

**VILLAGE OF YELLOW SPRINGS
PLANNING COMMISSION**

The Village of Yellow Springs Planning Commission will meet in regular session on Monday, September 10, 2018 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 August 27, 2018 Special Work Session

Minutes of August 13, 2018

COMMUNICATIONS

Bowen Housing Report

COUNCIL REPORT

CITIZEN COMMENTS

PUBLIC HEARINGS:

- 1) **Conditional Use Application** ó Antioch College is applying for a conditional use for the purpose of constructing a Pocket Neighborhood Development on their property located at 117 East North College Street ó Parcel ID #F19000100090029400.
- 2) **Text Amendments** -The Village of Yellow Springs is applying for amendments to the planning code for minor subdivisions, replats and subdivision fees, and to the zoning code for minimum lot frontage requirements, tiny homes on wheels, and the addition of driveway standards.

Amend Chapter 1226.11 Minor Subdivisions ó to add formal action by the Planning Commission in certain circumstances as determined by the zoning administrator.

Amend Chapter 1226.12 Replats ó to add formal action by the Planning Commission in certain circumstances as determined by the zoning administrator.

Amend Chapter 1226.13 Subdivision Fees ó to add fees for minor subdivisions and replats when Planning Commission approval is required.

Amend Chapter 1260.02 (e) Minimum Lot Frontage - to clarify the zoning code regarding minimum lot frontage requirements.

Amend Chapter 1260.03 (a) Parking and Storage ó adding driveway standards to the zoning code.

Amend Chapter 1260.03 (b) Parking and Storage ó making it unlawful to park a mobile home or recreational vehicle on any public street, alley or public place in the Village, except for the expeditious loading and unloading of the vehicle.

Amend Chapter 1260.04 (a) (13) Uses ó striking driveway setback language from this section of the zoning code.

Amend Chapter 1260.04 (h) Uses ó adding clarifying language regarding tiny homes on wheels.

OLD BUSINESS

Comprehensive Land Use Plan Update

NEW BUSINESS

AGENDA PLANNING

Glass Farm/Kinney Property

October 18: Work Session (1-3) re: Home, Inc. Proposal for PUD/Senior Housing

November 12: Public Hearing re: Site Plan for Home, Inc. PUD/Senior Housing

ADJOURNMENT

**`Planning Commission
Regular Meeting Minutes**

Council Chambers 7:00pm

Monday, August 13, 2018

CALL TO ORDER

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

ROLL CALL

Planning Commission members present were Frank Doden, Acting Chair, Council Representative Marianne MacQueen, Susan Stiles and Ted Donnell. Also present were Denise Swinger, Zoning Administrator, and Solicitor Chris Conard. Pelzl was absent due to illness.

REVIEW OF AGENDA

Doden reviewed the agenda. There were no changes made.

REVIEW OF MINUTES

Minutes of July 9, 2018. MacQueen MOVED and Donnell SECONDED a MOTION TO APPROVE the Minutes as Written. The MOTION PASSED 4-0.

COMMUNICATIONS

MacQueen re: Bowen Housing Recommendations

COUNCIL REPORT

MacQueen reported on progress with Bowen National Housing Consultants, and invited all members of PC to attend the upcoming report to Council which will occur on August 20th.

CITIZEN COMMENTS

Emily Seibel, Home, Inc. Executive Director, informed PC that Home, Inc is preparing to bring two project to PC for review. She described a project for 14 units characterized as a PND overlay to serve a wide array of need. Seibel estimated either a September or October hearing date for the project.

Seibel noted that Home, Inc. has a purchase option on the property noted, and stated that while Home, Inc. has no plan to request any variances, they do have several general questions for PC regarding the site plan design.

Seibel asked about incentives related to minimizing parking spaces.

Swinger noted that the number of parking spaces has been set at 1.5 per unit for the PND.

Donnell commented that he is unable to answer questions without a concept plan.

Donnell noted that the depth of the sanitary sewer and water flow issues will be of significant concern, as will stormwater management.

Donnell commented that any way to demonstrate alternate means of transportation will assist in possible incentives.

Seibel noted that Home, Inc. is preparing a PUD application for low-income senior housing, in partnership with St. Mary Development. Home, Inc. hopes to have this application ready for September, and hopes to have a final response to the project before the end of the year.

PUBLIC HEARINGS:

Rezoning Application ó Antioch College is applying for a map amendment to rezone their property located at 117 East North College Street ó Parcel ID #F19000100090029400 from E-I, Educational Institutions to R-C, High Density Residential for the construction of a Pocket Neighborhood Development.

Swinger introduced the hearing as follows: Antioch College is planning the construction of the Village of Yellow Springs first Pocket Neighborhood Development (Exhibit A) since the Planning Commission added this new and innovative use to the zoning code last year. One of the requirements of the PND is that the property must be located in a residential district. Currently, the property is zoned E-I, Educational Institutions. The location, at 117 East North College Street, Parcel ID ##F19000100090029400, abuts the R-C, High Density Residential District on both the north and west sides. The property was subdivided into three sections, Lot #294, 295 and 136. After research by both staff of the Village of Yellow Springs and Greene County, it was determined that Lot #136 was part of Antioch's land. Antioch filed a replat with the zoning office, combining the three parcels into

two (Exhibit B). The final step before Antioch's PND conditional use hearing with Planning Commission is this map amendment to rezone the property as residential.

Stiles wondered if Antioch College would have to pay taxes if no longer zoned as Education.

Swinger responded in the affirmative, and then explained Greene County's methodology for condominium units.

Tom Manley, Antioch College President, expressed support for the project, noting that it is a goal of the College to create an intergenerational sustainable community, and that the proposed PND is a pilot for a part of that community.

Kevin Magruder briefly described the project in light of the goal of sustainability and community interaction. He noted that the College projects a 34 unit development across the street for the future.

Doden OPENED THE PUBLIC HEARING.

Patricia Brown spoke in support of the PND. She asked for support for composting toilets for the development, which is under the purview of Greene County.

Kim Claus asked what the plan was for parking overflow.

Magruder noted several parking options nearby.

Claus asked whether the parking regulations for Livermore Street would be amended, and whether the infrastructure would be able to support the proposed PND.

Swinger clarified that the issue at hand was only the rezoning request, but that if the project was moved to the next phase, the concerns noted would then be addressed during the site plan review. Swinger commented that a preliminary review by the Public Utility Supervisor showed no reason for concern regarding the infrastructure.

Faith Morgan asked whether the alley between her property and the property in question would be affected.

Swinger commented that the alley is not vacated, and so would need to remain accessible.

Karen Wintrow spoke in support of the project as a means of turning unproductive land into an asset.

Doden CLOSED THE PUBLIC HEARING.

MacQueen expressed her support for the proposal.

Swinger explained the reason for the need to rezone the area, and described the process for that approval.

Donnell commented in favor of the idea of the PND development, and lauded the focus around sustainability. Donnell commented that he believed it to be unfair to community members to try to go off grid, since the Village electric utility is 95% green, and since every consumer helps to maintain this green energy through their participation in the electric system. He made the same case for participation in the water and sewer utilities, and asked that the College consider opportunities to partner with the Village to help sustain existing green systems, rather than by replicating their own versions thereof.

Donnell commented further that the units seemed to him too institutionalized to fit in well with the character of the Village, and asked that further thought be given to the design aspect of the project.

Magruder responded that the units are planned to be on the grid, and that the off grid aspects mentioned by Pat Brown earlier are projected for a future pilot.

MacQueen noted that she likes the design, opining that there is a wide variation in individual taste.

Stiles MOVED TO APPROVE THE REQUEST TO REZONE THE PROPERTY LOCATED AT 117 EAST NORTH COLLEGE STREET FROM E-I to R-C. MacQueen SECONDED, and the MOTION PASSED 4-0 on a ROLL CALL VOTE.

Conditional Use Application ó Brittany Baum is applying for a conditional use hearing to add outdoor patio seating in conjunction with a permitted restaurant located at 134/138 Dayton Street ó Parcel ID #F19000100110022800 in the B-1, Central Business District.

Swinger described the request as follows: local resident Brittany Baum is planning to open the Levitate Café at 134 Dayton Street. She currently operates Brezel, a gourmet Bavarian pretzel store with locations in Columbus and Cincinnati. She intends to offer grab & go fresh food options at the Yellow Springs location, including salads, juices, smoothies and healthy options that focus on local ingredients. Her concept for the store also includes many vegetarian and vegan options. The hours of operation would be from 7:00 AM until the early evening. If the need is there, she might expand her hours and offer carry out services later in the evening. She will have a few tables inside, but will mostly cater to grab & go customers.

The Public Works Director viewed the location of the table and chairs proposed by Ms. Baum and has no objection to her proposal. He indicated it will not block passenger access from parked cars nor will it block pedestrian traffic since there will be over seven feet of passageway between the location of the table and the store entrance.

Ms. Baum indicated she has been in contact with Greene County Building Regulations for her certificate of occupancy and they have agreed to less than 25 people including staff as the maximum occupancy allowed.

Brittany Baum applied for a change of use permit with the zoning office for the café. As a permitted use, this was approved by the Zoning Administrator. She has also submitted plans to add a small 24" table and two café chairs between the light pole and the tree out in front of the building, and adding a ledge above the gas meters to give a small space for customers to stand. Staff explained that the sidewalk in front of the building is in the public right-of-way. Ms. Baum pointed out other locations in town with tables and chairs in public ROWs. Outdoor patio seating in conjunction with a permitted restaurant is a conditional use.

Baum described the area in which she envisions the table and chairs, and responded to clarifying questions.

Doden OPENED THE PUBLIC HEARING. There being no public comment, Doden CLOSED THE PUBLIC HEARING.

Stiles spoke in favor of sidewalk interaction.

MacQueen noted the energizing effect of having customers out on the street and interacting.

Donnell commented both positively and negatively, noting that there are some visitors and residents who feel intimidated by the crowded sidewalks. He suggested mandating some number of feet of clearance, perhaps painting areas of the sidewalk in different colors to indicate walking vs sitting areas.

PC reviewed the suggested conditions, including parking, removal of the chair and table after hours, and carrying liability insurance.

PC considered various options, and discussed any impact upon parking.

Rick Slothman, owner of the Laundromat, objected to indication of parking in the rear, given that most persons think that his lot is the lot referred-to.

Stiles supported the indication that there is parking in the rear.

Donnell argued that monitoring parking for merely approving a table and chairs is onerous.

Donnell MOVED TO APPROVE THE CONDITIONAL USE APPLICATION as REQUESTED with THE CONDITION THAT THE OWNER PROVIDE PROOF OF LIABILITY INSURANCE NAMING THE VILLAGE AS AN ADDITIONAL INSURED ENTITY. MacQueen SECONDED, and the MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Text Amendments:

1260.02 (e) Minimum Lot Frontage.

Swinger noted that PC had essentially approved the suggested changes at their last meeting, and read the changes as noted below.

Any lot created after the effective date of this code shall have frontage on an improved public street or approved private street or access easement, equal to the minimum required lot width in the zoning district in which it is located. If an access easement is required to reach the lot, the minimum required lot frontage may run along the inside property line of the lot being accessed. If the lot is located on a private street or access easement, specific requirements for ingress/egress will apply (1260.03). Approval for private street or access easements must be granted by the Planning Commission.

Doden OPENED THE PUBLIC HEARING. There being no comment, Doden CLOSED THE PUBLIC HEARING.

Donnell MOVED APPROVAL OF THE TEXT AMENDMENT TO CHAPTER 1260.02 (e) as RECOMMENDED BY STAFF. Stiles SECONDED, and the MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Amend Chapter 1260.03 (a) Parking and Storage – adding driveway standards to the zoning code.

Swinger read through the proposed text amendment as follows:

1260.03 (a) On a legally zoned lot, there shall be no more than one driveway, unless the lot is part of a Planned Unit (PUD) or Pocket Neighborhood Development (PND). If the frontage of the lot will be located along an access easement, the access easement shall be recorded on the deed of all properties which are subject to the easement and shall clearly specify the party or parties that shall be responsible for the maintenance of the easement area. An additional curb cut for a second driveway shall only be permitted if the lot frontage exceeds by 15 feet the minimum lot frontage requirement of the respective zoning district. The access easement shall provide lot frontage at least equal to the minimum required lot frontage of that zoning district

Swinger noted that the Public Works Director had added a requirement that driveway aprons need to be concrete, and made note of other additions as below:

The Village of Yellow Springs shall have no responsibility for maintenance of the private drive and/or turn-around.

- (1) All driveways shall be constructed and subsequently maintained to meet the following standards:
 - A. A driveway must commence at a dedicated road
 - B. Shall be a minimum width of 15 feet constructed with a base substantial enough to support vehicles to 40,000 lbs. gross vehicle weight (GVW)
 - C. Curb cuts and driveway aprons must be made of concrete per Village of Yellow Springs Public Works Department standards.
 - D. Residential access driveways shall be at least three feet from side property lines and construction shall ensure that drainage is sloped away from adjacent properties
 - E. Utility easements for storm, sewer, water, electric and gas are to be maintained along the back and side yard property lines as it was in the original subdivision.
 - F. Free from overhead obstructions to a height of 13 feet 6 inches and side-to-side obstructions to a width of eight (8) feet from the center line of the driveway
 - G. Any incline, decline, dip, hump and/or curve must take into consideration the turning radius, ground clearance, and traveling envelope of all vehicles to include emergency vehicles
 - H. Addresses for properties on private drives or road access easements must be clearly marked and visible from the public street
- (2) Any driveway in excess of 1,000 feet in length shall, in addition to the conditions/standards outlined in section 1, be required to also meet the following conditions:
 - A. Have a vehicle pull-off near the mid-point, and additional pull-offs for every 500 feet thereafter
 - B. Have a turnaround at the end suitable for use by emergency vehicles
- (3) Driveway connections crossing drainage swales must conform to Greene County specifications complete with concrete headwalls as called for by Sections 816 and 817 of the Greene County Subdivision Regulations, as amended. Should the driveway require a culvert, pipe or bridge, no zoning permit will be issued until a recommendation is received from the Village of Yellow Springs Public Works Department. It is recommended that a pre-manufactured culvert, pipe or bridge be used. If a custom design is used, then it must be designed by a professional engineer and approved by the Village of Yellow Springs Public Works Department before construction.

Swinger noted that the section regarding RV parking is amended as follows:

(bc) Recreational Vehicle Parking. It shall be unlawful for any person to park or cause to be parked any mobile home or recreational vehicle on any street, alley, highway, or other public place in the Village, and to use the same as a dwelling. except for the expeditious loading and unloading of the vehicle. This provision shall not prohibit the temporary occupancy for periods up to 72 hours of a recreational vehicle; provided the recreational vehicle contains sleeping accommodations, is parked on a lot in a Residential District, and is for the use of the owner of that lot or guests of the owner.

Swinger responded to a question from Stiles, noting that while enforcement will still be done on a complaint basis, the text amendment prevents simply moving the vehicle slightly, and prevents street parking.

MacQueen sought clarification regarding curb cuts.

Doden OPENED THE PUBLIC HEARING. There being no public comment, Doden CLOSED THE PUBLIC HEARING.

Stiles MOVED APPROVAL of the AMENDMENTS TO CHAPTER 1260.03 (A) PARKING AND STORAGE AS RECOMMENDED BY STAFF. Donnell SECONDED, and the MOTION PASSED 4-0 ON A ROLL CALL VOTE.

Amend Chapter 1260.04 (a) (13) Uses – striking driveway setback language from this section of the zoning code.

Amend Chapter 1260.04 Uses – adding clarifying language regarding tiny homes on wheels.

Swinger introduced the section commenting that although tiny homes are often accessory to the primary dwelling, they may also be the primary dwelling. For this reason, she recommended keeping it under 1260.04 Uses as publicly noticed, but list it as (h) Tiny Home.

(h) Tiny Home. A structure built on a permanent chassis with or without wheels which must receive a certificate of occupancy from Greene County Building Regulations in order to be used as a dwelling unit or accessory dwelling unit on a single-family zoned lot. Greene County Building Regulations will only issue a certificate of occupancy with proof of the following:

- 1) Built as a manufactured home, proof of certification with a HUD seal is required.**
- 2) Built as an industrialized unit, proof of the industrialized home compliance certificate is required.**
- 3) Built in another state, proof of their former certificate of occupancy is required.**
- 4) Built/constructed in another manner, proof of certification by an Ohio Certified Engineer.**

Donnell asked that "Ohio Certified Engineer" be changed to "Registered Ohio Design Professional." This was agreed-upon.

Doden OPENED THE PUBLIC HEARING. There being no comment, Doden CLOSED THE PUBLIC HEARING.

Stiles MOVED TO APPROVE THE TEXT AMENDMENTS TO CHAPTER 1260.04 as RECOMMENDED BY STAFF, WITH THE ADDITIONAL CHANGE AS PROVIDED BY DONNELL, AND WITH THE ADDITION OF A NEW SECTION (h). MacQueen SECONDED, and the MOTION PASSED 4-0 ON A ROLL CALL VOTE.

DISCUSSION

Swinger noted that while she had noticed Chapter 1226.11 as a Public Hearing, she had not noticed several areas which she believes PC should consider. For that reason, she stated, she would like the PC to hold a discussion, and to hold a Public Hearing at a later date, based upon the outcome of the discussion.

Swinger explained her rationale as follows:

The public hearing notice to "Amend Chapter 1226.11 Minor Subdivisions" to add formal action by the Planning Commission in certain circumstances as determined by the zoning administrator was published in the Yellow Springs News on August 2, 2018. Chapter 1226.11 Minor Subdivisions, will be in a separate report because of changes discussed by Planning Commission at the July 9, 2018 meeting which, if approved, will require Planning Commission's approval under certain circumstances.

In reviewing the discussion regarding minor subdivisions and replats and when and in what situations Planning Commission approval should be required, Swinger said, it became apparent to staff that the discussion will need to continue at September's meeting. In order to properly notify neighbors, text amendments will need to be made to Ch. 1226.11, 1226.12 and also 1226.13. Additionally, PC will need to consider adding definitions so they are consistent in both the Planning and Zoning codes.

Swinger then read through the proposed amendments as follows:

(b) Approval of a minor subdivision by the Zoning Administrator, with formal action by the Planning Commission shall be required in the following circumstances, along with additional conditions:

(1) The proposed subdivision is located along a private street or access easement. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1260.02 (e) and 1260.03 (a) of the Yellow Springs Zoning Code.

(2) The proposed subdivision creates an uncommon lot configuration. Uncommon lot configurations may be incorporated into a minor subdivision if such division poses no apparent nuisance and the Planning Commission deems it appropriate. Approval may be granted upon review of additional criteria specified in 1226.06 (a) (5).

(3) Approval of the minor subdivision shall be made to the Planning Commission in writing, on a form for that purpose, and shall be filed with the Zoning Administrator at least 20 days before the next regularly scheduled meeting at which it is to be heard. The application must be accompanied by a fee, as established by the Village Council, and such other material the Planning Commission determines is necessary.

Swinger then discussed her amendment to Minimum Lot Frontages as follows:

(e) Minimum Lot Frontage. Any lot created after the effective date of this code shall have frontage on an improved public street or approved private street or access easement, equal to the minimum required lot width in the zoning district in which it is located. If an access easement is required to reach the lot, the minimum required lot frontage may run along the inside property line of the lot being accessed. If the lot is located on a private street or access easement, specific requirements for ingress/egress will apply (1260.03). Approval for private street or access easements must be granted by the Planning Commission.

Donnell noted that sewer and water connection would be required to be shown in the plans for the minor subdivision.

Swinger then noted the Public Notice process:

(4) Public Notice. When an application has been filed in proper form with the required data, the Zoning Administrator shall cause notice of the time, place and purpose of the hearing to be given, in writing by first class mail, to the applicant(s), to owners of property contiguous to and directly across the street from the property that is the subject of the minor subdivision application. The notice shall be given at least seven days in advance of the hearing, noting the request and the property location. The name and address of any property owner on the most recent property record of the Greene County Auditor shall be the address used for public notification. If the address is unclear or uncertain, the property owner may be notified by legal notice published one time at least seven days in advance of any hearing, listing the address of the property to receive notification.

Swinger stated that the setbacks would need to be followed.

Swinger commented that she will need to re-notice, and that PC can vote on the text amendments at their September meeting.

A discussion regarding fees ensued, and PC members generally agreed with all recommendations made.

OLD BUSINESS

Comprehensive Land Use Plan Update. Swinger noted a Work Session scheduled for August 27th from 4-6pm.

Donnell asked for a preliminary approval of the Table of Contents so that the discussion can drive from that document.

PC members agreed to the order of the Table.

MacQueen requested the addition of öElder Care and Child Careö and öHealth Care and Wellnessö and öLocal Foodsö.

Donnell agreed to add these items, and to send a revised document to PC members.

AGENDA PLANNING

Antioch College Pocket Neighborhood Development
Inclusionary Zoning
Home, Inc. PND

Chapters 1226.11; 1226.12 and 1226.13

PC discussed information needed before the Home, Inc request can come for a hearing. Swinger opined that the rezoning issue may be ready for September.

Donnell commented that PC should begin looking at issues of utilities with regard to connectivity to potential development, noting particularly the Glass Farm, Pitstick and Kinney properties. He asked whether major utility lines could be identified by the Public Works Director so that PC can begin to consider these areas.

MacQueen noted that she has been in contact with the Kinney family, and asked how this communication should continue.

Swinger commented that she would be agreeable to making contact, and will communicate with Johnnie Burns so that she knows where the connections may be.

Donnell noted that the PC in any municipality has the right to dictate where roads or utilities will connect to a developable property.

ADJOURNMENT

At 9:15pm, Stiles MOVED and Donnell SECONDED a MOTION TO ADJOURN. The MOTION PASSED 4-0 ON A VOICE VOTE.

Frank Doden, Acting 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
Special Meeting Minutes (Work Session)**

Art Room 4-6pm

Monday, August 27, 2018

CALL TO ORDER

The meeting was called to order at 4:02 P.M.

ROLL CALL

Planning Commission members present were Rose Pelzl, Chair, Frank Doden, Susan Stiles and Ted Donnell. Also present was Denise Swinger, Zoning Administrator.

ANNOUNCEMENTS

Swinger noted that the Housing Advisory Board will meet in A&B with Real Estate representatives for a discussion regarding housing needs in the Village on September 20th from 1-2:30pm.

WORK SESSION

Planning Commission reviewed the proposed Table of Contents provided by Donnell. The group agreed to the order of items listed.

The Commission worked through the Table of Contents sequentially, discussing tasks associated with each section and discussing the relevance and placement of each section.

Foremost in the discussion was the need to move ahead with land use suggestions, which will require input from Public works Director Johnnie Burns.

The group agreed that they will need to read and evaluate the supporting data for each section.

AGENDA PLANNING

Donnell agreed to reconfigure the document using the revised Table of Contents so that work on each section can begin.

ADJOURNMENT

At 5:45pm, Doden MOVED and Stiles SECONDED a MOTION TO ADJOURN. The MOTION PASSED 4-0 ON A VOICE VOTE.

Rose Pelzl, Chair

Attest: Judy Kintner, Clerk

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Yellow Springs, OH
Bowen National Research – Housing Development Goal Recommendations

To: Marianne Macqueen, Housing Advisory Board

From: Patrick Bowen, Bowen National Research

Date: August 7, 2018

1. Introduction:

The purpose of this memo is to provide supplemental recommendations for possible housing development goals for the Village of Yellow Springs to consider. This includes goals by targeted income level, bedroom type and age segments. The recommended goals are provided for rentals and for-sale housing separately.

It is important to point out a few key aspects of these particular goal recommendations and any goals that the Village of Yellow Springs ultimately adopts. First, these goals should be used to help set policy and incentives that will encourage development of certain housing product that meets both housing needs and community objectives. Second, the market has the ability to exceed the goals outlined in this memo and that these goals should not necessarily be considered as caps or limits to development. Finally, the village needs to remain flexible in its approach to supporting and encouraging certain types of residential development to correspond to changing housing market conditions, changes in demographic trends, financial and economic fluctuations and potential changes in community desires.

2. How to set targeted goals:

It is recommended that housing goals should be set through a combination of quantified demand estimates shown in the Housing Needs Assessment (HNA) and stated community goals. Using the HNA estimates as a baseline for setting quantifiable goals, YS can adjust the initial goals by including community objectives that account for citizen and stakeholder input. The following table summarizes the initial HNA estimates for the number of housing units needed by various income levels over the next five years, based on current trends and conditions.

2017 - 2022 Rental Demand Potential by Income Level & Rent Yellow Springs Primary Study Area					
Household Income Range	< \$20K	\$20K-\$34K	\$35K-\$49K	\$50K-\$74K	\$75K+
Rent Affordability	< \$500	\$500-\$874	\$875-\$1,249	\$1,250-\$1,849	\$1,850+
HNA – Demand Potential (Based on Current Trends)	111	83	11	58	39
2017-2022 For-Sale Housing Demand by Income Level & Price Point Yellow Springs Primary Study Area					
Household Income Range	\$30K-\$49K		\$50K-\$74K	\$75K+	
Housing Price Affordability	\$100K-\$149K		\$150K-\$224K	\$225,000+	
HNA - Support for New Units (Based on Current Trends)	40		22	128	

Comment: *Based on the Housing Needs Assessment, there is a potential need for approximately 300 rental housing units and approximately 200 for-sale housing units over the next five years, with rentals primarily needed for lower-income households and for-sale housing that is focused on high-income households. Regardless, development goals should encourage development that supports a balanced market. We have provided various potential housing goals by bedroom type, age groups and income levels below.*

Bedroom Types

Based on the distribution of the existing housing supply by bedroom type, the number of vacant units by bedroom type, the distribution of household sizes (number of people per household) of YS compared with surrounding areas, and community input, we have provided goals for the number of new units by bedroom type that should be considered.

Rental Household Sizes by Geography					
GEOGRAPHY	1-Person	2-Person	3-Person	4-Person	5-Person
Yellow Springs	54.1%	23.8%	16.1%	6.0%	0.0%
Secondary Study Area (Surrounding Area, Excludes YS)	40.3%	25.5%	15.3%	10.1%	8.8%
Dayton MSA	41.9%	25.7%	14.5%	10.3%	7.6%
State of Ohio	41.9%	26.2%	14.5%	9.7%	7.6%
Yellow Springs Goal – 5-Year	51%-53%	24%-25%	15%-16%	7%-8%	3%-4%
Yellow Springs 5-Year Goal New Rental Units	One-Bedroom		Two-Bedroom		Three-Bedroom+
	~100		~140		~60

Owner Household Sizes by Geography					
GEOGRAPHY	1-Person	2-Person	3-Person	4-Person	5-Person
Yellow Springs	28.9%	43.3%	12.7%	13.0%	2.0%
Secondary Study Area (Surrounding Area, Excludes YS)	26.0%	39.8%	15.4%	11.7%	7.1%
Dayton MSA	26.1%	39.2%	15.2%	12.0%	7.5%
State of Ohio	24.0%	38.9%	15.5%	13.2%	8.5%
Yellow Springs Goal – 5-Year	27%-28%	41%-42%	13%-14%	12%-13%	3%-5%
Yellow Springs 5-Year Goal New For-Sale Units	One-Bedroom		Two-Bedroom		Three-Bedroom+
	~40		~80		~80

Comment: *YS lacks larger family renter and owner households. The community will need to add family-oriented housing if YS wants a more balanced distribution of household types. At the same time, smaller bedroom types should also be part of housing development due to the large number of smaller family and single-person households in the market, particularly seniors.*

Household Age Groups

The following table summarizes the distribution of households by age for Yellow Springs compared with surrounding communities and concludes with potential goals of housing by different age groups.

Rental Household by Age by Geography							
GEOGRAPHY	<25	25-34	35-44	45-54	55-64	65-74	75+
Yellow Springs	4.5%	23.9%	18.4%	16.2%	28.1%	3.7%	5.1%
Secondary Study Area (Surrounding Area, Excludes YS)	17.9%	23.9%	16.9%	16.7%	11.1%	5.9%	7.6%
Dayton MSA	12.7%	24.7%	18.3%	17.8%	13.0%	6.5%	7.0%
State of Ohio	12.5%	24.5%	18.4%	17.6%	12.4%	6.6%	8.0%
Yellow Springs Goal – 5-Year	7%-8%	24%-25%	17%-18%	16%-17%	23%-24%	5%-6%	6%-7%
Yellow Springs 5-Year Goal New Rental Units	Millennials/Young Adults & Families		Middle-Aged, Established Families		Older Adults, Empty Nesters & Seniors		
	~120		~100		~80		

Owner Household by Age by Geography							
GEOGRAPHY	<25	25-34	35-44	45-54	55-64	65-74	75+
Yellow Springs	0.4%	2.5%	11.1%	21.2%	23.4%	19.6%	21.8%
Secondary Study Area (Surrounding Area, Excludes YS)	1.2%	9.4%	14.4%	21.1%	23.1%	16.0%	14.8%
Dayton MSA	1.1%	9.2%	15.4%	22.5%	22.1%	15.3%	14.3%
State of Ohio	1.0%	9.7%	16.7%	23.2%	22.0%	14.3%	13.0%
Yellow Springs Goal – 5-Year	0.5%-1.0%	4%-5%	12%-13%	21%-22%	22%-23%	17%-18%	20%-21%
Yellow Springs 5-Year Goal New Owner Units	Millennials/Young Adults & Families		Middle-Aged, Established Families		Older Adults, Empty Nesters & Seniors		
	~70		~70		~60		

Comment: YS has a disproportionately low share of young adult and young family households (generally under age 35). In order to make the community more balanced, it will need to encourage development of housing that appeals to young professionals/millennials and younger families. It will be important that YS doesn't lose sight that its large base of senior residents are becoming older and will require housing to meet their changing housing needs (downsizing, mobility limitations, financial constraints, etc.).

Household Income Groups

The table below compares the share of households by income for renter and owner households for Yellow Springs and the surrounding areas, and concludes with recommended housing goals by various income ranges and corresponding levels of affordability (rents and home prices).

Rental Household by Income by Geography – Share of Renter Households					
Household Income Range	< \$25K	\$25K-\$34K	\$35K-\$49K	\$50K-\$74K	\$75K+
Yellow Springs	41.7%	16.0%	8.4%	20.6%	13.4%
Secondary Study Area (Surrounding Area, Excludes YS)	43.6%	12.9%	15.2%	14.7%	13.6%
Dayton MSA	42.2%	14.8%	15.4%	14.4%	13.3%
State of Ohio	42.6%	14.3%	15.3%	15.2%	12.7%
Yellow Springs Goal – 5-Year	41%-42%	14%-15%	11%-12%	17%-18%	12%-13%
Total Potential PSA (Yellow Springs) Support for New Units	111	83	11	58	39
Yellow Springs 5-Year Goal New Rental Units	~100	~70	~40	~50	~40

2017-2022 For-Sale Housing Demand by Income Level & Price Point Yellow Springs Primary Study Area			
Household Income Range	\$30K-\$49K	\$50K-\$74K	\$75K+
Housing Price Affordability	\$100,000-\$149,999	\$150,000-\$224,999	\$225,000+
Yellow Springs	13.0%	21.4%	57.1%
Secondary Study Area (Surrounding Area, Excludes YS)	18.3%	20.6%	43.3%
Dayton MSA	17.7%	20.8%	44.6%
State of Ohio	17.5%	20.3%	45.4%
Yellow Springs Goal – 5-Year	14%-15%	20%-21%	53%-54%
Total Potential PSA (Yellow Springs) Support for New Units	40	22	128
Yellow Springs 5-Year Goal New For-Sale Units	~50	~40	~110

NOTE: Demand for for-sale housing priced below \$100,000 is not shown

Comment: YS distribution of renter households by income is generally comparable to the surrounding area and region. The biggest challenge facing YS in terms of households by income level is the fact that low-income renter households have limited housing options available to them. All subsidized rental units in YS are occupied, as are all Low-Income Housing Tax Credit units in the region (there are no LIHTC units in YS). There is pent-up demand for such units, as evidenced by the long wait lists at most properties. YS would benefit from the introduction of additional subsidized and/or LIHTC units that could serve many of the lower-income households in the area, particularly those in the Service industries.

3. Strategies to Meet Housing Needs:

- ***Identify and Outreach to Development Community*** – Research and identify potential residential developers active in the region. Put list of potential developers together that can serve as baseline for developers that the Village may want to begin dialogues with and/or developers that may ultimately receive RFPs from the Village. Determine what these developers bring to the table (abilities, experience, interests, and resources) and what help they may seek from the Village.
- ***Identify Housing Professionals with Experience in Housing Funding Resources*** – Research and identify housing professionals in the region and Ohio that are knowledgeable and experienced in financial resources that support residential development, both from the developer's side and government's perspective. This may include grant writers, housing consultants, state and federal agency representatives, and private sector financial experts (investors, syndicators, and lenders). Begin outreach to such individuals and organizations to educate Village on potential funding sources.
- ***Seek Outside Expert Input on Glass Farm Design & Plan*** - Consider retaining a planning firm to help establish framework for residential potential for glass farm site. Input from area developers should also be solicited to identify development challenges or concerns. Given the relatively large size of the site and broad housing needs of the community, YS should strive for mixed-income and multigenerational product at this site.
- ***Consider Initial Incentives to Encourage Developers into the Market*** – As new large-scale residential development has been limited for many years in YS, developers may be hesitant to come into YS. In the short-term, the village may want to incentivize developers through tax abatements, ground leases, waived or discounted development fees, etc., at least until some synergy is underway. Consider the use of development incentive tools such as density bonuses, inclusionary zoning and others to guide development towards community goals.
- ***Leverage the Downtown as an Asset*** - Downtown is one of the biggest assets of YS and should be leveraged to encourage new residential development that is within walking distance of the downtown. Ideally, housing that appeals to millennials should be supported and encouraged, though a multi-generational housing project could be supported.
- ***Support broad housing continuum*** – It will be important that housing goals, policies and incentives are established that both serve to support current residents and their housing needs (current and changing) and future residents, particularly those that are specifically targeted. Any approach needs to address the broad spectrum of housing so that housing choices remain available to current residents seeking to make changes (due to marriage, having children, divorce, increase/decrease in income, becoming empty nesters, retirees, physical/mobility needs, etc.) and to attract a diverse mix of non-residents to the community.



PLANNING COMMISSION

MEETING DATE: Monday, September 10, 2018

STAFF REPORT: Denise Swinger, Zoning Administrator

HEARING NOTICE: *The Village of Yellow Springs is applying for amendments to the planning code for minor subdivisions, replats and subdivision fees, and to the zoning code for minimum lot frontage requirements, tiny homes on wheels, and the addition of driveway standards.*

Amend Chapter 1226.11 Minor Subdivisions to add formal action by the Planning Commission in certain circumstances as determined by the zoning administrator.

1226.11 MINOR SUBDIVISIONS.

(a) Approval of a minor subdivision by the Zoning Administrator, without formal action by the Planning Commission ~~and Council~~, shall be granted if a record plan meets all of the following conditions:

(1) The proposed subdivision is located along an existing public road and involves no opening, widening or extension of any street or road or public utilities.

(2) The proposed subdivision is not contrary to applicable subdivision or zoning regulations.

(3) No more than five lots will be created following division of the original parcel.

(4) A tract of land proposed for minor subdivision has not been involved previously in minor subdivision approval during the last two years and appears unlikely to be further subdivided subsequently.

(5) The Village is provided sufficient guarantee of necessary easements and the property owner has specifically dedicated the same.

(6) The recording instrument has a notation stating that each buildable lot will be provided with separate and adequate water and sewerage connection laterals.

(7) An appropriate recording instrument has been prepared by a registered surveyor showing the minor subdivision, a vicinity sketch of the location of the subdivision, bearings and distances along each lot line and a certification that proper iron pins have been driven at each lot corner to delineate property boundaries.

(8) A copy of the recording instrument has been submitted to the Planning Commission by the Zoning Administrator at least ~~ten~~ 20 days prior to a regularly scheduled Planning Commission meeting, and, if the Planning Commission takes no action at that meeting, the minor subdivision is deemed approved.

(b) Approval of a minor subdivision by the Zoning Administrator, with formal action by the Planning Commission shall be required in the following circumstances, along with additional conditions:

(1) The proposed subdivision is located along a private street or access easement. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1260.02 (e) and 1260.03 (a) of the Yellow Springs Zoning Code.

(2) The proposed subdivision creates an uncommon lot configuration. Uncommon lot configurations may be incorporated into a minor subdivision if such division poses no apparent nuisance and the Planning Commission deems it appropriate. Approval may be granted upon review of additional criteria specified in 1226.06 (a) (5).

(3) Approval of the minor subdivision shall be made to the Planning Commission in writing, on a form for that purpose, and shall be filed with the Zoning Administrator at least 20 days before the next regularly scheduled meeting at which it is to be heard. The application must be accompanied by a fee, as established by the Village Council, and such other material the Planning Commission determines is necessary.

(4) Public Notice. When an application has been filed in proper form with the required data, the Zoning Administrator shall cause notice of the time, place and purpose of the hearing to be given, in writing by first class mail, to the applicant(s), to owners of property contiguous to and directly across the street from the property that is the subject of the minor subdivision application. The notice shall be given at least seven days in advance of the hearing, noting the request and the property location. The name and address of any property owner on the most recent property record of the Greene County Auditor shall be the address used for public notification. If the address is unclear or uncertain, the property owner may be notified by legal notice published one time at least seven days in advance of any hearing, listing the address of the property to receive notification.

(b c) If approval is given under terms of the above provisions, the Zoning Administrator shall, within 14 working days after submission, approve such proposed division of land and, upon presentation of a conveyance for said parcel and a properly prepared survey sheet of the property, shall sign the conveyance.

(Ord. 91-12. Passed 12-2-91; Ord. 92-16. Passed 11-2-92; Ord. 2001-20. Passed 11-19-01; Ord. 2003-4. Passed 4-21-03; Ord. 2004-2. Passed 1-20-04.)



Application for Minor Subdivision

Permit #: _____

Applicant(s): _____

Applicant's mailing address: _____

Phone: _____

Property Address: _____

Greene County Parcel ID: _____

Zoning District: _____ Total number of lots after Subdivision: _____

Approval of a minor subdivision by the Zoning Administrator, without formal action by the Planning Commission ~~and Council~~, shall be granted if a record plan meets all of the ~~following~~ conditions in Chapter 1226.11 Minor Subdivisions (a) (1) through (8).

Approval of a minor subdivision by the Zoning Administrator, with formal action by the Planning Commission ~~and Council~~, shall be granted if a record plan meets the conditions in Chapter 1226.11 (a) (2) through (8), and additional conditions in Chapter 1226.11 Minor Subdivisions (b) (1) through (4).

If approval is given under terms of the above provisions, the Zoning Administrator shall, within fourteen working days after submission, approve such proposed division of land and, upon presentation of a conveyance for said parcel and a properly prepared survey sheet of the property, shall sign the conveyance.

Applicant's Signature: _____ Date: _____

The applicant hereby certifies that all information on and attached to this application is true and correct.

.....
For Village use only:

Date filed: _____

☐ \$_____ (Fee Paid at \$50.00 per lot if, under Ch. 1226.11 (a), no action is required by the Planning Commission).

☐ \$_____ (Fee Paid at \$50.00 per lot, plus \$100 if, under Ch. 1226.11 (b) action is required by the Planning Commission).

Forwarded to Planning Commission 10 Days Prior to their _____ (date) Meeting.

Planning Commission Action:

☐ no action

☐ approval

☐ denial

☐ modification

Approved/Denied: _____

Zoning Official Name, Title and Date



PLANNING COMMISSION

MEETING DATE: Monday, September 10, 2018

STAFF REPORT: Denise Swinger, Zoning Administrator

HEARING NOTICE: *The Village of Yellow Springs is applying for amendments to the planning code for minor subdivisions, replats and subdivision fees, and to the zoning code for minimum lot frontage requirements, tiny homes on wheels, and the addition of driveway standards.*

Amend Chapter 1226.12 Replats to add formal action by the Planning Commission in certain circumstances as determined by the zoning administrator.

1226.12 REPLATS.

(a) Approval of a replat by the Zoning Administrator, without formal action by the Planning Commission and Council, may be granted if a submitted record plan meets all of the following conditions:

(a 1) The proposed replat is not contrary to applicable subdivision and zoning regulations, including, but not limited to, the runoff control/sediment abatement regulations.

(b 2) The same number of lots as in the original plat, or less, are created.

~~—(c) Upon approval, the replat shall be submitted by the applicant to the Greene County Recorder for incorporation into the Official Tax Map records within 90 days.~~

~~—(d) The applicant will be held responsible for any negative impact on surrounding lots which becomes apparent within one year from the date of recordation of the plat.~~

(b) Approval of a replat by the Zoning Administrator with formal action by the Planning Commission shall be required in the following circumstances, along with additional conditions:

- (1) The proposed replat is located along a private street or access easement. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1260.02 (e) and 1260.03 (a) of the Yellow Springs Zoning Code.
- (2) The proposed replat has a minimum frontage of twenty (20) feet available to access an existing land-locked lot. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1226.06 (a) (5).

- (3) The proposed replat creates an uncommon lot configuration. Uncommon lot configurations may be incorporated into a replat if it poses no apparent nuisance and the Planning Commission deems it appropriate. Approval by the Planning Commission may be granted upon review of additional criteria specified in 1226.06 (a) (5).
- (4) Approval of the replat shall be made to the Planning Commission in writing, on a form for that purpose, and shall be filed with the Zoning Administrator at least 20 days before the next regularly scheduled meeting at which it is to be heard. The application must be accompanied by a fee, as established by the Village Council, and such other material the Planning Commission determines is necessary.
- (5) Public Notice. When an application has been filed in proper form with the required data, the Zoning Administrator shall cause notice of the time, place and purpose of the hearing to be given, in writing by first class mail, to the applicant(s), to owners of property contiguous to and directly across the street from the property that is the subject of the replat application. The notice shall be given at least seven days in advance of the hearing, noting the request and the property location. The name and address of any property owner on the most recent property record of the Greene County Auditor shall be the address used for public notification. If the address is unclear or uncertain, the property owner may be notified by legal notice published one time at least seven days in advance of any hearing, listing the address of the property to receive notification.

(c) Upon approval, the replat shall be submitted by the applicant to the Greene County Recorder for incorporation into the Official Tax Map records within 90 days.

(d) The applicant will be held responsible for any negative impact on surrounding lots which becomes apparent within one year from the date of recordation of the plat.

(Ord. 91-12. Passed 12-2-91; Ord. 2004-2. Passed 1-20-04.)



Application for Re-plat

Permit # _____

"Re-plat" means the recombining of land parcels or lots that result in the same or fewer number of total parcels or lots that conform to current minimum size requirements.

Applicant(s) Name: _____

Applicant's mailing address: _____

Phone: _____

Zoning District: _____

Property address and/or Parcel ID #s: _____

Approval of a re-plat by the Zoning Administrator, without formal action by the Commission ~~and Council~~, may be granted if a submitted record plan meets all of the conditions in Chapter 1226.12 (a) (1)-(2).

Approval of a re-plat by the Zoning Administrator, with formal action by the Commission ~~and Council~~, may be granted if a submitted record plan meets all of the conditions in Chapter 1226.12 (a) (1)-(2), and additional conditions in Chapter 1226.12 (b).

Upon approval, the re-plat shall be submitted by the applicant to the Greene County Recorder for incorporation into the Official Tax Map records within ninety days.

The applicant will be held responsible for any negative impact on surrounding lots which become apparent within one year from the date of recordation of the plat.

Applicant's Signature: _____ Date: _____

The applicant hereby certifies that all information on and attached to this application is true and correct.

.....
For Village use only:

Date filed: _____

☐ \$ _____ (Fee Paid at \$25.00 if, under Ch. 1226.12 (a) (1)-(2), no action is required by the Planning Commission).

☐ \$ _____ (Fee Paid at \$25.00, plus \$100 if, under Ch. 1226.12 (b) action is required by the Planning Commission).

Forwarded to Planning Commission 10 Days Prior to their _____(date) Meeting.

Planning Commission Action:

☐ no action

☐ approval

☐ denial

☐ modification

Approved/Denied: _____

Zoning Official Name, Title and Date



PLANNING COMMISSION

MEETING DATE: Monday, September 10, 2018

STAFF REPORT: Denise Swinger, Zoning Administrator

HEARING NOTICE: *The Village of Yellow Springs is applying for amendments to the planning code for minor subdivisions, replats and subdivision fees, and to the zoning code for minimum lot frontage requirements, tiny homes on wheels, and the addition of driveway standards.*

Amend Chapter 1226.13 Subdivision Fees to add fees for minor subdivisions and replats when Planning Commission approval is required.

1226.13 SUBDIVISION FEES.

(a) Preliminary Plats. Concurrently, upon submission of any preliminary plat for Village review, the developer or his or her agent shall make payment for review services in the amount of two hundred dollars (\$200.00). Such fee is nonrefundable and is applicable to each preliminary plat upon which specific action to approve or disapprove is taken by the Planning Commission. Resubmission of a previously disapproved preliminary plat shall require another payment of the fee provided for herein.

(b) Final Plats.

(1) Concurrently, upon submission of any final plat for Village review, the developer or his or her agent shall make payment for review services in the amount of one hundred dollars (\$100.00) and, in addition, shall pay for review services of twenty dollars (\$20.00) for each developable lot.

Such fees are nonrefundable and are applicable to each final plat upon which specific action to approve or disapprove is taken by the Planning Commission. Resubmission of a previously disapproved final plat shall require another payment of the fees provided for herein.

(2) Before final approval signatures are placed upon a final record plat, the developer or his or her agent shall deposit with the Village an amount of money to be used to defray the cost of inspection, review and legal services borne by the Village and directly attributable to the development. This sum shall normally be equal to four percent of the approved estimate of construction costs for bonding purposes. Upon acceptance of public improvements by the Village, this four percent fund shall be adjusted in accordance with actual expenditures for review and inspection services. If the money deposited exceeds the cost incurred by the Village, the balance shall be returned to the developer; alternatively, if costs incurred by the Village exceed the four percent deposit, additional money shall be paid by the developer before improvements are accepted.

(c) Minor Subdivisions. Before approval of any minor subdivision, the developer or his or her agent shall make payment for review services in the amount of fifty dollars (\$50.00) for each new lot created (the residual of the original parcel shall be excluded). If the minor subdivision requires Planning Commission approval, a payment in the amount of one hundred dollars (\$100.00) shall additionally be required.

(d) Replats. Before approval of any replat, the developer or his or her agent shall make payment for review services in the amount of ~~ten~~ twenty five dollars (~~\$40~~ \$25.00). If the replat requires Planning Commission approval, a payment in the amount of one hundred dollars (\$100.00) shall additionally be required.

(Ord. 91-12. Passed 12-2-91.)



PLANNING COMMISSION

MEETING DATE: Monday, September 10, 2018

STAFF REPORT: Denise Swinger, Zoning Administrator

HEARING NOTICE: *The Village of Yellow Springs is applying for amendments to the planning code for minor subdivisions, replats and subdivision fees, and to the zoning code for minimum lot frontage requirements, tiny homes on wheels, and the addition of driveway standards.*

Amend Chapter 1260.02 (e) Minimum Lot Frontage - to clarify the zoning code regarding minimum lot frontage requirements.

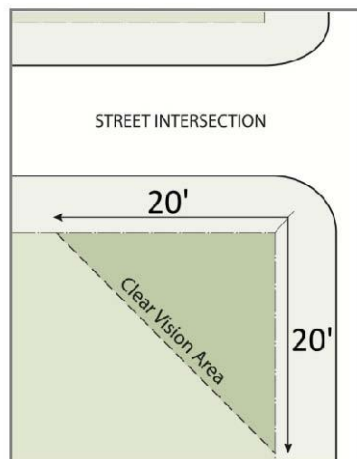
1260.02 DIMENSIONAL PROVISIONS

(a) Average Front Setback. The minimum front setback requirements for a principal building in any Residential District may be reduced in accordance with the following:

(1) Where two or more lots entirely or partially within 200 feet of a subject lot, on the same side of the street and the same block, are occupied by principal buildings whose existing front setback is less than required by the zoning district, the average of the established setbacks for those buildings shall be the minimum required front setback for the subject lot.

(2) In no case, however, shall the front yard setback for a garage, whether attached or detached, be less than 20 feet in order to provide adequate vehicle parking space in front of the garage without blocking a sidewalk or otherwise impeding pedestrian movement.

(b) Clear Vision Corner. Fences, walls, structures, shrubbery or other potential obstructions to vision, except utility poles, lights and street signs, shall not be permitted to exceed a height of three feet within a triangular area formed by the intersection of the street right-of-way lines and a line connecting two points located on those intersecting right-of-way lines 20 feet from the point of intersection with the right-of-way lines.



(c) Cul-de-sac Lots. In the case of lots abutting the turn-around radius of a cul-de-sac street, the minimum required lot width shall be measured at the required front setback line, provided all such cul-de-sac lots shall have a minimum width of 40 feet at the front lot line.

(d) Height Exceptions. Height limits specified elsewhere in this zoning code shall not apply to:

(1) Churches, schools, hospitals and public buildings including, but not limited to: libraries, museums, art galleries, fire stations or public buildings of a cultural, recreational or administrative nature.

(2) Barns, silos or other buildings or structures on farms; church spires, belfries, cupolas and domes; monuments; transmission towers; windmills; chimneys; smokestacks; flagpoles; and radio towers, masts and aerials. These structures shall be limited to 100 feet in height in any case, unless otherwise permitted in this code.

(3) Structures needed as part of an industrial facility where the manufacturing process requires a greater height; provided, however, that all such structures shall be limited to 25% of the area of the lot and shall meet all yard setback requirements for a principal building, but in no case less than 25 feet.

(e) Minimum Lot Frontage. Any lot created after the effective date of this code shall have frontage on an improved public street or approved private street or access easement, equal to the minimum required lot width in the zoning district in which it is located. If an access easement is required to reach the lot, the minimum required lot frontage may run along the inside property line of the lot being accessed. If the lot is located on a private street or access easement, specific requirements for ingress/egress will apply (1260.03). Approval for private street or access easements must be granted by the Planning Commission.

(f) Required Yards or Lots. No lot or lots in common ownership and no yard, court, parking area or other space shall be so divided, altered or reduced as to make the area or space less than the minimum size required by this code. If already less than the minimum size required, the area or space shall not be further divided or reduced.

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



PLANNING COMMISSION

MEETING DATE: Monday, September 10, 2018

STAFF REPORT: Denise Swinger, Zoning Administrator

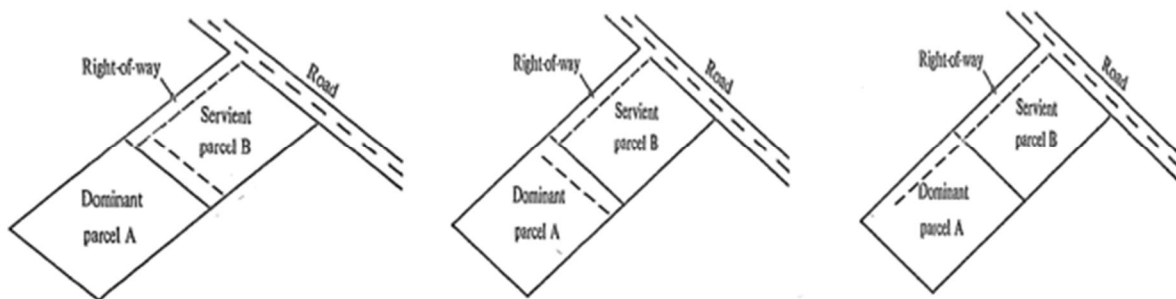
HEARING NOTICE: *The Village of Yellow Springs is applying for amendments to the planning code for minor subdivisions, replats and subdivision fees, and to the zoning code for minimum lot frontage requirements, tiny homes on wheels, and the addition of driveway standards.*

Amend Chapter 1260.03 (a) Parking and Storage ó adding driveway standards to the zoning code.

Amend Chapter 1260.03 (b) Parking and Storage ó making it unlawful to park a mobile home or recreational vehicle on any public street, alley or public place in the Village, except for the expeditious loading and unloading of the vehicle.

1260.03 DRIVEWAY STANDARDS, ACCESS EASEMENTS, PARKING AND STORAGE.

(a) On a legally zoned lot, there shall be no more than one driveway, unless the lot is part of a Planned Unit (PUD) or Pocket Neighborhood Development (PND). If the frontage of the lot will be located along an access easement, the access easement shall be recorded on the deed of all properties which are subject to the easement and shall clearly specify the party or parties that shall be responsible for the maintenance of the easement area. An additional curb cut for a second driveway shall only be permitted if the lot frontage exceeds by 15 feet the minimum lot frontage requirement of the respective zoning district. The access easement shall provide lot frontage at least equal to the minimum required lot frontage of that zoning district (see diagram).



The Village of Yellow Springs shall have no responsibility for maintenance of the private drive and/or turn-around.

- (1) All driveways shall be constructed and subsequently maintained to meet the following standards:

- A. A driveway must commence at a dedicated road
 - B. Shall be a minimum width of 15 feet constructed with a base substantial enough to support vehicles to 40,000 lbs. gross vehicle weight (GVW)
 - C. Curb cuts and driveway aprons must be made of concrete per Village of Yellow Springs Public Works Department standards.
 - D. Residential access driveways shall be at least three feet from side property lines and construction shall ensure that drainage is sloped away from adjacent properties
 - E. Utility easements for storm, sewer, water, electric and gas are to be maintained along the back and side yard property lines as it was in the original subdivision.
 - F. Free from overhead obstructions to a height of 13 feet 6 inches and side-to-side obstructions to a width of eight (8) feet from the center line of the driveway
 - G. Any incline, decline, dip, hump and/or curve must take into consideration the turning radius, ground clearance, and traveling envelope of all vehicles to include emergency vehicles
 - H. Addresses for properties on private drives or road access easements must be clearly marked and visible from the public street
- (2) Any driveway in excess of 1,000 feet in length shall, in addition to the conditions/standards outlined in section 1, be required to also meet the following conditions:
- A. Have a vehicle pull-off near the mid-point, and additional pull-offs for every 500 feet thereafter
 - B. Have a turnaround at the end suitable for use by emergency vehicles
- (3) Driveway connections crossing drainage swales must conform to Greene County specifications complete with concrete headwalls as called for by Sections 816 and 817 of the Greene County Subdivision Regulations, as amended. Should the driveway require a culvert, pipe or bridge, no zoning permit will be issued until a recommendation is received from the Village of Yellow Springs Public Works Department. It is recommended that a pre-manufactured culvert, pipe or bridge be used. If a custom design is used, then it must be designed by a professional engineer and approved by the Village of Yellow Springs Public Works Department before construction.

(ab) Outdoor Storage. Outdoor storage of merchandise, equipment, supplies, products or other materials shall only be permitted in those districts and under the conditions specifically

authorized by this code. Storage of household items in Residential Districts is permitted in the rear yard only and if not in violation of other laws (nuisance, litter and trash).

(bc) Recreational Vehicle Parking. It shall be unlawful for any person to park or cause to be parked any mobile home or recreational vehicle on any street, alley, highway, or other public place in the Village, ~~and to use the same as a dwelling.~~ except for the expeditious loading and unloading of the vehicle. This provision shall not prohibit the temporary occupancy for periods up to 72 hours of a recreational vehicle; provided the recreational vehicle contains sleeping accommodations, is parked on a lot in a Residential District, and is for the use of the owner of that lot or guests of the owner.

(ed) Storage and Repair of Vehicles.

(1) The repair, restoration and maintenance of vehicles in any Residential District shall be conducted entirely within an enclosed building, except for those activities that can be and are completed in less than seven days. All such repair shall take place on private property and may not be conducted within the public right-of-way.

(2) It shall be unlawful for the owner, tenant or lessee of any building or lands within the Village to permit the open storage or parking of any inoperable motor vehicle, machinery or equipment, or parts thereof, outside of an enclosed garage or enclosed building, for a period of more than 48 hours. An inoperable motor vehicle for purposes of this subsection shall include motor vehicles which, by reason of dismantling, disrepair or other cause, are incapable of being propelled under their own power, or are unsafe for operation on the streets and highways of this state because of the inability to comply with the State Motor Vehicles and Traffic Code, or do not have a current license and registration, as required for operation by the State Motor Vehicles and Traffic Code.

(3) It shall be unlawful for the owner, tenant or lessee of any lot or building in a Residential District to permit the open storage or parking outside of a building of semi-truck tractors and/or semi-truck trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery, unless parked for purposes of construction being conducted on that lot.

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



PLANNING COMMISSION

MEETING DATE: Monday, September 10, 2018

STAFF REPORT: Denise Swinger, Zoning Administrator

HEARING NOTICE: *The Village of Yellow Springs is applying for amendments to the planning code for minor subdivisions, replats and subdivision fees, and to the zoning code for minimum lot frontage requirements, tiny homes on wheels, and the addition of driveway standards.*

Amend Chapter 1260.04 (a) (13) Uses ó striking driveway setback language from this section of the zoning code.

Amend Chapter 1260.04 (h) Uses ó adding clarifying language regarding tiny homes on wheels.

1260.04 USES.

(a) Accessory Buildings and Structures.

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

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

(3) Accessory buildings and structures may be erected in a rear yard if set back at least ten feet from the rear and five feet from the side property lines.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Illegal Dwellings. The use of any basement for dwelling purposes is prohibited in any zoning district, unless the basement meets the appropriate Village building codes. Buildings

erected as garages or accessory buildings shall not be occupied for dwelling purposes, except in conformance with the requirements of Section [1262.08\(e\)\(1\)](#) for accessory dwellings.

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

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

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

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

(h) Tiny Home. A structure built on a permanent chassis with or without wheels which must receive a certificate of occupancy from Greene County Building Regulations in order to be used as a dwelling unit or accessory dwelling unit on a single-family zoned lot. Greene County Building Regulations will only issue a certificate of occupancy with proof of the following:

- 1) Built as a manufactured home, proof of certification with a HUD seal is required.
- 2) Built as an industrialized unit, proof of the industrialized home compliance certificate is required.
- 3) Built in another state, proof of their former certificate of occupancy is required.
- 4) Built/constructed in another manner, proof of certification by a registered Ohio design professional.

(Ord. 2013-19. Passed 9-16-13; Ord. 2016-03. Passed 4-18-16; Ord. 2017-23. Passed 9-18-17.)