower

Recommendation: Approve

Discussion:

The 2017 Equipment Budget includes \$112,741.60 (including a supplemental appropriation) for the purchase of a new right of way mowing tractor and boom mower. This equipment will be used to maintain vegetation off the edge of pavement as well as along areas of the Oxford Area Trail System. The original budget forecasted for this item was \$90,000 with the purchase being made through the State of Ohio equipment contract. However, once the State published pricing for this equipment, it was apparent a supplemental appropriation of \$22,741.60 would be required.

This equipment is available through the State of Ohio Dept. of Administrative Services master equipment contract under Index # STS515. The equipment to be purchased includes a two wheel drive New Holland tractor and 18' boom mower by Alamo Equipment. The specifications are detailed on the attached pages.

This Resolution will authorize the City Manager to enter into an agreement with Southeastern Equipment Co, Inc. for the purchase of a New Holland TS6.110 tractor with Alamo Machete boom mower for an amount not to exceed \$112,741.60. Staff is not requesting a contingency amount at this time for this contract.

Approved By:

	Initial	Date
Department Head:	<u>MBD</u>	<u>8/1/17</u>
City Manager:	<u>DRE</u>	<u>9/15/17</u>

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SOUTHEASTERN EQUIPMENT CO., INC. FOR THE PURCHASE OF A NEW HOLLAND TS6.110 TRACTOR WITH ALAMO MACHETE BOOM MOWER AT STATE CONTRACT PRICING AT A COST NOT TO EXCEED \$112,741.60.

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

SECTION 1: Council hereby authorizes the Service Department to purchase a New Holland TS6.110 Tractor with Alamo Machete Boom Mower at state contract pricing at a cost not to exceed \$112,741.60.

SECTION 2: The City Manager is hereby authorized to enter into an agreement with Southeastern Equipment Co., Inc. for the purchase of a New Holland TS6.110 tractor with Alamo Machete boom mower at state contract pricing at a cost not to exceed \$112,741.60.

SECTION 3: Funds will be appropriated for the purchase price authorized.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)



Southeastern
Equipment Co., Inc.

City of Oxford
Alamo 18' Machete Boom
Mower & NH TS6.110 Tractor

Scott Runnells
Cell: (513) 519-6855
Office: (513) 539-9214
404 Breaden Drive
Monroe, Ohio 45050



Southeastern
EQUIPMENT CO., INC.

Scott Runnells
Sales Representative

(513) 539-9214 Office
(513) 539-6917 Fax
(513) 519-6855 Mobile

QUOTATION

Customer: CITY OF OXFORD
Contact: ERIC KEEBLER
Address: 101 EAST HIGH STREET
City, State, Zip: OXFORD, OH. 45056
Customer No.: 570972

Date: June 7, 2017
Phone: 513-523-8412
Fax: 513-524-1146
Mobile:
Email: ekeebler@cityofoxford.org

Description	Price
ONE NEW ALAMO MACHETE 18' BOOM MOWER	\$62,584.00
JOYSTICK CONTROL STS DISCOUNT (20%) SCHEDULE# 800316	(\$12,516.80)
48" FLAIL AXE MOWER HEAD (NO SWIVEL)	
MOUNTING KIT FOR NH TS6.110 CAB 2WD	
MOUNTING LABOR & OIL	
ONE NEW NEW HOLLAND TRACTOR	
MODEL: TS6.110 STS DISCOUNT (20%) SCHEDULE# 800316	78,343.00
CAB WITH HEAT/AC	(15,668.60)
2 WHEEL DRIVE WITH HEAVY DUTY FRONT AXLE	
8F x 8R WITH POWER SHUTTLE & 10:1 CREEPER TRANSMISSION	
10.00 - 16/18.4-34 TIRES	

Trade Information

Year	Make	Model	Serial Number	Trade Value
------	------	-------	---------------	-------------

Sale Price	112,741.60
Sales Tax	EXEMPT
FET	X
Document Fees	X
Insurance	X

Finance Options

Term	Rate	Payment	Rental Information
------	------	---------	--------------------

Daily:

Weekly:

Monthly:

100% of paid rent to be applied towards the purchase of unit on rent. Carrying charges computed monthly at 1.0% of the declining balance up to (6) months. 3.0% carrying charges thereafter.

Total	112,741.60
Less Trade	X
Down Payment	X
Balance Due	\$ 112,741.60

*RATES ARE SUBJECT TO CHANGE

*SUBJECT TO CREDIT APPROVAL

UNLESS OTHERWISE NOTED ON THIS QUOTE, USED MACHINES ARE SOLD ON AN "AS IS - WHERE IS BASIS".
THERE IS NO WARRANTY EITHER EXPRESSED OR IMPLIED

404 Breaden Road Monroe, OH 45050
www.southeasternequip.com

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: September 19, 2017

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 14, 2017

Date Prepared

Agenda Title: A Resolution to declare the necessity and intent to acquire fee simple interest in certain parcels or real estate and other property interests owned by Ella Mae Lawson, Trustee, with interest by others, for a road project in the City of Oxford, Ohio.

Recommendation: Adopt the Resolution

Discussion:

In 1966, the Heritage Subdivision #2 was approved by the Village of Oxford. The approved plat included a stub street shown as Parcel A which was never deeded over to the City. Recently, the City Council approved the Subdivision Plat for Red Brick Estates which included a street entitled Grace Lane which connects to the Parcel A stub street. The City attempted to negotiate the purchase of this stub street from the current owner but was unsuccessful. Therefore, I am recommending legislative action to acquire this stub street. The legislation includes a Resolution of Necessity and an Ordinance to appropriate the stub street for public use.

Approved By:

Initial Date

Department Head:

City Manager:

DRE 9/15/17

RESOLUTION NO.

A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO ACQUIRE FEE SIMPLE INTEREST IN CERTAIN PARCELS OR REAL ESTATE AND OTHER PROPERTY INTERESTS OWNED BY ELLA MAE LAWSON, TRUSTEE, WITH INTEREST BY OTHERS, FOR A ROAD PROJECT IN THE CITY OF OXFORD, OHIO.

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

SECTION 1: This Council hereby declares the necessity and intention to appropriate certain property in accordance with Chapter 163 of the Ohio Revised Code for the purpose of acquiring a fee simple interest for a road project, which is open to the public without charge.

SECTION 2: This Council considers it necessary and declares its intention to appropriate a certain fee simple interest in the following real estate:

Entire Parcel "A", Heritage Subdivision #2, City of Oxford, Butler County, Ohio, as recorded in Plat Book 26, Page 25 now know as Plat Envelope 563B, of the Butler County, Ohio Plat Records;

SECTION 3: The owners, persons or entities in possession and persons or entities having an interest of record and others which may have an interest include Ella Mae Lawson, Trustee, and any other lien holders, persons or entities declaring a lawful interest in said same real estate.

SECTION 4: The City Manager or his designee is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, person in possession of, or having an interest of record or other interest in the above described premises, and said notice shall be served according to law by a person to be designated for that purpose by said City Manager or his designee and to make return of said service of notice in the manner provided by law.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Manager

Originating Department

Council Meeting Of: September 19, 2017

Doug Elliott

Account Code No. #: N/A

Prepared By

Budgeted Amount: N/A

September 14, 2017

Date Prepared

Agenda Title: An Ordinance To Appropriate For Public Use, All Right Title And Interest In A Certain Parcel Of Property Located Along The West Side Of Country Club Drive For The Purpose Of Acquiring Fee Simple Interest For A Road Project In The City Of Oxford, Ohio And Declaring An Emergency.

Recommendation: Adopt the Ordinance

Discussion:

In 1966, the Heritage Subdivision #2 was approved by the Village of Oxford. The approved plat included a stub street shown as Parcel A which was never deeded over to the City. Recently, the City Council approved the Subdivision Plat for Red Brick Estates which included a street entitled Grace Lane which connects to the Parcel A stub street. The City attempted to negotiate the purchase of this stub street from the current owner but was unsuccessful. Therefore, I am recommending legislative action to acquire this stub street. The legislation includes a Resolution of necessity and an Ordinance to appropriate the stub street for public use.

Approved By:

Department Head:

Initial Date

City Manager:

DRE

9/15/17

ORDINANCE NO.

AN ORDINANCE TO APPROPRIATE FOR PUBLIC USE, ALL RIGHT TITLE AND INTEREST IN A CERTAIN PARCEL OF PROPERTY LOCATED ALONG THE WEST SIDE OF COUNTRY CLUB DRIVE FOR THE PURPOSE OF ACQUIRING FEE SIMPLE INTEREST FOR A ROAD PROJECT IN THE CITY OF OXFORD, OHIO AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, BY TWO-THIRDS OF ALL COUNCIL MEMBERS ELECTED CONCURRING THAT:

SECTION 1: The City Council of Oxford, Ohio by Resolution No. _____ passed September 19, 2017 declared its intention to appropriate certain real property hereinafter described as fee simple interest for a road project opening a street which shall be open to the public without charge and for road purposes. Notice of the passage of the above-referenced resolution of intent to appropriate was served upon the owner of, person in possession of, or person having a record interest in the said property, or his or her authorized agent, in accordance with Ohio Revised Code Section 719.05. The City has been unable to agree with the owner of the said real property as to compensation to be paid for said interest in real property.

SECTION 2: The City's acquisition of fee simple interest in the real property described in Section 3 herein is necessary for public right-of-way and a road project opening a street, and the property is hereby appropriated for a public use. Council finds that the acquisition of property for these purposes is in the public interest and a proper public purpose.

SECTION 3: The lands and estates or interests therein to be appropriated, being necessary for a public right-of-way and road project, are located at

Entire Parcel "A", Heritage Subdivision #2, City of Oxford, Butler County, Ohio, as recorded in Plat Book 26, Page 25 now know as Plat Envelope 563B, of the Butler County, Ohio Plat Records.

SECTION 4: The Law Director is hereby authorized and directed to apply to the Court of Common Pleas, Butler County, Ohio for the purposes of assessing the compensation to be paid for said real property.

SECTION 5: The value of said appropriated real property, including any residual damages, has been appraised at \$11,250.00 by a certified real estate appraiser. The Law Director is hereby authorized and directed to deposit the same with the Clerk of Courts for the purpose of effecting immediate possession of said real property according to law and file all pleadings necessary to appropriate the real property. The costs and expenses of such appropriation are to be paid out of the appropriate fund or funds.

SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, safety, and general welfare of the City of Oxford. The reason for said emergency is the immediate necessity to assemble properties necessary for opening of a street and to assure the street is open to the public without charge and for road purposes. Therefore, this ordinance shall become effective immediately upon adoption.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW(STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to City Manager

Council Meeting Of :

9/19/2017

Account Code No. :

see below

Budgeted Amount :

Finance

Originating Department

Joe Newlin

Prepared By

9/12/2017

Date Prepared

Agenda Title: Investment Policy Updates

Recommendation: Approve

Diversification:

- 1.) Increase limit in money market or pooled investment programs from 60% to 75%.
- 2.) Increase issuer limit from 35% to 50%. Government agencies have reduced the amount of issuance; the lower percentage hinders investment opportunities.

Maturity Guidelines:

- 1.) No more than 50% of the portfolio may have a maturity beyond 36 months, presently at 25% of the portfolio. Give the City more flexibility to position a portfolio of investments.
- 2.) Average maturity of the portfolio will never exceed three years, increased from two and a half years. Maximum maturity limit on any one investment remains at five years.
- 3.) Remove the 3rd guideline that 20% of the portfolio will be invested in liquid instruments or marketable securities that can be sold to raise cash in one business days' notice. The language is gray and could have different interpretations. If the decision is made to include language, would recommend reducing to 15%.

Permissible Investments:

- 1.) Commercial Paper Changes.
 - a. Permit up to 25% of the interim funds to be invested in commercial paper, Presently at 10%.
 - i. Maintain 5% limit per issuer, per ORC 135.14.
 - b. Extend maturity limit from 180 days to 270 days.
 - i. Would match limits per ORC 135.14.

Approved By:

Department Head:

City Manager:

Initials

Date

[Signature] 9/12/17
DRE 9/15/17

ORDINANCE NO.

AN ORDINANCE REPEALING ORDINANCE NO. 2944 AND ADOPTING A NEW INVESTMENT POLICY.

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

SECTION 1: The Investment Committee recommends the adoption of a new Investment Policy prepared by the Finance Director which reflects changes and modifications proposed for the City's investments.

SECTION 2: Council having reviewed the new Investment Policy accepts the recommendation of the Investment Committee and the Finance Director and repeals Ordinance No. 2944 and adopts the new Investment Policy attached hereto and incorporated herein by reference as Exhibit "A".

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

Exhibit “A”

The City of Oxford Investment Policy

Policy Statement

The purpose of this investment policy, in conjunction with the Ohio Revised Code, as amended, will govern the investments and the investment activities of the City of Oxford.

Scope

This investment policy applies to the investment of all funds of the City of Oxford both short-term operating funds and longer-term funds, including investments of proceeds from certain bond issues.

Investment Review Committee

An Investment Review Committee is established for the purpose of periodically reviewing the City's investment function and advising the Finance Director regarding such investments. The committee shall meet at least once every six months and shall select a chairperson to conduct its meetings. The committee shall consist of the City Manager, the Law Director, and the Finance Director. The committee shall keep records of its proceedings and shall adopt rules for its own proceedings. The committee may adopt procedures for implementing this policy, and may submit revisions to this policy from time-to-time as deemed necessary for City Council to consider.

Investment Objectives

The City's investment portfolio is designed and managed in a manner responsive to the public trust and consistent with state and local statutes. Investments are made on the basis of the following list of objectives which are listed in the order of importance:

1. Safety and security of City funds and investments.
2. Preservation of capital and protection of principal.
3. Maintenance of sufficient liquidity to meet operating needs.
4. Diversification of investments to avoid unreasonable or avoidable risks.
5. Market rate of return on the portfolio within the above constraints.

The City is generally restricted to investing in certificates of deposit, savings accounts, money market accounts, the State Treasury Asset Reserve (STAR Ohio), obligations of the State of Ohio, and obligations of the United States government or certain agencies thereof. The City is authorized to invest in any instrument or security outlined in ORC 135.14, as amended. All investment transactions will be completed on a competitive basis, whenever possible.

Investments will be made with care and judgment which persons of prudence, discretion, and intelligence exercise in the management of their own affairs. Additionally, purchases will be executed, not for speculation, but for investment, considering the safety of the capital as well as the probable income to be derived.

Standard of Care

A. Delegation of Authority

In accordance with City Charter Article V Section 5.05, responsibility for administration of the cash management and investment program is delegated to the Finance Director ~~(City Auditor)~~, who shall establish written procedures for the operation of the investment program consistent with the investment policy. Such procedures shall include an internal control structure adequate to provide a satisfactory level of accountability, maintaining records incorporating descriptions and amounts of investments, transaction dates, and other relevant information, and regulating the activities of subordinate employees. The Finance Director in conjunction with the City Manager may utilize the advice of a licensed and designated investment advisor to fully authorize the buying or selling of investments in accordance with the goals and objectives of this policy and to sign investment-related agreements with authorized financial institutions, and broker/dealers on behalf of the City of Oxford.

B. Defining Investment Treasury

In compliance with the Codified Ordinance of the City of Oxford Chapter 123 Section 123.03, the investment treasury is defined as whenever there are funds in the treasury of the City which will not be required to be used for a period of six months or more may be invested in accordance with the provisions of Ohio Revised Code Section 731.56, as amended. Investments purchased shall also be sold in accordance with Ohio Revised Code Section 731.57, as amended.

C. Prudence

All participants in the cash management and investment process will act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City.

Investment officers acting in accordance with written procedures and this policy and exercising due diligence will be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action which may include the liquidation or sale of securities is carried out in accordance with terms of this policy.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

D. Ethics and Conflicts of Interest

All participants involved in the investment process will refrain from personal business activity that could conflict or appear to conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Employees and investment officials will disclose to Council any material interests in financial institutions with which the City of Oxford conducts business. They will further disclose any personal financial or investment positions that could be related to the performance of the investment portfolio. Employees and officers will refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City of Oxford.

Investment Parameters

1. Diversification

It is the policy of the City to diversify its deposits and investments by investment instrument, and by maturity scheduling.

The following diversification limitations shall be imposed on the City's portfolio of deposits and investments at the time of purchase of each deposit or security:

Instrument:

- ✦ No more than ~~60%~~ **75%** of the overall portfolio may be invested in cooperative, money market or pooled investment programs, and,
- ✦ No more than 20% of the overall portfolio may be invested in the securities of a single issue, except the U.S. Treasury.
- ✦ No more than ~~35%~~ **50%** of the overall portfolio may be concentrated into a single issuer, except for obligations or securities guaranteed by the United States.

2. Maturity Guidelines

To the extent possible, the Finance Director will attempt to match the investments with anticipated cash flow requirements to take best advantage of prevailing economic and market conditions. The maximum maturity of any eligible instrument is five years from the settlement date, unless per a related bond indenture the investment is matched to a specified obligation or debt of the subdivision.

Maturity guidelines will be as follows:

1. No more than ~~25%~~ **50%** of the portfolio may have a maturity beyond 36 months.
2. The average maturity of the portfolio will never exceed ~~two and one-half~~ **three** years, and
3. At least ~~20%~~ **15%** of the portfolio will be invested in liquid instruments or marketable securities that can be sold to raise cash in one business day's notice.

Any investment made should be purchased with the expectation it will be held to maturity. Investments may be sold to meet unexpected liquidity needs, to capture a capital gain, to reinvest in a preferred investment, or if otherwise determined to be in the best interests of the City.

Reserve funds and other funds with longer-term investments horizons may be invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities will be disclosed in writing to City Council.

Because of inherent difficulties in accurately forecasting cash flow requirement, a portion of the portfolio should be continuously invested in readily available funds such as STAR Ohio, money market funds, or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

Permissible Investments

The Finance Director may invest in any instrument or security authorized by Ohio Revised Code Section 135.14, as amended. Permissible investments include:

- A. United States Treasury bills, notes, bonds, or any other obligation or security issued by the United States Treasury or any other obligation guaranteed as to principal and interest by the United States. Stripped principal or interest obligations of such eligible obligations are strictly prohibited.
- B. Bonds, notes, debentures, or any other obligations or securities issued by any federal government agency or instrumentality, including but not limited to, the Federal National Mortgage Association, Federal Home Loan Bank, Federal Farm Credit Bank, Federal Home Loan Mortgage Corporation, Government National Mortgage Association, and Student Loan Marketing Association. All federal agency or instrumentality securities must be direct issuances of the federal agency or instrumentality.
- C. STAR Ohio is eligible as long as the fund maintains the highest letter rating provided by at least one nationally recognized standard rating service as outlined in Ohio Revised Code Section 135.45.
- D. Bonds and other obligations of the State of Ohio.
- E. Interim deposits (such as Certificates of Deposit) in the eligible institutions applying for interim moneys as provided in Ohio Revised Code Section 135.08.
- F. No-load money market mutual funds consisting exclusively of obligations described in section VII A or B of this policy and expressly excluding derivatives in accordance with Ohio Revised Code Section 135.14.
- G. Up to **ten twenty-five percent** of interim moneys available for investment may be invested in the following:
 - a. Commercial paper notes issued by an entity that is defined in division (D) of section 1705.01 of the Revised Code and that has assets exceeding five hundred million dollars, to which all of the following apply:
 - b. The notes are rated at the time of purchase in the highest classification established by at least two nationally recognized standard rating services.
 - c. The aggregate value of the notes does not exceed ten percent of the aggregate value of the outstanding commercial paper of the issuing corporation.
 - d. The notes mature not later than ~~one hundred eighty~~ **two hundred seventy days** after purchase
- H. Repurchase Agreements with eligible institutions.

Repurchase Agreements

Written repurchase agreements with any eligible public depository mentioned in Ohio Revised Code Section 135.03, or with any dealer who is a member of the NASD. All repurchase agreements must be entered into subject to a Master Repurchase agreement providing for the terms outlined below and satisfactory to the Law Director of the City of Oxford.

The market value of the securities subject held as collateral for an overnight repurchase agreement (including sweep accounts) or term repurchase agreements must exceed the

principal by at least 2%, the securities must be marked to market daily and the stated margin will be maintained by the initial seller during the life of the transaction. No one repurchase agreement may exceed \$2,000,000. The City retains the right to terminate the agreement and sell the securities outside the repurchase agreement. Reverse repurchase agreements are strictly prohibited.

Term repurchase agreements may not exceed 30 days. Any repurchase agreement with an eligible securities dealer must be transacted on a delivery versus payment basis. For all securities purchased pursuant to a repurchase agreement with an institution or dealer, the institution or dealer must agree in writing to unconditionally repurchase any of the securities used for any repurchase agreement transaction.

Collateralization

All deposits will be collateralized pursuant to the requirements of the Ohio Revised Code. Eligible securities used for collateralizing deposits will be held by the depository and/or a third party bank or trust company, subject to security and custodial agreements.

The security agreement will provide that eligible securities are being pledged to secure City deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted, or released providing collateral values are maintained, and, the events which will enable the City to exercise its rights against the pledged securities including failure to meet deposit repayment or collateral terms, or the deposit institution's insolvency. In the event that the securities are not registered or inscribed in the name of the City, such securities will be delivered in a form suitable for transfer or with an assignment in blank to the City or its custodial bank.

The custodial agreement will provide that securities held by the bank or trust company, as agent of and custodian for the City, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement will also describe how the custodian will confirm the receipt, substitution, or release of the securities. The agreement will provide for daily revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. The agreement will provide that the custodian will exercise the City's rights to the security or as instructed by the City. Such agreement will include all provisions necessary to provide the City with a perfected interest in the securities

Derivatives

Investments in derivatives are strictly prohibited. A derivative is defined in Ohio Revised Code Section 135 as a financial instrument or contract or obligation whose value is based upon or linked to another asset or index or both, separate from the financial instrument, contract, or obligation itself. However, any eligible investment with a variable interest rate payment based upon a single interest payment or single index comprised of other investments consisting of US government or federal agency or instrumentality obligations is not considered a derivative if it matures in two years or less.

Pooling

The pooling of funds by subdivisions is prohibited except as provided in Ohio Revised Code Section 715.02 or Section. IV Article XVIII of the Ohio Constitution, and STAR Ohio.

Safekeeping and Custody

1. Eligible Institutions and Dealers

Any financial institution located within the State of Ohio as defined by ORC 135.03 is eligible to serve as an approved depository and/or investment provider. Only securities dealers and brokers that are members of the National Association of Securities Dealers (NASD) are eligible to be an investment provider. Investment advisors must be an eligible financial institution as defined by ORC 135.03, or an advisor that is registered with the Securities and Exchange Commission.

A list will be maintained of financial institutions authorized to provide investment services. In addition, a list also will be maintained of approved security broker/dealers selected by creditworthiness (e.g. a minimum capital requirement of \$100,000,000 and at least five years of operation). These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

All financial institutions and broker/dealers with which the City conducts business must supply the following information to the City of Oxford as an investment advisor/manager:

- Audited financial statements,
- Proof of National Association of Securities Dealers (NASD) certification,
- Proof of State of Ohio registration,
- Certification of having read the City's Investment Policy.

The City will bid for investment advisory and management services for no more than a five year period. A contract outlining services to be provided will be maintained by the Finance Director and on file with the Clerk of Council of the City of Oxford.

In accordance with Ohio Revised Code, a signed copy of this policy will be kept on file for each investment advisor, financial institution, and broker/dealer doing investment business with the City of Oxford. The signature indicating that the investment advisor has received, read, comprehended, and will abide by its content when recommending, buying, or selling any investment security of the City.

The Finance Director is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners, and custodians. An annual review of the financial condition and registration of qualifies financial institutions; broker and dealers will be conducted by the Finance Director.

To the extent that the City uses the services of an outside Investment Manager, it shall be the responsibility of the Investment Manager to establish appropriate credit criteria for broker/dealers with which they execute investment transactions on behalf of the City. Upon request, the Investment Manager will provide the City with a complete list of approved brokers.

2. Internal Control

The City will establish an annual process of independent review which will assure compliance with policies and procedures. A system of internal controls will be designed to protect the city from theft, loss, and misuse of public funds. The City will attempt to prohibit collusion, by separating investment transactions from the accounting and recording of those transactions. The City will assure the timely delivery and matching of custodial trust receipts.

3. Delivery vs. Payment

All investment securities purchased by the City or held as collateral on either deposits or investments will be held in third-party safekeeping at a financial institution (to be designated as the "Custodian") qualified to act in this capacity. All securities held for the City account will be held free and clear of any lien and all transactions will be conducted on a delivery-vs.-payment basis. The Custodian shall issue a safekeeping receipt to the City listing the specific instrument, rate, maturity and other pertinent information. On a monthly basis, the custodian will also provide reports which list all securities held for the City, the book value of holdings and the market value as of month-end.

Appropriate City officials and representatives of the Custodian responsible for, or in any manner involved with, the safekeeping and custody process of the City shall be bonded in such a fashion as to protect the State from losses from malfeasance and misfeasance.

Reporting

The Investment Review Committee is responsible for oversight of reporting in compliance with the specific requirements of the Ohio Revised Code. Such reporting will include all items as required by Ohio Revised Code and other such information as deemed appropriate for the proper management and oversight of the City's investment function.

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return throughout budgetary and economic cycles. A series of appropriate benchmarks shall be established against which portfolio performances will be compared on a regular basis.

The market value of the portfolio will be calculated at least quarterly and a statement of the market value of the investment portfolio will be issued at least quarterly. This will ensure that review of the investment portfolio, in term of value and price volatility, has been performed consistent with the Government Finance Officers Association's Recommended Practices.

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 20, 2017

Date Prepared:

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

Recommendation: Approval with conditions

Discussion:

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

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

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

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

Approved By:

Department Head:
City Attorney:
City Manager:

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

ORDINANCE NO.

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

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

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

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

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

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

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

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

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-22

Date –August 8, 2018

APPLICATION

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

GENERAL DESCRIPTION

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

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

PUBLIC COMMENTS

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

AGENCY REVIEWS

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

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

ZONING CODE REVIEW

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

- 1147.03(15) Churches, Library, Community and Recreation Centers.
 - A. Potential Concerns
 - 1. Adequate lot size to permit future expansion
 - 2. Location and screening of outdoor recreation areas

3. Bus or van storage
 4. Lighting
 5. Parking and traffic impact
- B. Regulations.
1. None

1147.03(19) Fraternity and Sorority Houses

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

Analysis:

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

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

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

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

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

Yes, the proposed use will satisfy.

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

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

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

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

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

None anticipated.

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

Not applicable.

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

No accessory uses have been proposed.

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

No increase will be generated from the proposed use.

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

None is expected.

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

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

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

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

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

None expected.

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

Yes, as stated by applicant.

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

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

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

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

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

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

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

RECOMMENDATION:

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

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

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

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: July 26, 2017

ATTACHMENT

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

(1) Burden of proof.

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

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

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

City of Oxford
Inter-Office Review Transmittal Sheet



Date: July 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

X Review _____ Revisions _____ Other

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

Drawings are returned: w/comments without/comments

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

Drawings reviewed by:


John Detherage
PRINTED NAME

Date: 7-18-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

.....
Drawings are returned: w/comments

without/comments

Drawings reviewed by:

V. Popescu

Date: 7-13-17

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 12, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

Drawings are returned: w/comments without/comments

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

Drawings reviewed by: _____



Date: 7/18/17

John A. Jones

PRINTED NAME



PC-2017-22 **Surrounding** **Property Owners** **Notifications Map**

Legend

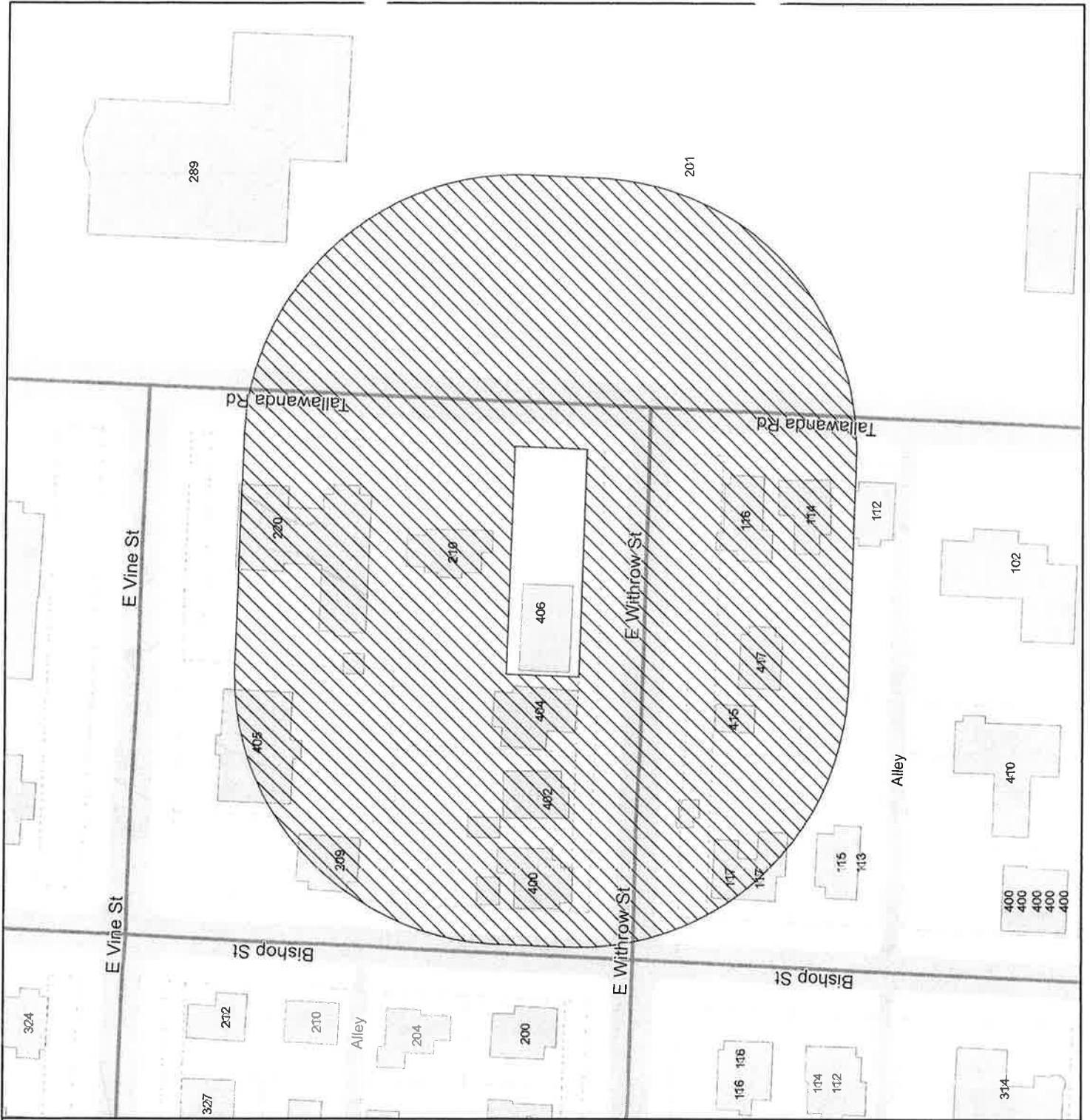
-  Subject Parcel
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  Parcel
-  16.5' Vacated ROW
-  Building Footprint
-  Paved Roadway



1 inch = 100 feet

Prepared on Thursday, July 20, 2017

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



6/21/2017

• • •

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

Lisa Kuhn
Crossroads Oxford
406 E Withrow
Oxford, OH 45011

Dear Lisa,

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

Sincerely,

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

Chris Ferritto
President
Theta Upsilon Housing Corp



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

Conditional Use Permit Application

Applicant Information

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

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

Mailing Address * 3500 Madison Rd.

City, State & Zip Code * Cincinnati, OH 45209

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

Email Address slandgrebe@crossroads.net

Owner Information

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

Mailing Address * 4397 Helena Dr.

City, State & Zip Code * Cincinnati, OH 45244

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

Email Address chrisferritto@yahoo.com

Location and Lot Information

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

Legal Description * Parcel No: 4000006000155; See Attachment B

Zoning District * R2MS

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

Existing Use Description * Vacant; Was a Fraternity House

Proposed Use Description * Gathering/Study Space for Campus Organization

Submission Requirements and Documentation

From Section 1147.02(a)¹.

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

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

She Landgrabe

Date *

6/22/2017

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

6/23/17

Receipt Number *

155632

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

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

SUBMISSION REQUIREMENTS AND DOCUMENTATION -- CROSSROADS OUTPOST

A. Application Fee. \$410

B. Description of Use and Site.

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

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

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

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

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

See Attachment A -- Letter of Agency

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

See Attachment B

Parcel number H4000006000155

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

306 S 54° & N ½ vacant street

406 E. Withrow Street, Oxford OH

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

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

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

R2MS

6. A description of the proposed use.

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

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

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

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

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

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

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

b. The hours of operation.

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

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

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

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

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

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

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

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

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

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

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

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

None

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

See Attachment C -- Adjacent Property Information

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

C. Site Plan.

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

See Attachment D -- Site Plans

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

See Attachment E - Proposed Exterior Elevations

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

See Attachment F -- Photos of Existing Property/Building



Barron Peck Bennie & Schlemmer

A LEGAL PROFESSIONAL ASSOCIATION

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

June 21, 2017

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

RE: Parcel No. H4000006000155

Dear Sue:

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

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

Please let me know if you have any questions.

Very truly yours,

Barron Peck Bennie & Schlemmer, LPA



W. Thomas Fisher

WTF/lbq

Ohio - Oakley Square:

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

www.bpbslaw.com

Legal Counsel Since 1897

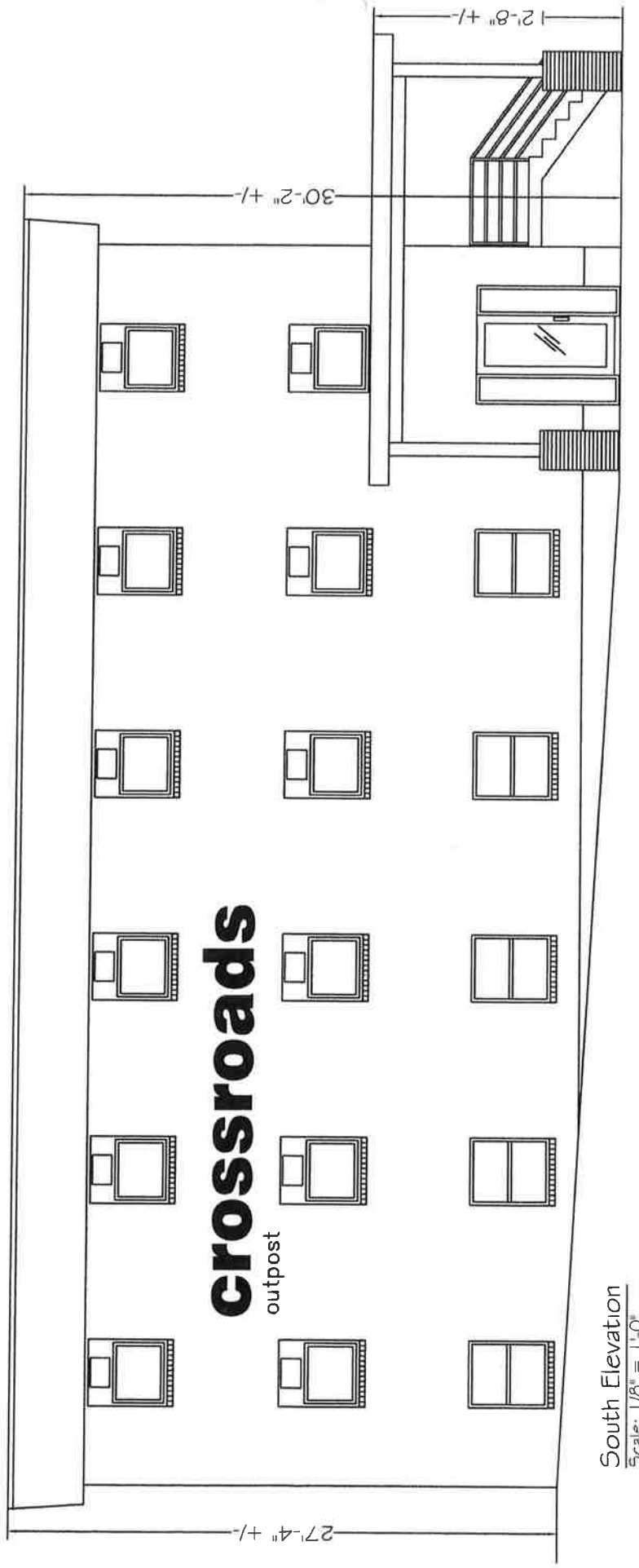
Kentucky:

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

Proposed New Entry & Canopy

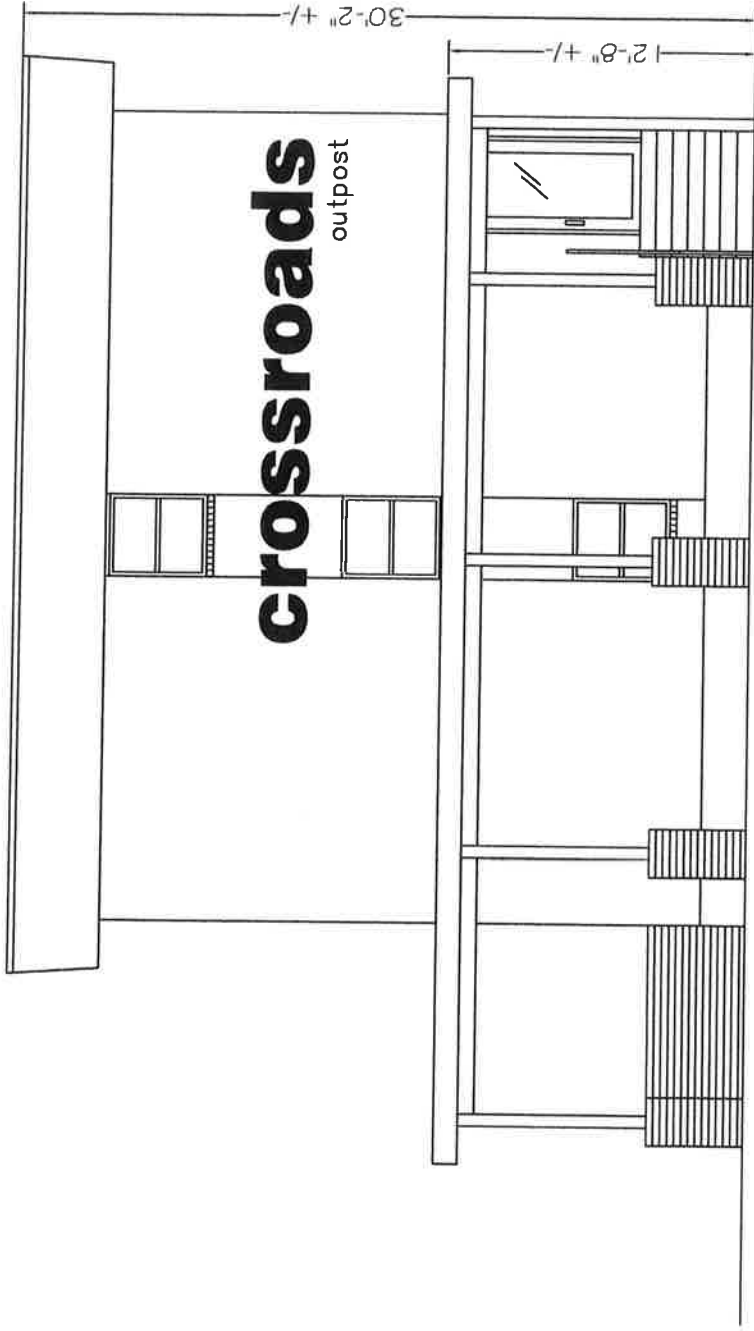


Artist Rendering



GENERAL NOTES:

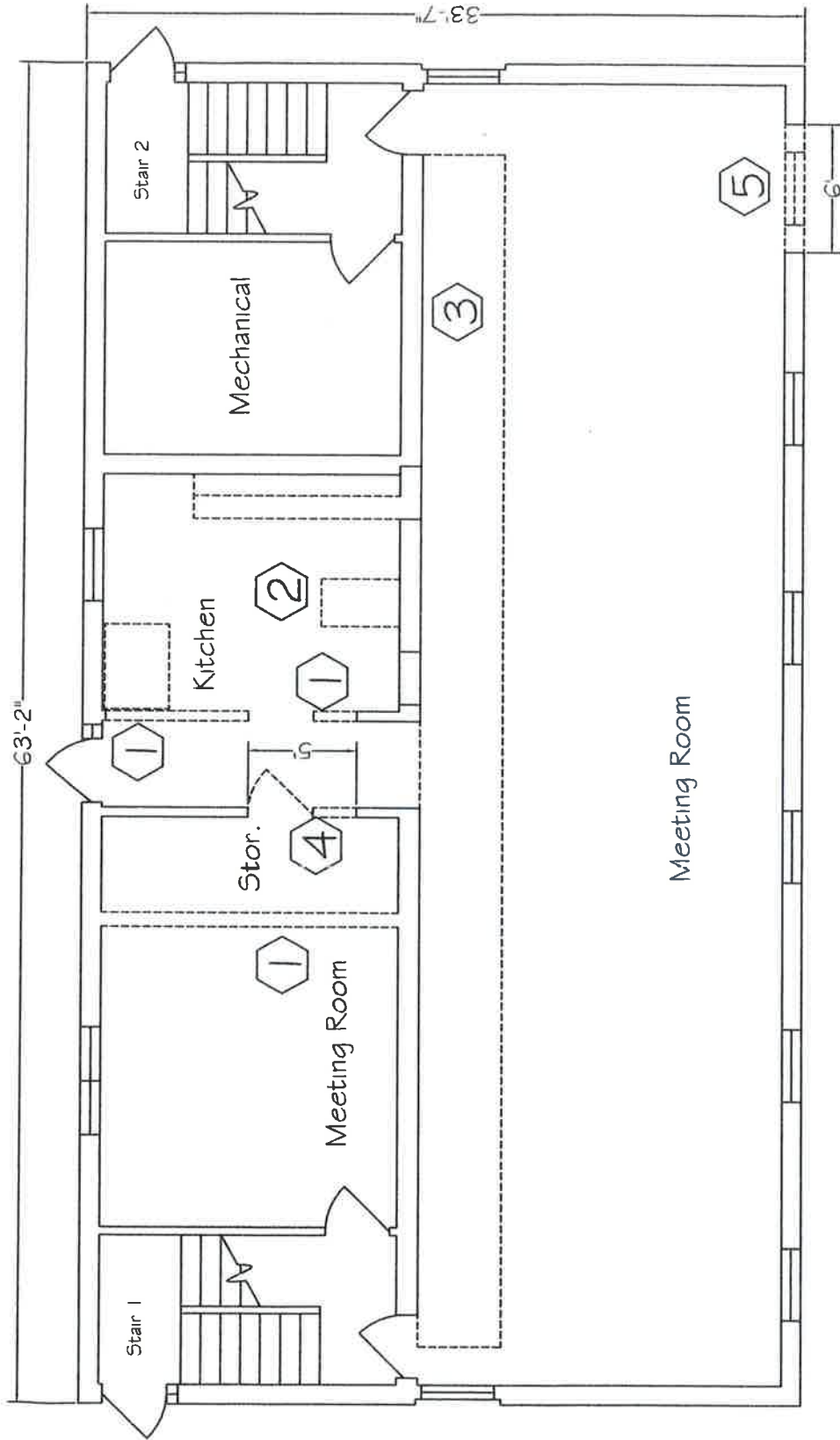
Proposed Canopy Structure is approximately 12' - 8" +/- in height above grade. Existing building varies in height between 27'-4" to 30'-2" +/- and is three (3) stories with a flat roof. Signage to be approximately 20'-0" wide or less x 3'-0" high maximum. Signage will not be illuminated.



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

GENERAL NOTES:

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



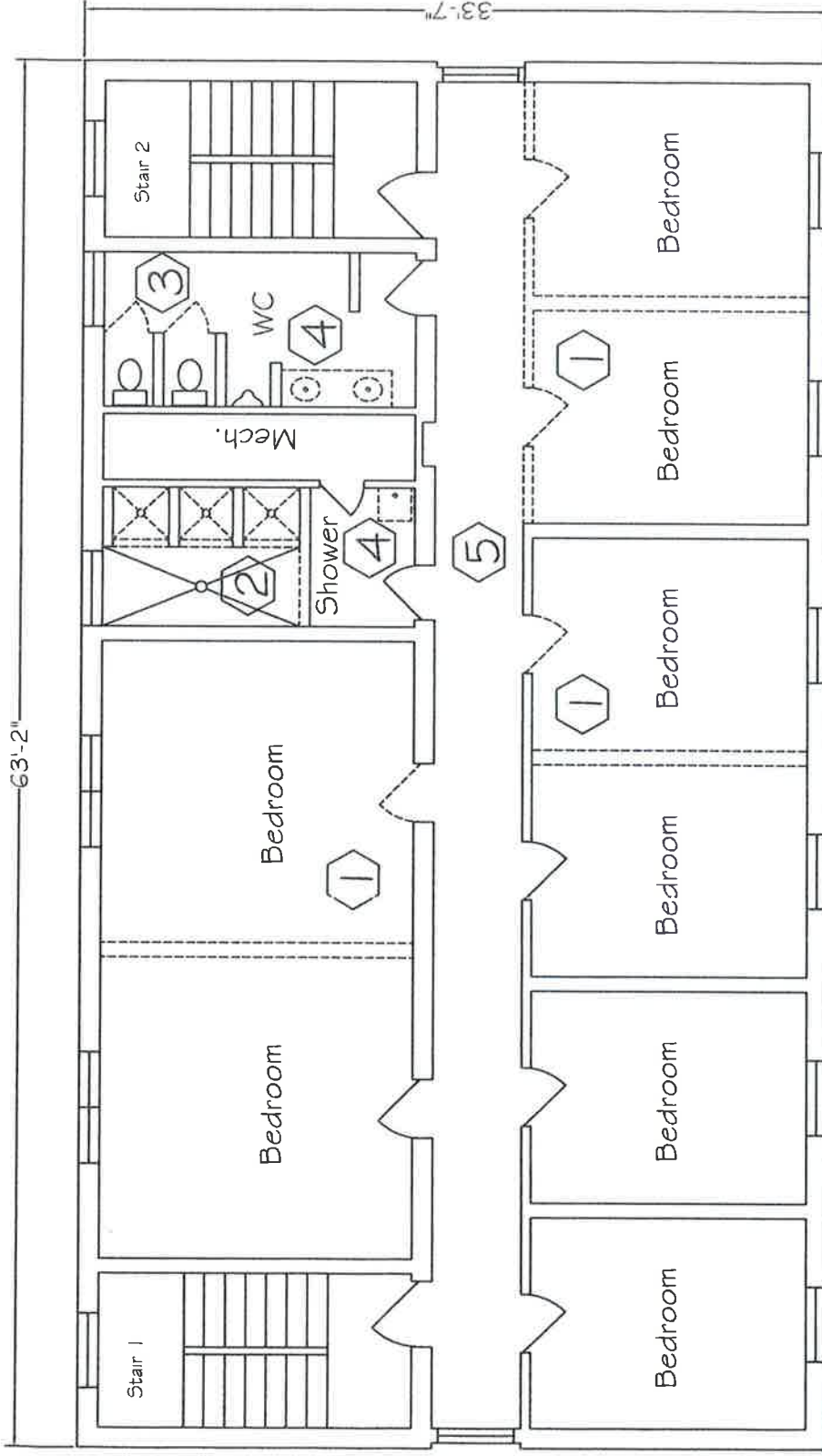
First Floor Demolition Plan
Scale: 1/8" = 1'-0"

Construction Notes:

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

Existing Floor Plan
1st Floor

JUN 16 2017
RECEIVED



~~EXISTING~~

Second Floor Demolition Plan

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

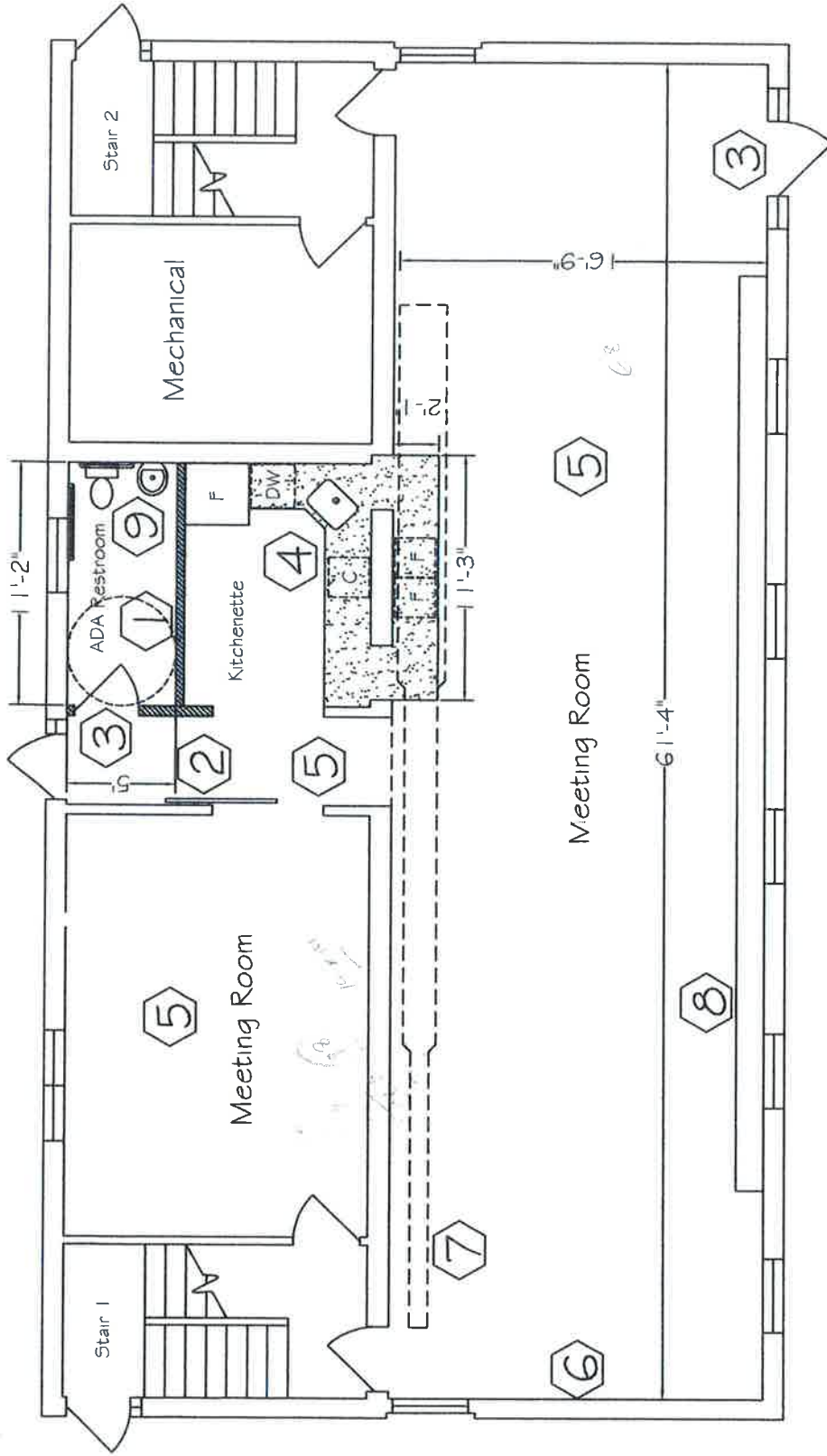
Construction Notes:

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

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

11/16/2017

RECEIVED



First Floor Plan

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

Construction Notes:

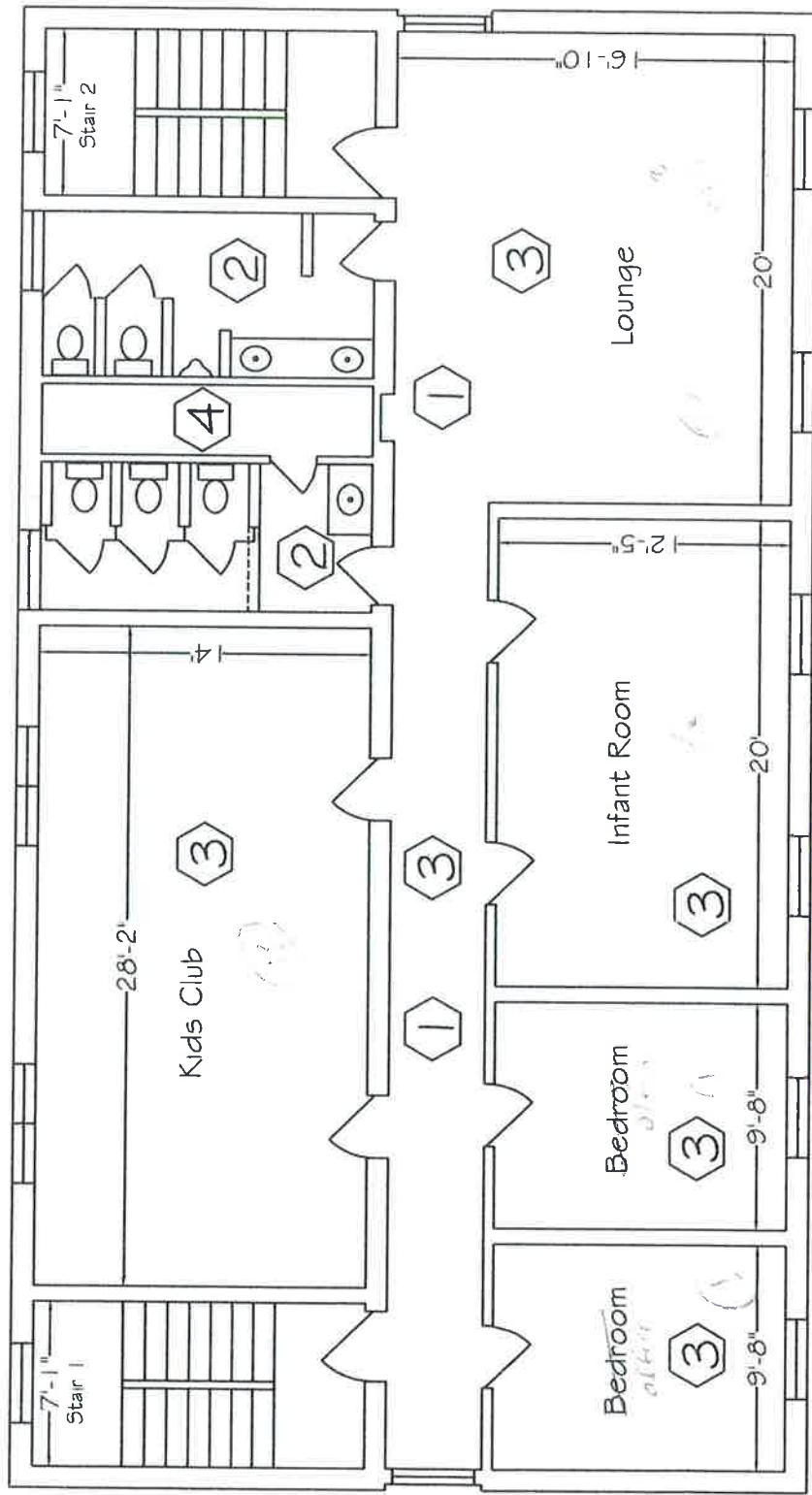
GENERAL - All walls, ceilings, doors & frames to be painted, color(s) to be selected & approved by Tenant. NO WORK on the 3rd floor.

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

Proposed First Floor

JUN 16 2017

RECEIVED



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

Construction Notes:

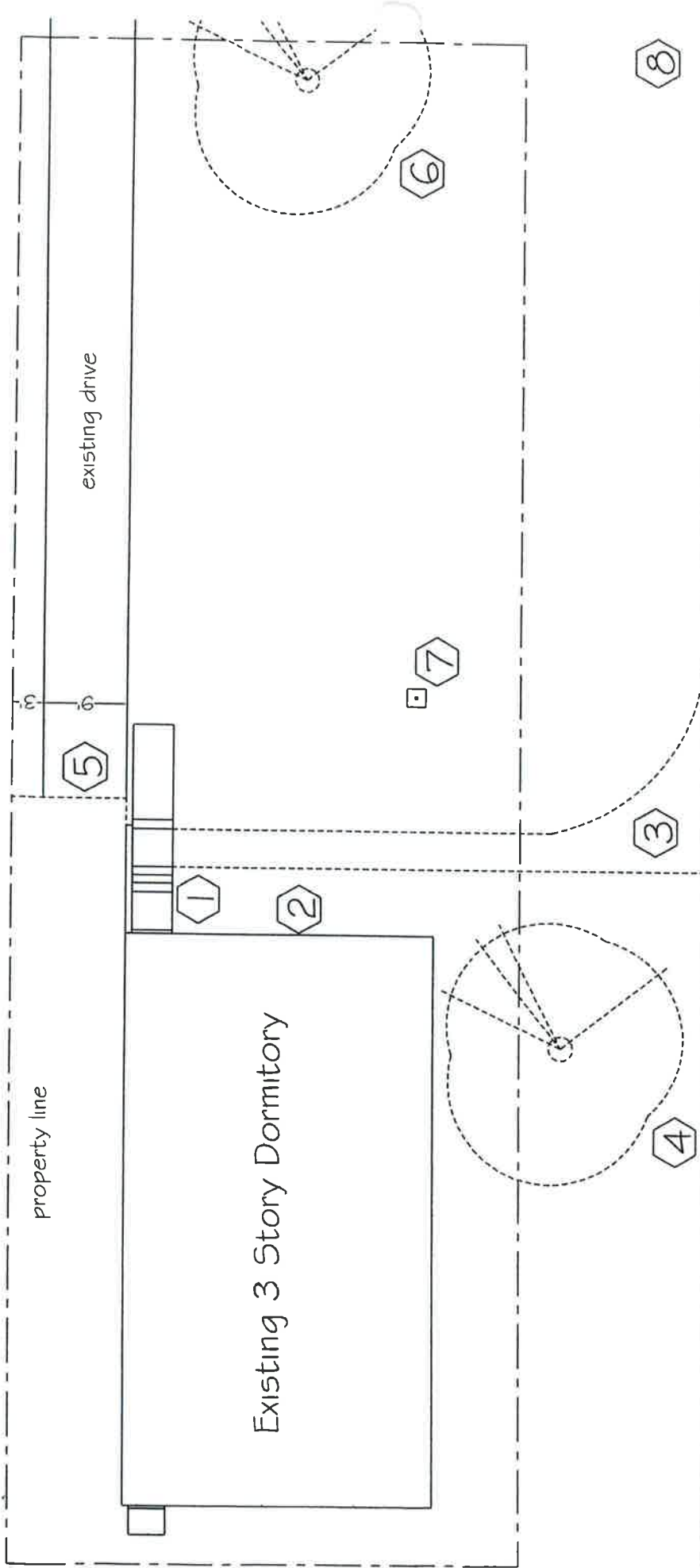
GENERAL - All walls, ceilings, doors & frames to be painted, color(s) to be selected & approved by Tenant. Hallway paint to be graduated with various shades of blue from light to dark. See finish schedule for details, colors of walls, doors & ceilings. NO WORK on the 3rd floor.

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

10/16/2017

RECEIVED

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



Construction Notes:

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



Site Plan - Demolition Plan

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

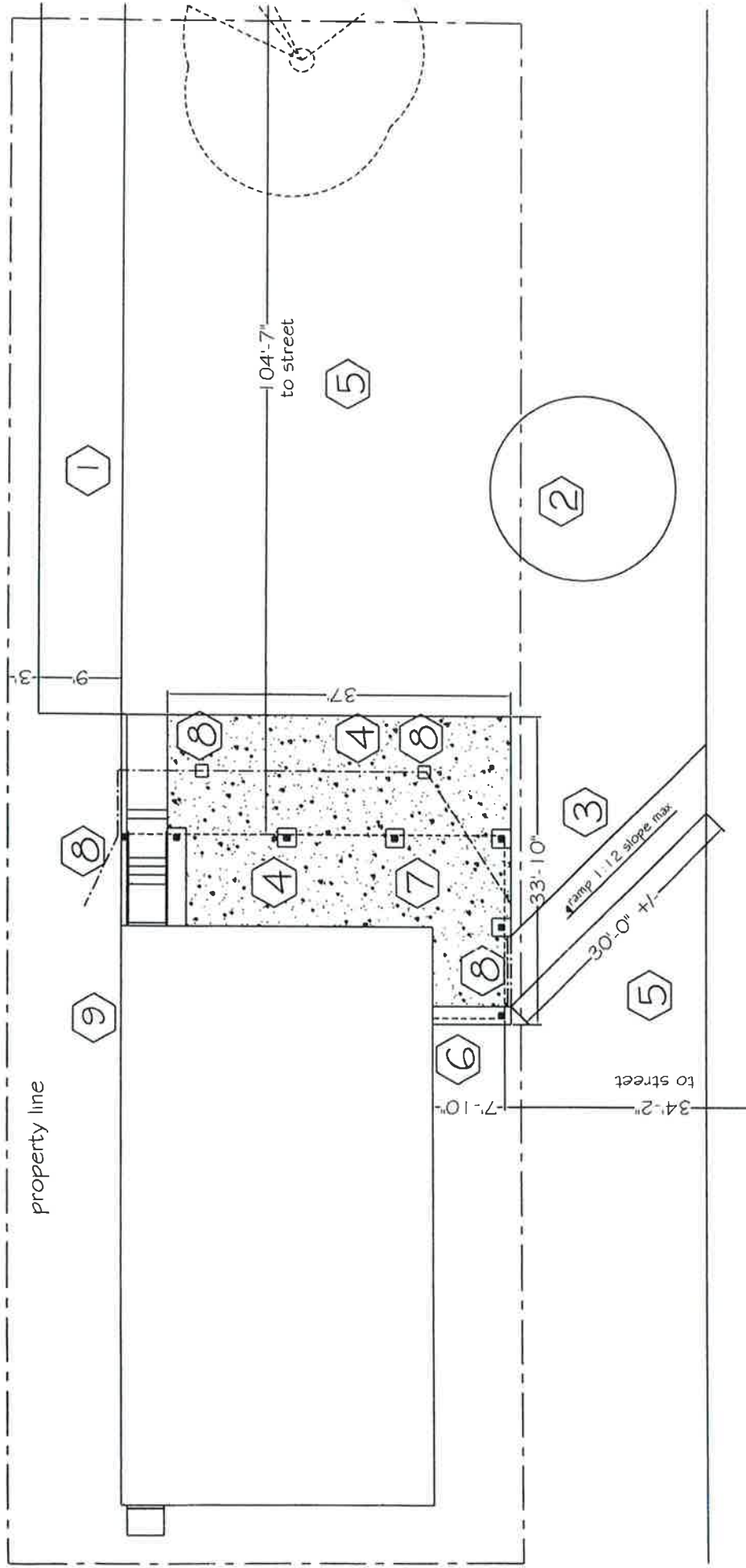
EXISTING

JUL 17 2017

RECEIVED

Lot Area Calculation

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



Construction Notes:

General Notes: All concrete for ramps & patio to be 4000 psi 4" thick with wire mesh over 4" base of crushed

limestone. All Concrete work to have expansion joints at 10'-0" maximum in both directions

1) existing driveway asphalt to be patched and repaired where necessary or replaced with same

2) 20' diameter ring with pea gravel base at 2" minimum over landscape fabric; perimeter to be edged with brick installed flush with grade / sod

3) concrete ramp at 1:12 maximum slope from street to new front entry

4) concrete patio to slope away from building with a minimum of 1/8" per foot

5) regrade yard where necessary, sod where necessary

6) wood faced planters (5) surrounding 24" dia. concrete columns / piers

7) canopy shown with dashed line, see framing plan

8) (2) new 16" x 16" catch basin drains at patio & (1) french drain at bottom of ramp at 12' long where dashed & drain to daylight on north side of property in 4" exterior grade PVC installed with positive slope

9) new hose bib with additional interior shut off valve to be located in mechanical room

10) new signage permit by OTHERS, sign to be no more than 12 sq ft, only one sign permitted, location to be determined



Site Plan

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

Proposed

JUL 17 2017

RECEIVED

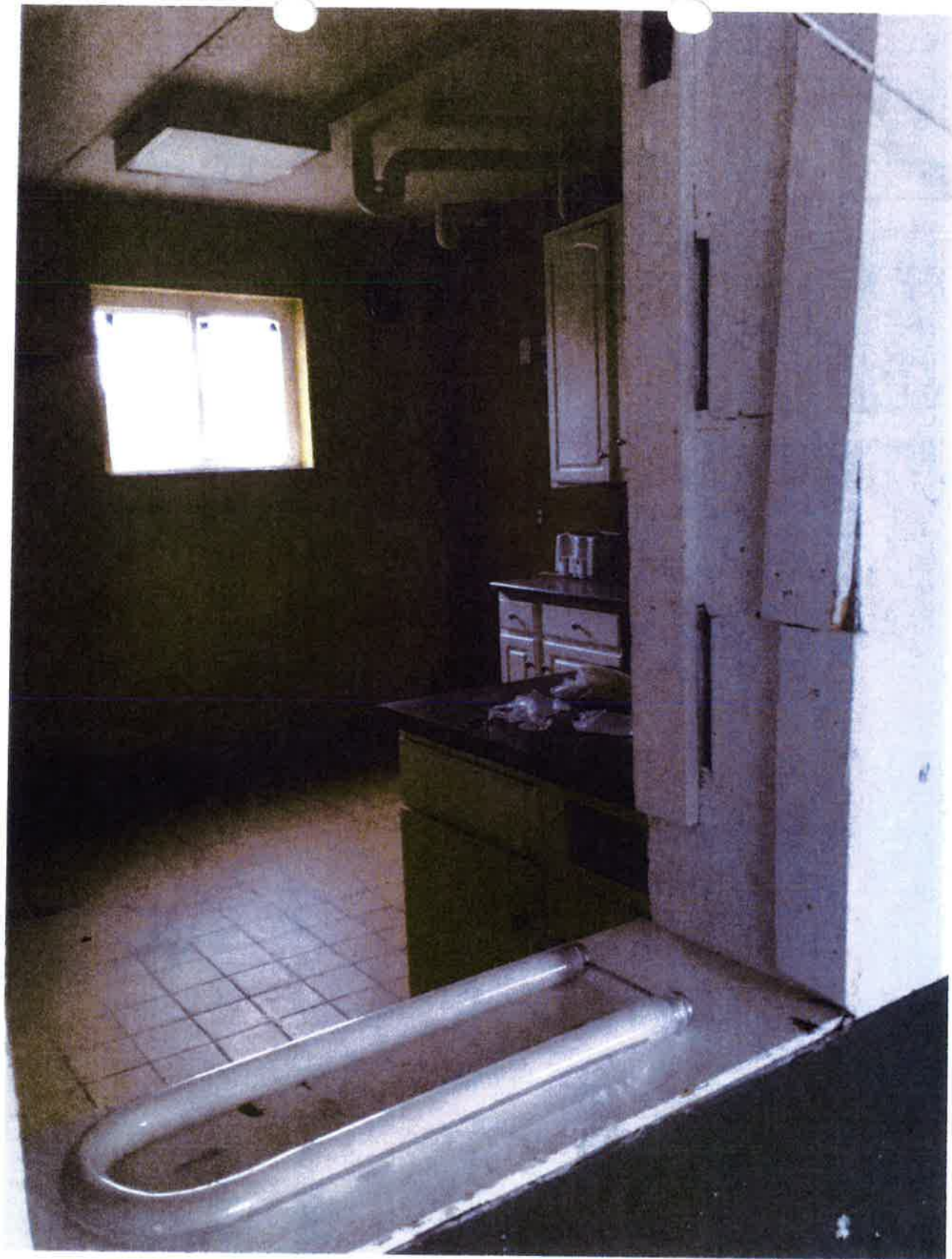
PHOTOS



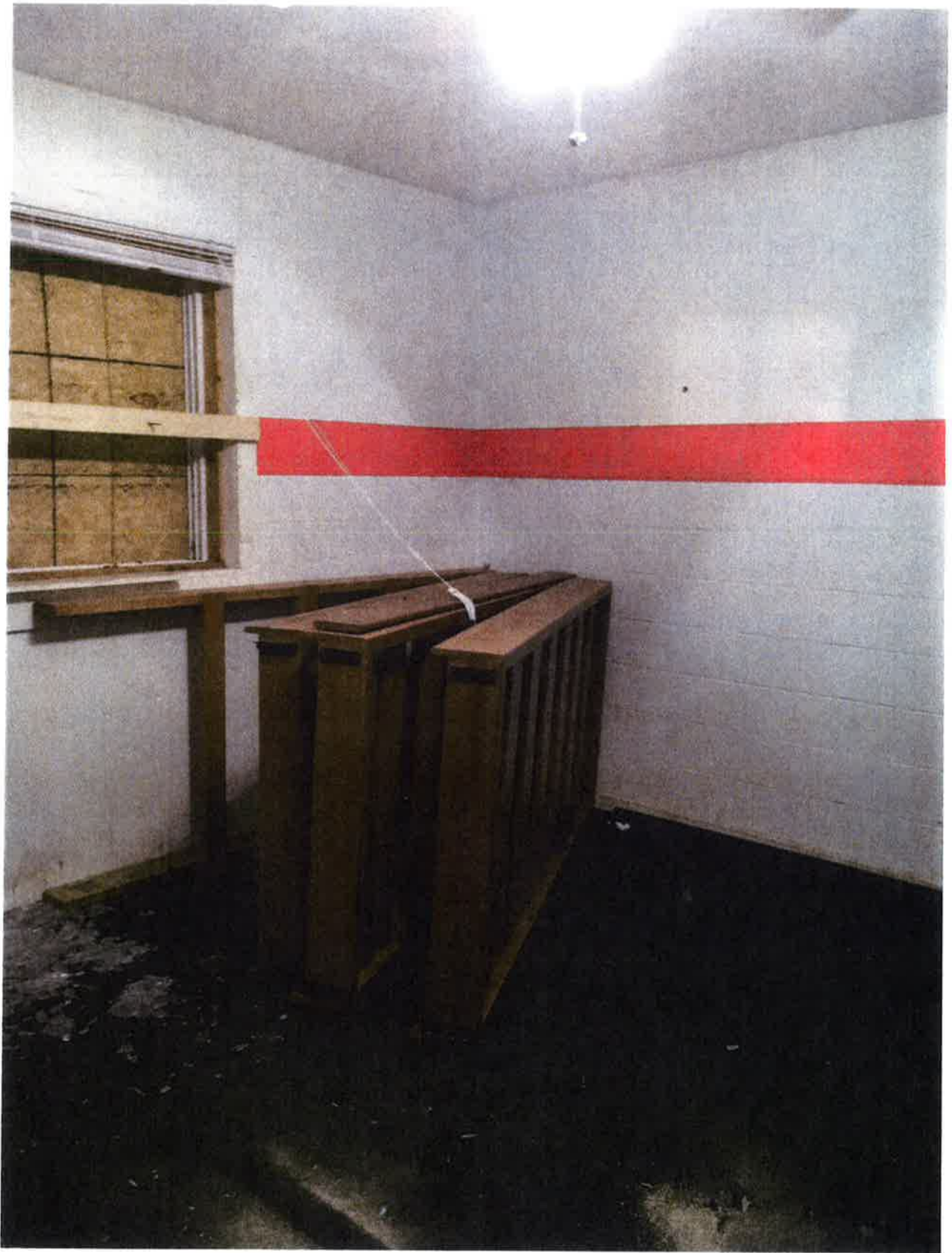
Exterior



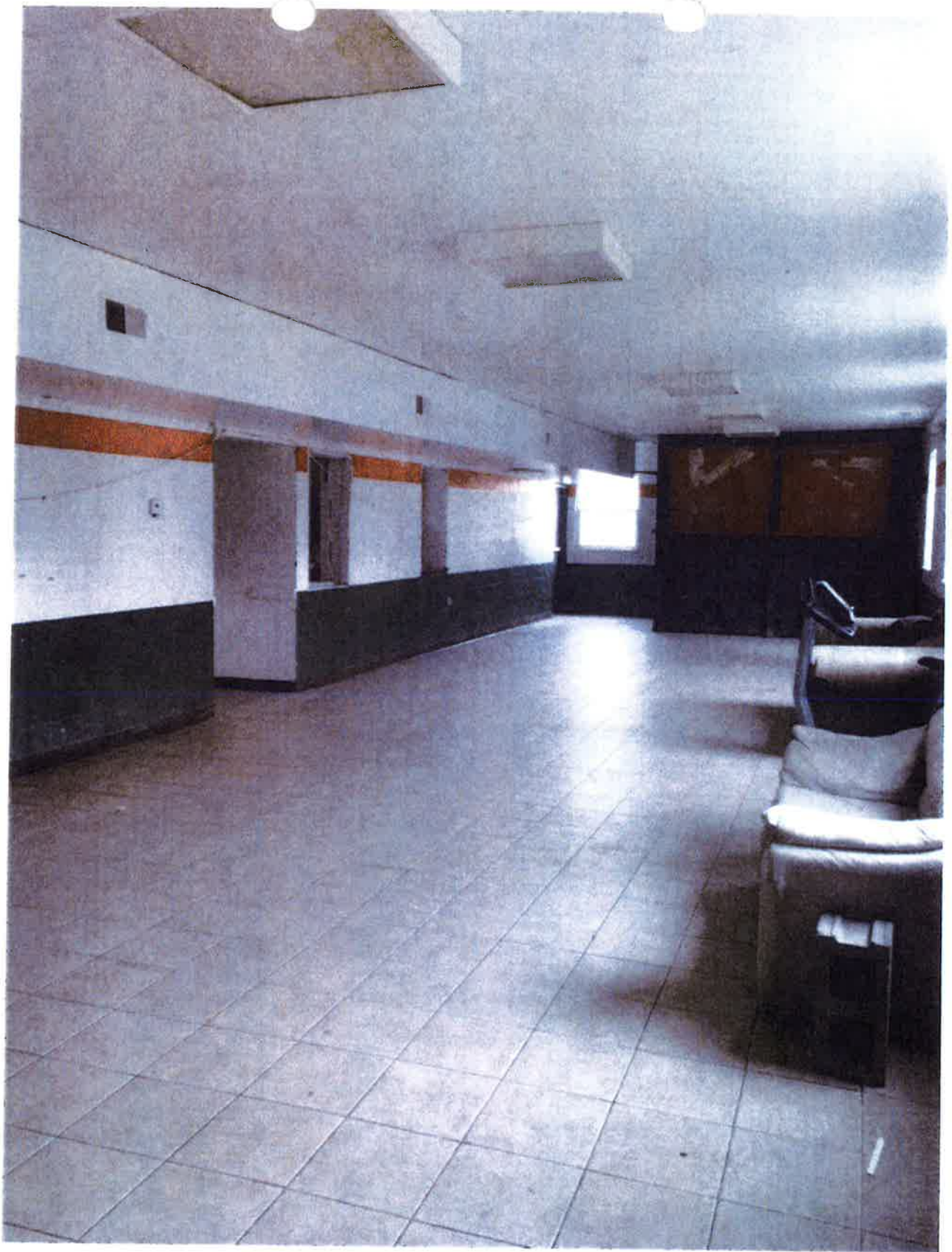
Exterior



Kitchen



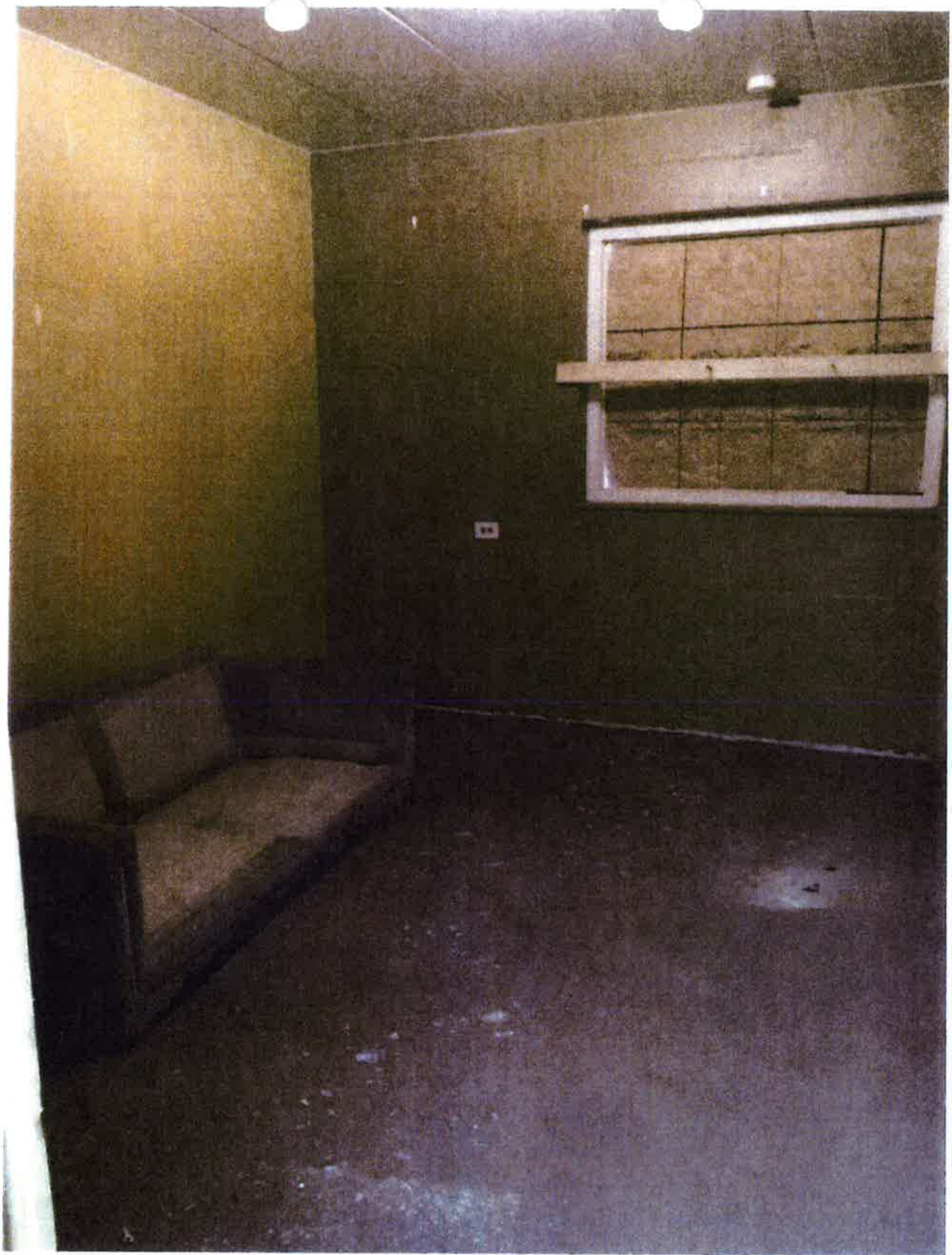
Meeting Room



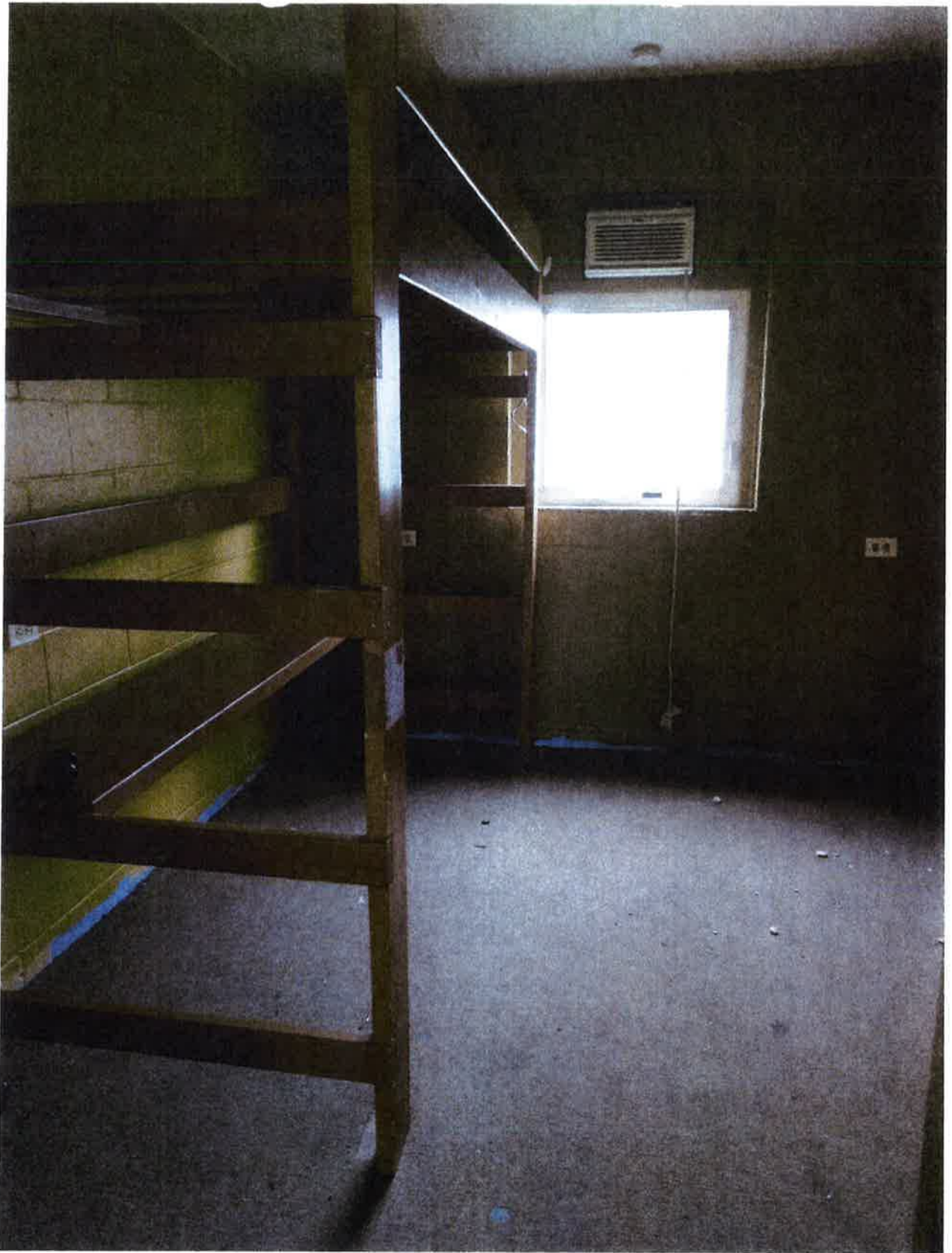
Meeting Room



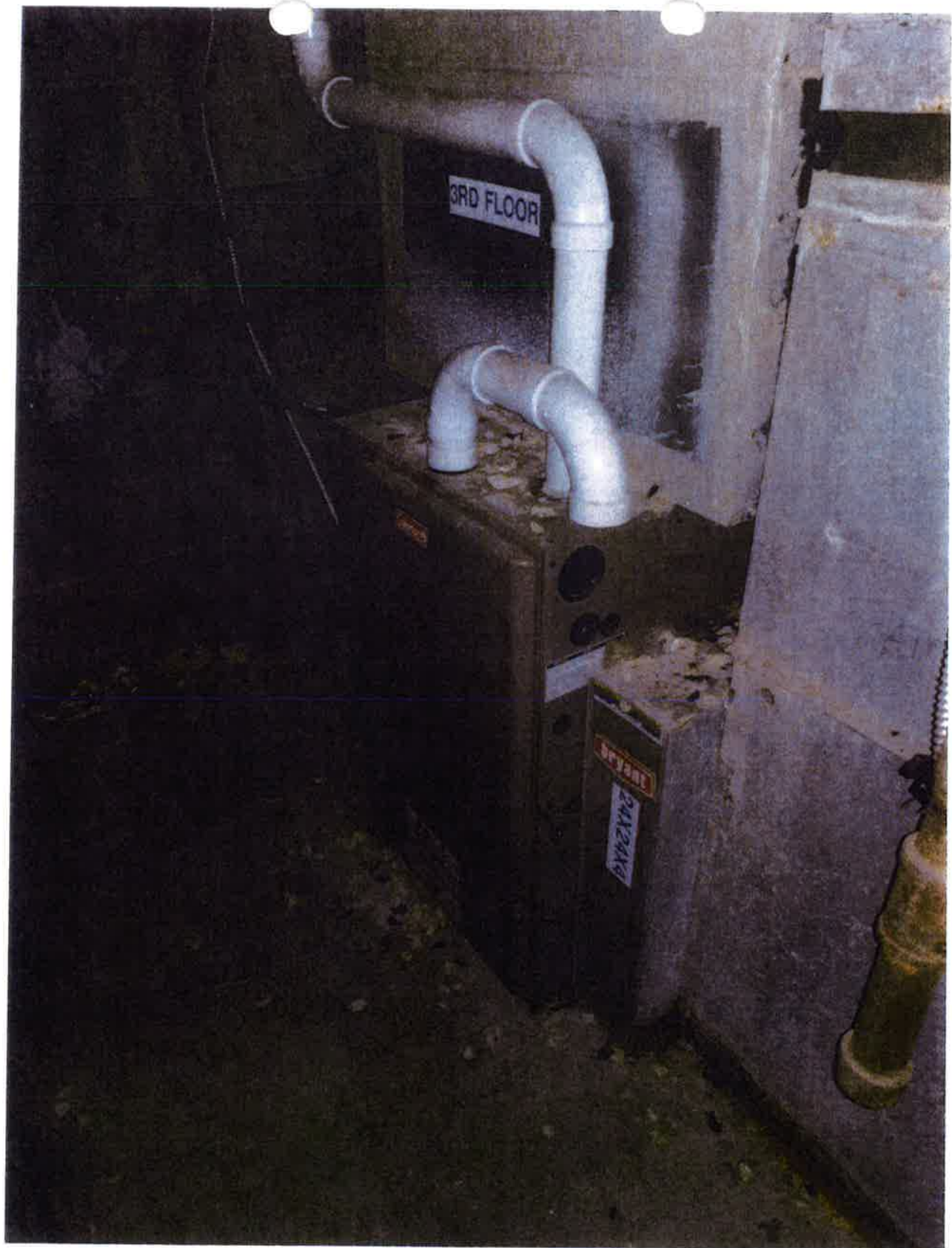
Second Floor Hallway



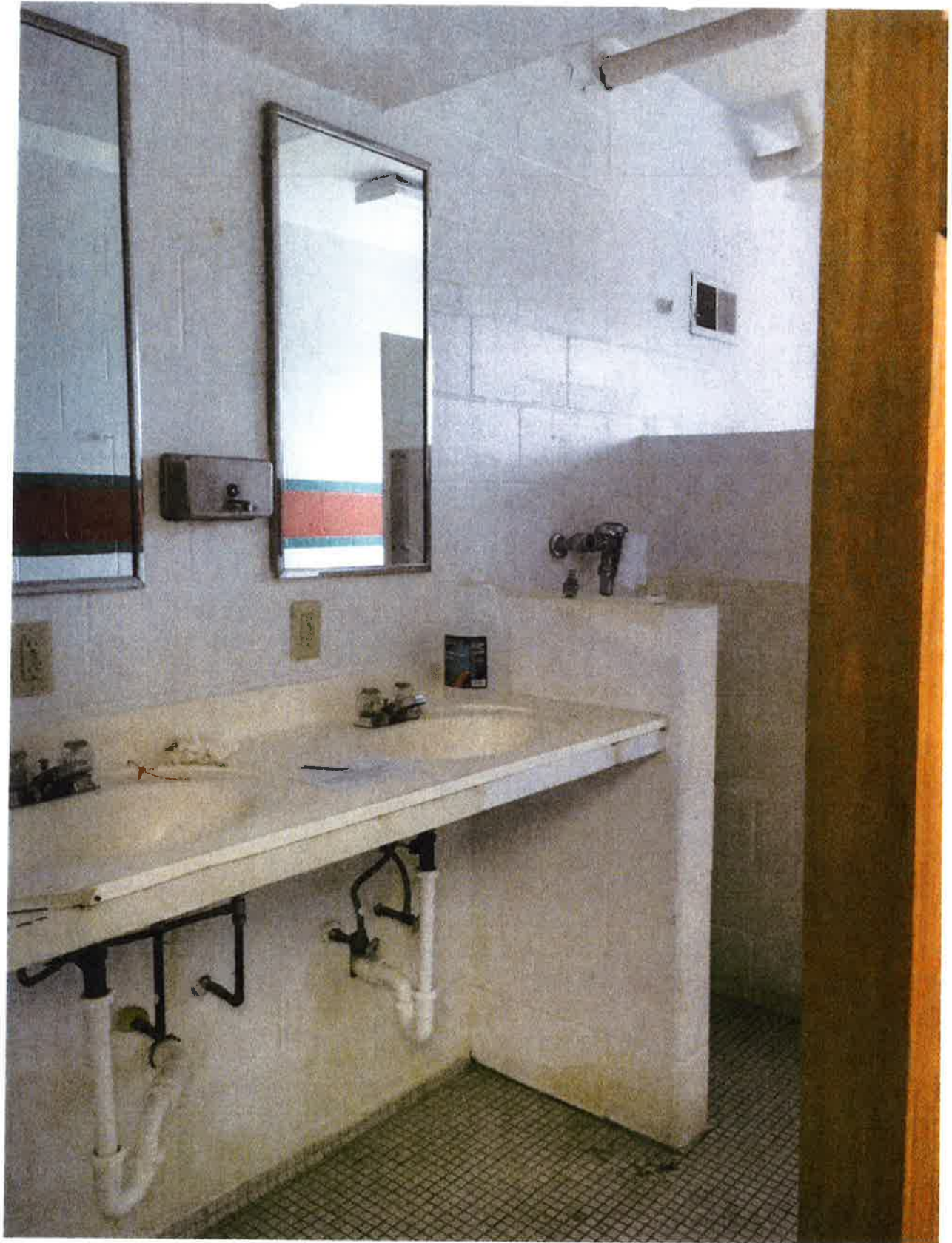
Bedroom



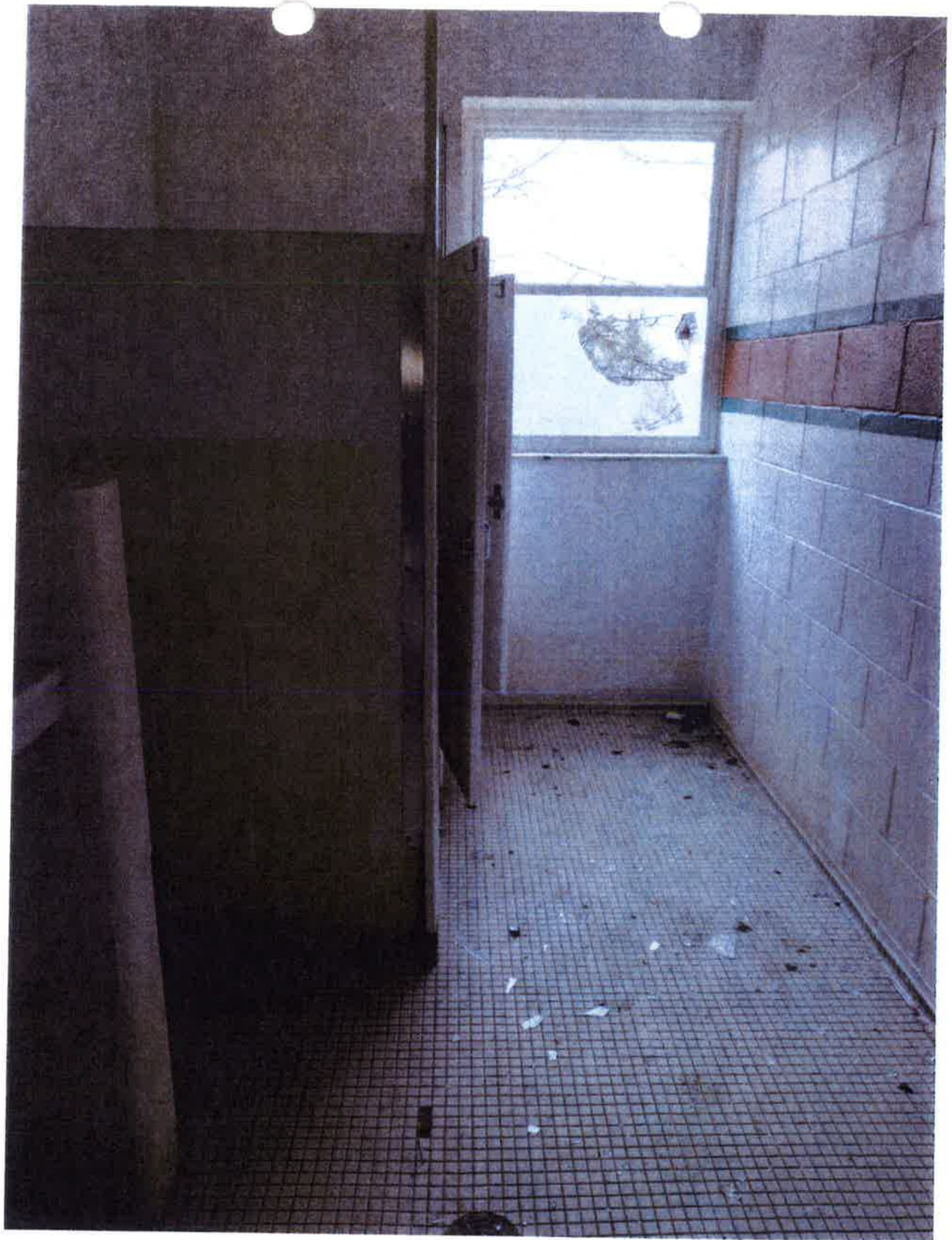
Bedroom



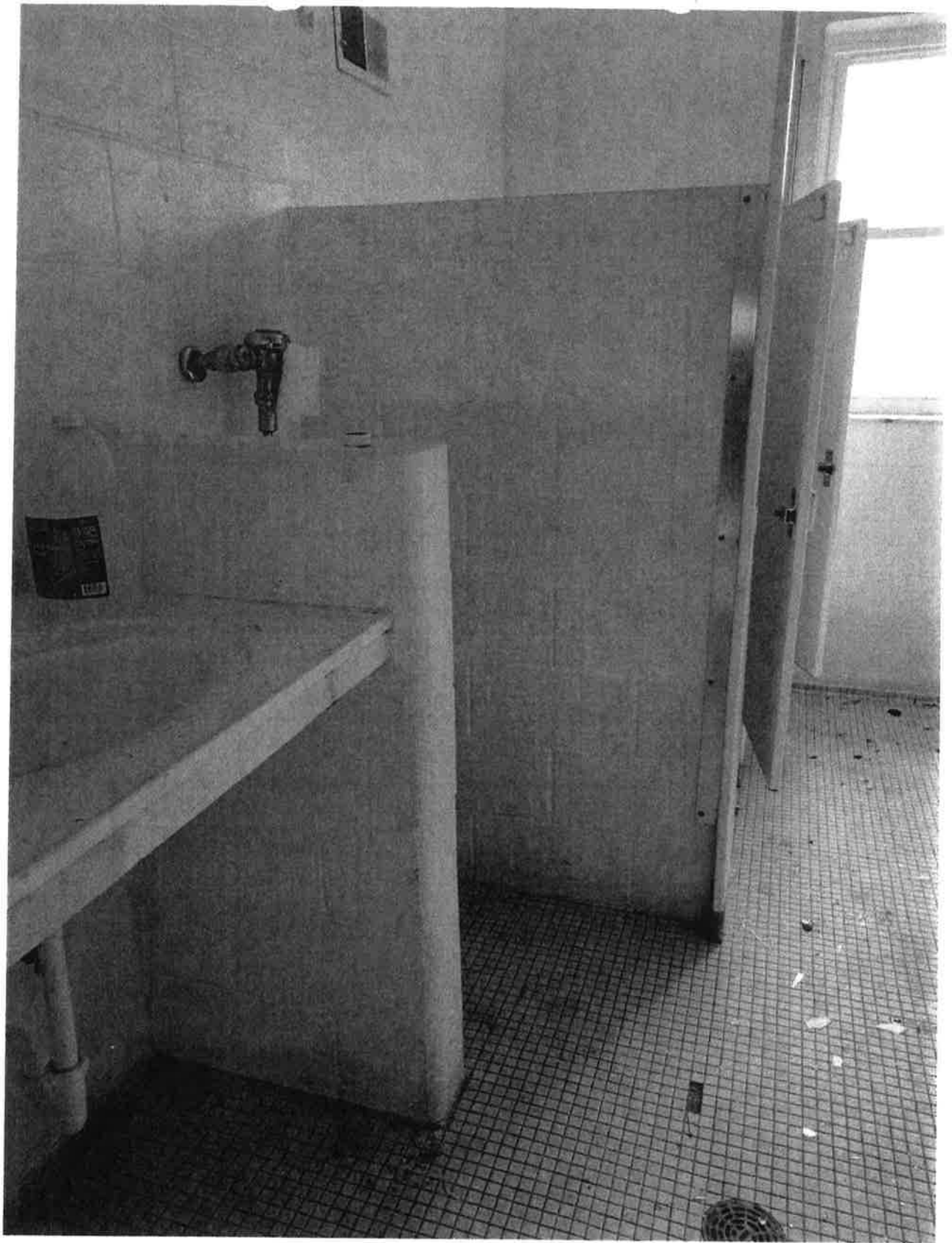
Mechanical Room



Toilet Room



Toilet Room



Toilet Room



Shower Room

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 1, 2017
Date Prepared:

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

Recommendation by the Planning Commission: Approval

Discussion:

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

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

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

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

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

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

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

Approved by:

Department Head:

City Manager:

JHC / 8-17-17
DRE / 7-1-17

ORDINANCE NO.

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

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

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

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

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

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

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

ADOPTED:

MAYOR

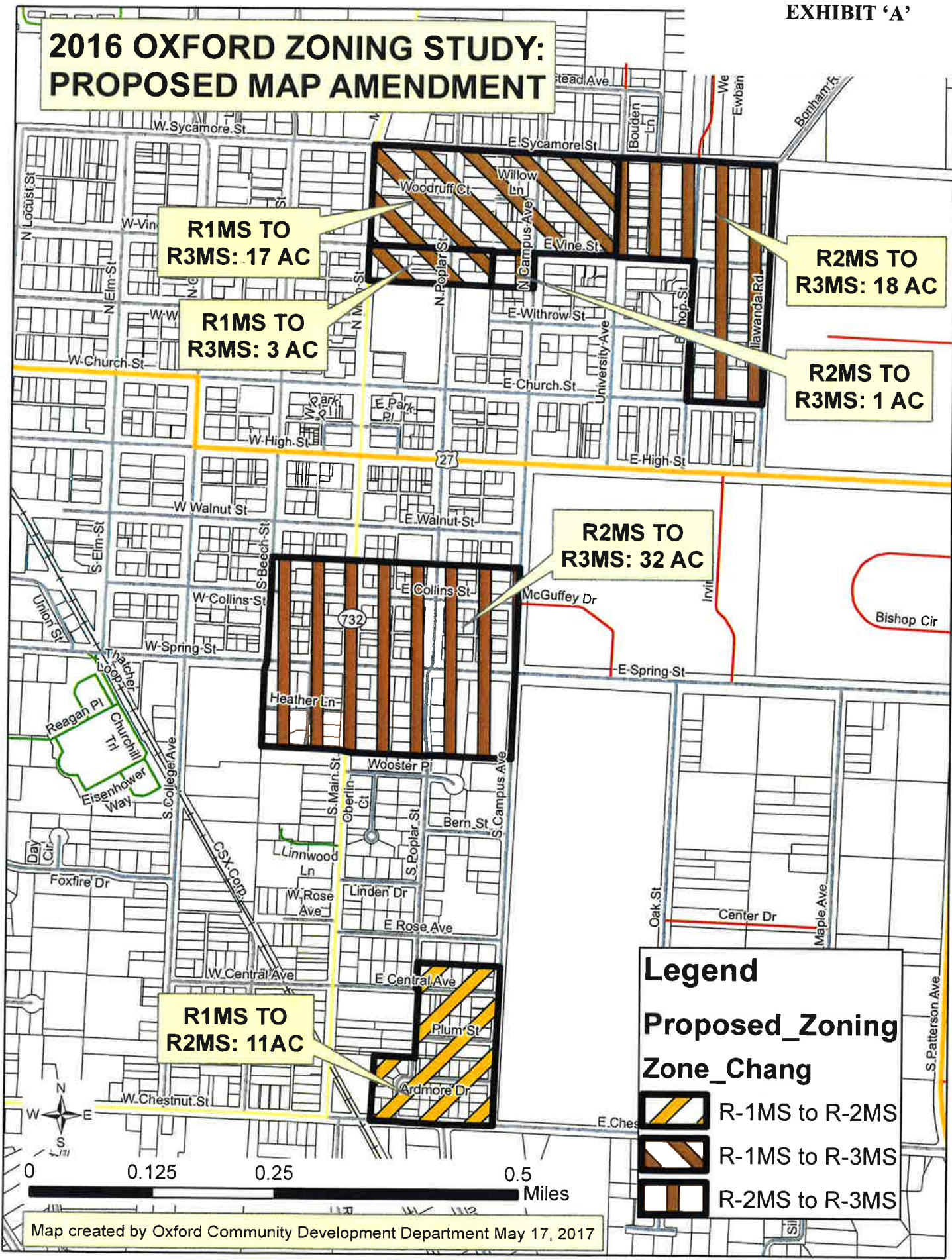
ATTEST:

CLERK OF OXFORD CITY COUNCIL

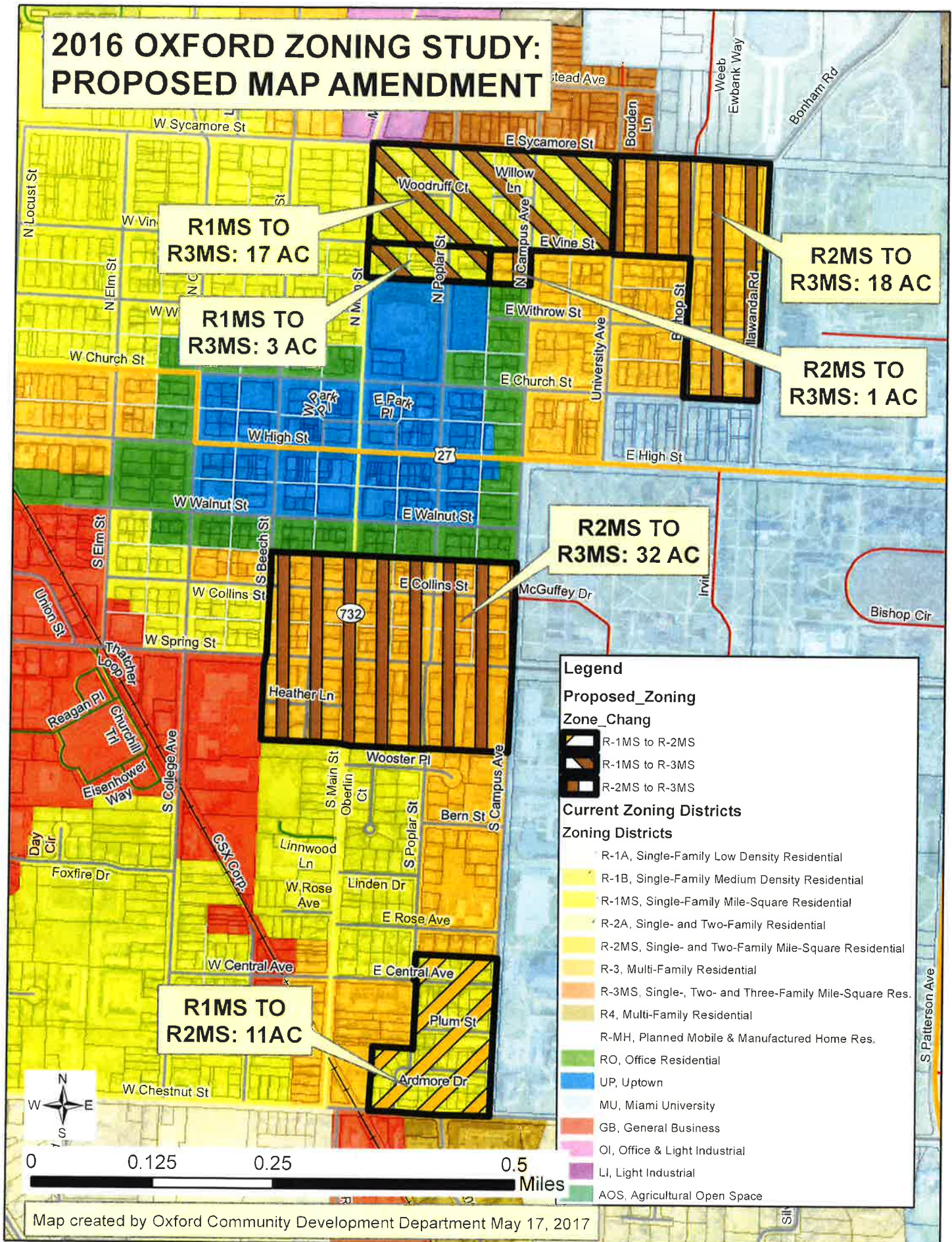
INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

2016 OXFORD ZONING STUDY:
PROPOSED MAP AMENDMENT



2016 OXFORD ZONING STUDY: PROPOSED MAP AMENDMENT



City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-10

Date – June 13, 2017

APPLICATION

Applicant:

City of Oxford

Action Request:

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

DESCRIPTION

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

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

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

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

ZONING CODE

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

COMPREHENSIVE PLAN

Land Use Element:

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

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

Infill development and redevelopment of underutilized sites is a priority

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

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

Urban Design

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

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

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

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

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

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

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

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

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

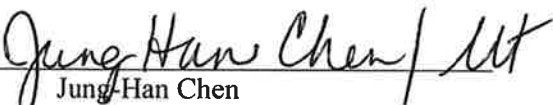
There needs to be clear expectations that any changes made to the Zoning Map and/or Zoning Code may not encourage development/redevelopment right away and it may takes several years. The Commission needs to set a timeline to review these no shorter than 3 to 5 years.

RECOMMENDATION

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

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: May 26, 2017

ATTACHMENT

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

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

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

Map Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 18, 2017

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

From: Community Development Department

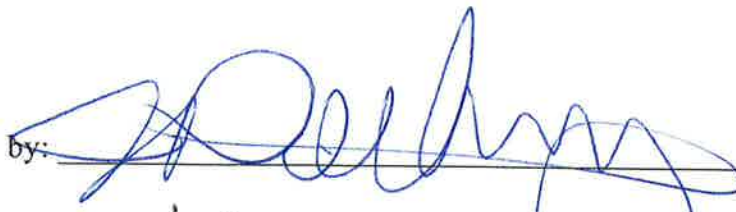
PC-2017-¹⁰~~12~~, ZONING CODE MAP AMENDMENT - to Amend the zoning designation of certain properties from R-1MS to R-2MS and from R-2MS to R-3MS Districts, City of Oxford, Applicant

 X Review Revisions Other

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

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethlefsen
PRINTED NAME

Date:

5-19-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 18, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

Drawings are returned: w/comments without/comments



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

VICTOR POPESCU
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 18, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: 5-24-17

John A. Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 18, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

X Review _____ Revisions _____ Other

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

Drawings are returned: w/comments without/comments

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

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

Drawings reviewed by: _____

Date: 6-6-17

G. ALAN KYLON

PRINTED NAME



Internal Use Only:

Case No.

PC-2017-10

Date Filed

4/28/17

Zoning Map Amendment Application

Applicant Information

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

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

Location and Lot Information

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

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

- (a) **Initiation.** A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.
- (b) **Application.** If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.
An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.
- (1) **Contents of application.** The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. A legal description of the area to be rezoned.
 - H. The proposed zoning of the area.
 - I. The current zoning of the area.
 - J. A description of existing uses in the area.

- K. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- L. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned (see later section).

Surrounding Property Owners

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

Decision Process

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

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

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *




Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

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

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

PC 11A

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

August 1, 2017
Date Prepared:

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

Recommendation by the Planning Commission: Approval

Discussion:

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

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

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

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

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

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

Approved by:

Department Head:
City Attorney:
City Manager:

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

ORDINANCE NO.

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

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on July 11, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Residential Mile-Square District and adopting new Oxford Codified Ordinance Section 1143.03 entitled R-1MS Single-Family Mile-Square Residential District.

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

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

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

(b) Uses.

(1) Permitted uses.

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

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

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

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

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

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

~~(1) Lot requirements:~~

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

~~(2) Yard requirements:~~

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

~~(3) Structural requirements:~~

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

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

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

(1) Streetscape.

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

(2) Foundations.

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

(3) Masonry.

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

(4) Siding.

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

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

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

(21) Heights.

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-11

Date – June 13, 2017

APPLICATION

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

DESCRIPTION

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

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

ZONING CODE

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

COMPREHENSIVE PLAN

Land Use Element:

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

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

Infill development and redevelopment of underutilized sites is a priority

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

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

Urban Design

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

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATION

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

SUBMITTED

BY:


Jung Han Chen
Community Development Director

DATE:

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

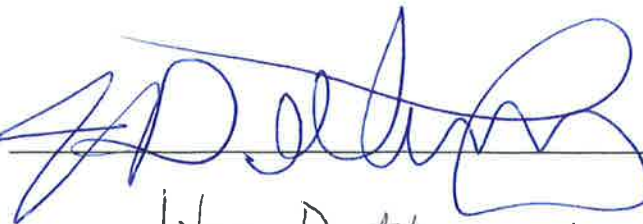
PC-2017-~~10~~¹¹, ZONING CODE TEXT AMENDMENT- Chapter 1143, District by Amending Chapter 1143,
Sections 1143.03, 1143.05, 1143.07, R1MS, R-2MS, R3MS.

☒ X Review ☐ Revisions ☐ Other

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

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

Drawings reviewed by:



John Dethurage
PRINTED NAME

Date:

5-15-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

☒ Review ☐ Revisions ☐ Other

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

Drawings are returned: w/comments without/comments

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

John A. Jones
PRINTED NAME

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



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

Zoning Code Text Amendment Application

Applicant Information

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

Name * Jung-Han Chen

Mailing Address * 101 E. High Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-5245237

Email Address jhchen@cityofoxford.org

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

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Decision Process

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

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

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

Planning Commission and Council Review

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *


4/15/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

PC 11 B

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

August 1, 2017
Date Prepared:

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

Recommendation by the Planning Commission: Approval

Discussion:

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

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

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

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

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

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

Approved by:

Department Head:
City Attorney:
City Manager:

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

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.05 ENTITLED R-2MS SINGLE AND TWO-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1143.05 ENTITLED R-2MS SINGLE AND TWO-FAMILY MILE SQUARE RESIDENTIAL DISTRICT.

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on July 11, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District, and adopting new Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile Square Residential District.

SECTION II: Council hereby repeals Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District, and adopts new Oxford Codified Ordinance Section 1143.05 entitled R-2MS Single and Two-Family Mile-Square Residential District as follows (additions are bolded and deletions are struck through):

1143.05 R-2MS SINGLE, AND TWO-FAMILY MILE SQUARE RESIDENTIAL DISTRICT.

(a) Purpose. This district is designed to preserve and encourage a mix of single-family and two-family **dwelling within an urban environment at densities that reflect Oxford's historic development pattern within the Mike Square District.** ~~residences in the established residential areas of historically significant character.~~

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Accessory buildings and uses incidental to the principal use that does not include any activity conducted as business.
- D. Day Care Home Type B family.

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

- A. Community-Oriented Residential Social Service Facilities (CORSSF's).
- B. Shared Housing and Congregate Housing for the elderly.
- C. Government owned and/or operated parks and recreation facilities.
- D. Bed and breakfast homes.
- E. Publicly owned and operated neighborhood recreation centers.
- F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
- G. Schools: primary, intermediate, and secondary, both public and private.
- H. Places of worship.
- I. Fraternity and sorority houses.
- J. Parking lots. (Ord. 2980. Passed 10-16-07.)

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

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

	Single Family Dwelling	Two-Family Dwelling
Lot Requirements		
Minimum Lot Area (Square Feet)	5,000	7,500
Minimum Lot Width (Feet)	50	75
Yard Requirements		
Minimum Front Yard Setback	20	20
Minimum Rear Yard Setback	35	35
Minimum Side Yard Setback	7 (on each side)	7 (on each side)
Structural Requirements		
Maximum Building Height	35	35
Lot Coverage for Lots with Vehicular Access from a Public Street		
Lot Total	45	45
Front Yard	30	30
Lot Coverage for Lots with Vehicular Access from a Rear or Side Alley with no Access from a Public Street		
Lot Total	45	45
Front Yard	5	5

~~1-family 2-family~~

- ~~(1) Lots requirements:~~
 - ~~A. Minimum lot area 5,000 sq. ft. 7,500 sq. ft.~~
 - ~~B. Minimum lot width 50 feet 75 feet~~
- ~~(2) Yard requirements:~~
 - ~~A. Minimum front yard depth 20 feet 20 feet~~
 - ~~B. Minimum rear yard depth 35 feet 35 feet~~
 - ~~C. Minimum side yard width 7.5 feet 7.5 feet~~
- ~~(3) Structural requirements:~~
 - ~~A. Maximum building height 35 feet 35 feet~~
- ~~(4) Lot coverage:~~
 - ~~A. Lots with vehicular access from a public street~~
 - ~~1. Lot total 35 percent~~
 - ~~2. All enclosed buildings 25 percent of lot~~
 - ~~3. Front yard 25 percent of front yard~~
 - ~~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~~

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

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

(1) Streetscape.

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

(2) Foundations.

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

(3) Masonry.

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

(4) Siding.

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

(5) Roofs.

- A. Any new roof must relate to the architectural theme and details of the existing structure.

- B. Flat roofs are prohibited for residential buildings except for porch roofs.
- C. New roof forms must complement existing roofs in material and style.
- D. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required
- E. Decorative cornices and parapets are encouraged.
- (6) Gutters & Downspouts.
 - A. Gutters and downspouts shall be an integrated component of the structure.
 - B. Gutters and downspouts are to be located on the roof corners, where they will not interfere with the appearance of the structure.
- (7) Entrances & Doors.
 - A. For all doors, the recommended material is “wood appearing” type of material.
 - B. Commercial structures must avoid using doors, screen doors, and storm doors, which are clearly designed for residential purposes.
 - C. Screen/storm doors must be simple in design and contain full-height screening or glass. Mill finish is not allowed. Wood is the preferred material and any treatment must match the color of the existing door/trim or be a clear varnish.
 - D. Entrances and doors which are to be closed-off must not be removed and the hole filled in with some type of permanent material. Rather, the door must be left hanging and fixed shut so it is possible to reopen it in the future.
- (8) Windows.
 - A. Windows must be proportionally vertical.
 - B. Reflective glass (such as blue or gold tinted glass) is prohibited.
 - C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They must not be on front side of the roof slope facing the street.
 - D. All window openings, sash appearances, and materials must be consistent and architecturally appropriate to the building style.
 - E. Windows which are to be closed-off must not be removed and the hole filled in with some type of permanent material. Rather, the window must be maintained.
 - F. Original features such as corner boards, brackets, hoodmolds, and other details must be preserved, repaired, and/or replaced.
- (9) Porches & Stoops, Decks & Patio.
 - A. Any newly constructed or reconstructed porch or stoop must be compatible with the architectural style of the building to which it is attached.
 - B. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood. Porches have roofs. Decks are not allowed on the front façade. Stoops may not exceed 50 square feet.
 - C. All porches shall satisfy the required setbacks and lot coverage of the zoning district.
- (10) Storefronts.
 - A. Storefronts must be open and must utilize large amounts of glass. Window glass must extend at least from the top of the first floor to knee level. This does not necessarily mean that a large single pane of glass must be used. The openness creates an inviting feeling to pedestrians that helps set the ground floor commercial uses apart.
- (11) Garages & Outbuildings.
 - A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.

- B. An attached garage shall not be located closer to the right-of-way than the residential structure itself (i.e., no snout garage)
 - C. It is recommended that a detached garage ~~to~~ be accessed from the alley if alleys are available for vehicular traffic.
- (12) Awnings & Canopies.
- A. Awnings and canopies must be flat, downward sloping at a sharp angle, and have open ends or triangular end pieces matching the main structure. Basic design shapes (umbrella, diagonal, concave, etc.) are recommended.
 - B. Solid, dark colors are preferred.
 - C. Awnings and canopies must be proportional in size and shape to the opening or area that they are covering. Avoid irregular shapes or styles.
 - D. Soft, pliable materials are encouraged. Metal or other similar material is not recommended.
 - E. Retractable awnings and canopies are encouraged, as they can be inter months to allow more sunlight into an establishment.
 - F. Awnings and canopies must be designed without ground supporting members which attach to a public sidewalk.
 - G. The Zoning and Building Codes must be consulted for other specific requirements.
- (13) Fences & Gates.
- A. Chain link fences are prohibited.
 - B. Traditional fence forms, such as picket fences and plain board fences, must be utilized and they must be kept as low as possible.
 - C. Traditional materials, such as wood and wrought iron, are strongly encouraged.
- (14) Chimney & Flues.
- A. Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials.
- (15) Shutters.
- A. Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening.
- (16) Utilities.
- A. This element is covered by other City Codes and standards. Please remember to consult with City staff before planning your project to learn how the codes will affect your proposal.
- (17) Home Security.
- A. Guidelines for Entrances & Doors and Storefronts must also be consulted in relation to the recommendations given below.
- (18) Driveways & Parking Lots.
- A. Individual curb cuts for driveways are strongly discouraged. No curb cuts are allowed if an alley is present. Alleys must be utilized as much as possible to provide automobile access.
- (19) Landscaping.
- A. Existing mature trees should be preserved and maintained when possible.
 - B. Public and private space shall utilize natural landscaping materials and ground cover shall be utilized for the perimeter to delineate individual property boundary line.
- (20) Graphics, Signage, & Building Identification.
- A. The Sign Code of the City of Oxford must be consulted for specific sign regulations in addition to these guidelines.
- (21) Height.
- A. The scale and mass of the building shall consider the mass of the adjoining properties of that block face. Please consult with the dimensional regulations of the Oxford Zoning Ordinance for the specific zoning district which the building is located.
 - B. Buildings on corner lots must relate in setback and height to the structures along both adjacent blocks.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

PC 11 C

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

August 1, 2017
Date Prepared:

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

Recommendation by the Planning Commission: Approval

Discussion:

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

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

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

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

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

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

Approved by:

Department Head:
City Attorney:
City Manager:

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

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1143.07 ENTITLED R-3MS SINGLE AND TWO-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1143.07 ENTITLED R-3MS SINGLE, TWO AND THREE-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on July 11, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.07 entitled R-3MS Single and Two-Family Mile-Square Residential District and adopting new Oxford Codified Ordinance Section 1143.07 entitled R-3MS Single, Two and Three-Family Mile-Square Residential District.

SECTION II: Council hereby repeals Oxford Codified Ordinance Section 1143.07 entitled R-3MS Single and Two-Family Mile-Square Residential District and adopts new Oxford Codified Ordinance Section 1143.07 entitled R-3MS Single, Two and Three-Family Mile-Square Residential District as follows (additions are bolded and deletions are struck through):

1143.07 R3MS SINGLE, TWO, AND THREE-FAMILY MILE-SQUARE RESIDENTIAL DISTRICT.

(a) Purpose. ~~This district is designed to preserve and encourage a mix of single-family, two-family, and three-family residences in the established residential areas of historically significant character.~~ The purpose of this district is to preserve and encourage a mix of single-family, two-family, and three-family dwellings in an urban environment while maintaining the urban form of development within the Mile-Square District. Furthermore, it is the intent of this district to be located in areas that are in close proximity to commercial services, public institutions, and adequate infrastructure to serve the residents within this district.

(b) Uses.

(1) Permitted uses.

- A. Single-family dwellings
- B. Two-family dwellings
- C. Three-family dwellings
- D. Accessory buildings and uses incidental to the principal use that does 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 1141.
 - 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. Publicly owned and operated neighborhood recreation centers.
 - F. Day care facilities, including Child Day Care, Child Day Care Center, and Day Care Home Type A family.
 - G. Schools: primary, intermediate, and secondary, both public and private.
 - H. Fraternity and sorority houses.
 - I. Places of worship.

J. Parking lots.

K. Accessory dwelling units

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements) Any parcel, property or structure that is within the Historic District Overlay shall also consult the current design guidelines of the Historical Architectural Preservation Commission and Chapter 1331 of the Oxford Codified Ordinance and shall follow the procedures for approval contained therein.

	Single-Family Dwellings	Two-Family Dwellings	Three-Family Dwellings
Lot Requirements			
Minimum Lot Area (Square Feet)	4,000	6,000	8,000
Minimum Lot Width (Feet)	40	50	60
Yard Requirements			
Minimum Front Yard	15 feet		
Maximum Front Yard Depth	25 feet		
Minimum Rear Yard Depth	35 feet		
Minimum Side Yard Width	5 feet		
Structural Requirements			
Maximum Building Height	35 feet		
Lot Coverage for Lots with Vehicular Access from a Public Street			
Lot Total	45 percent of lot		
Front Yard	35 percent of front yard		
Lot Coverage for Lots with Vehicular Access from a Rear or Side Alley with No Access from a Public Street			
Lot Total	45 percent of lot		
Front Yard	5 percent of front yard		

- 1 family 2 family 3 family
- (1) ~~Lot requirement:~~
- ~~A. Minimum lot area 5,000 sq. ft. 7,500 sq. ft. 9,000 sq. ft.~~
- ~~B. Minimum lot width 50 feet 75 feet 90 feet~~
- (2) ~~Yard requirements:~~
- ~~A. Minimum front yard depth 20 feet 20 feet 20 feet~~
- ~~B. Minimum rear yard depth 35 feet 35 feet 35 feet~~
- ~~C. Minimum side yard width 7.5 feet 7.5 feet 15 feet~~
- (3) ~~Structural requirements:~~
- ~~A. Maximum building height 35 feet 35 feet 35 feet~~
- (4) ~~Lot coverage:~~
- ~~A. Lots with vehicular access from a public street~~
- ~~1. Lot total 35 percent~~
- ~~2. All enclosed buildings 25 percent of lot~~
- ~~3. Front yard 25 percent of front yard~~
- ~~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~~

(d) Mile Square Design Standards.
Purpose and Applicability.

A. The purpose of the Mile Square Design Standards is to establish design standards for all new, expanded, or renovated buildings so they are part of the urban form and character of the Mile Square District. These standards are not intended to dictate any specific architectural style or design but rather are intended to allow imaginative design that is respectful to surrounding properties and the overall district.. The Mile Square Design Standards are intended to provide predictable requirements while also allowing for flexibility in design.

B. The design of all new construction and exterior alteration or renovation in the R3-MS District shall conform to the following requirements.

(1) **Front Façade.**

A. All development shall be located parallel to the associated public street with the main entry door designed to face onto the associated public street unless an alternative orientation is consistent with the majority of homes along the same block face.



Figure <>: Example of residential development that is oriented toward the primary street.

~~Streetscape:~~

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

(2) **Foundations.**

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

B. **Exposed concrete block or cinder block foundations that are covered by a historically appropriate facing treatment are permitted**

(3) Masonry.

~~A. Masonry veneers that face main streets shall not have exposed cinder block or concrete block, or poured concrete foundation.~~

~~B. Brick, stone, authentic stucco or material replicating stone veneer are acceptable materials.~~

~~C. The masonry of any additions must resemble the existing structure utilizing like materials and style in order to be compatible.~~

(4) Siding.

~~A. No vertical siding may be incorporated into any structure. Plank treatments are to remain horizontal in fashion.~~

~~B. Decorative, wood shingles are an acceptable treatment for the residential structures in the single, Two, and Three Family, Mile Square Residential District.~~

~~C. Since artificial siding tends to differ from the original historic material in size, design, and texture, the use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.~~

~~D. Widths, lengths, and composition of siding must be consistent between existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure.~~

A. **Brick, stone, authentic stucco, or material replicating stone Veneer are permitted building materials in all residential districts.**

B. **Decorative, wood shingles are an acceptable treatment for the residential structures in the Mile Square Residential Districts.**

C. **The use of cementitious siding materials (e.g., Hardiplank) that resemble wood siding treatments is permitted.**

D. **The use of artificial aluminum or vinyl siding for residential structures within the Mile Square is strongly discouraged. However, vinyl siding can be acceptable only when it meets the requirements of ASTM D3679.**

E. **Plank siding treatments shall be horizontally oriented. Vertical planking may be allowed in a 90 degree board and batten treatment.**

F. **Brick or masonry that has not previously been painted shall not be painted unless the painting of brick or masonry is consistent with the architectural style or era of the building.**

G. **All wood siding materials shall be painted.**

H. **For expansions and additions of existing buildings, the widths, lengths, and composition of siding must be consistent between the existing structures and any new additions. Decorative trim, such as window trim, fascia boards, and cornice work must also be consistent with the existing structure. Any additions or expansions of an existing building shall also comply with Section 1141.03 (h) (Residential Building Additions).**

(5) Roofs.

~~A. Any new roof must relate to the architectural theme and details of the existing structure.~~

- ~~B. Flat roofs are prohibited for residential buildings except for porch roofs.~~
- ~~C. New roof forms must complement existing roofs in material and style.~~
- ~~D. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is require~~
- ~~E. Decorative cornices and parapets are encouraged.~~
- A. Flat roofs are prohibited for residential buildings except for small areas on a rear roof that are used and sized for the placement of roof-mounted mechanical systems.
- C. Roof pitches for residential structures must be steep. A minimum pitch ratio of 6 to 12 is required with the exception of porch roofs that should have a minimum pitch ratio of 4 to 12.
- D. Decorative cornices and parapets are encouraged.
- E. The addition of antennae, satellite dishes, and skylights should be place on the rear of the building, roof, or on a non-visible accessory building to the maximum extent feasible

~~(6) Gutters & Downspouts.~~

- ~~A. Gutters and downspouts shall be an integrated component of the structure.~~
- ~~B. Gutters and downspouts are to be located on the roof corners, where they will not interfere with the appearance of the structure.~~

~~(7) Entrances & Doors.~~

- ~~A. For all doors, the recommended material is "wood appearing" type of material.~~
- ~~B. Commercial structures must avoid using doors, screen doors, and storm doors, which are clearly designed for residential purposes.~~
- ~~C. Screen/storm doors must be simple in design and contain full-height screening or glass. Mill finish is not allowed. Wood is the preferred material and any treatment must match the color of the existing door/trim or be a clear varnish.~~
- ~~D. Entrances and doors which are to be closed off must not be removed and the hole filled in with some type of permanent material. Rather, the door must be left hanging and fixed shut so it is possible to reopen it in the future.~~

(5) Doors

- A. Doors shall be made of wood or "wood appearing" types of material.
- B. All doors shall be constructed to be exterior doors. The use of an indoor door on the exterior of the building is prohibited.

~~(8) (6) Windows.~~

- ~~A. Windows must be proportionally vertical.~~
- ~~B. Reflective glass (such as blue or gold tinted glass) is prohibited.~~
- ~~C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They must not be on front side of the roof slope facing the street.~~
- ~~D. All window openings, sash appearances, and materials must be consistent and architecturally appropriate to the building style.~~
- ~~E. Windows which are to be closed off must not be removed and the hole filled in with some type of permanent material. Rather, the window must be maintained.~~
- ~~F. Original features such as corner boards, brackets, hoodmolds, and other details must be preserved, repaired, and/or replaced.~~

- A. Windows must be proportionally vertical.
- B. Reflective glass (such as blue or gold tinted glass) is prohibited.
- C. Skylights can be added to increase the availability of natural light. These must generally be flat and unobtrusive (especially from any public ways). They shall not be located on the front side of the roof slope facing the street.

~~(9)~~ **(7) Porches & Stoops, Decks & Patio.**

- ~~A. Any newly constructed or reconstructed porch or stoop must be compatible with the architectural style of the building to which it is attached.~~
- ~~B. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood. Porches have roofs. Decks are not allowed on the front façade. Stoops may not exceed 50 square feet.~~
- ~~C. All porches shall satisfy the required setbacks and lot coverage of the zoning district.~~
- A. New residential structures are encouraged to include porches and stoops as design elements, which serve to enhance the physical and social components of the neighborhood.**
- B. All porches shall satisfy the required setbacks and lot coverage requirements of the applicable zoning districts.**
- C. Stoops may not exceed 50 square feet.**
- D. Decks shall only be permitted in along the rear façade of a building.**
- E. Porches and stoops shall be constructed of the same building materials as the principal building. The use of treated or untreated lumber that is not painted shall be prohibited for use on the front or side façades.**

~~(10)~~ ~~**Storefronts:**~~

- ~~A. Storefronts must be open and must utilize large amounts of glass. Window glass must extend at least from the top of the first floor to knee level. This does not necessarily mean that a large single pane of glass must be used. The openness creates an inviting feeling to pedestrians that helps set the ground floor commercial uses apart.~~

~~(11)~~ **(8) Garages & Outbuildings Accessory buildings.**

- ~~A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.~~
- ~~B. An attached garage shall not be located closer to the right of way than the residential structure itself (i.e., no snout garage)~~
- ~~C. It is recommended that a detached garage to be accessed from the alley if alleys are available for vehicular traffic.~~
- A. Street facing garages shall not comprise more than 50 percent of the ground floor building frontage. Any garage with more than two (2) car parking capacity should not directly face onto any street. The garage with more than two parking bays should have the side wall facing the street (i.e., side loading garage). All garage doors shall be compatible with the dwelling style and colors.**
- B. The front façade of any garage facing on to the street shall be set back a distance equal to or more than the front façade of the remainder of the principal building.**
- C. To the maximum extent feasible, a detached garage be accessed from the alley if alleys are available for vehicular traffic.**
- D. The architectural style and materials of any accessory building generally be compatible with the principal building as should the roof type and roof slope. Roofs for any accessory building shall be subject to the same standards as for principal structures pursuant to Subsection (4) above.**

~~(12)~~ ~~**Awnings & Canopies:**~~

- ~~A. Awnings and canopies must be flat, downward sloping at a sharp angle, and have open ends or triangular end pieces matching the main structure. Basic design shapes (umbrella, diagonal, concave, etc.) are recommended.~~
- ~~B. Solid, dark colors are preferred.~~
- ~~C. Awnings and canopies must be proportional in size and shape to the opening or area that they are covering. Avoid irregular shapes or styles.~~
- ~~D. Soft, pliable materials are encouraged. Metal or other similar material is not recommended.~~
- ~~E. Retractable awnings and canopies are encouraged, as they can be closed in the winter months to allow more sunlight into an establishment.~~
- ~~F. Awnings and canopies must be designed without ground supporting members which attach to a public sidewalk.~~
- ~~G. The Zoning and Building Codes must be consulted for other specific requirements.~~

~~(13)~~(9) Fences & Gates.

- ~~A. Chain link fences are prohibited.~~
- ~~B. Traditional fence forms, such as picket fences and plain board fences, must be utilized and they must be kept as low as possible.~~
- ~~C. Traditional materials, such as wood and wrought iron, are strongly encouraged.~~
- B. When fencing is to be used, traditional fence forms, such as picket fences and plain board fences, shall be utilized and shall comply with the fencing height restrictions of Section 11.41.01.**
- C. Fencing shall only be constructed of wood, wrought iron, decorative metal fencing, or fencing material that resembles wood materials**

~~(14)~~(10) Chimney & Flues.

- ~~A. Where a building is designed with chimneys or where a chimney is to be added to an existing structure, brick or stone are the preferred materials. Other siding may be allowed if the entire building is sided in similar materials~~

~~(15)~~(11) Shutters.

- ~~A. Shutters do not have to be operable. However, when present they must appear to be functional and they must be proportionally equal to the adjacent window opening.~~



The shutters on the left window are appropriately shaped and sized for the related window even if they are not operable. The replacement shutters on the right are not appropriate due to the length and shape that do not correlate to the related window.

~~(16)~~ Utilities.

- ~~A. This element is covered by other City Codes and standards. Please remember to consult with City staff before planning your project to learn how the codes will affect your proposal.~~

~~(17)~~ Home Security.

- ~~A. Guidelines for Entrances & Doors and Storefronts must also be consulted in relation to the recommendations given below.~~

~~(18)~~**(12)** Driveways & Parking Lots.

- A. Individual curb cuts for driveways are strongly discouraged. No curb cuts are allowed if an alley is present. Alleys must be utilized as much as possible to provide automobile access.

~~(19)~~**(13)** Landscaping.

- A. Existing mature trees should be preserved and maintained when possible.
- ~~B. Public and private space shall utilize natural landscaping materials and ground cover shall be utilized for the perimeter to delineate individual property boundary line.~~

~~(20)~~**(14)** Graphics, Signage, & Building Identification.

- A. The Sign Code of the City of Oxford must be consulted for specific sign regulations in addition to these guidelines.

~~(21)~~ Height.

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

(15) Architectural Features for Three-Family Dwellings

- A. At least three of the following design features shall be provided on the front façade of each dwelling unit with frontage on a public street.

1. One or more dormer windows or cupolas;
2. A recessed entrance;
3. A covered porch or balcony;
4. Pillars, posts, or pilasters;
5. One or more bay windows with a minimum of 12 inch projection from the façade plane;
6. A parapet wall with an articulated design, which entails design variation rather than a simple rectilinear form; or
7. Multiple windows with a minimum of four inch wide trim.

- B. To the maximum extent practicable, all roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimal visual impact as seen from the street.



Illustrative example of acceptable architectural design for multi-family dwellings



Illustrative example of unacceptable architectural design for multi-family dwellings

(16) Accessory Dwelling Units

In addition to the standards applicable to all conditional use reviews, any new accessory dwelling unit shall be subject to the following standards:

- A. An accessory dwelling unit may be in a stand-alone structure or may be located above a garage.**
- B. In no case shall there be more than three dwelling units on any single lot, including any approved accessory dwelling unit.**
- C. Accessory dwelling units shall only be allowed on lots with a area of 5,000 square feet.**
- D. The maximum square footage of an accessory dwelling unit shall not exceed 1000 square feet or 50% of the footprint of the principal structure whichever is smaller, unless approved by the Planning Commission and City Council.**
- E. The accessory dwelling unit shall be located in the rear yard.**
- F. The accessory dwelling unit shall be designed to be smaller in mass, height, and square footage than the principal dwelling.**
- G. The accessory dwelling unit structure shall be subject to the accessory building design guidelines of this section.**

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

PC 12A

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

August 1, 2017
Date Prepared:

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

Recommendation by the Planning Commission: Approval

Discussion:

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

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

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

Approved by:

Department Head:

City Attorney:

City Manager:

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

ORDINANCE NO.

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

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on July 11, 2017, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1141.01 entitled Accessory Regulations, and adopting new Oxford Codified Ordinance Section 1141.01 entitled Accessory Regulations.

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

1141.01 ACCESSORY REGULATIONS.

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

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

(1) Accessory Buildings

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

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

A. Swimming Pools & Hot Tubs

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

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

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

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

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

(3) Porches, Decks and Patios

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

(4) Exemptions.

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

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

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

(1) Accessory Buildings.

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

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

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

(c) Accessory Use Provisions for All Zoning Districts.

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

- (2) Accessory building or use shall be erected on the same lot which a principal structure already exists.
- (3) An accessory building or use which is attached to the main building shall comply with all the requirements of the zoning district regulations that are applicable to the principal building.
- (4) Fences, walls and hedges. The intent of these provisions is to outline the regulations for accessory fences, walls and hedges. Such structures and plantings shall generally improve the aesthetic appearance of a site. Where buffer yard or other screening requirements pursuant to the provisions of this Ordinance differ from the provisions of this section, the more stringent requirements shall apply.
 - A. Residential fences, walls, and hedges:
 - 1. May not exceed four feet in height front yards.
 - 2. Cannot exceed eight feet in height in side and rear yards.

3. Shall not obstruct visibility at intersections per Section 1141.03(e).
 4. May not be located closer than two feet to the front lot lines.
 - B. Non-residential fences, walls, and hedges:
 1. May not exceed six feet in height in the front yards or four feet in height in the Uptown "UP" Zoning District.
 2. May not exceed twelve feet in height in side and rear yards.
 3. Shall not obstruct visibility at intersections per Section 1141.03(e).
 4. May not be located closer than two feet to the front lot lines, except in the Uptown district.
 5. If fencing or a gate blocks the access drive to the property, there shall be a sufficient queuing space provided.
 - C. Barbed wire and electrified fences are not permitted.
- (5) Home Occupations. A home occupation does not require a zoning permit. If the Zoning Administrator determines that a business is operating in a residential or commercial district and that it does not meet the regulations of this section, the property owner of the property on which the business is operating shall be guilty of a violation of the Zoning Code. A home occupation shall:
- A. Have person(s) residing in the premises engaged in the business activity.
 - B. Be conducted entirely within an existing dwelling unit and/or one enclosed accessory structure.
 - C. Occupy a maximum of 25 percent of the floor area of the residence and/or enclosed accessory structure, including all operations and storage.
 1. Attached garages as well as unfinished basements or attic areas shall not be counted towards the total floor area of the dwelling unit. In situations where there are two or more dwelling units attached, the calculation of the total floor area shall be limited to the area of the dwelling unit in which the operation will be located.
 2. Such accessory structure shall not be utilized for a home occupation if it is the required parking space for the principle use.
 - D. Home Occupations located in the R1A, R1B, RO and GB zoning districts are permitted to have two (2) non-resident employees, however no more than one non-resident employee is permitted on the premises at one time. One (1) non-resident employee is permitted in the R1MS, R2A, R2MS, R3, R4 and R3MS zoning districts.
 - E. Any nonconforming residential use in the GB zoning district that exceeds the requirements herein for a home occupation shall lose its nonconforming status.
 - F. Not change the outside appearance.
 - G. Have no deliveries or clients before 9 a.m. or after 9 p.m.
 - H. Have fewer than 10 business visitors per week.
 - I. Have no more than 1 business visitor at a time.
 - J. Have only 1 non-illuminated sign a maximum of two square feet, mounted flat against the wall of the principal building.
 - K. Not generate a greater volume of traffic or parking need than would normally be expected in a residential neighborhood.
 - L. Not generate noise, vibration, fumes, odors, electrical interference, or other offensive effects and noxious omissions generated by the home occupation detectable outside of the dwelling unit (or off of the lot at single-family residences).

M. Prohibited Home Occupations.

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

SECTION III:

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-12

Date – June 13, 2017

APPLICATION

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

DESCRIPTION

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

ZONING CODE

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

COMPREHENSIVE PLAN

Land Use Element:

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

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

Infill development and redevelopment of underutilized sites is a priority

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

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

Urban Design

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

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

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

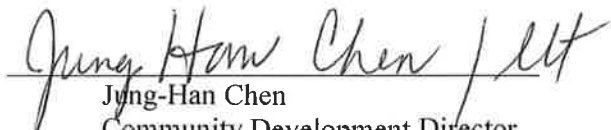
The Commission also went through the changes with the consultant and staff and felt that the changes are necessary to remove any potential conflict and confusion. Attached in this report are the changes to each particular section of the Zoning Code.

RECOMMENDATION

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

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE: May 26, 2017

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

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

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:



Date:

5/15/17

John Dethuag
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

☒ X ☐ Review ☐ Revisions ☐ Other

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

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

Drawings reviewed by:



Date: 5-16-17

VICTOR POPESCU

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

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

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

John A. Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: May 15, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

☒ Review ☐ Revisions ☐ Other

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

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

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

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

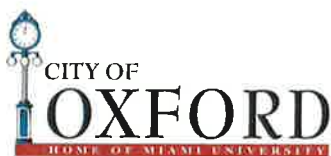
Drawings reviewed by:



Date:

6-6-17


PRINTED NAME



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

Zoning Code Text Amendment Application

Applicant Information

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

Name * Jung-Han Chen

Mailing Address * 101 E. High Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-5245237

Email Address jhchen@cityofoxford.org

Amendment Description * Amend Oxford Zoning Code Chapter 1141.01 and 1141.03

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

Decision Process

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

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

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

Planning Commission and Council Review

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

Fees & Receipt

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

Sign and Date

Applicant Signature *



Date *

4/15/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen
Prepared By:

Account Code No. #:

Budgeted Amount:

August 1, 2017
Date Prepared:

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

Recommendation by the Planning Commission: Approval

Discussion:

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

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

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

Approved by:

Department Head:

City Attorney:

City Manager:

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

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE SECTION 1141.03 ENTITLED SUPPLEMENTAL REGULATIONS, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE SECTION 1141.03 ENTITLED SUPPLEMENTAL REGULATIONS.

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on July 11, 2017, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1141.03 entitled Supplemental Regulations and adopting new Oxford Codified Ordinance Section 1141.03 entitled Supplemental Regulations.

SECTION II: Council hereby repeals Section 1141.03 entitled Supplemental Regulations, and adopts new Section 1141.03 entitled Supplemental Regulations 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, **R-3MS** and R-4 **Districts**, 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, **except for the lots that are considered alley lots with only alley access that may have its principal public entrance on either alley.**

(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 alleys' shall provide a side and rear yard setback along the alleys' 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

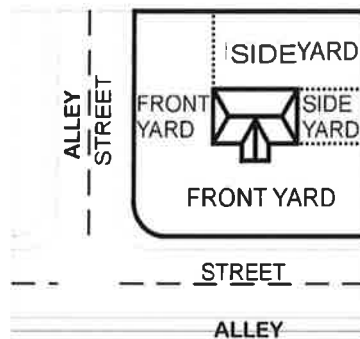


Figure 2: Double Frontage/
Through Lots

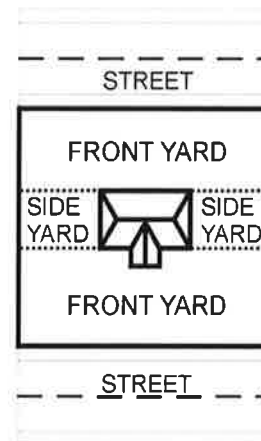
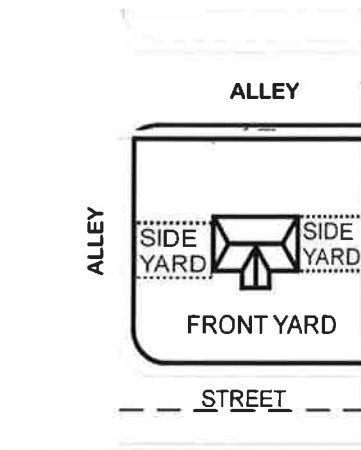


Figure 3: Alley Lots



- (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.

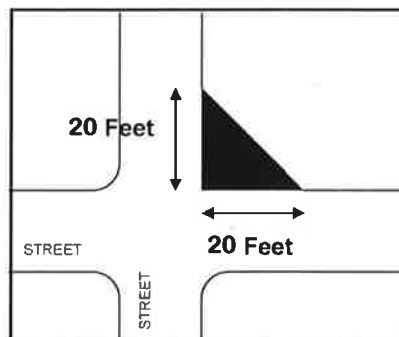
(6) Projections into Required Yards.

- 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
Minimum

(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.~~
 - A. **Be constructed of similar material, in similar proportions, to the façade that is being extended or altered (i.e., if the side façade of a dwelling is constructed of brick and will be extended or altered, the expanded or altered area shall also be constructed of brick);**
 - B. **Be designed in the same architectural style and character as the original building including maintaining or extending any architectural features on the existing building; and**
 - C. **Be designed with a similar mass and height as the existing building.**
- (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.

SECTION III:

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 1, 2017
Date Prepared:

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

Recommendation by the Planning Commission: Approval

Discussion:

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

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

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

Approved by:

Department Head:

City Attorney:

City Manager:

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

ORDINANCE NO.

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

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on July 11, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1147.03 entitled Use Specific Regulations and Potential Concerns and adopting new Oxford Codified Ordinance Section 1147.03 entitled Use Specific Regulations and Potential Concerns.

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

1147.03 USE SPECIFIC REGULATIONS & POTENTIAL CONCERNS.

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

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

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

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

(b) Uses.

(1) Agricultural Services.

A. Potential Concerns.

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

B. Regulations.

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

(2) Airports and Landing Strips.

A. Potential Concerns.

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

- adjacent uses.
 - B. Regulations.
 - 1. Compliance with FAA regulations.
 - 2. Runway locations will not require height restrictions on other properties less than would normally be required by dimensional regulations of the zoning district.
 - 3. Runways and taxiing areas shall be setback a minimum of 100 feet from a residential zoning district.
 - 4. Aircraft storage and service buildings shall be setback a minimum of 100 feet from a residential zoning district.
- (3) Animal Hospitals, Veterinary Clinics, and Kennels.
- A. Potential Concerns.
 - 1. Traffic generation from associated retail sales.
 - 2. Location of diagnosis and outdoor activity areas relative public streets and residential zoning district.
 - 3. Design of facilities that will help ensure humane conditions and treatment of animals.
 - 4. Animal noise and odor.
 - B. Regulations.
 - 1. Outdoor pens are not permitted.
 - 2. Outdoor activity shall be limited to diagnosis and temporary outdoor activity for boarded animals.
- (4) Bed & Breakfast.
- A. Potential Concerns.
 - 1. Appropriate number of rooms for the neighborhood in which it is proposed.
 - 2. Location of separate entrances.
 - B. Regulations.
 - 1. No more than 8 rooms for rent in any structure.
 - 2. Owner or manager must live in the structure.
 - 3. At least one meal must be provided to guests on site.
- (5) Gas Station with Convenience Store.
- A. Potential Concerns.
 - 1. Adequate design of vehicle management area.
 - 2. Location of fuel pumps and pump canopy.
 - 3. Outdoor sales and storage.
 - B. Regulations.
 - 1. All merchandise shall be located within a completely enclosed structure.
 - 2. Fuel pumps shall be setback a minimum of 30 feet from lot lines or 40 feet from a residential zoning district.
 - 3. Fuel pump canopies shall be set back a minimum of 20 feet from lot lines or 40 feet from a residential zoning district.
- (6) Vehicle Service and Repair.
- A. Potential Concerns.
 - 1. Proper design of vehicle management area.
 - 2. Proximity of service areas to lot lines and adjacent uses.
 - 3. Outdoor sales and storage.
 - 4. Tow truck storage.
 - B. Regulations.
 - 1. All disassembly, service, and assembly of vehicles shall be within a completely enclosed structure.
 - 2. All service equipment and supplies shall be within a completely enclosed structure.
 - 3. Vehicles being serviced or awaiting service shall not be stored in an unenclosed area for more than 7 days.
 - 4. Vehicle service bays shall be setback a minimum of 100 feet from a residential zoning district.
- (7) Vehicle Washing Facility.
- A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Enclosure of potential nuisances.
 - 3. Screening from adjacent uses residential.

- 4. Lighting.
 - 5. Hours of operation.
 - B. Regulations.
 - 1. Wash bays shall be setback a minimum of 100 feet from a residential zoning district.
 - 2. Outdoor equipment (such as vacuum stations) shall not be located in a yard adjacent to a residential zoning district.
 - 3. Queuing spaces shall not be located in a yard adjacent to a residential zoning district.
- (8) Drive-Through Banking and Pharmacy Facilities.
 - A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Noise from operations (vehicle and loudspeaker).
 - 3. Screening from adjacent uses.
 - B. Regulations.
 - 1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
 - 2. Queue spaces shall not be located in a yard adjacent to a residential zoning district.
- (9) Drive-Through Convenience and Beverage Facilities.
 - A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Noise from operations (vehicle and loudspeaker).
 - 3. Proximity to churches, schools, other similar institutions.
 - 4. Location and adequacy of dumpsters.
 - B. Regulations.
 - 1. Structure shall be setback a minimum of 50 feet from a residential zoning district.
 - 2. Drive-through stations shall be completely enclosed.
 - 3. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district.
 - 4. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district.
- (10) Drive-Through Restaurant Facilities.
 - A. Potential Concerns.
 - 1. Design of vehicle management area.
 - 2. Noise from operations (vehicle and loudspeaker).
 - 3. Signs and menu boards.
 - 4. Location and adequacy of dumpsters.
 - B. Regulations.
 - 1. Drive-through stations shall not be located in a yard adjacent to a residential zoning district.
 - 2. Cue Queue spaces shall not be located in a yard adjacent to a residential zoning district.
 - 3. Drive-up stations shall be setback a minimum of 50 feet from a residential zoning district.
- (11) Bars and Taverns.
 - A. Potential Concerns.
 - 1. Evening traffic.
 - 2. Noise from operations (music).
 - 3. Location and adequacy of dumpsters.

- B. Regulations.
 - 1. Site shall be a minimum of 500 feet from a church, school, or similar institution, except in a commercial zoning district
 - 2. Structure shall be setback a minimum of 50 feet from a residential zoning district
- (12) Indoor Sports and Recreation Facilities such as Bowling Alleys, Skating Rinks, Tennis and Racquetball Courts, Soccer Fields, and Swimming Pools.
- A. Potential Concerns
 - 1. Traffic volume during group or league events.
 - B. Regulations.
 - 1. Entrance to structure shall not be located in a yard adjacent to a residential zoning district.
 - 2. Parking spaces shall not be located in a yard adjacent to a residential zoning district.
 - 3. Structure shall be setback a minimum of 30 feet from a residential zoning district./
- (13) Building Materials Sales Yards.
- A. Potential Concerns
 - 1. Noise, dust, vibration from operations.
 - 2. Height and visibility of merchandise storage structures.
 - 3. Commercial vehicle storage.
 - 4. Location of loading spaces and on-site management of delivery vehicles.
 - 5. Unenclosed storage and display.
 - B. Regulations.
 - 1. Traffic management areas shall not be located in a yard adjacent to a residential district.
 - 2. Commercial woodworking equipment and other similar machinery shall not be permanently affixed or operated within 50 feet of a residential zoning district, except within a completely enclosed structure.
- (14) Cemeteries.
- A. Potential Concerns
 - 1. Location and size of structures including mausoleums, chapels, gatehouses, crematoriums, offices, and service and storage buildings.
 - 2. Appropriate screening, ornamental fencing, and landscaping to minimize potential nuisance.
 - B. Regulations.
 - 1. Driveways shall be setback a minimum of 10 feet from all lot lines.
 - 2. Grave markers, mausoleums, and other monuments shall be setback a minimum of 10 feet from all lot lines.
- (15) Churches, Libraries, Community and Recreation Centers.
- A. Potential Concerns
 - 1. Adequate lot size to permit future expansion.
 - 2. Location and screening of outdoor recreation areas.
 - 3. Bus or van storage.
 - 4. Lighting.
 - 5. Parking and traffic impact.
 - B. Regulations.
 - 1. None.

- (16) Clinics.
- A. Potential Concerns
 - 1. Extent of accessory services.
 - 2. Hours of operation.
 - B. Regulations.
 - 1. Accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may not be accessible directly from the exterior of the building and may operate only during the hours of operation for the clinic.
- (17) Golf and Country Clubs.
- A. Potential Concerns.
 - 1. Proximity of fairways and greens to lot lines and adjacent structures.
 - 2. Trajectory of golf balls.
 - 3. Location of cart paths.
 - 4. Location of accessory uses such as ball fields, swimming pools, and tennis courts.
 - 5. Appropriate screening of high activity areas from adjacent properties.
 - B. Requirements.
 - 1. Cart paths shall be a minimum of 10 feet from all lot lines.
 - 2. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use.
- (18) Service Organization Lodges.
- A. Potential Concerns
 - 1. Location of accessory uses such as ball fields, swimming pools, and tennis courts.
 - 2. Appropriate screening of high activity areas from adjacent properties.
 - B. Requirements.
 - 1. Accessory uses such as clubhouses, restaurants, bars, swimming pools and similar activities are subject to any regulations that would apply to their operation as a principal use.
- (19) Fraternity and Sorority Houses.
- A. Potential Concerns.
 - 1. Aesthetic Concerns:
 - a. Historical characteristics of existing structures.
 - b. Residential scale and character.
 - c. Yards and landscaping.
 - d. Walls and fences.
 - 2. Activities Areas:
 - a. Porches and patios.
 - b. Locations of recreational areas and courts.
 - c. Locations of accessory structures.
 - 3. Vehicle Management:
 - a. Site access .
 - b. Required parking.
 - c. Emergency access.
 - d. Deliveries.
 - e. Occasional and excess parking management.
 - 4. Adequate Public Utilities:
 - a. Water.
 - b. Sewer.
 - c. Storm water management.
 - d. Other services.
 - 5. Nuisance:
 - a. Waste/trash management.

- b. Noise and off-site impact.
- c. Lighting and off-site impact.

B. Requirements:

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

(20) Family Community Residence, Group Community Residence, and Community Residence.

A. Potential Concerns.

- 1. Maximum occupancy and staffing.
- 2. Appropriate indoor and outdoor recreation areas.
- 3. Proximity to and number of similar uses in Oxford.

B. Regulations.

- 1. Site shall be a minimum of 891 feet from any other Community Residence

(21) Day Care Centers and Nursery Schools.

A. Potential Concerns

- 1. Location and adequacy of planned outdoor play area.
- 2. Noise.
- 3. Adequate drop-off facilities.

B. Regulations.

- 1. Use of outdoor play areas shall be limited to between the hours of 8:00 A.M. and 8:00 P.M. daylight hours.

(22) Drive-In Theater.

A. Potential Concerns

- 1. Appropriate screening.
- 2. Setback and visibility of screen from residential zoning district and public streets.
- 3. Design of vehicle management area, especially street access.
- 4. Noise from operations (vehicle).

B. Regulations.

- 1. No outdoor loudspeaker is permitted.

(23) Elderly Housing, Congregate Housing.

A. Potential Concerns.

- 1. Proximity to existing or possible area uses that are potentially dangerous to elderly or handicapped occupants.

B. Regulations.

- 1. Maximum density of 1 dwelling unit per 3,000 square feet

(24) Funeral Homes and Mortuaries.

A. Potential Concerns.

- 1. Design of vehicle management areas to ensure quick and efficient access to public streets during processions.

2. Adequate cue space at drop-off areas to ensure that access to parking spaces is not impeded.
- B. Regulations.
1. All hearses, limousines, and other related business vehicles shall be stored within an enclosed building when not in use
 2. Parking areas are exempt from provisions of the Vehicle Management regulations that would prevent a vehicle management area that is designed to facilitate funeral processions.
- (25) Gaming Arcades.
- A. Potential Concerns.
1. Proximity to schools, churches, and establishments serving alcohol.
 2. Proximity to residential zoning district.
 3. Adequate screening of parking and outdoor gathering areas.
- (26) Hospitals.
- A. Potential Concerns.
1. Location of parking for employees.
 2. Parking for visitors.
 3. Design of drop-off area.
 4. Emergency vehicle access to the site and to the building.
 5. Adequate lot size and shape to handle current proposal and possible additions.
 6. Screening.
 7. Access to appropriate street.
 8. Helicopter landing facilities.
- (27) Motels.
- A. Potential Concerns.
1. Proximity to residential.
 2. Screening from residential.
 3. Appropriate street access.
- (28) Nursing Homes, Convalescent Homes.
- A. Potential Concerns.
1. Adequate lot size to provide for visitors and for outdoor activities.
 2. Access to an appropriate street.
 3. Adequate screening from residential.
- B. Regulations.
1. Minimum 500 square feet per bed of on-site open space.
- (29) Riding Academies, Stables.
- A. Potential Concerns.
1. Adequate lot size.
 2. Noise and dust from operations.
 3. Security fencing.
 4. Location of corrals and other animal areas.
 5. Adequate vehicle management area for transportation of animals.
 6. Hours of operation.
- B. Regulations.
1. Any area designed to accommodate animals used in the operations shall be setback a minimum of 50 feet from any lot line.
- (30) Schools.
- A. Potential Concerns.
1. Adequate lot size to permit future expansion.
 2. Bus and van storage.
 3. Access to streets that can handle traffic generated by the use.
 4. Design of vehicle management area.
 5. Location of outdoor facilities such as ball fields and band practice areas.
 6. Proximity to incompatible uses (establishments serving alcohol).

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

- C. Other
 - 1. Encourage the mini-warehouse as the second principal use in conjunction with or behind other principal uses.
- (33) Business Incubator:
 - A. Potential Concerns
 - 1. Hours of operation
 - 2. Type of businesses generating noise, vibration, fumes and other obnoxious environmental concerns
 - 3. Outdoor operations
 - B. Regulations
 - 1. All activities/merchandise shall be located within a completely enclosed space.
 - 2. Sized adequately to provide all necessary business support
- (34) Off-site Parking and Shared-Use Parking
 - A. Potential Concerns
 - 1. Adequate supply of spaces for all modes of transportation
 - 2. Distance from use
 - 3. Hours of operation/schedule conflict
 - 4. Valet service
 - 5. Proximity to mass transit
 - 6. Accommodation for special needs/accessibility
 - 7. Maintenance responsibility
 - 8. Future land use changes/parking demand
 - B. Regulations
 - 1. Recorded easement agreement
 - 2. Specific distance limit for off-site
 - 3. Performance review timeframe
 - 4. Requires evidence justifying sufficient parking
- (35) Parking Lot Alternate Design Plan
 - A. Potential Concerns
 - 1. Safety of all modes of transportation
 - 2. Green space
 - 3. Storm water quality/environmental
 - 4. Storm water quantity/run off rate
 - B. Regulations
 - 1. Any additional factors that affect the practical application of this section, such as notable topographic changes, watercourses, and bodies of water
 - 2. Conditions of approval to protect the public health, Safety, and general welfare
 - 3. Modifications of this chapter to protect the public health, safety and general welfare
- (36) Floor Area Exceeding Maximum Allowable Square Footage
 - A. Potential Concerns
 - 1. Adequate lot size
 - 2. Adequate design of vehicle management area
 - 3. Setback from residential zoning setback and public streets
 - 4. Buffering and screening
 - 5. The hours of operation
 - B. Regulations
 - 1. The building exterior shall be compatible with the characters of neighboring structures.
 - 2. Parking shall not be in the front yard

- 3. Other vehicular related concerns, i.e. ingress and egress, etc....
- (37) Hours of Operation Beyond Normal
 - A. Potential Concerns
 - 1. Noise generation impacting surrounding properties
 - 2. Potential exterior lighting, including signage, affecting adjoining properties
 - 3. Potential traffic during those additional hours
 - B. Regulations
 - 1. Noise level be kept below allowable level, unless approved by the City Council
 - 2. Solid screening to buffer noise and outdoor lighting
- (38) Residential Units on the First Floor or Basement
 - A. Potential Concerns
 - 1. Reduce available non-residential site available for development
 - 2. Potential impact to other non-residential development
 - B. Regulations
 - 1. The exterior appearance shall be consistent with adjoining properties
- (39) **Accessory Building to be used as a dwelling unit**
 - A. **Potential Concerns**
 - 1. **Vehicle management**
 - 2. **Location of the accessory building**
 - B. **Regulations**
 - 1. **Relationship of its size, mass, height and square footage to the principal building**
 - 2. **Building style and material**
 - 3. **Building orientation consistent with the principal building**

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-18

Date – July 11, 2017

APPLICATION

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

DESCRIPTION

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

ZONING CODE

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

COMPREHENSIVE PLAN

Land Use Element:

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

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

Infill development and redevelopment of underutilized sites is a priority

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

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

Urban Design

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

Housing Element

Improve housing conditions in the Mile Square

- Ensure quality residential environment through improved housing standards.

AGENCY REVIEWS

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

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

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

RECOMMENDATION

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

SUBMITTED

BY:



Jung-Han Chen
Community Development Director

DATE: May 26, 2017

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:


John Dethier
PRINTED NAME

Date:

7-10-17

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

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

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

VICTOR POPESCU
PRINTED NAME

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

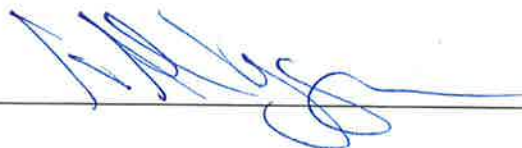
PC-2017-18, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1147.03, Conditional Uses, by adding (39) accessory dwelling unit with use potential concerns and regulations, **City of Oxford, Applicant**

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by:  Date: 7-6-17

G. Allen Kyrason
PRINTED NAME



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

Zoning Code Text Amendment Application

Applicant Information

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

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

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

- (1) **Contents of application.** The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
 - A. Application Fee.
 - B. The name, mailing address, and telephone number of the applicant.
 - C. A general description of the proposed amendment.
 - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
 - E. A statement that identifies potential negative consequences of the proposed amendment.
 - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
 - G. Any existing section number and text that is proposed to be deleted or amended.
 - H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
 - I. A narrative statement that describes the expected effects of the proposed text.
 - J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Decision Process

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

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

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

Planning Commission and Council Review

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *


5/11/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 1, 2017
Date Prepared:

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

Recommendation by the Planning Commission: Approval

Discussion:

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

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

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

Approved by:

Department Head:

City Attorney:

City Manager:

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

ORDINANCE NO.

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

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on July 11, 2017 and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 entitled Design Standards and Construction Standards and adopting new Oxford Codified Ordinance Chapter 1101 Subdivision Regulations Section 1101.4 entitled Design Standards and Construction Standards.

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

1101.4 DESIGN STANDARDS AND CONSTRUCTION STANDARDS.

400 GENERAL STATEMENT

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

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

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

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

401 SUITABILITY OF LAND

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

402 SENSITIVE DEVELOPMENT AREAS

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

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

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

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

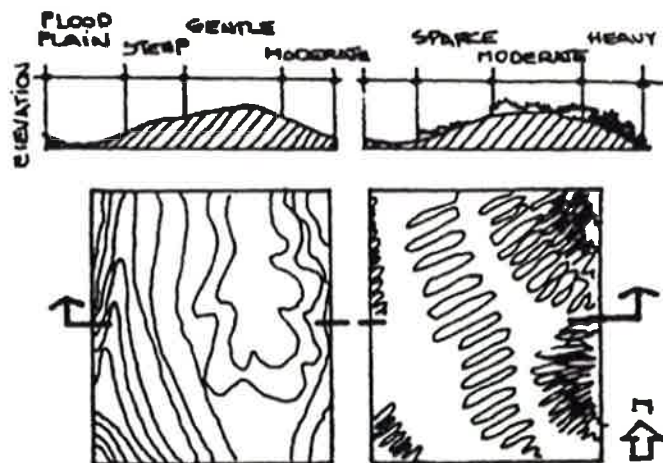
- (1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Clean Water Act, as amended; and in Ohio Environmental Protection Agency standards.
- (2) Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary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

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

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

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

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



403 TYPICAL SECTIONS

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

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

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

404 STREETS

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

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

(A) Relation to Adjoining Street System

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

(B) Street Classifications

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

Street Classifications:

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

(C) Street Improvements

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

(D) Street Connectivity

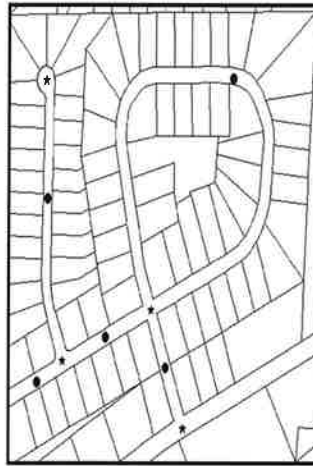
The purpose of this section is to support the creation of a highly connected transportation system within the City in order to enhance traffic circulation efficiency for drivers, pedestrians, and bicyclists; promote various modes of transportation; connect neighborhoods to each other and to local destinations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

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

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

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

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



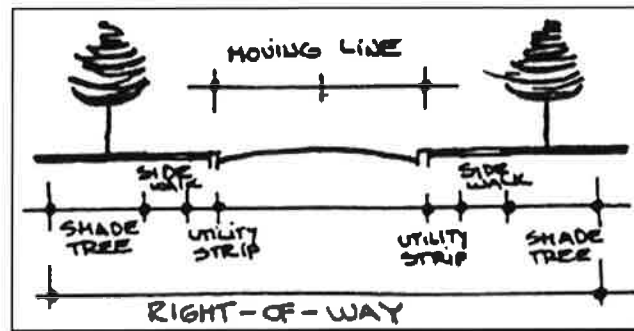
(E) Private Streets

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

(F) Rights-of-Way

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

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



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

(G) **Street Signage**

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

(H) **Parking**

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

405 PEDESTRIAN/ MULTI-USE PATHS

(A) **Sidewalks**

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

(B) Bike Paths/ Walking Trails

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

406 INFRASTRUCTURE

(A) Water Lines

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

(B) Sanitary Sewers

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

(C) Storm Drainage

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

(D) Detention/Retention

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

(E) Utilities

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

(F) Street Lights

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

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

(G) **Sedimentation and Erosion Control**

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

407 DRIVEWAYS

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

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

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

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

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

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

408 BLOCKS

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

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

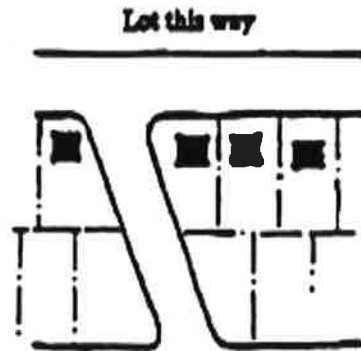
(B) Where blocks are over 600 feet in length, a public walkway which traverses the block may be required to be dedicated and installed by the subdivider.

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

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

409 LOTS

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



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

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

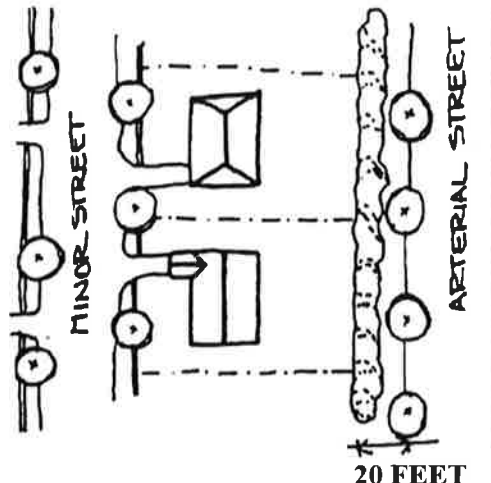
(D) No lot shall have an area or width less than that required by applicable sections of the Zoning Code except those pursuant to the Open Space Residential Development Regulations.

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

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

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

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



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

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

(K) Panhandle or flag lots are specifically prohibited.

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

410 LANDSCAPE PLAN

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

(B) Buffering

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

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

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

411 MAINTENANCE OF THE IMPROVEMENTS

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

412 DEED RESTRICTIONS AND COVENANTS

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

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-19

Date – July 11, 2017

APPLICATION

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

DESCRIPTION

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

ZONING CODE

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

AGENCY REVIEWS

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

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

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

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

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

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

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

RECOMMENDATION

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

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE June 26, 2017

ATTACHMENT

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

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

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

Text Amendments

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by



Date:

7-10-17

John Dethierage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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

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

.....

Drawings are returned: w/comments without/comments

Drawings reviewed by: _____



Date: _____

7/10/17

John Jones

PRINTED NAME

PRINTED NAME



Internal Use Only:

Case No.

PC-2017-19

Date Filed

5/26/17

Zoning Code Text Amendment Application

Applicant Information

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

Name *

Jung-Han Chen

Mailing Address *

101 E. High Street

City, State & Zip Code *

Oxford, OH 45056

Telephone Number(s) *

513-524-5237

Email Address

jhchen@cityofoxford.org

Amendment Description *

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

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

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

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

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

Decision Process

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

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

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

Planning Commission and Council Review

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

Fees & Receipt

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

Sign and Date

Applicant Signature *

Date *




Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

Receipt Number *

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

**CITY OF OXFORD
STAFF SUMMARY REPORT**

Report to the City Manager

Community Development
Originating Department

Council Meeting Of: September 5, 2017

Jung-Han Chen

Account Code No. #:

Prepared By:

Budgeted Amount:

August 1, 2017

Date Prepared:

PC-2017-20, ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned Development, 1145.12 Design, specifically 1145.12 (g) Environmental to 1145.12(g) Sensitive Development Area, City of Oxford, Applicant

Recommendation by the Planning Commission: Approval

Discussion:

This application is a directive from City Council to address the intent of the Zoning Code dealing with environmental sensitive development areas that potentially existed within a development project, as well as outline the expectations of delineating the area(s), and how to address those environmental sensitive areas in terms of development. This has been part of an effort made by the Environmental Commission (EC) to provide expertise to the Planning Commission in those sections of the Zoning Code could be strengthened, clarified and updated. This is parallel work the EC had done with the Subdivision regulations.

Given that the Planned Development process has also been utilized by developers for large scale projects and there is a very limited scope of concern relating to environmental protection clauses, it also will be timely to amend the Planned Development Chapter to address the environmental sensitive development areas.

The work of EC on Subdivision Regulations provides a guide to update the Planned Development, so any large scale projects would need to go through the site evaluation process to discern any potential sensitive areas. It needs to be noted that both Subdivision and Planned Developments would require a two-step review process: preliminary and final before the Planning Commission and City Council. It is also important to recognize that there would be significant concern from the development community if an extensive on-site research cost is required.

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

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

Approved by:

Department Head:

City Attorney:

City Manager:

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

ORDINANCE NO.

AN ORDINANCE REPEALING OXFORD CODIFIED ORDINANCE CHAPTER 1145 PLANNED DEVELOPMENTS SECTION 1145.12 ENTITLED DESIGN, AND ADOPTING NEW OXFORD CODIFIED ORDINANCE CHAPTER 1145 PLANNED DEVELOPMENTS SECTION 1145.12 ENTITLED DESIGN.

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

SECTION I: Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on July 11, 2017, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 entitled Design, and adopting new Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 entitled Design.

SECTION II: Council hereby repeals Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 entitled Design, and adopts new Oxford Codified Ordinance Chapter 1145 Planned Developments Section 1145.12 entitled Design as follows: (additions are bolded and deletions are struck through)

1145.12 DESIGN.

(a) Arrangement. The physical arrangement of a planned development is not subject to the specific dimensional regulations that apply in the underlying zoning district, except as specifically noted in this Chapter. Land uses may be distributed throughout the site and throughout individual buildings in whatever manner is best suited to a particular planned development. Structures, vehicle management areas, open spaces, landscaping, and other elements may be distributed throughout the site in whatever manner is best suited to a particular planned development and the surrounding area.

(b) Land Area. A planned development shall be a minimum of 1 (one) contiguous acre or more.

(c) Land Use.

(1) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing residential zoning district:

- A. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
- B. Institutional, public, and semi-public land uses that serve the planned development or the general public.
- C. Commercial land uses, if the total land area of the planned development is greater than 10 acres and if the commercial land use is intended to serve the planned development only. Such commercial land uses shall be limited as follows:
 1. No signs that are visible from outside of the development.
 2. No direct vehicular access to a public thoroughfare.
 3. No less than 95 percent of the total land area shall be devoted to residential land uses
 4. No separate structure intended to be used, in whole or part, for commercial land uses shall be constructed prior to the construction of not less than 50 percent of the dwelling units.

(2) The following land uses are permitted in proportion to those portions of a planned development that overlay an existing commercial zoning district:

- A. Any land use permitted in the underlying zoning district.

- B. Any land use permitted in any residential zoning district in this Code, except Mobile Homes.
- (3) The following land uses are permitted only in the portions of a planned development that overlay an existing industrial zoning district:
 - A. Any land use permitted in the underlying zoning district.
- (4) The land uses permitted in a planned development may be distributed as follows:
 - A. If a single planned development overlays more than one zoning district, then the land uses permitted according to this Section may be distributed throughout the entire planned development site.
 - B. If a planned development includes land uses permitted only in an industrial zoning district, then those land uses may only be located in that portion of the planned development that overlays the industrially zoned land.

(d) Residential Density. Residential density shall not exceed 110 percent of the density permitted in the underlying zoning district. Residential land uses in a planned development that overlays a commercial zoning district shall not exceed the density of the R1B Single-Family Medium-Density Residential Zoning District. Area devoted entirely to non-residential land uses, including buildings, vehicle management areas, and other associated land use elements shall be excluded from the area used to calculate residential density.

(e) Dimensional Regulations.

- (1) Building Heights shall be limited as in the underlying zoning district, regardless of land use.
- (2) Front setbacks shall be limited as in the underlying zoning district.
- (3) All buildings and vehicle management areas shall be setback from the perimeter of a planned development no less than:
 - A. Residential zoning district – 25 feet.
 - B. Commercial zoning district – 25 feet.
 - C. Industrial zoning district – 50 feet.

(f) Open Space.

- (1) No planned development shall have less than 20 percent open space, which includes any area not less than 50 by 50 feet, not including the required setbacks, and includes nothing other than natural area.
- (2) Lot coverage shall be regulated according to the underlying zoning district, except that lot coverage for the residential portion of any planned development shall not exceed 40 percent.

~~(g) Environmental. 100 foot natural buffer shall be maintained adjacent to all permanent and natural surface waters, springs and wetlands. Development of this area is regulated as follows:~~

- ~~(1) Natural vegetation shall be maintained.~~
- ~~(2) No structures shall be built or improvements made, except as follows:~~
 - ~~A. Walking paths, bicycling paths, and the like, including infrastructure necessary to facilitate their development are permitted anywhere within the buffer.~~
 - ~~B. Roads and associated infrastructure are permitted in the buffer to facilitate crossing such water elements.~~
 - ~~C. Any improvements approved in a final plan.~~
 - ~~D. Any public safety or public utility improvements not associated with the planned development, but deemed necessary by the Service Director or Chief of Police.~~

(g) Sensitive Development Area

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

- (B) For the Preliminary Planned Development, the applicant must create an inventory of sensitive environmental area identified in Section (D) 1-8 from publicly available resources such as OEPA, ODNR, HAPC, FEMA, USFWS, OHPO and other public entities. This information shall be provided with the preliminary application. Design of the site shall be based on site information obtained from those public entities. An existing landscape plan shall be submitted with each application. The landscape plan shall identify existing trees, natural features and other landscaping elements.
- (C) After the approval of the Preliminary Planned Development, the applicant must develop a detailed site analysis of sensitive environmental areas on the site, conducted by firm(s) that is pre-qualified by the Ohio Department of Transpiration in the areas, at a minimum: Ecological Survey, and Environmental Site Assessment. Other documentation may be required based on the site and the discretion of the Planning Commission, including, but not limited to: Stream and Wetland Mitigation, Water Way Permits, Archaeological Inventory, Historic Architecture Inventory. The applicant must also provide report of the analyses following current professional norms for the discipline. It will be the Planning Commission's role to review information submitted by the applicant on each discipline to make the recommendations to City Council.
- (D) Design of the proposed Planned Development site shall be based on the site information obtained from those public entities. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:
- (1) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Clean Water Act, as amended; and in Ohio Environmental Protection Agency standards.
 - (2) Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps. Federal Emergency Management Agency in scientific and engineering reports entitled 'Flood Insurance Study for Butler County, Ohio and Incorporated Areas' effective 12/17/2010, with accompanying Flood Insurance Rate Maps for Butler County, Ohio and Incorporated Areas effective 12/17/2010 and any revisions thereto are hereby adopted by reference and declared to be part of this chapter.
 - a. 100 foot natural buffer shall be maintained adjacent to all permanent and natural surface waters, springs, and wetlands. Development of this area is regulated as follows:
 1. Natural vegetation shall be maintained.
 2. No structures shall be built or improvements made, except as follows:
 - (a). Walking paths, bicycling paths, and the like, including infrastructure necessary to facilitate their development are permitted anywhere within the buffer.
 - (b). Roads and associated infrastructure are permitted in the buffer to facilitate crossing such water elements.
 - (c). Any improvements approved in a final plan.
 - (d). Any public safety or public utility improvements not associated with the

planned development, but deemed necessary by the Service Director or Chief of Police.

- (3) Steep slopes fifteen (15%) percent or more, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
- (4) Habitats of endangered wildlife, as identified on federal and state lists.
- (5) Historically and culturally significant structures and sites, as listed on, but not limited to, the National Register of Historical Places or on the local inventory of historic places maintained by the City of Oxford's Historic Architectural Preservation Commission.
- (6) Aquifers and tributary drainage systems.
- (7) Tree growth areas or urban forested areas as defined in Chapter 935, of the Codified Ordinance of Oxford.
- (8) Any area as identified on Map 3.3 of the Comprehensive Plan.

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

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

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

(h) Landscaping and Screening.

- (1) A planned development shall satisfy all landscaping elements required by other sections of this Code.
- (2) The required perimeter setback area shall be retained in natural woods or suitably landscaped with grass, ground cover, shrubs, trees, or earthen mound.
- (3) A planned development that overlays a commercial or industrial zoning district that is adjacent to a residential zoning district shall be screened from the residential zoning district by a dense evergreen hedge a minimum of 8 feet tall and 10 feet wide at planting and that will maintain at least 90 percent opacity over time.

(i) Access and Mobility.

- (1) At residential densities greater than would be permitted in the R-1A District, have direct and principal access from a collector or arterial road.
- (2) Bicycle rack spaces shall be provided at all planned developments that overlay a commercial zoning district at a rate of 3 per acre.
- (3) Adequate pedestrian connectivity shall be provided to and through a

planned development.

(j) Utilities and Infrastructure. Electric and telephone facilities, street light wiring, and other wiring conduits and similar facilities shall be located underground.

(k) Plan-Specific. Any other design elements deemed necessary by Planning Commission and Council to ensure that a planned development satisfies the decision criteria of this Chapter.

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

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2017-20

Date – July 11, 2017

APPLICATION

Applicant:	City of Oxford
Action Request:	ZONING CODE TEXT AMENDMENT to Amend Chapter 1145 Planned Development, 1145.12 Design, specifically 1145.12 (g) Environmental to 1145.12(g) Sensitive Development Area, City of Oxford, Applicant

DESCRIPTION

This application is a directive from Council to address the intent of the Zoning Code dealing with environmental sensitive development areas that potentially existed within a development project, as well as outline the expectations of delineating the area(s), and how to address those environmental sensitive areas in terms of development. This has been part of the effort made by the Environmental Commission (EC) to provide expertise to the Planning Commission in those sections of the Zoning Code could be strengthened, clarified and updated. This is a parallel work the EC had done with the Subdivision regulations.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1145.12(G) Sensitive Development Area.

AGENCY REVIEWS

Police:	Received with no comments
Engineering:	Abstained from comments
Econ. Dev.	Returned with comments
Fire:	Returned with comment

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

This is a directive from Council to look at sensitive development areas related to a recent development project that the site designer failed to identify important natural features to develop the preliminary layout. The City Council directed the Environmental Commission to review the Zoning Code related to environmental protection in 2016. The revised Subdivision Regulations, PC-2017-19, was the outcome of their work.

Given that the Planned Development process has also been utilized by the developers for large scale development projects and there is a very limited scope of concerns related to environmental protection clause, it also will be timely to amend the Planned Development Chapter to address the environmental sensitive development areas as well.

The work of EC on Subdivision Regulations provides a guide to update the Planned Development, so any large scale projects would need to go through the site evaluation process to discern any potential sensitive areas. It needs to be noted that both Subdivision and Planned Developments would require a two-step review process: preliminary and final before the Planning Commission and City Council. It is also important recognize that there would be significant concerns from the development community if an extensive on-site research cost is required. Therefore, the EC drafted the language in providing those

public entities that will have information readily available for free. It provides baseline information about the site for development. It also lays out the expectations of how to proceed with the site analysis and assessment, so the developer is fully aware of what to expect throughout the entire process.

Additionally, the proposed changes also would require ODOT pre-qualified firms to conduct specialized study in ecological survey or environmental site assessment for the final development if sensitive development areas have been identified. Since the approval of preliminary planned development, the developer has been a green light to further develop the construction and detailed design of the project, it would be reasonable to hire ODOT pre-qualified firms to conduct any specialized fields necessary for a clear deliberation on the scale of sensitive areas and to mitigate any negative impact the development may have to those sensitive areas.

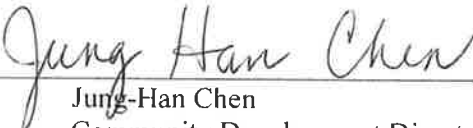
The changes being proposed are considered to be clarifications of existing language by adding more information or providing guidance as to where the information can be obtained during the preliminary phase, at a minimum cost to the developer. The impact to the developer is considered to be minimum and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

RECOMMENDATION

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

SUBMITTED

BY:


Jung-Han Chen
Community Development Director

DATE July 2, 2017

ATTACHMENT

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

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

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

Text Amendments

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

✓

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-20, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1145 Planned Development, specifically 1145.12 Design (g) Environmental, **City of Oxford, Applicant**

 X Review Revisions Other

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

.....

Drawings are returned: w/comments without/comments

(g)(D) 2D. Should include Fire Chief.

Drawings reviewed by: 

Date: 7-10-17

John Dethenage
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-20, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1145 Planned Development, specifically 1145.12 Design (g) Environmental, City of Oxford, Applicant

 X Review Revisions Other

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

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

Drawings reviewed by: _____



Date: _____

7/10/17

John A Jones

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: July 5, 2017

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2017-20, ZONING CODE TEXT AMENDMENT, to amend the Oxford Zoning Code Chapter 1145 Planned Development, specifically 1145.12 Design (g) Environmental, City of Oxford, Applicant

 X Review Revisions Other

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

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

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

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

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

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

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

Drawings reviewed by:



Date: 7-6-17



PRINTED NAME



Internal Use Only:	
Case No.	PC-2017-20
Date Filed	5/26/17

Zoning Code Text Amendment Application

Applicant Information

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

Name *	Jung-Han Chen
Mailing Address *	101 E. High Street
City, State & Zip Code *	Oxford, OH 45056
Telephone Number(s) *	513-524-5237
Email Address	jhchen@cityofoxford.org
Amendment Description *	Amend Oxford Zoning Code Chapter 1145 Planned Development, specifically 1145.12(g) Environmental

Submission Requirements and Documentation

From Section 1135.02 Procedure¹.

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

Decision Process

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

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

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

Planning Commission and Council Review

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

Fees & Receipt

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

Sign and Date

Applicant Signature *



Date *

5/14/17

Submit Application, Submission Requirements and Documentation, and Fees

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

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

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

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

For Staff Use Only

Fee Paid Date *

NA

Receipt Number *

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

CITY OF OXFORD STAFF SUMMARY REPORT

Report to City Manager

Finance

Originating Department

Council Meeting Of : 9/5/2017

Joe Newlin

Account Code No. : see below

Prepared By

Budgeted Amount : _____

8/23/2017

Date Prepared

Agenda Title:	2017 Supplemental Budget #7
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Recommendation:	Approve
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Issue 1

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

Action Needed:

Revenue Side

N/A

Expense Side

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

Net Effect on Fund Balance/(s) Increase/(Decrease)	(175,320.00)
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Issue 2

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

Action Needed:

Revenue Side

N/A

Expense Side

General (110)	4,250.00	Additional expenditures for for right-of-way (stub streets) purchases in Heritage Subdivision phase II from unencumbered balance
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Net Effect on Fund Balance/(s) Increase/(Decrease)	(4,250.00)
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Issue 3

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

Action Needed:

Revenue Side

N/A

Expense Side

Capital Equipment (140)	22,741.60	Additional appropriation for tractor & boom mower from unencumbered balance
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Net Effect on Fund Balance/(s)	(22,741.60)
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Increase/(Decrease)

Total Net Effect on Fund Balance/(s) (202,311.60)
Increase/(Decrease)

Breakdown by Fund

General (110)	(107,404.00)
Street (122)	(10,662.00)
Parking (130)	(6,890.00)
Capital Equipment (140)	(22,741.60)
Water (321)	(19,630.00)
Wastewater (331)	(23,538.00)
Refuse (341)	(2,563.00)
Fire & EMS (418)	(8,883.00)

Net Effect on Fund Balance/(s) (202,311.60)
Increase/(Decrease)

Approved By:

Department Head:

City Manager:

Initials

Date

GN 9-13-17
DRG 9/15/17

ORDINANCE NO.

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

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

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

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

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

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

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

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)