

OXFORD PLANNING COMMISSION

AGENDA

March 9, 2021 – 7 PM (Via Teleconference)

Meeting Access Information:

Online: [Click Here](#)

Mobile Number: 1-646-558-8656

Meeting ID: 990 9163 7991

Passcode: 845771

1. **Opening** – Jonathan Eady, Chair
2. ***Minutes** – We have attached the minutes for February 9, 2021.
3. ***Rezoning Discussion** – In 2020, the Planning Commission made a recommendation to rezone six (6) parcels located along E. Clark Street and Emory Street from Town Center to R-20 Residential. The Commission will continue their previous discussion and consider whether to recommend rezoning an additional 18 parcels located along E. Clark Street and the east side of Emory Street. Currently, the 18 parcels are zoned R-7.5. We have attached a copy of the zoning map that includes the properties.
4. ***Discussion on Amendments to Chapter 40** – The Planning Commission will continue their previous discussion regarding amendments to different sections of the city's zoning ordinances.
5. **Other Business**
6. **Adjournment**

*** Attachments**

OXFORD PLANNING COMMISSION

Minutes – February 9, 2021

MEMBERS: Jonathan Eady, Chair; Zach May, Vice Chair; Juanita Carson, Secretary; Mike Ready, Jeremy Baker, and Mike McQuaide.

STAFF: Matthew Pepper, City Manager and Zoning Administrator.

GUESTS: Susan and Steve Roan; Melissa Tice; Sammy Griffin; Randy Simon, Director of Facilities Planning and Operations, Oxford College; Laura Gafnea, Director of Community Relations, Oxford College.

OPENING: At 7:02 PM, Mr. Eady called the meeting to order and welcomed the guests.

MINUTES: Upon motion of Mr. Ready, seconded by Mr. McQuaide, the minutes for the meeting of January 12, 2021 were adopted as amended. The vote was 6-0.

REZONING DISCUSSION: In November 2020, the Commission made a recommendation to rezone six (6) parcels located along E. Clark Street and Emory Street from Town Center to R-20 Residential. The Commission revisited their previous recommendation and considered whether to recommend rezoning an additional 18 parcels located along E. Clark Street and the east side of Emory Street. Currently, the 18 parcels are zoned R-7.5 Residential. R-7.5 allows for the highest density of residential development. Prior to the meeting, the Commission invited the affected property owners to join the discussion.

Mr. Eady explained that the Commission had previously observed that the R-7.5 designation was not consistent with the current use of the properties. Mr. Eady further explained that the parcels were assigned the R-7.5 designation by a prior Commission with the thought that several of them were underdeveloped from a full intensity of land use perspective. At that time, it was to contemplate the possibility of future additional development on these properties. Currently, the feeling of the community is to preserve the natural borders surrounding the Dried Indian Creek corridor.

During the discussion, Ms. Tice shared that her grandmother owns the property located at 708 Emory Street. She asked about the impact on the properties that have a lot width that is less than the required 100'. Mr. Eady responded that any lot within the city is already an existing subdivided lot filed through Newton County's subdivision process, which means that it is an official, permissible lot irrespective of the zoning designation. If a particular existing lot were rezoned, it would not instantly make that lot unbuildable, nor would it affect the existing dwelling.

Ms. Tice asked if an existing dwelling would need to be rebuilt, which zoning criteria would the homeowner follow? Mr. Eady responded that if a house is destroyed, it would need to comply with requirements of the current zoning designation during reconstruction.

In addition, Ms. Tice asked what prompted the Commission to review the lots zoned Town Center. Mr. Eady responded that the area of the city that is commercially developable is located on the west side of Emory Street. Mr. Eady further explained that the six lots zoned Town Center on the east side of Emory Street are exclusively being used for a residential purpose. Therefore, the Commission concluded that it would be undesirable for the current residents to live next to a property with a commercial use.

Ms. Tice asked for access to the city's current zoning map. Mr. Pepper stated that he will send her a link to the city's interactive zoning map on the city's website.

Mr. Griffin asked what are the Commission's intentions in considering the rezoning? Mr. Eady responded that the Commission's goal is to preserve the city's identity as a residential community with limited commercial development in the town center area (i.e. – city greenspace).

In addition, Mr. Griffin asked if Oxford College is going to purchase the existing post office. Mr. Simon and Ms. Gafnea said that they knew of no plans for the college to purchase the post office.

The Commission agreed that many of the existing lots under consideration comply with the criteria assigned to the R-20 zoning. In addition, they agreed that the present uses of the properties are inconsistent with the R-7.5 designation. They also agreed that it is in the city's best interest to focus on lower density development while balancing the community's desire to be environmentally conscious, especially the area around the Dried Indian Creek Corridor.

The Commission will continue their discussion on the rezoning recommendation at their March meeting. As part of their discussion in March, the Commission will undertake a review of Section 40-638(g) "criteria for amendments to official zoning maps" as they develop the recommendation. In addition, the Commission will analyze whether the current square footage of the existing dwellings and lot widths will conform with the R-7.5 zoning criteria. As before, they will invite each affected property owner to join the discussion to offer input on the recommendation. Once the Commission approves the recommendation, it will be sent to the Mayor and Council for consideration through a formal public hearing process.

DISCUSSION ON AMENDMENTS TO CHAPTER 40: The Commission continued their discussion on the amendments to Chapter 40 Zoning, specifically Sections 40-575, 40-712, 40-713, 40-841, 40-842, and Division 16 – Residential Infill Overlay District. Prior to the meeting, Mr. Eady shared a summary of the proposed amendments with the Commission. Mr. Eady asked that the Commission review the summary and provide any feedback on the proposed amendments. The Commission will then review the feedback at the March meeting.

During the discussion, Mr. Pepper asked if the Commission is open to include making repairs to an existing driveway to the specific scope of improvements that would not require a development permit. The Commission agreed that it would be appropriate to include it.

In addition, Mr. Pepper asked if installing a shed in a backyard could be approved administratively. The Commission agreed that a shed in the backyard of a specific size (to be determined at a later date) with no setback issues could be approved administratively. They also agreed developing criteria for size, materials, lack of utilities, etc. for administrative approval.

Prior to the meeting, Mr. Pepper sent the Commission a list of permits that the city approved when it contracted for third-party building inspection and permitting services. The Commission agreed that structures like pools, decks, and fences would require a variation of a building permit as currently adopted.

As for trade permits, the Commission agreed that only a trade permit would be required for maintenance or replacement of a dwelling's plumbing, HVAC, or electric system.

The Commission will continue their discussion on amendments to Chapter 40 during future meetings. They will share their recommendations with the Mayor and Council.

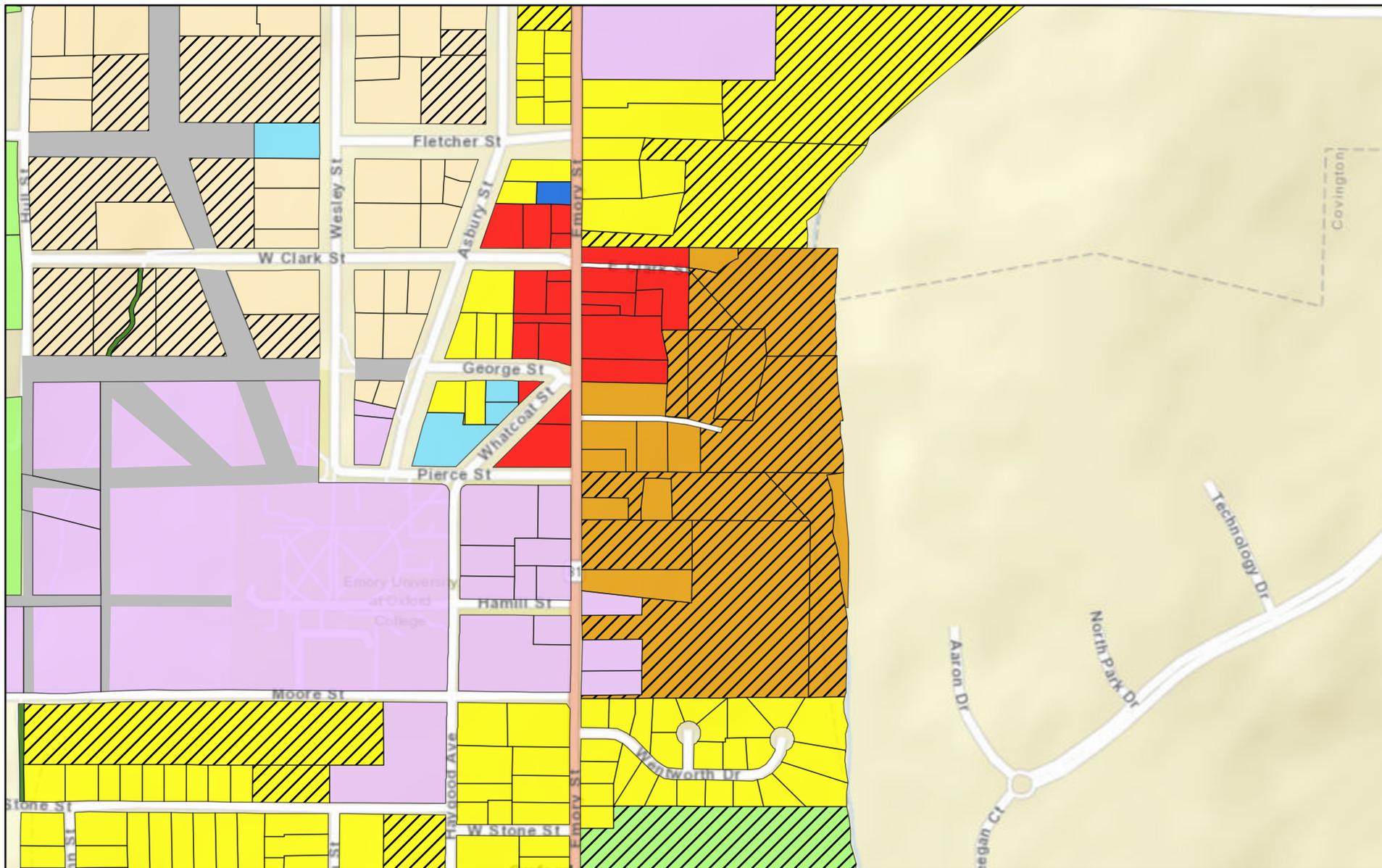
OTHER BUSINESS: Mr. Pepper shared with the Commission the letter that the city sends to each resident annually to explain the permitting process. The Commission had no comments.

ADJOURNMENT: Mr. Eady adjourned the meeting at 8:20 PM.

Submitted by:

Juanita Carson, Secretary

Oxford Zoning Map



February 3, 2021

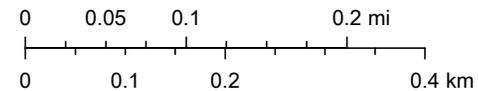
R-7.5 (Brown)

R-20 (Yellow)

Town Center (Red)

Institutional Campus (Pink)

1:9,028



Esri, HERE, Garmin, INCREMENT P, Intermap, NGA, USGS

POTENTIAL AMENDMENTS TO OXFORD ZONING ORDINANCE

1. Evaluate changes to provisions addressing nonconformities.

§40-575 Nonconforming Use

- (4) Repair or Reconstruction following Casualty Event: Must conform to requirements if cost to repair exceeds 50% of value of structure or more than fifty percent (50%) of structure is destroyed.
 - (5) Customary Maintenance and Repair: Normal ongoing maintenance and repair work (e.g., painting, roofing, new appliances, floor covering) of a nonconforming structure is allowed.
 - (6) Significant Modification or Improvement to Structure: Must conform entire structure if the cost of improvements exceeds 50% of fair market value of existing structure. [See current language reasonable progress proportionately in §40-578; should Zoning Admin make the decisions.]
2. Variances - §40-712 and §40-713
Adopt minor variances as recommended.
 4. Development Permit - §40-841
Is there any scope of “improvements” where a development permit should not be required?
 - Painting, roofing, maintenance of systems, landscaping, clearing of trees and brush in connection with normal yard maintenance (not for construction or development), installation of new appliances if no plumbing or electrical work, floor coverings, resurfacing an existing driveway, making repairs to an existing driveway, minor interior renovations (e.g., replacing cabinets, countertops, etc.).
 - Improvements that can be approved administratively – fences, sheds, etc.
 5. Per §40-842, could a building permit be required if no development permit
 - Exception (no building permit) for fencing in rear yard, temporary sign, but inspection is needed.
 6. Residential Infill Overlay District [do we want this flexibility?]
 - Same size, footprint, mass, & height as existing houses [may permit smaller houses than the zoning designation requires]
 - Facilitate development where meeting all existing rules is difficult
 - Provides design flexibility
 - Allows use of lot size averaging
 - Allows lot width variation
 - Allows set back adjustments
 - Contemplates a north/south artery on east side of Emory be included in subdivision plans