

OXFORD LAND DEVELOPMENT CODE GUIDE
Changes in Public Hearing Draft Noted

Article 1 Purpose and Scope

This is not too different from the current code, but some antiquated language has been removed. It includes the Guiding Principles, Objectives. Equivalent elements in Article 1 of current code.

- 1.1. Title**
- 1.2. Authority**
- 1.3. Jurisdiction**
- 1.4. Application of Regulations**
- 1.5. Guiding Principles**
- 1.6. Objectives**
- 1.7. Relationship to Other Ordinances**
- 1.8. Severability Clause**
- 1.9. Omissions**
- 1.10. Effective Date**

Article 2 Zoning Districts

The “guts” of the regulations are in Articles 2-7, with the most substance in Articles 3, 4, and 5. Article 2 establishes the Zoning Districts and their basic standards. Most of this information is in Article 2 of the current code.

The first page of the Article establishes the parameters for the zoning districts.

- 2.1. Establishment of Zoning Districts**
- 2.2. Types of Zoning Districts**
- 2.3. Zoning District Boundaries**
- 2.4. City of Oxford Zoning Map**
- 2.5. Annexation**

2.6. Zoning Districts Described

Table 2.1. *The table outlines the districts and their closest equivalent in the current code. The biggest change is that the districts are differentiated more by their intensity than by their use type.*

Zoning Districts. *Each district has a page (or more) where the characteristics of the district is described and all the basic standards are grouped. This is similar to the existing zoning code (pages 29-82). A big difference is that the uses allowed are grouped in Article 3 in a Table of Uses, not listed individually in the district descriptions.*

2.6.1. (AG) Agricultural District. *Very similar to the existing Agricultural District. Limited uses, very low density, supports agriculture and forestry. Has primarily been used as underlying zoning for PUDS. Not recommended in new map, will be applicable with annexation.*

2.6.2. (RCN) Rural Neighborhood Center. *A new district, a type of mixed-use crossroads center, that will be more applicable for rural areas to be annexed. No districts proposed in new map.*

2.6.3. (ER) Estate Residential. *The district combines the existing Country Estate (rarely used) Residential Estate. There did not seem to be a reason to retain two versions devoted to large lot development. Mapped for existing large lot subdivisions, and proposed for some medium size lot subdivisions fearful of potential for changes.*

CHANGES IN PUBLIC HEARING DRAFT: A Traditional Estate Residential overlay has been added with restrictions that limit uses not currently allow in Residential Estate.

2.6.4. (SR) Suburban Residential. *This district combines the RA and R1A which seem to have only one small difference - a minimum lot size of 9,500 sf vs. 7,500 sf. There did not seem to be the need for two districts that have such similar characteristics. The district is mapped for medium size lot subdivisions, and proposed for some smaller size lot subdivisions fearful of potential for changes to their neighborhoods. Staff proposes it as a means to resolve the concerns.*

CHANGES IN PUBLIC HEARING DRAFT: A Traditional Suburban Residential overlay has been added with restrictions that limit uses not currently allowed in RA and R1A, and requirement minimum lot size of 7,500sf.

2.6.5. (NR) Neighborhood Residential District. *The district, previously named Traditional Neighborhood Residential, is an evolved version of the current RB district. The only substantial difference is that it allows, under limiting criteria, 2-4-unit structures; no larger than a two story single family detached home. (The standards for this use type are in Sec. 3) That type of dwelling would require a larger lot than a detached home. The lot sizes are adjusted to reflect average lot sizes in older neighborhoods that are the basis of this district. The district is mapped for smaller lot subdivision, primarily those currently in RB.*

CHANGES IN PUBLIC HEARING DRAFT:

- 1. Dimensional Standards: Graduated lot sizes for attached structures, minimum land allocation standards, modified impervious coverage, modified lot width, modified side and rear yard setbacks.*
- 2. The name Traditional Neighborhood Residential has been given to an overlay with restrictions that do not allow uses not currently allowed in RB; and further restrict some uses that are currently allowed in RB. The restrictions include: No Triplex or Quadplex development, no Zero Lot Line, no Townhomes, standard lot size of 7,500sf, special exception required when duplexes have more than 25% 3 bedrooms or any 4 bedrooms, and must have at least 50% detached units (25% if more than 4 units proposed).*

2.6.6. (SMF) Suburban Multi-Family District. *This is the new name for the RC district. It is essentially the same intent. It should be noted that this district will rarely be recommended in the future as the intent of the Vision Plan is to move toward neighborhood settings where mixed use centers (that may include some multi-family) are bordered by smaller lot residential and attached dwellings, and those bordered by the single family detached areas. Large freestanding multi-family complexes in suburban settings are to be discouraged. It is mapped only for existing RC properties.*

CHANGES IN PUBLIC HEARING DRAFT: Density set by bedrooms per acre rather than units.

2.6.7. (TNB) Traditional Neighborhood Business. *This district combines the Neighborhood Business and Professional Neighborhood Business districts of the current code. The new code has extended protections (buffers, limiting special exception requirements, increased landscaping, increasing lighting control, etc.) when uses adjoin residential areas where there may be concerns. A central precept of the new regulations is that most concerns relate to intensity of uses rather than the types of uses. Another way this zone limits intensity of uses is that while 2-3 story buildings are allowed by right, a one story building will require a special exception. This provision discourages the type of franchise businesses that do not create a neighborhood setting. It is mapped in areas where commercial potential is desired, but at a lower intensity of use.*

CHANGES IN PUBLIC HEARING DRAFT:

- 1. A Legacy Traditional Neighborhood Business overlay has been added with restrictions that do not allow Taverns, Liquor stores, Vehicle Repair businesses, and Restaurants with drive-through facilities. Further, Service Stations cannot be proposed in locations that adjoin ER.*
- 2. Changes to Dimensional Standards: Density is changed to bedrooms per acre, side and rear yard setbacks are corrected, limits on 4 bedroom and 1 bedroom units in multi-family development are added, and an additional story may be requested by special exception.*

2.6.8. (SCO) Suburban Corridor. *This is one of the new district types, most closely resembling a more regulated General Business or Shopping Center district, but allowing upper floor residential uses by right in order to encourage the creation of mixed-use centers. It is a broadly mapped commercial district, reflecting locations that currently have GB or SC zoning. Also, to discourage use of this district for multi-family development, a special exception is required for residential uses on the first floor of multi-story structures.*

CHANGES IN PUBLIC HEARING DRAFT: Density set by bedrooms per acre rather than units, may request an additional story of height by special exception; side and rear yard setback adjusted, limits on number of 4 bedroom and 1 bedroom units in multi-family development.

2.6.9. (SCN) Suburban Center. *This is one of the new district types, most closely resembling a better regulated General Business or Shopping Center district, but allowing upper floor residential uses by right in order to encourage the creation of mixed-use centers. It is mapped in few places than the Suburban Corridor and allows the potential for slightly more height than the Suburban Corridor.*

CHANGES IN PUBLIC HEARING DRAFT: Density set by bedrooms per acre rather than units, may request an additional story of height by special exception; side and rear yard setback adjusted, limits on number of 4 bedroom and 1 bedroom units in multi-family development.

2.6.10. (UCO) Urban Corridor. *This is one of the new district types, most closely resembling the General Business or Shopping Center district, but allowing upper floor residential uses by right in order to encourage the creation of mixed-use centers. It encourages height, not broad, spread out, one story big box centers. The urban districts are the most intense and so are only mapped in a few places.*

CHANGES IN PUBLIC HEARING DRAFT: Density set by bedrooms per acre rather than units, may request an additional story of height by special exception; side and rear yard setback adjusted, limits on number of 4 bedroom and 1 bedroom units in multi-family development.

2.6.11. (UCN) Urban Center. *This is one of the new district types, most closely resembling the General Business, Shopping Center district, or the Planned Employment Center district. But it encourages height, not broad, spread out, one story big box centers. It allows upper floor residential uses by right in order to encourage the creation of mixed-use centers. It allows the potential for slightly more height than the Urban Corridor. The is the most rarely mapped district, only proposed at three locations.*

CHANGES IN PUBLIC HEARING DRAFT: Density set by bedrooms per acre rather than units, may request an additional story of height by special exception; side and rear yard setback adjusted, limits on number of 4 bedroom and 1 bedroom units in multi-family development.

2.6.12. (HUCN) Historic Urban Center. *This district replaces the current Downtown Business (DB) district. It remains essentially the same, with some modifications suggested below. It is mapped using the current DB boundaries.*

CHANGES IN PUBLIC HEARING DRAFT: Limit of two stories for structures facing Lafayette County Courthouse added.

2.6.13. (TND) Traditional Neighborhood Development. *The TND was adopted into the current zoning code in January.*

CHANGES IN PUBLIC HEARING DRAFT: A few modifications to the zone are being proposed; allowing accessory dwelling units by special exception, allows first floor residential by special exception, requires partial compliance with Tree Mitigation, and sets minimum standard for nonresidential parking.

2.6.14. (IND) Industrial. *This is essentially the same as the current Industrial District.*

2.6.15. (INST) Institutional. *This is a new district for publicly owned properties (City, County, State, Federal, University)*

2.6.16. (PUD) Planned Unit Development. *While this district shares a name with the current PUD development option, it is better organized and is a full zoning district option, not a hybrid between a special exception and a zoning district. There are more requirements for the zone, and a range of PUD types with differing standards (page 32). These include: Community, Medical, Educational, Institutional, and Employment oriented PUDs. The requirements for the current Medical District and Planned Employment Center Overlay District have been sublimated into this district type.*

2.6.17. (HPO) Historic Preservation Overlay. *This essentially replicates the existing historic preservation overlay districts.*

2.6.18. (NCO) Neighborhood Conservation Overlay. *This replicates the existing district; with the design standards placed in Article 5, and the administrative language placed in Article 9.*

2.6.19. (FLO) Flood Overlay. *This is a new district that reflects any land in the city that is within the 100 year flood plain.*

2.6.20. (SED) Sex Entertainment Overlay. *This replicates the existing district; with the Administrative language placed in Article 9, and the required explicit standards placed in the Appendix.*

Article 3 Uses and Conditions for Approval

This chapter contains standards specific for various types of use: nonconforming, applicable in any district, and permitted in certain districts.

3.1. Nonconformities

The regulations for nonconforming uses and structures are in several places in the current code. They are now gathered here in one section. There are some grammatical changes, but the content has no substantial changes.

3.2. General District Regulations

General district regulations were scattered around the current code, and are now collected in one location. Some grammatical and technical language adjustments are proposed, and a couple of new uses are added. The only change of content worth noting limits the height of flagpoles. Content of flags cannot be governed, but the height of the pole can be limited. The intent is to limit the use of excessively large flags (used for advertising), that need excessively tall flagpoles.

3.3. Table of Uses

This is one of the more substantial changes in the format of the zoning code. Uses allowed in the various districts were listed only within those districts; and are now located in a “Table of Uses” that shows where all uses are allowed, or not, and with what level of review; for all districts, on pages 48 to 50.

Uses permitted by right (P - meeting basic standards), or as a special use (S – meeting basic plus additional standards) are approved by the Site Plan Committee or Planning Commission (depending on the size of the use). Special exception uses (SE) are approved by the Planning Commission.

PUBLIC HEARING DRAFT CHANGES: Footnotes to indicate restrictions for Traditional Estate Residential, Traditional Suburban Residential, and Traditional Neighborhood Residential; name changes to Neighborhood Residential and Conservation Development.

3.4. Use Standards

The specific standards for the different categories of uses: residential, institutional, recreational, commercial, service, industrial, and other; are given on pages 51 to 88. The definition, where permitted, and at what level of review, parking or loading requirement, and any additional standards are given for each use.

3.5. Residential Use Types

3.5.1. Dwellings, Detached. *No changes to these standards. They are a limited use in some districts.*

3.5.2. Dwellings, Zero Lot Line. *No substantive changes to these standards. The use is a variation of a cluster development that allows smaller lots but no added density, so common area creates buffers.*

CHANGES IN PUBLIC HEARING DRAFT: Additional buffering included.

3.5.3. Dwellings, Townhouse. *The use is essentially unchanged.*

CHANGES IN PUBLIC HEARING DRAFT: Additional buffering included and thresholds for higher review based on number of units with 4 bedrooms proposed.

3.5.4. Dwellings, Attached: Duplex, Triplex, or Quadplex. *This is a new use type, reflecting standard residential structures in older traditional neighborhoods. These are structures with attached dwellings, but the structure size does not exceed the size of single family detached dwellings. They are proposed only in TND or in districts where duplexes were considered appropriate. Staff believes, however, that properly designed, the Quadplex can look more like a single family detached dwelling than a one level duplex. It can look exactly like a two story home. The same structure could hold two, three, or four units depending on the interior layout. Staff has defined multi-family as being a structure with more than four attached units; and staff has required that no more than two units may be a ground level. The use also requires larger lots for the attached uses to accommodate required off-street parking.*

CHANGES IN PUBLIC HEARING DRAFT: Additional buffering included.

3.5.6. Dwellings, Accessory.

Modifications from the current requirements allows this use be allowed as a “Special” use, with staff approval if the primary dwelling is owner occupied, the accessory dwelling is used only for family members, family employees, or guests – certified in a restrictive covenant; and meets all ten standard requirements. Any other accessory dwelling, where the property owner is not willing to meet provide the restrictive covenant, would require special exception approval. We do not get many of these, and we have not had opposition to those that are proposed.

CHANGES IN PUBLIC HEARING DRAFT: Allowed as Special Use with substantial restrictions, proof of ownership and residence in primary dwelling required; posting required and special exception required if objections heard; size limit changed to 1,000sf; smaller lot allowed by special exception, restrictive covenant required.

3.5.7. Conservation Development. *While they have different processes, a cluster development and the existing conservation development option accomplish the same purpose and are only allowed by special exception. The intent of both is to support development that reduces grading, save trees, protects stream valleys, and establishes buffers between development; by allowing somewhat smaller lots in a subdivision; but no additional density. The option is proposed by special exception in ER and SR, as currently allowed.*

CHANGES IN PUBLIC HEARING DRAFT: Name changed from Cluster to Conservation, reflecting name of the use in current code.

3.5.8. Residential C.I.D. *The use type allows a common ownership type development (condominium type) in which portions of the land are owned in common, generally by a property owners association; but the structures (and sometimes the lots on which they sit) are be owned individually. No added density is allowed, but it supports developments with common open space or common amenities. The dwellings may be freestanding or attached; and the use is allowed as a Special use in most districts. This use type is an alternative to standard subdivision of homes on individual lots.*

3.5.9. Manufactured Home Developments *This is the equivalent of the mobile home park use in the current code. It is currently allowed in GB and AG; staff does not think the use is appropriate for SCN or SCO (the evolution of GB) and has proposed it for SMF and AG.*

3.6. Institutional Use Types

3.6.1. Assisted Living Facility. *This use was grouped under the term “Hospital, institutions for the children or the aged...” in the current code. Individual uses have been separated out as they need different types of standards.*

CHANGES IN PUBLIC HEARING DRAFT: Lot size and location restriction added.

3.6.2. Care Centers and Care Home. *This use was grouped under the term “Hospital, institutions for the children or the aged...” in the current code. Individual uses have been separated out as they need different*

types of standards. It is uses like day care – in a home or in a facility – for children, aged, and those with other limitation.

CHANGES IN PUBLIC HEARING DRAFT: Lot size and location restriction added.

3.6.3. Cemetery and Columbarium. *These uses are in the current code. Some modifications have been made and more standards added.*

3.6.4. Convalescent, Rest, and Nursing Homes. *This use was grouped under the term “Hospital, institutions for the children or the aged...” in the current code. Individual uses have been separated out as they need different types of standards.*

CHANGES IN PUBLIC HEARING DRAFT: Lot size and location restriction added.

3.6.5. Group Care Home or Facility. *This use was grouped under the term “Hospital, institutions for the children or the aged...” in the current code. Individual uses have been separated out as they need different types of standards.*

3.6.6. Life Care Community. *This use was grouped under the term “Hospital, institutions for the children or the aged...” in the current code. Individual uses have been separated out as they need different types of standards.*

CHANGES IN PUBLIC HEARING DRAFT: Lot size and location restriction added.

3.6.7. Municipal Public Buildings and Facilities. *This use is in the current code, but has been modified to pertain only to buildings and facilities owned and operated by the City of Oxford.*

3.6.8. Public Buildings and Facilities. *This use category is for such buildings and facilities owned and operated by government entities other than those of the City of Oxford.*

3.6.9. Religious Assembly Uses. *This is the new name for churches, intended to reflect including a wide range of religions. The standards have been modified somewhat to better address accessory uses common to these institutions.*

3.6.10. Schools. *In the current code only pre-schools and universities are identified as uses. This section outlines standards for those, and adds standards for elementary, middle, and secondary schools.*

3.7. Recreational Use Types

3.7.1. Firing Ranges. *This use is in the current code. The only change is to require them to be indoor only; and require a sound-proof facility.*

3.7.2. Open Space, Active. *In the new code active vs. passive open spaces are identified.*

3.7.3. Open Space, Passive. *In the new code active vs. passive open spaces are identified and passive open space is allowed in a wider variety of settings since it is less likely to cause noise issues.*

3.7.4. Recreational Club or Facility, Public or Private. *This term now incorporates a range of uses including country clubs, swimming or tennis clubs, or public recreational facilities.*

3.8. Commercial Use Types

3.8.1. Banks and Credit Unions. *This use is differentiated from other service commercial uses only in that it usually requires a walk-up or drive-through facility.*

3.8.2. Bed and Breakfast Facilities. *This use is in the current code. It is proposed that the use be allowed in more zoning districts than currently allowed. At the same time, staff believes that there is declining interest in this use type.*

3.8.3. Grocery Stores. *The most substantial change from the current code is that the thresholds that determine the level of review required are based on the size of the proposed store.*

3.8.4. Hotels, Motels, Inns. *This use is mainly as permitted in the current code, although the parking requirement is reduced from 1.1 per guest room to 1 per guest room. That is closer to what hotel owner say in the industry standard.*

CHANGES IN PUBLIC HEARING DRAFT: Special exception in TNB when site adjoins ER or SR.

3.8.5. Offices, Professional. *The use is as in the current code.*

3.8.6. Recreational Uses, Commercial – Indoor or Outdoor. *This use includes a range of commercial recreational uses, with differing standards that address added concerns for outdoor uses.*

3.8.7. Recreational Vehicle Park. *The use is called “travel trailer park” in the current code, but the standards are about the same. Staff has proposed added standards to ensure that the use could not become a place for long term renting/living.*

3.8.8. Restaurants. *The use is as in the current code.*

3.8.9. Retail Sales. *The use incorporates the full range of retail stores, not trying to list them separately as the types of stores evolve over time. There are different standards for stores that have outside display/sales areas (Home Depot or auto dealerships or Walmart) vs. those who just have storefronts (dress shops, shoe stores, automobile parts). And there are size limits for some districts.*

CHANGES IN PUBLIC HEARING DRAFT: Thresholds added for higher review depending on size of store proposed.

3.8.10. Service Stations. *The use is always problematic when placed near residential neighborhoods, so added standards have been provided to ensure that they are more compatible in those locations.*

CHANGES IN PUBLIC HEARING DRAFT: Special exception required in TNB.

3.8.11. Taverns. *This use is in the current code. It is essentially the same as a restaurant (in that they must serve food); but they seem to concentrate on entertainment, fattening snacks, and libations. The standards address noise issues and limits their hours of operation in RCN and TNB.*

3.8.12. Theaters. *The use is as in the current code. The standards address noise and ABC requirements.*

3.8.13. Vehicle Repair or Maintenance Facility. *Another use that tends to be problematic when placed next to residential areas; so the standards address the concerns usually heard.*

3.9. Service Use Types

3.9.1. Medical Facilities. *Like retail and service uses, this use type groups smaller types of medical facilities that are listed separately in the current code. They have similar impacts and similar parking requirements; so the standards limit the size of facilities in some districts, and have specific standards for veterinary facilities.*

PUBLIC HEARING DRAFT CHANGE: Parking requirement for psychological counseling clinic has been reduced.

3.9.2. Mortuaries and Funeral Homes. *The use is as in the current code.*

3.9.3. Studios – Art, Craft, Music, Dance. *Like medical and retail uses, this use type groups use types that are listed separately in the current code; since they have similar impacts.*

3.9.4. Services Uses, Indoor Only. *Like medical and retail uses, this use type groups use types that are listed separately in the current code; since they have similar impacts. Sizes are limited in some districts.*

3.10. Industrial Use Types

3.10.1. Crematoriums. *The use is permitted by right only in the Industrial district; but may be proposed by special exception in SCN and SCO.*

3.10.2. Manufacturing Uses. *The use is as in the current code and permitted only in IND.*

3.10.3. Storage – Self Storage Facilities. *This has been added as a use due to concern over the proliferation of this use type in recent years. It is relegated to Industrial or Suburban Corridor districts.*

3.10.4. Truck Terminal, Wholesale, or Warehouse Use. *The use is as in the current code but permitted only in IND or INST. (Truck terminals are allowed in GB.)*

3.11. Other Use Types

3.11.1. Accessory Uses or Structures (excluding dwellings). *The use is as in the current code.*

3.11.2. Agriculture and Forestry. *The use is as in the current code.*

3.11.3. Gated Entries. *The use is as in the current code, with the same limits on use.*

3.11.4. Heliports. *The use is allowed only in the Medical district in the current code. Staff expanded the potential to IND and INST.*

3.11.5. Home Occupations. *The use has the same standards, and more added; but is proposed to be allowed as a special use for limited types of Home Occupations that have no external evidence of the use. If the proposed use exceeds those standards, it becomes a special exception use.*

3.11.6. Common Interest Developments, Mixed-Use and Non-Residential. *Like the residential version, this use type would be for uses like shopping centers where people can own rather than rent their space in a condominium type of arrangement; or a mixed-use building where residential uses on upper floors are governed (owned or rented) differently from those on the first floor. The use also functions for traditional shopping centers with common ownership, governing signage and care of common areas.*

3.11.7. Temporary Uses. *This use is not changed from the current code.*

3.11.8. Wireless Communication Facilities. *This use type is modified from the current code to allow them as special uses when they are proposed as rooftop antenna or mounted on existing structures. Public Works is working with a consultant now to prepare added modifications to this section to address an evolving type of facility that attaches to light posts or telephone lines.*

3.11.9. Commercial Use of Unenclosed Rooftops. *This use type is modified to correct the age requirement; requiring that they not be on structures that are over 50 years old.*

Article 4 Infrastructure and Mobility Standards

This article contains the standards for streets and sidewalks. It retains many standards in the current code, although many technical updates have been proposed by Public Works staff. The biggest change from the current code are the street standards of Section 4.6.

4.1. Streets Generally. *Most of this section is from the current code, but some modifications have been made at the request of Public Works to provide updated language.*

4.2. Classification of Streets. *This section has a higher level of detail than the current standards. Planning and Public Works have updated the language.*

4.3. General Access and Circulation Requirements. *Most of this section is from the current code, but some modifications have been made at the request of Public Works to provide updated language.*

4.4. Emergency Access Roads. *Most of this section is from the current code, but some modifications have been made by the Fire Department and Planning to provide updated language.*

4.5. Conventional Street Design Standards. *Most of this section is from the current code, but some modifications have been made at the request of Public Works to provide updated language.*

CHANGES IN PUBLIC HEARING DRAFT: Some technical adjustments to language for curb cuts.

Table 4.2. Conventional Street Design Standards. *Planning and Public Works are still working on final modifications to this Table. The ROW and Street Width columns may be deleted, with that information placed elsewhere.*

Table 4.3. Street Types by Zoning District

CHANGES IN PUBLIC HEARING DRAFT: City Engineer has final authority in determining street type and characteristics.

4.6. Application of Street Type Cross Sections. *Public Works and Planning have almost resolved the concerns regarding these street types. The Design Specifications in the different types, provided by the Transportation Consultant, were incorrect. When these technical corrections have been fully resolved, they will be inserted as Technical Corrections. The templates allow a range of options for the differing road types, although the City Engineer will have final authority to approve a specific road type for a specific development.*

CHANGES TO PUBLIC HEARING DRAFT: Technical modifications to all templates.

4.7. Easements. *This section is from the current code.*

4.8. Required Infrastructure Improvements. *Most of this section is from the current code, but some modifications have been made at the request of Public Works to provide updated language.*

CHANGES TO PUBLIC HEARING DRAFT: Modification to sidewalk requirements to allow option for one side only, and alternative of shared use path in some circumstances.

4.9. Parking Requirements. *Most of this section is from the current code, but some modifications have been made by Planning and Public Works to provide updated language.*

CHANGES TO PUBLIC HEARING DRAFT: Parking spaces maximum added, option allowing commercial parking in residential districts has been deleted.

Article 5 Site Design Standards

This article is a combination of new and existing standards from the current code and the Landscaping Ordinance. It includes standards for Parking Lots (mostly from the Landscaping Ordinance), Site and

Building Lighting (existing and expanded), Accessory Structures and Equipment (existing and expanded), Building Form and Materials (mostly new standards), Landscaping Standards (taken from the Landscaping Ordinance), and the specific design standards for Neighborhood Conservation Overlay Districts. The sections include:

5.1 Applicability and Exemptions. *Primarily taken from language in the current Landscaping Ordinance, relocated to this Article.*

5.2. Historic Compatibility. *Clarifies the role of the preservation commissions.*

5.3. Parking Lot Requirements. *Primarily taken from language in the current Landscaping Ordinance, relocated to this Article.*

5.4. Site Lighting and Building Illumination. *The section augments existing lighting standards in relation to shielding and cutoffs.*

5.5. Accessory Structures and Equipment Storage Areas. *Existing standards are augmented with increased standards for fences, retaining walls, and screening.*

5.6. Building Form and Materials. *The standards in this section are new. They address the form of structures, facades, building materials, roof designs, and minimal design details related to color and windows.*

5.7. Landscape Standards. *These standards are moved from the current Landscaping and Tree Protection Ordinance. The most significant change is in 5.7.6.3 where a 50 foot buffer is required between any development and a walking/biking trail or blue line stream.*

CHANGES TO PUBLIC HEARING DRAFT: Deepest buffer between nonresidential use and attached or detached housing, not multi-family.

5.8. Neighborhood Conservation District Standards. *These standards are little changed; but the criteria for residential vs. commercial areas are separated. Staff has found it difficult and a bit odd to impose some of the design standards, clearly intended for dwellings, upon commercial properties. The commercial areas in this district are primarily along University Avenue and the standards of the proposed Traditional Neighborhood Business district will already provide more protection than the existing General Business or Shopping Center districts along most of that corridor.*

Article 6 – Environmental Standards

This article primarily contains the Tree Preservation language from the Landscaping Ordinance that is being incorporated into the Land Development Code. Since this language was extensively updated earlier this year few substantial changes are proposed. A few modifications are being proposed to Section 6.1.3 relating to applicability and exemptions.

6.1. Tree Preservation and Protection

6.1.3. Applicability. *Extensive new language is added to allow substantial relief (although not total relieve) to owners of Certified Tree Farms to harvest timber without compliance with the Tree Mitigation requirements. Additional new language is added to allow some relief (although not substantial relief) to those who do not have Certified Tree Farms, but who have owned their property for 10 or more years.*

6.2. to 6.7. References. *References to other environmentally related standards in the Oxford Code of Ordinances are provided.*

Article 7 – Sign Regulations

This Article is the equivalent of Article 5 in the current code. While many of the standards have not changed, the chapter has been reorganized to flow better and to eliminate redundancies. The section related to signage in historic districts has been expanded. This Article includes:

7.1. Purpose.

7.2. General Provisions. *The section includes the standards for sign lighting, sign height, sign size, and standards for specific sign types. There is one significant modification proposed that will eliminate freestanding “pole” type signs. For new signs, only monument (ground) signs are permitted. All existing pole signs can remain for the life of the business; but when a new business opens, the sign (and its pole) will have to be removed and replaced.*

7.3. Special Provisions. *The section contains provisions for development in TNB and TND, in the Historic Preservation districts, and for public service banners. The language related to signage in historic districts has been expanded.*

PUBLIC HEARING DRAFT CHANGES: *Includes decals and other applied window elements as a part of window signage in Historic Districts.*

7.4. Alternative Compliance by Master Sign Plan. *This is a new section that allows a master sign plan for any development (usually a multi-structure or multi-business site) needs this provision.*

7.5. Penalty.

Article 8 – Administration

This article establishes the duties and functions of all bodies who administer the Code. Major changes from the current code include a new section for the Mayor and Board of Aldermen, the Planning Commission is given authority to approve variances and special exceptions, and the Board of Adjustment is eliminated. These functions are taken from the current Article 8.

8.1. Purpose.

8.2. Mayor and Board of Aldermen. *This is new language to define the role of the MBA in administration of the Land Development Code. A technical modification is proposed. Their role is expanded to include appeals of special exceptions and variances.*

8.3. Planning Commission. *The role of the Planning Commission is expanded to include decisions on variances and special exceptions. The Board of Adjustment is to be eliminated.*

8.4. Site Plan Review Committee. *Two substantial modification are proposed. The first is to create an ex-officio role for an alderman on the Committee who has the option to attend these review sessions. The second is proposed to change the threshold for Planning Commission approval.*

8.5. Department of Planning. *No substantial modifications to this section from the current Code.*

8.6. Director of Planning. *One modification to this list that will allow the Director a bit more discretion in granting minor waivers (as outlined in Article 9)*

Article 9 – Administrative and Application Procedures

This article establishes all the procedures for the various processes authorized within this Code of regulations. All the Enforcement processes are also in this Article. These functions are taken from the current Article 8. These include:

9.1. Subdivisions. *These standards are mostly taken directly from the current Code. A change (9.1.11.7) allows up to four lots to be served by a private access easement of limited length. The idea behind this change is to limit the number of (expensive to maintain) short cul-de-sacs in developments; by allowing shared driveways.*

9.2. Site Plans. *Changes are proposed in the Site Plan process that allow a two-step approval process for PUDs and TNDs.*

PUBLIC HEARING DRAFT CHANGES: *The Planning Director will determine (after posting) if site plans for development of 5,000 to 10,000sf will require review by the Planning Commission.*

9.3. Special Exceptions. *The only substantive change is that these are now approved by the Planning Commission, appealable to the Mayor and Board of Aldermen.*

9.4. Variances. *The only substantive change is that these are now approved by the Planning Commission, appealable to the Mayor and Board of Aldermen.*

9.5. Interpretations and Appeals. *The only substantial modification from the current code is that the (9.5.1.3.) the Planning Director is authorized to have the option to grant minor waivers of certain standards. Staff has observed that some variances are easily recognized as minor, and it seems unfair to make a property owner go through the expense and time of a public hearing process when it is primarily a technical adjustment. Therefore, this provision has been added.*

9.6. Land Development Code Amendments. *These provisions have not been modified.*

PUBLIC HEARING DRAFT CHANGES: Change to allow only Aldermen, Planning Commission, or Planning Director to propose changes to zoning code; and only those or a property owner to propose changes to the zoning map.

9.7. Public Notice Requirements. *There are only technical change to these standards.*

9.8. Certificate of Zoning Compliance. *The only modification to these standards is to clarify the need for a COA for moving a structure in a historic district.*

9.9. Administration of Neighborhood Conservation Districts. *These standards have not been modified, just relocated to this Article.*

9.10. Administration of a Sex Entertainment District. *These standards have not been modified, just relocated to this Article.*

9.11. Enforcement. *This language has been gathered from various locations in the current Code to this section. The language has also been augmented to add more options for remedies.*

Article 10 – Definitions

All definitions, that were scattered around the current code, are now in this Article. Many term are cross-referenced back to the Article where they are used. They are relocated from the current Article 1. The following technical or corrective modifications are proposed:

Appendix – Pages A1 to A11

Technical standards, and other standards or review elements subject to infrequent use or likely need for updates, are placed in the Appendix. All are cross-referenced from the pertinent sections of other Articles in the Code. The Appendix Sections include:

A.1. Fees and Expenses. *Establishes processes for setting fees for the processes established in the Code.*

A.2. Sketch Plat or Site Plan Standards. *States what information is required for these documents.*

A.3. Preliminary Plat Standards. *States what information is required for these documents.*

A.4. Final Plat Standards. *States what information is required for these documents.*

A.5. Final Plat Standard Forms. *States what information is required for these documents.*

A.6. Landscape Plan Contents. *States what information is required for these documents.*

A.7. Site Plan Standards. *States what information is required for these documents.*

A.8. Contents for Preliminary and Final Site Plan Applications.

States what information is required for these documents.

A.9. Technical Standards for Installation of Required Landscaping. *States the installation requirements.*

A.10. Tree Lists.

- *References List of Preferred Landscaping Street Trees in Code of Ordinances*
- *List of Preferred Parking Lot Canopy Trees*
- *List of Oxford Heritage Trees*

A.11. Sex Entertainment District (SED) Standard Requirements. *Rather unpleasant but necessary language is better located here than in the body of the Code.*