City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2019-01 **Date – January 8, 2019**

APPLICATION

Applicant:	City of Oxford
Action Request:	**ZONING MAP AMENDMENT** to establish a Neighborhood Conservation Overlay District for parcels located within the boundaries of the Heritage Vineyard Subdivision, **City of Oxford, Applicant**

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an existing R-1A (Single-Family Low Density Residential) District in what will become the Heritage Vineyard Subdivision. This residential development was approved in 2017. The owner is following through with his commitment for the overlay prior to any homes being built. The effect would be an additional restriction on the underlying zoning that would limit the number of unrelated occupants in a rented unit from currently four, to two. Families are not restricted in number.

A request to establish a neighborhood conservation overlay district was filed by the owner, Bryan Price, on October 22, 2018. A resolution was adopted by the City Council on December 4, 2018 accepting the petition and forwarding this request to the Planning Commission. This is the 18th such overlay since 2014. The proposed overlay abuts an existing 2015 overlay covering Country Club Drive and Olde Farm Road. This overlay, if approved, would cover the entire Heritage Vineyard subdivision, which will be 50 home lots, when fully developed.

ZONING CODE

The Oxford Zoning Ordinance Chapter 1146 governs the establishment of the Neighborhood Conservation Overlay District.

COMPREHENSIVE PLAN

In the Overview Section of Chapter 7, Housing, in the Comprehensive Plan, residents echoed the same sentiments that Oxford has a unique housing market involving a large rental population that limits opportunities for family housing options and changes the community character, specifically within the Mile Square. The public input sessions also pointed out the lack of housing opportunities for families and the hope to encourage owner-occupied housing and promote the return of full-time residents to the area. The Comprehensive Plan does not explicity point to the establishment of an overlay district to encourage owner-occupied neighborhoods, but several objectives and strategies are relevant to this idea of maintaining traditional neighborhoods and owner-occupied residential dwellings.

Objective Expand Housing options

H2.1 Update development regulations to allow for a variety of housing types in new developments.

H2.4 Provide financial assistance to increase homeownership opportunities for low and moderate income residents.

Objective: Expand homeownership opportunities

H5.1 Encourage local employers to provide homeownership incentives.

H5.2 Encourage rehabilitation of owner-occupied structures within the Mile Square.

H5.3 Create an urban homeownership incentive program such as homeownership grants to help offset the cost of housing.

H5.4 Develop a revolving loan fund.

H5.5 Establish an Oxford Homeownership Office in partnership with Miami University.
H5.6 Support the University loan program to increase homeownership opportunities within the Mile Square.

AGENCY REVIEWS

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

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

PUBLIC NOTICE

Notification was placed in the newspaper, mailed to property owners and a sign was placed in the neighborhood. One response to the mailed notice is included.

DECISION CRITERIA

A copy of the Decision Criteria for Overlay District is attached.

ANALYSIS

The idea of the neighborhood conservation overlay district was to preserve neighborhoods from converting to predominately rental property. The Housing Advisory Commission originally recommended the program to Planning and City Council. The Planning Commission went through extensive discussion about the concept for this in 2012. It was designed to provide a mechanism for neighborhoods to initiate a grass roots movement to organize together petitioning City Council for the consideration of placing more restrictions on the underlying district. The additional restriction is to reduce the allowed number of unrelated occupants from four to two. This overlay does not prevent rentals; but it does further restrict rentals. Existing rentals are allowed to continue and rentals to families of unlimited size are not restricted.

The overlay district is not uncommon in the land use arena to put in place a specific set of regulations that are more stringent than the underlying district in order to accomplish specific objectives. The most commonly used overlay district is for historic areas. Others are used for specific design standards to promote some uniformity in certain specific subset areas.

Many neighborhoods have gone through this process since the adoption of this enabling legislation in 2013. As of today, there have been 17 different neighborhoods throughout the City that have obtained the overlay district designation. These neighborhoods are typically located outside of the Mile Square.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the request on December 4, 2018 and forwarded the request to the Planning Commission for Zoning Map Amendment consideration. It was discussed that this request was unusual because it did not take the form of a petition due to no homes existing as of yet. However it was determined by Staff and Law Director that this was acceptable.

There are specific attached decision standards that the Planning Commission should reference in decision making. The Planning Commission also shall consider the purpose and objectives of the overlay district which are to achieve the privacy of residents and to minimum noise, congestion and nuisance impact by excessive renters and to maintain an attractive community appearance and provide a desirable living environment and finally to prevent excessive traffic and parking problems in the neighborhood.

The petition met the boundary requirements as stipulated in the Chapter 1146.03(h). The petition also met the minimum two-thirds requirements of owner signatures within the proposed boundary because there is only one owner of all properties at this time.

Please note that this process is a neighborhood driven process beginning with a petition to the City Council and followed with a public hearing before the Planning Commission for a Map Amendment

recommendation. The City Council may waive certain requirements after a positive recommendation from the Planning Commission. This process is far lengthier than normal map amendment process and has additional decision standard thresholds to meet.

RECOMMENDATION
Staff recommends the Planning Commission approval of this amendment and to forward this request back to City Council for legislative action.

SUBMITTED
BY:

Sam Perry

Sam Perry, AICP
Community Development Director

DATE: January 3, 2019

ATTACHMENT

Chapter 1135 Zoning Map Amendment procedures and decision standards

(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 to 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.

Planning Commission must utilize the Chapter 1146 Specific Decision Standards to consider the Neighborhood Conservation Overlay District and they are as follows:

1146.03(2) b Decision Standards for Considering Overlay District:

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

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-01, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District for parcels located within the boundaries of the Heritage Vineyard Subdivision, **City of Oxford, Applicant**

____X_____ Review _____ Revisions _____Other

Please return no later than: **January 7, 2019** 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: 12-10-18

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

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Drawings reviewed by: Scott Otto Date: 12/31/18

Scott Otto
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

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Drawings reviewed by: _____ Date: 12/17/18

John Jones
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-01, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District for parcels located within the boundaries of the Heritage Vineyard Subdivision, **City of Oxford, Applicant**

____X_____ Review _____ Revisions _____Other

Please return no later than**: January 7, 2019** 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: 12-17-18

G. ALAN KYCER
PRINTED NAME

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

PC-2019-01
Surrounding Property Owners Notifications Map

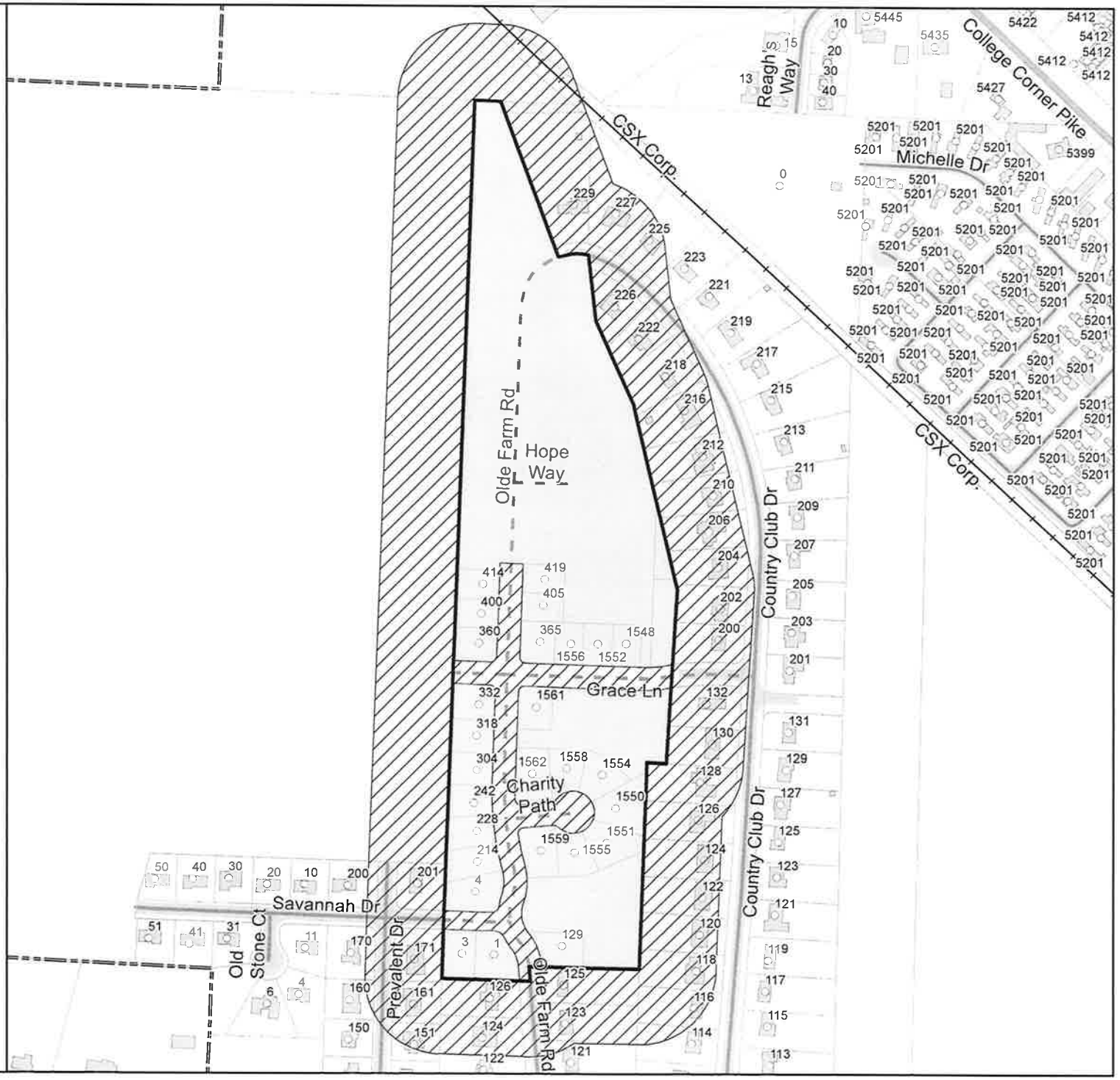
Legend

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

1 inch = 350 feet

Prepared on Friday, December 21, 2018

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.



CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

CITY OF OXFORD
PLANNING COMMISSION
REVIEW AND COMMENT FORM

CASE NO.: PC-2019-01 **DATE OF HEARING: January 8, 2019 7:00 p.m.**

ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District for parcels located within the boundaries of the Heritage Vineyard Subdivision, in the area of Olde Farm Road and Country Club Drive, **City of Oxford, Applicant**

If you cannot attend this public hearing being held before the City of Oxford Planning Commission, but would like to comment on this matter, please complete this form and return it at your earliest convenience to Lynn Taylor, 15 S. College Avenue, Oxford, OH 45056.

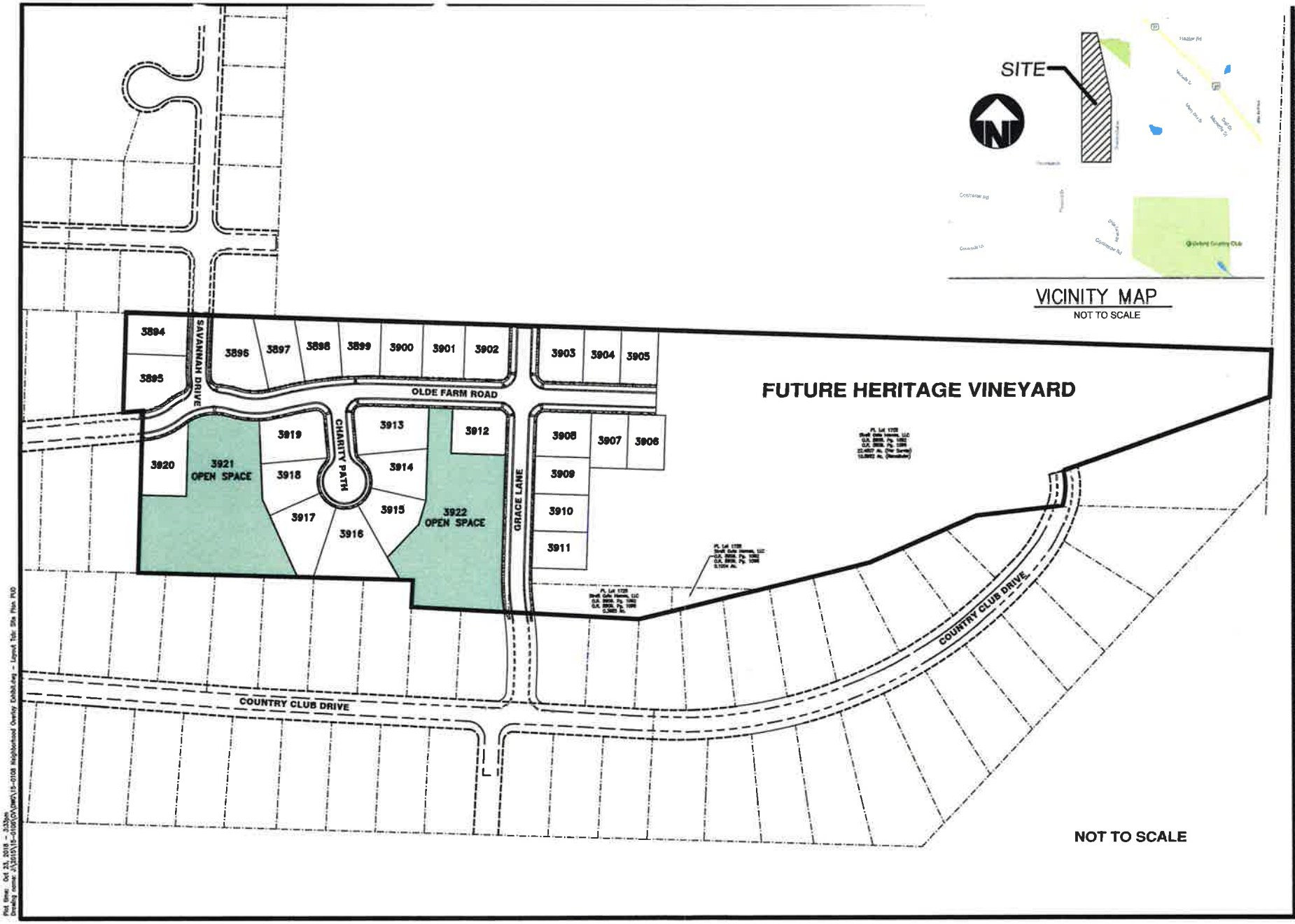
Name: Dwight D. Wynn & Cynthia M. Wynn
(Print)
Address: 126 Olde farm Rd.
Oxford, Ohio 45056-9003

Telephone: Home: 523-1247 Cell Work: 255-3212

COMMENT: This is OK

Cynthia M. Wynn
Dwight D. Wynn
Signature

12-28-18
Date



HERITAGE VINEYARD

CITY OF OXFORD, BUTLER COUNTY, OHIO
SECTION 21, TOWN 5, RANGE 1

NEIGHBORHOOD OVERLAY EXHIBIT

bayer becker

1/1

STRAIT GATE HOMES
4676 Somerville Road • Oxford, Ohio 45056
Office / Fax 513-523-1212 • Cell 513-615-4138

October 22, 2018

Mr. Sam Perry
Community Development Director
15 S. College Avenue
Oxford, Ohio 45056

Re: Heritage Vineyard
Neighborhood Conservation Overlay District

Dear Mr. Perry,

Pursuant to Oxford Zoning Code Chapter 1146, Strait Gate Homes LLC requests City Council to accept this letter as their petition for the initiation of a Zoning Map amendment to create a Neighborhood Conservation Overlay District within the boundaries of the Heritage Vineyard subdivision. Said Overlay District would limit the use of the lots to not more than two unrelated persons per dwelling unit. An exhibit showing the boundary of the Heritage Vineyard Subdivision is enclosed.

Should you have any questions or need any additional information, please do not hesitate to contact us.

Sincerely,

Bryan Price
Strait Gate Homes LLC

Enclosure

Cc: Etta Reed, Bayer Becker

RESOLUTION NO. 7031

RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR PARCELS LOCATED WITHIN THE HERITAGE VINEYARD SUBDIVISION AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

WHEREAS, the Clerk of Council and the Community Development Director having determined pursuant to Oxford Codified Ordinance §1146.03(b) that the Petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto conforms to the petition requirements of Oxford Codified Ordinance §1146.03 and recommends that the petition be referred to the Oxford Planning Commission to make recommendations to City Council.

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

SECTION 1: City Council accepts the recommendation of the Clerk of Council and the Community Development Director and further refers the petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto to the Oxford Planning Commission to make recommendations to City Council.

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

Kate Rousmaniere
MAYOR

ADOPTED: December 4, 2018

ATTEST: Mary Ann Eaton
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

Internal Use Only:	
Case No.	PC-2019-01
Date Filed	11/30/18

Zoning Map Amendment Application

Applicant Information

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

Name * City of Oxford

Mailing Address * 15 S College

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 513-524-5204

Email Address sperry@cityofoxford.org

Location and Lot Information

Location * Heritage Vineyard Subdivision

General Description of Proposed Amendment * To establish a neighborhood overlay

Current Zoning * R1A

Proposed Zone(s) * R1A/Neighborhood Conservation District

Submission Requirements and Documentation

From Section 1135.02 Procedure[1].

(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 Standards[1].

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 * Sam Perry

Date * 12-4-18

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, 15 South College Avenue, Oxford, OH 45056.

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

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

[1] City of Oxford Codified Ordinances: http://www.cityofoxford.org/fees-ordinances-and-charter
[2] Butler County Auditor Real Estate Search: http://www.butlercountyauditor.org/

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2019-02 **Date – January 8, 2019**

APPLICATION

Applicant:	City of Oxford
Action Request:	**ZONING MAP AMENDMENT** to establish a Neighborhood Conservation Overlay District for 10 parcels located at the northeast corner of Chestnut and Oak Streets, **City of Oxford, Applicant**

DESCRIPTION

The proposed map amendment is to establish a Neighborhood Conservation Overlay District in an existing MU (Miami University) District. The MU district is a district that contains a mixture of University-owned land and private proprety near University-owned land. The proposed district of 10 parcels contains 5 homes. The effect of this overlay would be an additional restriction on the underlying zoning that would limit the number of unrelated occupants in a rented unit from currently four, to two. Families are not restricted in number.

A petition to establish a neighborhood conservation overlay district was filed by one of the residents, Jim Michael, on October 15, 2018. Nine of the ten parcel owners signed the petition, which exceeds the two-thirds requirement. A resolution was adopted by the City Council on December 4, 2018 accepting the petition and forwarding this request to the Planning Commission. This is the 19th such overlay request since 2014. There are two existing neighborhood overlays across the street, which are located on the south side of East Chestnut Street.

ZONING CODE

The Oxford Zoning Ordinance Chapter 1146 governs the establishment of the Neighborhood Conservation Overlay District.

COMPREHENSIVE PLAN

In the Overview Section of Chapter 7, Housing, in the Comprehensive Plan, residents echoed the same sentiments that Oxford has a unique housing market involving a large rental population that limits opportunities for family housing options and changes the community character, specifically within the Mile Square. The public input sessions also pointed out the lack of housing opportunities for families and the hope to encourage owner-occupied housing and promote the return of full-time residents to the area. The Comprehensive Plan does not explicity point to the establishment of an overlay district to encourage owner-occupied neighborhoods, but several objectives and strategies are relevant to this idea of maintaining traditional neighborhoods and owner-occupied residential dwellings.

Objective Expand Housing options

H2.1 Update development regulations to allow for a variety of housing types in new developments.

H2.4 Provide financial assistance to increase homeownership opportunities for low and moderate income residents.

Objective: Expand homeownership opportunities

H5.1 Encourage local employers to provide homeownership incentives.

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H5.5 Establish an Oxford Homeownership Office in partnership with Miami University.

H5.6 Support the University loan program to increase homeownership opportunities within the Mile Square.

AGENCY REVIEWS

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

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

PUBLIC NOTICE

Notification was placed in the newspaper, mailed to property owners and a sign was placed in the neighborhood. No written responses were received as of this date.

DECISION CRITERIA

A copy of the Decision Criteria for Overlay District is attached.

ANALYSIS

The idea of the neighborhood conservation overlay district was to preserve neighborhoods from converting to predominately rental property. The Housing Advisory Commission originally recommended the program to Planning and City Council. The Planning Commission went through extensive discussion about the concept for this in 2012. It was designed to provide a mechanism for neighborhoods to initiate a grass roots movement to organize together petitioning City Council for the consideration of placing more restrictions on the underlying district. The additional restriction is to reduce the allowed number of unrelated occupants from four to two. This overlay does not prevent rentals; but it does further restrict rentals. Existing rentals are allowed to continue and rentals to families of unlimited size are not restricted.

The overlay district is not uncommon in the land use arena to put in place a specific set of regulations that are more stringent than the underlying district in order to accomplish specific objectives. The most commonly used overlay district is for historic areas. Others are used for specific design standards to promote some uniformity in certain specific subset areas.

Many neighborhoods have gone through this process since the adoption of this enabling legislation in 2013. As of today, there have been 17 different neighborhoods throughout the City that have obtained the overlay district designation. These neighborhoods are typically located outside of the Mile Square.

Based on the Neighborhood Conversation Overlay District requirements, the City Council accepted the petition on December 4, 2018 and forwarded the petition to the Planning Commission for Zoning Map Amendment consideration.

There are specific attached decision standards that the Planning Commission should reference in decision making. The Planning Commission also shall consider the purpose and objectives of the overlay district which are to achieve the privacy of residents and to minimum noise, congestion and nuisance impact by excessive renters and to maintain an attractive community appearance and provide a desirable living environment and finally to prevent excessive traffic and parking problems in the neighborhood.

Please note that this process is a neighborhood driven process beginning with a petition to the City Council and followed with a public hearing before the Planning Commission for a Map Amendment recommendation. The City Council may waive certain requirements after a positive recommendation from the Planning Commission. This process is far lengthier than normal map amendment process and has additional decision standard thresholds to meet. It is a process that the neighborhood has taken seriously and the neighbors have demonstrated their commitment to preserve their neighborhood and to maintain their neighborhood character by going through this extra step to initiate.

RECOMMENDATION

Staff recommends the Planning Commission approval of this amendment and to forward this request back to City Council for legislative action.

SUBMITTED
BY:

Sam Perry, AICP
Community Development Director

DATE: January 3, 2019

ATTACHMENT

Chapter 1135 Zoning Map Amendment procedures and decision standards

(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.

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Planning Commission must utilize the Chapter 1146 Specific Decision Standards to consider the Neighborhood Conservation Overlay District and they are as follows:

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1. The proposed Overlay District meets the boundary criteria.
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4. The proposed Overlay District will promote and implement the intent of the Comprehensive Plan.
5. The proposed Overlay District will satisfy a legitimate need.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-02, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an MU (Miami University) District, in the area of Northeast Corner of Chestnut and Oak Streets, for a total of 10 parcels, **City of Oxford, Applicant**

____X_____ Review _____ Revisions _____Other

Please return no later than: **January 7, 2019** 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: 12-10-18

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

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Drawings reviewed by: Scott Otto Date: 12/31/18

Scott Otto
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-02, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an MU (Miami University) District, in the area of Northeast Corner of Chestnut and Oak Streets, for a total of 10 parcels, **City of Oxford, Applicant**

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Please return no later than: **January 7, 2019** 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: 12/17/18

John Jones
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-02, ZONING MAP AMENDMENT, to establish a Neighborhood Conservation Overlay District in an MU (Miami University) District, in the area of Northeast Corner of Chestnut and Oak Streets, for a total of 10 parcels, **City of Oxford, Applicant**

____X_____ Review _____ Revisions _____Other

Please return no later than: **January 7, 2019** 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: 12-17-18

_____
PRINTED NAME

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

PC-2019-02
Surrounding Property Owners Notifications Map

Legend

- Neighborhood Conservation District Boundary
- Subject Parcels
- 200 Ft. Buffer
- Oxford Corp. Limit
- Address Point
- Parcel
- 16.5' Vacated ROW
- Building Footprint
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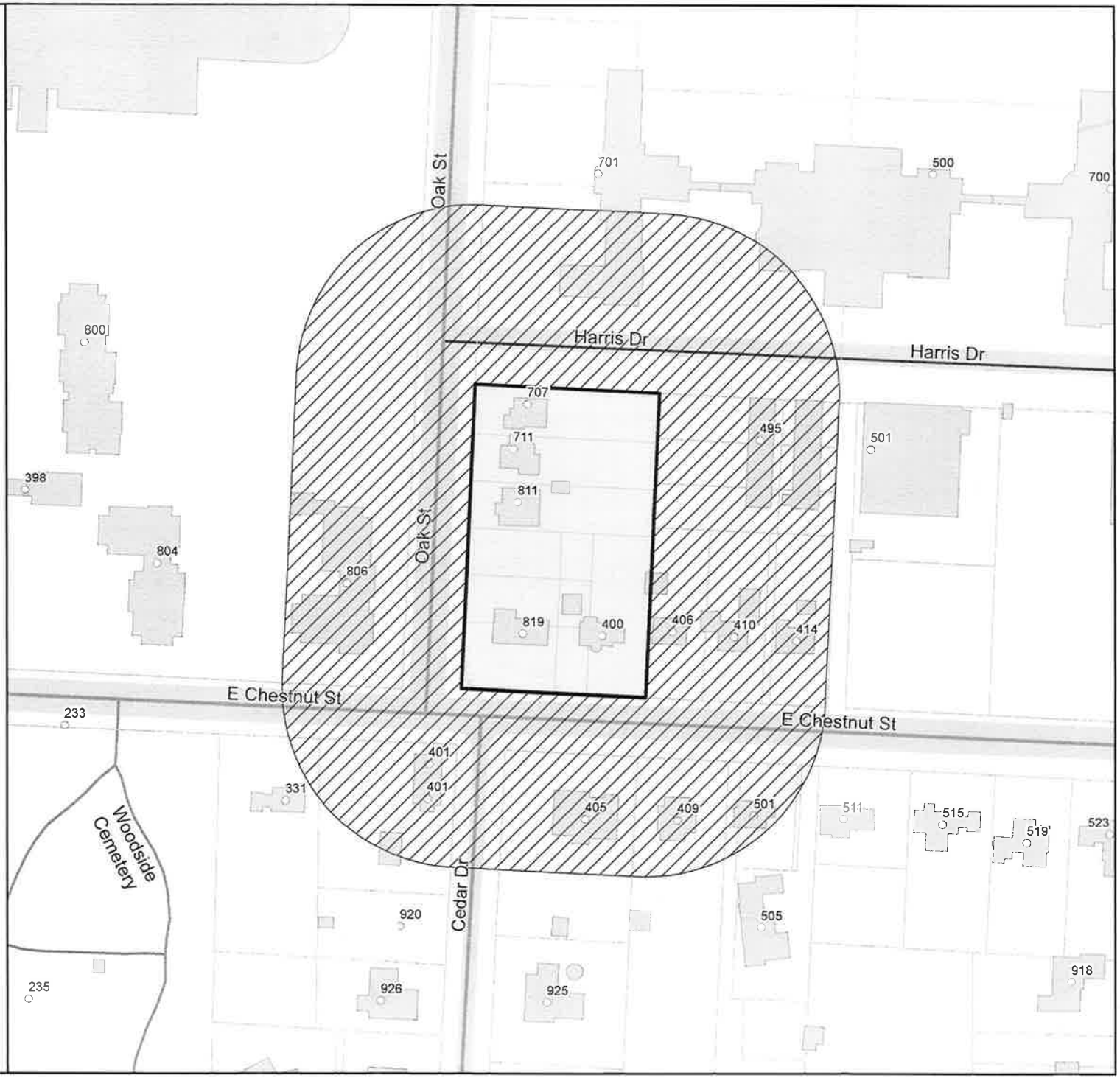


1 inch = 150 feet

Prepared on Friday, December 21, 2018

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.

Oak St
Harris Dr
707
711
811
819
400
Oak St
E Chestnut St
E Chestnut St
Cedar Dr

RESOLUTION NO. 7030

RESOLUTION OF COUNCIL ACCEPTING THE PETITION AS REQUIRED BY OXFORD CODIFIED ORDINANCE §1146.03 TO ESTABLISH A NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT FOR PARCELS ON CHESTNUT STREET AND ON OAK STREET AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND REFERRING THE PETITION TO THE OXFORD PLANNING COMMISSION FOR RECOMMENDATIONS TO CITY COUNCIL.

WHEREAS, the Clerk of Council and the Community Development Director having determined pursuant to Oxford Codified Ordinance §1146.03(b) that the Petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto conforms to the petition requirements of Oxford Codified Ordinance §1146.03 and recommends that the petition be referred to the Oxford Planning Commission to make recommendations to City Council.

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

SECTION 1: City Council accepts the recommendation of the Clerk of Council and the Community Development Director and further refers the petition to establish a Neighborhood Conservation Overlay District as set forth on Exhibit "A" attached hereto to the Oxford Planning Commission to make recommendations to City Council.

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

Kate Rousmaniere
MAYOR

ADOPTED: December 4, 2018

ATTEST: MaryAnn Eaton
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: KATE ROUSMANIERE

PREPARED BY: LAW (STAFF)

TO: **Oak / Chestnut Corner Property Owners**

RE: **PETITION FOR RESIDENTIAL CONSERVATION OVERLAY**

DATE: **OCTOBER 2018**

PROPOSED: That Oak / Chestnut Corner Property Owners apply for a change of zoning to apply a neighborhood conservation overlay district. **This proposed zoning limits the number of persons in a dwelling to no more than two unrelated individuals.** If the zoning is approved, homeowners may rent property but **are limited to two unrelated persons who may live in the house.** This would still allow ownership or rental of the property to a large family, a couple, one person, or two unrelated persons.

The purposes of the Conservation Neighborhood Overlay Zoning as set forth in the ordinance are:

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

Current zoning: The current zoning for our area is "single family residence", defined as no more than FOUR unrelated people living in a dwelling.

Process for a neighborhood to achieve overlay zoning:

1. In order for our neighborhood to achieve this zoning, we must submit a petition bearing signatures of the owners of at least **2/3 of the parcels (7 of 10 parcels) within 6 months of the earliest signature.**
2. If the City Clerk and the Community Development Department find the petition to be sufficient, the petition is placed before City Council for acceptance and referral to the Planning Commission.
3. If the Planning Commission recommends approval of the petition, it is returned to City Council for review and approval.
4. The entire process takes about three months.

A neighborhood resident will be contacting you soon with the opportunity to sign the petition. The signer of the petition must be the homeowner (if jointly owned, only one needs to sign). You may contact the following for information.

James E. Michael, 819 Oak Street, 523-3129

Petition for Oak Chestnut Neighborhood Conservation Overlay District, Oxford, Ohio

Petition Initiator: Jim Michael, 819 Oak Street

I, the undersigned, do hereby state that I am an owner of a property within the boundaries designated by the petition and that my residence is truly stated in opposite by the signature below.

This petition, if adopted, would allow the petitioners to initiate a zoning map amendment pursuant to Chapter 1146 of the city's zoning code to restrict any property within the district to be rented to no more than two unrelated individuals. This petition will not affect properties already licensed.

Please see attached map for boundaries.

Date	Address	Name(s)	Signature	Notes
10/2/18	400 E CHESTNUT ST/ H4100107000018	JEFFREY J AND MOLLY J WANKO	Molly J. Wanko	
10/2/18	E CHESTNUT ST/ H4100107000019	JEFFREY J AND MOLLY J WANKO	Molly J. Wanko	
10/2/18	E CHESTNUT ST/ H4100107000022	JEFFREY J AND MOLLY J WANKO	Molly J. Wanko	
10/2/18	400 E CHESTNUT ST/ H4100107000023	JEFFREY J & MOLLY J WANKO	Molly J. Wanko	
10/3/18	707 OAK ST/ H4000107000036	PRESIDENT & TRUSTEES OF THE MIAMI UNIVERSITY OXFORD OHIO		DID NOT SIGN
10-12-18	711 OAK ST/ H4000107000035	CLAWSON PROPERTIES II LLC	Clawson Properties II LLC Barbara B. Clawson	
10-2-18	811 OAK ST/ H4100107000034	JOAN E PARKS	Joan E. Parks	
10-2-18	819 OAK ST/ H4100107000017	JAMES E & SARAH K MICHAEL TRS	Sarah K. Michael TTEE	
10-2-18	OAK ST/ H4100107000021	JAMES E & SARAH K MICHAEL TRS	Sarah K. Michael TTEE	
10-2-18	OAK ST/ H4100107000020	JAMES E & SARAH K MICHAEL TRS	Sarah K. Michael TTEE	

OXFORD ZONING PETITION FOR RESIDENTIAL CONSERVATION OVERLAY DISTRICT

THE PETITION IS SUBMITTED PURSUANT TO OXFORD ZONING CODE CHAPTER 1146 TO REQUEST CITY COUNCIL TO INTRODUCE AN ORDINANCE ACCEPTING A PETITION WHICH WOULD ALLOW THE INITIATION OF A ZONING MAP AMENDMENT TO CREATE A DISTRICT WITHIN THE DESCRIBED BOUNDARIES WHICH WOULD RESTRICT THE ABILITY OF PROPERTY OWNERS TO RENT THEIR PROPERTY TO MORE THAN TWO UNRELATED INDIVIDUALS.

THIS PETITION, IF ADOPTED, WOULD ALLOW THE PETITIONER TO INITIATE A ZONING MAP AMENDMENT TO RESTRICT ANY PROPERTY WITHIN THE DISTRICT TO BE RENTED TO NO MORE THAN TWO UNRELATED INDIVIDUALS. THIS PETITION WILL NOT AFFECT PROPERTIES ALREADY LICENSED.

PLEASE SEE THE ATTACHED MAP FOR EXACT BOUNDARIES:

EAST BOUNDARY: East sides of 400 E. Chestnut and 707, 711 and 811 Oak Street

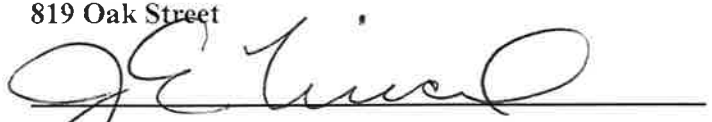
NORTH BOUNDARY: North side of 707 Oak Street

WEST BOUNDARY: Oak Street

SOUTH BOUNDARY: Chestnut Street

CIRCULATOR'S FULL NAME: James E. Michael

CIRCULATOR'S ADDRESS: 819 Oak Street

CIRCULATOR'S SIGNATURE:  **DATE SUBMITTED:** 10/15/18

(THE PETITION MUST CONTAIN THE SIGNATURE OF AN OWNER OR RECORD OF AT LEAST TWO-THIRDS OF THE PARCELS WITHIN THE PROPOSED DISTRICT. SIGNATURES OVER SIX MONTHS OLD ARE VOID.)

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

Internal Use Only:	
Case No.	PC-2019-02
Date Filed	11/30/18

Zoning Map Amendment Application

Applicant Information

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

Name * City of Oxford

Mailing Address * 15 S. College

City, State & Zip Code * Oxford OH 45056

Telephone Number(s) * 513-524-5204

Email Address sperry@cityofoxford.org

Location and Lot Information

Location * NE Corner of Chestnut and Oak Streets

General Description of Proposed Amendment * To establish a neighborhood overlay

Current Zoning * MU District

Proposed Zone(s) * MU / Neighborhood Conservation District

Submission Requirements and Documentation

From Section 1135.02 Procedure[1].

(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 Standards[1].

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 * Sam Perry

Date * 12-4-18

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, 15 South College Avenue, Oxford, OH 45056.

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

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

[1] City of Oxford Codified Ordinances: http://www.cityofoxford.org/fees-ordinances-and-charter
[2] Butler County Auditor Real Estate Search: http://www.butlercountyauditor.org/

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

Community Development Department
Phone: 513-524-5204

December 6, 2018

Mr. Scott Webb
103 W. Walnut Street
Oxford, OH 45056

Re: PC-2018-30-ADM Minor Amendment to an Approved Final Planned Development
Stewart Square
Ordinance No. 2857

Dear Mr. Webb:

Your request dated November 29, 2018, for a Minor Change to an Approved Planned Development, to modify a patio located at 325 S. College Avenue, has been approved administratively.

The Minor Changes to the site include:

1. Covering the existing rear patio with a roof, and
2. Installing two overhead glass doors

The Stewart Square Planned Development was originally approved in 2005 as Ordinance #2857. The Zoning Administrator reviewed the original plans and ordinance and administratively approved the proposed changes based upon the following criteria being satisfied per Section 1145.10(a) of the City of Oxford Planning and Zoning Code:

1. There is no change in use;
2. The proposed construction is of a magnitude that will not substantially alter the appearance of the development from off of the site;
3. The proposed construction will not substantially or detrimentally affect the provision of public services to the site or general vicinity;
4. The proposed construction will not substantially or detrimentally increase potential demand on public or private utilities;
5. The proposed construction is not of a scope, scale, or character, that would cause a negative impact on adjoining properties and neighborhood; and
6. The proposed construction is not contrary to and in no way diminish the intent of the originally approved plan.

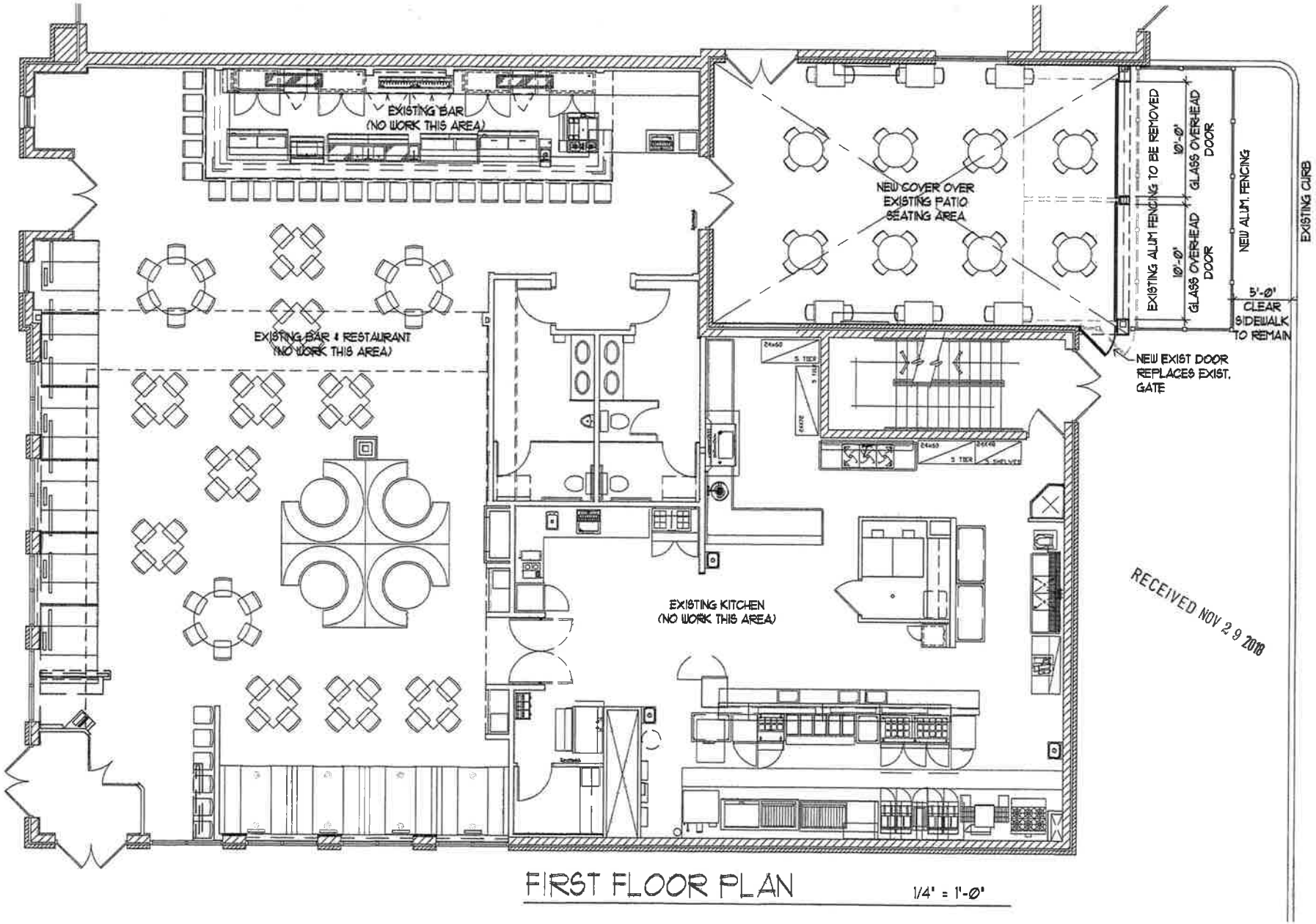
If you have any questions or need additional information, please call the Community Development Department at 524-5204.

Sincerely,

Sam Perry, AICP
Community Development Director

William Snavely
Planning Commission Chair

cc: File



FIRST FLOOR PLAN 1/4" = 1'-0"

STATE OF OHIO
L. SCOTT WEBB
11193
REGISTERED ARCHITECT

SCOTT WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

PROPOSED ROOF OVER EXISTING PATIO

Scotty's Brewhouse

STEWART SQUARE
325 SOUTH COLLEGE
OXFORD, OHIO 45056

DATE
November 29, 2018
REVISIONS

A-2

NEW ROOF OVER EXISTING PATIO SEATING AREA

RECEIVED NOV 29 2018

STATE OF OHIO
L. SCOTT WEBB
11193
REGISTERED ARCHITECT

SCOTT WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

PROPOSED ROOF OVER EXISTING PATIO

Scotty's Brewhouse

STEWART SQUARE
325 SOUTH COLLEGE
OXFORD, OHIO 45056

DATE
November 29, 2018
REVISIONS

A-1

Sam Perry
Community Development Director
City of Oxford
Municipal Building
15 South College Ave.
Oxford, Ohio 45056

RECEIVED NOV 2 9 2018

SCOTT
WEBB
ARCHITECT
103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838
www.scottwebbarchitect.com

Re: Proposed Change to Planned Development
New Roof over Existing Patio
Scotty's Brewhouse
Stewart Square
South College & Spring Streets

November 29, 2018

Dear Sam,

As you know, Stewart Square was a Planned Development that has been modified a few times since the 2005 approval. My clients are now contemplating a change to the Patio at Scotty's Brewhouse, covering it with a roof, and installing overhead doors to make the patio usable for 3 seasons.

As a Minor Change to a Planned Development, we are asking for the addition of a projecting corner sign as shown.

1145.10 Changes to a Planned Development

The definition of a Minor Change to a Planned Development is clearly outlined in this chapter of the Zoning Code, and as decisions standards, are addressed as follows:

(1) *Does not change the Use*

The use of the property and the patio itself does not change.

(2) *Are of a magnitude that will not substantially alter the appearance of development from off of the site*

The area under consideration is currently seating for the restaurant, and would remain so. The proposed enclosure would not substantially alter the appearance of the development from off the site, as it is currently located away from the street and enclosed on three sides.

(3) *Will not substantially or detrimentally affect the provision of public services to the site or general vicinity*

The proposed minor changes will not change the provision of public services

(4) *Will not substantially or detrimentally increase potential demand on public or private utilities.*

The proposed minor changes will not change the provision of public utilities.

(5) *Are not of a scope, scale, or character that would cause a negative impact on adjoining properties or the neighborhood.*

The addition of this enclosure would not affect adjoining properties or the neighborhood.

(6) *Are not contrary to and in no way diminish the intent of the originally approved plan.*

The proposed enclosure does not change the intent of the originally approved plan.

Thank you for your consideration of this proposal. If you have any questions or need any additional information, please call.

Respectfully,

Scott Webb, Architect

Pa-16-05

ORDINANCE NO. 2857

ORDINANCE APPROVING THE PLANNING COMMISSION RECOMMENDATION FOR APPROVAL OF THE FINAL PLANNED DEVELOPMENT AT THE FORMER STEWART SCHOOL SITE TO ALLOW A MIXED USE DEVELOPMENT WITH COMMERICIAL AND RESIDENTIAL USES.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on July 12, 2005, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of HDS, LLC/Jim Clawson, applicant, for approval of a Planned Development at the former Stewart School site, corner of College Avenue and Spring Street to allow a mixed use development of commercial and residential uses.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the requirements of Chapter 1145 of the Oxford Zoning Code and recommended approval of the Planned Development application for the Stewart School site with the following conditions:

a. There shall be a paved connection between the access drive and 16 ½ ft. Heather Lane (northern section) so that all of Heather Lane, whether on the site or other public or private property, is paved.
b. The developer shall work with staff to enlarge the corners at College and Spring.
c. The Commission accepts the findings of the traffic impact study and authorizes staff to determine the best implementation.
d. Phase 2 shall continue the architectural design and integrity of Phase I and shall be legally recorded with the subdivision in a manner acceptable to staff.
e. Phase I shall be substantially operational within 2 years and Phase II within 3 years.
f. The final central park plan is subject to approval by city staff and should attempt to maximize green space.
g. There shall be a paved connection for a multi-use path between the site and the 9.9 foot Heather Lane (southern section) so that all of 9.9 foot wide Heather Lane, whether on the site or other public or private property, is paved.
h. All required improvements by condition or as shown on submitted materials by the applicant shall be constructed and executed at the sole expense of the applicant.

i. All other material uses, phase schedules, designs, etc. shall be adhered to as submitted by the applicant.

j. The structure shall be designed with fitted suppression doors between the structures to allow for emergency egress but not general use.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and incorporates the same herein and further grants the Final Planned Development application for the Stewart School Site, corner of College Avenue and Spring Street to allow a mixed use development with commercial and residential uses as proposed by the applicant.

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

MAYOR

ADOPTED: August 16, 2005

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: STEVE FLEE

PREPARED BY: LAW(STAFF)

ORDINANCE NO. 2851

ORDINANCE APPROVING THE PLANNING COMMISSION RECOMMENDATION FOR PRELIMINARY APPROVAL OF THE PLANNED DEVELOPMENT AT THE FORMER STEWART SCHOOL SITE TO ALLOW A MIXED USE DEVELOPMENT WITH COMMERICIAL AND RESIDENTIAL USES.

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

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on April 12, 2005, in accordance with Section 1145 of the Codified Ordinances of the City of Oxford, on the application of HDS, LLC/Jim Clawson, for approval of a Planned Development at the former Stewart School site, corner of College Avenue and Spring Street to allow a mixed use development of commercial and residential uses.

SECTION 2: The Planning Commission, after due deliberation found the application satisfies the code requirements in Chapter 1145 of the Oxford Zoning Code and recommended approval of the Planned Development application for the Stewart School site.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and further approves the Planned Development application for the Stewart School Site, corner of College Avenue and Spring Street to allow a mixed use development with commercial and residential uses based on the submittals of the applicant that are incorporated and made a part of this approval:

a. Preliminary Planned Development application, received on February 28, 2005.
b. Applicant statement and area calculations, dated February 28, 2005.
c. Site plan.
d. Elevations.
e. The preliminary approval is valid for no longer than 2 years for submission and approval of all final phases.

PC-12-05

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

MAYOR

ADOPTED: May 17, 2005

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: STEVE FLEE

PREPARED BY: LAW(STAFF)

City of Oxford
Community Development Department
STAFF REPORT
Planning Commission

Case # PC-2019-03 **Date – January 8, 2019**

APPLICATION

Applicant:	City of Oxford
Action Request:	**PC-2019-03, ZONING CODE TEXT AMENDMENT,** Chapter 1145, Planned Developments, updating application submittal requirements and clarifying the 2008 Comprehensive Plan goals of housing type diversity and affordability , **City of Oxford, Applicant**

DESCRIPTION

This application is part of an ongoing effort to promote housing type diversity and affordability of housing in Oxford. The Comprehensive Plan includes a chapter on "Housing" which highlights a goal of "Livable, attractive and affordable housing for a diverse population." However, some recent developments have focused on one housing type and market segment to the exclusion of others. The Housing Advisory Commission developed the proposed language to make housing diversity more explicit within Chapter 1145 Planned Developments goals, application, and site planning requirements.

ZONING CODE

The attached text amendment illustrates changes to Chapter 1145 Planned Developments, including 1145.01 Purpose and 1145.05 Application.

2008 COMPREHENSIVE PLAN

Land Use Element:

Goal: Managed growth to ensure small town character, green areas and preserved farmland.

- Objective 9: Create new residential areas with traditional neighborhood qualities
    - LU 9.4 Create standards or modify existing standards, to allow for a mix of housing types within neighborhoods.

Housing Element

Goal: Livable, attractive and affordable housing for a diverse population.

- Objective 2: Expand housing options. (See full text)
- Objective 6: Provide diverse housing opportunities. (See full text)

AGENCY REVIEWS

Police:	Received without comment
Engineering:	Received with comments attached
Econ. Dev.	Received with comments attached
Fire:	Received without comment

DECISION CRITERIA

A copy of the Text Amendment Decision Criteria is attached.

ANALYSIS

The Comprehensive Plan of 2008 includes a goal of "Livable, attractive and affordable housing for a diverse population."

The Housing Advisory Commission (HAC) has the stated mission "to foster an environment in which all current and future residents of Oxford will have an opportunity to own or rent a home. The Commission will accomplish this through research, education and advocacy, focusing on: affordable housing, intergenerational housing, senior housing, rental housing, other diverse housing opportunities, and encouraging the use of sustainable building Practices to provide an improved quality of life in Oxford, especially the Mile Square."

While these are longstanding goals, to date there are few mechanisms within the City of Oxford Planning and Zoning Code to influence diversity and affordability in housing provision, beyond that intrinsic to different zoning districts (e.g. single family, multi-family, etc.). Market forces have typically generated developments targeting a single market segment, most often focused on student rental housing. As a result, new developments often include a narrow range of dwelling types, some of which (e.g. four bedroom, four bathroom) are adapted only to a limited market demographic. Lack of diversity in dwelling types poorly serves the need for diverse housing options, now and in the future.

Oxford City Council in its 2018 Strategic Priorities emphasizes "Increase Diversity in Residential and Commercial Property," including through efforts to "ensure diverse housing offerings in new developments."

To advance the goal of diversity in housing, and indirectly that of affordability, the HAC proposes to modify Chapter 1145 Planned Developments. It proposes relatively minor changes that will:

- Make explicit the purpose to "Facilitate the construction of a variety of dwelling types to serve Comprehensive Plan goals of diverse and affordable housing"
- Require applicants to supply a written statement regarding "How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity and affordability"
- Indicate location and distribution of dwelling types and/or commercial uses on their site plan.

No specific formula is proposed, but this minor change will encourage conversation between applicants and the City around housing diversity, and provide a basis for modifying, approving, or perhaps denying particular proposals based on their compliance with the goals, application and site planning requirements of the revised code.

In addition to the recommendations from the Housing Advisory Commission, staff has inserted suggested changes that clarify requirements and update the application submittal requirements to current industry standards:

- Licensed engineer or surveyor requirement for site plan preparation
- Digital record submittal requirement – Adobe PDF format
- Clarify that waivers of code do not apply to dwelling unit density – follow up from a previous case (Stadium Apartments)

RECOMMENDATION

Deliberation of any zoning code change must follow the decision standards as outlined in Chapter 1135. Staff recommends that the Planning Commission review the proposed language, with any suggested revisions and forward to City Council for legislation.

SUBMITTED BY:

Sam Perry

Sam Perry, AICP
Community Development Director

DATE: January 3, 2019

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 in making 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.

Objective 8

Expand urban green space

Strategies

LU 8.1 Continue the city's street tree program.

LU 8.2 Require trees and landscaping in future subdivisions and commercial properties.

LU 8.3 Beautify major corridors.

LU 8.4 Continue to encourage new urban park spaces.

Objective 9

Create new residential areas with traditional neighborhood qualities

Strategies

LU 9.1 Require all new subdivisions to complete a master plan, with an emphasis on protecting natural areas and creating new parks and open spaces.

LU 9.2 Consider permitting small-scale neighborhood commercial services as part of large-scale master plan developments.

LU 9.3 Create standards that require high quality pedestrian streets with sidewalks, street trees, adequate lighting, and tree lawns in newly developed residential areas.

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

LU 9.5 Encourage connections among neighborhoods via roads, sidewalks and multi-use paths.

Traditional Neighborhood Qualities include:

- A diversity and mix of uses – uses should support a range of daily activities – living, learning, working, playing, creating and worshiping
- Edges and gateways – traditional neighborhoods should include well defined and discernible edges
- Walkable size – traditional neighborhoods are built around the idea of a quarter mile walking shed
- Civic spaces – traditional neighborhoods are anchored by neighborhood schools or other civic spaces
- Parks – traditional neighborhoods incorporate a range of park and open space opportunities
- Connectivity – traditional neighborhoods are characterized by the utilization of connected street systems or grid patterns that incorporate alleys or rear lanes
- Neighborhood businesses – traditional neighborhoods include neighborhood centers that meet the daily needs of residents and promote walkability

Objective 10

Be a leader in environmental stewardship

Strategies

LU 10.1 Continue to promote sound environmental practices through public education programs.

LU 10.2 Support programs which encourage the community to learn about and experience nature and natural resources (e.g., agricultural or watershed resource center).

LU 10.3 Support and promote green building standards as part of public and private developments.

LU 10.4 Explore opportunities to build a gray water system or retrofit the existing system to accommodate the adaptive reuse of gray water.

C. OBJECTIVES AND STRATEGIES

Outlined below are eight objectives and 33 strategies created to help maintain and improve the housing conditions in the city. The objectives indicate a specific policy direction, while the strategies are detailed actions necessary to initiate or complete an objective such as a program, policy or a project.

Objective 1

Improve housing conditions in the Mile Square

Strategies

H1.1 Ensure a quality residential environment through improved housing standards.

H1.2 Establish alternative code enforcement procedures and programs to help preserve the historic small town character

H1.3 Partner with local organizations to support property improvements.

H1.4 Encourage the development of housing that is accessible to community resources such as employment, bicycle and pedestrian infrastructure, public transit, open space, and commercial districts.

Alternative code enforcement programs would help to preserve the historic small town character of the Mile Square.

Objective 2

Expand housing options

Strategies

H 2.1 Update development regulations to allow for a variety of housing types in new developments.

H 2.2 Create incentives to make it desirable for developers to construct moderately priced housing developments.

H 2.3 Establish incentives and/or requirements to include a number of new units for low to moderate income residents.

H 2.4 Provide financial assistance to increase homeownership opportunities for low to moderate income residents (CDBG funds for first time homeowner grants).

H 2.5 Incorporate a variety of housing types and prices as part of mixed-use development.

H 2.6 Investigate opportunities to improve conditions and modernize manufactured home parks

Affordable housing should have access to commercial districts and employment opportunities.

Objective 3

Improve rental housing

Strategies

H 3.1 Improve and expand code enforcement.

H 3.2 Increase student involvement in property maintenance and neighborhood stabilization.

Neighborhood Improvement Districts would provide increased enforcement and resources to enhance predominantly rental neighborhoods.

H 3.3 Continue to support community efforts to improve neighborhoods such as collaborating with Miami University's Student Government annual Spring Clean and Make-A-Difference Day.

H 3.4 Create a Neighborhood Improvement District to heighten code enforcement and support neighborhood improvements.

H 3.5 Encourage rental units to meet the needs of the year-round resident population.

H 3.6 Encourage redevelopment/ revitalization of existing under-utilized student and non-student rental housing developments within the City over construction of new rental housing and urban sprawl.

Oxford is recognized as attractive retirement option. Additional development of multiple housing options for seniors should be encouraged.

Objective 4

Expand senior housing options

Strategies

H 4.1 Encourage the development of affordable senior housing and assisted living developments.

H 4.2 Create incentives for developers to build accessible units that comply with the Americans with Disabilities Act (ADA).

H 4.3 Support the development of new senior housing with community resources and services.

The Kentlands in Gaithersburg, Maryland integrates multiple housing types and commercial structures into one neighborhood. (Source: DPZ)

Objective 5

Expand homeownership opportunities

Strategies

H 5.1 Encourage local employers to provide homeownership incentives.

H 5.2 Encourage rehabilitation of owner-occupied structures within the Mile Square.

H 5.3 Create an urban homeownership incentive program such as homeownership grants to help offset the cost of housing.

H 5.4 Develop a revolving loan fund.

H 5.5 Establish an Oxford Homeownership Office in partnership with Miami University.

H 5.6 Support the University loan program to increase homeownership opportunities within the Mile Square.

Move-down housing opportunities provide options for residents that want to remain in the community, but no longer want to maintain a large residence. Move-down options may include smaller single-family homes, townhomes or condominiums.

Objective 6

Provide diverse housing opportunities

Strategies

H 6.1 Encourage diverse and affordable housing choices (condos, apartments and live-work units).

H 6.2 Encourage new housing options for young professionals in the Uptown.

H 6.3 Support "move-down" housing options for residents.

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-03, ZONING CODE TEXT AMENDMENT, to revise Chapter 1145, Planned Developments, updating application submittal requirements and clarifying the 2008 comprehensive plan goals of housing type diversity and affordability, **City of Oxford, Applicant**

____X_____ Review _____ Revisions _____Other

Please return no later than: **January 7, 2019** 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: 12-10-18

PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

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PC-2019-03, ZONING CODE TEXT AMENDMENT, to revise Chapter 1145, Planned Developments, updating application submittal requirements and clarifying the 2008 comprehensive plan goals of housing type diversity and affordability, **City of Oxford, Applicant**

____X_____ Review _____ Revisions _____Other

Please return no later than: **January 7, 2019** Note: If no comments are received, we will assume the project meets your department's standards.

Drawings are returned: w/comments without/comments

see memo dated 12/31/18

Drawings reviewed by: Scott Otto Date: 12/31/18

Scott Otto
PRINTED NAME

CITY OF
OXFORD
HOME OF MIAMI UNIVERSITY

Memo

Service Department
Engineering Division
513/524-5208 fax 513/524-5267

TO: Community Development Department

FROM: Scott Otto, P.E.
Acting City Engineer

RE: PC-2019-03
Zoning Code Text Amendment – City of Oxford

DATE: December 31, 2018

The following is our comment:

- It is recommended the proposed change for 1145.05 (a) (6) (H) should read:

  "prepared by a surveyor or engineer licensed in the State of Ohio"

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

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____X_____ Review _____ Revisions _____Other

Please return no later than: **January 7, 2019** 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: 12/17/18

John A. Jones
PRINTED NAME

City of Oxford
Inter-Office Review Transmittal Sheet

Date: December 10, 2018

To: Fire Department Engineering Division Police Department Econ Dev Department

From: Community Development Department

PC-2019-03, ZONING CODE TEXT AMENDMENT, to revise Chapter 1145, Planned Developments, updating application submittal requirements and clarifying the 2008 comprehensive plan goals of housing type diversity and affordability, **City of Oxford, Applicant**

____X_____ Review _____ Revisions _____Other

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Drawings are returned: w/comments without/comments

Many of the proposed changes to Chapter 1145 are the result of efforts of the Oxford Housing Advisory Committee. In 2018, the HAC set a priority to create more emphases in encouraging more diverse housing options in Oxford. While the HAC has been studying affordable housing set-asides, diversity impact fees, housing trust fund uses, Western Knolls housing master plan, as well as other housing topics, the HAC decided to begin by tweaking the PUD regulations.

During the September HAC meeting, the HAC approved multiple proposed changes to Chapter 1145. Over the next several months the HAC further flushed out these recommendations with Community Development Director Sam Perry.

Sam agreed to place these changes, as well as several other changes, on the January Planning Commission agenda.

While these changes do not require a diverse housing stock in a PUD, the HAC feels the proposed changes are a good first step in changing the tone and tenor of the residential PUD regulations to encourage diverse housing options.

Drawings reviewed by: _____ Date: 1-3-2018

G. ALAN KYGER
PRINTED NAME

Proposed text amendment to Planned Development Chapter for January 2019 Planning Commission. Initiated by Housing Advisory Commission.

1145.01 PURPOSE.

(a) Purpose. Planned developments incorporate land uses and development patterns that are intended to permit and encourage creative and flexible land development that is not permitted by-right under the administrative regulations of underlying zoning districts. The planned development is particularly well suited to address two distinct goals of the Comprehensive Plan: to provide for environmentally sensitive and cohesive developments that are an attractive alternative to traditional subdivision and infill development that fully utilizes available land and existing utility resources where they already exist.

(1) Planned developments share these common goals:

A. Protect the neighbors of a planned development and the City in general to at least the same degree normally inherent in the Zoning Code.

B. Produce a development equal to or better than that resulting from single-use or traditional subdivision

C. Facilitate the construction of a variety of dwelling types to serve Comprehensive Plan goals of diverse and affordable housing.

D. Have a site and situation that permits comprehensive planning both on the site and relative to its immediate surroundings

E. Result in a design in which the placement, height, and uses of buildings, vehicle management areas, and open spaces efficiently utilize potentials of the site

E. Include covenants, easements, and other private measures that will help ensure the long-term administrative viability of a development

F. Be functional within a time period that helps ensure a viable development

(2) Infill development also satisfies the following goals:

A. Fully utilize sites that could not be fully utilized because of their shape or because of their location relative to available public access.

B. Increase geographic efficiencies of existing utilities such as public streets, water, sewer, electric, telephone, and cable by using them where they are already available.

C. Help keep development from sprawling to and beyond the municipal boundaries of Oxford.

(3) Open Space development also satisfies the following goals:

A. Retain natural areas and landscapes.

B. Protect environmentally sensitive land and water features.

C. Retain or create active and passive open spaces that serve the recreation needs of the development or the City generally.

D. Lessen the land area devoted to vehicle management.

E. Preserve natural scenic views that contribute to the Oxford setting.

(Ord. 2838. Passed 2-15-05.)

1145.05 APPLICATION.

The application requirements for a preliminary and final planned development are different. The final planned development application requires a greater degree of accuracy and completeness than does the preliminary planned development application. This section describes the application content requirements for each step of the process.

Thirteen (13) complete sets of all information shall be submitted with each preliminary and final application. The Zoning Administrator may modify this requirement based upon the type of materials included. The applicant shall 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.

(a) Preliminary Plan.

(1) Application fee.

(2) The name, mailing address, and telephone number of the applicant and all property owners.

(3) If the applicant is not the owner, or if there are multiple owners within the proposed area, a statement from all owners that the applicant is entitled to apply on their behalf, and that they agree to be legally bound to any decision reached according to this Chapter.

(4) The name, mailing address, and telephone number of any planner, engineer, surveyor, or other design professional who assisted with preparation of the plans.

(5) Description of use and site. A written, detailed description shall include the following information. A separate response is required for each subsection.

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

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

C. The zoning districts in which the site is located.

D. A description of the proposed planned development.

1. The number of housing units by size and type proposed within each phase.

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

3. The hours of operation of any nonresidential use.

4. A phased development schedule, if applicable, that indicates the location and timing of phases and demonstrates that each completed phase would form a reasonably independent unit if succeeding phases were abandoned.

E. A narrative statement that evaluates the compatibility of the proposed planned development with the general vicinity and adjacent properties.

1. How the proposed uses are similar to or different from existing area uses and if there will be any interaction between the proposed site and adjacent sites.

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

3. If the proposed uses will involve any operations that create potential nuisances such as excessive noise, lighting, odor, fumes, vibration, or emissions.

4. How any potential negative effects on adjacent land will be mitigated.

F. A statement about why the location proposed is appropriate for the planned development.

G. A statement of the necessity or desirability of the proposed planned development to the neighborhood or community.

H. How the proposed mix of dwelling types and/or commercial uses advances community goals of diversity, affordability and market changes (e.g. adaptability of flats versus townhomes)

I. Proposals for the provision of public utilities and services, if insufficient or not available for the planned development, or for the provision of suitable private utilities and services.

J. A general analysis of expected traffic impact, including vehicular and pedestrian safety, resulting from the proposed development.

K. The substance of proposed covenants, easements, and other restrictions on the land and structures.

L. A list of the names and mailing addresses of all landowners within 200 feet of the site.

M. Such other information regarding the proposed uses, site design, or surrounding area as may be pertinent to the application or required by Planning Commission or Council.

(6) Site plan. A scaled site plan prepared by a licensed surveyor or engineer 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.

A. North arrow.

B. Scale.

C. Vicinity map.

D. All existing and proposed lot lines within the site.

E. Dimensions of all lots and of the entire site and any adjacent rights-of-way.

F. The location and intended purpose of all open spaces

G. Approximate location, height, dimensions, and use of all proposed and existing structures.

H. Approximate location and number of different uses (i.e. dwelling types and/or commercial uses).

I. Approximate location and design of all proposed vehicle and pedestrian routes and nonresidential vehicle management areas.

J. Approximate location and size of all existing and proposed utilities that will serve the planned development.

K. Approximate location, size, and type of all proposed signs.

L. Approximate location, height, and type of all proposed screening and landscaping.

M. Distances to residential zoning districts if within 1,000 feet.

N. The use of land and location of structures on adjacent property and across adjacent rights-of-way.

O. The location of any nearby schools and commercial facilities.

P. Other information as required by the Planning Commission or Council.

(7) Elevations. Elevations of proposed structures or typical elevations if structures are not yet designed.

(8) Other. Photographs of the existing site and its surroundings.

(9) Digital Submittal. Adobe PDF version of all information submitted to also be submitted on a CD or Flash Drive.

(b) Final Plan.

(1) The same items and information as required for the preliminary plan, except that the approximations shall be refined to specific locations, dimensions, and descriptions.

(2) A detailed traffic impact analysis, including all modes of transportation, prepared by a qualified professional engineer

(3) Any additional description or information requested by the Planning Commission or Council during the preliminary plan approval process.

(4) Detailed agreements, contracts, deed restrictions, and sureties that will be used to guarantee performance of the development during and after construction.

(Ord. 2838. Passed 2-15-05.)

1145.06 PLANNING COMMISSION AND COUNCIL REVIEW.

A preliminary plan shall be approved prior to approval of a final plan, although the processes can be concurrent for small, single phase developments. Both preliminary and final plan approval require a Planning Commission recommendation and Council approval.

The Planning Commission shall base its review of a proposed planned development 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.

The general decision standards for approval of a preliminary and final planned development are substantially similar. The final plan requires greater detail and is subject to additional decision standards.

If, at any time, 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.

(a) Burden of Proof. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a planned development. This Zoning Code assumes that a planned development is appropriate only if an applicant proves that the proposed uses and design will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.

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.

(b) General Decision Standards. All planned developments shall satisfy these general decision standards:

(1) The proposed planned development is in fact permitted in the zoning districts in which it is proposed.

(2) If the application is for the same site where a planned development application has been denied within one year, the plan is substantially different from the application so denied.

(3) The uses and site plan will satisfy the general intent of this Zoning Code.

(4) The uses and site plan will be compatible with the general intent of the Comprehensive Plan.

(5) The size and shape of the site are sufficient for the proposed planned development.

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

(7) 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.

(8) Accessory uses will be directly related to the operation of the principal uses and will not be operated independent of the principal uses.

(9) 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.

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

(11) 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.

(12) The site is designed so that on-site traffic and traffic accessing the site will not adversely impact the movement or safety of all modes of traffic on adjacent public streets.

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

(c) Additional Final Plan Decision Standards.

(1) The final planned development shall substantially conform to the preliminary plan.

(2) Any substantial changes from the preliminary plan improve the plan or were requested by Planning Commission or Council as a part of the preliminary plan approval process.

(3) If the final plan seeks approval of only a portion of the approved preliminary plan, the elements of the proposed phase are sufficient to stand alone if the remainder of the planned development is abandoned.

(Ord. 2838. Passed 2-15-05.)

1145.07 ACTION BY PLANNING COMMISSION AND COUNCIL.

(a) The Planning Commission shall recommend to Council approval, approval with conditions, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.

(b) The Planning Commission shall base its recommendation and Council its decision upon how well the application satisfies the Decision Standards. Planning Commission, in its recommendation, and Council in its decision may waive or modify dimensional regulations of the Zoning Code, or impose more strict regulations and any additional conditions, guarantees, and safeguards it deems necessary to satisfy the purposes of this Zoning Code. Dwelling unit density is not a dimensional regulation that can be waived.

(c) Council may require the developer to file performance bonds with the City to guarantee completion of any public utilities associated with the planned development and any elements of the plan that are necessary to its success, if abandoned by the developer.

(Ord. 2838. Passed 2-15-05.)

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) 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 subsection (g)D.(1) to (8) from publicly available resources such as Butler County Soil and Conservation District, OKI, 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) specialized 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 reports 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, Police Chief or Fire Chief.

(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 Ordinances 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 water 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 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 in Streams and Wetland. This report can be 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. (Ord. 3433. Passed 9-19-17.)

CITY OF OXFORD
HOME OF MIAMI UNIVERSITY

Internal Use Only:	
Case No.	PC-2019-03
Date Filed	11/30/18

Zoning Code Text Amendment Application

Applicant Information

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

Name * Sam Perry / City of Oxford

Mailing Address * 15 S. College Ave

City, State & Zip Code *

Telephone Number(s) * 513-524-5204

Email Address sperry@cityofoxford.org

Amendment Description * Planned Development Chapter Revisions

Submission Requirements and Documentation

From Section 1135.02 Procedure[1].

(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 Standards[1].

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 * 11-30-18

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