

**COUNCIL OF THE VILLAGE OF YELLOW SPRINGS
REGULAR COUNCIL MEETING
AGENDA**

IN COUNCIL CHAMBERS @ 5:30 P.M.

Monday September 18, 2017

Comments from the Public are welcomed at two different times during the course of the meeting: (1) Comments on items not on the Agenda will be heard under Citizens Concerns, and (2) Comments on all items listed on the Agenda will be heard during Council's consideration of said item. A Sign-In sheet will be made available on the small table at the rear of the Council Chambers. Please write your name and the topic you wish to discuss.

CALL TO ORDER

ROLL CALL

EXECUTIVE SESSION (5:30)

For the Purpose of the Evaluation of a Public Employee and for the Discussion of Potential Litigation.

REGULAR SESSION (7:00)

ANNOUNCEMENTS

CONSENT AGENDA

1. Minutes of September 5, 2017 Regular Meeting

REVIEW OF AGENDA

I. PETITIONS/COMMUNICATIONS

The Clerk will receive and file:

Greene Co. Health Dept. re: FASD Awareness Month and Community Health Assessment
Mayors Monthly Report
Family of Harold Hamilton re: Thank you

II. PUBLIC HEARINGS/LEGISLATION (7:20)

Second Reading and Public Hearing of Ordinance 2017-17 Repealing Section 1262.08
"Specific Requirements" of the Codified Ordinances of the Village of Yellow Springs, Ohio and
Enacting New Section 1262.08 "Specific Requirements"

Second Reading and Public Hearing of Ordinance 2017-18 Repealing Section 1226.06
"Design Standards" of the Codified Ordinances of the Village of Yellow Springs, Ohio and
Enacting New Section 1226.06 "Design Standards"

Second Reading and Public Hearing of Ordinance 2017-19 Repealing Section 1264.02
"General Requirements" of the Codified Ordinances of the Village of Yellow Springs, Ohio and
Enacting New Section 1264.02 "General Requirements"

Second Reading and Public Hearing of Ordinance 2017-20 Repealing Section 1284.07
"Definitions: O-P-Q" of the Codified Ordinances of the Village of Yellow Springs, Ohio and
Enacting New Section 1284.07 "Definitions: O-P-Q"

Second Reading and Public Hearing of Ordinance 2017-21 Repealing Section 1284.05
"Definitions: H-I-J-K" of the Codified Ordinances of the Village of Yellow Springs, Ohio and
Enacting New Section 1284.05 "Definitions: H-I-J-K"

Second Reading and Public Hearing of Ordinance 2017-22 Repealing Section 1248.02
"Schedule of Uses" of the Codified Ordinances of the Village Of Yellow Springs, Ohio and
Enacting New Section 1248.02 "Schedule of Uses"

Second Reading and Public Hearing of Ordinance 2017-23 Repealing Section 1260.04 “Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1260.04 “Uses”

Second Reading and Public Hearing of Ordinance 2017-24 Repealing Section 1284.03 “Definitions: C-D” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1284.03 “Definitions: C-D”

Second Reading and Public Hearing of Ordinance 2017-25 Repealing Section 242.01 “Composition; Classification” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 242.01 “Composition; Classification” (Adding two positions in the rank of Corporal to the Police Department)

Emergency Reading of Ordinance 2017-26 Repealing and Replacing Ordinance 2017-15 Supplemental Appropriations for the Fourth Quarter of 2017 and Declaring an Emergency

Reading of Resolution 2017-45 Authorizing the Village Manager to Enter into a Contract for Services for a Housing Needs Assessment Provider

III. CITIZEN CONCERNS (8:00)

IV. SPECIAL REPORTS

V. OLD BUSINESS (8:10)
Tap Fee Increase Discussion

VI. NEW BUSINESS (8:30)
General Fund Budget

VII. MANAGER’S REPORT

VIII. ASSISTANT VILLAGE MANAGER/FINANCE DIRECTOR’S REPORT

IX. CHIEF’S REPORT

X. CLERK’S REPORT

XI. BOARD AND COMMISSION REPORTS

Report from Representatives:

Gerald Simms	Planning Commission (Hempfling)
Gerald Simms	Finance Committee Report
Brian Housh	Economic Sustainability Commission (Wintrow)
Brian Housh	Community Access Panel (Simms) (on hiatus)
Brian Housh	Arts and Culture Commission (Wintrow)
Judith Hempfling	Energy Board (MacQueen)
Judith Hempfling	Library Commission (Simms)
Judith Hempfling	Justice System Task Force (MacQueen)
Marianne MacQueen	Village Mediation Program (Simms)
Marianne MacQueen	School Board Liaison (Simms)
Marianne MacQueen	Human Relations Commission (Housh)
Marianne MacQueen	Environmental Commission (Simms)
Marianne MacQueen	Beaver Management Task Force (Simms)
Karen Wintrow	Greene County Regional Planning Commission (Simms)
Karen Wintrow	Miami Valley Regional Planning Comm.
Karen Wintrow	Chamber of Commerce

XII. FUTURE AGENDA ITEMS (8:45)

- Oct. 2: Enterprise & Special Revenue Funds & Capital Budgets
Complete Streets Presentation
Justice System Task Force Report to Council
Arts Council Permanent Collection Report to Council
Resolution Approving Employee Dental Insurance
Ordinance 2017-xx Increasing Tap Fees
Ordinance 2017-xx Enacting a Smoking Ban on Village Owned Property
- Oct. 16: Budget Workshop (collective budget with revisions)
Quarterly Financials
Revolving Loan Fund Presentation (ESC)
- Nov. 6: 2018 Budget
- Nov. 20: First Reading of 2018 Budget Ordinance as an Emergency
- Dec. 4: Second Reading and Public Hearing of 2018 Budget Ordinance as an Emergency

ADJOURNMENT

The next regular meeting of the Council of the Village of Yellow Springs will be held at 7:00 p.m. on **Monday October 2, 2017** in Council Chambers, John Bryan Community Center, 100 Dayton Street.

The Village of Yellow Springs is committed to providing reasonable accommodations for people with disabilities. The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the Village Clerk of Council's Office at 767-9126 or via e-mail at clerk@yso.com for more information.

**Council of the Village of Yellow Springs
Regular Session Minutes**

In Council Chambers @ 6:00 P.M.

Monday, September 5, 2017

CALL TO ORDER

President of Council Karen Wintrow called the meeting to order at 6:01pm.

ROLL CALL

Present were Wintrow, Vice President Brian Housh, Marianne MacQueen and Judith Hempfling. Councilperson Gerald Simms arrived at 6:10pm.

EXECUTIVE SESSION

At 6:03pm, MacQueen MOVED and Hempfling SECONDED a MOTION TO ENTER EXECUTIVE SESSION for the Purpose of the Evaluation of a Public Employee. The MOTION PASSED 4-0 ON A ROLL CALL VOTE.

At 6:57pm, Simms MOVED and Hempfling SECONDED A MOTION TO EXIT EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

Manager Bates and Assistant Manager/Finance Director Dodd as well as Solicitor Conard joined the meeting at 7:00pm, following the Executive Session.

ANNOUNCEMENTS

Tom Manly, Antioch College President introduced himself and giving a general overview of the state of the college. Manly spoke of the symbiotic relationship between Antioch College and the Village. On behalf of Council, Wintrow offered the support of Council to the College to the greatest extent possible.

Hempfling announced an outreach effort to local religious organizations and others to promote inclusivity in the Village. Council will not be organizing the effort, but is “putting the call out”. Hempfling noted House Bill 179 which discusses punishment for Sanctuary Cities and officials. She asked that the Yellow Springs News call attention to the matter.

Threats to funding were discussed in light of both Village and Antioch College values.

MacQueen and Housh encouraged frequent communication between the College and the Village.

Wintrow announced that MVRPC will be conducting trail surveys on September 13th and 16th, and she is seeking volunteers to assist.

Wintrow announced an elected officials’ symposium on October 27th, coordinated by the Mayor of Fairborn. The symposium will deal with the opioid crisis.

Hempfling reiterated the information regarding a non-violent interfaith collaboration and suggested that the Clerk act as a contact for interested organizations.

Housh noted that the Village is “the ideal target” for hate groups in part because the Village receives a lot of press. He noted that a goal of the collaboration is to devise a strategy for effective resistance which will be accepted by the community.

Wintrow noted that the Village has held a number of potentially controversial events which have gone unchallenged, but noted that a strategy for non-violence is critical, particularly in the current political climate.

Housh noted the annual 9/11 Stairclimb on September 9; WYSO Community Concert on September 10; Glen Helen’s Annual Whoop Cooks for You on September 10; Dementia Friendly Yellow Springs Kickoff September 15; 365 Project Black History Tour on September 16, and noted that the monthly Economic Sustainability Commission’s meeting will be held at 5pm on Wednesday rather than at 7.

Bates noted that there will be a hydrant flush of the new line in to the CBE on September 14th which will likely produce brown water in the Village.

Wintrow noted a Chamber Chat set for 9am on September 21.

CONSENT AGENDA

1. Minutes of August 21, 2017 Regular Meeting
2. First Reading of Ordinance 2017-18 Repealing Section 1226.06 “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.06 “Design Standards”
3. First Reading of Ordinance 2017-19 Repealing Section 1264.02 “General Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1264.02 “General Requirements”
4. First Reading of Ordinance 2017-20 Repealing Section 1284.07 “Definitions: O-P-Q” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1284.07 “Definitions: O-P-Q”
5. First Reading of Ordinance 2017-21 Repealing Section 1284.05 “Definitions: H-I-J-K” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1284.05 “Definitions: H-I-J-K”
6. First Reading of Ordinance 2017-22 Repealing Section 1248.02 “Schedule of Uses” of the Codified Ordinances of the Village Of Yellow Springs, Ohio and Enacting New Section 1248.02 “Schedule of Uses”
7. First Reading of Ordinance 2017-24 Repealing Section 1284.03 “Definitions: C-D” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1284.03 “Definitions: C-D”

Housh requested that Ordinance 2017-18 be moved to Legislation. Ordinance 2017 was moved from the Consent Agenda and was not included in the motion to approve.

MacQueen MOVED and Simms SECONDED a MOTION TO APPROVE the Consent Agenda, and the MOTION PASSED 5-0 ON A VOICE VOTE.

REVIEW OF AGENDA

Housh asked that Complete Streets be added to Old Business. Ordinance 2017-18 was moved to Legislation.

PETITIONS/COMMUNICATIONS

Housh reviewed communications received as follows:

The Clerk will receive and file:

Eric Clark re: Lodging Tax

Brian Housh re: TIF Information

GCCHD re: West Nile Virus

GCCHD re: Well-testing Event

Center for Disaster Mental Health re: Opioid Symposium

MVRPC re: Trails Survey

Wintrow and MacQueen both recused themselves for reason of possible conflict of interest, and both chose to remain present in Council Chambers as citizens. Housh assumed the Chair.

PUBLIC HEARINGS/LEGISLATION

Second Reading and Public Hearing of Ordinance 2017-14 Enacting New Chapter 882 Entitled “Lodging Excise Tax” of the Codified Ordinances of the Village Of Yellow Springs, Ohio Effective January 1, 2018. Simms MOVED and Hempfling SECONDED a MOTION TO APPROVE.

Housh briefly introduced the ordinance, noting that the legislation will apply to any establishment of one room or more.

Dodd addressed some of the comments made by citizens and Council. She recommended a change to section 882.03 “Exemptions”. Dodd recommended adding a number (3) adding an exemption stating that “rents received by a lodging establishment that only furnishes lodging to transient guests for five nights or less per year, are exempt from the lodging tax requirement.

Hempfling MOVED to APPROVE THE RECOMMENDED CHANGE. Housh SECONDED, and the MOTION PASSED 3-0 ON A VOICE VOTE.

Dodd then recommended a change to section 882.05 “Tax to be Separately Stated and Charged”. Dodd recommended adding the words “When possible” to the first sentence. She acknowledged that it is not always possible to include the tax separately stated in the customer receipt when the lodging is booked through certain websites.

Hempfling MOVED to APPROVE THE RECOMMENDED CHANGE. Housh SECONDED, and the MOTION PASSED 3-0 ON A VOICE VOTE.

Housh asked about Reporting and Remitting (882.07), clarifying that there is no mandate that all receipts be provided to the Finance Director.

Dodd agreed, stating that the section was taken literally by some, and clarifying that “a summary of all receipts” was her interpretation of the requirement.

Bates added that the latter was also what is noted on the form developed for reporting purposes by the Village.

Housh asked for clarification on the “Board of Tax Appeals” listed in the Exhibit.

Dodd noted that this was a Board of the Village which has not been in service for a number of years since the Village started to use RITA as a tax collection agency. Because lodging tax would be collected by the Village, Dodd stated, it makes sense to reinstate this entity.

Housh asked what entities comprises the Board.

Dodd stated that she has not yet checked on this Board, but acknowledged that both citizens and staff would comprise the board.

Conard stated that the next step is to have the necessary text amendments addressed by Planning Commission for their recommendation, which will then come before Council for adoption.

Dodd noted that she had supplied a document outlining reporting structure for the tax and stating that it is her intention to make the process as easy and clear as possible. She stated her willingness to work with operators to make the transition a smooth one.

Housh OPENED THE PUBLIC HEARING.

Megan Bachman from the Yellow Springs News asked about the section referring to “Actions to Collect” wondering what actions the Village would pursue in this regard. She also asked about the Exemptions, wondering whether non-profits would be exempted. She finally asked about Planning Commission’s involvement, wondering if that body would consider other levels of regulation such as enforcing fire codes.”

Hempfling commented that there could be impacts on affordability and that it is a balancing act. This will be looked at, Hempfling stated.

Housh added that this is primarily a matter of assuring that the definitions are consistent between the zoning code and Village ordinances. Housh noted that at present, short term rentals are a conditional use, stating that Planning Commission will make a recommendation on that regarding transient guest lodging.

Conard commented on the enforcement piece, noting that it is similar to any other type of enforcement in the zoning code. It is only when a situation escalates significantly that the legal processes are engaged. The idea is that situations are settled through mediation and clear information from the Village. Conard noted that staff will be working on the informational piece.

Regarding exemptions, Dodd noted that non-profits have a state tax exemption but not a local exemption, and that she would have to look into this.

Housh commented that elected officials are sometimes exempt, but stated that establishments are not exempt.

There being no further comment, Housh CALLED THE VOTE and the MOTION PASSED 3-0 ON A ROLL CALL VOTE.

Wintrow and MacQueen returned to Council table.

Reading of Ordinance 2017-15 Approving Supplemental Appropriations for the Fourth Quarter of 2017 and Declaring an Emergency. Simms MOVED and Hempfling SECONDED a MOTION TO APPROVE.

Dodd reviewed the appropriations, noting that the net change was actually a reduction of \$9,795.00 due to some reductions in appropriations. Dodd referenced the Supplemental appropriation Worksheet, which she provided as an itemized breakdown.

Dodd addressed a question from Hempfling, noting that she had budgeted \$92,000.00 for Local Government funding last year, and that that number should be close for 2018.

Dodd fielded several questions from Council, noting that the General Fund budget will be discussed on September 18th, which will add clarity to the overall budget picture.

Wintrow OPENED THE PUBLIC HEARING.

There being no comment, Wintrow CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading of Ordinance 2017-16 Consenting to the Rezoning of Gustafson Property and Declaring an Emergency. MacQueen MOVED and Simms SECONDED a MOTION TO APPROVE.

Swinger noted that Planning Commission has made a recommendation to Council that the recently annexed area be re-zoned to R-B to concur with the surrounding area. Swinger noted that all annexations come in to the Village as R-A and then are rezoned as needed.

Wintrow OPENED THE PUBLIC HEARING.

There being no comment, Wintrow CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2017-17 Repealing Section 1262.08 “Specific Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1262.08 “Specific Requirements” (Adding Pocket Neighborhood Developments as a Conditional Use to the Village Zoning Code). Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

MacQueen received explanation regarding common accessory structures.

Wintrow commented that part of the purpose of the PND is a partially shared living structure whereby common items are held in common, such as lawn mowers and tools.

Swinger noted that Planning Commission had chosen to look at builders’ plans on a case by case basis rather than making a general mandate.

Housh received clarification that an existing house can be turned into guest housing or a community area or it can count towards the total of four. Any existing accessory dwelling would become commonly held.

Swinger noted administration of the Home Owners Association (HOA), stating that CCRs would have to be presented during the site plan review. These would have to be filed with the County Recorder, and these are what are followed as opposed to the Village zoning code being followed.

MacQueen expressed confusion as to how the PND would increase density.

Swinger explained this concept to her satisfaction.

Wintrow asked that concerns regarding all of the connected ordinances be addressed.

Swinger then addressed Housh’s concerns regarding Chapter 1226.02, noting that the planning code has not been updated, while the zoning code has. She noted that Housh was concerned that Section A.3 refers to four foot sidewalks rather than to ADA compliant sidewalks, noting that this should be fixed in the ordinance.

Housh brought up the section on tree planting which was not updated, and asked that this also be done.

Wintrow noted that the discussion was becoming involved, and asked that Council return to ordinance 2017-17 for a vote.

Wintrow OPENED THE PUBLIC HEARING on Ordinance 2017-17.

There being no comment, Wintrow CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2017-18 Repealing Section 1226.06 “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.06 “Design Standards”. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Hempfling MOVED TO AMEND Section C.3 to refer to the sidewalks as “ADA compliant”. Housh SECONDED, and the MOTION PASSED 5-0 on a VOICE VOTE.

Regarding the tree issue referenced above, Wintrow asked whether there is a current ordinance that can be referenced.

Swinger responded that there is such an ordinance delineating acceptable tree species for planting.

Wintrow MOVED TO USE REFERENCE TO THAT ORDINANCE RATHER THAN THE CURRENT LANGUAGE. Hempfling SECONDED, and the MOTION PASSED 5-0 on a VOICE VOTE.

Wintrow OPENED THE PUBLIC HEARING.

There being no comment, Wintrow CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2017-23 Repealing Section 1260.04 “Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1260.04 “Uses”. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Swinger noted that in discussing principle uses per lot, the criteria do not apply in many cases, and the criteria are all supposed to apply. For that reason, that section was changed to remove the specific criteria.

Wintrow OPENED THE PUBLIC HEARING.

There being no comment, Wintrow CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

First Reading of Ordinance 2017-25 Repealing Section 242.01 “Composition; Classification” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 242.01 “Composition; Classification” (Adding two positions in the rank of Corporal to the Police Department). Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Bates explained that the Police Department has determined that providing the opportunity for advancement within the ranks and adding two road-supervisors is a positive move.

Bates stated that the change will result in no overall budgetary increase.

Hempfling commented that the job description be included in the provided information. She suggested that a committee be formed to devise the job description.

Bates confirmed that the job description has already been written.

Bates suggested that the policing standards be included in the General Orders Manual, rather than in the job description.

Hempfling asked that Pat Dewees and Janet Mueller be included in the process.

Bates noted that she had been in touch with Mueller, and will follow up with her regarding input on the Village policing standards aspect of hiring.

Housh asked that “community policing” be changed to “Village policing” to maintain consistency.

There being no further comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading of Resolution 2017-41 Accepting Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Dodd noted that at the July third meeting she presented a tax budget which was approved by Council. The Auditor then accepted that budget and this legislation authorizes the amount of tax the Village is approved to levy based upon the submitted budget. The total received in 2018 as a result of the property tax levies will be \$1,006,000.00

There being no comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading of Resolution 2017-42 Preliminary Legislation/LPA Federal ODOT-Let Project Agreement. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

Dodd reminded Council of the ongoing effort to implement handicap ramps throughout the downtown area, funded through an MVRPC grant, which is an Ohio Department of Transportation (ODOT) “let” project.

The project is a \$139,000.00 project, and the Village will see \$101,000.00 in federal funds, with a \$38,000.00 match. This will assure ADA compliant ramps along West South College and Dayton Streets.

Dodd noted that the construction has been moved up to summer of 2018.

Dodd noted that the Village’s portion is the engineering cost for the project, but that there is no pass-through for the remainder of the cost.

There being no comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading of Resolution 2017-43 Authorizing a Total of at Least \$200,000 to the Green Space Fund Partnering with Tecumseh Land Trust for Land Conservation. Simms MOVED and Housh SECONDED a MOTION TO APPROVE.

She noted that the Village’s priorities with regard to land preservation can be adjusted each year as needed under the proposal, and that the proposed amount will leverage 3.4 million dollars in funding.

Magaw noted that TLT will have the opportunity under the grant to implement some best practices with regard to conservation of land under this grant.

In response to a question from Wintrow, Magaw indicated that there is a potential for further federal funding.

Wintrow pointed out that while Council is committing funds to greenbelt preservation, it is also assuring that opportunities for economic development are pursued. She stressed that Council is acutely aware of the potential impact on affordability of the maintenance of a greenbelt, and is working to increase opportunities for density as an offset.

In response to a question from Megan Bachman, Magaw pointed out that priority areas are the Jacoby Greenbelt and properties that are within the five year time of travel to the wellhead.

Bob Baldwin spoke at length about his skepticism at the greenbelt effort, alleging that this effort is reducing opportunities within the village for affordable housing and such amenities as parking space and available public restrooms. Baldwin addressed recent population decline and concomitant stressors upon the infrastructure as the tax base dwindles.

Wintrow noted her belief that Council is aware of the demographics situation. She opined that the taking of agricultural land for housing is not sustainable, and needs to be addressed.

There being no further comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading of Resolution 2017-44 Recognizing Village Mediation for 30 Years of Service. MacQueen MOVED and Simms SECONDED a MOTION TO APPROVE.

MacQueen noted that the celebration is on September 14th in rooms A&B.

Hempfling noted the value of the VMP in moderating difficult meetings.

Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

CITIZEN CONCERNS

There were no Citizen Concerns.

SPECIAL REPORTS

There were no Special Reports.

OLD BUSINESS

Proposed Smoking Limitation Policy for Village-owned Property. Bates presented draft legislation addressing the policy.

Bates noted that the proposed legislation assures that smoking is confined to a specific, distant area outdoors, and that it is not permitted in areas too small to accommodate that need.

Bates stated that there is a question regarding enforcement, noting that it would be approached in an informational manner, with refusal to comply being a misdemeanor.

Hempfling suggested informational cards.

Bates noted that the Greene County Health Department will provide some signage.

Wintrow asked about large events, and was informed that the designated smoking area would be appropriate to those events.

Council discussed the measure, weighing the value of a complete ban as opposed to the partial ban.

Wintrow asked whether streets and sidewalks would be exempted from the action.

Conard responded that the ban is difficult to enforce, but stressed the need for rational enforcement and progressive response to refusal to comply. He commented that a complete ban would include streets and sidewalks.

Housh stated that he would like the Village to consider a broader ban.

MacQueen disagreed, favoring some ability to permit smoking.

Council agreed to the penalty being a minor misdemeanor with a fine of “up to” \$150.00, with the citation going to Mayor’s Court.

The matter will come to Council at their September 18th meeting, with the idea that the policy will go into effect on January 1, 2018.

Discussion of Draft Housing Work Plan. MacQueen stated that once the Village receives a Housing Needs Assessment (HNA) provider, it needs to have some level of expertise locally to work with the provider. She asked for two “experts” as well as two Council members, Bates, Swinger and possibly Dodd to sit on a Housing Advisory Board which would interface with the provider.

MacQueen suggested Kevin MacGruder and Liz Voight as the two experts.

MacQueen went into detail regarding the tasks of the HAB and asked for feedback.

Hempfling asked that MacGruder and Voight assist in review of proposals. She asked that Bates and Swinger “take the lead” from a staff prospective. She suggested that the chosen provider provide the meetings and interface proposal for gathering input from citizens. She suggested that staff set up the meetings with citizens with community leaders.

MacQueen stated that she envisions the decision being made by the afore-named individuals, and stated that an effort would be made to keep the proposal under \$30,000.00.

Council discussed this briefly, agreeing that the group could make a decision and bring the matter back to Council for a final approval through a resolution.

The resolution will return to Council on September 18th.

Complete Streets. Housh floated the idea of a special report to Council, rather than a separate forum on the topic, noting that there is a wealth of good information available.

Council discussed the possibility, agreeing that a special report would be useful.

The report was given a 30 minute slot on October 2nd. Housh will follow up to confirm availability of the presenters for that date.

NEW BUSINESS

There was no New Business.

MANAGER’S REPORT

Bates reported the following:

A resident on Shawnee Drive expressed appreciation for the Water Distribution Crew, who repaired a water line amidst a family gathering, and even took some photos for the family.

Bates noted that the Village Mediation celebration will take place in rooms A&B on September 14th.

Bates provided clarification to a recent article in the YS News describing the infrastructure project planned for the CBE to accommodate Cresco Labs. Bates noted that the infrastructure will not go throughout the development, but will go back to the Cresco facility as a road, and the water, sewer and storm and fiber accommodations will follow that road.

Bates provided a map and displayed an alternative plan presented by Engineer Heintz which has the effect of making the back of the property more developable.

Housh received confirmation that the current engineering project can accommodate the alternative plan, and that it would not affect the cost of the engineering work.

The new configuration will not allow Cresco access off of Enon Road, and they are in agreement with that, Bates stated.

ASSISTANT VILLAGE MANAGER/FINANCE DIRECTOR REPORT

Dodd reviewed the following topics from her AVM report:

Dodd made note of the Village Utility Office’s policy on checks which has been in practice since before her tenure. The only time that the utility office will not accept a check from a customer is if the office has had a check returned from that customer. In that case, it is the policy to refrain from accepting checks for 6 months, and a letter is sent to that effect. After the passage of 6 months, the Utility office will accept checks from the customer again. During that 6 month period credit cards, cash, money orders or certified/cashiers checks are accepted.

Regarding policy regarding disconnection, Dodd noted that the Village can disconnect service during two separate days of the month. One is for customers who have not paid their regular utility bills and the other day is for customers who have not made their payment agreement payment. For the non-payment of a regular utility bill, the Utility Office follows Village Ordinance 1040.04. The Utility office mails a notice at least 7 days prior to the date of potential disconnection for non-payment. Dodd noted that there is a separate process for nonpayment of a payment agreement. In that case, a notice is hand delivered 48 hours prior to disconnection.

Dodd addressed a previously suggested utility round-up program, stating that the idea of a utility round up program has been discussed in a number of ways over the past few years, noting that she began researching the idea about a year ago. Dodd commented that such a program would be complicated to enact, and that she is reluctant to follow up on the idea until the utility billing software has been in place and operational for at least six months.

Dodd reported that peak shaving efforts have been successful, and will save the Village \$100,000.00 in capacity cost in 2018.

Dodd made note of a meeting on August 31 with the Ohio EPA at which Housh, Wintrow, Johnnie Burns, Brad Ault, representatives from Shook Construction and from the Water Plant engineering firm as well as members of the Columbus EPA were present. Dodd commented that the meeting was productive, and addressed ideas for collaboration around bringing the new water plant online and flushing aging lines while minimizing brown water events and maximizing communication.

Dodd noted that there will be a communications plan devised around implementation of the new water plant and offering Villagers ongoing information.

Housh added that the Ohio EPA was very supportive and that a representative from the agency expressed his appreciation for Dodds’ professionalism.

CLERK’S REPORT

The Clerk noted a wonderful summer with the Gaunt Park pool and thanked pool staff and the Village crew for keeping things running smoothly.

CHIEF’S REPORT

Sergeant Knapp, filling in for Chief Carlson, noted statistics for the months of July and August.

AGENDA PLANNING

- Sept. 18:

General Fund Budget
Tap Fee Increase Discussion
Revolving Loan Fund Discussion
Second Reading and Public Hearing of Ordinance 2017-17 Repealing Section 1262.08 “Specific Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1262.08 “Specific Requirements”
Second Reading and Public Hearing of Ordinance 2017-18 Repealing Section 1226.06 “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1226.06 “Design Standards” (Adding Pocket Neighborhood Developments as a Conditional Use to the Village Zoning Code)
Second Reading and Public Hearing of Ordinance 2017-19 Repealing Section 1264.02 “General Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1264.02 “General Requirements”
Second Reading and Public Hearing of Ordinance 2017-20 Repealing Section 1284.07 “Definitions: O-P-Q” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1284.07 “Definitions: O-P-Q”
Second Reading and Public Hearing of Ordinance 2017-21 Repealing Section 1284.05 “Definitions: H-I-J-K” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1284.05 “Definitions: H-I-J-K”
Second Reading and Public Hearing of Ordinance 2017-22 Repealing Section 1248.02 “Schedule of Uses” of the Codified Ordinances of the Village Of Yellow Springs, Ohio and Enacting New Section 1248.02 “Schedule of Uses”
Second Reading and Public Hearing of Ordinance 2017-23 Repealing Section 1260.04 “Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1260.04 “Uses”
Second Reading and Public Hearing of Ordinance 2017-24 Repealing Section 1284.03 “Definitions: C-D” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 1284.03 “Definitions: C-D”
Second Reading and Public Hearing of Ordinance 2017-25 Repealing Section 242.01 “Composition; Classification” of the Codified Ordinances of the Village of Yellow Springs, Ohio and Enacting New Section 242.01 “Composition; Classification” (Adding two positions in the rank of Corporal to the Police Department)
Resolution Establishing an Endowment with the Community Foundation for the Ongoing Maintenance of the Yellow Springs Creek Conservation Area
Reading of Resolution 2017-46 Authorizing the Village Manager to Enter into a Contract for Services for a Housing Needs Assessment Provider
- Oct. 2:

Enterprise & Special Revenue Funds & Capital Budgets
Complete Streets Presentation
Revolving Loan Fund Report
JSTF Report to Council
Ordinance 2017-xx Increasing Tap Fees
Ordinance 2017-xx Enacting a Smoking Ban on Village Owned Property
- Oct. 16:

Budget Workshop (collective budget with revisions)
Quarterly Financials
Art Council Report to Council re: Permanent Collection
- Nov. 6:

2018 Budget
- Nov. 20 :

First Reading of 2018 Budget Ordinance as an Emergency
- Dec. 4:

Second Reading and Public Hearing of 2018 Budget Ordinance as an Emergency

ADJOURNMENT

At 9:57pm, MacQueen MOVED and Simms SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

Please note: These notes are not verbatim. A DVD copy of the meeting is available for viewing in the Clerk of Council’s office between 9am and 3pm Monday through Friday or any time via youtube link from the Village website: www.yso.com.

Karen Wintrow, President

Attest: Judy Kintner, Clerk of Council

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE #2017-17**

**REPEALING SECTION 1262.08 “SPECIFIC REQUIREMENTS” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1262.08 “SPECIFIC REQUIREMENTS”**

Whereas, Codified Ordinance Section 1262.08 of the Village of Yellow Springs, Ohio provides for additional requirements that may be applicable to specific conditional uses; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1262.08 entitled “Specific Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio to provide for requirements for Pocket Neighborhood Developments,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1262.08 entitled “Specific Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1262.08 entitled “Specific Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded** and deleted language in ~~strike through~~, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow _____ Brian Housh _____ Gerald Simms _____

Judith Hempfling _____ Marianne MacQueen _____

Exhibit A

1262.08 SPECIFIC REQUIREMENTS.

In addition to the general standards of Section 1262.03 applicable to all conditional uses, additional requirements may be applicable to specific conditional uses and shall be satisfied in order to obtain approval. Conditional uses for which added requirements apply are:

(a) Commercial.

(1) Drive-through businesses, excluding restaurants.

A. The drive-up or drive-through facility must be attached to a building, except that an automated teller machine may be in a stand-alone structure with a canopy or similar roof to protect users from the elements.

B. The facility shall be screened from any adjacent residential district or use and lighting shall be limited and fully shielded to prevent glare and light trespass.

C. Drive-through and stacking lanes and parking lot access shall be clearly identified and delineated.

D. A drive-through shall have an escape lane to allow a vehicle to pass those waiting to be served.

E. All drive-through service windows shall be located on the side or rear of the building to minimize visibility from any abutting street.

F. Amplified speakers and sound equipment shall be located at least 50 feet from any adjoining residential property. Additional landscaping and fencing shall be installed between such equipment and the adjoining residential property to minimize associated noise impacts.

G. At least three stacking spaces shall be provided per each drive-through lane.

(2) Mortuaries and funeral homes.

A. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.

B. Minimum lot area shall be one acre and minimum lot width shall be 150 feet.

C. An off-street vehicle assembly area shall be provided to be used in support of funeral processions and activities. This area shall be in addition to the required off-street parking and its related maneuvering area.

D. Access driveways shall be located no less than 100 feet from the centerline of the intersection of any street or other driveway.

(3) Retail of 10,000 square feet or more.

A. The building and site design shall be compatible with and complementary to the established character of the district with respect to scale, height, bulk, setbacks, building materials and pedestrian and bicycle transportation amenities.

B. Off-street parking areas shall be designed to minimize their visibility and obtrusiveness from the adjacent street(s).

C. No new driveways or other means of vehicular access shall be permitted on Xenia Avenue between Limestone and Corry Streets.

(b) Industrial.

(1) Chemical manufacturing and storage.

A. As part of the conditional use application, the applicant shall provide documentation, reports, studies and other materials required by the Village specifying the materials to be handled, safety measures, existing soil conditions, methods of protecting ground water and all other information required by the Village in the course of reviewing the proposed use and its location.

B. The facility shall at all times operate according to all applicable local, Greene County, State of Ohio and Federal regulations.

C. Adequate safety measures shall be implemented and in use at all times.

D. There shall be no storage of hazardous materials outdoors, except in tanks or containers designed for that purpose that are inaccessible to anyone not authorized to process or handle such materials, and that meet all applicable safety regulations.

E. The applicant shall provide a disaster mitigation plan and fire pre-plan, approved by the appropriate authorities, as part of the application for a conditional use.

F. Truck routes to and from the facility shall be subject to approval.

(c) Public/Quasi-Public.

(1) Churches, places of worship, schools (elementary, middle and high).

A. The use shall have frontage on and direct access to an arterial or collector street. Secondary access to a local street may be permitted if the applicant provides evidence satisfactory to the Planning Commission that the added traffic will not have a negative impact on the surrounding neighborhood.

B. All outdoor activity, parking areas and recreational space shall be screened from adjacent property in any residential district.

C. Exterior lighting shall be 90-degree style cut-off fixtures, directed away from adjacent property and the public right-of-way.

D. Parking areas shall not be located within the required front setback area and the building setback shall be consistent with the established average setback of adjacent properties, as provided in Section 1260.02(a).

(d) Recreation/Food/Entertainment.

(1) Mobile vending (food trucks).

A. Food trucks may be permitted to operate within the B-1, E-I, I-1 and I-2 zoning districts.

B. The food truck shall be located only within an approved off-street parking lot; provided, the food truck shall not displace any required parking spaces.

C. The food truck shall not be located closer than ten feet to any driveway.

D. Outdoor seating may be permitted; provided, written permission is obtained from the property owner and the seating area does not displace any required parking spaces.

E. Amplified sound and free-standing signs shall not be permitted.

F. The food truck shall be stationary at all times when open for business.

G. The owner or an employee shall be present within the vehicle at all times while open for business.

H. Access to restroom facilities must be available.

I. The owner or operator of the food truck shall provide trash receptacles, other than public receptacles.

J. All equipment, other than outdoor seating, shall be inside, attached to or within three feet of the food truck.

K. Evidence of Greene County health department approval shall be provided.

L. Disposal of wastewater shall be into the sanitary sewer system. The use of storm drains or any other form of discharge is prohibited.

M. The conditional use approval shall be reviewed annually by the Village Manager to ensure compliance with all standards of this section and any other conditions that may have been imposed upon the original approval.

(2) Internet sweepstakes café.

A. A license shall be obtained in accordance with Village Ordinance 2011-12.

B. An internet sweepstakes café shall be located no closer than 500 feet from any school, church, public park, library or other internet sweepstakes café, as measured from nearest property line to nearest property line.

C. Hours of operation shall be limited to 9:00 a.m. to 11:00 p.m., Monday through Saturday.

(3) Outdoor commercial recreation.

A. The front, side and rear yard minimum setbacks shall be 50 feet for all buildings and outdoor components of the recreational facility.

B. The parking setback shall be 20 feet from lot lines in the front, side and rear yards in nonresidential zoning districts and 50 feet from lot lines in residential districts.

C. Building design and materials shall be compatible with the existing or intended character of the surrounding area.

D. An operations plan describing the nature of the use, hours of operation, etc. shall be provided.

E. The Planning Commission may also establish conditions to minimize negative impacts on nearby uses and traffic operations along public streets, such as, but not limited to hours of operation, noise buffering and location of waste receptacles.

(4) Restaurants, drive-through.

A. Sufficient vehicular stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of eight stacking spaces for each service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation, parking spaces and egress from the property by vehicles not using the drive-through portion of the facility.

B. A minimum of two parking spaces shall be provided in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.

C. Public access to the site shall be located at least 100 feet from any intersection or other driveway on the same side of the street, as measured from the nearest right-of-way line to the nearest edge of the access.

D. Internal circulation and access to egress from the site shall not substantially impair the movement of other modes of transportation, such as bicycles and pedestrians, to and through the site.

E. Amplified speakers and sound equipment shall be located at least 50 feet from any adjoining residential property. Additional landscaping and fencing shall be installed between such equipment and the adjoining residential property to minimize associated noise impacts. Noise levels must comply with the Village noise ordinance (Chapter 634).

(5) Sexually oriented business.

A. Intent. In the development and execution of these zoning regulations, it is recognized that some uses, because of their very nature, may have serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances,

thereby causing a deleterious effect upon the adjacent areas. The proximity of sexually oriented businesses to certain uses considered particularly susceptible to the negative impacts of the concentration of sexually oriented uses tends to erode the quality of life, adversely affect property values, disrupt business investment, encourage residents and businesses to move or avoid the community, increase crime, and contribute to a blighting effect on the surrounding area. There is convincing documented evidence of the deleterious effect that sexually oriented businesses have on both existing businesses around them and the surrounding residential areas to which they may be adjacent. Therefore, the following intents are served by these regulations:

1. This subsection describes the uses regulated and the specific standards necessary to ensure that the adverse effects of these uses will not contribute to the deterioration of the surrounding neighborhood, to prevent undesirable concentration of these uses, and to require sufficient spacing from uses considered most susceptible to negative impacts.

2. These provisions are not intended, nor shall they have the effect of, imposing a limitation or restriction on the content of any communicative materials including, but not limited to, sexually oriented materials that are protected by the First Amendment to the United States Constitution.

3. Additionally, it is not the intent of the provisions of this section, nor shall it have the effect of, restricting or denying access by adults to sexually oriented materials that are protected by said Federal and State constitutions.

4. Further, it is not the intent of these provisions, nor shall they have the effect of, denying access by the distributors and exhibitors of sexually oriented entertainment to their target market.

5. These regulations shall not be interpreted as intending to legitimize any activities that are prohibited by Federal or State law, or by any other code of the Village.

B. Uses regulated. The following uses are regulated by this subsection and defined for purposes of regulating sexually oriented businesses:

1. Adult arcade.
2. Adult book store.
3. Adult cabaret, club, bar or lounge.
4. Adult motel.
5. Adult motion picture theater.

C. Regulations.

1. No sexually oriented business shall be permitted in a location in which any principal building or accessory structure, including signs, is within 1,320 feet of any principal building or accessory structure of another sexually oriented business.

2. No sexually oriented business shall be established on a parcel within 500 feet of any parcel in a residential district or any parcel used for a single-family, two-family or multiple-family residence, public park, school, child care facility, church or similar place of worship, public library, Village office, police department or fire department, youth center, or commercially operated school attended by children such as, for example, dance schools, gymnastic centers, etc. The distance between a proposed sexually oriented business and any such zoned area or existing use shall be measured in a straight line from the nearest property line upon which the proposed sexually oriented business is to be located to the nearest property line of that zoned area or existing use.

3. Any sign or advertising for the sexually oriented business must comply with the provisions of this code. No sign or advertising may include photographs, silhouettes, or drawings

of any specified anatomical areas or specified sexual activities, or obscene representations of the human form and may not include animated or flashing illumination.

4. The entrances to the proposed sexually oriented business at both the exterior and interior walls, in a location visible to those entering and exiting the business, must be clearly marked with lettering at least two inches in height stating:

- a. "Persons under the age of 18 are not permitted to enter the premises;" and
- b. "No alcoholic beverages of any type are permitted within the premises."

5. No product or service for sale or gift, or any picture or other representation of any product or service for sale or gift, shall be displayed so as to be visible by a person of normal visual acuity from the nearest adjoining roadway or a neighboring property.

6. Hours of operation shall be limited to 9:00 a.m. to 11:00 p.m., Monday through Saturday.

7. All off street and on-site parking areas shall comply with this code, based on the primary use (i.e., retail, assembly, etc.) and shall additionally be illuminated at all times.

8. Any booth, room or cubical available in any sexually oriented business that is used by patrons for the viewing of any entertainment shall:

- a. Be unobstructed by any door, lock or other entrance and exit control device;
- b. Have at least one side totally open to a public, lighted aisle so that there is an unobstructed view at all times from the adjoining aisle of any occupant;
- c. Be illuminated such that a person of normal visual acuity looking into the booth, room or cubical from its entrance adjoining the public lighted aisle can clearly determine the number of people within;
- d. Have no holes or openings in any side or rear wall not relating to utility, ventilation or temperature control services or otherwise required by any governmental code or authority.

D. Conditions of approval. Prior to granting approval for the establishment of any sexually oriented business, the Planning Commission may impose any conditions or limitations upon the establishment, location, construction, maintenance, or operation of the sexually oriented business which is necessary for the protection of the public interest. Any evidence, bond, or other performance guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.

E. Access to minors. No person operating a sexually oriented business shall permit any person under the age of 18 to be on the premises of the business as an employee, customer, or otherwise.

(e) Residential.

(1) Accessory dwelling units.

A. An accessory dwelling unit may be located within a principal single-family detached dwelling or a detached accessory building on the same lot as a principal dwelling.

B. The accessory dwelling unit shall share all public utilities (water/ sewer/electric) with the principal dwelling unit. Accessory dwelling units will not be separately metered.

C. A minimum of one off-street parking space shall be provided on the lot for the accessory dwelling unit in addition to the off-street parking spaces required for the principal dwelling unit.

D. The accessory dwelling unit shall be limited in size to a maximum of 50% of the total living area of the principal dwelling or 750 square feet, whichever is less.

E. The accessory dwelling shall contain a living area, one bath and a kitchenette (including a refrigerator, microwave oven, stove and sink) and may contain not more than one bedroom.

F. No more than two adults shall occupy the accessory dwelling unit.

G. No new access points or driveways shall be created or installed for access to the accessory dwelling unit.

(2) Bed and breakfasts.

A. A bed and breakfast shall not provide more than six guest rooms plus a common area for use by all guests.

B. A bed and breakfast establishment shall be located only in a detached single-family dwelling, designed and constructed for single family use, which shall contain at least 1,500 square feet of useable floor area. For each guest room in excess of two, an additional 100 square feet of floor area shall be required.

C. The bed and breakfast shall be the principal residence of the owner or manager, who shall reside there when the bed and breakfast is in operation.

D. Meals shall be limited to breakfast and evening snack, and shall be served only to guests of the facility and members and guests of the owner's family.

E. There shall be at least one off-street parking space provided for each guest room, in addition to the parking spaces required to serve the principal residence.

F. One sign, not exceeding four square feet, shall be allowed for identification purposes only and shall either be mounted on the front wall of the dwelling or placed within the front yard no closer than ten feet to the front lot line. Sign lighting shall be indirect and shielded from view off-site. Internally lighted signs are not permitted.

G. Cooking facilities shall not be permitted in bed and breakfast guest rooms.

H. Exterior refuse storage facilities shall be screened from view on all sides by a six-foot solid decorative fence, wall, vegetation or similar visual barrier.

I. In addition to the site plan required by this chapter, a floor plan of the dwelling unit and the use of each room shall be submitted with the conditional use application.

(3) Boarding houses.

A. The boarding house shall front on and have direct access to an arterial or collector street.

B. A maximum of ten guest rooms may be permitted.

C. Off-street parking shall be provided at a ratio of one space per guest room. The parking area shall be located in the rear yard and screened from adjoining properties.

D. One sign, not exceeding four square feet, shall be allowed for identification purposes only, and shall either be mounted on the front wall of the dwelling or placed within the front yard no closer than ten feet to the front lot line. Sign lighting shall be indirect and shielded from view off-site. Internally lighted signs are not permitted.

(4) Dwelling units on upper floors with nonresidential at street level.

A. Dwelling units shall not be located on the street level of a mixed use building.

B. Nonresidential uses, including storage, shall not be located on the same floor as a dwelling unit.

(5) Home occupation.

A. Permit. Application for a home occupation permit shall be made to the Zoning Administrator, together with payment of such fee as may be established by Village Council. The requirement for a permit shall be waived if all of the following conditions apply to the home

occupation: the proposed home occupation will not employ any persons other than residents of the dwelling; the home occupation is such that it will not generate customers, clients or visitors to the home; there will be no sign on the property identifying the home occupation and all other provisions of this section shall be met.

B. If the Zoning Administrator cannot determine if the home occupation conditional use requirements are met, in his or her sole discretion the Zoning Administrator may refer the matter to the Planning Commission for a conditional use hearing in accordance with the procedures of this chapter.

C. The use shall be conducted entirely within the dwelling, with the following exception(s):

1. The use may be conducted entirely within a garage or accessory building unattached to the dwelling in property zoned R-A or R-B as long as the use is not prohibited in a Planned Unit Development, recorded deed restrictions or other similar applicable recorded restrictions upon the parcel.

2. Any dwelling, garage or accessory building used in the home occupation shall comply with all other applicable Village ordinances and requirements and shall not be nonconforming with respect to lot, width and dimensional requirements.

D. The use shall be carried on only by the residents of the dwelling and not more than one other person.

E. The use of the dwelling for a home occupation must be clearly accessory, incidental and subordinate to the permitted principal residential use, and shall not utilize more than 20% of the usable floor area of the principal dwelling or its equivalent if conducted within an accessory building, or 250 square feet, whichever is less.

F. The appearance of the dwelling shall not be altered, nor shall the occupation within the dwelling be conducted in any manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting or the emission of sounds, vibrations or light that carry beyond the premises.

G. No outdoor storage, activities or displays shall be permitted.

H. No combustible, toxic or hazardous materials may be used or stored on the premises, except in a safe manner and in full compliance with all Federal, State and other governmental requirements concerning the use, handling, transport, storage and disposal of any such materials.

I. There shall be no activity that would interfere with radio or television transmission in the area, nor shall there be any offensive noise, vibrations, smoke, dust, odors, heat or glare noticeable at or beyond the property line. The use shall not create a nuisance for the public and any surrounding property.

J. Traffic generated by the combined home and home occupation shall be compatible with traffic normally expected in a residential district. Vehicles used in the home occupation or making deliveries shall be no larger than utility vehicles commonly used for noncommercial purposes, i.e, pick-up trucks, vans, panel trucks and the like and parcel package delivery trucks.

K. The home occupation shall not entail more than eight client visits per day or 40 per week. The operator of the home occupation is responsible for maintaining a log of such visits.

L. Parking of motor vehicles shall be limited to one vehicle used for the home occupation per parcel. Parking generated by the conduct of the home occupation shall be provided for on the lot's driveway, which shall meet the minimum size requirements for off-street parking set forth in Chapter 1264. Parking of motor vehicles generated by the home occupation are not allowed on the street or on any unpaved area of the lot.

M. In the event any of the above conditions or other conditions required by the Planning Commission are not met, the revocation process as set forth in Section 1262.06 shall take place.

(6) Pocket Neighborhood Developments (PNDs).

The following regulations apply to Pocket Neighborhood Developments (PNDs):

A. Location:

1. Pocket Neighborhood Developments may be considered in only the three residential districts; Residential A – Low Density Residential District,
2. Residential B – Moderate Density Residential District
3. Residential C – High Density Residential District.

B. Density and Minimum Lot Area:

1. In Residential A, the permitted density shall be a maximum of 6 units per acre.
2. In Residential B, the permitted density shall be a maximum of 8 units per acre.
3. In Residential C, the permitted density shall be a maximum of 14 units per acre.
4. The minimum lot area for a PND is equal to the minimum lot requirements for the corresponding residential district.
5. On a lot to be used for a PND, the lot size maximum must be under five acres.
6. On a lot to be used for a PND, a minimum of 4 dwelling units around a common open space area are required.
7. On a lot to be used for a PND, an existing single-family dwelling or duplex structure, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased, and the existing structure will factor into the maximum lot coverage permitted for that residential zoning district. An existing single-family dwelling or duplex structure will only count as one dwelling unit towards the minimum of 4 dwelling units as noted in section B.6. An existing accessory dwelling unit (ADU) will not be allowed in a PND. An existing ADU may be converted to another use such as a storage building or HOA community room.

C. Height Limit and Roof Pitch

1. The height limit permitted for structures in PNDs shall be a maximum of 35 feet for each dwelling unit, and rooflines must present a distinct profile and appearance and express the neighborhood character.

D. Lot Coverage

1. The maximum lot coverage permitted for principal dwelling units in PNDs shall be limited to that allowed in the corresponding residential zoning district. Because PNDs shall be located on one lot under the control of a Home Owner's Association (HOA), the developer and/or the Greene County Engineer shall determine the lot area for each individual dwelling unit.

E. Yard Setbacks

1. Front and Rear Setbacks shall be equal to the setback requirements in the corresponding residential districts and will be measured from the perimeter property lot line. The front yard setback shall be measured by where the road frontage is and not the lot line of the land owned by each individual property

owner within the PND. The side yard setback is a minimum of 10 feet between the eaves of each dwelling unit unless it is single-family attached dwelling units.

2. Frontage on a public street is not required for individual lots in a PND provided that the Planning Commission determines through the site review process that the development provides for adequate access to the lot via easements, shared driveways or other means.

F. Required Common Open Space

1. A minimum of 200 square feet of contiguous usable common open space is required per dwelling unit with no dimension less than 10 feet. At least 50 percent of the dwelling units shall abut the common open space, all of the dwelling units shall be within 60 feet walking distance to the common open space, and the common open space shall have dwelling units abutting at least two sides.

G. Parking

1. One and one-half spaces per dwelling unit shall be required.
2. Location:
 - a. Parking shall be on the PND property with a plan approved by the Planning Commission to ensure that parking is as unobtrusive as possible. The parking requirements and landscape requirements in the PND shall be limited to that allowed in the Yellow Springs Planning and Zoning codes. Parking areas are excluded from the calculations of common open space.

H. Lighting

1. Lighting fixtures shall be equipped with cutoff elements to direct light downwards and prevent light spill or trespass beyond the boundaries of the individual dwelling unit lot areas.

I. Utilities

1. A Utility Vault will be required where all meters can be located.

J. Other PND Standards:

1. PNDs are limited to detached single family dwelling units in R-A, Low Density Residential. In R-B, Moderate Density Residential and R-C, High Density Residential, up to 50 percent can be either two-family dwellings and/or single-family attached.
2. Privately-held accessory structures and accessory dwelling units are not allowed.
3. A PND shall be located on one lot with all common open space under the control of a Homeowner's Association (HOA). A draft of the conditions, covenants and restrictions (CC&Rs) shall be provided to the Planning Commission during the Level B site plan review meeting, with final approval of the CC&R by staff. Once approved, the CC&Rs shall be recorded with Greene County. The CC&Rs must create a homeowner's association that will provide for maintenance of all common areas in the PND which includes but are not limited to areas of common open space, parking, roadways, street right-of-ways, exterior

setbacks, driveways, required yards, utility easements, pedestrian paths, and shared community buildings or shared accessory structures.

4. The dwelling units may be individually owned or rented with no more than 50 percent rentals.
5. Prior to the Planning commission conditional use hearing, a preliminary meeting with utilities and planning staff to review the project must be held. A Level B site plan review, including a storm water plan as specified in 1226.06 Design Standards is required for approval of the PND conditional use. Prior to submittal to the Planning Commission, the Level B site plan shall be reviewed by a designated Village of Yellow Springs engineer, who will provide a written report of findings for the Planning Commission. The engineer may be present at the conditional use hearing to answer questions related to their findings.
6. Pedestrian pathways must be included to provide for movement of residents and guests from parking areas to homes and other amenities. These pathways must be shown on the site plan and be part of the common areas/tracts.
7. Mailboxes shall follow the US Postal Service requirements for cluster box units (CBUs).
8. Other considerations not addressed specifically, shall follow the requirements of the Yellow Springs Planning and Zoning codes.

(67) Short-term rentals.

A. Permit. Upon approval of the conditional use, the owner shall submit to the Zoning Administrator the name and emergency contact information for the owner or property manager who can be contacted and will respond within a reasonable time period to any complaints, violations, emergencies or other concerns related to the short-term rental property or tenants.

B. Location. The Planning Commission shall consider the proposed location relative to its proximity to other such uses in the vicinity in order to avoid an undue concentration that could have a negative effect on the surrounding neighborhood.

C. Maximum occupancy. The maximum number of tenants permitted shall be determined by applicable Health Department requirements.

(f) Storage and Distribution.

(1) Cartage, express and parcel delivery facilities, freight terminals, warehousing and storage.

A. The site shall have a minimum area of ten acres, provided the Planning Commission, may reduce the site area to no less than five acres where it is demonstrated to its satisfaction that the truck terminal operation will be compatible with other surrounding uses.

B. All ingress and egress from the site shall be directly onto an arterial street.

C. The site shall be designed so all vehicles are able to enter and leave the site without having to back out onto the street. Driveways shall be curbed for their full length in the front yard.

D. The Planning Commission shall determine that traffic will be no more hazardous nor the volume of traffic any greater than the capacity for the street involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and adequacy of intersections. All access to the site shall be from arterial streets built to a standard to accommodate heavy trucks.

(2) Mini-warehouse and self-storage facilities.

- A. The minimum size of the site shall be not less than two acres.
- B. All ingress and egress from the site shall be directly onto an arterial or collector street.
- C. No storage of combustible or flammable liquids, combustible fibers, or explosive materials, as defined in the Fire Prevention Code, or toxic materials, shall be permitted within the self-storage buildings or upon the premises. However, storage of recreational vehicles containing fuel and other automotive fluids is permitted.
- D. The use of the premises shall be limited to storage of personal items and business items and shall not be used for operating any other business, maintaining or repairing vehicles or for any recreational activity or hobby.
- E. Limited retail sales of products and supplies incidental to the principal use, such as packing materials, packing labels, tape, rope, protective covers, locks and chains shall be permitted.
- F. All yards abutting a street shall be screened from view in accordance with the requirements of Section 1270.02(b).
- G. A security manager may be permitted to reside on the premises. A minimum of two parking spaces shall be provided for the dwelling unit.
- H. This use shall not be permitted within the Gateway Overlay District.

(g) Utility.

(1) Wireless communication facilities.

A. Required approvals. The placement of wireless communications facilities and towers shall meet the following approval requirements:

1. Installation of new antenna. The installation of new antenna(s) on existing towers, including legal nonconforming towers, and existing alternative structures (such as water towers, buildings, or church steeples) may be approved by the Zoning Administrator, subject to all requirements of this section. Any new antenna that will add either 10% or 20 feet, whichever is less, above the highest point of any existing tower or alternative structure shall be subject to the provisions of this chapter for the installation of new towers as described below.

2. Installation of new accessory structures. The installation of new accessory structure(s), such as equipment buildings, to support the installation of additional antennas on existing towers or alternative structures may be approved by the Zoning Administrator.

B. Removal. Any tower unused or left abandoned for 12 consecutive months shall be removed by the property owner at his or her expense. Regardless of the tower ownership, the property owner shall be responsible for removal. Upon the request of the Zoning Administrator, the operator of any facility to which this provision applies shall provide documentation of the use of that facility for the purpose of verifying any abandonment.

C. Interference with public safety facilities. No new wireless communications facilities or tower shall result in any interference with public safety telecommunications.

D. Required documentation for all facilities. In addition to the requirements provided in this chapter for the receipt of conditional use approval, applications for new towers, new antenna, and new related facilities shall include the following: Where the equipment is mounted on an existing building, the comparable information for that structure shall be provided.

1. Engineer's report. A report from a professional engineer licensed in the State of Ohio that:

a. Describes the height and design of any new tower and/or antenna including a cross-section, latitude, longitude, and elevation;

b. Describes or updates (in the case of new antenna) the tower's capacity, including the type and number of antennas it can accommodate;

c. Certifies compliance of the construction specifications with all applicable building codes (including but not limited to the foundation for the tower, anchors for the guy wires if used, co-location, and strength requirements for natural forces: ice, wind, earth movements, etc.);

d. Certifies that the facility will not interfere with established public safety telecommunication facilities; and

e. Includes the engineer's seal and registration number.

2. Letter of intent. A letter of intent committing the tower owner, property owner, antenna owners, and their successors to allow the shared use of the tower.

3. Proof of compliance. Copies of any required approvals from the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) and all other appropriate State and Federal agencies.

4. Removal affidavit. A letter committing all parties, including the property owner and his or her successors, to remove the tower and all related accessory structures, fences, landscaping, and equipment if the tower is abandoned (unused for a period of 12 consecutive months). The removal affidavit shall be recorded in Greene County, with a copy of the recorded affidavit provided to the Zoning Administrator.

E. Determination of new tower need. Any proposal for a new telecommunications tower shall only be approved if the applicant submits verification from a professional engineer licensed in the State of Ohio that the antenna(s) planned for the proposed tower cannot be accommodated on any existing or approved towers or other structures within a two-mile radius of the proposed tower location due to one or more of the following reasons:

1. Existing public site. There are no existing publicly- owned towers or sites suitable to accommodate the proposed tower or antennas.

2. Inadequate structural capacity. The antenna(s) would exceed the structural capacity of an existing or approved tower or other structure.

3. Interference. The antennas would cause interference impacting the usability of other existing or planned equipment at the tower site.

4. Inadequate height. The existing or approved towers or structures within the search radius cannot accommodate the planned equipment at the height necessary.

5. Land availability. Additional land area is not available (when necessary).

F. Design requirements for new towers and related facilities. All telecommunications facilities shall meet the following design requirements:

1. Lighting. Tower lighting shall only be as required for safety or security reasons or as required by the FAA or other Federal or State authority. All ground-level security lighting shall be oriented inward so as not to project onto surrounding properties, and shall have 90-degree cut-off luminaries (shielded down lighting).

2. Co-location. All telecommunication towers shall be designed, and engineered structurally, electrically and in all other respects to accommodate both the applicant's equipment and at least one additional user for every 50 feet in total tower height in excess of 75 feet.

a. Each additional user shall be assumed to have an antenna loading equal to that of the initial user.

b. Towers must be designed to allow for rearrangement of antennas and to accept antennas mounted at varying heights.

3. Height. All towers and antenna shall conform to FAA tall structure requirements. The maximum height of accessory structures shall be 15 feet.

4. Signs. Signs for all telecommunications facilities shall be permitted up to a total of four square feet per user and mounted on the fence.

G. Site requirements for new towers and related facilities. All telecommunications facilities shall meet the following site requirements:

1. Vehicular access. Vehicle access drives may be gravel or paved and shall be located within an access easement that is a minimum of 20 feet in width. Any portion of the entrance located in a public right-of-way shall meet the applicable public street design, construction, and pavement requirements.

2. Site area. The lot (or lease area) where the tower is located shall be large enough to accommodate all future anticipated accessory structures needed by future antenna users. The size of the site shall also be of sufficient area to allow the location of one additional tower and associated support facilities.

a. The arrangement of the initial tower and the topography of the site shall be considered in determining the sufficiency of the site area.

b. At a minimum, the width and depth of the tower site shall be a distance equal to the tower height. The tower shall be placed within the property so it is no closer to any lot line than one-half the tower height.

c. All tower supporting and stabilizing wires shall be located within the site area.

3. Setback. The required setbacks for the tower and related facilities shall be as follows:

a. Side and rear setback. The minimum side and rear setback for all facilities, including the security fence, shall be 25 feet.

b. Front setback. The minimum front setback for all facilities shall be as specified by this code for the zoning district in which it is located. No part of a wireless telecommunications facility, including the security fence, and any required guide wires or bracing shall be permitted in the required front setback.

c. Additional setback from residential districts. No facility shall be placed closer than one and one-half times the total height of the tower or 200 feet, whichever is greater, to any property included in a residential district.

d. Additional landscaping. Landscape screening, in addition to the requirements of this chapter, may be provided in the setback area.

4. Encroachment. No part of any telecommunications facility nor associated lines, cables, equipment, wires or braces shall at any time extend across or over any part of a public right-of-way, sidewalk, or property line.

5. Fencing. An eight-foot high security fence shall completely surround the tower and accessory equipment building site. Any deterrents, such as barbed wire, shall be at least eight feet above grade.

a. An area ten feet in width shall remain outside of the fence for the purpose of providing the landscape screening described in subsection (g)(1)H., below.

b. In the residential districts, the required security fence enclosing the facility shall be 100% opaque and of wood, brick, or stone construction. Opaque, eight-foot-tall gates shall be provided for access. In no instance shall the use of chain link fencing or gates with screening inserts be considered as opaque.

H. Landscape screening. Evergreen buffer plantings shall be located and maintained around the outermost perimeter of the security fence of all wireless communications facilities.

The landscape plan for the site shall provide plants in a number and design to provide a screen of the fence, all equipment and the base of the tower, as determined by the Planning Commission.

1. If evergreen shrubs are used they shall be planted a maximum of five feet apart on center.

2. If evergreen trees are used they shall be planted a maximum of ten feet apart on center.

(h) Vehicle and Transportation.

(1) New and used vehicle sales.

A. The minimum lot size shall be one-half acre with a minimum lot width of 200 feet.

B. Signs shall conform to the requirements of Chapter 1266. Flags, pennants, balloons, ribbons, or other attention getting devices are not permitted.

C. Temporary or portable structures are not permitted.

D. Outdoor display.

1. Vehicles, for sale or otherwise, shall be parked on approved hard surfaces.

2. Vehicle display areas shall meet the setback requirements for parking areas as required in the B-2 District.

3. Vehicle display or storage shall not be allowed in areas required for visitor, employee or service parking, as required by Chapter 1264.

4. All other merchandise available for sale, including, but not limited to, clothing, accessories, collectibles etc. shall be sold and displayed within an enclosed building.

E. All service work, including car washing, repair and general maintenance, shall be conducted entirely within an enclosed building.

F. Audible paging systems or outdoor speakers are not permitted.

G. The use of spotlights or similar equipment is prohibited.

(2) Vehicle repair, major.

A. All main and accessory structures shall be set back a minimum of 75 feet from any residential district.

B. There shall be a minimum lot frontage of 100 feet or the zoning district requirement, whichever is greater, on an arterial or collector street, and all access to the property shall be from that street.

C. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway.

D. A raised curb of six inches in height shall be constructed along the perimeter of all paved and landscaped areas.

E. Overhead doors shall not face a public street or residential district. The Planning Commission may modify this requirement upon a determination that there is no reasonable alternative and the poor visual impact will be diminished through use of building materials, architectural features and landscaping.

F. All maintenance and repair work shall be conducted completely within an enclosed building.

G. There shall be no outdoor storage or display of vehicle components and parts, materials, commodities for sale, supplies or equipment.

H. Storage of wrecked, partially dismantled, or other derelict vehicles, or overnight parking of any vehicle except a tow truck shall be permitted up to 30 days in a designated area.

Such area shall be screened from public rights-of-way by a solid, sight-obscuring fence or wall six feet in height.

I. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent ground water contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut-off valves, as approved by the Fire Department.

(3) Vehicle repair, minor.

A. A building or structure shall be located at least 40 feet from any side or rear lot line abutting a residential district.

B. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway.

C. Equipment, including hydraulic hoists, pits, and lubrication, greasing, and other automobile repairing equipment shall be located entirely within an enclosed building. Outdoor storage or display of merchandise, such as tires, lubricants and other accessory equipment is not permitted.

D. All activities shall occur inside a building. No vehicle may be stored outside on the property for more than five days.

E. Storage of gasoline, liquefied petroleum gas, oil or other flammable liquids or gas above ground shall not be permitted.

F. Floor drains shall not connect to the sanitary sewer system.

G. The minimum required lot frontage shall be on an arterial or collector street and all access to the property shall be from that street.

H. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent ground water contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut-off valves, as approved by the Fire Department.

I. If the use includes fuel sales, the requirements for a vehicle service station shall also be met.

(4) Vehicle service stations.

A. There shall be a minimum lot area of one acre and minimum lot width of 150 feet on an arterial street.

B. Only one driveway shall be permitted from each street, unless the Planning Commission determines additional driveways will be necessary to ensure safe and efficient access to the site. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway.

C. Pump islands shall be a minimum of 30 feet from any public right-of-way or lot line. Tanks, propane, and petroleum products shall be set back at least 15 feet from any lot line.

D. Overhead canopies shall be setback at least 20 feet from the right-of-way and constructed of materials consistent with the principal building. The proposed clearance of any canopy shall be noted on the site plan. All signs, logos, or identifying paint scheme shall be in accordance with Chapter 1266. The canopy shall not exceed 18 feet in height. Lighting in the canopy shall be recessed, fully shielded, and directed downward to prevent off-site glare.

E. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent ground water contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut-off valves, as approved by the Fire Department.

F. In the event that a service station use has been abandoned or terminated for a period of more than 12 months, all underground gasoline storage tanks shall be removed from the premises, in accordance with State requirements.

G. A vehicle service station may be combined with other uses, such as convenience store, vehicle wash, and/or restaurants; provided all requirements, including parking, are met for each use and the most restrictive requirements applicable to any single use shall apply.

(5) Vehicle wash facilities.

A. All washing activities must occur inside a building.

B. The building exit for washed vehicles must be at least 75 feet from the entrance drive that accesses the site.

C. Required stacking spaces for waiting vehicles shall not be located within a public or private right-of-way and shall not conflict with maneuvering areas, parking spaces and other activities. Stacking lanes shall be designed to prevent vehicle queues from extending beyond the property.

D. Wastewater must be recycled, filtered or otherwise cleansed to minimize discharge of soap, wax and solid matter into public sewers. All such water shall be discharged only into the public sanitary sewer system.

E. Only one driveway shall be permitted from any street, unless the Planning Commission determines additional driveways will be necessary to ensure safe and efficient access to the site.

F. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway.

G. For automated drive-through wash facilities, a by-pass lane is required that allows bypassing waiting vehicles.

H. Overhead doors shall not face a street, except if approved by the Planning Commission in these circumstances:

1. When the doors of a through garage are located at the front and rear of a building; or
2. When a garage is located on a corner or through lot; or
3. When determined that a rear garage door would negatively affect an abutting residential use or district.

I. A vehicle wash facility building and any accessory buildings and uses, including vacuums, shall be located at least 50 feet from a street right-of-way line and 100 feet from any residential district boundary.

J. The property owner or operator must comply with all applicable noise regulations. Air handling equipment shall be located on a roof, be equipped with intervening noise reduction baffles, be in proper working condition and must also comply with this provision.

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-18**

**REPEALING SECTION 1226.06 “DESIGN STANDARDS” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1226.06 “DESIGN STANDARDS”**

Whereas, Codified Ordinance Section 1226.06 of the Village of Yellow Springs, Ohio provides for design standards for subdivisions in the Village; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1226.06 entitled “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio to include Pocket Neighborhood Developments,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1226.06 entitled “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1226.06 entitled “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded**, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed: _____

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow ____ Brian Housh ____ Gerald Simms ____

Judith Hempfling ____ Marianne MacQueen ____

Exhibit A

1226.06 DESIGN STANDARDS.

(a) Undeveloped Land.

(1) Streets. Streets shall conform to the Official Thoroughfare Plan of the Village of Yellow Springs and shall be dedicated by the owner. Pavements of streets and construction of curbs, gutters, associated storm sewers, driveway aprons and water and sanitary sewer systems, shall be according to Greene County specifications, especially those found in Article 8 of the Subdivision Regulations of Greene County, Ohio, as amended. Calculation of potential runoffs and the storm sewer system so dictated shall be arrived at using the methods provided for in the "Run-off Control/Sediment Abatement Resolution, Greene County, Ohio."

Estate streets, as designed according to Appendix A following the text of these Subdivision Regulations and by the applicable specifications contained in the Subdivision Regulations of Greene County, Ohio, as amended, may be authorized by the Planning Commission as a variation, in accordance with Section 1226.10, for the construction of local streets, when the following conditions can be met:

A. All lots fronting on the proposed estate street must collectively average 100 feet of frontage.

B. A storm water plan for the entire subdivision, prepared by a licensed engineer at the expense of the subdivider, shall be formally approved by a Village- designated engineer;

C. Driveway connections crossing drainage swales must conform to Greene County specifications complete with concrete headwalls as called for by Sections 816 and 817 of the Greene County Subdivision Regulations, as amended. These crossings are to be an integral part of the stormwater management plan as to location, grade and size.

(2) Alleys. Alleys shall be twenty feet in width. Alleys shall be paved and constructed according to Greene County specifications. Dead-end alleys are prohibited.

(3) Sidewalks. ADA compliant sidewalks shall be required along all public streets unless the estate street design is being utilized. The Planning Commission may require ADA compliant sidewalks along estate streets if they are deemed necessary.

ADA compliant sidewalks along local streets shall be provided as required by the Commission and may include use of "black top" in lieu of concrete and of one-side-of-the-street installation. Such sidewalks shall meet sidewalk construction specifications approved by the Village of Yellow Springs.

(4) Easements. Easements with right-of-way widths up to ten feet, as required, shall be provided on rear lot lines and along side lot lines in addition to those required by the developer.

(5) Lots. Every lot shall abut on a street and double frontage lots shall be avoided except where such lots will reduce curb cuts on heavily traveled thoroughfares. Area, dimensions and

layout of lots shall be in conformity with the Zoning Code and applicable provisions of Article 5 of the Subdivision Regulations of Greene County, Ohio, as amended, excluding Section 518(G). Uncommon lot configurations may be incorporated into a development where such division poses no apparent nuisance and the Commission deems it appropriate. Approval of such lots shall be granted upon review of the following additional criteria:

A. Adequate access to such lots is provided and poses no nuisance to adjoining lots. Adequate access shall accommodate emergency needs, parking and any other requirements specific to the location.

B. The relation to the adjoining lots is acceptable in that required setbacks can be maintained, adequate privacy is preserved and apparent nuisances (light, noise) are avoided.

C. A minimum frontage of twenty feet shall be required for all such lots.

D. Uncommon lot configurations are permitted access on local streets only.

(6) Street trees. All subdivisions shall contain plans for tree planting along public streets of the new development. The following guidelines shall be followed:

A. Tree selection shall be taken from the Yellow Springs street tree recommended list, contained in Appendix B following the text of these Subdivision Regulations.

B. Existing trees over two inches in caliper may be used to satisfy these requirements.

C. The minimum size (trunk caliper) for new trees shall be no less than one and one-half inches.

D. The developer shall be required to maintain the trees for one year after the trees are planted and to replace any tree that dies within such one-year period. At the end of one year, the trees become the responsibility of the Village of Yellow Springs.

E. The spacing between large trees (a mature height of fifty feet) shall be forty-five to fifty feet; the spacing between medium trees (a mature height of thirty feet to fifty feet) shall be thirty-five to forty feet, and the spacing between small trees (a mature height of ten to thirty feet) shall be twenty-five to thirty feet.

F. Tree location shall be at least twenty feet from street intersections, twenty-five feet from utility poles and ten feet from fire hydrants.

G. Tree lawns shall be a minimum of six feet.

(7) Interior landscaping. All subdivisions shall include an interior landscaping plan that shall consist primarily of new tree planting or the preservation of existing trees and/or hedges within the development site.

A. Preservation of existing landscaping materials. All trees having a trunk diameter of six inches or greater, as measured twenty-four inches from ground level, shall be preserved unless such trees are exempted as follows:

1. Trees within public rights-of-way or utility easements, or a temporary construction easement as approved by the Planning Commission;

2. Trees within the ground coverage of proposed structures or within twelve feet from the perimeter of such structures;

3. Trees within the driveway access to parking or service areas or proposed areas to service a single-family home;

4. Trees that, in the judgment of the Village Tree Committee or some other agent with similar expertise, are damaged, diseased or overmature, interfere with utility lines or are an inappropriate or undesirable species for the specific location.

B. Preservation of exempted trees. It is encouraged that exempted trees subject to destruction be preserved by relocation and replanting whenever possible.

C. Tree planting requirements for all new developments. The following landscape requirements shall apply:

Use	Requirements
All residential, residential PUD and PND , and residential site plan review districts.	Tree plantings equal to one-half inch in tree trunk size for every 150 square feet in ground coverage by a single-family structure. Such plantings shall be required within the property lines of each structure.
Educational Institution, Office/ Research and General Business Districts.	In addition to the requirements of <u>Ch. 1264</u> , landscaped areas equal to 100 square feet for 1,000 square feet of building ground coverage or fraction thereof. Such landscaped areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located complementary to the structures.
Light Industrial, commercial and industrial PUD.	In addition to the requirements of <u>Chs. 1254</u> and <u>1264</u> , there shall be plantings equal to one inch in tree size for every 2,000 square feet of building ground coverage or fraction thereof.

D. New tree plantings. If new tree plantings are required for conformance to the landscaping requirements of this chapter, the applicant shall indicate on the landscape plan the location and size of such tree plantings. If such landscape plan is approved, the applicant shall plant such trees within one year or at the next planting season after issuance of a building permit.

(b) Land Abutting Existing Streets. Where lots are platted along an existing street, the developer may be required to improve the street and storm sewer, water and sanitary sewer systems and facilities and to provide sidewalks and street trees as specified in subsection (a) hereof insofar as such improvements are applicable.

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-19**

REPEALING SECTION 1264.02 “GENERAL REQUIREMENTS” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 1264.02 “GENERAL REQUIREMENTS”

Whereas, Codified Ordinance Section 1264.02 of the Village of Yellow Springs, Ohio provides for the parking requirements in the Village; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1264.02 entitled “General Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio to provide for the parking required in a Pocket Neighborhood Development,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:

Section 1. Section 1264.02 entitled “General Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1264.02 entitled “General Requirements” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth in Exhibit A with new language underlined and **bolded**, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed: _____

Attest: _____

Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow ____ Brian Housh ____ Gerald Simms ____

Marianne MacQueen ____ Judith Hempfling ____

Exhibit A

1264.02 GENERAL REQUIREMENTS.

(a) Applicability of Parking Requirements. For all buildings and uses established after the effective date of this code, off-street parking shall be provided as required by this chapter.

(1) Whenever use of a building or lot is changed to another classification of use, off-street parking facilities shall be provided, as required by this chapter.

(2) If the intensity of use of any building or lot is increased, through the addition of floor area, increase in seating capacity, number of employees or other means, additional off-street parking shall be provided, as required by this chapter.

(3) Off-street parking facilities in existence on the effective date of this code shall not be reduced below the requirements of this chapter, nor shall nonconforming parking facilities that exist as of the effective date of this code be further reduced or made more nonconforming.

(4) An area designated as required off-street parking shall not be changed to another use, unless equal facilities are provided elsewhere in accordance with the provisions of this chapter.

(b) Location. Off-street parking facilities required for all uses other than single and two-family dwellings shall be located on the lot or within 300 feet of the building(s) or use they are intended to serve, as measured along lines of public access from the nearest point of the parking facility to the building(s) or use served. Off-street parking facilities required for single- and two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve, and shall consist of a parking strip, parking apron, and/or garage. All residential driveways shall meet Village engineering standards. In the B-1, Central Business District, parking facilities shall be located within 600 feet of the building or use to be served.

(c) Shared/Common Parking.

(1) Two or more buildings or uses may share a common parking facility, provided the number of parking spaces available equals the required number of spaces for all the uses computed separately. Cumulative parking requirements for mixed-use developments or shared facilities may be reduced by the Planning Commission where it can be determined that one or more of the factors listed in subsection (d) below apply.

(2) Parking facilities for a church or place of worship may be used to meet not more than 50% of the off-street parking for theaters, stadiums and other places of public assembly, stores, office buildings and industrial establishments lying within 600 feet of a church or place of worship, as measured along lines of public access; provided, the church or place of worship makes the spaces available and there is no conflict between times when the uses are in need of the parking facilities.

(d) Modification of Parking Requirements. The Planning Commission may reduce the parking space requirements of this chapter for any use, based upon a finding that other forms of travel are available and likely to be used and, in particular, the site design will incorporate both bicycle parking facilities and pedestrian connections. In addition, one or more of the following conditions shall also be met:

(1) Shared parking by multiple uses where there will be a high proportion of multi-purpose visits or where uses have peak parking demands during differing times of the day or days of the week and meeting the following requirements:

A. Pedestrian connections shall be maintained between the uses.

B. For separate lots, shared parking areas shall be adjacent to each other, with pedestrian and vehicular connections maintained between the lots.

C. Unless the multiple uses all are within a unified business center, office park or industrial park all under the same ownership, shared parking agreements shall be filed with the Clerk of Council after approval by the Planning Commission.

(2) Convenient municipal off-street parking or on-street spaces are located adjacent to the subject property.

(3) Expectation of walk-in trade is reasonable due to sidewalk connections to adjacent residential neighborhoods or employment centers. To allow for a parking space reduction, the site design shall incorporate pedestrian connections to the site and on-site pedestrian circulation, providing safe and convenient access to the building entrance.

(4) Where the applicant has provided a parking study, conducted by a qualified traffic engineer, demonstrating that another standard would be more appropriate based on actual number of employees, expected level of customer traffic, or actual counts at a similar establishment.

(5) The Planning Commission may require a parking study to document that any one or more of the criteria in subsections (d)(1) through (4) above would be met.

(e) Deferred Parking.

(1) Where a reduction in the number of parking spaces is not warranted, but an applicant demonstrates that the parking requirements for a proposed use would be excessive, the Planning Commission may defer some of the required parking. A site plan shall designate portions of the site for future construction of the required parking spaces, meeting the design and dimensional requirements of this chapter. Any area so designated shall be maintained in a landscaped appearance and not occupy required buffers, greenbelts or parking lot setbacks, or be used for any other purpose. Landscaping, such as parking lot trees, that would otherwise be required for the deferred spaces shall be installed within the deferred parking area.

(2) The deferred parking shall meet the requirements of this chapter, if constructed. Construction of the additional parking spaces within the deferred parking area may be initiated by the owner or required by the Village, based on parking needs or observation, and shall require approval of an amended site plan.

(f) Temporary Parking. It is recognized that there may be special events or situations that occur infrequently which would result in a temporary reduction in the availability of required parking spaces or create a need for temporary off-site parking. Such events could include outdoor vehicle sales, festivals, fairs, church/school car washes or garage sales. In those instances, the Zoning Administrator may authorize the temporary use of the required parking area or temporary off-site parking upon a demonstration by the applicant that:

(1) The loss of the required parking spaces may be offset by requiring employees or customers to park elsewhere or that due to the time of year or nature of the on-site business, the required spaces are not needed;

(2) Permission has been granted by neighboring property owners or operators to use their parking facilities;

(3) The duration of the special event is so short or of such a nature as to not create any parking problems for the normal operation of the existing on-site use;

(4) Temporary off-site parking is located and designed to ensure safe and efficient circulation for both pedestrians and vehicles (a site plan may be required to demonstrate this);

(5) The proposed special event satisfies all other applicable Village regulations.

(g) Maximum Allowed Parking. In order to minimize excessive areas of pavement that detract from aesthetics, contribute to high rates of storm water runoff and generate reflective heat, the

minimum parking space requirements of this section shall not be exceeded by more than 10%, unless approved by the Planning Commission as part of site plan review. In approving additional parking space, the Planning Commission shall determine that the parking is necessary, based on documented evidence, to accommodate the use on a typical day.

(h) Downtown Parking. The minimum off-street parking spaces required for any nonresidential use in the B-1 District shall be reduced by 25% from the requirements of Table 1264.02. These requirements may be further reduced by the Planning Commission in conformance with the provisions of Section 1264.02(d).

(i) Bicycle Parking. Accommodation for bicycle parking is encouraged in all districts, but especially in the B-1, Central Business District, and the E-I, Educational Institution District.

(j) Required Off-Street Parking Spaces. The minimum number of required off-street parking spaces shall be provided and maintained on the premises or as otherwise allowed by this chapter, on the basis of the applicable requirements of Table 1264.02. As a condition of approval, the Village Council may require that a performance guarantee be posted, in accordance with the provisions of Section 1272.04.

(1) When units or measurements determining the number of required parking spaces result in a fraction over one-half, a full parking space shall be required.

(2) In the case of a use not specifically mentioned, the requirement for off-street parking facilities for a specified use which is most similar, as determined by the Zoning Administrator, shall apply.

(3) Each 24 inches of bench, pew, or similar seating facilities shall be counted as one seat, except if specifications and plans filed in conjunction with a building permit application specify a maximum seating capacity, that number may be used as the basis for required parking spaces.

(4) Where parking requirements are based upon maximum seating or occupancy capacity, the capacity shall be as determined by the Building Code and Fire Code.

(5) Unless otherwise indicated, floor area shall be usable floor area (UFA).

<i>Table 1264.02 Parking Requirements by Use</i>	
<i>Use</i>	<i>Number of Parking Spaces</i>
Residential Uses	
Accessory dwellings	1 space per dwelling unit.
Bed and breakfast	2 for the owner/operator and 1 per leasable room.
Boarding or rooming house	1 space per 2 beds, plus 2 additional spaces for owner or employees.
Dormitories, fraternities and similar student housing	1 per 3 occupants, plus 1 per 2 full-time equivalent employees.
Group homes, juvenile and adult	1 per 4 occupants.
Multiple-family residential dwellings	2 spaces per dwelling unit, except in B-1 District (downtown) where 1 per dwelling unit is required.
<u>Pocket Neighborhood Development</u>	<u>1.5 spaces per dwelling unit.</u>

Senior apartments and senior independent living	1.25 spaces per unit. Should units revert to general occupancy, the requirements for multiple family dwellings shall apply.
Single-family and two-family dwellings	2 spaces per dwelling unit.
Institutional Uses	
Auditoriums, assembly halls, meeting rooms, theaters, and similar places of assembly	1 space per 3 seats, based on maximum seating capacity in the main place of assembly therein, as established by the Village Fire and Building Codes.
Child day care centers, nursery schools, and day nurseries; adult day care centers	1 per 350 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions.
Churches and customary related uses	1 per 5 seats in the main unit of worship, plus spaces required for each accessory use such as a school.
Colleges and universities; business, trade, technical, vocational, or industrial schools	1 per classroom plus 1 per 3 students based on the maximum number of students attending classes at any one time.
Elementary and middle schools	1 per teacher, employee, or administrator, in addition to the requirements for places of assembly such as auditorium, gymnasium, or stadium.
Government offices	1 per 300 sq. ft. of UFA plus requirements for auditoriums, meeting halls or other assembly rooms.
High schools; performing and fine arts schools	1 per teacher, employee, or administrator, and 1 for every 10 students, in addition to the requirements for places of assembly such as auditorium, gymnasium, or stadium.
Hospitals and similar facilities for human care	1 per 2 beds, plus 1 per employee on the largest shift.
Nursing and convalescent homes	1 per 3 beds or occupants and 1 space per staff member or employee on the largest shift.
Post office	1 per 200 sq. ft. of UFA.
Public libraries and museums	1 per 800 sq. ft. of UFA, plus requirements for auditoriums, classrooms or other assembly rooms.
Retail Uses	
Retail stores except as otherwise specified herein	1 for every 250 sq. ft. of UFA.
Multi-tenant	with 60,000 square 1 for every 250 sq. ft. of retail UFA.

shopping centers	feet or less of retail	
	with over 60,000 square feet of retail	1 for every 220 sq. ft. of retail UFA.
	with restaurants	If more than 20% of the shopping center's floor area is occupied by restaurants or entertainment uses, parking requirements for these uses shall be calculated separately. Where the amount of restaurant space is unknown, it shall be assumed to be 20%.
Agricultural sales, greenhouses and nurseries or roadside stands		1 per employee plus 1 per 100 sq. ft. of actual permanent or temporary area devoted primarily to sales.
Animal grooming, training, day care, and boarding		1 for every 300 sq. ft. of UFA.
Farmers' markets		1 for every 150 sq. ft. of lot area used for sales or display.
Furniture and appliance, household equipment, show-room of a plumber, decorator, electrician, hardware, wholesale and repair shop, or other similar uses		1 for every 800 sq. ft. of net UFA plus 1 additional space per employee.
Grocery store/supermarket		1 for every 200 sq. ft. of UFA.
Home improvement centers		1 for every 300 sq. ft. of UFA.
Open air businesses, except as otherwise specified herein		1 for every 500 sq. ft. of lot area for retail sales, uses, and services.
Vehicle dealerships, including automobiles, RVs, motorcycles, snowmobiles, ATVs and boats		1 for every 300 sq. ft. of show room floor space, plus 1 per automobile service stall, plus 1 per employee.
Service Uses		
Motor vehicle service stations (gas stations and truck stops)		1 per employee, plus additional parking required for other uses within vehicle service station, such as the retail floor area, restaurants or vehicle repair stalls. Each automobile fueling position shall count as one quarter of a required space for the spaces required for other uses within an automobile service station.
Vehicle repair establishment, major or minor		2 per service stall, plus 1 per employee.
Vehicle quick oil change		2 stacking spaces per service stall, rack or pit plus 1 per employee.

Vehicle wash	Self-service (coin-operated)	4 spaces plus 4 stacking spaces for every washing stall.
	Full-service	4 spaces, plus 1 per employee. 15 stacking spaces for every washing stall or line, plus a minimum 30 foot long drying lane to prevent water from collecting on street.
Banks and other financial institutions		1 per 200 sq. ft. of UFA for the public. Drive-up windows/drive-up ATMs shall be provided with 3 stacking spaces per window or drive-up ATM.
Beauty parlor or barber shop		2 parking spaces per chair/station.
Dry cleaners		1 per 500 sq. ft. of UFA.
Laundromats		1 per washer-dryer pair, plus 1 space per employee.
Mortuary establishment, funeral home		1 per 50 sq. ft. of assembly room or parlor floor space.
Motel, hotel or other commercial lodging establishment		1.25 per guest unit. In addition, spaces required for ancillary uses such as lounges, restaurants or places of assembly shall be provided and determined on the basis of specific requirements for each individual use.
Restaurants, Bars and Clubs		
Standard sit-down restaurants with liquor license and brew pubs		1 per 50 sq. ft. of UFA.
Standard sit-down restaurants without liquor license		1 per 75 sq. ft. of UFA.
Carry-out restaurant (with no or limited seating for eating on premises)		6 per service or counter station, plus 1 per employee.
Open front restaurant/ice cream stand		6 spaces, plus 1 per employee and 1 per 4 seats.
Drive-through restaurant		1 per 30 sq. ft. UFA, plus 8 stacking spaces per food pickup window.
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)		1 per 50 sq. ft. of UFA.
Private clubs, lodge halls, or banquet halls		1 for every 3 persons allowed within the maximum occupancy load as established by the Village Fire and Building Codes.
Recreation		
Athletic clubs, exercise establishments, health studios, sauna baths, martial art schools and other similar uses		1 per 3 persons allowed within the maximum occupancy load as established by Village Fire and Building Codes, plus 1 per employee.

Billiard parlors	1 per 3 persons allowed within the maximum occupancy load as established by Village Building and Fire Codes or 1 per 300 square feet of gross floor area, whichever is greater.
Bowling alleys	8 per bowling lane plus additional for accessory uses such as bars or restaurants.
Indoor recreation establishments including gymnasiums, tennis courts and handball, roller or ice-skating rinks, exhibition halls, dance halls, and banquet halls	1 space for every 3 persons allowed within the maximum occupancy load as established by the Village Fire and Building Codes.
Golf courses open to the public, except miniature or "par-3"	6 per 1 golf hole, plus 1 per employee, plus additional for any bar, restaurant, banquet facility or similar use.
Miniature or "par-3" courses	3 per 1 hole plus 1 per employee.
Stadium, sports arenas, sports fields (ball diamonds, soccer fields, etc.) or similar place of outdoor assembly	1 for every 3 seats or 1 for every 6 feet of bench, plus 1 per employee. For fields without spectator seating, there shall be a minimum of 30 spaces per field.
Offices	
Business offices or professional offices of lawyers, architects or similar professionals	1 for every 300 sq. ft. of UFA, but no less than 5 parking spaces.
Medical offices of doctors, dentists, veterinarians or similar professions	1 for every 200 sq. ft. of UFA.
Industrial Uses	
Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing, plumbing or electrical work-shops	1 for every 1.5 employees or 550 sq. ft. of gross floor area, whichever is greater.
Warehouses and storage buildings	1 per employee computed on the basis of the greatest number of persons employed at any one time during the day or night, or 1 for every 5,000 square feet of gross floor area, whichever is greater.
Mini warehouses/self storage	Unobstructed parking area equal to 1 for every 10 door openings, plus parking for other uses on site such as truck rental.
Truck terminal	1 per employee plus 2 truck spaces of 10 by 70 feet per truck berth or docking space.

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-20**

**REPEALING SECTION 1284.07 “DEFINITIONS: O-P-Q” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1284.07 “DEFINITIONS: O-P-Q”**

Whereas, Codified Ordinance Section 1284.07 of the Village of Yellow Springs, Ohio provides the definitions beginning with the letters O-P-Q for the Village of Yellow Springs Zoning Code; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1284.07 entitled “Definitions: O-P-Q” of the Codified Ordinances of the Village of Yellow Springs, Ohio to add the definition of Pocket Neighborhood Development,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1284.07 entitled “Definitions: O-P-Q” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1284.07 entitled “Definitions: O-P-Q” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded**, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed: _____

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow _____ Brian Housh _____ Gerald Simms _____

Judith Hempfling _____ Marianne MacQueen _____

EXHIBIT A

1284.07 DEFINITIONS: O-P-Q.

Open space. An area of land unoccupied by buildings, structures, storage or parking areas, except for recreational structures and which is generally for the purpose of active or passive recreation, environmental protection, preservation of scenic views or similar purposes. "Open space" does not include street rights-of-way or easements, or required yards.

Outdoor storage. Storing equipment, supplies, material, goods, products, inventory or other such items on property in a commercial or industrial district. This shall not apply to storage or keeping of yard equipment, firewood, play equipment or other items normally incidental to a residential use on the same property.

Overlay zone. A special purpose zoning district that encompasses all or a portion of one or more underlying zones and imposes additional requirements beyond those of the underlying zone(s).

Parking lot. An area not within a building where motor vehicles may be stored for the purpose of temporary, daily or overnight off-street parking.

Parking space, off-street. An area of required size, exclusive of necessary driveways, aisles or maneuvering areas suitable to accommodate one motor vehicle and having direct unobstructed access to a street or alley, but located totally outside of any street or alley right-of-way.

Permitted use. A use by right which is specifically authorized in a particular zoning district.

Person. A firm, association, organization, partnership, trust, company or corporation, as well as an individual.

Personal services. An establishment or place of business primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, barber and beauty shops, watch repair, tailors and shoe repair shops.

Planned unit development. A lot or parcel of land, developed as a unit under single ownership or unified control, that is unique and incorporates one or more of the following: a variety of uses, varied density of development, dedicated open space, preservation of significant natural features, reduced lot sizes or similar attributes.

Planning Commission. The Planning Commission of the Village.

Pocket Neighborhood Development. A type of planned community which consists of a clustering of smaller residences or dwelling units that are individually owned, around a courtyard or common open space, and designed to promote a sense of community and

neighborliness through an increased level of contact on a single lot under the control of a Homeowner's Association (HOA).

Principal use. The main or primary use of land or structures, as distinguished from a secondary or accessory use.

Public utility. Any person, firm, corporation, municipality, board or commission duly authorized to furnish, under Federal, State or Municipal regulations, to the public electricity, gas, steam, communications (excluding wireless communications), telephone, transportation, sewer or water services; provided that this definition shall not include any person, firm or corporation engaged in radio or television broadcasting.

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE #2017-21**

**REPEALING SECTION 1284.05 “DEFINITIONS: H-I-J-K” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1284.05 “DEFINITIONS: H-I-J-K”**

Whereas, Codified Ordinance Section 1284.05 of the Village of Yellow Springs, Ohio provides the definitions beginning with the letters H-I-J-K for the Village of Yellow Springs Zoning Code; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1284.05 entitled “Definitions: H-I-J-K” of the Codified Ordinances of the Village of Yellow Springs, Ohio to add the definition of homeowners association,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1284.05 entitled “Definitions: H-I-J-K” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1284.05 entitled “Definitions: H-I-J-K” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded**, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed: _____

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow _____ Brian Housh _____ Gerald Simms _____

Judith Hempfling _____ Marianne MacQueen _____

EXHIBIT A

1284.05 DEFINITIONS: H-I-J-K.

Hazardous substances. Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive or otherwise injurious properties, may be detrimental to the health of any person handling or coming in contact with the material that is regulated by a governmental agency.

Historic structure. Any structure that is:

(1) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by:

A. An approved state program, as determined by the Secretary of the Interior; or

B. Directly by the Secretary of the Interior in states without approved programs.

Home occupation. An occupation or profession conducted, as an accessory use in a dwelling or a detached accessory building on the same lot as a principal dwelling, by a member or members of the resident family and which is clearly accessory and incidental to the residential use of the lot. Also referred to as a "home-based business."

Homeowners Association (HOA). An organization of homeowners of a particular subdivision, condominium development, planned unit development or pocket neighborhood development whose purpose is to provide a common basis for preserving, maintaining and enhancing their homes and property.

Hotel/motel. A building under single management that provides rooms or suites intended primarily as sleeping accommodations for public rental on a daily basis for registered guests. A hotel (as distinct from a motel) contains a central interior lobby and provides daily room cleaning and linen changes. Other supportive facilities may also be included such as, but not limited to, meeting rooms, incidental retail sales, restaurants, lounges, swimming pools, recreational and fitness facilities and similar facilities/services intended principally to serve registered guests.

Impervious surface. Any material that substantially reduces or prevents the infiltration of storm water into previously undeveloped land.

Junk. Any motor vehicles, machinery, appliances, products or merchandise with parts missing; or scrap metals or materials that are damaged or deteriorated; or vehicles or machines in a condition which precludes their use for the purpose for which they were manufactured.

Junk yard. An establishment or place of business which is maintained or operated for the purpose of storing, keeping, buying or selling scrap or salvageable materials, including dismantled vehicles, or for the maintenance or operation of an automobile graveyard.

Kennel. Any premises used to board, breed, sell, train or treat more than three dogs, cats or other domestic pets who are more than six months old.

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-22**

REPEALING SECTION 1248.02 “SCHEDULE OF USES” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 1248.02 “SCHEDULE OF USES”

Whereas, Codified Ordinance Section 1248.02 of the Village of Yellow Springs, Ohio provides the uses in the residential zoning districts; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1248.02 entitled “Schedule of Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio to add Pocket Neighborhood Developments as a conditional use in the R-A, R-B, and R-C zoning districts,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:

Section 1. Section 1248.02 entitled “Schedule of Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1248.02 entitled “Schedule of Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded**, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed: _____

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow ____ Brian Housh ____ Gerald Simms ____

Judith Hempfling ____ Marianne MacQueen ____

Exhibit A

1248.02 SCHEDULE OF USES.

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this code. Land and/or buildings in the districts indicated at the top of Table 1248.02 may be used for the purposes denoted by the following abbreviations:

- (a) Permitted Use (P). Land and/or buildings in this district may be used by right.
- (b) Conditional Use (C). Land and/or buildings in this district may be permitted only if conditional use approval is granted, upon a finding that the general requirements of Chapter 1262 are met.
- (c) Specific Conditions. Indicates requirements or conditions, as listed in Chapter 1262, are applicable to specific uses.

Table 1248.02 Schedule of Uses: Residential Districts				
<i>Use</i>	<i>R-A</i>	<i>R-B</i>	<i>R-C</i>	<i>Specific Conditions</i>
Residential				
Accessory dwelling unit	C	C	C	Section <u>1262.08(e)(1)</u>
Accessory buildings, structures and uses	P	P	P	Section <u>1260.04</u>
Bed and breakfasts	C	C	C	Section <u>1262.08(e)(2)</u>
Boarding homes			C	Section <u>1262.08(e)(3)</u>
Continuing care retirement community		C	C	
Day care, family	P	P	P	
Day care, group	C	C	C	
Dwellings, attached single-family		P	P	
Dwellings, Multiple-family		C	P	
Dwellings, single-family detached	P	P	P	
Dwellings, two-family		P	P	
<u>Pocket Neighborhood Development</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>Section 1262.08(e)(6)</u>
Short-term rental units	C	C	C	Section <u>1262.08(e)(6)</u>

Nonresidential				
Community gardens	P	P	P	
Farm, including raising animals	C	C	C	
Home occupations ¹	C	C	C	Section <u>1262.08(e)(5)</u>
Offices for executive, administrative, professional, real estate, accounting and similar professional activities		C	C	
Veterinary clinics			C	
Public/Quasi-public				
Churches and customary related uses	C	C	C	Section <u>1262.08(c)(1)</u>
Cultural buildings			C	
Government offices and buildings	C	C	C	
Libraries			C	
Schools (elementary, middle and high)	C	C	C	Section <u>1262.08(c)(2)</u>
Recreation				
Public parks/playgrounds/recreation areas	C	C	C	
Other				
Uses similar to other uses permitted in this district and consistent with the purpose of the district, as determined in accordance with Section <u>1242.06</u>	C	C	C	Section <u>1242.06</u>
<p>1 Home occupations are permitted by right in all Residential Districts, subject to issuance of a permit by the Village, if applicable, to verify compliance with the conditions of Section <u>1262.08(e)(5)</u>.</p>				

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-23**

**REPEALING SECTION 1260.04 “USES” OF THE CODIFIED ORDINANCES OF THE
VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 1260.04
“USES”**

Whereas, Codified Ordinance Section 1260.04 of the Village of Yellow Springs, Ohio provides for uses that are permitted or not permitted on a lot; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1260.04 entitled “Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio to update the requirements for principal uses per lot.

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1260.04 entitled “Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1260.04 entitled “Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded** and deleted language in ~~striketrough~~, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow ____ Brian Housh ____ Gerald Simms ____

Judith Hempfling ____ Marianne MacQueen ____

Exhibit A

1260.04 USES.

(a) Accessory Buildings and Structures.

(1) Accessory buildings or garages shall be considered to be part of the principal building and subject to all setback requirements of the principal building, if structurally and architecturally integrated into the building or if attached by an enclosed breezeway or similar enclosed structure not greater than ten feet in length. Detached accessory buildings shall be located at least ten feet from any principal building.

(2) Accessory buildings and structures shall not be erected in any front yard.

(3) Accessory buildings and structures may be erected in a rear yard if set back at least ten feet from the rear and five feet from the side property lines. In any case, accessory buildings and structures shall not occupy more than 30% of the required rear yard.

(4) An accessory building or structure designed for and containing a vehicle entrance to be accessed from an existing publicly dedicated and commonly used alley may be located on the rear lot line, if parking space plans have been approved by the Zoning Administrator.

(5) The height of an accessory structure shall not exceed 18 feet when a hip or gable roof is used, 15 feet when a mansard or gambrel roof is used and 12 feet when a flat or shed roof is used, except when a dwelling unit is included in the structure, in which case the height shall not exceed 24 feet.

(6) Accessory structures shall not exceed 66% of the principal building floor area or 800 square feet, whichever is less.

(7) An accessory building or accessory structure shall not be constructed or occupied on a lot before the principal building or use on the lot is constructed.

(8) Accessory buildings and structures in planned unit developments shall be subject to the same requirements as in the Residential Districts.

(9) Accessory structures located in a designated flood hazard area shall comply with the additional provisions set forth in Chapter 1282.

(10) Swing sets, playground equipment, garden trellises, well-head covers, portable or temporary pools less than 24 inches in depth, and similar above-ground yard equipment accessory to a residential use shall be exempt from the provisions of this zoning code, except for height limitations, or unless specific provision is made for such equipment by Village ordinance.

(11) Buildings and structures accessory to nonresidential uses shall meet the minimum setback requirements and height limitations for principal buildings in the respective zoning district.

(12) Accessory structures and buildings shall share all public utilities (water/ sewer/electric) with the principal building. Accessory structures and buildings will not be separately metered.

(13) Residential access driveways shall be at least three feet from side property lines and construction shall ensure that drainage is sloped away from adjacent properties.

(14) Private swimming pools and spas. All private swimming pools and spas shall be considered accessory structures and may be constructed in any rear yard not closer than five feet from any property line or building, excluding zoning districts Conservation and I-2 (Industrial) and must meet the following criteria:

A. Every person owning land on which there is situated a swimming pool or spa shall erect an adequate enclosure or fence surrounding either the property or pool area, sufficient to make such body of water inaccessible to small children. Such enclosure or fence, including gates therein, shall not be less than four feet above the outside underlying ground and shall be of a type of construction which cannot be easily climbed by small children. All gates shall be self-closing and self-latching with latches placed at least 42 inches above the outside underlying ground or otherwise made inaccessible from the outside to small children. A dwelling structure, garage or accessory building of at least four feet in height may constitute a portion of such enclosure. A natural barrier, hedge, removable ladder or other protective device may be used so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure, fence, gate, and latch described herein.

B. A hot tub or spa secured by means of a rigid and locking cover shall not require a fence.

C. Any lighting used to illuminate the pool shall be so arranged and shaded as to reflect light away from adjoining properties and public streets.

D. All swimming pools and spas shall be maintained in good condition so as to prevent the growth of organisms which constitute a health hazard and to prevent the breeding of insects.

(b) Essential Services. The installation and maintenance of essential service equipment is exempt from this zoning code.

(c) Illegal Dwellings. The use of any basement for dwelling purposes is prohibited in any zoning district, unless the basement meets the appropriate Village building codes. Buildings erected as garages or accessory buildings shall not be occupied for dwelling purposes, except in conformance with the requirements of Section 1262.08(e)(1) for accessory dwellings.

(d) Principal Use per Lot. A lot or parcel shall not be devoted to more than one principal use, or contain more than one principal building, except for groups of multiple family dwellings, agricultural buildings, approved mixed use developments, **planned unit developments (PUDs)**, **pocket neighborhood developments (PNDs)**, or commercial or industrial buildings determined by the Planning Commission to be a principal use collectively, ~~based on meeting all of the following criteria:~~

—(1) ~~Individual buildings share common parking areas, signs, access and similar features;~~

—(2) ~~Buildings are under single ownership;~~

—(3) ~~Individual activities support one another (such as auto sales/vehicle repair or gas station/restaurant/convenience store); or~~

—(4) ~~Buildings are architecturally unified and compatible.~~

(e) Prohibited Uses. Uses not specifically permitted by right or conditional approval by this zoning code shall be prohibited.

(f) Uses in Conformance. No building, structure or land shall be used or occupied, and no building, structure or part thereof shall be erected, constructed, reconstructed, moved, enlarged or structurally altered, unless in conformity with the provisions of this code.

(g) Uses on a Lot. Every building, structure or use erected or established within the Village shall be located on a legally recorded lot or parcel and shall conform to all applicable requirements of this code.

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-24**

**REPEALING SECTION 1284.03 “DEFINITIONS: C-D” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1284.03 “DEFINITIONS: C-D”**

Whereas, Codified Ordinance Section 1284.03 of the Village of Yellow Springs, Ohio provides the definitions beginning with the letters C-D for the Village of Yellow Springs Zoning Code; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1284.03 entitled “Definitions: C-D” of the Codified Ordinances of the Village of Yellow Springs, Ohio to remove the definition of cluster housing and add the definition of common open space,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1284.03 entitled “Definitions: C-D” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1284.03 entitled “Definitions: C-D” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded** and deleted language in ~~striketrough~~, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow _____ Brian Housh _____ Gerald Simms _____

Judith Hempfling _____ Marianne MacQueen _____

EXHIBIT A

1284.03 DEFINITIONS: C-D.

Canopy. A rigid, permanent cover over a walkway, attached to a building (see "awning").

Carport. An accessory structure or portion of a principal structure, consisting of a roof and supporting members such as columns or beams, unenclosed from the ground to the roof on at least two sides and designed or used for the storage of motor vehicles.

Certificate of occupancy. A permit authorized and issued by the Zoning Administrator certifying that the use of the building or land in question is in conformity with this code or that a legal variance has been approved.

Church (place of worship). A building or structure or group of buildings or structures that, by design and construction, are primarily intended for conducting organized religious worship services. Associated accessory uses include, but are not limited to, classrooms, meeting halls, indoor and outdoor recreational facilities, day care, counseling and kitchens.

Clinic. An establishment where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical professionals, psychologists or social workers.

~~**Cluster housing.** An arrangement that allows detached dwelling units to be grouped in such a way as to trade the open space usually surrounding individual structures for common open space.~~

Code. The Zoning Code of the Village of Yellow Springs, Title Four, Zoning, of Part Twelve, the Planning and Zoning Code of the Yellow Springs, Ohio Code of Ordinances.

Cohousing. A type of intentionally developed community composed of private dwellings, supplemented with shared facilities such as common open space, parking, cooking, dining, recreation, gardening, child care, offices and internet access. Decisions are generally made by consensus of the owners within the cohousing community.

Commercial vehicle.

(1) Vehicles, owned by and registered to a business or organization, used to transport commercial goods or materials or used to provide a commercial service;

(2) Tractor cabs used for hauling semi-trailers;

(3) All vehicles, including passenger vehicles, affixed with signs advertising or identifying an establishment, product, service or activity;

(4) Mobile mechanized equipment, such as cranes, bulldozers, trenchers, tractors, compressors and similar equipment.

Commission. The Planning Commission.

Common Open Space. A perpetual open space area of land to benefit all residents of a Pocket Neighborhood Development (PND) or Planned Unit Development (PUD), which is

unoccupied by buildings, structures, storage or parking areas, street right-of-ways, exterior setbacks, driveways, required yards and utility easements, except for recreational structures, and on slopes of 10 percent or less and developed and maintained so it is usable for active or passive recreation activities.

Community garden. One or more plots of land gardened collectively by a group of people.

Comprehensive Plan. The document adopted by the Planning Commission and/or Village Council which establishes the goals, objectives and policies related to future land use and the general location and extent of present and proposed community facilities.

Conditional use. A use that, owing to some special characteristics attendant to its operation or installation, is permitted in a district subject to approval by the Planning Commission and subject to special requirements which are in addition to those usual requirements for the district in which the conditional use may be located.

Conservation area. An environmentally sensitive land protected from activities that would significantly alter its ecological integrity, balance or character.

Conservation easement. An easement granting the right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open or wooded condition.

Continuing care retirement community. A facility or complex of buildings and structures designed for and occupied by persons 55 years or older and persons with disabilities that provides a range of housing and lifestyle choices, including independent living, assisted living and skilled nursing care in an integrated system.

Council. The Village Council.

Day care, family. A private home in which one, but fewer than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption.

Day care, group. A private home in which seven, but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption.

Density, gross. The number of dwelling units meeting the minimum area requirements of the district to be located on a parcel of property, divided by the total acreage of that property.

Density, net. The dwelling unit density of a particular area measured by the number of dwelling units meeting the minimum area requirements of the district divided by the total number of acres, excluding public rights-of-way and private easements.

Dormitory. A building used as group living quarters for a student body, religious order or other group as an accessory use to a college, university, boarding school, orphanage, convent or other similar use. Kitchen facilities are not provided in each room/unit but there may be a group kitchen facility to serve all residents.

Drain. A watercourse, gully, dry stream, creek, ditch or pipe which carries storm water runoff.

Drive-in or drive-thru facility. An accessory use for a business (such as a bank, restaurant, dry cleaners or pharmacy) where the delivery of customer services is done, usually from within the building via a service window while patrons are in their motor vehicle.

Dwelling:

(1) Dwelling, multiple family. A building designed for occupancy by three or more families living independently of one another.

(2) Dwelling, single-family. A detached building designed exclusively for and occupied exclusively by one family.

(3) Dwelling, single-family attached. A multiple-family building containing at least three dwelling units; in which each unit has its own front and rear access to the outside on the ground floor; and where units share one or more common walls but not a common floor/ceiling

(4) Dwelling, two-family. A building consisting of two dwelling units or designed for or used by two families or housekeeping units living independently of one another. May also be referred to as a duplex.

(5) Dwelling, manufactured home. See "manufactured home."

Dwelling unit. A permanent building or portion of a building, having cooking and sanitary facilities, designed or used exclusively for residential occupancy by one family as a single housekeeping unit, but not including hotels/motels, recreational vehicles, tents or portable buildings.

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-25**

**REPEALING SECTION 242.01 “COMPOSITION; CLASSIFICATION” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW
SECTION 242.01 “COMPOSITION; CLASSIFICATION”**

Whereas, Codified Ordinance Section 242.01 of the Village of Yellow Springs, Ohio describes the composition and classification of the Police Department; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 242.01 entitled “Composition; Classification” of the Codified Ordinances of the Village of Yellow Springs, Ohio to include in the composition of the Police Department the position of corporal.

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 242.01 entitled “Composition; Classification” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 242.01 entitled “Composition; Classification” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as follows with new language underlined and **bolded** and deleted language in ~~strike through~~:

242.01 COMPOSITION; CLASSIFICATION.

The Police Department shall be composed of a Chief of Police, as well as command staff, which may include captains ~~and sergeants,~~ **and corporals** assigned as determined by the Chief of Police and approved by the Village Manager. The Police Department shall also be composed of patrol officers and dispatcher/clerks assigned as determined by the Chief of Police and approved by the Village Manager. Part-time officers, reserve officers and part-time dispatcher/clerks are permitted if requested by the Chief of Police and approved by the Village Manager.

The position of Chief of Police shall be a nonclassified, contract position, whereas all other positions within the Department shall be classified as identified in Chapter 252.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Karen Wintrow, President of Council

Passed: _____

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow ____ Brian Housh ____ Gerald Simms ____

Marianne MacQueen ____ Judith Hempfling ____

Amendment to G.O. 2.1

Promotional Opportunities and Processes

1. Given the size and nature of the Yellow Springs Police Department (YSPD) and to better support the staff and structure of the agency, two Corporals and two Sergeants may be assigned. The assignment of an officer to the rank of Corporal or Sergeant will be determined by the Chief of Police and Village Manager after a selection process has been completed. Following an internal posting for either position, interested and qualified candidates will submit a memo through the chain of command indicating his or her interest in the opportunity for promotion. The Chief of Police or designee shall determine the appropriate evaluation process for each rank. These processes may include a written test, panel interview or assessment center evaluations, psychological examinations and background investigations. The Chief of Police may alter the promotion selection process to reflect departmental need or changes in commonly accepted practices for the profession.

Sergeant Rank

- A. To be eligible for appointment to Sergeant, the candidate must have 4 years of experience as a sworn, full-time Police Officer and at least 1 year as a current, full-time Police Officer with the Yellow Springs Police Department. It is preferred that any candidate for the rank of Sergeant should possess at least 1 year of prior experience in a supervisory position, such as a Corporal or equivalent assignment at another agency. Each candidate for the Sergeant position must meet the following criteria:
 1. The candidate must have received a rating of satisfactory or average and above for the previous year of performance evaluations.
 2. The candidate must have no disciplinary action within the previous year from date of application. This section may be waived by the Chief of Police.
 3. After appointment to the rank of Sergeant, the appointee is subject to all Village of Yellow Springs Personnel Rules, as well as the Yellow Springs Police Department General Orders and will be under a 1-year probationary period.
 4. During the probationary period, if a Sergeant does not adequately perform all duties and/or responsibilities as assigned or receives any unsatisfactory performance review or discipline, that officer may be removed from the assignment and re-assigned the rank of patrol officer. If the Sergeant was promoted from the rank of Corporal, the Chief of Police may re-assign the employee to the previous rank if that position has not been filled, otherwise the officer shall be re-assigned to the rank of patrol officer at the sole discretion of the Chief.
 5. Each officer promoted to the rank of Sergeant shall complete approved, in-house training along with outside courses of instruction that are applicable to the rank. If the Sergeant fails to successfully complete the training program, he or she may be re-assigned to a lower rank at the sole discretion of the Chief and may re-apply for any future Sergeant vacancy. A Sergeant shall be reassigned pursuant to paragraph 4 above.

NO SERGEANT DUITES LISTED AS THEY ARE ALREADY INCLUDED IN CURRENT POLICY

Corporal Rank

- B. To be eligible for appointment to Corporal, the candidate must have 2 years of experience as a sworn, full-time Police Officer and at least 1 year as a current, full-time officer with the Yellow Springs Police Department. Each candidate for the Corporal position must meet the following criteria:
1. The candidate must have received a rating of satisfactory or average and above for the previous year of performance evaluations.
 2. The candidate must have no disciplinary action within the previous year from date of application. This section may be waived by the Chief of Police.
 3. After appointment to the rank of Corporal, the appointee is subject to all Village of Yellow Springs Personnel Rules, as well as the Yellow Springs Police Department General Orders and will be under a 1-year probationary period.
 4. During the probationary period, if a Corporal does not adequately perform all duties and/or responsibilities as assigned or receives any unsatisfactory performance review or discipline, that officer may be removed from the assignment and re-assigned the rank of patrol officer.
 5. Each officer promoted to the rank of Corporal shall complete an approved, in-house training period with the Sergeants prior to acting in this capacity. If the officer fails to successfully complete the training program, he or she may be re-assigned to a lower rank at the sole discretion of the Chief and may re-apply for any future promotional opportunity. Re-assignment shall follow Section A, paragraph 4 above.

Corporal Duties and Responsibilities

1. The Corporal shall be under the immediate direction of the Sergeants.
 - a. Corporals will be responsible for carrying out any and all lawful orders given to them by a Sergeant or the Chief of Police and in compliance of G.O. 3.2 Rule 13.
2. The Corporal shall be responsible for the enforcement of all laws of the United States, State of Ohio and the Village of Yellow Springs.
3. The Corporal shall be responsible for ensuring compliance of the rules and policies of YSPD and Village of Yellow Springs and will be held responsible to comply with all such rules.
4. The Corporal shall immediately record any allegation of misconduct by an employee and forward the proper documentation of the complaint to a Sergeant.
 - a. The Corporal will be empowered with the authority to make a recommendation of discipline to a Sergeant for any violation of governing rules or policies that he may witness an employee committing. It will be at the discretion of a Sergeant and/or the Chief of Police to appropriately handle the matter or to direct the Corporal in the enforcement of the violation. Any matters that require a Professional Conduct Investigation according to G.O. 3.3, will be assigned to Sergeant.
5. The Corporal must be familiar with all duties assigned to officers and/or dispatchers and shall ensure that those duties are properly carried out.
6. The Corporal will be responsible for performing all patrol officer duties and will share those responsibilities as equally as possible.

Proposed Addition to GOM re: Sergeant/Corporal Process
Submitted by Solicitor and Sergeant Knapp 9/15/17

7. The Corporal will be responsible for assisting and instructing officers and dispatchers under their supervision with carrying out their assigned duties.
8. The Corporal will be responsible for ensuring all written reports, paperwork and citations submitted during their shift are complete and accurate. This does not apply to any records management program or court review that is normally completed by the Sergeants.
9. Corporals will be given the authority to make supervisory decisions for issues that arise during their tour of duty. Exception: All decisions regarding: overtime approval/scheduled leave time, prosecutor call-out, special assignment of employees and arranging or assigning special events will be the responsibilities of a Sergeant.
 - a. This does not prohibit the Corporal from assisting with arranging manpower for emergency situations and call-offs.
10. Corporals will be required and expected to notify the on-call Sergeant or Chief of any circumstance that arises during their tour of duty under the following circumstances:
 - a. Any employee is seriously injured or killed on duty.
 - i. If an employee is injured, the Corporal will be responsible for ensuring the proper injury reporting forms are completed. If the injured employee requires medical care that relieves them from working, it must be reported to a Sergeant or Chief as soon as practical.
 - b. Any employee's use of lethal force
 - c. Any employee's use of physical force that results in serious injury or that requires medical attention of any person
 - d. Any crash that involves a Yellow Springs employee and a Yellow Springs owned, leased or contracted vehicle.
 - e. Any employee that is involved in criminal activity whether or not it is found be on-duty or off-duty.
 - f. Any and all serious offenses, violent felony offenses, offenses that involve serious physical harm or potential loss of life, hostage/barricaded person situations, prisoner escapes or a significant loss of property.
 - g. Any and all situations which arise that cannot be handled by the Corporal or that require Sergeant approval.
11. Corporals shall ensure that the Mission Statement, Core Values and Guidelines for Village Policing are clearly understood by all Police Department staff and are practiced in day-to-day operations, as well as in their own performance. The Guidelines for Village Policing is attached to this policy as G.O. 2.1 (A).
12. Corporals are encouraged to contact the on-call Sergeant for situations, not listed above, that they may not feel comfortable handling or in which they do not have the proper experience to consult regarding the best procedure for a given situation.

ORDINANCE NO. 2017-26

**2017 SUPPLEMENTAL APPROPRIATIONS AND DECLARING AN EMERGENCY
VILLAGE OF YELLOW SPRINGS, OHIO**

WHEREAS, Ordinance 2017-15 is hereby repealed and replaced in its entirety, and

WHEREAS, Ordinance 2016-27 and 2017-04 were adopted to make appropriations for current expenses and other expenditures of the Village of Yellow Springs, State of Ohio, during the fiscal year ending December 31, 2017, and

WHEREAS, Village Council makes supplemental appropriations to reflect adjustments which occur throughout the fiscal year, and

WHEREAS, this ordinance is hereby declared to be an emergency measure necessary to preserve the public interest and provide for a special emergency in the operation of Village services, such emergency being the urgent necessity to provide for legitimate expenditures and amend the annual appropriation

NOW, THEREFORE, THE COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO, HEREBY ORDAINS THAT:

Section 1. To provide for expenses and other expenditures of the said Village of Yellow Springs during the fiscal year ending December 31, 2017 the following sums are hereby set aside and appropriated as follows:

Section 2. That there be appropriated from the GENERAL FUND:		CURRENT BUDGET	SUPPLEMENTAL	AMENDED BUDGET
	Council Total	301,900	\$ 40,000	341,900
	<i>Personal Services</i>	123,800	\$ -	123,800
	Mayor Total	57,470	\$ 3,000	60,470
	<i>Personal Services</i>	43,945	\$ -	43,945
	Administration Total	364,900	\$ 73,000	437,900
	<i>Personal Services</i>	181,250	\$ -	181,250
	Auditor	30,800	\$ -	30,800
	Rental Property	24,500	\$ 3,000	27,500
	Library	5,500	\$ -	5,500
	Cable	28,350	\$ -	28,350
	<i>Personal Services</i>	21,900		21,900
	Human Relations	25,000	\$ -	25,000
	Public Safety Total	1,445,034	\$ 17,000	1,462,034
	<i>Personal Services</i>	1,205,634	\$ -	1,205,634
	Planning Total	87,483	\$ 10,400	97,883
	<i>Personal Services</i>	63,083	\$ 7,400	70,483
	Mediation	9,000	\$ -	9,000
	Transfers and Advances	725,309	\$ (26,000)	699,309
	TOTAL GENERAL FUND APPROPRIATIONS	\$ 3,105,246	\$ 120,400	\$ 3,225,646

Section 3. That there be appropriated from the following **SPECIAL REVENUE FUNDS:**

202	Street Maintenance & Repair Total	\$ 587,341	\$ 13,000	\$ 600,341
	Streets	585,441	\$ 13,000	598,441
	<i>Personal Services</i>	211,546	\$ -	211,546
	ODOT Safe Routes to School	\$ 1,900	\$ -	\$ 1,900
204	Parks and Recreation Fund Total	\$ 366,707	\$ 15,700	\$ 382,407
	Parks Total	68,082	\$ 5,000	73,082
	<i>Personal Services</i>	22,230	\$ -	22,230
	Pool Total	102,175	\$ -	112,221
	<i>Personal Services</i>	64,675	\$ -	6,500
	Bryan Center Total	191,450	\$ 10,700	202,150
	<i>Personal Services</i>	107,950	\$ -	107,950
	Bryan Youth Center Total	5,000	\$ -	5,000
207	Green Space Fund	\$ 200,000	\$ (109,040)	\$ 90,960
210	Mayor's Court Computer Fund	\$ 2,200	\$ -	\$ 2,200
213	Coat & Supply Fund	\$ 3,000	\$ -	\$ 3,000
215	Federal Forfeited Assets Fund	\$ -	\$ -	\$ -
216	State Law Enforcement Trust Fund	\$ 10,000	\$ 45	\$ 10,045
903	Police Pension Fund Total	\$ 115,450	\$ -	\$ 115,450
	TOTAL SPECIAL REVENUE FUND APPROPRIATIONS	\$ 1,284,698	\$ (80,295)	\$ 1,204,403

Section 4. That there be appropriated from the CAPITAL PROJECT FUNDS:

305	Electric Capital Improvement Fund	\$	115,000	\$	50,000	\$	165,000
306	Facilities Improvement Fund	\$	52,000	\$	-	\$	52,000
351	USACE - Grant Fund	\$	1,400	\$	-	\$	1,400
354	CDBG - Grant Fund	\$	-	\$	-	\$	-
TOTAL CAPITAL PROJECT FUND APPROPRIATIONS		\$	168,400	\$	50,000	\$	218,400

Section 5. That there be appropriated from the ENTERPRISE FUNDS:

601	Electric Fund Total	\$	3,391,247	\$	-	\$	3,391,247
	Personal Services		448,843	\$	-		448,843
610	Water Fund Total	\$	829,786	\$	(89,800)	\$	739,986
	Water Distribution Total		487,394	\$	10,200		497,594
	Personal Services		261,076	\$	-		261,076
	Water Treatment Total		342,391	\$	(100,000)		242,391
	Personal Services		110,191	\$	-		110,191
620	Sewer Fund Total	\$	902,168	\$	15,900	\$	918,068
	Sewer Collection		430,133	\$	4,800		434,933
	Personal Services		230,298	\$	-		230,298
	Sewer Treatment		472,035	\$	11,100		483,135
	Personal Services		113,359	\$	-		113,359
630	Solid Waste Fund	\$	262,200	\$	-	\$	262,200
TOTAL ENTERPRISE FUND APPROPRIATIONS		\$	5,385,401	\$	(73,900)	\$	5,311,501

Section 6. That the appropriation from the Total Fund Budget is as follows:

GRAND TOTAL APPROPRIATIONS ALL FUNDS	\$	9,943,745	\$	16,205	\$	9,959,950
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Section 7. The Finance Director and the Village Manager are hereby authorized to draw warrants on the Village Treasury for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by an ordinance of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with such ordinance.

Section 8. This ordinance is hereby declared to be an emergency measure immediately necessary to preserve the public interest and for the health, safety and welfare of the citizens of the Village, wherefore, this ordinance shall be in effect immediately upon its adoption by Council.

Karen Wintrow, President

Passed:

Attest:

Judy Kintner, Clerk of Council

ROLL CALL:

Karen Wintrow

Brian Housh

Judith Hempfling

Marianne MacQueen

Gerald Simms

SUPPLEMENTAL APPROPRIATION WORKSHEET

SUPPLEMENT TO ORDINANCE 2017-26

GENERAL FUND

DEPT	AMOUNT	PROJECT	ACCOUNT	ACCT. DESCRIPTION
COUNCIL	\$ 40,000	Misc legal fees above retainer	101-1001-53147	LEGAL SERVICES
MAYOR'S COURT	\$ 3,000	Addtl. Hardware/software support	101-1002-53146	HARDWARE/SOFTWARE
ADMINISTRATION	\$ 3,000	Misc. legal fees above retainer	101-1003-53147	LEGAL SERVICES
ADMINISTRATION	\$ 70,000	CBE Engineering and Housing Needs	101-1003-53104	PROF. SERVICES
RENTAL PROPERTY	\$ 3,000	Misc. repairs not budgeted for	101-1005-53135	MAINT. OF FACILITY
POLICE DEPARTMENT	\$ 17,000	Misc. legal fees above retainer	101-1201-53147	LEGAL SERVICES
PLANNING	\$ 7,400	Under-budgeted line	101-1202-51111	HEALTH INSURANCE
PLANNING	\$ 3,000	Addtl. Hardware/software support	101-1202-53146	HARDWARE/SOFTWARE
TRANSFERS & ADVANCES	\$ (26,000)	Advance to CDBG Grant Fund	101-1009-59104	ADVANCES OUT
Total GF	\$ 120,400			

SPECIAL REVENUE FUNDS

DEPT	AMOUNT	PROJECT	ACCOUNT	ACCT. DESCRIPTION
STREETS	\$ 13,000	MVRPC grant engineering	202-1401-53104	PROF. SERVICES
PARKS	\$ 2,500	Share of barn costs not budgeted for	204-1601-53104	PROF. SERVICES
PARKS	\$ 2,500	Water fountain maintenance	204-1601-53106	MAINT. OF EQUIPMENT
BRYAN CENTER	\$ 2,000	Addtl. Maintenance costs not budgeted for	204-1603-53104	PROF. SERVICES
BRYAN CENTER	\$ 4,100	Security upgrades to second floor	204-1603-53135	MAINT. OF FACILITY
BRYAN CENTER	\$ 2,600	Addtl. Costs not budgeted for	204-1603-53141	NATURAL GAS
BRYAN CENTER	\$ 2,000	Addtl. Costs not budgeted for	204-1603-54102	OPERATING SUPPLIES
GREEN SPACE	\$ (109,040)	Red. of approp. not spent on easement	207-1501-55101	LAND AND BUILDINGS
STATE LAW ENF. TRUST	\$ 45	Addtl. Costs not budgeted for	216-1201-54102	OPERATING SUPPLIES
Total SR Funds	\$ (80,295)			

CAPITAL PROJECTS FUNDS

DEPT	AMOUNT	PROJECT	ACCOUNT	ACCT. DESCRIPTION
ELECTRIC CAPITAL IMPR.	\$ 50,000	Glass Farm solar field work	305-1302-55103	PUBLIC WORKS
CDBG GRANT FUND	\$ (26,000)	Greene Cty covering this cost - grant	360-1203-53104	PROF. SERVICES
Total CP Funds	\$ 50,000			

ENTERPRISE FUNDS

DEPT	AMOUNT	PROJECT	ACCOUNT	ACCT. DESCRIPTION
WATER DISTRIBUTION	\$ 10,200	Addtl. Hardware/software support	610-1311-53146	HARDWARE/SOFTWARE SVCS
WATER TREATMENT	\$ (100,000)	over-budgeted based on prev. years	610-1312-13104	PROF. SERVICES
SEWER COLLECTION	\$ 4,800	Misc. legal fees above retainer	620-1321-53147	LEGAL SERVICES
SEWER TREATMENT	\$ 11,100	Addtl. Hardware/software support	620-1322-53146	HARDWARE/SOFTWARE SVCS
Total Enterprise	\$ (73,900)			

Total Supplemental

Appropriations \$ 16,205



Housing Needs Assessment Proposals

Prepared by Patti Bates

September 18, 2017

As you know, the Village issued a Request for Proposals for a Housing Needs Assessment, with responses due at 4:00 P.M. on Monday, September 11th. We received three submittals, one each from Community Planning Insights (Dayton, Ohio, cost \$33,670), Measurement Resources Company (Columbus, Ohio, cost \$28,960) and Bowen National Research (Pickerington, Ohio, cost \$24,900). Subsequently, the Housing Needs Assessment Working Group met to review and evaluate the proposals.

Particular attention was paid to the scope of the proposal, community engagement activities and the inclusion of all housing needs in the final assessment report. Each proposal had its own strengths and weaknesses, based primarily on their particular niche in the market. After review of all items included in the proposals, the Working Group recommends to Council that we contract with Bowen National Research to conduct the Housing Needs Assessment to best meet the needs of the Village in determining a path forward to address housing needs for all segments of the population and all income levels.

Village of Yellow Springs, Ohio

RESOLUTION 2017-45

Authorizing the Village Manager to Enter into a Contract with
Bowen National Research for a Housing Needs Assessment

WHEREAS, The Village sought proposals for the completion of a housing needs assessment and the development of actionable items to address housing needs in the Village; and

WHEREAS, the Village received three responses to that solicitation; and

WHEREAS, upon careful consideration of the proposals by the Housing Needs Assessment working group, reference checks and discussion of the Village's needs, the proposal submitted by Bowen National Research was considered to be the lowest and best proposal; and

WHEREAS, the Auditor of State has no findings for recovery for Bowen National Research,

NOW, THEREFORE, be it resolved by the Council for the Village of Yellow Springs, Ohio that:

Section 1. The Village Manager is authorized to enter into a contract with Bowen National Research to complete the Village of Yellow Springs Housing Needs Assessment.

Section 2 The amount of that contract shall be \$24,900.00.

Section 3. This Resolution shall go into effect at the earliest period allowed by law.

Karen Wintrow, Council President

Passed:

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Karen Wintrow____ Brian Housh ____ Gerald Simms____
Judith Hempfling ____ Marianne MacQueen____

PROPOSAL

To Prepare A
Housing Needs Assessment
For The
Village of Yellow Springs, Ohio



Prepared For

Village of Yellow Springs
Ms. Patti Bates
100 Dayton Street
Yellow Springs, Ohio 45387

September 7, 2017



September 7, 2017

Ms. Patti Bates
Village of Yellow Springs
100 Dayton Street
Yellow Springs, Ohio 45387

Dear Ms. Bates,

We are pleased to submit a proposal in response to the village of Yellow Springs' **Request for Proposal to prepare a Housing Needs Assessment for Yellow Springs, Ohio**. It is our understanding that this study will be used as a basis for future housing and policy decisions.

Bowen National Research has significant experience in conducting housing needs assessments on a city, county and statewide level. We were selected to complete each of these projects through an RFP/interview process and all studies were completed on time and within budget. Recent housing needs assessments completed by our firm include:

- Housing Demand Study – Penobscot Nation, Maine
- Regional Housing Needs Analysis – Asheville, North Carolina
- Downtown Housing Needs Analysis – Springfield, Illinois
- Statewide Housing Needs Assessment – Vermont
- Citywide Housing Market Study – Evansville, Indiana
- Town Housing Needs Assessment – Nederland, Colorado
- Citywide Housing Needs Assessment – Fort Wayne, Indiana
- Citywide Competitive Housing Market Analysis – Joplin, Missouri
- Citywide Housing Assessment – Rock Island, Illinois

Specific details regarding each of the above projects can be found in the *Similar Experience* section of this RFP response. Finally, it is important to point out that our firm has experience in working with local government entities like yours and has customized our analyses to meet their specific needs. Such analyses included detailed demographic and economic analysis, compiling and analyzing housing inventories (including identifying blight and development opportunities), and providing recommendations and strategies for future housing. We believe this experience will be an asset to your community.

It is worth noting that we have experience evaluating housing opportunities in the Yellow Springs area and the surrounding areas of Greene County for the private sector, whereby we evaluated demographics, economics and the housing supply. Through this prior research, we have inventoried multifamily rental properties throughout the county. As a result, we will have a good baseline from which we can evaluate rental housing trends of your community. We believe this data and our familiarity of Yellow Springs and the surrounding area will provide great value to you.

Thank you for giving us the opportunity to present this proposal to you. We hope we have the opportunity to work with you.

Respectfully,



Patrick M. Bowen
President (Primary Contact & Project Manager)
Bowen National Research
155 East Columbus St., Ste. 220 | Pickerington, OH 43147
P: (614) 833-9300 | F: (614) 829-6916
E: patrickb@bowennational.com

Additional Contact:
Desiree Johnson
Director of Operations
desireej@bowennational.com

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Qualifications

Bowen National Research is located at 155 East Columbus Street, Suite 220 in Pickerington, Ohio, a suburb of Columbus. The company has no other office locations.



Our firm conducts more than 500 studies each year for a variety of real estate development alternatives. Our primary area of focus involves the research and analysis of residential development. The firm is organized in to various departments that work together to meet all client deadlines and expectations. Our firm prides itself on its client communications, ability to manage multiple small and large scale projects at one time, and commitment to meeting all client deadlines. Below is a brief summary of our areas of experience and knowledge.

Bowen National Research's Market Feasibility Services

- City/County/Statewide Housing Needs Assessments
- Low-Income Housing Tax Credit/Tax Credit Bond
- Government-Subsidized
- Market-Rate
- HUD Section 8, 202, 232, 811, 221(d)(3) & (d)(4)
- USDA RD 515 & 514/516
- Rent Comparability Studies
- Tribal/Farm Labor Housing
- Student Housing
- For-Sale Housing
- Senior Living Alternatives
- Retail/Office/Commercial Space

Bowen National Research employs over 20 people, all highly trained and experienced in real estate research and analysis. Our analysts are experts in real estate market research and analysis, and have extensive experience in conducting housing needs assessments in markets throughout the United States.

Primary Contact and Report Author



Patrick Bowen, President of Bowen National Research, has conducted numerous housing needs assessments and provided consulting services to city, county and state development entities as it relates to residential development, including affordable and market rate housing, for both rental and for-sale housing, and retail development opportunities. He has also prepared and supervised thousands of market feasibility studies for all types of real estate products, including housing, retail, office, industrial and mixed-use developments, since 1996.

Mr. Bowen has worked closely with many state and federal housing agencies to assist them with their market study guidelines. Mr. Bowen has his bachelor's degree in legal administration (with emphasis on business and law) from the University of West Florida and currently serves on the Standards Committee of the National Council of Housing Market Analysts (NCHMA).

Patrick Bowen has served as the lead author/analyst and primary contacts of the following housing assessments since 2010:

- Housing Needs Assessment – Penobscot Nation, Maine
- Countywide Housing Needs Assessment – Preble County, Ohio
- Downtown Residential Feasibility Study – Charleston, West Virginia
- Regional Housing Needs Assessment – Asheville, North Carolina Region
- Statewide and County Level Housing Needs Assessments – Vermont
- Citywide Housing Needs Assessment – Evansville, Indiana
- Town Housing Needs Assessment – Nederland, Colorado
- Housing Market Study – Fort Wayne (Southeast Quadrant), Indiana
- Citywide Housing Market Study & Tornado Impact Analysis – Joplin, Missouri
- Downtown Residential Feasibility Study – Morgantown, West Virginia
- Downtown Housing Needs Analysis – Springfield, Illinois
- Countywide Rental Housing Needs Analysis & Hurricane Dolly Housing Impact Analysis– Hidalgo County, Texas
- Citywide Comprehensive Housing Market Study – Rock Island, Illinois
- For-Sale Housing Analyses – Richmond and Chesterfield County, Virginia
- Affordable Housing Market Analysis – Jacksonville, North Carolina.
- East District Rental Housing Needs Assessment – New Orleans, Louisiana
- Employer Survey and Housing Needs Assessment – Greene County, Pennsylvania
- Hill District Housing Needs Assessment – Pittsburgh, Pennsylvania
- Statewide Rural and Farm Labor Housing Needs Analysis – Texas

Description of duties: Mr. Bowen will serve as the primary contact for this assignment and will oversee all aspects of research and analysis. He will provide market analysis, opinions and recommendations and will serve as the primary author of the report.

The following individuals will provide research and analysis assistance and have been involved with previous housing needs assessment completed by our firm in some capacity:

June Davis, Office Manager of Bowen National Research, has 24 years of experience in market feasibility research. Ms. Davis has overseen production on over 20,000 market studies for projects throughout the United States.

Lisa Goff, Market Analyst, has conducted site-specific analyses in both rural and urban markets throughout the country. She is also experienced in the day-to-day operation and financing of Low-Income Housing Tax Credit and subsidized properties, which gives her a unique understanding of the impact of housing development on current market conditions.

Desireé Johnson is the Director of Operations for Bowen National Research. Ms. Johnson is responsible for all client relations, the procurement of work contracts, and the overall supervision and day-to-day operations of the company. She has been involved in the real estate market research industry since 2006. Ms. Johnson has an Associate of Applied Science in Office Administration from Columbus State Community College.

Jeff Peters, Market Analyst, has conducted on-site inspection and analysis for rental properties throughout the country. He is familiar with multiple types of rental housing programs, the day-to-day interaction with property managers and leasing agents and the collection of pertinent property details. Mr. Peters graduated from The Ohio State University with a Bachelor of Arts in Economics.

Craig Rupert, Market Analyst, has conducted on-site market analysis in both urban and rural markets throughout the United States since 2010. Mr. Rupert is experienced in the evaluation of multiple types of housing programs, including market-rate, Tax Credit and various government subsidies and uses this knowledge and research to provide both qualitative and quantitative analysis. Mr. Rupert has a degree in Hospitality Management from Youngstown State University.

Garth Semple, Market Analyst, has surveyed both urban and rural markets throughout the country. He is trained to understand the nuances of various rental housing programs and their construction and is experienced in the collection of rental housing data from leasing agents, property managers, and other housing experts within the market. Mr. Semple graduated from Elizabethtown College and has a Bachelor of Arts degree in Sociology.

Stephanie Viren is the Research & Travel Coordinator at Bowen National Research. Ms. Viren focuses on collecting detailed data concerning housing conditions in various markets throughout the United States. Ms. Viren has extensive interviewing skills and experience and also possesses the expertise necessary to conduct surveys of diverse pools of respondents regarding population and housing trends, housing marketability, economic development and other socioeconomic issues relative to the housing industry. Ms. Viren's professional specialty is condominium and senior housing research. Ms. Viren earned a Bachelor of Arts in Business Administration from Heidelberg College.

Jack Wiseman, Market Analyst, has conducted extensive market research in over 200 markets throughout the United States since 2008. He provides thorough evaluation of site attributes, area competitors, market trends, economic characteristics and a wide range of issues impacting the viability of real estate development. He has evaluated market conditions for a variety of real estate alternatives, including affordable and market-rate apartments, retail and office establishments, educational facilities, marinas and a variety of senior residential alternatives. Mr. Wiseman has a Bachelor of Arts degree in Economics from Miami University.

In-House Researchers – Bowen National Research employs a staff of in-house researchers who are experienced in the surveying and evaluation of all rental and for-sale housing types, as well as in conducting interviews and surveys with city officials, economic development offices and chambers of commerce, housing authorities and residents.

No subconsultants will be used as part of this assessment.

Similar Experience & References

Local Experience

Our firm has conducted more than 1,800 studies in Ohio, 20 of which were within Greene County and four were within the village of Yellow Springs. The majority of these studies were conducted for private sector developers who were seeking financing for proposed rental properties. These comprehensive market feasibility studies included detailed analyses of demographics, economics, and rental housing supply across a broad spectrum of alternatives. Through this analysis, we have developed an inventory of multifamily properties that will serve as a baseline for evaluating the multifamily rental market.

Housing Assessment Experience

Bowen National Research has significant experience in conducting housing needs assessments on a city, county and statewide level. We were selected to complete each of these projects through an RFP/interview process and all studies were completed on time and within budget. Recent housing needs assessments completed by our firm include:

- Countywide Housing Needs Assessment – Preble County, Ohio
- Regional Housing Needs Analysis – Asheville, North Carolina
- Citywide Housing Market Study – Evansville, Indiana
- Town Housing Needs Assessment – Nederland, Colorado
- Citywide Housing Needs Assessment – Fort Wayne, Indiana
- Citywide Competitive Housing Market Analysis – Joplin, Missouri
- Citywide Housing Assessment – Rock Island, Illinois

The following pages profile a select few of the most recent studies completed by our firm with a similar scope of work to the RFP. We have also included a reference contact for each of these projects. All of the following examples were written by the firm's President, Patrick Bowen, and all research was conducted by Mr. Bowen and other key staff members. A full listing of key staff members is included in the *Qualifications* section of this RFP response. *All of our reports have been prepared within the timeline required (if not before) and within the proposed budget. In addition, Bowen National Research continues to serve in a consulting capacity for the majority of these projects.*

Countywide Housing Needs Assessment – Preble County, Ohio (2016)

Bowen National Research was commissioned by the H.I.T. Foundation to conduct a reduced-scope Countywide Housing Needs Assessment for Preble County, Ohio. This assessment did not include any field analysis or in-market inspections/observations and was completed entirely in house. Supplemental analysis was provided on each of the 11 cities and villages within the county. Analysis and information provided included a demographic and economic overview, a supply analysis of rental, for-sale, senior care and non-conventional rental (duplexes, single-family homes, etc.) housing, and stakeholder interviews. We concluded the analysis by providing a housing gap analysis for rental, for-sale and senior care housing, and recommendations as to the county's future housing needs and housing programs and assistance that could be provided to the area's residents.



Reference:

Mr. Bill Hutton | H.I.T. Foundation | (937) 472-0500 | bill@hitfoundation.org

Regional Housing Needs Assessment – Asheville, North Carolina (2015)

Bowen National Research was selected by Asheville Community and Economic Development to conduct a Regional Housing Needs Assessment that included the counties of Buncombe, Henderson, Madison, and Transylvania. Supplemental analysis was conducted exclusively on Asheville, the region's largest city. The report included separate chapters for each of the counties as well as the city of Asheville. Each chapter addressed current and future demographic and economic trends, area rental and for-sale housing supply, housing gap, special needs population data and interviews with area stakeholders. The study concluded by providing estimates for housing units that were needed in the market by price/rent, tenure and age, and unique housing market factors such as vacation rentals, second home market, and short-term housing. The study included recommendations for housing priorities that were ultimately used for a consolidated plan.



Reference:

Mr. Jeff Staudinger | Asheville Community and Economic Development Department
(828) 259-5723 | jstaudinger@ashevillenc.gov

Citywide Housing Needs Assessment – Evansville, Indiana (2014)

Bowen National Research was retained by the Evansville Department of Metropolitan Development to prepare a housing needs assessment encompassing the city of Evansville, with emphasis on Qualified Census Tracts (QCT's). The study provided an assessment of existing housing conditions, demographics and market demands with an assessment of present and future unmet housing demand (5-year estimates). We also identified data on current housing types and trends within the city limits and specific to QCT's, with additional consideration given to the housing demands and availability of the surrounding areas of Vanderburgh County and the MSA. This included projections of future demographics and any changes in housing trends. The study identified vacant parcels and buildings as potential sites for residential development and provided strategies and priorities for the town to consider that would support identified housing needs. This study was used to assist in the city's consolidated plan. Additionally, in 2015 and 2016 our firm was asked to complete subsequent updates to the original report.



Reference:

Mr. Kelley Coures | Evansville Department of Metropolitan Development
(812) 436-7806 | kcoures@evansville.in.gov

Housing Needs Assessment – Nederland, Colorado (2014)

Bowen National Research was retained by the town of Nederland, Colorado to assist the Town in understanding the housing needs of the people of Nederland and the surrounding mountain community (roughly a 10-mile radius of the town limits). Ultimately, the study provided information relating to the adequacy of Nederland and the surrounding area's housing stock and how it meets current housing needs, demographics and housing needs projections by various segments of the market (e.g. income level, age, tenure, etc.). The study provided conclusions with recommendations on potential residential opportunities that should be considered for development to meet the town's housing needs and potential development opportunities. The study identified vacant parcels and buildings as potential sites for residential development and provided strategies and priorities for the town to consider that would support identified housing needs. The study also focused on the impacts of recent natural disasters and the legalization of marijuana cultivation on the local housing market.

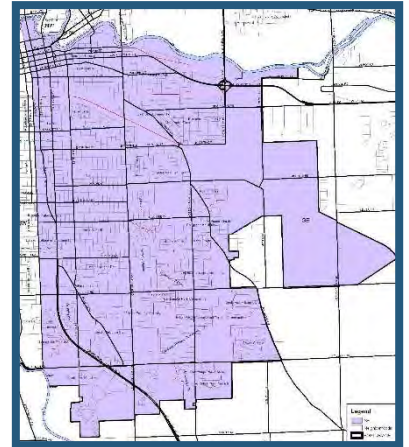


Reference:

Ms. LauraJane Baur, Town Clerk | Town of Nederland
(303) 258-3266 | laurajaneb@nederlandco.org

Housing Market Study – Fort Wayne (Southeast Quadrant), Indiana (2014)

Bowen National Research was selected by the city of Fort Wayne to conduct comprehensive research and evaluate various quantitative and qualitative information in an effort to provide an overall housing needs assessment of Fort Wayne's Southeast Quadrant, as well as a supplemental analysis of the Renaissance Pointe Neighborhood and the former McMillen Apartments site within the Southeast Quadrant. This study included an analysis of rental and for-sale housing, as well as an analysis of special needs (homeless and senior care) housing. The study provided conclusions with recommendations on potential residential opportunities that should be considered for development to meet the Southeast Quadrant's housing needs and potential development opportunities of the Renaissance Pointe Neighborhood and the former McMillen Apartment site. The study identified vacant parcels and buildings as potential sites for residential development and provided strategies and priorities for the City to consider that would support identified housing needs.



Reference:

Mr. Jim Atz | City of Fort Wayne Office of Housing & Neighborhood Services
(260) 427-6992 | james.atz@cityoffortwayne.org

Citywide Housing Market Study – Joplin, Missouri (2014)

Bowen National Research was commissioned by the City of Joplin to assist the Planning & Community Development and other Joplin city officials, as well as developers and other interested stakeholders in assessing the current and future housing needs, formulating initiatives for affordable housing, and examining current land use and economic development trends, specifically as they related to the impact of a devastating tornado that occurred in May 2011.



Reference:

Mr. Troy Bolander | City of Joplin | (417) 624-0820 | tbolander@joplinmo.org

Comprehensive Housing Market Study – Rock Island, Illinois (2013)

Bowen National Research was retained by the Rock Island Housing Authority to provide a comprehensive housing market study that would assist the Housing Authority and other involved parties in developing a meaningful sense of the housing market within the city, as well as an understanding of key housing issues in the surrounding area. This study identified current and future housing types and trends in the city of Rock Island, with consideration given to the housing demand and availability of the other Quad Cities and surrounding areas. This study considered rental and for-sale housing, as well as special needs (homeless, seniors and refugees) housing.



Reference:

Ms. Gail Brooks | Rock Island Housing Authority
(309) 786-0485 | gailbrooks0627@gmail.com

Project Approach

It is our understanding that this study will be used to provide the Village with information on the housing needs of the Village in order to better address those needs through planning, development, partnerships and any other methods available to the Village government. It will also assist decision makers, stakeholders and community members in understanding present and future needs related to housing within the community.

Bowen National Research begins each Housing Needs Assessment with either an in-person meeting or a kick-off conference call. The purpose of this meeting is to ensure that all parties involved are in agreement with the scope of work. This also allows our firm to request any assistance from the client. Assistance to be requested may include copies of previously-completed housing studies/plans, area maps, contact information for various government officials or other interested stakeholders, and participation in the development of stakeholder questions.



The following steps outline our proposal to conduct a Housing Needs Assessment for the Village of Yellow Springs.

Steps for Completion

- Step 1: Identification of the Study Area (and possible submarkets)
- Step 2: Evaluation of Demographics, Economics, Community Services and Housing
- Step 3: Development Opportunities Analysis
- Step 4: Housing Gap Analysis
- Step 5: Conclusions/Recommendations

Step 1: Identification of the Study Area

The foundation of the analysis is the establishment of the Primary Study Area (PSA). The PSA is the geographic area from which demographic and economic factors influence housing needs. For the purpose of this analysis, the PSA will be the village limits of Yellow Springs, with some consideration given to outlying areas of Greene County and/or the Dayton/Springfield metropolitan area. Our firm will work with the Village to finalize all study areas.

Step 2: Evaluation of Demographics, Economics, Community Services and Housing

A socio-economic profile will be created for the PSA derived in Step 1. The profiles will provide in-depth details about the market area, including population and household characteristics, development characteristics, economic characteristics, current housing stock, and the housing market conditions. Sources used for this portion of the study will include: U.S. Census, ESRI, HISTA, local auditor/assessor, interviews with city officials and other experts, and in-house and “on the ground” field research by Bowen National Research.

a. Population and Household Characteristics

We will identify the current population and household profiles within the study area including, at a minimum, the concentration and population density of low-income, middle-income and high-income areas.

The following population and household characteristics will be analyzed and displayed for the study area for 2000, 2010, 2016, and 2021.

- Population counts and density
- Household demographic characteristics
 - Age levels, household types, changes in household size, special needs populations, race/ethnicity
- Socioeconomic aspects
 - Education levels, housing tenure, households by income range, and median household/family income and poverty statistics
- Mobility/migration patterns (in-migration, out-migration and intra-urban migration)
 - Impact the current housing stock may or may not have on household demographic and socioeconomic household characteristics

In addition, interviews will be conducted with local real estate and planning professionals to determine mobility patterns.

b. Economic Characteristics and Trends

We will evaluate numerous economic characteristics and trends for the study area. These data sets include the following:

- Employment by occupation/job sector
- Wages by occupation
- Identification of top individual employers and assessment of potential changes
- Unemployment rates
- Total employment
- In-place employment
- Employee mobility patterns

We will use the preceding economic metrics to determine how economic conditions and trends are impacting the demand for rental and for-sale housing. Interviews with economic development representatives will be conducted to obtain insight on local employment trends and potential changes (expansions or layoffs) in the employment base. An analysis of the location of major employment centers, availability to public transit and a drive-time analysis will be provided to determine how employment and transportation may influence housing market conditions and demand.

c. Evaluation of Community Services

An evaluation of community services within the study area and that would specifically serve the Glass Farm site will be performed. Community services to be evaluated will include, but not be limited to:

- Public transit
- Commercial/retail areas
- Financial institutions
- Schools
- Fire/police
- Medical centers
- Employment centers
- Libraries
- Community centers
- Recreational and entertainment activities

We will determine how community services affect potential demand for housing and we will determine if areas of the village are lacking certain community services that could negatively influence housing demand.

A detailed map showing the area community services within the study area will be included in the study.

d. Housing Stock Inventory

The following housing stock characteristics will be analyzed and displayed for the study area (based on U.S. Census data and ACS data).

- Housing tenure (renter-occupied vs. owner-occupied)
- Vacancy rates by tenure
- Age of housing
- Types of housing supply (single-family, duplex, multifamily, etc.)
- General housing condition (based on evaluation of substandard housing conditions cited in U.S. Census)
- Housing values
- Rent levels
- Building permit data (5-year)
- Cost burdened households

This data will be used to supplement the on-site housing data we will collect, as described in Section E below.

e. Housing Market Conditions

The following is a summary of the research and analysis involved with each housing type considered in this proposal.

Rental Housing

Bowen National Research will identify multifamily rental housing properties in the study area, including government-subsidized and affordable Tax Credit properties, as well as market-rate properties (generally with more than 10 units at a single location). An in-person field survey will be completed for the study area and will be used to measure the overall strength of the rental market. This in-person survey also allows our firm to conduct a visual inspection of each property to rate its overall condition and neighborhood location. This is accomplished by an evaluation of unit mix, vacancies, rent levels, and overall quality of product. The field survey shows property-specific information, as well as aggregate information about the apartment market in the market area. A detailed map showing each project identified will be included. The following information will be obtained for each project:

- Target market (i.e. senior, family, special needs, student, etc.)
- Type of project (market-rate, Tax Credit, family, senior, etc.)
- Date of construction and latest renovation (if applicable)
- Type of utilities and those included in rent and paid by tenant
- Number of units, unit mix, and type of unit
- Number of vacancies by unit type
- Rents by unit type, including any concessions or incentives offered
- Project and unit amenities
- Contact name, address, and phone number
- Property photographs
- Property condition and neighborhood ratings

We will provide information on the number of vouchers issued, the number of households on the housing authority's wait list and monthly turnover rate of households leaving the voucher program.

The field survey will be analyzed to determine strengths, weaknesses, and trends.

Senior Housing

With the rapid growth of the senior population throughout the country, it will be necessary to understand the current and future housing needs of area seniors requiring special care housing, such as nursing homes and assisted living facilities. Therefore, we will identify area senior housing alternatives, including independent living, congregate care (independent living with services), assisted living and nursing care developments.

The following information will be obtained for each independent living, congregate care, assisted living and nursing care project:

- Age of Property
- Number of units or beds
- Unit sizes
- Number of vacancies
- Monthly service fees
- Entrance fees, if applicable
- Fees for additional services
- Project amenities
- Unit amenities

A detailed map showing the senior care projects will be included.

The senior housing analysis will allow us to evaluate the issue of seniors “aging in place” and opportunities for senior citizens to remain in their homes or move to other housing alternatives to accommodate their specific needs.

Special Needs/Homeless Housing

We will evaluate how and to what extent housing availability has impacted various special needs and homeless households. We will identify, to the extent information is available, information on the number of and housing options available to special needs and homeless populations. The populations to be studied (i.e. homeless, disabled, etc.) can be determined through conversations between Bowen National Research and the Village.

For-Sale Housing

We will obtain for-sale home data for the subject market from sources such as Multiple Listing Services, Realtor.com, local tax assessor, and other sources. Data will be collected and analyzed for both historical sales (typically from 2010 to current) and available for-sale housing alternatives. This will provide valuable information such as sales trends, including pricing, and the product that is currently available for purchase. We will evaluate product by price point, bedroom type, year built, days on market, and location.

The following information will be obtained for recent home sales in the area:

- Date of sale/Days on market
- Sale/Asking price
- Address
- Year home built
- Number of bedrooms
- Number of bathrooms
- Square footage of home

We will evaluate the aggregate data of the preceding metrics and identify trends and challenges that affect the for-sale market. We will also make general observations and analyses of the condition of existing for-sale housing alternatives.

Development Pipeline and Foreclosures

Planned and proposed projects that may impact the market will be discussed. Building statistics and interviews with officials familiar with area development provide identification of those properties, projects, and infrastructure improvements that might be planned or proposed for the area that will have an impact on the housing market. The research will describe the likelihood of construction, timing of the project, and its impact on the market.

In addition to identifying residential product in the development pipeline, Bowen National Research will analyze building permit information. Building permit information will be used to analyze the type, location and size of any recent projects, built or planned.

Because foreclosure activity plays an important role in most housing markets, we will evaluate the area's pre-foreclosure and foreclosure activity (i.e. filings), as well as short sales, over the past 6 to 12 months and provide pricing and product information on pre-foreclosed, foreclosed and short-sale property, as available.

f. **Other Market Conditions**

Other market conditions that affect housing conditions and neighborhood perceptions will be researched and presented. These market conditions will include neighborhood perceptions, crime statistics, lot splitting, accessory dwelling development, general property upkeep, and available land. Much of this information will be gathered through our field research, interviews with property managers, and evaluation of city records.

Through a visual inspection, an evaluation of city records, and overview of other published data, we will include an estimate of the number of vacant, substandard, overcrowded or abandoned buildings, or other undesirable living conditions (e.g. blight), that should be addressed. We will also evaluate and provide estimates for the percentage of housing that may be suitable for rehabilitation/adaptive-reuse, and address possible uses of these buildings, if one has not already been identified.

g. Stakeholder Interviews

Throughout Bowen National Research's initial field research and market analysis, numerous local stakeholders will be interviewed. These interviews will provide valuable insight into the area housing market, analyzing current market conditions and perceptions, and development alternatives in the area. The goal of these interviews will be to obtain local insight from area stakeholders regarding current housing conditions and trends, to identify anticipated housing needs, and to determine if there are barriers that exist that limit residential development in the market. Stakeholders will be asked for input on what housing products or markets should be a priority for the area. The client will have an opportunity to provide a list of potential stakeholders that we can interview and we will also enable the client to review and contribute to the stakeholder survey instrument.

Individuals to be interviewed will include, but not be limited to:

- Housing authority representatives
- City planning officials
- Economic development officials
- Chambers of Commerce representatives
- Realtor Associations
- Neighborhood organizations
- Rental property managers
- Real estate agents
- Social service providers

We will incorporate the results of the interviews into our recommendations for future housing needs.

Step 3: Development Opportunities Analysis

In addition to quantifying housing needs, Bowen National Research will identify locations within the PSA that represent ideal sites for potential residential development, with specific emphasis on the 20-30 acre Glass Farm site. This analysis will include both vacant sites (large parcels and neighborhoods with clusters of in-fill lots) and vacant buildings that represent candidates for adaptive reuse. We will provide the location, size (acreage) and, if readily available, current zoning of such potential sites. In addition, using typical development standards for residential development, we will provide estimates as to the number of residential units that can be supported at each site. All sites will be listed in a table format and mapped. We will also provide one-page profiles of larger parcels and vacant building that include pertinent data, property photograph and site location map. We conclude this analysis by providing our opinion as to how vacant land and buildings can be incorporated to meet future housing needs.

Step 4: Housing Gap Analysis

Based on the existing housing stock within the study area and current demographics, a housing gap analysis will be completed for the PSA. The gap analysis will determine whether a deficit or surplus of housing units exists for households at various income bands for rental and for-sale housing. The demand analysis will consider existing current household estimates, as well as household growth projections by income and tenure. The rental demand calculations may consider rent-overburdened households and those living in substandard housing. The for-sale demand calculations will take into consideration household growth and the need for replacement housing (older, substandard housing).

We will calculate trends within the PSA for each target market by identifying net gain, decline and demand of market-rate and income restricted housing (single-family, multifamily, for-sale and for rent) utilizing the following income stratifications using HUDs current income limits at less than 30%, 31% to 50%, 51% to 60%, 61% to 80% and higher than 80% of Area Median Household Income (AMHI). These income stratifications generally correlate to income limits associated with various housing programs and will allow us to identify housing needs and opportunities by affordability level and program type.

Step 5: Conclusions/Recommendations

The conclusions will demonstrate the depth of the market for additional rental, special needs/disabled, for-sale and senior care housing within the PSA. Specific conclusions may include:

- Recommendations to the types of housing development that should be pursued and supported, as well as types of housing that will be needed in the short and long term (specifically through 2021). This will include rental, special needs/disabled, workforce, for-sale and senior care housing. This will also include a recommendation as to the number of units needed by housing type (e.g. number of bedrooms, designs, etc.), target markets (e.g. families, seniors, etc.) and the estimated price point/rent.
- Recommendations as to the types of local, state and federal funding programs that the local government should consider expanding or providing for the development/redevelopment of necessary housing and recommended priorities for funding of projects.
- Conclusions as to the physical capacity of existing “ready to build” lots and vacant buildings (adaptive reuse) that could be used for the development of new housing, with emphasis on the Village’s Glass Farm site. Our analysis will provide our opinion as to whether or not there is sufficient space to accommodate new housing development to meet market needs.
- Recommendations on strategies that should be implemented to help the community to overcome barriers to development that include geographic limitations and government policies.

- Overview of general strategies and best practices that can be implemented to improve the housing market and outlining priorities for developing housing in the area.

The report and conclusions will provide the city, government entities, area housing professionals, and other interested stakeholders with the base of knowledge to make informed strategic decisions on housing priorities and plans.

Deliverables

Deliverables for the analysis will include:

- Monthly progress reports (either in writing or via conference call).
- Preliminary draft of the report in PDF format.
- 10 printed color copies of the final report and 1 electronic copy of the report in PDF format. Additional color copies are available at \$25 per copy.
- One (1) in-person presentation will be given by a representative of Bowen National Research to the Village and any interested stakeholders on Monday, December 4, 2017. Additional in-person presentations can be arranged for an additional fee, to be negotiated should the situation arise.

Project Schedule

Bowen National Research has the capacity to handle multiple projects at one time. Our firm completes nearly 500 market studies each year due to the nature in which our firm is organized into various departments.

Bowen National Research proposes to complete the requested scope of work within approximately 10 weeks of contract execution, with a proposed completion of December 4, 2017, as requested in the RFP. Below is a general timeline of when we will conduct and complete various parts of this analysis upon selection:

Notice to proceed from Village.....	Week 1
Kick-off call.....	Week 1
In-house research and phone surveys.....	Weeks 2 to 5
Stakeholder interviews	Weeks 4 to 6
Supplemental in-house research.....	Weeks 4 to 6
“On the ground” field research.....	Week 6
Compilation/aggregation of data	Week 7
Analysis of all data	Weeks 7 to 8
Submit draft report for review	Week 9
Finalize report based on Village review & input.....	After Village Review
Final draft delivery & in-person presentation/meeting	Dec. 4, 2017

Project Cost

The fee for the Housing Needs Assessment **will not exceed \$24,900**. This fee is all-inclusive and includes all out-of-pocket expenses. Bowen National Research will be responsible for any overages.

Hourly rates for the various departments involved in preparation of this analysis are listed below:

Staffing Fee Schedule			
Position	Tasks	Hourly Rate	Cost
Principal/Market Analyst	Analyst/Writing	\$125	\$7,000
Field Analyst	Research/Analysis	\$50	\$3,500
In-House Research Specialist	Research/Interviews	\$40	\$5,000
GIS Department	Demographics and Mapping	\$50	\$1,250
Production	Data Processing/Typing	\$30	\$1,000
Color Copies	-	\$25 ea.	\$250
Travel/Incidentals	-	-	\$2,000
Profit	-	20%	\$4,900
Total			\$24,900

It is our preference that the fee be paid with 25% (\$6,225) of the total cost at the time of contract execution, 50% (\$12,450) at the time of draft completion, and the final 25% (\$6,225) at the time of receipt of the final report. These terms are negotiable.

We anticipate additional discussions with the Village, which may modify or refine objectives or alter the scope of work. This might impact the time schedule, final cost analysis, and the delivery date of the final report.



Sewer Tap Fees, Additional Information

Submitted by Patti Bates

September 18, 2017

At the last Council meeting, additional information was requested re justification for the increase in sewer tap fees. Below are some of the thoughts that went into the requested increase.

- Each sewer tap requires three (3) visits from staff: one to locate the main, one to inspect the dig while open, and a final inspection.
- Capacity limits at the sewer plant, while normally sufficient, can be exceeded during moderate or heavy rain events. This is because of the excessive inflow and infiltration of our aging infrastructure, while allows rain water into the sanitary system. The Village is initiating a program of sewer relining, and additional revenues could assist with costs.
- Several years ago, the EPA mandated that storm water from homes and businesses not go into the sanitary sewer system, primarily due to capacity issues this presents. In the past, the Village has discussed initiating a program to assist homeowners with removing stormwater runoff from the sanitary system and rerouting it appropriately. Additional revenues could also be earmarked for a program to resolve this issue.
- It should be noted that these fees apply only to new taps, and would in no way affect residents or businesses who have existing taps.

[illegible]

Electric Tap Fees

	YS Current	YS Propsed	Jackson Center	Galion	Shelby	Arcanum
Residential	None	\$250.00	\$150.00	\$135.00	None	None
Commercial		cost of materials				
		Village installs				

[illegible]

2018 GENERAL FUND BUDGET

ACCOUNT DESCRIPTION		2015 ACTUAL	2016 ACTUAL	2017 BUDGET	2017 AS OF 8/31/17	2017 PROJECTED	2018 BUDGET	NOTES
101 GENERAL FUND								
REVENUE:								
101-0100-40101	REAL ESTATE TAXES	\$ 879,467	\$ 910,393	\$ 863,625	\$ 897,281	\$ 897,281	\$ 1,006,000	
101-0100-40102	PERSONAL PROPERTY TAXES	\$ 3,323	\$ 4,135	\$ 4,000	\$ 7,355	\$ 7,355	\$ 5,000	
101-0100-40103	KWH TAX	\$ 139,809	\$ 154,106	\$ 134,000	\$ 92,935	\$ 139,403	\$ 135,000	
101-0100-40104	CITY INCOME TAX	\$ 1,509,003	\$ 1,568,481	\$ 1,600,000	\$ 1,315,639	\$ 1,973,459	\$ 1,900,000	
100	LOCAL TAXES	\$ 2,531,602	\$ 2,637,115	\$ 2,601,625	\$ 2,313,210	\$ 3,017,497	\$ 3,046,000	
101-0200-40201	LOCAL GOVERNMENT-TANGIBLE	\$ 99,683	\$ 96,986	\$ 100,000	\$ 64,911	\$ 97,367	\$ 98,465	per county
101-0200-40204	CIGARETTES	\$ 223	\$ 223	\$ 200	\$ 186	\$ 186	\$ 175	
101-0200-40205	LIQUOR & BEER	\$ 7,445	\$ 11,714	\$ 7,000	\$ 6,340	\$ 6,340	\$ 6,000	
101-0200-40206	STATE INCOME TAX	\$ 9,534	\$ 3,962	\$ 8,000	\$ 883	\$ 1,325	\$ 1,000	
101-0200-40207	STATE MUNICIPAL INCOME TAX	\$ 8	\$ 3,857	\$ 200	\$ 189	\$ 189	\$ 175	
101-0200-40208	ROLLBACK/HOMESTEAD	\$ 134,464	\$ 135,000	\$ 123,375	\$ 67,354	\$ 134,969	\$ 130,000	
200	STATE SHARED TAXES & PERMITS	\$ 251,357	\$ 251,742	\$ 238,775	\$ 139,863	\$ 240,375	\$ 235,815	
101-0500-40502	WEDDING FEES			\$ -	\$ -	\$ -	\$ -	
101-0500-40503	ASSESSMENT FEES	\$ 1,607	\$ -	\$ -	\$ -	\$ -	\$ -	
500	CHARGES FOR SERVICES	\$ 1,607	\$ -	\$ -	\$ -	\$ -	\$ -	
101-0600-40602	PERMITS	\$ 4,339	\$ 2,358	\$ 2,000	\$ 1,935	\$ 2,000	\$ 2,000	
101-0600-40604	RESTITUTION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
101-0600-40605	FINES & COSTS	\$ 25,671	\$ 18,838	\$ 20,000	\$ 12,609	\$ 18,914	\$ 17,500	
101-0600-40606	DRUG LAW ENFORCEMENT	\$ 100	\$ 100	\$ 75	\$ 125	\$ 188	\$ 100	
101-0600-40607	XMC-FINES & COSTS	\$ 80	\$ 260	\$ 250	\$ 477	\$ 716	\$ 250	
101-0600-40610	INDIGENT DRIVERS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
600	FINES,COSTS,FORFEITURES,PERMIT	\$ 30,190	\$ 21,556	\$ 22,325	\$ 15,146	\$ 21,817	\$ 19,850	
101-0800-40804	PROPERTY SALES	\$ 21,469	\$ 43,192	\$ -	\$ 204,754	\$ 204,754	\$ -	
101-0800-40802	INTEREST	\$ 2,958	\$ 6,750	\$ 4,000	\$ 22,847	\$ 34,271	\$ 30,000	
101-0800-40803	RENT (Now includes Verizon)	\$ 70,055	\$ 66,033	\$ 55,000	\$ 44,026	\$ 66,039	\$ 40,000	
101-0800-40804	OTHER (Refunds, AMP Landfill Gas Sales)	\$ 6,722	\$ 1,595	\$ 6,000	\$ 54	\$ 81	\$ 1,000	
101-0800-40805	REIMBURSEMENTS	\$ 37,083	\$ 14,867	\$ 12,000	\$ 83	\$ 125	\$ 12,000	
101-0800-40808	DONATIONS	\$ 160	\$ 8,327	\$ -	\$ -	\$ -	\$ -	
101-0800-40811	PROJECT DEPOSITS	\$ 400	\$ -	\$ -	\$ -	\$ -	\$ -	
101-0800-40815	CABLE FRANCHISE	\$ 41,417	\$ 43,465	\$ 40,000	\$ 21,102	\$ 42,204	\$ 40,000	
101-0800-40820	COPIES	\$ 54	\$ 98	\$ 50	\$ 68	\$ 102	\$ 50	
800	MISC RECEIPTS & REIMBURSEMENTS	\$ 180,318	\$ 184,327	\$ 117,050	\$ 292,934	\$ 347,575	\$ 123,050	
101-0900-40904	ADVANCES IN	\$ 405,000	\$ -	\$ -	\$ -	\$ -	\$ -	
900	INTERFUND TRANSFERS	\$ 405,000	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL GENERAL FUND REVENUE		\$ 3,400,074	\$ 3,094,740	\$ 2,979,775	\$ 2,761,153	\$ 3,627,264	\$ 3,424,715	

ACCOUNT DESCRIPTION		2015 ACTUAL	2016 ACTUAL	2017 BUDGET	2017 AS OF 8/31/17	2017 PROJECTED	2018 BUDGET	NOTES
EXPENDITURES:								
1001	COUNCIL							
1	PERSONNEL SERVICES	\$ 114,271	\$ 116,525	\$ 123,800	\$ 80,067	\$ 120,101	\$ 128,550	
2	GENERAL OPERATING EXPENSES	\$ 728	\$ 2,554	\$ 4,200	\$ 2,103	\$ 2,500	\$ 6,000	
3	CONTRACTUAL SERVICES	\$ 87,395	\$ 130,158	\$ 94,700	\$ 162,463	\$ 237,010	\$ 135,350	
4	MATERIALS & SUPPLIES	\$ 13,676	\$ 2,040	\$ 11,300	\$ 2,703	\$ 6,120	\$ 10,500	
7	MISCELLANEOUS	\$ -	\$ 300	\$ 400	\$ 225	\$ 338	\$ 400	
1001	COUNCIL TOTAL	\$ 216,070	\$ 251,577	\$ 234,400	\$ 247,561	\$ 366,068	\$ 280,800	
1002	MAYOR							
1	PERSONNEL SERVICES	\$ 50,371	\$ 42,562	\$ 43,945	\$ 28,058	\$ 42,087	\$ 43,850	
2	GENERAL OPERATING EXPENSES	\$ 978	\$ 902	\$ 1,500	\$ 773	\$ 773	\$ 3,000	Increased for new Mayor needs
3	CONTRACTUAL SERVICES	\$ 2,652	\$ 3,839	\$ 9,075	\$ 9,897	\$ 10,023	\$ 5,725	
4	MATERIALS & SUPPLIES	\$ 3,383	\$ 2,425	\$ 2,950	\$ 1,451	\$ 2,177	\$ 4,500	
1002	MAYOR TOTAL	\$ 57,384	\$ 49,728	\$ 57,470	\$ 40,179	\$ 55,060	\$ 57,075	
1003	ADMINISTRATION							
1	PERSONNEL SERVICES	\$ 167,874	\$ 167,962	\$ 181,250	\$ 112,464	\$ 168,300	\$ 276,000	
2	GENERAL OPERATING EXPENSES	\$ 1,169	\$ 2,417	\$ 5,000	\$ 6,987	\$ 10,481	\$ 7,500	
3	CONTRACTUAL SERVICES	\$ 124,700	\$ 172,811	\$ 169,000	\$ 92,497	\$ 138,746	\$ 157,050	
4	MATERIALS & SUPPLIES	\$ 11,076	\$ 9,282	\$ 9,650	\$ 5,067	\$ 7,601	\$ 9,800	
7	MISCELLANEOUS	\$ 1,375	\$ 1,842	\$ -	\$ -	\$ -	\$ -	
1003	ADMINISTRATION TOTAL	\$ 306,194	\$ 354,314	\$ 364,900	\$ 217,015	\$ 325,126	\$ 450,350	
1004	AUDITOR							
3	CONTRACTUAL SERVICES	\$ 26,729	\$ 25,979	\$ 30,800	\$ 22,835	\$ 25,440	\$ 30,600	
1004	AUDITORS TOTAL	\$ 26,729	\$ 25,979	\$ 30,800	\$ 22,835	\$ 25,440	\$ 30,600	
1005	RENTAL PROPERTY							
3	CONTRACTUAL SERVICES	\$ 18,358	\$ 23,184	\$ 24,100	\$ 23,318	\$ 26,363	\$ 28,700	
4	MATERIALS & SUPPLIES	\$ -	\$ 1,497	\$ 400	\$ 512	\$ 768	\$ 1,000	
5	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
7	MISCELLANEOUS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
1005	RENTAL PROPERTY TOTAL	\$ 18,358	\$ 24,681	\$ 24,500	\$ 23,830	\$ 27,131	\$ 29,700	
1006	LIBRARY							
3	CONTRACTUAL SERVICES	\$ 3,875	\$ 5,310	\$ 5,500	\$ 1,719	\$ 2,579	\$ 5,500	
4	MATERIALS & SUPPLIES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
5	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
1006	LIBRARY TOTAL	\$ 3,875	\$ 5,310	\$ 5,500	\$ 1,719	\$ 2,579	\$ 5,500	

ACCOUNT DESCRIPTION		2015 ACTUAL	2016 ACTUAL	2017 BUDGET	2017 AS OF 8/31/17	2017 PROJECTED	2018 BUDGET	NOTES
1008	CABLE TV							
1	PERSONNEL SERVICES	\$ 4,976	\$ 204	\$ 21,900	\$ 10,915	\$ 16,373	\$ 22,600	
2	GENERAL OPERATING EXPENSES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
3	CONTRACTUAL SERVICES	\$ 11,149	\$ 17,009	\$ 5,050	\$ 2,712	\$ 2,712	\$ 2,550	
4	MATERIALS & SUPPLIES	\$ 893	\$ 247	\$ 1,400	\$ 60	\$ 90	\$ 1,400	
5	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
7	MISCELLANEOUS	\$ 885	\$ -	\$ -	\$ -	\$ -	\$ -	
1008	CABLE TV TOTAL	\$ 17,903	\$ 17,460	\$ 28,350	\$ 13,687	\$ 19,175	\$ 26,550	
1010	COUNCIL COMMISSIONS							
2	GENERAL OPERATING EXPENSES	\$ -	\$ -	\$ 5,000	\$ -	\$ -	\$ 5,000	
3	CONTRACTUAL SERVICES	\$ 3,550	\$ 527	\$ 10,000	\$ -	\$ -	\$ 10,000	
4	MATERIALS & SUPPLIES	\$ 3,830	\$ 5,532	\$ 10,000	\$ 1,610	\$ 2,415	\$ 10,000	
5	MISCELLANEOUS	\$ 890	\$ -	\$ -	\$ -	\$ -	\$ -	
1010	COUNCIL COMMISSIONS TOTAL	\$ 8,270	\$ 6,059	\$ 25,000	\$ 1,610	\$ 2,415	\$ 25,000	
1201	PUBLIC SAFETY							
1	PERSONNEL SERVICES	\$ 1,138,267	\$ 1,111,067	\$ 1,205,634	\$ 723,273	\$ 1,084,910	\$ 1,225,402	
2	GENERAL OPERATING EXPENSES	\$ 4,016	\$ 6,081	\$ 10,000	\$ 6,971	\$ 10,457	\$ 12,000	
3	CONTRACTUAL SERVICES	\$ 93,465	\$ 126,850	\$ 148,600	\$ 94,115	\$ 120,226	\$ 150,850	
4	MATERIALS & SUPPLIES	\$ 35,835	\$ 37,935	\$ 40,800	\$ 19,028	\$ 28,542	\$ 40,050	
5	CAPITAL	\$ -	\$ 36,562	\$ 40,000	\$ 38,248	\$ 38,248	\$ -	
7	MISCELLANEOUS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
9	TRANSFERS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
			\$ -					
1201	PUBLIC SAFETY TOTAL	\$ 1,271,583	\$ 1,318,495	\$ 1,445,034	\$ 881,635	\$ 1,282,382	\$ 1,428,302	
1202	PLANNING & ZONING							
1	PERSONNEL SERVICES	\$ 43,655	\$ 54,770	\$ 63,083	\$ 46,222	\$ 69,333	\$ 73,258	
2	GENERAL OPERATING EXPENSES	\$ 191	\$ 229	\$ 1,500	\$ 409	\$ 614	\$ 1,500	
3	CONTRACTUAL SERVICES	\$ 61,921	\$ 8,850	\$ 20,800	\$ 12,752	\$ 14,188	\$ 15,950	
4	MATERIALS & SUPPLIES	\$ 3,655	\$ (144)	\$ 2,100	\$ 1,067	\$ 1,200	\$ 2,100	
5	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
7	MISCELLANEOUS	\$ 1,575	\$ -	\$ -	\$ -	\$ -	\$ -	
1202	PLANNING AND ZONING TOTAL	\$ 110,997	\$ 63,705	\$ 87,483	\$ 60,450	\$ 85,334	\$ 92,808	
1204	MEDIATION							
2	GENERAL OPERATING EXPENSES	\$ -	\$ -	\$ 2,500	\$ -	\$ -	\$ 1,000	
3	CONTRACTUAL SERVICES	\$ 6,742	\$ 6,394	\$ 6,500	\$ 4,329	\$ 6,494	\$ 6,575	
4	MATERIALS & SUPPLIES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
1204	MEDIATION TOTAL	\$ 6,742	\$ 6,394	\$ 9,000	\$ 4,329	\$ 6,494	\$ 7,575	
SUBTOTAL GF EXPENDITURES BEFORE TRANSFERS		\$ 2,044,105	\$ 2,123,702	\$ 2,312,437	\$ 1,514,850	\$ 2,197,201	\$ 2,434,260	

ACCOUNT DESCRIPTION	2015 ACTUAL	2016 ACTUAL	2017 BUDGET	2017 AS OF 8/31/17	2017 PROJECTED	2018 BUDGET	NOTES
1009 TRANSFERS OUT TO OTHER FUNDS							
101-1009-59101 TO:							
202 Streets	\$ 496,392	\$ 524,000	\$ 266,973	\$ 266,973	\$ 266,973	\$ 323,576	
204 Parks	\$ 301,874	\$ 238,475	\$ 247,036	\$ 247,036	\$ 247,036	\$ 359,764	
207 Green Space	\$ -	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 50,000	
352 USACE Grant Fund	\$ -	\$ 262,482	\$ -	\$ -	\$ -	\$ -	
903 Police Pension	\$ 73,877	\$ 77,310	\$ 85,300	\$ 85,300	\$ 85,300	\$ 81,250	
902 Widows	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	
308 Capital Equipment	\$ -	\$ 50,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	
307 Facilities Improvement	\$ -	\$ 50,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	
306 Parks & Rec Improvement	\$ -	\$ 50,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	
601 Electric	\$ 69,438	\$ 69,094	\$ -	\$ -	\$ -	\$ -	
610 Water	\$ 225,000	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL TRANSFERS FROM GF	\$ 1,573,081	\$ 1,346,361	\$ 699,309	\$ 699,309	\$ 699,309	\$ 889,590	
TOTAL GF EXPENDITURES WITH TRANSFERS	\$ 3,617,186	\$ 3,470,063	\$ 3,011,746	\$ 2,214,159	\$ 2,896,510	\$ 3,323,850	
REVENUES (OVER) UNDER EXPENDITURES BEFORE TRANSFERS:	\$ 1,355,969	\$ 971,038	\$ 667,338	\$ 1,246,303	\$ 1,430,063	\$ 990,455	
AFTER TRANSFERS:	\$ (217,112)	\$ (375,323)	\$ (31,971)	\$ 546,994	\$ 730,754	\$ 100,865	
GENERAL FUND 2017 BEGINNING BALANCE							\$ 1,335,284
PROJECTED END OF YEAR DIFFERENCE							\$ 730,754
PROJECTED EOY FUND BALANCE 2017/BEGINNING OF 2018							\$ 2,066,038
PROJECTED END OF 2018 FUND BALANCE							\$ 2,166,903
MINIMUM RESERVE BALANCE USING 2016 EXPENSES (TYPICAL YEAR)							\$ 1,156,688 *
* BASED ON ENOUGH TO COVER 4 MONTHS OF OPERATING EXPENSES							



Manager's Report, September 18, 2017

Dental Insurance

The dental insurance renewal legislation will be brought to the October 2nd meeting. We have a 2% increase with a shortened renewal date to May 1, 2018. This allows us to match our dental insurance renewal with our medical insurance renewal, streamlining the process with one open enrollment period for both.

Solar Array

Construction is moving along and should be complete by the second week of October, if not sooner.

Dayton-Yellow Springs Road Construction

Majors Enterprises has returned to the project and the project is near completion. The water line was charged the week of September 11th and seeding and strawing should be done soon.

Sutton Farmhouse

The Miami Township Fire/EMS training burn of the Sutton Farmhouse has been scheduled for Saturday, October 7th. Rain date for the burn is October 21st.

Water Plant/Unidirectional Flushing

The water plant is ahead of schedule. We will continue to make strong efforts to communicate with the public in advance as specific events unfold that may affect water appearance and/or quality.

Bryan Center Shut-Down

On October 28, the Bryan Center will be closed, as we are replacing the back-up generator and the building will be on emergency power only.

Yard Waste

A reminder that Rumpke will pick up yard waste the last Friday of each month through November, if it is in the proper bag. Bags are available at the Utility Office.

I am happy to answer any questions. Thank you! Patti Bates

August 2017 Monthly Report WRF and Water Treatment-Brad Ault

Water Reclamation Facility-WRF

- Sent out Monthly operating report for August to Ohio EPA, on September 11, due by the 20th of each month. 9.662 Million Gallons of Wastewater Treated for the month of August 2017
- Rinergy removed 24,000 gallons of sludge this month.
- Power outage throughout town on 8/1/17, both generators at WRF and Lift station worked great.
- Purchased paint and supplies to re-paint chlorine and influent buildings.
- Installed new sample refrigerator in influent building.
- Watched the solar eclipse at Bryan Center.
- Pumped down and cleaned west clarifier then put east clarifier online
- Safety training at Sutton Farm on 8/30/17

Water Treatment Plant- WTP

- Sent out Monthly Operating Report for August to Ohio EPA on September 5, due by the 10th of the month. 9.982 Million Gallons of Water Treated for the month of August 2017.
- Sent out August Discharge Monitoring Report for filter backwash water to OEPA on 9/11/17.
- Shook installed drains and catch basins for WTP gutters, ran new high service pump, running new backwash pump, installed filter media and backwashed each filter several times. We completed start up and training on Seepex chemical pumps and chemical transfer pumps.
- Monthly job progress meeting 8/17/17.

- On 8/15/17 we had multiple cases of discolored water due to startup of new HSP and opening of a hydrant. OEPA required us to sample 5 spots for lead, copper, iron and manganese. All result came back good. Mariano Haensel, Dan Cloyd and Casey Formal from OEPA came out to WTP for a site visit and an explanation on what happened. Started working with OEPA to develop a plan of what to do during these type of events.
- Midco Diving completed cleaning and inspection of clearwell.

Yellow Springs Police Department Activity Report for the month of August 2017

(A) Calls for Service Information

Total number of calls for service received ----- 734

(B) Offenses Information

Total offenses reported ----- 209

Community Policing-----31

(C) Felony criminal citation, misdemeanor criminal citations, and traffic citations (moving, parking, and warning citations).

Total citations issued ----- 110

(D) Stolen Property Value

Value of reported stolen property ----- \$111.00

Value of property recovered ----- \$110.00

(E) Accident Information

Accidents without injury -----5

Accidents with injury ----- 1

Accidents hit skip -----1

Accidents fatal ----- 0

(F) Domestic Violence Information

Domestic violence/disputes incidents -----1

(G) Overdose information

Number of Overdoses-----1

Number of Narcans used--1



TO: Village Council and Village Manager Patti Bates
FROM: Denise Swinger, Planning, Zoning & Economic Sustainability
DATE: September 14, 2017
RE: Report of Activities from August 18, 2017 - September 14, 2017

Meetings:

Village Council Meeting - Pocket Neighborhood Developments (PNDs) & rezoning of property off North High Street
Staff meeting re: tax legislation and transient guest lodging
Conference call with Coolidge Wall re: transient guest lodging/illegal parking of an RV
Pre-bid meeting with Greene County Dept. of Development for Xenia Avenue ADA compliant ramps and domes
MVRPC Complete Streets workshop and walking survey
Meeting w/Greene County officials and YS staff re: safety/health issue w/property
Budget meeting for Planning & Zoning Office w/Melissa Dodd, Finance Director
Meeting re: process for public nuisances and demolitions w/Al Kuzma, GCBR
Housing Needs Assessment – meeting re: RFP results

Permits Issued:

2 fence permits
2 sign permit
5 single family dwelling permits
1 working in the ROW permit

Violations:

17 notices sent for vegetation in the ROW
1 notice sent for tall grass
3 public nuisance issues (continued)
1 noise issue (continued)
Illegal Parking of an RV (continued)

The Planning and Zoning office staff is preparing for the September 25th Planning Commission meeting. The Village of Yellow Springs Final Plan Phase One Replat will be reviewed.

Also on the Planning Commission agenda are a number of text amendments, including changing short term rentals to transient guest lodging, adding pocket neighborhood developments to the Schedule of District Uses in the zoning code and updating Appendix B Village of Yellow Springs Recommended Trees list in the planning code.

The Cresco conditional use hearing and site plan review is scheduled for the October 9, 2017 meeting of the Planning Commission.

Respectfully submitted,

Denise Swinger

MAYOR'S MONTHLY REPORT TO COUNCIL

DATE: 8-2-17
 TO: Council, Manager, Chief of Police
 FROM: David Foubert
 RE: August 2017 Monthly Report

There were 6 traffic, no DUI, 2 misdemeanor and 26 parking citations filed with Mayor's Court in August for a total of 251 citations filed to date in 2017.

no activity in Bond Account

MAYOR'S ACCOUNT

Violations Bureau:		
Fines	650.00	5110.00
Parking	455.00	3175.00
Court Fines	365.00	7555.00
Weddings		50.00
Ending Balance	1470.00	15890.00

 Remitted to Other Agencies:

Victims of Crime	72.00	697.00-
Indigent Defense	200.00	1920.00-
Drug Law Enforcement	28.00	266.00-
Indigent Drivers	12.00	113.00-
Child Restraint		71.00
Refund of Overpayment of Fine		25.00-
Remitted to Computer Fund	80.00	800.00
Remitted to Village GF	1078.00	11998.00

 Comparison Figures from August 2016

There were 9 traffic, no DUI, no misdemeanor and 23 parking citations filed with Mayor's Court in August for a total of 355 citations filed to date in 2016.

Remitted to Computer Fund	70.00	1368.00
Remitted to Village GF	1092.00	15180.00

David H. Foubert
 David H. Foubert, Mayor



Assistant Village Manager Report
September 18, 2017

This marks the start of the 2018 budget presentations. I hope that the format and presentation is easy for everyone to understand. I am always welcome to feedback!

I wanted to point out that with the new water plant coming online, much preparation is underway. Residents may see notices during the next few months with important information as changes are made to convert plants. These notices could include the potential for discolored water. We will post these notices to the Village home page (www.yso.com) as well as the Village's official Facebook page. It is our intention to give residents as much notice as possible for any potential disruptions in our system as we go through this conversion. This truly is an exciting time and we will be rolling out a robust communications effort to keep residents and businesses in the loop as we move forward!

With that being said, there will be a potential for discolored water Village wide on Tuesday, September 19, 2017 beginning at 1pm. Village staff will be flushing the new water line at the Center for Business and Education and the potential will exist for 2-4 hours after the flushing begins. The notice is currently published on the Village webpage and Facebook page for those seeking more information.

Respectfully,
Melissa Dodd



Police Department Report, September 18th, 2017

The Village of Yellow Springs has a progressive police department that helps to ensure a safe and welcoming environment for those who live, work and visit. The department earns trust through consistent, meaningful engagement with our community, and Yellow Springs Peace Officers strive for nonviolent conflict resolution whenever possible. The Village intends inclusion and compassion in all of the department's workings, recognizing and addressing systemic issues of injustice and implicit bias that lead to inequities.

The Police Department is happy to announce that during the week of September 25th we will be hosting Crisis Intervention (CIT) training at Antioch Midwest for the full 40 hour course.

On completion of the course all but one of the YSPD officers will be CIT certified.

I am happy to answer any questions that you may have.

Regards,

Brian Carlson,

Chief of Police

937-767-7206

chief@yso.com

9-18-2017

To: Council

From: Judy Kintner

Re: Clerk's Report

The past several weeks have been focused on clerk-minutia, which I must say is the clerk equivalent of scrubbing the bathroom sink with a toothbrush. Occasionally necessary and ultimately satisfying, but kind of a pain to undertake. Pages were corrected for the Codified Ordinances and duly replaced in those volumes. An easement was filed and sent out to the necessary state officials. Notices were sent to the paper, Board minutes were filed, minutes were completed, Webinars were registered-for and bills were submitted: not the thrill ride portion of the job, but it was productive. And there are no stinkbugs.

From: DinoPallo <dinopallo@me.com>
Sent: Wednesday, September 06, 2017 7:42 PM
To: Brian Housh, Village Council; Judy Kintner
Subject: Updated minutes from August 2, 2017

Economic Sustainability Commission Minutes

Wednesday August 2, 2017

Council Chambers, John Bryan Community Center

Attendees: Saul Greenberg, Henry Myers, Brian Housh, Dino Pallotta, Sammy Saber, Susan Jennings, and Emily Seibel.

Thor Sage, Exec Director MVECA

- Spoke about community broadband network and SpringsNet Initiative
- Potential economic opportunities for The Village to attract new business if MVECA were to install broadband network here
- A fiber backbone already exists within the entire school system
- Fiber is already here at the old middle school
- Tony Wells Foundation for loan possibilities.

Chrissy Cruz, CBE land use ideas

- Food processing and packaging facility
- Commercial kitchen
- Humane animal processing facility
- Farming the land for the food processing facility
- Farmers mrkt and dog park.

EDRLF Conversation:

- Brian handout of the EDRLF policy
 - Discussion of Purpose of the fund and define it
- Village values, tax rev, buss retention, new buss,
- Discussion of Objectives and Goals to drill down on the language
 - Discussion of Loan Criteria
- Defining roles of YSCU, Village Finance Director, ESC and the process
- Discussion of Formal Loan Application

Establish profile sheet

Look at Oberlin and Xenia revolving loan criteria

Discuss loan amount size – over \$5000

Tax returns requirements for application

No stop gap funding

Next meeting September 6, 2017 at 7pm, Council Chambers



The Economic Sustainability Commission provides information and makes recommendations to Council regarding economic development for the Village of Yellow Springs, identifies primary opportunities for economic development in the Village and strategies to support efforts and facilitating a forum for incubating ideas and networking among diverse groups working on economic development in the Village.

Sent from my iPhone

Staff + Council of VVS

Words cannot express the home going
for Dennis, It was truly amazing
and thoughtful of the Village to take
care of me & their own. Thank you
for the flowers and prayers.

Thank You
Bob Hamilton &
Tammy

THANK YOU FOR YOUR
THOUGHTS, PRAYERS AND KINDNESS
DURING THIS DIFFICULT TIME

FROM THE FAMILY OF

Harold Hamilton Jr.



Greene County Public Health

Melissa Howell, MS, MBA, MPH, RN, RS, Health Commissioner
Robert P. Dillaplain, MD, Medical Director

Press Release

For Immediate Release
September 13, 2017

Contact: Laurie Fox, Public Information Officer
lfox@gcph.info; 937-374-5669/866-858-3588

September is Fetal Alcohol Spectrum Disorders (FASD) Awareness Month

Pregnancy and Alcohol Don't Mix.

XENIA, OH – Greene County Public Health is joining the cause to increase awareness of the risks of drinking alcohol while pregnant. The U.S. Surgeon General advises pregnant women and women who are considering becoming pregnant to abstain from alcohol consumption to eliminate alcohol-exposed pregnancies, yet it is estimated that 40,000 babies are born each year with Fetal alcohol spectrum disorders (FASD), an umbrella term describing the range of effects that can occur in an individual who was exposed to alcohol before birth.

Exposure

A growing baby is exposed to the same concentration of alcohol as the mother during pregnancy. No amount of alcohol use is known to be safe for a developing baby before birth. Exposure to alcohol from any type of beverage, including beer and wine, is unsafe for developing babies at every stage of pregnancy. FASDs are completely preventable if a developing baby is not exposed to alcohol before birth.

Impact

FASDs can impact a child's physical, mental, behavioral, or cognitive development. The most visible condition along the continuum of FASDs, fetal alcohol syndrome (FAS), is characterized by growth deficiencies, central nervous system disabilities, and specific facial characteristics. The number of children born with FAS alone is comparable to spina bifida or Down syndrome. Prenatal alcohol exposure is associated with an increased risk of miscarriage, stillbirth, prematurity and sudden infant death syndrome (SIDS), as well as a range of lifelong physical, behavioral, and intellectual disabilities.

Prevention

To prevent FASDs: make a plan for a healthy baby --don't drink any alcohol if you are pregnant or could become pregnant. A woman often does not know she is pregnant for up to 4 to 6 weeks after conception. In the United States, nearly half of all pregnancies are unplanned. If you become pregnant, stop drinking alcohol. Every day matters. Because brain growth takes place throughout pregnancy, the sooner a woman stops drinking the safer it will be for her and her baby. If you need help stopping, talk to your doctor, contact an addiction specialist or contact Alcoholics Anonymous.

-cont'd-

360 Wilson Drive • Xenia, Ohio 45385
(937) 374-5600 • toll free (866) 858-3588 • Fax (937) 374-5675
www.gcph.info



Public Health
Prevent. Promote. Protect.

Greene County Public Health

Melissa Howell, MS, MBA, MPH, RN, RS, Health Commissioner

Robert P. Dillaplain, MD, Medical Director

Human service organizations, health care professionals, educators, and the public are called to action to work together to reduce the occurrence of FASDs by increasing awareness, becoming educated, and sharing the message that women who are pregnant or who might be pregnant should abstain from alcohol.

For more information on alcohol use during pregnancy and FASDs, visit www.nofas.org or www.cdc.gov/fasd.
For more information about Greene County Public Health and its many programs and services, please visit www.gcph.info or call 937-374-5600.

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Your Trusted Local Public Health Authority since 1920

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Greene County Public Health

Melissa A. Howell, MS, MBA, MPH, RN, RS, Health Commissioner

Robert P. Dillaplain, MD, Medical Director

Press Release

For Immediate Release
September 6, 2017

Contact: Laurie Fox, Public Information Officer
937-374-5669/866-858-3588; lfox@gcph.info

Greene County Public Health Releases Community Health Assessment

XENIA, OH – Greene County Public Health officials have released the Community Health Assessment, which is the foundation for improving and promoting the health of community members. It describes the health status of the population, identifies areas for health improvement, determines factors that contribute to health issues, and identifies assets and resources that can be used to address the community's health improvement. It was developed through a participatory, collaborative process with various agencies and organizations throughout the county. The data included in the report provides a broad assessment of community health issues, at risk behaviors, and aids in shaping a broader definition of community health. It also aids in monitoring the impact of community health improvement plans and trends.

To view this report or to make comments, please visit the website at www.gcph.info/about-us/accreditation. For more information, please call 937-374-5600, visit the website at www.gcph.info or on social media at www.facebook.com/greenecohd and www.twitter.com/greenecohd.

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