

**VILLAGE OF YELLOW SPRINGS
PLANNING COMMISSION**

The Village of Yellow Springs Planning Commission will meet in regular session on Monday, February 12, 2017 at 7PM in Village Council Chambers on the second floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387

CALL TO ORDER

ROLL CALL

REVIEW OF AGENDA

REVIEW OF MINUTES

Minutes of December 11, 2017

COMMUNICATIONS

COUNCIL REPORT

CITIZEN COMMENTS

PUBLIC HEARINGS:

- a. **Conditional Use Application and Site Plan Review** ó B-1, Central Business District ó Jake Brummett has submitted a conditional use application for the purpose of establishing a brewpub at 101 Corry Street. Parcel ID# F19000100100005100
- b. **Text Amendment – Table 1250.02 Schedule of Uses: Business Districts** ó adding mobile vending (food trucks) to B-2
- c. **Text Amendment - Table 1258.01 Schedule of Uses by District** ó adding mobile vending (food trucks) to B-2, General Business District.
- d. **Text Amendment – Chapter 1262.08 (d) (1)** ó adding mobile vending (food trucks) to B-2, General Business District.

OLD BUSINESS

Comprehensive Land Use Plan (CLUP)

- 1) Updating of the CLUP
- 2) Complete Streets Policy

NEW BUSINESS

Annual Report to Council ó Review of draft report of Planning Commission activities to present to Village Council.

NOMINATION OF CHAIR

AGENDA PLANNING

ADJOURNMENT

**Planning Commission
Regular Meeting Minutes**

Council Chambers 7:00pm

Monday, December 11, 2017

CALL TO ORDER

The meeting was called to order at 7:00 P.M.

ROLL CALL

Planning Commission members present were Chair, Matt Reed, Council Representative Gerald Simms, Susan Stiles Rose Pelzl and Frank Doden. Also present were Denise Swinger, Zoning Administrator, and Jessica Walker, Village Solicitor.

REVIEW OF AGENDA

Reed approved moving the Transient Guest Lodging Fee matter ahead of the site plan review so that Doden could then recuse for the second hearing.

REVIEW OF MINUTES

Minutes of November 11, 2017 were reviewed. Stiles MOVED to APPROVE THE MINUTES AS WRITTEN. Simms SECONDED and the MOTION PASSED 4-0 with Pelzl abstaining due to late arrival at that meeting.

COMMUNICATIONS

The Clerk will receive and file:

Luke Dennis re: Support of Conditional Use
Katharina Seidl re: Support of Conditional Use
David and Sheryll Kent re: Opposition to Conditional Use
Krista Magaw re: Support for Conditional Use

COUNCIL REPORT

Simms noted that the Utility Dispute Resolution Committee was reconfigured. He noted that Melissa Dodd has updated the website to address the questions and needs of those seeking to operate or file taxes for transient guest lodgings.

Simms spoke a farewell to the Commission members, encouraging them to stay true to their values and to speak up.

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARINGS:

1. Text Amendment to Fee Schedule - The Village of Yellow Springs is submitting a text amendment to the Zoning Code's Appendix A – Fee Schedule to establish a fee for the new Transient Guest Lodging permit.

Swinger explained that at Council's September 5th meeting, they passed the second reading of an ordinance creating a lodging tax in the Village. The tax impacts operators of transient guest lodging establishments defined as rentals of properties for fewer than thirty days. The Village of Yellow Springs Council recently amended the zoning code to allow Transient Guest Lodging as a permitted use.

As part of the approval process, owners of Transient Guest Lodging establishments will complete an application form. Attached with the application form are a list of Frequently Asked Questions the Finance Director Melissa Dodd developed. Staff is suggesting an amendment to the fee schedule allowing for a Transient Guest Lodging zoning permit fee of \$25. This fee will help offset the cost of processing the application by both the Zoning Administrator and the Finance Director. Once approved by zoning, a copy of the permit will be kept in the Planning & Zoning address files, and a copy will be given to the Finance Director to set up the collection of taxes.

Reed asked whether Council had discussed any fee during their hearing on Transient Guest Lodging, and was told that they did not, but that the recommendation will go back to Council.

Reed OPENED THE PUBLIC HEARING.

There being no comment, Reed CLOSED THE PUBLIC HEARING.

Swinger noted that the forms are now on the website, and once submitted and reviewed by Swinger, she will contact the petitioner and obtain the fee and issue the permit.

Stiles MOVED TO APPROVE a text amendment to establish a Transient Guest Lodging permit fee at a rate of \$25.00 per permit. Doden SECONDED, and the MOTION PASSED 5-0 on a roll call vote.

2. Conditional Use Application and Site Plan Review – B-2, General Business District –The Yellow Springs Brewery has submitted a conditional use application for the purpose of establishing a brewpub for private events, including a retail area for merchandise, an outdoor patio and a storage area for their craft beers at 1475 Xenia Avenue. Parcel ID #s F19000100060009000; F19000100060009100

Swinger explained that the applicant is requesting a conditional use permit to allow for a special events brew pub and has provided additional information to support their application. The Yellow Springs Brewery has grown rapidly since it began operations just four years ago. The owners have already expanded their operations at the Millworks location since they first opened and now intend to separate their special event customers from their general brewery customers to lessen the impact on their original location.

In purchasing the building at 1475 Xenia Avenue, their plan is to use the space for private party and special events, and for the production and cold storage of their craft beers. There will be a retail area for the sale of merchandise and products (craft beers), a rooftop and ground level patio, and an outdoor fire pit.

Swinger referenced provided renderings of the proposed space, noting an outdoor stairway and upper deck area.

Swinger noted that the conditional use requested is that of brew pub, which is conditionally permitted in the B-2 district.

Swinger noted that she had plotted in the setback requirements, and noted that some of the conditions are grandfathered in, due to the age of the structure. She noted that if the setback is 50% or less of the requirement, the owners are permitted to build an addition along the same plane of the original building.

With regard to parking, Swinger noted that there are several locations within the structure where customers can congregate, so the parking calculation has to be determined with regard to whether all locations are likely to be filled at any given time.

Stiles received confirmation that Swinger's calculation of 70 required spaces does take into consideration all possible areas of the space. She stated that this will need to be asked of the owners.

Swinger noted abutment of a residential district at the rear, stating that while the bulk of activity will be on the Xenia Avenue side of the structure, this abutment needs to be taken into consideration.

In the same vein, Swinger stated that there will be two coolers placed outside, and the potential noise level for these needs to be taken into account with regard to the neighboring properties.

Swinger made note of the storm swale design. She commented that because this is an existing site, where no more impervious surface will be added, she did not require a storm water mitigation plan.

At this point in the hearing, Doden recused himself for potential conflict of interest.

Ted Donnell, Architect representing the Brewery, addressed the Commission. He noted that the lot is currently 100% impervious, paved surface. He noted a lot 50 feet wide which is adjacent to the current Brewery property, and for which there is a purchase agreement pending. Donnell stated that this 50 foot lot will then become a part of the YS Brewery lot under consideration by the Planning Commission.

The most significant change to the Brewery lot, Donnell explained is to move the curb cut farther south to ease entry and egress for trucks, and to expand and improve the existing storm swale. Downspouts will be tied into this basin.

Donnell stated that what will be added to the site is in response to the high number of private events which are being held at the Brewery currently, and which are beginning to squeeze out regular casual patrons. The business will be named "YSB Private Party" and will accommodate events.

Donnell noted that if the space at Millworks would ever be lost, the location could then serve both options. He noted that the brewpub use is conditionally permitted in that area, and that all beer is made and sold onsite as an extension of the licenses held at the Millworks location.

With regard to parking, Donnell stated that he calculated maximum numbers of patrons based upon the maximums permitted by the Ohio Building Code. Donnell's total occupancy calculation was a total of 159.

Simms asked how many persons would be permitted on the rooftop and how that would be controlled.

Donnell responded that this would be done by headcount and consistent monitoring.

Responding to a question from Stiles, Donnell stated that the number of required parking spots he has calculated is a maximum of 46.

In answer to a question from Stiles, Donnell stated that there will be no parking lot lighting added. There will be lights on the building to direct persons to the patio area.

Simms commented upon a concern regarding patio noise expressed by a citizen.

Donnell noted that the patio is a "meet and greet" area which is fairly contained and should not pose a noise issue.

Donnell acknowledged that the more likely source of noise would derive from the rooftop patio, which he has designed with a popped up roof area meant to divert sound and alleviate roof drainage issues. Donnell noted that the rooftop patio would not make any more noise than that emanating from US 68. He noted that the Brewery has an excellent track record with regard to noise, having only two complaints since its exception, to which the owners responded readily.

Pelzl asked about use of the space for music venues and was told that there will not be live music outdoors, and that if there is live music indoors, it would be associated with an event.

Reed made note of Swinger's listing of the requested hours, commenting that because the intended space is for private rentals and special events, the Yellow Springs Brewery wishes to keep the hours flexible to accommodate customer desires. They have not determined the hours for the retail store, but intend to have it open during the private events. They anticipate most requests to be between the following hours, although it could differ according to some customer needs:

Mon-Thurs 5-11pm
Fri. 3pm-12am
Sat. 12pm-12am
Sun 12pm-10pm

Reed asked how these requested hours differ from those currently held by the Millworks location.

Lisa Wolters, YS Brewery co-owner, stated that current hours at Millworks are M-F 3-10pm; Saturday 1-10 and Sunday 1-8. She noted that she believes that the hours requested should accommodate any requests made.

In response to a query from Pelzl, Wolters stated that the business would like to be as responsive to requests as possible as they start up this aspect of their business.

Stiles asked whether the Sunday hours could be shortened to accommodate neighboring homes.

Wolters commented that while she is willing to adapt, she would like to be able to be as responsive as possible.

Stiles commented that she would like to see the business accommodate the need for children to go to bed at earlier times.

Pelzl commented that enforcement of the noise ordinance in those instances would be appropriate.

Donnell commented that the YSPD would be responsive to complaints.

Reed responded that this measure is far from perfect, given the difficulty of measuring sound.

Donnell argued that enforcement of noise ordinances is very difficult as is controlling ambient sound.

Reed commented that deck hours could be limited as a response to noise concerns.

Simms stated that the design of the deck would mitigate sound, and that he would oppose limiting deck hours, noting that this might take care of itself given the season, since the area would be more popular during summer hours when school is not in session.

Simms inquired as to a requirement for trees in the parking area, and was told that there are no requirements being imposed, given that it is an existing surface.

Reed asked about the noise reading on the outdoor coolers.

Donnell noted that there are currently two ground-mounted compressors which will service the coolers, so that noise is currently happening.

Swinger asked how casual walk in purchasers would be prevented from joining a private event.

Donnell responded that this would have to be self-regulating to an extent.

Reed asked what would need to occur if the YS Brewery wanted to convert the structure to a tap room.

Donnell noted that a brew pub is permitted with conditions in that area, and that by definition, the business would be permitted to make and sell beer on the premises. Permission to move forward with the brew pub will automatically permit future use as a taproom if that situation would arise.

Pelzl asked whether the PC could enact restrictions which could prevent use as a taproom.

Donnell responded that if Millworks were to close, and the Brewery needed to move operations, the owners should have the ability to move their operations to the Xenia Avenue location.

Pelzl raised the issue of food trucks, and Swinger stated that she needs to research this further to determine whether the omission of food trucks in any capacity in the B-2 is an error in the zoning code, or was done purposefully.

Pelzl sought clarification as to what things can be permitted or not permitted with regard to the application and based upon the concerns of the neighbors.

Donnell stated that it would need to be stated why the condition was being imposed, and that this could not be arbitrarily done based simply upon an unfounded concern.

Swinger noted that her parking calculation comes out nearly the same as Donnell's.

Reed OPENED THE PUBLIC HEARING.

David Kent, an adjoining neighbor to the Brewery, submitted a petition from residents concerned about potential noise. Kent described the current neighborhood setting and expressed his concern regarding hours going past 10pm and generating noise.

Kent stated that he has windows facing the patio area, and expressed further concern from patron talking and his ability to keep his windows open at night for that reason. He asked that the later hours be limited.

Sally Malone, a Lisa Lane resident, expressed concern regarding the outdoor patio, stating that it would generate excessive noise.

Malone commented that 49 parking spaces is too few, and wondered where food trucks would park if they are permitted.

Malone asked whether a fence would be erected on the ally, and asked where smokers would go.

Gary Bayard, a member of the neighborhood, noted that while the bowling alley/sports bar was located in the same location there was noise, but not to an excessive degree. He commented that the noise from passing motorcycles and trucks exceeded that of the establishment. Bayard commented that the design of the building should mitigate the noise effectively. He expressed approval for the use.

Sally Malone asked whether the residents would need to vote on a liquor license and asked whether patrons would be permitted to bring liquor in for events.

Donnell responded that the current license permits sale of beer brewed on the premises only, and that any expansion of that license would need to occur as a ballot initiative for residents of that area of town.

Donnell clarified that the business would be a walking destination, which would mitigate the parking concerns expressed by Malone. He pointed out a smoking area on the premises, bicycle racks, and an area of the parking lot separate from the parking spaces which could be used for food trucks.

Donnell then noted that placement of the coolers will mitigate sound from the patio to some extent.

David Kent noted that there is a space between the cooler and the wall which would permit sound travel. He asked whether a fence could be requested, or some other sound barrier.

Donnell commented that the greater sound emanation would be from the rooftop area. He commented that visibility from and to the alley is a safety issue which he would not be comfortable changing through construction of a fence.

Reed CLOSED THE PUBLIC HEARING.

Stiles received confirmation that the decibel level is required to drop from a permitted 65 to a permitted 45 decibels after 10pm and before 7am.

Stiles noted that she did not hear a lack of support, only an expression of concern regarding sound.

The Commission discussed the parking concern, with Swinger explaining her calculation rationale.

Simms noted that the bicycle racks can affect the number of required parking spaces. He commented that he is satisfied with the number of parking spaces shown.

Reed polled PC members, with each expressing their approval of the number of spaces shown.

Stiles expressed her sympathy for the noise concerns, noting that it is burdensome to have to report these concerns in order for them to be addressed.

Simms commented that he did not think that events would run right up to the last minute, noting that the Brewery has been good about moving people along prior to closing time and was inclined to permit the requested hours.

Reed suggested limiting the hours to start, then increasing the hours if there have been no issues.

Wolters commented that the hours currently permitted the Brewery at the Millworks location are until midnight each day, but that she and her partner choose to close earlier because it suits their lifestyle. She asked again to have the options available. Wolters noted that she and her partner live on Brookside Drive, in that neighborhood, and are consequently very cognizant of noise issues.

Pelzl expressed discomfort in limiting the hours any more than they are currently limited at the Millworks location given that the business is in an area zoned for business.

Stiles commented that businesses that sell alcohol do generate more noise than businesses which do not, and that consideration should be given to the neighbors.

Bob Baldwin commented that he had run the bowling alley in that location in years past. Baldwin argued that there should be later hours on weekend nights, but should be 9pm on weeknights. He commented that the village has enough businesses serving alcohol currently.

Nate Cornett, YS Brewery owner asked for the later hours as an option, stating that the owners are not interested in being out late nightly. He commented that the louder areas face the highway, and that sound is mitigated to the greatest extent possible. Cornett stated that the owners would be responsible in communicating the need for restraint on the part of revelers after 10pm.

Pelzl and Simms communicated that they did not foresee a nightly noise issue, and suggested approving the requested hours.

Simms MOVED to APPROVE the hours as requested. Pelzl SECONDED, and the MOTION PASSED 3-1 on a roll call vote, with Stiles voting against. Those hours are as follows:

Mon-Thurs	5-11pm
Fri.	3pm-12am
Sat.	12pm-12am
Sun	12pm-10pm

PC discussed screening possibilities.

Donnell stated that a fence could be erected, but would cause blind spots in the alley and would likely do little to mitigate sound.

Swinger asked that sign off by Village staff on the storm water mitigation plan be one of the conditions.

Simms MOVED to APPROVE the conditional use for a special events brewpub and retail store as requested, with a minimum of 48 parking spaces as proposed and with a bike rack provided, and with the condition that Village Utility Superintendent must sign off on the storm swale design. Stiles SECONDED and the MOTION PASSED 4-0 on a roll call vote.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Reed announced that he will be leaving Planning Commission as of February, and suggested that one of the sitting members consider taking the Chair position.

Swinger noted that this is Jessica Walker’s last meeting, as she will be leaving Coolidge Wall, and thanked Susan Gartner for her work with Channel 5.

AGENDA PLANNING

Stiles noted that she will not be available in January or February.

ADJOURNMENT

At 8:56pm, Stiles MOVED and Simms SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

Matt Reed, Chair

Attest: Judy Kintner, Clerk

Please note: These minutes are not verbatim. A DVD copy of the meeting is available at the Yellow Springs Library during regular Library hours, and in the Clerk of Council’s office between 9 and 3 Monday through Friday.



PLANNING COMMISSION

MEETING DATE: Monday, February 12, 2018

STAFF REPORT: Denise Swinger, Zoning Administrator

LOCATION: 101 Corry Street

ZONING DISTRICT: B-1, Central Business District

APPLICANT: Jake Brummett,

PROPERTY OWNER: International Transaction, Inc.

REQUESTED ACTION: Request for a conditional use permit, per Yellow Springs Zoning Ordinance Table 1250.02 Schedule of Use - Business Districts, Table 1258.01 Schedule of Uses by District, Chapter 1260 General Provisions, Chapter 1262 Conditional Use Requirements, Chapter 1264 Parking and Loading, and a Site Plan Review per Yellow Springs Zoning Ordinance Chapter 1268 Site Plan Review.

HEARING NOTICE: *“Conditional Use Application and Site Plan Review – B-1, Central Business District – Jake Brummett has submitted a conditional use application for the purpose of establishing a brewpub at 101 Corry Street.”*

GREENE COUNTY PARCEL ID #F19000100100005100

PROPERTY INFORMATION AND ANALYSIS:

A conditional use application for a brew pub at 101 Corry Street was submitted to the Zoning Office for a hearing before the Planning Commission (**Case #PC18-01**). The property is located at the southeast corner of Dayton and Corry Street in the Central Business District. It is the former location of William’s Eatery. The lot has two front yard lot lines with the Dayton Street line measuring 71 feet and the Corry Street line measuring 91 feet (**Exhibit A**). The entrance to the building faces Corry Street. The current zoning code regarding lot lines states that “on a corner lot, the rear lot line is opposite the shorter of the two front lot lines. This would make the lot line abutting Peach’s Grill the side yard. This lot line is 90.04 feet, leaving the back yard lot line with an estimated measurement of 61.49 feet.

STAFF ANALYSIS OF THE APPLICATION:

The property (**Exhibit B & C**) is owned by International Transaction, Inc. whose mailing address is 13 Medalist Way in Xenia, Ohio. The applicant is Jake Brummett, owner of Wander & Wonder at 241 Xenia Avenue. Mr. Brummett is leasing the building for a brew pub. He intends to call the business “Trail Town Brewery” and plans to brew 100 to 200 gallons of beer weekly to be served

only on the premises. He also plans to serve Mexican-themed food. Mr. Brummett plans to be open seven days a week from 11:00AM to 10:00 PM.

CONDITIONAL USE AND SITE PLAN REVIEW REQUIREMENTS:

"B-1," Central Business District. The B-1 District serves as the focal point for the social and commercial activities of the Village. The integration of business, institutional, public, quasi-public, cultural, residential and other related uses is permitted and encouraged. Uses in this district, for the most part, are intended to promote pedestrian movement and social interaction and should be of a scale and character that is consistent with the small town ambiance of the Village.

<i>Table 1250.02 Schedule of Uses: Business Districts</i>			
<i>Use</i>	<i>B - 1</i>	<i>B - 2</i>	<i>Specific Conditions</i>
Accessory Uses			
Outdoor patio seating in conjunction with a permitted restaurant	C	C	
Food, Drink, Entertainment and Hospitality			
Brew pubs and similar establishments	C	C	
Bars, taverns, clubs and restaurants serving alcoholic beverages	C	C	
Mobile vending (food trucks)	C		Section 1268.08(d)(1)
Retail			
General retail catering to the needs of the community, but less than 10,000 square feet of UFA	P	P	

Chapter 1250 – Table 1250.02 Schedule of Uses: Business Districts and Chapter 1258 – Table 1258.01 Schedule of Uses by District allows for brew pubs and similar establishments, bars, taverns, clubs and restaurants serving alcoholic beverages and outdoor patio seating in conjunction with a permitted restaurant. All of the above are conditional.

The Zoning Code requires the Planning Commission approve all conditional uses and consider the operational characteristics of the proposed use. *A Level A site plan review by the zoning administrator is also required as part of the conditional use and staff has considered the site plan with the applicable standards of this code and has approved it with the condition that any future changes to the ¾' water meter for the first floor of the building must first be reviewed by the Village's superintendent of water and electric distribution..*

1250.03 SPATIAL REQUIREMENTS.

(a) All lots and buildings shall meet the minimum area and width requirements of [Table 1250.03](#). New lots shall not be created, except in conformance with these requirements.

<i>Table 1250.03 Lot and Width Requirements: Business Districts</i>		
Zoning District	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width (Ft.)
B-1, Central Business	0	0
B-2, General Business	12,000	80

There are no minimum lot area or lot width requirements in the Central Business District, and there will be no change to the footprint of the existing building.

(b) All structures and their placement on a lot shall conform to the minimum dimensional requirements listed in [Table 1250.03a](#).

Table 1250.03a Dimensional Requirements: Business Districts							
Zoning District	Maximum Building Height (Ft.)	Minimum Yard Setbacks (Ft.)					Lot Coverage (%)
		Front		Side		Rear	
		Parking	Building ¹	Total	Least		
B-1	35	0	1/10 ²	0	0 ³	5 ⁴	90
B-2	45	20	30	30	15 ⁵	25 ⁶	50

1 Average established setback shall apply, where applicable, in accordance with Section [1260.02\(a\)](#).

2 Buildings shall be set back at least one foot, but not more than ten feet, from the right-of-way line.

3 No side setback is required, unless the side yard abuts a Residential District in which case a minimum side yard of 15 feet shall be provided along that side.

4 If the rear yard abuts a Residential District, a setback of 15 feet shall be provided.

5 If the side yard abuts a Residential District or a Village boundary line, a setback of 30 feet shall be provided.

6 If the side yard abuts a Residential District or a Village boundary line, a setback of 35 feet shall be provided.

The placement of this building is grandfathered in. There will be no expansions to the height or footprint of this building.

Chapter 1260.05 Other Provisions

Control of Heat, Glare, Fumes, Noise, Odor, Dust and Vibration. Every use shall be conducted and operated in a way that does not create a nuisance and is not dangerous by reason of heat, glare, fumes, odor, dust, noise or vibration beyond the lot on which it is located.

*Mr. Brummett has indicated there will be a caramel smell inside the building when he is boiling the wort, but it will dissipate once he is finished brewing. His brew house will be located under the existing exhaust system in the enclosed porch area indicated on the site plan (**Exhibit D**). He intends to do this process twice a week and will put the spent grain in bins to haul offsite immediately after brewing to ensure no outside odors.. He said the spent grain will be used to feed farm animals.*

For the Planning Commission's information, Chapter 634 of the General Offenses Code lists the following acceptable sound levels:

TABLE 1: Maximum Permissible Sound Levels (in dBA)			
Source Property	Receiving Property		
	Residential and Agricultural	Business and Educational	Light Industrial
Residential and Agricultural	65 7:00 a.m. - 10:00 p.m. 45 10:00 p.m. - 7:00 a.m.	65 (all times)	75 (all times)
Business and Educational	65 daytime 45 nighttime	65 (all times)	75 (all times)
Light Industrial	65 daytime 45 nighttime	65 (all times)	75 (all times)

Mr. Brummett has indicated there will be no additional noises from the operation of the brew pub. There will be an 8' X 12' walk in cooler but it is enclosed in an existing addition on the side of the property next to Peach's Grill.

Lighting. All light fixtures shall be direct cut-off fixtures, designed to prevent light spill or trespass beyond the boundaries of the property where the fixture is located.

Mr. Brummett indicated there will be direct cut off lighting in the back patio area for use during the summer hours.

Storm Water. When land is developed or redeveloped and/or the surface characteristics of the property change (increased impervious surfaces, site grading, etc.), these activities shall not result in additional storm water runoff flowing to adjacent properties.

There will be no additional impervious surfaces added.

OFF-STREET PARKING AND LOADING

Section 1264.02 General Requirements

<i>Table 1264.02 Parking Requirements by Use</i>	
<i>Use</i>	<i>Number of Parking Spaces</i>
Restaurants, Bars and Clubs	
Standard sit-down restaurants with liquor license and brew pubs	1 per 50 sq. ft. of UFA.

SITE PLAN OF THE BREW PUB FLOOR PLAN DESIGN (EXHIBIT D)

Brew pubs = 1 per 50 sq. ft. of Usable Floor Area (UFA).

The main bar area of UFA is 26' X 22' or 572 sq. ft.

In the brewing area, the UFA for the proposed seating is 23' X 7' or 161 sq. ft. A large section of this room will contain the brew house and another section is an aisle way to the outside patio.

In the warm weather, the outdoor patio at 16' X 16' will add an additional 256 sq. ft.

Because the parking requirements are based on UFA, the total UFA without the outdoor patio is 733 sq. ft. divided by 50 sq. ft. equals 15 parking spaces. With the outdoor patio area of 256 sq. ft. divided by 50 sq. ft., an additional 5 parking spaces are required.

Chapter 1264 Off-Street Parking and Loading details the following:

(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.

(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\(d\)](#).

Mr. Brummett indicated he is putting only a small area for 8 to 12 people in the brew house location. This was previously filled with tables for diners. He said that the previous restaurant had a total seating area in both rooms for 70 to 80 customers. Mr. Brummett will have seating for 36 in the main room, seating for 8 to 12 in the brewing area, and additional seating for 16 in the outdoor patio area. This brings the total seating count to 64. There are six parking spaces available on site. Mr. Brummett intends to have one marked for accessibility.

Section 1264.04 Off-Street Loading Requirements

(a) Uses Requiring Loading Area. On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, retails sales, consumer services or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets, alleys and parking spaces. This provision shall not apply to uses in the B-1 District.

(b) Loading Area Requirements. Loading and unloading spaces shall be paved and, unless otherwise adequately provided for, shall be ten feet by 50 feet, with 15-foot height clearance, according to the following schedule:

<i>Table 1264.04 Minimum Off-Street Loading Requirements</i>	
<i>Building Net GFA</i>	<i>Minimum Truck Loading Spaces</i>
1,401—20,000 sq. ft.	1 space

There is a space for loading and unloading on the east side of the building where the dumpsters are located. Mr. Brummett expects brew supply deliveries once every two weeks.

Chapter 1268.05 Site Plan Requirements

The site plan (Exhibit D) Section 1270.02 Greenbelts and Parking Lot Landscaping

Not required in the B-1, Central Business District

Chapter 1262 Conditional Use Requirements

Staff recommends the Planning Commission review the information provided and any additional information available at the meeting, and consider:

- (a) The proposed use will be consistent with the intent and purposes of this zoning code and the vision, goals and recommendations of the Comprehensive Plan and Vision: Yellow Springs and Miami Township.
This use is consistent with the comprehensive and vision plans as a brew pub is a conditional use in the Central Business District. This use provides economic health through increased employment, and offers a venue for residents and visitors to enjoy.
- (b) The proposed use will comply with all applicable requirements of this code, except as specifically altered in the approved conditional use.
The proposed use complies with all applicable requirements, except for parking spaces which will be addressed and altered by the Planning Commission.
- (c) The proposed use will be compatible with the character of the general vicinity.
Yes, as other similar uses are located in this area, such as bars and restaurants..
- (d) The area and proposed use will be adequately served by essential public facilities and services, as applicable, such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools.
Yes, the location is served by the above facilities and services.
- (e) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the zoning district.
The applicant has stated his hours of operation will be consistent with or less than other establishments serving food and drink in the vicinity. He explained in detail the process for making beer and has assured staff that there will be no noises or odors detrimental to persons or property nearby.
- (f) The proposed use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
Staff does not believe it will impede any future development or improvements to surrounding properties as there will be no change to the existing footprint.
- (g) The proposed use will not block sight lines from the right-of-way to existing signs or windows on the front or side of a building.
There will be no change to the footprint of the existing building. Any signs will require approval by the zoning administrator prior to installation.

Reasonable conditions may be imposed on the approval of a conditional land use in order to achieve the following:

- (a) Ensure public services and facilities affected by the proposed use or activity will be capable of accommodating increased service and facility loads necessitated by the proposed use.
- (b) Ensure that the use is compatible with adjacent conforming land uses and activities.
- (c) Protect natural resources; the health, safety, and welfare; and the social and economic well-being of those who will use the land use or activity under consideration; residents, business owners and landowners immediately adjacent to the proposed use or activity; and the community as a whole.
- (d) Relate to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
- (e) Meet the purpose of the zoning code, be in compliance with the standards established in the code for the land use or activity under consideration, and be in compliance with the zoning district standards.

RECOMMENDATION:

Staff is aware of concerns expressed by business owners over the number of liquor licenses and the density of these establishments in the Village of Yellow Springs. Under the specifics of this conditional use, staff has no objections to Mr. Brummett's application. The proposed use is compatible with the character of the general vicinity. His brew pub operation will be limited to what he can sell on the premises. The hours of operation will be 11 AM to 10 PM which should not be detrimental to the other uses permitted in the Central Business District. .

The Planning Commission should review the parking requirements allowing for the 25 percent reduction in the Central Business District, and may impose other requirements such as, for example, additional bike racks. The hours of operation should also be discussed in more detail..

If you have any questions or if I can be of assistance please feel free to contact me at (937) 767-1702 or email at dswinger@vil.yellowsprings.oh.us.

CASE # PC18-01



**Village of
Yellow Springs**

Case #: PC18-01 [OFFICE USE] **prings**

TYPE OF REQUEST: (Check one)

☐ DEVELOPMENT PLAN ☐ TEXT AMENDMENT

☒ CONDITIONAL USE ☐ MAP AMENDMENT

☐ OTHER (Please

Specify): _____

1. Property Address and/or Parcel ID: 101 Corry Street

2. Property Owner: Jake Brummett

Address: 7445 Foxdale Drive Waynesville OH

45068

Phone: _____

614-208-4999

3. Description of request: We would like to use 101 Corry as a brewpub. The main room (33x22) will be in it's current use as a restaurant with seating for 25-30 people at high and low tables as well as with a bar that will seat 6-8. The secondary room (33x20) will be used (2/3) as a nano brewery and (1/3) as a path to exit and to back patio. The back patio will be improved a bit and have seating for 16-20 weather permitting. We plan on brewing 100-200 gallons of beer weekly and only to serve on premises. All spent grains will be removed from premises on brew days to ensure no outside odors. There will be brew supply deliveries on pallets once every two weeks or so. There will be some onsite parking available and street parking and parking lot parking across the street. We plan to be open 11am-10pm daily.

The owner of this property and undersigned do hereby certify that the information and statements given on this application, drawings, and specifications are to the best of their knowledge, true and correct.

Signature of Applicant Jake Brummett

Title: _____

owner

Address: 101 Corry Street Yellow Springs OH

45387

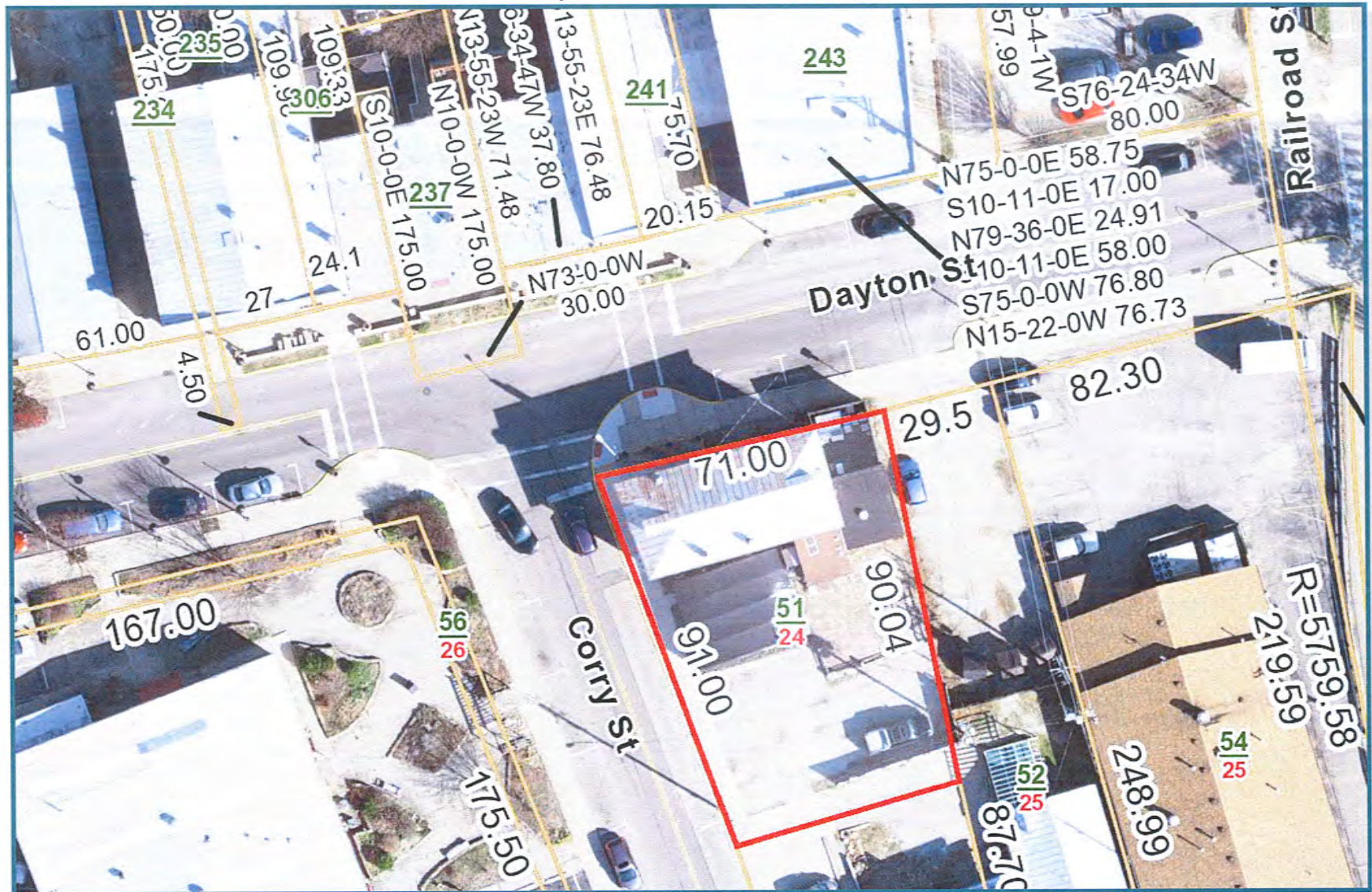
Date: 01/17/18

E-

mail: jakeandraina@roadrunner.com

EXHIBIT A

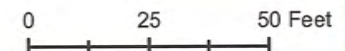
Greene County Customized Property Map



Greene County Legend

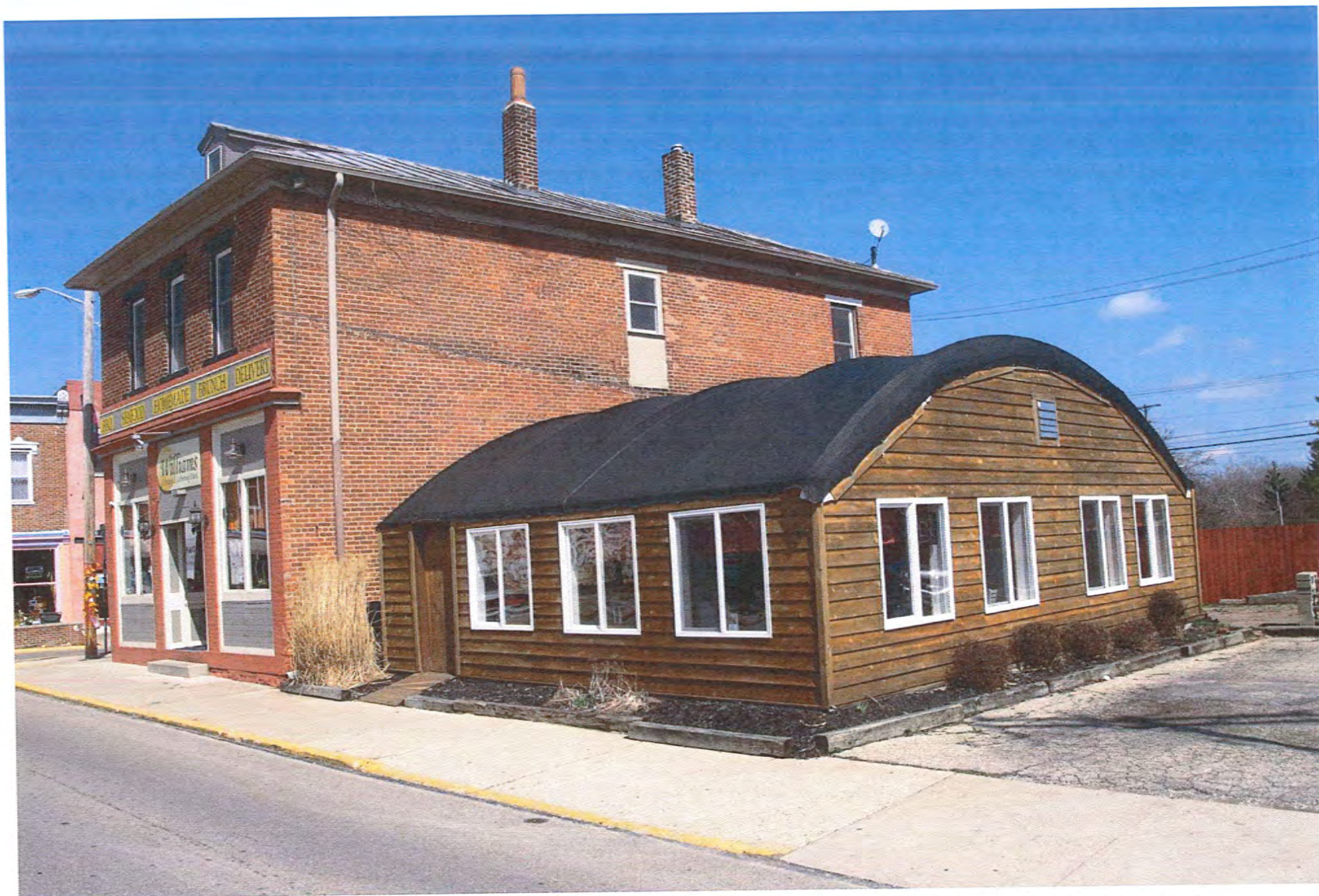
1 inch = 40 feet

	Interstate Highway		Local Roads		Buildings		Parcel Boundary
	US Highway		Schools		Hydrography		Corporation Boundary
	State Route		Parks		Parcel Number Lot Number		Topography



This map was prepared as the tax map for Greene County as prepared by the Greene County Engineer in accordance with Section 5713.09 of the Ohio Revised Code. Greene County assumes no legal responsibility for the information contained on this map. Users noting errors or omissions are encouraged to contact the Greene County GIS Department.

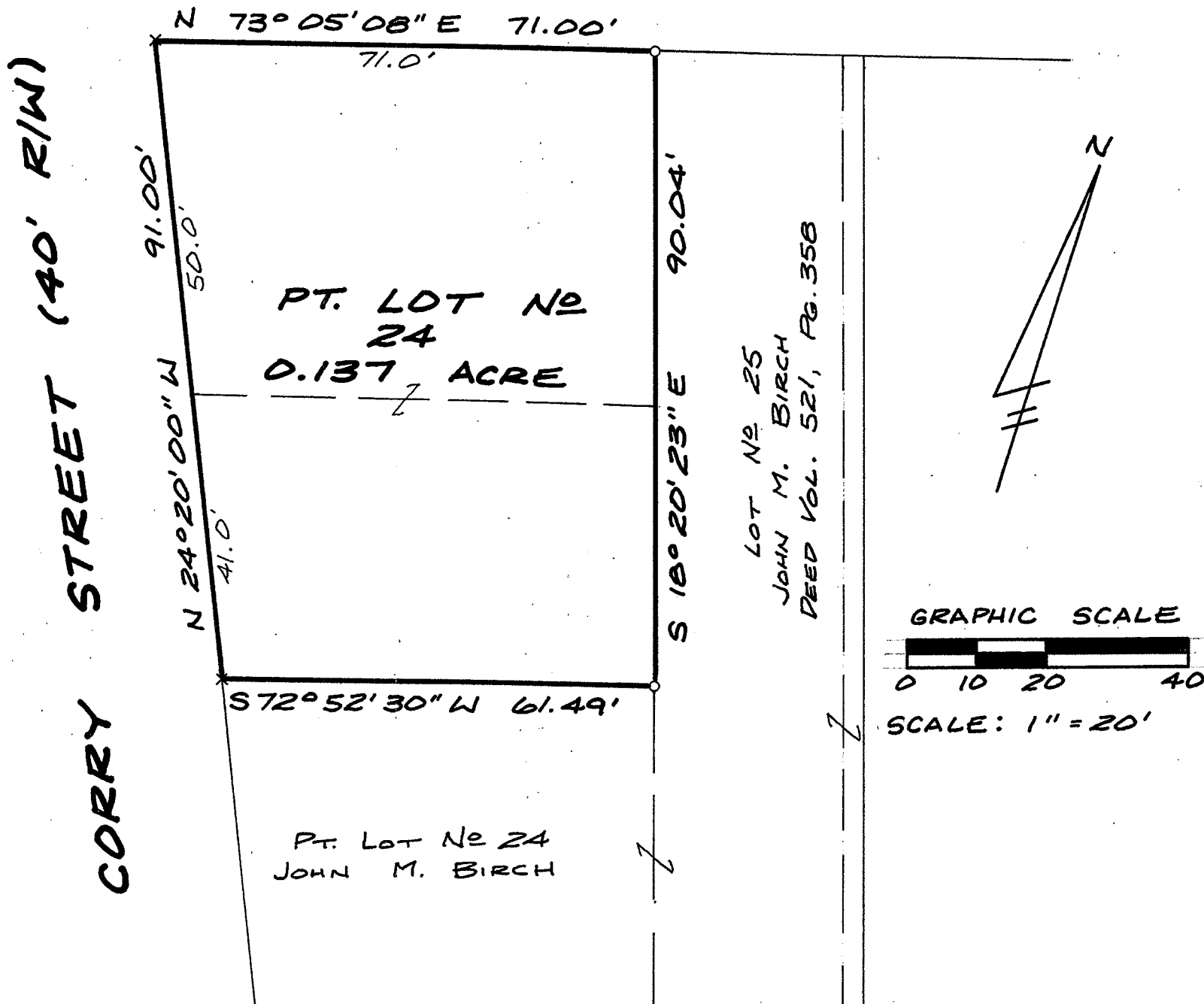
EXHIBIT B



F19000100100005100 03/13/2012

EXHIBIT C

DAYTON STREET (66' R/W)



BASIS OF BEARINGS:
DEED VOL. 538, PAGE 162

LEGEND:

X - INDICATES CUT CROSS
O - INDICATES IRON PIN

SURVEY REFERENCES

DEEDS: DEED VOL. 77, PAGE 589
DEED VOL. 91, PAGE 254
DEED VOL. 353, PAGE 260
DEED VOL. 385, PAGE 483
DEED VOL. 521, PAGE 358
DEED VOL. 528, PAGE 899
DEED VOL. 538, PAGE 162

AUDITOR: YELLOW SPRINGS
BOOK 1, PAGE 10

SURVEYED BY:

JOHN P. HALEY

Reg. Surveyor No. 6819



APPROVED
Greene County Engineer

By

whs

Date 11-18-92

ZONING

APPROVED BY:

GRANTOR JOSEPH & ANN HOLLY

GRANTEE PAMELA K. MOON

LOCATION:

Section, Town, Range

or Survey No.

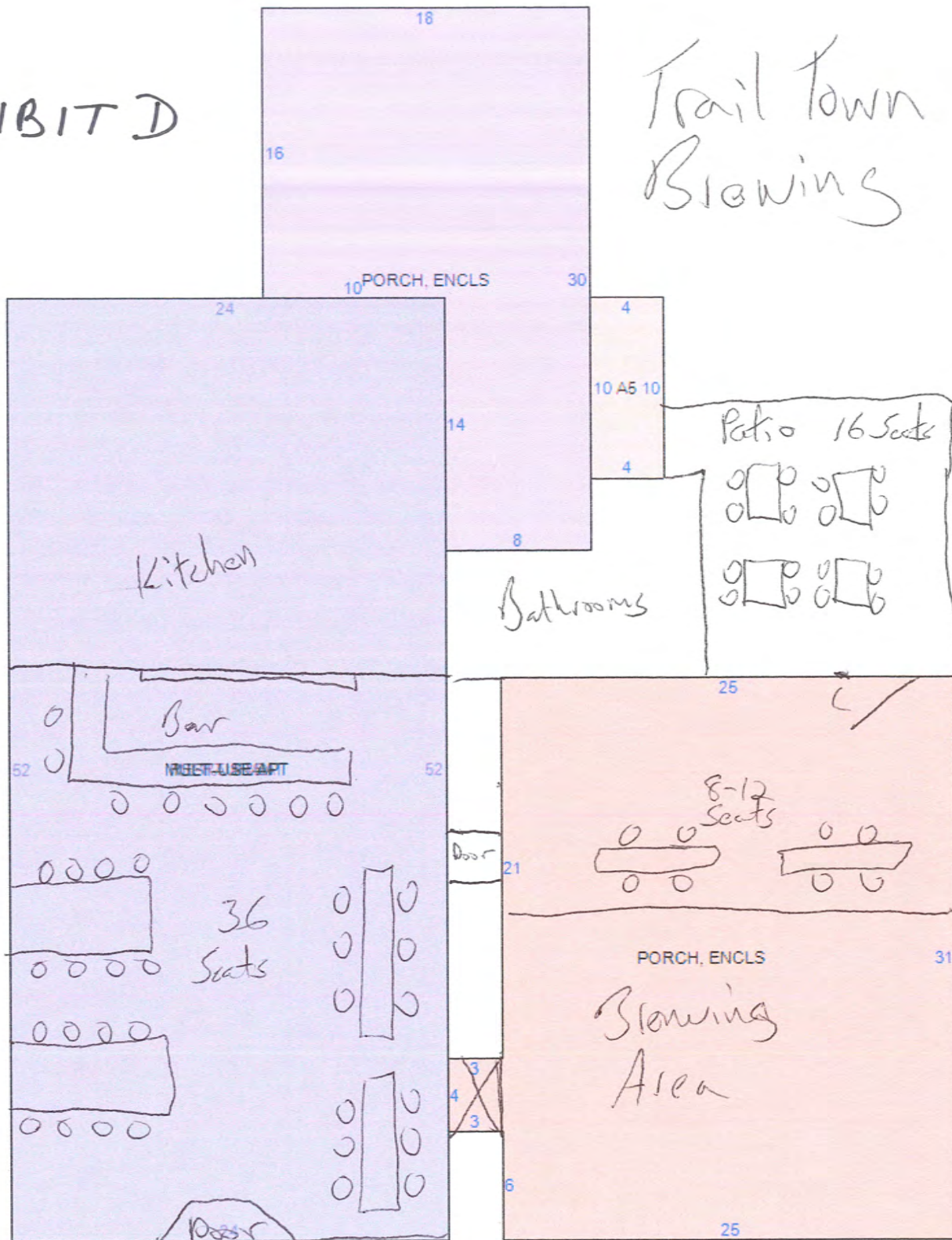
VILLAGE OF YELLOW SPRINGS

GREENE COUNTY, OHIO

DATE

EXHIBIT D

Trail Town Brewing



Jur: 000
Parcel: F19000100100005100
Taxyr: 2017
Card: 1

Code	Description	Area
000	SUPPORT AREA	1248
031	RESTAURANT / BAR	1248
081	MULTI-USE APARTMENTS	1248
RS1	UTILITY BLDG. FRAME	40
PR2	PORCH, ENCLOSED	400
PR2	PORCH, ENCLOSED 4 season	787
PA1	PAVING ASPHALT PARKING	500*

Seating
44-48 inside
16 outside
Williams sat about
35-40 in each room
and had a few talks
outside by Dayton St.



PLANNING COMMISSION

STAFF REPORT

MEETING DATE: Monday, February 12, 2018

RE: Text Amendment to the Zoning Code for Mobile Vending (Food Trucks)

ZONING DISTRICT: B-2, General Business District

LOCATION: 1300 to 1600 block of Xenia Avenue/Brookside Drive/Kahoe Lane

The Village of Yellow Springs is applying for a text amendment to mobile vending (food trucks) in the General Business District.

Currently food trucks are allowed in the B-1, Central Business District, E-I, Educational Institution District, I-1, Mixed Industrial District, and I-2, Industrial District.

Staff has reviewed the minutes of the Technical Review Committee, the Planning Commission and Council for the time period 2012 through the adoption of the Zoning Code in September 2013. The only document found relating to mobile vending (food trucks) was a memo (Exhibit 1) from Paul Leblanc of LSL Planning, the firm hired to update the zoning code. As a result of his memo, I contacted Karen Wintrow to ask if she could recall why mobile vending was removed from B-2. She indicated that it *“might have had to do with not wanting B-2 to compete with the CBD and there not being any appropriate locations at the time for food trucks. But the opportunity with the brewery is one that has the potential to change the face of that district in a positive way...”*

As the zoning administrator, I am recommending this amendment to the zoning code. The zoning code states that the B-2 District *“accommodates general retail and/or auto-dependent businesses. Uses within this district typically require high visibility, major arterial frontage, good access and ample parking. While these uses are provided for, the B-2 District is intended to be limited to a confined area so as to prevent the creation of a commercial strip and a proliferation of uses that would detract from the central business hub of the community.”*

In the section titled Food, Drink, Entertainment and Hospitality of Table 1250.02 Schedule of Uses: Business Districts, the following are allowed in both B-1 and B-2: Bars, taverns, clubs and restaurants serving alcoholic beverages, brew pubs and similar establishments, farmer’s markets, and restaurants, excluding drive-in or drive-thru facilities. In the section titled Accessory Uses, outdoor patio seating in conjunction with a permitted restaurant is also allowed in both B-1 and B-2. The only use relating to food and drink that is different is mobile vending (food trucks), which is not allowed in B-2.

Allowing mobile vending (food trucks) will support businesses, like the Yellow Springs Brewery, who invested in the community with the purchase of the former bowling alley at 1475 Xenia Avenue for their YSB Private Party brew pub. The zoning code allows food trucks in the B-1, Central Business District, where numerous food and drink establishments are located. In my opinion, allowing food trucks in B-2 should not detract from the Central Business District's numerous established restaurants and bars any more than the food and drink uses currently allowed in B-2.

There are three sections in the zoning code which will be affected by this proposed change. They are:

Text Amendment – Table 1250.02 Schedule of Uses: Business Districts – adding mobile vending (food trucks) to B-2 (Exhibit 2)

Text Amendment - Table 1258.01 Schedule of Uses by District – adding mobile vending (food trucks) to B-2, General Business District (Exhibit 3)

Text Amendment – Chapter 1262.08 (d) (1) – adding mobile vending (food trucks) to B-2, General Business District (Exhibit 4)

All three sections of the zoning code were publicly noticed in the Yellow Springs News February 1, 2018 edition.

Respectfully submitted,

Denise Swinger
Zoning Administrator

EXHIBIT 1



LSL Planning, Inc.

Community Planning Consultants

TO: Village Council, Planning Commission, TRC
FROM: Paul LeBlanc
DATE: January 3, 2013
SUBJECT: Revised Schedule of Uses

Attached is a revised Chapter 1258, Schedule of District Uses. I've made changes reflecting Laura and Karen's comments. Once we have agreement on this combined schedule, I'll make the corresponding changes to the individual district chapters, as well. The following summarizes the changes and, in only a few instances, my dissenting opinion. I look forward to our meeting on the 16th

Accessory Uses

- It was suggested that *Corporate offices incidental to the principal use* be added as a permitted use in the E-1 district. I recommend against that. This use is intended to be accessory to industrial uses such as Vemay or YSI. Those uses are not permitted in the E-1 District which is an institutional district.
- *Day care* deleted as a permitted use in the three residential districts. Note, however, that family and group day care are permitted under the "Residential" category.
- *Outdoor patio seating* added as a conditional use in E-1
- *Outdoor storage* added as a conditional use in E-1
- *Retail incidental to the manufacture or production of ..* is proposed to be added as a conditional use in B-2. I recommend against this. The intent of this provision is to permit some retail sales where goods are manufactured. The B-2 District is primarily a retail district, so a limitation on the floor area that can be devoted to retail sales (30%) would be contrary to the district purpose.

Agriculture and Animal Related Uses

- *Agribusiness* added as a conditional use in E-1
- *Breweries, distilleries and bottling plants* added as permitted use in 1-2
- *Food processing plants* added as conditional use in E-1 and changed to conditional in 1-1
- *Greenhouses/nursery (not including retail sales)* is proposed as conditional in the B-2. Since this use specifically prohibits retail sales, it conflicts with the B-2 purpose. In order to ensure that a retail nursery can be allowed, I suggest adding it, without the retail prohibition, as a conditional use (due to outdoor activity) in B-2 under the "Retail" category
- *Riding stables* added as a conditional use in E-1
- *Veterinary clinics* added as a conditional use in RC

Commercial Services

- *Electric, plumbing supplies sales...* added as permitted in 1-1

Food, Drink, Entertainment and Hospitality

- *Farmers' market* added as conditional use in 1-1
- *Hotels and motels* changed to conditional in B-2

- *Indoor commercial recreation ...* added as conditional in E-1 and changed to conditional in B-1 and B-2
- *Mobile vending food trucks* removed as an allowed use in B-2
- *Restaurants, excluding drive-in ...* added as conditional in E-1

Health Care and Social Assistance

- *Medical and dental laboratories* added as conditional in B-2 and 1-2 and changed to conditional in 1-1

Manufacturing

- *Building material manufacturing ...* changed to conditional in 1-1 and 1-2
- *Machine, sheet metal and welding shops* added as conditional in 1-2
- *Manufacturing, compounding, processing, packaging...* added as conditional in 1-1 and changed to conditional in 1-2
- *Metal stamping, pressing and buffing* changed to conditional in 1-2
- *Paint, rust proofing and rust coating* changed to conditional in 1-2
- *Tool and die shops* changed to conditional in 1-2
- General comment - with the exception of *building material manufacturing* and *metal stamping*, I suggest not changing the other uses to conditional in 1-2. The intent of 1-2 is to create an industrial district and these uses are appropriate within an industrial area.

Offices and Financial Services

- *Offices for executive, administrative, professional...* deleted from RB

Public/Quasi-public

- *Cemeteries* deleted from all districts, except C
- *Government offices, buildings and facilities* changed to conditional in RA, RB, and RC
- *Libraries* added as conditional in RC

Recreation and Leisure

- *Art galleries, museums...* changed to permitted in B-1 and added as permitted in B-2
- *Cultural buildings* deleted from RA and RB
- *Golf courses and country clubs* deleted from RA, RB, and RC
- *Private non-commercial recreation* deleted in its entirety
- *Public parks/playgrounds...* change to conditional in RA, RB and RC

Research and Technical Facilities

- *Research facilities* deleted in its entirety
- *Research development and testing laboratories* added as conditional in B-1 and permitted in B-2. I recommend reconsideration of this change. Such facilities are not consistent with the purpose of either of the business districts. The code provides three districts where these uses can be located and in which they would be compatible and complementary to other allowed uses.

Residential

- *Dwellings, attached single family* change to conditional in E-1
- *Dwellings, multiple family* change to conditional in E-1

EXHIBIT 2

CHAPTER 1250 **Business Districts**

[1250.01](#) Purpose.

[1250.02](#) Schedule of uses.

1250.01 PURPOSE.

(b) "B-2," General Business District. The B-2 District accommodates general retail and/or auto-dependent businesses. Uses within this district typically require high visibility, major arterial frontage, good access and ample parking. While these uses are provided for, the B-2 District is intended to be limited to a confined area so as to prevent the creation of a commercial strip and a proliferation of uses that would detract from the central business hub of the community.

(Ord. 2013-19. Passed 9-16-13.)

1250.02 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 1250.02](#) 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.

<i>Table 1250.02 Schedule of Uses: Business Districts</i>			
<i>Use</i>	<i>B-1</i>	<i>B-2</i>	<i>Specific Conditions</i>
Food, Drink, Entertainment and Hospitality			
Art galleries, museums and similar cultural facilities	P		
Assembly and performance halls	C		
Bars, taverns, clubs and restaurants serving alcoholic beverages	C	C	

Bed and breakfasts	C		Section 1262.08 (e)(2)
Brew pubs and similar establishments	C	C	
Community centers and senior centers	P		
Cultural buildings	C		
Farmers' market	C	C	
Hotels and motels	C	C	
Indoor commercial recreation such as theaters, bowling lanes and skating rinks	C	C	
Internet sweepstakes café	C		
Mobile vending (food trucks)	C	<u>C</u>	Section 1268.08 (d)(1)
Outdoor commercial recreation such as mini-golf and batting cages		C	Section 1262.08 (d)(3)
Restaurants, excluding drive-in or drive-thru facilities	P	P	

(Ord. 2013-19. Passed 9-16-13.)

EXHIBIT 3

CHAPTER 1258 **Schedule of District Uses**

[1258.01](#) District uses.

1258.01 DISTRICT USES.

The following table summarizes the uses allowed within the respective zoning districts, either as permitted or conditional uses.

<i>Table 1258.01 Schedule of Uses by District</i>										
<i>Use</i>	<i>C</i>	<i>E - I</i>	<i>R - A</i>	<i>R - B</i>	<i>R - C</i>	<i>B - 1</i>	<i>B - 2</i>	<i>I - 1</i>	<i>I - 2</i>	<i>Specific Conditions</i>
Food, Drink, Entertainment and Hospitality										
Bars, taverns, clubs and restaurants serving alcoholic beverages		C				C	C	C		
Bed and breakfasts		C	C	C	C	C				1262.08(e)(2)
Brew pubs and similar establishments		C				C	C	C		
Farmers market		P				C	C	C		
Hotels and motels		C				C	C			
Internet sweepstakes café							C			
Mobile vending (food trucks)		C				C	C	C	C	
Restaurants, excluding drive-in or drive-thru facilities		C				P	P	C		
Sexually oriented businesses								P		1262.08(d)(3)

(Ord. 2013-19. Passed 9-16-13; Ord. 2016-05. Passed 4-18-16; Ord. 2016-19. Passed 9-19-16.)

EXHIBIT 4

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:

(d) Recreation/Food/Entertainment.

(1) Mobile vending (food trucks).

A. Food trucks may be permitted to operate within the B-1, B-2, 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.

(Ord. 2013-19. Passed 9-16-13; Ord. 2016-04. Passed 4- 16-16; Ord. 2016-17. Passed 9-19-16.)



PLANNING COMMISSION

MEETING DATE: Monday, February 12, 2018

STAFF REPORT: Denise Swinger, Zoning Administrator

Attached is a copy of Resolution 2017-56 passed by Council on December 18, 2017 adopting a Complete Streets Policy for the Village of Yellow Springs. Also attached is a copy of the minutes pertaining to the discussion about this policy.

Planning Commission will need to consider the policy and determine how best to incorporate it both into the comprehensive plan and into the planning and/or zoning code. In the minutes attached, Council member Brian Housh suggested a representative from the Planning Commission serve on the Active Transportation Committee.

Please review the Complete Streets policy and the minutes of Council so we can discuss this, along with any suggestions you may have on a process for updating the Village of Yellow Springs Comprehensive Land Use Plan. The last time the comprehensive plan was updated was 2010 and it does include the *Vision Yellow Springs and Miami Township* plan which was added as an appendix to it.

Any suggestions on how best to tackle this would be greatly appreciated!

**VILLAGE OF YELLOW SPRINGS
RESOLUTION 2017-56**

**ADOPTING A COMPLETE STREETS POLICY FOR
THE VILLAGE OF YELLOW SPRINGS**

Whereas, in addition to traditional motorized transportation, citizens of Yellow Springs regularly choose active modes of transportation, including walking and bicycling as well as the use of mobility devices and public transit; and,

Whereas, the Village of Yellow Springs has made a commitment to create a safe transportation network that allows citizens to use a varied array of modes of transportation through the adoption of a Complete Streets Policy so that all current and projected users of the public right-of-way may safely and conveniently reach their destination; and,

Whereas, the Village of Yellow Springs recognizes that a Complete Streets Policy helps to ensure that all users and modes of transportation are considered during the design and implementation phases of projects; and,

Whereas, in addition to design and implementation, a meaningful Complete Streets Policy includes consideration of education and enforcement initiatives; and,

Whereas, the adoption and implementation of a Complete Streets Policy will encourage and facilitate walking, transit & mobility device use and biking, all of which have health, economic and environmental benefits;

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

Section 1: The Village of Yellow Springs does hereby express its intent to implement and continually develop a Complete Streets Policy, to be used in all future planning and construction endeavors within the Village limits.

Karen Wintrow, President of Council

PASSED: 12-18-2017

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL:

Karen Wintrow __Y__

Brian Housh _Y__

Gerald Simms __Y_

Marianne MacQueen __Y_

Judith Hempfling _Y__

EXCERPT OF COUNCIL MINUTES FROM DECEMBER 18, 2017 MEETING

Reading of Resolution 2017-56 Adopting a Complete Streets Policy for the Village of Yellow Springs. Simms MOVED and MacQueen SECONDED a MOTION TO APPROVE.

Housh commented that a Complete Streets policy is similar to a “dig once” policy, in that it requires that all users of the street or sidewalk be considered before a project is approved. The policy sets out guidelines, but does not require adherence to any specific set of rules. Housh noted that if the Village passes the legislation, it will be one of only a few municipalities in Ohio to pass such legislation. He noted that this policy is now being discussed at the state level.

Wintrow acknowledged Miami Valley Regional Planning Commission, stating that the Village has been able to use their policy as a template, and noting that they have assisted with educational pieces.

Housh noted a high level of input from citizens for the project, particularly those with differing mobility levels.

MacQueen asked how this policy would affect any upcoming developments, such as Cresco or housing on the Glass Farm, for example.

Wintrow responded that the policy would need to be integrated into the Comprehensive Plan, and would need to be run through Planning Commission to get the onboard. She commented that members of the Commission are already aware of the need to accommodate bicycles. The policy needs to be in the packet of information provided by the Planner to developers.

Bates commented her understanding of how the project needs to work, and noted that she will be working with Planning Commission so that it is integrated into the Comprehensive Plan.

Wintrow commented that there needs to be an interim piece for the Planning Commission to pull together, which explains what the policy means to a developer.

Housh expressed hope that a representative from Planning Commission would be involved with the Active Transportation Committee as it develops the parameters for the policy.

Wintrow noted the need for staff involvement as well, particularly roads, sidewalks and parks.

There being no public comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.

There being no public comment, Wintrow CALLED THE VOTE. The MOTION PASSED 5-0 on a voice vote.



COMPLETE STREETS POLICY

December 14, 2017

VISION

The transportation network in the Village of Yellow Springs will become measurably better connected, safer and more accessible for all users of the public right-of-way, regardless of their mode of transportation, age or abilities, as transportation projects throughout the Village are designed and constructed using Complete Streets principles. This effort to make our transportation system more complete will take advantage of opportunities presented by necessary reconstruction and expansion of the system whenever practicable.

PRINCIPLES

This policy defines Complete Streets by this outcome: “All current and projected users of the public right-of-way should be able to safely and conveniently reach their destinations along and across a street, road or trail, regardless of their physical ability or chosen mode of transportation, in order for that street or road to be considered *complete*.” *All users* include pedestrians, cyclists, transit and school bus riders, individuals with disabilities, motorists, freight haulers, service personnel and emergency responders as well as a wide range of ages from young children to seniors. Specific attention should be paid to vulnerable populations in contexts where they may need to travel. Studies show, for example, that a large majority of cyclists feel safe only if travelling on a “protected” bike lane or trail separated from traffic. This is especially true for younger riders and families. While some streets and roads may require changes to the right-of-way to better accommodate non-motorized users, many low volume streets and roads will require minor changes, such as signage or restriping, or no changes at all, especially if speed limits are low and enforced (see “Context Sensitive”). The purpose of this policy is to encourage improvements to the transportation network so that more transportation corridors in the Village of Yellow Springs meet this definition, and to encourage future designs that accommodate all users, thereby creating an increasingly safe, connected and accessible transportation network for all modes and users.

EDUCATION & ENFORCEMENT

This policy focuses primarily on how streets are designed and built. However, it is also important that the issues of education and enforcement are addressed with regard to Complete Streets. Complete Streets can make the transportation network safer for all users if each knows the rules of the road and obeys those rules. As more cyclists, pedestrians and individuals traveling with mobility devices share the right-of-way with automobiles, all parties need opportunities to learn the proper use of treatments such as unsignalized crossings, bike lanes, shared lane markings (e.g. ‘sharrows’) and sidepaths as well as how to interact safely. Project sponsors should consider whether a specific project requires special efforts in education or enforcement.

Consistent enforcement of traffic laws for all users is critical to ensure that posted speeds are obeyed, proper signals are used when turning, and traffic lights and signs are respected. A concerted effort should be made by local government and community members to proactively address enforcement protocols and communicate them clearly both in policy and in practice. Bicycles are legal vehicles on all Ohio roads and streets, with the exception of limited-access highways, and are



subject to vehicular traffic rights and responsibilities. Pedestrians, individuals with disabilities and transit riders also must take responsibility for walking or rolling along and across roadways in a safe and legal manner, using sidewalks or shoulders when available. If no such facility is available, pedestrians or individuals with disabilities should walk or roll on the left, facing traffic, as near to the outside edge of the roadway as is safe and practical.

With regard to individuals using mobility devices, drivers and cyclists should be aware that there are times when using the street is necessary. When sharing the roads or sidewalks, be mindful of varying speeds that users travel as well as obstructions (e.g. parking vehicles on sidewalks) that can make it difficult for differently-abled individuals to get to their destinations.

BENEFITS

By providing, where appropriate, features such as connected and accessible sidewalks, dedicated bicycle facilities, well-marked crosswalks and accessible transit stops, Complete Streets encourage walking, transit & mobility device use and biking, all of which have important health, economic and environmental benefits. By facilitating a greater share of trips via these active transportation modes, Complete Streets help reduce the demand for fossil fuels, ease automobile congestion, reduce wear on roadways, improve air quality and make streets more attractive for businesses and customers, increasing economic activity at the neighborhood level. Well-designed complete streets benefit community health through increased physical activity and improve safety by reducing crashes among all modes. Complete streets are a logical extension of the Americans with Disabilities Act and improve access for people with disabilities and older citizens, allowing them to participate more fully in community life (see “Context Sensitive”).

CONNECTIVITY

The purpose of a transportation network is to connect users of the network to their desired destinations and make it possible for all individuals to be mobile, engaged members of the community. A well-connected network provides safe and convenient transitions from one mode of transportation to another, from one jurisdiction to another, and from one type of infrastructure to another. This can be accomplished by connecting sidewalks to bus stops, providing park and ride locations, providing bike-on-bus opportunities, making convenient connections from separated bike trails to the street grid by planning & building new bike trails that enhance connectivity and by making sure that all these connections are accessible to individuals with disabilities. Every effort should be made to provide a continuous, uninterrupted network accessible to all users and modes. A well-connected network considers connectivity throughout the lifespan of a transportation project, and takes into account the needs of both current and projected users.

CONTEXT SENSITIVE

There is no one design standard that achieves the Complete Streets outcome. Designs for particular projects will be context-sensitive, considering adjacent land uses and local needs, and incorporate the most up-to-date, widely-accepted design standards for the particular setting, traffic volume and speed as well as current and projected demand. Each project must be considered both separately and as part of a connected network to determine the level and type of treatment necessary for the street to be *complete*. The need for complete streets treatments is greatest along corridors that connect populous residential settings with popular and important destinations including, but not



limited to, the following: medical, shopping, employment, educational and recreational destinations. In settings where there are multiple destinations that currently attract pedestrians, cyclists, individuals with disabilities and transit riders, any or all of the following should be considered: reduced speeds, narrowed travel lanes, “protected” bike lanes, adequate shoulders, shared lane markers, sidepaths, trails, accessible sidewalks, marked crosswalks, median refuges, accessible pedestrian controls and accessible and comfortable transit stops.

It is also important that these features are included if there is a strong likelihood of future demand. Certain factors, such as the existence of a fixed transit route or proximity to a school, clearly demonstrate the need for safe non-automobile travel. Well-worn footpaths in grassy/muddy areas along a road are also de facto evidence of the need for facilities for pedestrians and individuals with disabilities, including sidewalks and crosswalks. Since part of every transit trip is made on foot or by using a mobility device, all transit stops should be accessible to pedestrians and individuals with disabilities.

Because schools are natural concentrations of non-drivers, and school bus service is usually limited by a minimum distance from the school and is usually not provided for before school or after school activities, walkers, individuals with disabilities and cyclists must be routinely accommodated within a minimum distance of two miles from a school facility. The Village of Yellow Springs encourages collaboration with its educational institutions to proactively consider Complete Streets principles when selecting school sites. If new schools are located in areas that are accessible to walkers, individuals using mobility devices and bicyclists, school systems can better manage transportation costs and avoid new congestion problems. Students can also enjoy the health benefits of walking, rolling or biking. The same can be true when shopping, medical, postal, governmental and other public facilities are built in locations that are accessible to pedestrians, cyclists, seniors and individuals with disabilities.

The most effective time to address these issues is early in the site selection and facility design process, therefore Complete Streets discussions should begin immediately when new facilities are being conceptualized. It is important to note that many low-speed, low-volume residential streets can be considered *complete* with no additional treatment because pedestrians, people of all abilities, cars and cyclists can already interact safely. Likewise, many low-volume roads with limited current or projected demand from cyclists, transit riders, pedestrians and people with disabilities may require no additional treatment to be considered *complete*. In general, specific treatments are less necessary where average daily traffic volumes are less than 1,000 vehicles a day and legal speeds are 25 mph or less. Where traffic is light but speeds are higher, motorists must have adequate sight distance and the opportunity to change lanes to pass a bicycle, mobility device or pedestrian for a road to be *complete* without additional design elements.

APPLICABILITY

This policy applies to all transportation or public works projects in the Village of Yellow Springs. Some projects may require no additional Complete Streets treatments if it is determined during the application review phase that no current or projected need justifies such treatment. With a primary objective to enhance transportation choices, creative approaches should be considered to address a wide variety of end users and possible street treatments and amenities that will serve them. Private



developers are expected to apply Complete Streets principles to their projects, and the Village of Yellow Springs will also work with neighboring communities to utilize these principles to ensure connectivity across jurisdictions and regions. New development plan design must include trail corridor dedication to enhance connectivity between the development and the existing/future trail system. On street enhancement may not be needed where ODOT-standard trails are installed.

This policy applies to all phases of project development, from initial planning through construction. The probable use through the life of the project must be considered. How a project will address Complete Streets criteria will be documented in the project plan to be approved by the Village of Yellow Springs. If it is determined that additional Complete Streets treatments are not warranted, e.g. because certain users are prohibited or a street or road is already adequately designed to accommodate all users or includes a trail plan, and thus, is *complete* without further enhancements, this should also be documented and approved by the Village of Yellow Springs. It should also be kept in mind that resurfacing projects often offer a low-cost opportunity to adjust lane widths, add bike lanes or improve crosswalks simply by changing the pavement markings to make streets more *complete*. When new traffic control detection devices are installed, they must be capable of detecting bicycles and mobility devices. All new pedestrian crossing devices must also meet the most current accessibility standards for controls, signals and placement.

In line with the “context sensitive” approach to Complete Streets, there will be instances when these strategies standards cannot be met due to issues such as roadway topographic constraints, easements or other factors. When these issues arise, these exceptions to the Complete Streets approach should be thoroughly analyzed and clearly articulated. In these instances, alternate routes that are in the same traffic corridor and that provide access and connections for pedestrians, cyclists and individuals with disabilities should be considered and improved as necessary (e.g. signage, bike boulevard treatments, shared-use spurs, shared-lane markings). Cyclists, pedestrians, transit riders and individuals with disabilities must be able to cross high-volume roads safely so that these roads do not become barriers to non-motorized use. To accommodate crossing of wide roads, for example, signal timing may need to be adjusted to accommodate users who walk more slowly, countdown timers and/or mid-point safety islands may need to be installed, and highly visible signage and crosswalk markings may need to be added. Accommodations for all individuals crossing these roads should also to be considered.

IMPLEMENTATION

Project proposals and plans will address how the project will make the transportation network more *complete*. Any transportation project proposal or plan that does not address Complete Streets principles, either by including appropriate design elements or by clearly articulating why they cannot be employed, will be considered incomplete. The intention of this policy is to support efforts to make the transportation network in the Village of Yellow Springs more *complete* by applying Complete Streets principles as appropriate. Facilities will be designed to the best currently available standards and guidelines. See the “Policy Guidance and Resources” section below, and the Miami Valley Regional Planning Commission is an important resource for supporting Complete Streets principles in transportation network design.



A key outcome of the Yellow Springs Complete Streets Policy is to change the status quo of the design and construction of Village streets and other capital projects. The Yellow Springs Comprehensive Land Use Plan, local zoning regulations and the Village Planning Commission should reflect these principles in their policies, procedures and processes, which will be reviewed and updated, as appropriate, to ensure the successful implementation of this policy.

This policy does not dictate specific designs, but rather promotes the outcome that all current and projected users must be able to safely and conveniently reach their destinations along and across a street or road, regardless of their physical ability or chosen mode of transportation. To this end, facilities will be designed using the best available standards and guidelines. See the “Policy Guidance and Resources” section below for references to several best practices. Coordination with the Miami Valley Regional Planning Commission and the Ohio Department of Transportation during all stages of project planning and development is also recommended to support Complete Streets principles in transportation network design.

POLICY GUIDANCE & RESOURCES

- AASHTO Design Publications (https://bookstore.transportation.org/category_item.aspx?id=DS)
- American Planning Association Publication: “Complete Streets: Best Policy and Implementation Practices” (www.planning.org)
- National Association of City Transportation Officials (NACTO) Street Design Guides (<https://nacto.org/publications/design-guides>)
- Designing Walkable Urban Thoroughfares: (<http://www.ite.org/css/>)
- Multimodal Level of Service for Urban Streets (http://www.trb.org/Main/Blurbs/Multimodal_Level_of_Service_Analysis_for_Urban_Str_160228.aspx)
- National Complete Streets Coalition (<http://www.completestreets.org>)
- ODOT Multi-modal Design Guidance (<http://www.dot.state.oh.us/DIVISIONS/TRANSSYSDEV/MULTIMODALPLANNING/BICYCLE/Pages/PlanningandDesignResources.aspx>)
- TRB 2010 Highway Capacity Manual
- US DOT Policy Statement: “Design Guidance Accommodating Bicycle and Pedestrian Travel: A Recommended Approach” (<http://www.fhwa.dot.gov/environment/bikeped/design.htm>)
- Wisconsin Department of Transportation (<http://www.dot.wisconsin.gov/projects/state/docs/bicycle-rural-guide.pdf>)

Accessibility

- FHA Office of Civil Rights <http://www.fhwa.dot.gov/civilrights/programs/ada.htm>
- Public Right-of-Way Accessibility Guidelines <http://www.access-board.gov/prowac/>
- Accessible Pathways to Bus Stops and Transit Facilities: A Process Guide https://secure2.convio.net/es/site/Ecommerce?VIEW_PRODUCT=true&product_id=6341&store_id=9663
- Toolkit for the Assessment of Bus Stop Accessibility and Safety [PDF] https://secure2.convio.net/es/site/Ecommerce?VIEW_PRODUCT=true&product_id=4981&store_id=9663



Pedestrian and Bike Information

- Ohio Department of Transportation Bike and Pedestrian Plan (<http://www.dot.state.oh.us/Divisions/TransSysDev/MultiModalPlanning/bicycle/Pages/Default.aspx>)
- The Pedestrian and Bicycle Information Center (PBIC) (<http://www.walkinginfo.org>)
- Planning for Active Transportation in the Miami Valley (<http://www.mvrpc.org/tr/bikePed.php>)
- High Quality Bike Facilities Increase Ridership and Make Biking Safer (<https://nacto.org>)
- Critical Environmental Factors for Transportation Cycling in Children (www.ncbi.nlm.nih.gov – Article PMC4175075)

Safe Routes to School

- National Center for Safe Routes to School (<http://www.saferoutesinfo.org/>) Performance Standards

PERFORMANCE MEASUREMENTS

Measuring the impacts of the Village of Yellow Springs Complete Streets Policy will be critical to ensuring successful outcomes. An annual report to the community on these impacts shall be provided to Village Council using the following quantitative performance measures:

- Linear feet of new and repaired ADA complaint sidewalks.
- Linear feet of new and repaired curb ramps installed.
- Total number and type of crosswalk and intersection improvements.
- Total number of new transit stops and routes.
- Rates of ridership on transit routes.
- Total number of crashes, injuries and fatalities by mode, as available.
- Rates of children walking, biking or rolling to school.
- Total number of off-street bicycle routes.
- Total number of new on-street bicycle routes, defined by streets and roads with clearly marked or signed bicycle accommodations.

Qualitative measures will also be valuable in tracking the impacts of the Village of Yellow Springs Complete Streets Policy. The following qualitative performance measures will be conducted on a periodic basis, though not necessarily reported on annually:

- Surveys of bicyclists, pedestrians, motorists, individuals with disabilities and transit users concerning their ability to reach desired destinations safely and conveniently.
- Surveys of project sponsors concerning the value and fairness of this policy.
- Surveys to determine the number of safe and accessible routes for users of varied ages and abilities.



2017

ANNUAL REPORT

VILLAGE OF YELLOW SPRINGS

PLANNING & ZONING

PLANNING COMMISSION

&

BOARD OF ZONING APPEALS

PLANNING COMMISSION

The Planning Commission members who served in 2017 are:

Matthew Reed –Term expiration – February 4, 2018

Susan Stiles – Term expiration – January 6, 2020

Rose Pelzl –Term expiration – December 15, 2020

Frank Doden – Term expiration – October 17, 2022

Andrew Williams (Alternate) – Term expiration – December 5, 2019

Gerry Simms - Council Representative

Marianne MacQueen - Council Alternate

The Planning Commission met ten times in 2017 and held public hearings on eight conditional use applications, three with Level B site plan reviews. The Level B site plan reviews included the construction plans for Cresco Labs medical marijuana cultivating and processing facility, the construction plans for Miami Township's Fire and Rescue facility and the Yellow Springs Brewery's renovation and expansion plans for the former bowling alley. Approval was also granted for a food truck in the B-1, Central Business District, two accessory dwelling units, a short-term rental in an existing accessory dwelling unit, and an outdoor patio area expansion for an existing brew pub.

Additionally, the Planning Commission reviewed and approved a development plan and a replat for the redesign of streets/utilities and parcels at the Village of Yellow Springs commerce park. The Planning Commission also approved three minor subdivisions (lot splits), creating three new conforming (buildable) lots in the Village.

A total of 21 text amendments to the zoning code were reviewed with public hearings held. Several of these amendments included removing the lot area per dwelling unit requirement in the R-B and R-C residential districts, a map amendment for an approved annexation off North High Street and an amendment to the Planning Code, which updated the list of Village of Yellow Springs recommended trees.

The majority of the amendments were for the addition of Pocket Neighborhood Developments (PNDs), a new section to conditional use requirements which will allow small residential developments (a minimum of four units) on a single lot without requiring a subdivision or planned unit development process. As a conditional use, Pocket Neighborhood Developments will be publicly noticed with a hearing by the Planning Commission, along with a Level B site plan review. The Planning Commission spent a year researching, writing and fine tuning the language, which will give property owners another option for development of their land. Planning Commission viewed Pocket Neighborhood Developments as another tool to address the Vision: Yellow Springs and Miami Township 2010 goal of infill development.

The Planning Commission also spent time reviewing short term rentals in the zoning code as the definition adopted in the zoning code update of 2013 was not addressing vacation rentals. After much consideration, Village Council decided to remove short term rentals as a conditional use from the zoning code and replace it with transient guest lodging as a permitted use. By the end of 2017, a total of 25 such establishments were identified.

Planning Commission goals for 2018 include:

- Reviewing the Housing Needs Assessment recently completed by Council
- Updating the Comprehensive Land Use Plan
- Amending the Planning/Zoning code with the Complete Streets policy

BOARD OF ZONING APPEALS

The Board of Zoning Appeals members who served in 2017:

Ted Donnell – Term expiration – December 31, 2019

Steve Conn – Term expiration – December 6, 2020

Kingsley Perry – Term expired March 5, 2017

Ellis Jacobs – Term expiration – December 31, 2018

Christopher Peifer – Term expiration – August 16, 2021

Dan Reyes (Alternate) – Term expired – January 18, 2017

The Board of Zoning Appeals purpose is *to hear administrative appeals from any affected or aggrieved person where it is alleged by the appellant that there is error or misinterpretation in any order, requirement, decision, grant or refusal made by an administrative official or body charged with the enforcement and administration of this zoning code.*

The Board of Zoning Appeals (BZA) meets on an as needed basis. In 2017, the Board of Zoning Appeals held two meetings. This is a 50 percent decrease in the number of cases heard by the BZA in 2016. Variances were granted in both cases, one for a variance to the size of an accessory structure and the other for a variance to the height of an accessory structure.

PLANNING & ZONING OFFICE

The Planning & Zoning office kept busy with a number of projects proposed and implemented, and a number of permits issued and meetings attended. A breakdown of these are represented below:

ZONING PERMITS ISSUED IN 2017

Accessory structures – 13
Accessory Dwelling Units (ADUs) – 2
Additions – 7
Change of Use – 3
Commercial Buildings – 3 (2 New construction/1 Remodel with expansion)
Demolitions – 6
Fences – 13
Minor Subdivisions (Lot Splits) – 3
Replats – 4
Signs – 10
Single Family Dwellings – 13
Solar Installations – 3
Swimming Pools – 1
Temporary Construction Buildings – 2
Working in the Right of Way (ROW) – 23

Total Number of Permits Issued: 106

ZONING VIOLATIONS ISSUED IN 2017

Fence outside of the property line – 1
Junk Vehicles– 1 (multiple vehicles/inventory & oversight of clean up managed by Police Dept.)
Noise Complaint – 1
Property line dispute – 1 (mediation offered and refused by one of the parties involved)
Public Nuisance – 1 (shared structure over property line)
Recreational Vehicle in the Right of Way – 2 (letters served by Police Dept.)
Tall Grass – 5
Vegetation in the Right of Way – 30

Total Number of Violations Issued: 42

MEETINGS ATTENDED IN 2017

Active Transportation Plan committee – 1

Board of Zoning Appeals – 2

Chamber of Commerce – 2

Council – 6 (PND presentation/Rezoning off N High St/Text Amendments)

Economic Sustainability meetings:

- Toured a Fairborn business for possible relocation to the Village
- TIF agreement meeting with Greene County Dept. of Development for DMS Inc.
- Toured Cresco Labs facilities in Illinois
- Commerce Park Forum panel participant – hosted by Economic Sustainability Commission
- Met with interested party on a locations for Tier II Medical Marijuana Processing
- Met with interested party on a location for a Medical Marijuana Dispensary – note: phone calls with several interested parties – one resulted in a contract contingent on licensing
- Meeting with Cresco Officials re: Commerce Park location
- Meeting with Cresco officials re: construction planning – coordinated GCBR Al Kuzma and VYS utilities staff for a pre-construction meeting
- Meeting with Mike Heintz re: replat of Cresco site

Greene County Building Regulations – 2 (demolition of nuisance buildings)

Greene County Dept. of Development – 1 (pre-bid meeting for Xenia Avenue ADA sidewalk ramps and domes)

Greene County Officials – 2 (public nuisance inspection and a safety/health issue)

Greene County Regional Planning – 1 (Greene County Thoroughfare Plan)

Greene County Zoning Inspectors - 3

Housing Needs Assessment committee – 4

MVRPC Technical Advisory Committee - 3

Ohio Dept. of Transportation – 3 (ADA compliant sidewalk grant)

Planning Commission – 10

Tecumseh Land Trust -1 (shared historical maps of Jacoby greenbelt)

Yellow Springs Home Inc. – 3 (development projects)

Scheduled Appointments on plans/issues related to Zoning:

- Businesses – 5
- Construction Contractors – 3
- Residents – 14
- Schools – 3
- Surveyors – 1

NOTE: *Most interactions with the public on zoning are not by scheduled appointments*

MEETINGS ATTENDED IN 2017 - CONTINUED

Special staff meetings – 5

- Small Cell Tower Legislation
- Tax Legislation
- Transient Guest Lodging
- Medical Marijuana Dispensary locations
- ODNR urban forester and superintendent of streets and parks on update to the planning code's recommended tree list)

Trainings/Workshops – 4

- Team Building/Leadership Trainings (4 sessions)
- Miami Valley Planning and Zoning Workshop
- Social Media in the Workplace
- MVRPC Complete Streets Workshop and Walking Survey
-

ADDITIONAL PROJECTS/ACTIVITIES

Supervised an intern from Wright State University for spring semester 2017. Cameron Bolden assisted with organizing the hundreds of maps and drawings accumulated over the past 60 plus years. A system was developed for the filing of plats, subdivisions and commercial structures, and residential site plans were recorded for destruction through the Planning Department's records retention schedule. Maps for other departments (electric/sanitary sewer, storm/streets/water/water distribution/waste water), and the various buildings owned by the Village of Yellow Springs were distributed to these departments for their use.

Orientation of new Council members and Mayor on Planning, Zoning and Economic Sustainability activities.

Along with the Village Manager, filed with the Greene County Recorder the replat of the Village of Yellow Springs Commerce Park.

Respectfully submitted,

Denise Swinger
Planning & Zoning Administrator
Economic Sustainability Liaison

VILLAGE OF YELLOW SPRINGS, OHIO

VILLAGE COMPREHENSIVE LAND USE PLAN, 2010

Updated 10/29/2010

1. INTRODUCTION

1.1. General Purpose and Definitions

One very important role of a Comprehensive Plan or as will be referred to as “Plan”, is as a statement of policy. In this capacity, this plan outlines the community's desires regarding issues such as atmosphere or community character, quality of life and growth. These desires should translate into statements of goals, which may be followed by some discussion or statements concerning implementation options. A plan's general purpose is to guide and direct land use and the local government's development decisions. The comprehensive land use approach is one that recognizes the community's responsibility to reaching consensus about how physical and social resources are valued, managed and used. The Plan in some way influences nearly all-essential community services. Formulation of a community's zoning ordinance is one important example where general goals and directions outlined in the Plan provide the basis for legislative action.

The Standard State Zoning Enabling Act of the 1920's created the federal mandate that zoning be created in accordance with a comprehensive plan. This legislation required the presence of certain standards in local planning and zoning. As communities became more involved in land use planning, they began to see the need for flexibility in the zoning ordinance (e.g., floating zones, planned unit development provisions, etc.). The limits on the use of this flexibility require reliance on the comprehensive plan to help determine potential locations and/or situations where those options should be considered.

In addition, because a comprehensive plan is recognized as a legal document that supports and guides a political jurisdiction's zoning ordinance, it can be crucial in defending a community against private interests seeking to overturn a zoning ordinance in court. As policy statements, the community's intentions outlined in the plan should be as clear and concise as possible to help reduce the potential of being interpreted as arbitrary and capricious with regard to zoning controls, subdivision regulations, capital budgeting, etc. Variations in tools such as the zoning ordinance are necessary to meet varying and changing conditions, but clear guidance is required, through the Plan, about when they are appropriate. Improvements and/or new extensions of infrastructure should be in accordance with overall growth expectations established in the Plan. Annual spending and resource allocations should be supported by the goals outlined in the plan. New community additions, such as a community center, parks, governmental facilities, etc. should also be directed by the plan. These are just a few of the many examples where the Plan is essential in determining appropriate action and in defending the zoning ordinances based on it.

The commonly accepted legal tools for plan implementation are twofold: zoning and subdivision regulations. These legal tools are drafted and published as separate documents. In addition to zoning and subdivision regulations, other tools such as an annexation policy, mutual land use agreements between political subdivisions and the code enforcement protocol can be very influential in achieving the Plan's goals.

The zoning ordinance is an essential tool of the Plan as it relates to private land development. The fundamental precept behind zoning is that it must recognize the need for and establish a regulatory balance between private property rights and interests and the interest and well being of the community. Land use activities are controlled through this ordinance based on affecting a regulatory balance when the individual and communal interests do not converge. The Plan is a statement of the community's goals as a whole while the tools for implementation, such as the zoning ordinance, state the specific controls all must adhere to in order to achieve the "public good". The zoning ordinance should be viewed as a key tool for implementing the vision statement of the Plan and not simply seen as a way to avoid problems.

Zoning is the manifestation of a municipality's police powers as they relate to the use of land. The concept of zoning is a relatively simple one, yet specific zoning techniques can be complex. The controls allowed by zoning must: 1) be in accordance with a comprehensive plan, 2) have substantial relation to the general public welfare, and 3) be neither arbitrary nor capricious. Zoning may regulate land use without regard to economic depreciation or appreciation, but it may not have the effect of appropriating all meaningful land value without due compensation. If zoning powers become too oppressive in the opinion of landholders, the courts can be called upon to decide the issues of "relation to public welfare", "appropriation without compensation", and "arbitrariness".

The land use tool that addresses the development of unplatted land is the subdivision regulation. Typically, subdivision regulations are based upon: 1) the need to protect the public interest in the creation and coordination of public improvements, and 2) the need to specify areas of developmental responsibility by the various participants. Subdivision regulations specify street widths, utility networks, the layout of lots, procedures for approvals and inspections, etc.

It is important to understand the distinction between zoning and subdivision regulations. If, Yellow Springs was to gain city status (a population of 5,000 or more) extra-territorial control over subdivision developments within a three-mile radius around the corporate boundary could be an additional regulatory responsibility. This would allow the Village to exercise more control over the quality of surrounding subdivisions, but not the size of the actual subdivision development. This added authority originated from the general feeling that, in time, it is quite likely that any subdivision located three-miles or less from a municipality will either be incorporated or, at a minimum, need the public services provided by the municipality and therefore, that municipality should have some say about how it is built and served. Zoning powers, on the other hand, remain restricted to the area within the corporation limit regardless of any change in the Village's status.

The broad-based purpose of this Plan is: 1) to describe options that will help secure a positive quality of life for residents; 2) to allow active participation and influence in changes that are inevitable; 3) to state explicitly the commonly held goals for the Village's future; and 4) to establish means of implementing those goals.

Through this Plan, the Village government shall recognize and enhance the Village's self-reliant nature by asserting that it has or can acquire the knowledge, skills, resources and vision to identify changing conditions; locate appropriate technical assistance when needed and initiate

actions in a manner that conserves the existing Village environment and distributes benefits equitably.

The policies and positions outlined in this Plan shall be reviewed by the Village Council and the Planning Commission on a regular basis and as significant changes within the Village's development pattern occur.

1.2. Historical Overview

Soon after Ohio became a state in 1803, Lewis Davis built the first log cabin in the Yellow Springs area. He went on to establish a trading post and general store serving those who were visiting the nearby medicinal springs. In 1827, Elisha Mills purchased the land, added more buildings, and established a flourishing health resort. This was continued by the Neff family in 1842 ultimately created a popular and sophisticated spa, later (1869), a magnificent but ill-fated hotel. During that time, as many as 5,000 people were known to visit the springs on a given summer weekend. Judge William Mills, Elisha Mills' son, is recognized as the "founder" of the Village of Yellow Springs, which initially consisted of some 700 lots and 37 streets. The Mills plan for the Village has not been significantly altered in over 100 years. The planning of three 15-20 acre parks and other open spaces, such as gardens incorporated into this plan, shows that the value of open space was present from the Village's inception. By the mid 1850's, a flourmill, a grain elevator, two general stores, and a hotel were located at the intersection of Dayton and Corry Streets. Unfortunately a series of disastrous fires wiped out some of these buildings just before the turn of the century. These events caused a gradual relocation of the business district to its present location along Xenia Avenue.

The arrival of the Little Miami Railroad (1846) and the founding of Antioch, under the leadership of Horace Mann (1853)-both results of Mill's entrepreneurial skill-began a period of rapid growth in the Village. Antioch, the first college to give an equal education to both men and women, originally consist of a main building and two dormitories (North and South Halls.) The presidency of Arthur Morgan (1920's) would be a turning point in its development and influence.

The arrival and settlement of the Conway Colony during the Civil War era added significantly to the Village history; later, Yellow Springs would become one of the first towns to desegregate its schools. In 1929, the 900-acre parcel known as Glen Helen was donated to the college by Hugh Taylor Birch, friend of Arthur Morgan. This helped create a philosophy of appreciation for the natural environment and a strong advocacy for protecting surrounding open lands that has remained an important part of the Village.

In 1920 Yellow Springs was a quiet, conservative community with a population that for 50 years had fluctuated between 1,200 and 1,400 persons, consisting mostly of retired farmers. During that time, Antioch College had declined to a few dozen students and was on the verge of bankruptcy. The Village had no public water supply or sewer system and only two streets had superficial pavement.

The arrival of Arthur E. Morgan as president of Antioch College marked an important point in the life of the Village. Through his leadership and the conscious effort of residents, the college

was rebuilt and the community transformed itself from a sleepy town into a flourishing village. His vision of the small town brought faculty and entrepreneurial leadership to the community.

The late 1940s and 50s saw the influx of many new students at the college, the expansion of activity at the Wright Patterson Air Force Base, and general economic conditions improved. This generated pressure to expand the village housing stock. Such developments as West Wood and Fair Acres took place north of Yellow Springs-Fairfield Pike. By the end of the 1960s, the population of the village was edging toward 5,000. The point at which village would become a city.

There were deep and general feelings that the Village of Yellow Springs did not want to become a city. This had happened to neighboring communities. This could drastically alter the character of the village. This would overshadow the rural small town history of the community. The residents felt it was important to maintain the historic, small town values of our village.

1.3. Past Plan Overview

Throughout its history, especially since the 1920's, many Village planning efforts have been formulated. Three principal themes have recurred throughout most of these plans: 1) a continuing awareness of the need for long-range planning; 2) a continuing emphasis on the desirability of maintaining open space; and 3) a desire to keep the community relatively small and relatively self-sufficient.

The Village's first official comprehensive land use plan was adopted in 1967. One goal introduced in the document, with an associated program, was the preservation of the Village as a semi-rural community near an urbanized metropolitan area. Although generally desirable, this statement may have been in response to a regional report of a Village population projection of twenty-percent increase before 1980. Following the dissemination of this information, the Village Council refused all overtures to annex nearby rural land, enacted new restrictive zoning and subdivision code regulations and made development more costly through measures such as requiring park/open space dedications as components of any approved subdivisions. The 1967 Village Comprehensive Plan also identified a greenbelt area just west of the Village to provide a visual and geographic separation between the community and surrounding developments.

The actual 1980 census figures indicated the Village had lost population. Even though new homes were being built, the average family size was dropping and Antioch College had experienced a decline in student population. The local school administration expressed concern over this trend and Village Council responded by taking steps to encourage some growth. A 1973 survey of nearly 400 Village residents, in preparation for a Plan update that was completed in 1977, indicated that some growth would be acceptable and that controlled growth was preferred. Based on the survey results, the 1977 Plan re-affirmed the pursuance of the greenbelt preservation approach but also included a directive to pursue some limited commercial expansion.

Ten years later the Village Council appointed a "Planned Growth Task Force" charged with identifying existing obstacles to residential development in the community and outlining ways to address them. In November of 1987, the Task Force identified appropriate potential locations for

residential and commercial development and also introduced the concept of green space corridors linking existing parklands.

Using a system of neighborhood forums, another polling of the community was performed in 1990 in connection with the Urban-Rural Interface Project funded through a US Forestry Service grant. The general consensus expressed in these forums, by a very large margin, identified valued assets of the Village including: 1) the willingness of individuals to tolerate and encourage diversity which creates the multi-faceted make-up of the community; 2) the independent school system; 3) the present size and character of the Village; 4) the commercial/social/cultural "hub" that exists downtown; 5) the surrounding open/green/agricultural spaces; and 6) efforts by the Village and Township governments to work cooperatively on land use and other related issues. Questions about how to support and protect these assets were also raised in the forums. Identification of valued assets was followed by a list of related concerns. These included: 1) how to identify and protect existing diversity; 2) how to determine and maintain an "ideal" size for the Village; 3) how to continue adequate financing for an independent school system; and 4) how to assist and encourage continuation and expansion of local businesses without threatening other community assets.

In 2009 and 2010, a Visioning Plan for the Village of Yellow Springs and Miami Township was developed. This Plan, titled *Vision Yellow Springs and Miami Township* was the result of an intensive year-long, citizen-based initiative which brought together a diverse group of citizens to create a holistic, collaborative vision and action plan to chart a course toward a common future that reflects the community's shared values. The *Vision* identifies goals for most aspects of quality of life in the village and township, from arts and culture to economic health to land stewardship, and also presents specific actions to realize a preferred future. Village Council passed Resolution 2010-33 on September 20, 2010, which formally adopted this planning document. Appendix K is a copy of *Vision Yellow Springs and Miami Township*.

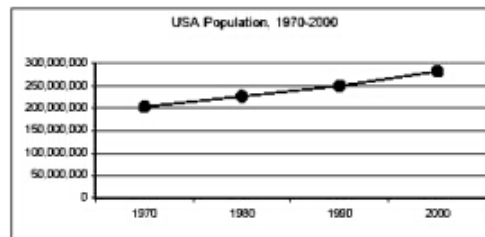
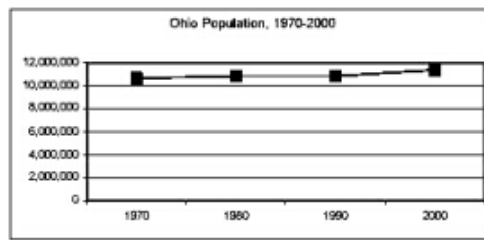
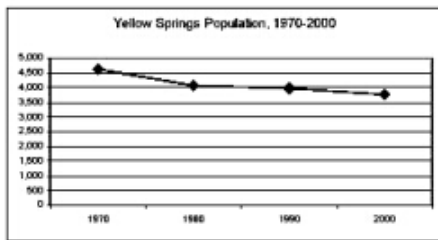
2. CURRENT CONDITIONS

2.1. 2000 Census Data

All the following statistics are taken from the Yellow Springs Cost of Living Report (YSCLR), November 2002, which was prepared by the Yellow Springs Men's Group. This report has been included as an appendix to The Comprehensive Plan.

4. Population Change Comparison

Population Change Comparison



	Yellow Springs	Ohio	USA
1970	4,624	10,652,017	203,211,926
1980	4,077	10,797,630	226,545,805
1990	3,973	10,847,115	248,709,873
2000	3,761	11,353,140	281,421,906

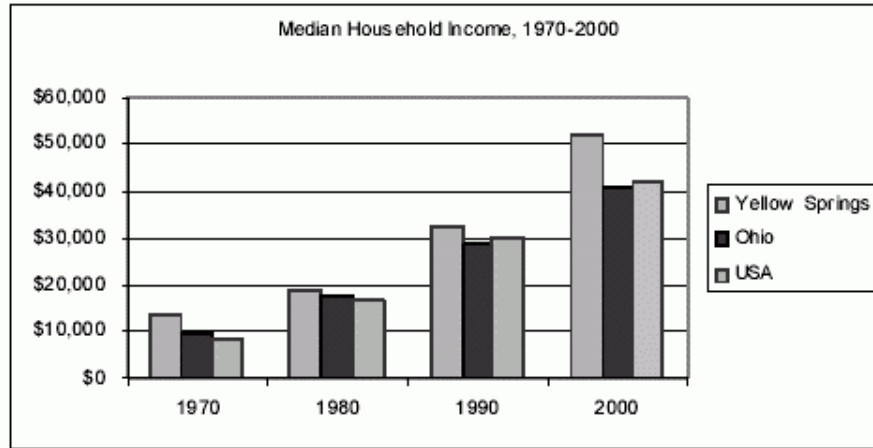
Source: US Census Bureau, 1970, 1980, 1990, 2000

Additional Population Information:

- > Population Percentage Change - Page 12 of YSCLR
- > Gender of Population Change - Page 18 of YSCLR
- > Table 6. Gender - Page 59 of YSCLR

5. Income Change Comparison

Income Change Comparison



	Yellow Springs	Ohio	USA
1970	\$13,476	\$9,682	\$8,486
1980	\$18,485	\$17,754	\$16,841
1990	\$32,500	\$28,706	\$30,056
2000	\$51,984	\$40,956	\$41,994

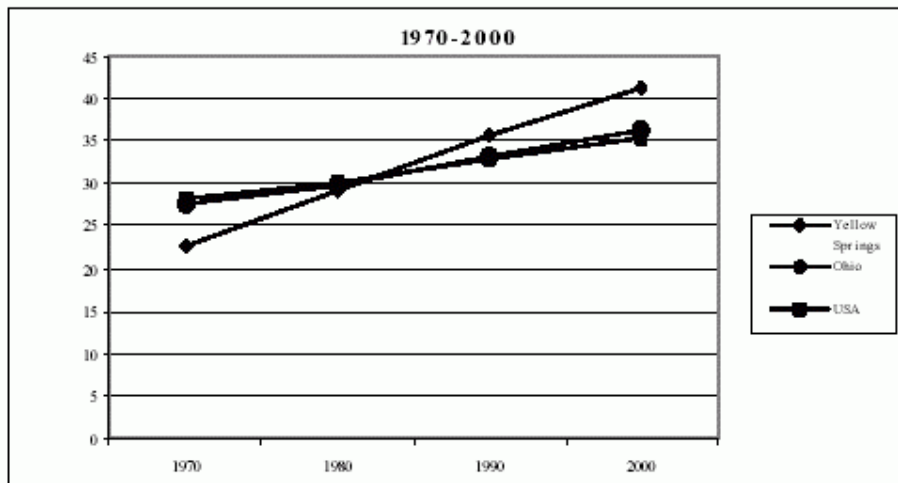
Source: US Census Bureau, 1970, 1980, 1990, 2000
*Income is not adjusted for inflation
See Appendix, Table 2, for more detail

Additional Income Data:

- > Poverty Change Comparison - Page 15 of YSCLR
- > Table 2, Income - Page 55 YSCLR
- > Table 3, Poverty - Page 56 YSCLR

c. Median Age Change Comparison

Median Age Change Comparison



Year	Yellow Springs	Ohio	USA
1970	22.7	27.7	28.1
1980	29.1	29.9	30.0
1990	35.6	33.3	32.9
2000	41.4	36.2	35.3

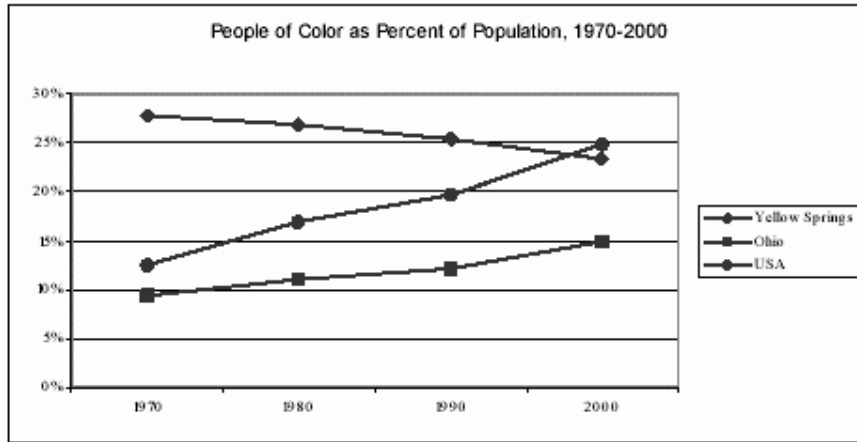
Source: US Census Bureau, 1970, 1980, 1990, 2000
See Appendix, Table 5, for more detail

Additional Age Data:

> Table 5, Age - Page 58 of YSCLR

d. Racial Diversity of Change Comparison

Racial Diversity Change Comparison



	1970	1980	1990	2000
Yellow Springs	27.8%	26.8%	25.4%	23.4%
Ohio	9.4%	11.1%	12.2%	15.0%
USA	12.5%	16.9%	19.7%	24.9%

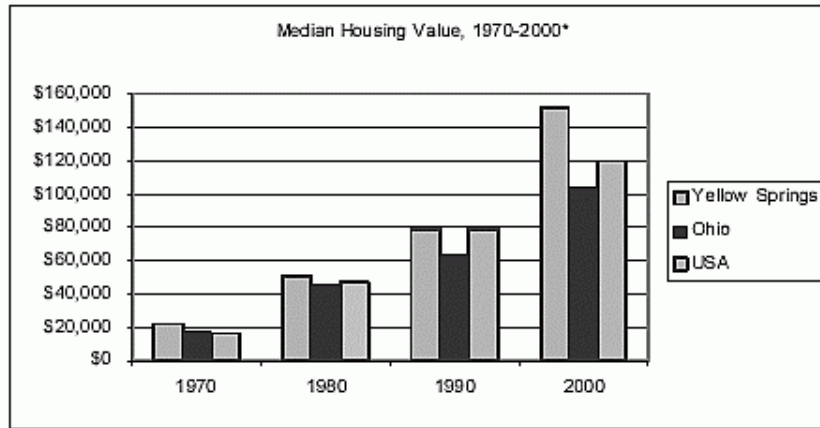
Source: US Census Bureau, 1970, 1980, 1990, 2000
See Appendix, Table 7, for more detail

Additional Racial Diversity Data:

> Table 7. Racial Diversity - Page 60 of YSCLR

e. Housing Value Change Comparison

Housing Value Change Comparison



	Yellow Springs	Ohio	USA
1970	\$21,400	\$17,600	\$17,000
1980	\$51,000	\$44,900	\$47,200
1990	\$78,800	\$63,500	\$79,100
2000	\$151,600	\$103,700	\$119,600

Source: US Census Bureau, 1970, 1980, 1990, 2000
 *Housing Value is not adjusted for inflation
 See Appendix, Table 9, for more detail

Additional Housing Data:

- > Persons Per Household - Page 20 of YSCLR
- > Change in Households - Page 23 of YSCLR
- > Table 8. Household Size - Page 61 of YSCLR
- > Table 9. Housing Value - Page 62 of YSCLR
- > Table 10. Housing Costs Comparison - Page 63 of YSCLR

2.2. Physical Features

Yellow Springs is situated on a plateau bounded on the east and west by deep valleys, which join on the south at the confluence of the Little Miami River and the Jacoby Creek near Goes Station. The area was overrun by at least one of the four continental glaciers, which moved southward from Canada during the Pleistocene Epoch. The typical geological setting for this area consists of flat-lying consolidated sedimentary rocks predominated by limestone and shale of Silurian and Ordovician age. The geologic section for this area includes alternating layers of marine shale, limestone and dolomites. These lie in the crest and flanks of a regional structure named the Cincinnati Arch. From this crest, the sedimentary rocks slope away to the east, north, and west. Yellow Springs is situated in an area that prior to glaciations encompassed the headwaters of a large tributary of the ancient Teays River now referred to as the Hamilton River. This tributary flowed to the southwest from land that is now Greene County through current Montgomery and Butler counties. The Yellow Springs area was drained prior to glaciation by the middle branch of the Hamilton River, which cut back into the upland in the direction of Yellow Springs and Clifton. Generally, the present Little Miami River coincides with the ancestral middle and southern branches of the Hamilton River. The Illinoian and Wisconsin Glaciations that followed resulted in deposits of glacial material from 1-90 feet thick throughout the area. The material consists of glacial till and outwash.

Topography in the area ranges from 830 feet to 1,060 feet above mean sea level. Predominant soils are Brookston, Celina, Fox and Miami, all with moderate to high capacity for holding water, good productivity and resistance to erosion. The predominant Miamian soils are often chosen for home sites since they are typically well drained, but they also have low permeability. The Brookston soils present in the area are generally not well suited for building houses because of the typical poor drainage and relatively high water table. When artificially drained, they can be productive for agricultural uses. The Fox soils present are well drained and have a moderate to high permeability. Celina soils consist of level or gently sloping, moderately well drained soils that are formed in loam glacial till. The flood plain of the Little Miami River is contained within a relatively narrow gorge in the immediate vicinity of the Village.

The Village is located within six miles of I-675 and eight miles from I-70. U.S. Route 68 is a major thoroughfare running through the community. So far, the impact of the regional interstate system on the growth and development of the Village has been relatively minor overall, but the Village is feeling influences from I-675 as more Bath Township land is developed. Much of the growth in nearby communities has been dictated by the interstate influence. Presently, the I-675/Dayton-Yellow Springs Road interchange is developing at a rate that creates some secondary effects on the Village. Dayton Street was closed to through truck traffic in 2000. This interchange area has developed into a significant employment and residential center, with several office developments and a substantial warehouse distribution center. Future development plans in that area includes additional commercial and residential uses. As this interchange area becomes recognized as an employment hub, people will begin to look for home sites nearby. The Village, being approximately six miles to the east, may be perceived as a viable option for housing newcomers to that area.

2.3. Land Use Distribution

According to the records of the Greene County Auditor for 2002, 608 acres within the Village are coded for residential development. Additionally, 36 acres are coded for industrial activities and 59 acres are coded for retail uses. About 52 acres are identified as coded for agricultural activities.

The dominant residential use is single-family residences in the Village's 1.7 square mile area. Nearly 70% of the Village is occupied with various types of residences. The next highest use of land falls in the category of quasi-public, which includes Antioch College, churches and the local government facilities. Parks and open areas are the next largest land use. Although the physical space occupied by commercial uses is quite limited, the density and vitality of that space makes it significant. The central business district is the most versatile location in the Village with regard to multi-use development. Although retail uses dominate the downtown, residential, service, and public/nonprofit uses are also significant components there. Xenia Avenue downtown is one of the 63 "great American public places" cited by a panel of designers, authors and developers in the book, *The Pocket Guide to Great American Public Places*, which was published in 1995.

Within the general category of residential development, single-family concentrations occur in the south and north portions of the Village. Many homes in the central portion of the community house one family but this area is also the one most interspersed with duplexes and multi-family developments.

The area surrounding the Village is sparsely developed, mostly occupied by single-family residences and farms. Although significant residential development has occurred to the west of the Village, it has occurred in Bath Township, approximately three miles from the corporation line. South of Yellow Springs, in Xenia Township near the City of Xenia, residential development is also occurring rapidly.

About 1000 acres of predominately farmland that adjoins almost the entire northern boundary of the Village will not be developed. In 1999 the Village contributed to the purchase of an easement on this land that will perpetuate its use as a farm.

2.4. Infrastructure

The Village Government is the supplier of water, sewer and electricity. Local control of utilities and the authority to decide on extensions allow the Village to actively affect growth issues.

Present public water production at the Village's well fields just south of the Village is about one-half the total capacity of the plant. Weather related demands seem to have more effect than any changes in use or population. The plant is designed to treat one million gallons of water per day, but current extraction is limited to about three quarters of that amount on an ongoing basis.

The Village has developed a wellhead protection program in line with OEPA regulations. The three components of this program address the location of the Village water supply, the threats to this water, and ways to mitigate the threats.

The Village's wastewater treatment plant, located on Grinnell Road just outside the Village, is designed to treat up to 1.2 million gallons of water per day. Currently, about 600,000 gallons of wastewater is treated daily. The discrepancy between water produced and water treated comes from ground water infiltration into the sanitary sewer system. By today's standards the plant can realistically treat 900,000 gallons per day. Treatment capacity can also be limited by the availability of sludge disposal.

The problem of infiltration of ground water and inflow of surface water into the sanitary sewer system is presently a major concern. Aged infrastructure causes additional water to reach the treatment facility through cracks and breaks in sewer pipes. Additional water comes through illegal connections to the system. Ongoing data collection regarding infrastructure deficiencies in conjunction with a financial cost-benefit determination will guide future action.

Improving water service to the south side of the Village by eliminating dead ends in the water supply lines and by increasing the size of existing water lines as required. The objective is to increase water pressure for customers and improve firefighting capabilities. The implementation of a long-range plan to increase the quality and capacity of the electrical distribution system continues.

The Village recognizes the importance of including a state-of-the-art telecommunications system as part of the necessary infrastructure. Efforts to incorporate elements such as fiber optics, high-speed data transmission systems and other technologies will be pursued by the Village as the technology continues to develop.

Mapping of referenced utilities is available in the Village Manager's Office.

Yellow Spring's pedestrian network is relatively complete in the central business area. However, elsewhere in Town's the system is non-direct, discontinuous, and in some areas non-existent. The key implication of not having an interconnected system of sidewalks and bikeways is that residents have limited choice in transportation modes and the increased dependency on automobile use perpetuates. A major issue for the Comprehensive Plan is to identify an integrated system of transportation solutions, including a network of pedestrian facilities and bicycle routes. These improvements need to be provided in coordination with the street system and the locations of existing and future transit routes as an integral part of the complete transportation system.

3. PROJECTIONS

The Village obviously is expected to experience some of the same kinds of changes anticipated by other communities. Demographic changes relating to: 1) an overall growth in the elderly population; 2) an increase in single-parent families and dual-income families; 3) increases in wages earned; and 4) increases in the general cost of living are some of the realities predicted. These changes will require services that focus on the needs of the growing numbers of elderly and children as well as other special-needs populations. Other important elements, that are not as predictable and yet have great influence on the local economy, include the health of the local job market and the availability of State and Federal support services.

Regional trends that will most likely have some effect on the Village and should be incorporated into local planning efforts include: 1) a general trend toward larger housing units on smaller lots; 2) an increase in home-based businesses; 3) a changing definition of family; 4) an increase in house-sharing and other variations on household make-up; and 5) a general decrease in household size.

Prior to 1996, the Miami Valley Regional Planning Commission (MVRPC) has projected a population of 5,492 for Miami Township in the year 2015. Presently, about 77% of the Township population resides in the Village. Assuming the same distribution, the Village's population projection is 4,229 in 2015. This represents an increase of 6% from the 1990 population, which is a slightly higher growth rate than in the past.

Regional population projections show growth that ranges from nearly 16% for Greene County, 17% for Miami County and 6% for Montgomery County. According to Miami Valley Regional Planning Commission, growth rates by the year 2015 in Greene County will range from a high of 20% in Bellbrook/Sugarcreek Township to a low of 3% in Ross Township.

4.0 LAND USE PRINCIPLES AND OBJECTIVES

Introduction

Our community has consistently valued the surrounding rural environment and the small-town feel of our village that have endured since the Comprehensive Land Use Plan's first iteration, circa 1969. These have been incorporated into many community activities including all planning/land use documents. A number of long-standing issues, such as the role of tourism, have also played a familiar role in many land-use decisions. These values and issues have been discussed in previous Comprehensive Plans and are updated in this Plan.

For this 2009 update to the Comprehensive Plan, a set of nine principles have been developed to help guide future planning and land use decisions, including zoning decisions.

After the discussion of the community values, issues and the articulation of implementing principles, the major areas of land use planning are discussed and land use objectives identified.

Values and Issues

In this section the community values and recurring issues underlying and guiding the community's land use planning and decision-making activities are discussed. With each value or issue, there are interdependencies and trade-offs that enter into land use decisions, and these are also discussed below.

A. Open Space

The community has consistently expressed that it values preservation of open space, natural topographic and vegetation features, and critical environmental areas. The community has consistently identified the importance of "guaranteed" open space-- land which is legally restricted with regard to development-- and has even used the tools available through Village Government and private organizations to act on that desire. In general, these actions have been perceived as positive and retain continued local support.

As important as preservation of open space is to the community, there are trade-offs that include reduction of land available for other uses, reduction in potential property tax revenues and increases in value of adjacent land, making it less affordable to some segments of the population and thereby potentially reducing diversity. Various groups in the community are at work to mitigate these concerns through subsidized housing and the exploration of development patterns that attempt to increase density.

B. Economic Vitality

Yellow Springs has largely been a relatively self-reliant community that has the knowledge, skills, resources and vision to identify changing economic conditions, locate needed technical assistance and initiate action in such a way that protects the Village character and distributes local economic benefits equitably.

The global, national and local economic pictures are constantly changing and the Village must continue to define and maintain its role in this changing world. An unbalanced reliance upon one element of the economy, tourism for instance, is risky and should be avoided. Public and private support for new ventures spanning many areas of the marketplace must be maintained and enhanced wherever and whenever possible.

The community believes in planned growth and must continue to look seriously at how education, business and industry contribute to ongoing economic health.

C. Healthy Downtown

While one major role of the downtown is to serve the commercial needs of the community, we also recognize and seek to preserve its role as a vital place for social interaction. Presently, the downtown is a vibrant mixture of commercial, social and cultural activities. This environment is treasured by the community, and methods of supporting and encouraging that role should be pursued.

It is also crucial to recognize and preserve the downtown's character as an anchor for the community's heritage and history, and to ensure the ongoing stability of those components that make up that character, while also recognizing and protecting the rights of downtown business and property owners. Unique, locally-owned and operated businesses contribute to the identity of the downtown and should be recognized for that and encouraged. National franchises and businesses need to be made aware of this and encouraged to design their Yellow Springs locations in ways that allow them to blend into the existing fabric of the downtown and avoid changes that significantly alter the total ambiance.

D. Healthy Business Districts

While the downtown area is unique and has special qualities that the community values, there is also a recognition that the limited size of the downtown area means that it cannot serve all the economic activity needs of the community. Therefore, the economic vitality of the community also requires that all the business districts remain healthy.

E. Local Control and Acceptable Level of Public Services

The community has long exercised local control of public services such as utilities, police protection and a locally operated, independent school system. Historically there have been overt demonstrations of this commitment, including the use of local resources and revenue. Local control has enabled the Village to choose to provide higher quality services that are more expensive than less extensive services elsewhere.

Continuing to provide locally controlled services will require an on-going community commitment to maintaining a revenue base sufficient to keep these services affordable. Otherwise a higher cost of living results in challenges -- higher utility rates, for example -- which make it harder to maintain an economically diverse population.

F. Diversity

The community continues to find that it is desirable to maintain a population that is economically, ethnically, politically, culturally, educationally, professionally diverse with the full range of age groups, and that is inclusive of those with disabilities. As in the past, Villagers recognize the value of being a part of a diverse community. The wide array of resources that result from such diversity is a treasured asset. Constructive efforts must be pursued to ensure that a wide variety of lifestyles are part of the community. These efforts will involve both public and private entities.

G. Staying Small

Although the community has clearly expressed the desire to stay the same size numerous times in the past, it is important to recognize the need for movement, growth and change in order to meet new challenges over time. Rather than focusing on a fixed population size, we can agree that the current ambiance of Yellow Springs as small and rural, walkable and bikeable, should be preserved. This includes maintaining a healthy central business district, encouraging density where appropriate, and preserving green space within and around the Village. There can be room for flexibility in our vision of the Village's ideal size and shape. That vision should be based on a balanced view that considers economic, social, and environmental needs.

H. Tourism

Yellow Springs has been a place for visitors since its beginnings, when tourists came to sample the water from the mineral spring. Obviously, more recent additions such as the *Little Miami Scenic Trail* have influenced the numbers of people who visit the Village, their ages and interests, and the types of activities they are likely to engage in while here. This Plan focuses on issues that may or may not be products of tourism, such as limited parking, the need for additional public facilities, and economic development.

The Village is a charming and interesting place that people want to visit and the unique attributes of Yellow Springs that attract visitors are a source of pride to citizens. The community is also home to specialty retailers, restaurants, artisans and artists of all types who clearly require and benefit from the increased traffic that could be considered tourist.

There seems to be a general perception that there are problems needing attention related to increased numbers of cars and people for temporary periods of time mainly in the downtown area, and these problems, especially the development of alternative parking areas other than downtown should be identified and dealt with, regardless of who or what may be responsible for their existence. The Village sponsored endeavor to enhance the Cemetery Street Parking area is an example.

I. Planned Growth

Much of the essence of the existing Village depends on limited change in the surrounding Township. Not only should the Village monitor potential changes within its Urban Service Area, defined as such on the 2006 Urban Service Area Map (Appendix B to this document), but it should also seek to cooperate with Miami Township to address development and find ways to meet the needs of both Village and township residents with planned growth, without the type of uncontrolled growth commonly recognized as sprawl.

Even so, emerging regional land use plans being developed by the Regional Planning and Coordinating Commission of Greene County (www.co.greene.oh.us) and the Miami Valley Regional Planning Commission (www.mvrpc.org) must be acknowledged as possibly having an influence on our community's future land use planning efforts.

J. Historic Preservation

Historic preservation has long been a concern of Village citizens and local government representatives. Whereas there has been no direct Village governmental participation in this area, the Yellow Springs Historical Society has been in existence for many years. During the early years of historical involvement, activities were limited to surveys and data collection. As a result, there is a limited recognition of historic sites and properties. According to the National Register of Historic Places website, there are four Yellow Springs structures listed:

- Antioch Main Building
- Antioch North Hall
- Antioch South Hall
- South School (909 S. High St.)

Additionally, the Yellow Springs Historic District, bounded generally by the bike trail, Yellow Springs-Fairfield Road, High Street and Herman Street, is listed on the National Register. A map showing the

exact location of this historic district is found in Appendix J. While not within the Village corporation limits, there are also three other nearby sites listed on the National Register: Grinnell Mill, Orators Mound, and Whitehall Farm.

Up to now, the salvage of important historic resources has relied on the goodwill and cooperation of landowners. This cooperation cannot be counted on to always be successful in the future. Due in part to the lack of regulation, a number of significant historic treasures have been lost. With the temporary closing of Antioch College and the resulting vacancy of its historic campus, and with the emphasis on infill as a strategy for growth in the Village, measures must be taken to insure the reliable conservation of historic resources. The community seems to be at the threshold of new historical conservation activity. The process of preserving our historic resources must begin with a plan of action.

1. Articulate an historical overview to establish the context for preservation activities.
2. Establish an updated inventory of historic sites.
3. Village Council should consider legislation to address the concerns of historic preservation practices.

Land Use Principles

The principles articulated below have been identified for the first time in the 2010 Comprehensive Plan for the purpose of guiding the community's land use planning and decision-making, including zoning decisions.

Principle 1 - Make land use provisions and decisions that make possible the restoration, maintenance, and retention of a population, employment, and economic base that is capable of sustaining the community.

Principle 2 - Make provisions for a range of housing opportunities, costs, and choices that provide safe, quality housing for current and potential residents of all income levels, paying particular attention to modest cost housing to ensure maintenance of income diversity in our town.

Principle 3 - Support land use developments in which residents can live, walk, and bicycle to work, to learn, to shop, to worship, and to play.

Principle 4 - Encourage collaborative land use development that honors both landowners' rights to a fair return on the value of their land, and the community's desire to determine how and where it wants to grow. The Comprehensive Plan should be the guideline used by policymakers when making decisions on land use and zoning matters.

Principle 5 - Promote compatible mixed-use land use adjacencies that foster synergies (not disharmonies) among residential, commercial, retail, educational, and industrial uses.

Principle 6 - Preserve open space, naturally occurring topographic features and vegetation, critical environmental areas, and historic buildings and land uses.

Principle 7 - Promote a transportation infrastructure that supports safety, compatibility, and accessibility for pedestrian, bicycle, and motorized vehicles.

Principle 8 - Direct new residential development, should it occur, to areas either already served by existing infrastructure – water, sanitary sewer, electric, and streets – and/or to yet undeveloped areas within current Village borders where compatible land use adjacencies already exist. New development

shall be encouraged within the Village through infill and greater density and it shall not be considered outside the Urban Service Area. The Village will work with the Township to balance controlled development with goals for preservation of the Jacoby Greenbelt.

Principle 9 - Promote new retail, commercial, and industrial development in areas in the community where these land uses already exist (are already zoned for), and/or to yet undeveloped areas within current Village borders. New development shall be encouraged within the Village through infill and greater density and it shall not be considered outside the Urban Service Area. The Village will work with the Township to balance controlled development with goals for preservation of the Jacoby Greenbelt.

4.1 HOUSING

Principle 1 - Make land use provisions and decisions that make possible the restoration, maintenance, and retention of a population, employment, and economic base that is capable of sustaining the community.

Principle 2 - Make provisions for a range of housing opportunities, costs, and choices that provide safe, quality housing for current and potential residents of all income levels, paying particular attention to modest cost housing to ensure maintenance of income diversity in our town.

Principle 3 - Support land use developments in which residents can live, walk, and bicycle - to work, to learn, to shop, to worship, and to play

Opinions about the adequacy of housing in the Village and Miami Township vary, but there is a common concern about the Village's ability to respond to changes in housing needs. Current census figures continue to suggest a shrinking and aging population. Nevertheless, there is at least the perception of limited available housing that fulfills these Principles, and that therefore planned moderate growth in housing that facilitates the achievement of these Principles should be encouraged.

To test the validity of this perception there should be periodic assessments of:

- A. the existing mix of housing types, including rentals, and costs,
- B. the changing demands for housing types and costs,
- C. how these demands are or are not being met by the existing mix, and
- D. the household incomes/economic capacity necessary to afford the housing types in the mix.

These assessments should account, in so far as it is possible to do so, for

- A. emerging trends that would create rapid change,
- B. the rise in housing costs due in part to increased taxes, public service costs (including an independent local school system) as well as for increases in “construction” and “land” costs, and
- C. the competitive cost due to the desirability of living in Yellow Springs, especially when housing is tight.

Village Government bears considerable responsibility for ensuring safe housing. The community has also indicated support for Government involvement in ensuring that Village provides a wide variety of opportunities to obtain housing. At a minimum, land use planning and decisions should ensure that policies and laws foster, or at least do not inhibit, the achievement of these Principles.

4.2 COMMERCE

Principle 1 - Make land use provisions and decisions that make possible the restoration, maintenance, and retention of a population, employment, and economic base that is capable of sustaining the community.

Principle 5 - Promote compatible mixed-use land use adjacencies that foster synergies (not disharmonies) among residential, commercial, retail, and industrial uses.

Principle 9 - Promote new retail, commercial, and industrial development in areas in the community where these land uses already exist (are already zoned for), and/or to yet undeveloped areas within current Village borders. New development shall be encouraged within the Village through infill and greater density and it shall not be considered outside the Urban Service Area. The Village will work with the Township to balance controlled development with goals for preservation of the Jacoby Greenbelt.

One factor that has distinguished Yellow Springs from other communities of comparable size has been the diversity of its commercial activities. The orientation of activities include retail, professional, medical, research, educational and industrial/manufacturing. The size of these businesses ranges from individuals to hundreds of employees. This diversity has provided a wide variety of job opportunities and growth potential, and has mitigated the economic impact of the rise and fall of any particular component of commerce. Another important byproduct of this diversity has been the contribution to the community of the variety and expertise of the individuals connected to these ventures. However, trends in recent years have significantly reduced some components of this diverse mix.

Based on past and present concerns expressed by community members, one goal for future commercial activity in the Village should focus on the development and utilization of an economic strategy that conserves resources and increases local productivity. This would include emphasizing human development (skills, knowledge, talents,) expanding local control of resources (water, land, etc.) increasing internal investment capacity (providing capital to underwrite growth that will stay in the Village).

Land use planning and zoning should provide opportunity for new and expanding commercial activity while protecting current land uses and the vitality of the downtown area. To accomplish this objective, the Land Use Plan/Thoroughfare Plan (Appendix B) establishes several custom commercial districts, each with its special character and purpose:

- A. The Central Business District (CBD), with its concentration of various uses in a relatively small area, is aimed at serving mostly pedestrian traffic, but with parking needs for both bicycles and motorized vehicles. There is very little currently vacant land in this district.
- B. A General Business District (US 68/Xenia Avenue from approximately Brookside Drive to the south corporate limits) with a primary focus on automobile related businesses and large land users. Examples of such businesses include vehicular services and dealerships, motels, drive-through food services, and industrial/manufacturing operations.
- C. A light industrial area north of the Central Business District where buildings related to past industrial/commercial activities are currently being put to new uses.
- D. The area at the intersection of Dayton Street and East Enon Road including the recently established Center for Business and Education.

Land use planning and land use decisions should support all the districts to:

- A. Preserve each as an anchor for its respective (but different) role in providing places for community interactions that are commercial, social, and cultural,
- B. Ensure their stability while recognizing the rights of business and property owners,

- C. Ensure that unique, locally owned and operated businesses continue to contribute to the community's identity,
- D. Encourage businesses coming into the community to design their locations and operations to blend into these interactions, stability, and permanence of the community's retail and commercial centers.

The Village's PUD process also allows commercial activity to be established in other areas as part of a coherent plan that has received the community's support.

In order to avoid retail development in strip centers throughout the Village, retail activity should be clustered, and not simply allowed to develop wherever space and prime street frontage allow. Such clustering should be limited to increasing around the two primary retail areas already existing -- the central business district and the area south of Brookside Drive along the east side of Xenia Avenue.

Although commercial districts other than the Central Business District are currently predicated primarily on vehicular access, land use planning, zoning and community policy should also require provisions for easy access by pedestrians and bicyclists.

The Village's commercial land use policies should support a diversity of successful commercial activities, encourage assistance to existing local commercial activities and local entrepreneurial efforts, and enable and encourage commercial activities to relocate here. These policies may use concessions on density, open space and other land use features to reward conservation of resources, and environmental, economic, and other sustainability features.

4.3 INDUSTRY

Principle 1 - Make land use provisions and decisions that make possible the restoration, maintenance, and retention of a population, employment, and economic base that is capable of sustaining the community.

Principle 3 - Support land use developments in which residents can live, walk, and bicycle to work, to learn, to shop, to worship, and to play.

Principle 5 - Promote compatible mixed-use land use adjacencies that foster synergies (not disharmonies) among residential, commercial, retail, educational, and industrial uses.

Principle 9 - Promote new retail, commercial, and industrial development in areas in the community where these land uses already exist (are already zoned for), and/or to yet undeveloped areas within current Village borders. New development shall be encouraged within the Village through infill and greater density and it shall not be considered outside the Urban Service Area. The Village will work with the Township to balance controlled development with goals for preservation of the Jacoby Greenbelt.

Industry has long been part of the community's economic fabric. In the past, many task forces and committees have been assigned to evaluate how to continue, resurrect and perpetuate this historically vibrant part of the community, whether stimulated by local entrepreneurial ingenuity or by incubation (as by Antioch College's science and engineering disciplines which created Morris Bean, Vernay and YSI). These committees generated the Economic Development Revolving Loan Fund (EDRLF), which is strategically used to foster commercial, industrial and retail businesses that create local jobs. They decided that State and Federal Economic Development grants should be sought to secure the community's economic sustainability. External funding can contribute to sustaining local enterprises – commercial,

retail and industrial -- that are contributors to the community's business economy, diversity and independence.

Industrial land use plans and decisions should support existing industries, enabling them to grow and remain in the community. These plans should also attract new industries to locate, expand and thrive in the community by encouraging state-of-the-art telecommunications and environmentally sustainable building design and manufacturing practices. Additionally, we recognize the need to keep local commercial, industrial, retail and health care activities in the community.

It is important to recognize Health and Wellness as an industry. The Village is fortunate to be home to some of the area's finest healthcare facilities and practitioners, including medical doctors, dentists, chiropractic and other holistic care providers. The Village also has an excellent long-term care nursing center, which includes assisted living and independent living units.

4.4 EDUCATION

Principle 1 - Make land use provisions and decisions that make possible the restoration, maintenance, and retention of a population, employment, and economic base that is capable of sustaining the community.

Principle 3 - Support land use developments in which residents can live, walk, and bicycle to work, to learn, to shop, to worship, and to play.

Principle 5 - Promote compatible mixed-use land use adjacencies that foster synergies (not disharmonies) among residential, commercial, retail, educational, and industrial uses.

A community forum dubbed the Village of Yellow Springs as the "Education Village" owing to our own local educational institutions, and those in close proximity to the community (Education Institutions-Appendix C) that have been part of the educational assets of our community and that have contributed to the social and economic development of the community and that have collectively been among the largest employers of local residents.

While the public school population has generally declined over the past twenty-five years, local school achievement remains on a high level and community support (through taxation and tuition) continues to be acceptable to taxpayers and to parents.

With the temporary closing of Antioch College on July 1, 2008, and the anticipated opening of the New Antioch College in the Fall of 2011, it is especially important that community land use planning continue to enable the community's local educational institutions to:

- 1) attract and retain students,
- 2) retain the open spaces their campuses and contiguous land uses represent,
- 3) maintain the relatively clear and safe intersections proximate to their facilities, and
- 4) maintain their roles in civic and recreational community activities.

Land use policies should enable safe access to schools by pedestrians, bicyclists, buses, and other vehicles (whether by parents or student drivers).

Locations of all the educational institutions have the advantages of significant open area and nearby green space, which is of great benefit to the schools and efficiently permit varied nearby activities. The principal traffic intersections near these locations are relatively clear. Thus, although traffic can be

heavy during some parts of the day, the safety record of the locations has been very good. In any future development, it is recommended that pressure to develop heavily at intersections in proximity to educational centers should be resisted in favor of the need to preserve this safety record. Side setbacks at principal intersections should conform to front setbacks.

The Community Children's Center location does not have the advantage of a large setback from Corry Street. In fact, the setback is rather small, making drop-off and pick-up of students less than ideal. The playground and access are also small and would appear to receive precipitation runoff from adjacent higher ground to the west.

All the educational institutions have remarkably high automobile use associated with their activities and perceived as a need by students and/or faculty. With the exception of the High School and the new Antioch Midwest facility, automobile parking near the schools during normal operations is at a premium.

All of the locations have modest infrastructure in spite of the relatively heavy utilization of the properties. Many of the structures and even principal buildings appear to need improved maintenance.

The Mills Lawn School plays important and generally appreciated roles in downtown recreational and civic events. In any future planning, the value of these roles should be taken into account.

4.5 PARKS AND RECREATION

Principle 3 - Support land use developments in which residents can live, walk, and bicycle to work, to learn, to shop, to worship, and to play.

Principle 5 - Promote compatible mixed-use land use adjacencies that foster synergies (not disharmonies) among residential, commercial, retail, educational, and industrial uses.

Principle 6 - Preserve open space, naturally occurring topographic features and vegetation, critical environmental areas, and historic buildings and land uses.

Both community-owned and nearby parks and recreational areas contribute to the desirability of the community as a place to live, work and learn.

- A. Village owned parks and recreational areas include:
 - Ellis Park
 - Gaunt Park
 - Bryan Center
 - Duncan Park
 - Beatty-Hughes Park
 - Hilda Rahn Park (location of the Train Station – Chamber of Commerce)
 - YS Toddler Park
 - YS Skate Park
 - YS Women's Park
 - Portions of the Little Miami Bike Trail
- B. Nearby recreational areas that are not owned by the Village include:
 - Glen Helen
 - John Bryan State Park
 - Clifton Gorge
 - Little Miami Scenic Trail (the bike path)

- Greene County Park system
- Mills Lawn School Playground and Tennis Courts
- Antioch College Tennis Courts
- Yellow Springs High School Track and Athletic Fields

Community land use planning should ensure the continued viability of the Village-owned park and recreation areas and make provisions in new developments for properly managed and maintained “neighborhood parks” in accordance with the Parks and Recreation Master Plan (Appendix D), which needs to be updated.

4.6 TRANSPORTATION INFRASTRUCTURE AND THOROUGHFARE PLAN

Principle 3 - Support land use developments in which residents can live, walk, and bicycle to work, to learn, to shop, to worship, and to play.

Principle 7 - Make provisions for a transportation infrastructure that supports safety, compatibility, and accessibility for pedestrian, bicycle, and motorized vehicles

A Land Use Plan/Thoroughfare Plan (see Appendix B) designates how the elements of the community’s transportation infrastructure – streets, sidewalks, and bike-ways – work together to fulfill these Principles. The Thoroughfare Plan should integrate the Village plan with the larger system of county, state, and federal roads, highways, interstates and bikeway systems.

Local Street Network

The majority of streets serve local traffic within the Village. Most existing streets and associated infrastructure are in a 50-foot right-of-way; although some have only a 40-foot right-of-way. Many streets have a pavement width of 20 feet or less and no walkways on one side of the street. The present design standards for new streets provide an option for an estate street which includes a 24-foot wide pavement on a 50-foot right-of-way. This design allows for an aboveground swale system in lieu of the standard underground storm sewer infrastructure. The original approval of this design was initiated not only for the appropriateness of the design but also as a way of lowering development costs. Several streets in the Village with this design, such as Orton Road are quite functional and have presented no serious problems. The estate street design, along with other alternatives, should be an option in future developments. Modifications to this basic design may include requirements for a sidewalk when anticipated traffic volume warrants separation of motorized traffic from pedestrians and non-motorized vehicles for safety.

An effective street network must recognize the different functions of various streets. A street hierarchy system separates routes that carry traffic to different destinations and serve different types of travel. A system that maintains the appropriate balance between movement and access is desirable. One obvious distinction in the hierarchy recognizes streets serving through traffic and those serving access to specific property. Specific access and movement criteria are the foundation for an ordered classification system with associated design standards. The street hierarchy is outlined below.

(1) Residential Access Street

The general purpose of this street is to carry traffic having destination or origin on the street itself and to provide frontage for service and access to private lots. These streets should be designed to carry the least amount of traffic at the lowest speed. The geometric design should be such that safety is promoted and one that contributes to an overall desirable residential neighborhood design. Typically, these streets are

short loops, cul-de-sacs, or courts. Residential subdivisions should be designed so that all or most housing units front on this type of street. Design standards include:

1. No section conveys an average daily traffic volume greater than 250 vehicles at a design speed of 25 mph.
2. In a minimum 40-foot right-of-way.
3. Two moving lanes with minimum width of 10 feet each.
4. Parking lane with width of 8 feet is optional.
5. Curbing is required with a parking lane, optional otherwise.
6. Sidewalks and tree lawns should also be viewed as necessary when they add an important component to the overall design but are not required in all cases.

(2) Residential Sub-collector

The purpose of this street is to carry the traffic of adjoining residential access streets to destinations within the immediate neighborhood. The traffic would be limited to that from intersecting residential access streets along with the traffic generated on the street itself. This street does not interconnect adjoining neighborhoods and should not carry regional through traffic. Some properties can front on these streets when a development design does not allow them to front on the access street. Design standards include:

1. No section conveys an average daily traffic volume greater than 500 vehicles at a design speed of 25 mph.
2. Usually in a 40 to 60-foot right-of-way.
3. Two moving lanes with minimum width of 10 feet each.
4. One or two 8-foot wide parking lanes.
5. Curbing should be included and is required with a parking lane.
6. One or two 5-foot sidewalks
7. Tree lawns with minimum width of 4 feet on each side of street.

The variation in design elements for any particular case would depend on the expected intensity of the street use, not only by vehicles but pedestrians and bicycles, and how it would complement surrounding areas.

(3) Residential Collector

The purpose of this street is to conduct and distribute traffic between lower-order streets and higher-order ones. These streets should carry the largest volume of residential traffic at higher speeds. To allow free traffic flow, on-street parking and direct access to homes should be prohibited. Residential collectors expected to carry considerable volume should be designed so that they are not used as short cuts between neighborhoods. Not all developments will require residential collectors but, as a general rule, developments over 150 dwellings will typically contain collectors. Design standards include:

1. Average daily traffic volume up to 3000 vehicles at a design speed of 35 mph.
2. Usually in a 40 to 60-foot right-of-way.
3. Two moving lanes with a width of 12 feet each.
4. On-street parking and drive-way access to residential properties should be limited.

5. Curbing is required.
6. One or two 5-foot sidewalks
7. Tree lawns with minimum width of 4 feet on each side of street.

(4) Arterial

The purpose of these streets is to convey traffic into and out of the community, and to and from major activity centers within the community such as commercial, industrial and retail areas. Design standards include:

1. Average daily traffic volume above 3000 vehicles at a design speed of 35 to 45 mph.
2. Usually in a 50 to 60-foot right-of-way.
3. Two moving lanes with a width of 12 feet each.
4. Two 8-foot parking lanes with curbing.
5. Two 5-foot sidewalks
6. Tree lawns with minimum width of 5 feet on each side of street.

(5) Special Purpose Streets

- (a) Alley: This is a service road providing secondary access to lots. It is considered the same functional level as a residential access street with different standards. The amount of activity on alleys should be minimized and their layout should discourage use as shortcuts. These should be designed to discourage through traffic and no parking should be permitted. The pavement must be a minimum of 12 feet wide and 15 is preferred.
- (b) Cul-de-Sac: This is a street with single access for ingress and egress with a circular turn-around at its terminus. These streets are valued in residential developments as they promote neighborhood identity and allow safer, quieter living conditions. Cul-de-sacs can have different design standards, depending on the uses they serve. Those serving residences can be narrower than those serving businesses.
- (c) Stub Street: This is a portion of a street (of whatever kind) either approved in its entirety (but not yet constructed) or planned as a future connector (of whatever kind) to subsequent, future development of adjacent land. Design standards would be the same as its expected completion street, with additional temporary design elements, e.g., temporary turn-around as deemed necessary.
- (d) Estate Street: This is really a street architecture more than a special purpose street as its architecture can be used throughout the hierarchy of other streets (even special purpose ones, with the exception of alleys).

The Land Use Map included in this Plan indicates the classification of existing streets and also indicates where new street connections are desirable.

Regardless of street type, consideration should always be given to making provisions for:

- A. Bike-ways – either as part of the roadway or as separate paths,
- B. Pedestrian sidewalks/walkways at least 5’ wide – with appropriate ramping for “walkers” and wheelchairs (and revise the Zoning Code to require this width), and
- C. Intra- and inter-neighborhood connectors such as dedicated paths between lots.

4.7 GENERAL ENVIRONMENT

Principle 3 - Support of land use developments in which residents can live, walk, and bicycle - to work, to learn, to shop, to worship, and to play

Principle 6 - Preserve open space, naturally occurring topographic features and vegetation, critical environmental areas, and historic buildings and land uses

Some basic values have emerged and been strengthened through community dialog during the past several decades that define Yellow Springs' current and future image of itself. They all have some impact on the environment, and on the way citizens of the Village expect to relate to the environment. In general, Villagers agree that:

- (1) Being environmentally responsible-- working to improve and preserve the natural ecosystem's health-- is deemed higher priority than individual or collective economic gain.
- (2) The community values diversity and seeks to preserve the freedom and rights of individuals insofar as possible, so long as the freedom and rights of others and the long-term health of the Village environment, ambiance, and quality of life are not compromised.
- (3) The current ambiance of Yellow Springs-- small and rural-- should be preserved. A healthy central business district, the hub of the Village, is an integral part of the valued ambiance, as is green space both within and around the Village.
- (4) While recognizing that Yellow Springs has attributes worth preserving, stagnation is not a desirable goal and a healthy economy is also important. The community sees itself as connected to and influenced by surrounding communities and the world, and proactive in developing and using new ideas and appropriate technology for land use strategies and protecting the environment.
- (5) Conservation, be it applied to the natural environment as a whole or resources such as air, water and energy, is more than a concept in Yellow Springs. Village government should lead and support programs and practices that conserve energy and reduce, if not avoid, contaminating our air and water.

In terms of the community's goals vis-à-vis the environment in general, these basic values support the goal of protecting or improving our landscape, air and water.

Open Space

Open spaces, both internal to the community and surrounding the Village, are important to the residents of Yellow Springs.

Preservation of natural forest, meadowland, and agricultural open space beyond the Urban Service Area is a desirable goal. Yellow Springs pledges support for the continued preservation of Glen Helen on the east and the preservation of additional greenbelt to extend completely around the Village. Currently, the Country Common to the southeast and Whitehall Farms to the north have been preserved through conservation easements. The western portion, known as the Jacoby Greenbelt, is the largest piece that has not yet been preserved and is seen as a priority as development farther to the west continues to move towards Yellow Springs.

General strategies that may be used toward this greenbelt goal include acquiring and keeping land and/or development rights, acquiring land for resale once conservation easements are applied, and active cooperation with the Tecumseh Land Trust, other conservation groups, agricultural organizations, and neighboring planning commissions. Specific strategies will include, but not be limited to, mapping of the greenbelt areas, keeping records and tracking ownership and land use activity, establishing acquisition priorities, identifying development threats, and determining a financial plan that includes appropriate compensation (financial or otherwise) for greenbelt land owners other than the Village and maintaining an

ongoing dialog with Miami Township officials and land owners to share priorities and develop mutually-beneficial strategies.

Open spaces within the Village include the Village parks, the Yellow Springs school campuses, the “Golf Course” of Antioch College, the Glass Farm and the undeveloped private land in the northwest and southwest. There are also small areas of private land in various neighborhoods that while not available to the general public, do add to the open space ambiance of the Village. Increasing the public accessibility and interconnectedness of publicly owned open spaces within the village is a desirable goal, particularly via biking/walking paths to encourage healthier and safer living for everyone. Strategies for accomplishing this goal include purchases, conservation easements, easements for biking/walking paths, and exchanging increased density for open space designation in PUD developments.

Natural Resources: Air, Water, and Energy

Recognizing that the Village of Yellow Springs has limited control over the quality of its air, environmental goals for protecting air quality should include utilizing data from the regional air-monitoring programs that track contaminant fluctuations. Encouraging the use of bicycles, enforcing laws against idling vehicles and open burning, and using low-emission fuels for Village energy expenditures are small but significant steps. Taking an active stand on practices, proposals, and developments upwind and downwind is justified within the larger goal of protecting the quality of life in Yellow Springs.

The Village is completely dependent on groundwater, and groundwater, like air, does not respect political boundaries. Recognizing this and the connection between surface water and groundwater, as well as the impact of storm water and agricultural runoff, lawn treatments, landfills, septic tanks, and non-containment of industrial and household wastes, should direct land use planning, legislation, enforcement, and the use of Village-owned land.

4.8 SPECIAL PLANNING AREAS

Principle 1 - Make land use provisions and decisions that make possible the restoration, maintenance, and retention of a population, employment, and economic base that is capable of sustaining the community.

Principle 2 - Make provisions for a range of housing opportunities, costs, and choices that provide safe, quality housing for current and potential residents of all income levels, paying particular attention to modest cost housing to ensure maintenance of income diversity in our town.

Principle 3 - Support land use developments in which residents can live, walk, and bicycle to work, to learn, to shop, to worship, and to play.

Principle 4 - Encourage collaborative land use development that honors both landowners’ rights to a fair return on the value of their land, and the community’s desire to determine how and where it wants to grow. Land use decisions should be made in a manner that make land use proposals predicable, fair, and cost-effective by a land use plan and zoning code that is consistent with this Comprehensive Land Use Plan.

Principle 5 - Promote compatible mixed-use land use adjacencies that foster synergies (not disharmonies) among residential, commercial, retail, educational, and industrial uses.

Principle 6 - Preserve open space, naturally occurring topographic features and vegetation, critical environmental areas, and historic buildings and land uses.

Principle 7 - Promote a transportation infrastructure that supports safety, compatibility, and accessibility for pedestrian, bicycle, and motorized vehicles.

Principle 8 - Direct new residential development, should it occur, to areas either already served by existing infrastructure – water, sanitary sewer, electric, and streets – and/or to yet undeveloped areas within current Village borders where compatible land use adjacencies already exist. New development shall be encouraged within the Village through infill and greater density and it shall not be considered outside the Urban Service Area. The Village will work with the Township to balance controlled development with goals for preservation of the Jacoby Greenbelt.

Principle 9 - Promote new retail, commercial, and industrial development in areas in the community where these land uses already exist (are already zoned for), and/or to yet undeveloped areas within current Village borders. New development shall be encouraged within the Village through infill and greater density and it shall not be considered outside the Urban Service Area. The Village will work with the Township to balance controlled development with goals for preservation of the Jacoby Greenbelt.

Four Special Planning Areas are identified on the Land Use Plan/Thoroughfare Plan (Appendix B) as important components of the Village Plan because of their size, physical location, and potential for mixed-use development. These are (1) the central business district, (2) the Dayton-Yellow Springs and East Enon Roads area, (3) the King Street and Fairfield Pike area, and (4) the US Route 68 and Hyde Road area. All the identified areas require development proposals and approvals that:

- conform to zoning regulations,
- do not threaten air, water, and other environmental factors, and
- are compatible with adjacent land uses.

A performance-based approach should be considered in the review of any specific development proposals within these areas. The premise of this approach is that any type of land use is possible, as long as the impact of growth and development does not threaten natural, social and economic qualities that are deemed worthy of protection. This premise, however, should not be so restrictive as to preclude preservation of those things we wish to preserve. These natural, social and economic qualities should be explicitly defined beforehand. Compatibility with existing adjacent uses and infrastructure/service demand must also be addressed in using this approach.

Area 1: The Central Business District

The Central Business District has physical, social and economic importance as the community's hub. There has been, and continues to be, clear and on-going support for measures that would enhance the downtown area as a community focal point. This means that the present variety of land uses, all complementary to the community with respect to services, retail, social and cultural offerings, and aesthetics, should be supported and protected. Planning should maintain and add to the elements that provide a human scale to the district – sitting benches, planters and ornamental trees, bike parking, and an eclectic mixture of building types and architectures worthy of preservation. New or renovated buildings should preserve the already established scale and harmony of height, bulk, and setbacks.

The district has fairly well defined entry points including:

- Three main entry points: US 68 at SR 343; US 68 at Limestone Street (James A McKee Way); and Dayton Street at Walnut Street
- Secondary entry points: Corry Street at Glen Street, Glen Street itself, Elm Street at Walnut, and Short Street.

All of these entry points deserve careful attention with respect to their street architecture – roadways, sidewalks, bikeways, and streetscapes, as well as the present and future land uses to insure that the Central Business District continues to have clearly identifiable entry points.

The Central Business District has two serious problems: its small size, and limited and inadequately identified parking.

The small size of the Central Business District, currently about 18 acres, limits the expansion of existing businesses and restricts the ability for new businesses to locate in the district. By comparison, land use data for other communities in the region indicates rule-of-thumb acreage of commercial land being about one acre per 100 residents, which would mean that about 39 acres should be provided to serve the present Village population. However, it is clear, both in the public opinion survey of 1973 and the 1990 neighborhood forums that citizens would discourage new commercial centers elsewhere in or near the Village that might be harmful to the retail base of the Central Business District. However, small, alternate commercial areas that do not rival the focal-point character of downtown are seen as realistic and accommodating the overall quality of Village life.

Although limited downtown parking has been the subject of many studies over the years, there is still no comprehensive plan to accommodate peak parking needs. On-street parking in the Central Business District is already maximized with respect to size and duration. Off-street parking - both private and public - also seems to be maximized, but is inadequately signed and identified. The Northern Gateway Project will provide relief through improvements to the Cemetery Street parking area.

Planning for the Central Business District should include desired development patterns and preferences regarding the direction of expansion. New or modified development in the district should reflect its legacy of relatively small lots, high density, a pedestrian orientation, and mixed uses-- for example, shops on the ground floor and offices, studios, light production or residences on the second floor. Buildings that have managed to endure as "historic treasures" should be specifically identified and protected.

Area 2: Dayton Street and East Enon Road

Education and light industry already exist in this special planning area, which is surrounded by adjacent residential and agricultural areas. The northwest corner of the intersection, which comprises the Center for Business and Education, has recently been annexed into the Village. There are only two more properties to the west on Dayton Street that lie within the Urban Service Area and can be provided with gravity sewers should they be annexed. These three properties together will form the western entrance to Yellow Springs for the foreseeable future. Additional properties to the north on East Enon Road are also within the Urban Service Area and could be added to this special planning area in the future.

Development in this special planning area should:

1. Encourage education and light industry, but residential uses should not be precluded, including the possibility of mixed-use areas.
2. Discourage retail uses that would detract from the Central Business District.
3. Minimize access points and curb-cuts on Dayton Street and East Enon Road.
4. Recognize the aesthetic importance of this intersection as an entry point to the community and accordingly design for compatibility with existing structures, provide landscaping, screening and signage that enhance this gateway.
5. Protect Jacoby Creek and its watershed.

Area 3: King Street and Yellow Springs-Fairfield Road

Development in this area is expected to be residential with various densities consistent with the existing subdivisions in the general area, which include Park Meadows (high density), Kingsfield (low density), The Stancliff Neighborhood (medium-high density) and Thistle Creek (medium-high density). The

eastern third of the Village-owned Glass Farm was recently designated a conservation area, which includes a recently constructed detention pond that reduces the frequency of downstream flooding.

Most of the undeveloped land in this planning area is west of the creek and consists of interior parcels such as the Kinney property and the western part of the Glass Farm. Access points for streets are limited to Wright Street extended, Kenneth Hamilton Way extended, one point on Fairfield Road and frontage on East Enon Road. Sanitary Sewer to serve the area must come from a new sewer in Wright Street beginning at Dayton Street. Proper storm water management will be important for this area. Although, the entire area drains to the Glass Farm detention pond, this pond was not intended for, or designed to accommodate, any new development.

Planning for this area should include a Thoroughfare Plan and preliminary routing and design for sanitary trunk sewer that starts on Wright Street at Dayton Street and extends to East Enon Road. Storm water management may work best if undertaken jointly by multiple landowners and this should be encouraged.

With existing commercial land uses on Yellow Springs-Fairfield Road just west of the Village limits, there could be consideration of compatible uses on part of the Glass Farm.

Area 4: US 68 and Hyde Road (and the surrounding area)

This area currently includes residential, industrial, commercial and agricultural land uses. Any new development must be compatible with this land use reality and cannot – by the zoning regulations already applied to this area – detract from the vitality of the Central Business District. Additionally, any development should not adversely affect down-stream watercourses – including Hyde Creek, Jacoby Creek and the Little Miami River.

As yet undeveloped areas to the east of this US 68 corridor should probably be encouraged to be developed residentially, although some transient uses could possibly be allowed as well (given the proximity of the Springs Motel). Wherever feasible, access to US 68 should be from existing streets rather than from new curb cuts. Sanitary sewer extensions should be carefully planned to allow access to the entire service area.

4.9 ANNEXATION, UTILITY EXTENSION

Principle 1 - Make land use provisions and decisions that make possible the restoration, maintenance, and retention of a population, employment, and economic base that is capable of sustaining the community.

The annexation of the Kinney property, the Village owned Glass Farm, and the Community Resources owned Center for Business and Education (CBE) – have added some 100+ acres to the community's land area. However, except for the CBE, no definite development plans have emerged for these annexed land areas. Other land adjacent to the Village boundaries may also be subject to annexation proposals in the future.

A policy outlining the Village Council's position regarding annexation was adopted in 1992 and amended in 2006 in response to changes in Ohio annexation law. The 2006 policy is included as Appendix K of this document.

When land that is annexed to the Village is developed, it must be provided with the necessary infrastructure of which the following components generally fall within the direct responsibility of the Village to own operate and maintain after installation by the developer:

1. Transportation including streets, sidewalks and bikeways.

2. Electrical Distribution
3. Water Distribution and Water Treatment Plant (WTP)
4. Sanitary Sewer Collection and Waste Water Treatment Plant (WWTP)
5. Storm Water Management

However, there may be instances where the Village is not directly responsible for components of the infrastructure such as operation and maintenance of private sanitary lift stations, storm water detention facilities, etc. For these infrastructure components, the Village should ensure that the development plans include the appropriate legal structures for continued operation and maintenance of facilities that remain in private ownership, and provide for Village intervention should the facilities not be properly operated and maintained.

Transportation

Transportation infrastructure was covered extensively in Section 4.6. A particular issue related to the most recent annexations is the need to develop a plan for transportation infrastructure within the area bounded by Dayton Street, East Enon Road, Fairfield Road and King Street, which has few points of access to the interior parcels.

Electric Distribution

Yellow Springs has owned, operated and maintained its own electric distribution system for many years. The system functions as an enterprise, and supports its own maintenance and capital improvements. The Village purchases power through its membership in American Municipal Power (AMP), a non-profit public power membership organization with 128 member jurisdictions in six states.

The electric distribution system was recently evaluated for reliability and future adequacy. The Electric System Task Force was commissioned by Village Council to provide information regarding the system condition. The Task Force was created due to concerns about the delivery of reliable power at sufficient capacity to meet existing and future needs, and to examine a proposal to construct a new sub-station.

The Task Force's Phase I report (October, 2007) indicated that the Village-owned system is in good condition and is well maintained. The report identified projects that will increase the capacity and quality of our electric distribution without the construction of a new sub-station given current needs and accommodating modest future growth. Electric capacity should be monitored to ensure that it is able to meet the demand as consistent, quality electric distribution is a strong component of business retention and expansion and economic development.

The Task Force's Phase II report recommends that the Village embark on an effort to reduce electric consumption through conservation, improved energy efficiency and increased use of renewable sources of power thereby reducing needed expansion of the electric system. They also recommended reducing our reliance on coal-fired generation in an effort to address the concerns of global warming and the changing energy industry. The report also recommended finding ways to create new energy related jobs in the Village by systematically investing in conservation efforts, community education and the development of renewable energy generation. Both of the Task Force's reports are attached to this Comprehensive Plan as Appendix I.

Water Distribution and Water Treatment Plant (WTP)

The Village has developed a computer model of the water distribution system that can be used for water infrastructure planning when land within the Village is developed, or when land is being considered for annexation.

Results of the computer model indicate that water supply is plentiful for normal uses in most areas, but that fire flows may be limited in some scenarios due to a “bottleneck” between Allen Street and Herman Street. Fire flows for the south end of the Village must come primarily from the well field while fire flows for the area from Herman Street north must come primarily from the water towers at Gaunt Park.

Water distribution infrastructure is well positioned to serve the recently annexed land with large water mains between the water towers at Gaunt Park and Dayton Street at East Enon Road and east to King Street. While water volume is plentiful, pressure will be low for multi-story buildings and fire suppression systems, necessitating booster pumps for those uses.

The Water Treatment Plant is designed to treat 1.0 million gallons per day (GPD). Current water consumption is normally around 750,000 GPD. This 250,000 gallon “surplus” should be adequate to accommodate modest growth.

Sanitary Sewer Collection and Waste Water Treatment Plant (WWTP)

The Village policy, adopted in 2004, is that the Village will not extend sanitary sewers outside the Village limits, and that future extensions of Village owned sewer infrastructure will only be through gravity sewers. This means that the Village will not extend sanitary service to areas that would be served by Village owned lift stations.

In 2006, the Village established an Urban Service Area based on the lands that could be served by gravity sewer as established in a 2006 Sanitary Sewer Study that is included as Appendix L. Outside the Urban Service Area the Village expects that sanitary wastewater will be treated with on-site or semi-public systems as delineated in the Facilities Planning Area documents adopted by Yellow Springs and approved by the Miami Valley Regional Planning Commission and the Ohio Environmental Protection Agency.

The recently sanitary sewer improvements in Dayton Street have facilitated the development of the Center for Business and Education. Careful planning is needed for providing sanitary sewer service throughout the already annexed land bounded by Dayton Street, East Enon Road, Fairfield Road and King Street. As described in the 2006 Sanitary Sewer Study, the primary means of serving this area and the remaining land in the northwest part of the Urban Service Area is via a trunk sewer that would begin at Dayton Street and Wright Street. This sewer must be planned and constructed with the entire service area in mind, not merely the next piece of land to be developed.

The Waste Water Treatment Plant is designed to treat 1.2 million GPD. Currently about 600,000 GPD is treated daily. This 600,000 gallon “surplus” should be adequate to accommodate modest growth.

Storm Water Management

Village ordinances require that land being subdivided provide storm water detention in accordance with Greene County standards. When land is being developed under a PUD, the Greene County standards are not mandatory so the Village has considerable latitude to require those standards or to consider site specific alternatives for storm water management. However, the existing ordinances are silent on

requirements for storm water management as relates to development undertaken through site plan review only. This is a gap that should be addressed.

A high level of storm water management must be included in all development in the northwest area that drains to the Glass Farm Branch of Yellow Springs Creek. While the recently constructed detention pond on the Glass Farm is reducing the frequency of flooding downstream, this detention pond was not designed or intended to substitute for proper storm water management by new development throughout the watershed.

VILLAGE OF YELLOW SPRINGS
COMPREHENSIVE LAND USE PLAN
APPENDICES - 2010

Appendix A	Urban Services Area Map
Appendix B	Land Use Plan/Thoroughfare Plan
Appendix C	Education Institutions
Appendix D	Parks & Recreation Master Plan
Appendix E	Sidewalk Survey Map
Appendix F	Yellow Springs Bikeways Map
Appendix G	Sanitary Sewer Collection Map
Appendix H	Annexation Policy
Appendix I	Energy Systems Task Force Report/Phase I and II
Appendix J	Historic District Map
Appendix K	2010 Visioning Plan – <i>Vision Yellow Springs and Miami Township</i>