



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

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***TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG***

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

MINUTES: Regular Session – July 21, 2020

The Board met in regular session pursuant to adjournment of the July 14, 2020 meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the July 7, 2020 and July 14, 2020 meetings were read and approved.

20-1011 A resolution was adopted to approve end of 365-day probationary period and approve a pay increase for Sandy Howard within Warren County Department of Facilities Management. Vote: Unanimous

20-1012 A resolution was adopted to approve end of 365-day probationary period and approve a pay increase for Glen Anderson within Warren County Department of Facilities Management. Vote: Unanimous

20-1013 A resolution was adopted to approve end of 365-day probationary period and approve a pay increase for Amanda Rauh within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous

20-1014 A resolution was adopted to cancel regularly scheduled Commissioners' Meeting of Thursday, July 23, 2020. Vote: Unanimous

20-1015 A resolution was adopted to enter into a Business Associate Agreement with Mental Health Recovery Board serving Warren and Clinton Counties on behalf of Warren County Telecommunications. Vote: Unanimous

20-1016 A resolution was adopted to approve and authorize the President of this Board to execute an agreement for FY2020-2021 with the Warren Co Educational Service Center Truancy Program on behalf of the Warren County Juvenile Court. Vote: Unanimous

- 20-1017 A resolution was adopted to approve and authorize the President of this Board to execute a contract for FY2020-2021 with the Warren Co Educational Service Center Parent Success Program on behalf of the Warren County Juvenile Court. Vote: Unanimous
- 20-1018 A resolution was adopted to approve and authorize the President of this Board to execute a contract with Focus on Youth for the Emergency Foster Care Program on behalf of the Warren County Juvenile Court. Vote: Unanimous
- 20-1019 A resolution was adopted to approve and enter into a cooperative social work internship agreement with Ohio University on behalf of Warren County Juvenile Court, Mary Haven Youth Center Court Clinic. Vote: Unanimous
- 20-1020 A resolution was adopted to approve and enter into agreement with Ohio-Kentucky-Indiana Regional Council of Governments. Vote: Unanimous
- 20-1021 A resolution was adopted to approve and enter into product and service purchase agreement with Modern Office Methods, on behalf of the Warren County Sheriff's Office regarding copiers. Vote: Unanimous
- 20-1022 A resolution was adopted to enter into a cooperative agreement with Deerfield Township on the King Avenue Bridge #282-0.97 Replacement over Little Miami River Improvements Project on behalf of the Warren County Engineer's Office. Vote: Unanimous
- 20-1023 A resolution was adopted to authorize Warren County Engineer to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program and to execute contracts as required relative to the King Avenue Bridge #282-0.97 over the Little Miami River Improvement Project. Vote: Unanimous
- 20-1024 A resolution was adopted to authorize Warren County Sanitary Engineer or Deputy Warren County Sanitary Engineer to prepare and submit a final application to participate in the Ohio Public Works Commission State Capital Improvement Program and to execute contracts as required, for the Waynesville Sewer Collection System Improvements Project Phase 4 (Program Year 2020). Vote: Unanimous
- 20-1025 A resolution was adopted approve Notice of Intent to award bid to Earth & Pipe Contracting, Inc. for Main Street Sewer Replacement Project. Vote: Unanimous
- 20-1026 to authorize President of the Board of County Commissioners to sign Internal Revenue Service (IRS) Form 720 relative to Patient Centered Outcomes Research Institute (PCORI). Vote: Unanimous

- 20-1027 A resolution was adopted to approve and authorize the President of the Board to enter into an Equipment Maintenance Agreement with Jay V Johnston, DBA: Southpointe Engineering Systems on behalf of the Warren County Water and Sewer Department relative to the KIP wide format printer/copier. Vote: Unanimous
- 20-1028 A resolution was adopted to revise the Water and Sewer Rules and Regulations to expand the Massie-Wayne improvement area to include all sewer connections to the Waynesville Regional Wastewater Treatment Plant for purposed of non-participant charges. Vote: Unanimous
- 20-1029 A resolution was adopted to declare various items within Child Support, Common Pleas Court- Domestic Relations, Engineer's Office, Facilities Management, Grants, Water & Sewer- Sewer Department, Telecommunications, and Water & Sewer- Water Department as surplus and authorize the disposal of said items. Vote: Unanimous
- 20-1030 A resolution was adopted to acknowledge payments of bills. Vote: Unanimous
- 20-1031 A resolution was adopted to approve a street and appurtenances (including sidewalks) bond release for VWC Holdings, LTD, for completion of improvements in the Villages of Winding Creek, The Boulevards at Winding Creek, Section Five situated in Clearcreek Township. Vote: Unanimous
- 20-1032 A resolution was adopted to approve Crooked Creek Drive, and Sunny Brook Drive, in the Villages of Winding Creek, the Boulevards at Winding Creek, Section Five for public maintenance by Clearcreek Township. Vote: Unanimous
- 20-1033 A resolution was adopted to approve various record plats. Vote: Unanimous
- 20-1034 A resolution was adopted to approve a supplemental appropriation into County Commissioners' Grant Fund #11011111. Vote: Unanimous
- 20-1035 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Juvenile Fund #11011240. Vote: Unanimous
- 20-1036 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Facilities Management Fund #11011600. Vote: Unanimous
- 20-1037 A resolution was adopted to approve appropriation adjustment within Sheriff's Office Fund 1012200. Vote: Unanimous
- 20-1038 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous

- 20-1039 A resolution was adopted to authorize public advertisement of Request for Proposals for operation of the Warren County Transit System relative to Calendar Year 2021. Vote: Unanimous
- 20-1040 A resolution was adopted to appoint committee to review and evaluate proposals for operation of Warren County Transit Service. Vote: Unanimous
- 20-1041 A resolution was adopted to approve modification of the rezoning application of Glenmore Park Planned Unit Development Company of Ohio LLC to Rezone 141.1080 acres from mixed use neighborhood MXU-N to Planned Unit Development "PUD" in Turtlecreek Township. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

Michelle Tegtmeier, Chief Zoning Inspector, was present for a work session to discuss proposed text amendments to the Warren County Rural Zoning Code relative to vacation rentals.

Mrs. Tegtmeier presented the attached PowerPoint discussing the following:

- Definition of a short-term vacation rental and how they differ from a Bed & Breakfast, Hotel or Motel
- Issues associated with short term vacation rentals including: Complaints being received where 30+ people are staying in a single family residential home and helping themselves to fishing poles and lakes that are not associated with the property along with leaving debris behind, no collection towards bed tax and various fire/ems safety concerns.
- There is currently nothing in the zoning code to address the concern

Mrs. Tegtmeier reviewed the Regional Planning Commission (RPC) comments along with a recommendation to consider an age restriction for rentals and background checks for owners.

Jonathan Sams, Turtlecreek Township Trustee, stated that this is not a problem that the trustees have been "hot and heavy" on. He stated that he does have safety concerns with 30 people staying in one house without fire/EMS knowledge.

Commissioner Grossmann stated his desire to review how other jurisdictions are addressing these concerns.

Commissioner Jones stated she would also like to review how other jurisdictions are regulating these matters.

Stan Williams, Regional Planning Commission, discussed the differences between a residential use vacation rental (owner is present onsite) and a commercial use (owner is off site).

Mrs. Tegtmeier explained that in the proposed text amendment, the residential type would be a permitted use and the commercial type would be a conditional use.

Upon discussion, the Board requested Mrs. Tegtmeier to provide the legislation from other zoning codes and requested to schedule a follow up discussion later.

PUBLIC HEARING
REZONING APPLICATION OF GLENMORE PARK PLANNED DEVELOPMENT
COMPANY OF OHIO LLC TO REZONE 141.1080 ACRES FROM MIXED USE
NEIGHBORHOOD MXU-N TO PLANNED UNIT DEVELOPMENT "PUD"
IN TURTLECREEK TOWNSHIP

The public hearing to consider of the rezoning application (Case #2020-03) of Glenmore Park Planned Development Company of Ohio LLC to consider the rezoning of 141.1080 acres located at 2490 and 2492 Butler Warren Road in Turtlecreek Township (Parcel # 1103100002) from Mixed Use Neighborhood "MXU-N" to Planned Unit Development "PUD" was convened this 21st day of July 2020, in the Commissioners' Meeting Room.

Michelle Tegtmeier, Chief Zoning Inspector, presented the attached PowerPoint presentation providing information on the location, property size, current and surrounding zoning, the currently approved plan that expires on July 30, 2020 which included a mixed use with apartments and the current request which includes up to 350 single family and paired townhomes with a density of 2.48 units per acre. She then provided a comparison of the current plan vs. the requested plan.

Mrs. Tegtmeier informed the Board that the Regional Planning Commission recommended approval of the application subject to 15 conditions.

There was discussion relative to sanitary sewers for this property being necessary in order to develop either plan.

Chris Brausch, Sanitary Engineer, stated that he is recommending that if the property is to receive sanitary sewer from Butler County that the Board consider release the area for water and sewer service to Butler County. He then stated there are no sewers adjacent to this property and the entire area that does have sewers received treatment from Butler County.

There was discussion relative to the approved density of the original plan along with the opposition to this rezoning from the Lebanon City Schools.

Mrs. Tegtmeier stated that the Rural Zoning Commission approved the rezoning application subject to the 15 conditions recommended by the Regional Planning Commission.

There was discussion relative to the uses within the MXU-N zone.

Stan Williams, Regional Planning Commission, stated that the zone allows for retail use but does not require it.

Jonathan Sams, Turtlecreek Township Trustee, stated a cul de sac-based community would be better than MXU-N in their opinion. He then stated that the proposal of the developer will create a 30% deficit to the township and a huge deficit to the schools based upon the average home values proposed.

Commissioner Young discussed his opposition to the mixed use and apartments being constructed in the western Turtlecreek Township rural area.

There was discussion relative to sanitary sewers in this area and their use as it relates to growth and development.

There was discussion relative to the need for a new fire station in the area.

Mr. Sams stated that a fire station is currently being built but as more dense developments occur, an expansion will be needed. He then stated the need to push evaluations up in order to balance the finances.

Ken Campbell, Glenmore Park Planned Development Company of Ohio LLC, presented the attached information relative to Lebanon City Schools and finances association with the development.

There was discussion relative to sanitary sewers.

Mr. Campbell stated that at the original preliminary plan approval, they did not have sanitary sewers. He stated that the watershed is partially Butler County with the remaining portion going to Warren County. He stated that the original design was for a pump station at the rear of the parcel to gravity feed to Warren County. He stated that they paid to oversize the sanitary sewer line within the Hudson Hills subdivision to accommodate 1000 additional units. He then stated they have not obtained the required easements and that Butler County is currently conducting a needs study and will not discuss any expansion of services until the report is complete.

There was discussion relative to densities. It was stated that 2 1/3 homes per area density is requested in the current request and that the allowable density under the MXU-N plan is 4 unites per acre.

Mr. Campbell stated there is no current demand for commercial or apartments in this area right now but if the zoning remains the same, it will become apartments in the future. He then stated that if the rezoning is approved, it will be smaller residential lots with 33-40% open space.

There was discussion relative to what the smallest number of lots the developer would consider.

Bruce McGary, Assistant Prosecutor, discussed the timing of the rezoning request as it relates to sanitary sewers and the need for the Board to make a future decision relative to the release of territory to Butler County.

Commissioner Grossmann questioned the developer on reason for requesting a rezoning prior to the sanitary sewer service being determined.

Mr. Campbell stated that approval will give additional leverage in obtaining approval from Butler County for sanitary sewer service.

There as additional discussion relative to the reduction in density.

Mr. Campbell stated that the problem with reducing density is the unknown cost to obtain sanitary sewer.

Commissioner Jones stated her philosophical agreement with Commissioner Grossmann relative to the approving of the development plan in advance without the developer understanding the true cost of development.

Mr. Campbell stated that if the costs are higher than expected, it would drive the cost of the home higher.

There was discussion relative to the lowering of the density to 300 rather than 350.

Mr. Campbell discussed the ability to have the zoning revert to MXU-N in four years should the development not proceed. He then stated that with a 300 maximum lot density he will either eliminate the paired townhouses, increase the open space, and/or increase some of the lot sizes.

There was additional discussion relative to sanitary sewer service in the area.

Mr. Brausch stated that the cost to service customers in this area is higher than other areas of the county. He stated that Warren County currently has 5-7 pump stations and have determined to not own/operate any additional stations. He stated that on average, his department loses money in order to provide services in this area and therefore recommended that the Board consider releasing the area to Butler County for direct service.

Mr. Sams stated that the township prefers the cul de sac approach vs. the apartment approach. He then stated his opinion that a 300 lot maximum would work for them but that additional conversation relative to the economics of future developments is needed.

Mr. Campbell stated his agreement to reduce the maximum lots to 300, eliminating the townhome lots.

Upon further discussion, the public hearing was closed and the Board resolved (Resolution #20-1041) to approve a modification of the rezoning application subject to conditions.

Stephanie Roeder, 8939 Red Lion Five Points Road in Clearcreek Township, was present for a work session along with Neil Tunison, County Engineer, and Chuck Petty, Assistant Engineer, to discuss the road right of way acquisition associated with the roundabout project adjacent to Mrs. Roeder.

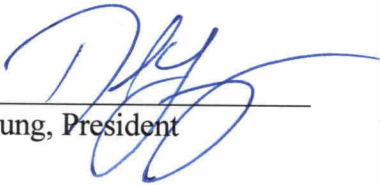
Mr. Tunison stated that they had an appraisal completed on the balance of the property that was purchased for the road realignment project which includes .8 acres of land. He stated that the appraised value was determined to be \$75,000. He then stated that with the new appraisal, there is an approximately value difference of \$50,000 in comparing the value to the property Warren County requires from Mrs. Roeder and her mother.

There was discussion relative to the various possibilities of disposing of the property such as public auction, transferring the property to Clearcreek Township or a transfer to the Warren County Port Authority.

After much discussion, it was determined that the Board cannot approve a "land swap" with Mrs. Roeder or allow her to purchase the county property directly as the Ohio Revised Code does not permit it.

On motion, upon unanimous call of the roll, the Board entered into executive session at 12:25 to discuss personnel matters within Building and Zoning Department pursuant to Ohio Revised Code Section 121.22 (G)(1) and acquisition of property pursuant to Ohio Revised Code Section 121.22 (G)(2) and exited at 1:03 p.m.

Upon motion the meeting was adjourned.



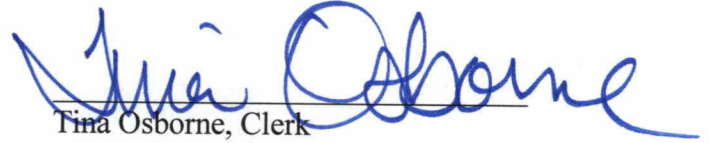
David G. Young, President



Tom Grossmann

Shannon Jones

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on July 21, 2020, in compliance with Section 121.22 O.R.C.



Tina Osborne, Clerk
Board of County Commissioners
Warren County, Ohio

VACATION RENTALS

WARREN COUNTY

BOARD OF COUNTY COMMISSIONERS WORKSHOP

JULY 21, 2020

WHAT ARE SHORT TERM VACATION RENTALS?



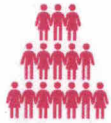
Single-family residential dwellings rented out for periods of less than 30 days (Airbnb;VRBO; HomeAway).



Differ from other forms of short-term rentals such as Bed & Breakfast's, Hotels, & Motels in that they generally consist of renting out a residential dwelling.

Normally do not have any type of management presence on-site during the rental period.

ISSUE



Large groups of people into neighborhoods for short periods of time potential adding to neighborhood congestion, parking problems, noise problems, garbage problems, security concerns, etc.



Currently the use is not identified in the Warren County Rural Zoning Code



The Zoning Inspector has authority to determine the most similar use.

ISSUE



Although similar in use, Vacation Rentals presents a different set of land use issues, primarily because of the lack of on site management and their location in residential areas.

The use specific standards for Bed & Breakfasts and Country Inns are limited and do not fully address the issues specific to a Vacation Rental.

BED & BREAKFAST (SECTION 3.206.5)

CONDITIONAL USE (RU; R1A; R1; R1B; R2 & R3)



Maximum of six guest rooms



Reuse of an existing single-family building having a minimum floor area of two thousand (2,000) square feet or a historic structure.



Permanent residence of the owner.



Provide for all parking off-street,



Meals or other services provided on the premises shall only be available to residents, employees, and overnight guests of the establishment.



Length of Stay: Maximum thirty (30) consecutive days.

COUNTRY INN (SECTION 3.206.8)

CONDITIONAL USE (RU; R1A & R1)



Limited to eight (8) guest rooms.

Minimum Lot Size: Five (5) acres.

Individual guest rooms shall not contain cooking facilities.

May include facilities for catering, banquets, weddings, receptions, reunions, and similar events.

Additional parking not allowed within the front yard setback or on the street.

AGRITOURISM-LODGING (SECTION 3.202.3)

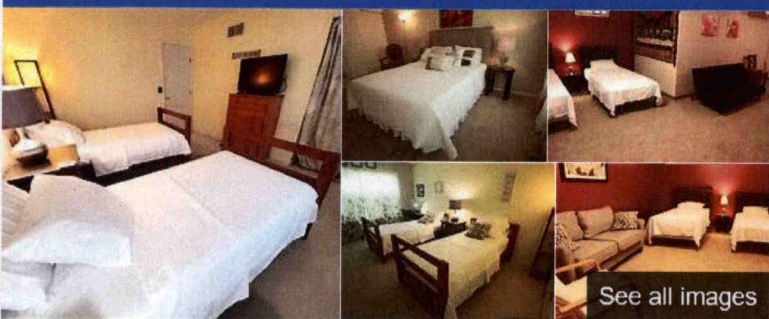
BOCC SITE PLAN REVIEW (ALL ZONING DISTRICTS)


- Maximum of six guest rooms.
- Agritourism uses limited to 1% of the site.





THE PRIMARY ISSUE

The entire house utilized as a Vacation Rental, without on site management.







Spacious, Family-Friendly Entire Home 

Property Type	Bedrooms	Baths	Guests
House	3	3	9

 Save  Share

Reservations

Check in: Sun, Aug, 23, 2020  Check out: Tue, Aug, 25, 2020 

 **Vrbo** **\$165** 

Total \$452 / stay
[Read real traveler reviews](#)

SIZE OF THE ISSUE



- The concept is not new — common in beachfront communities and resort towns.
- Rise of web-based booking services such as Airbnb, VRBO or HomeStay, the number of short-term residential rentals has grown dramatically and heightened awareness of this practice within Warren County.
- More and more home owners are offering the use of their residences — or rooms within their residences — as temporary rentals, either sporadically or on an ongoing basis.

SIZE OF THE ISSUE

- The Zoning Department have received several complaints.
- An internet search for Airbnbs and VRBOs identified several sites in Warren County (fewer site offered during the pandemic).
- None of these uses were reviewed under the Warren County Rural Zoning Code.



OTHER ISSUES

- The economic impacts to hotels and traditional bed and breakfast establishments as well as the loss of local revenue from transient occupancy taxes.
- Impacts of Vacation Rentals on the rental housing markets and affordability. Conversion of residential units into short-term rentals can result in less availability of affordable housing options and higher rents for long-term renters.
- Business licensing — registration of units and payment of any applicable taxes and fees?



Bed Tax?

NEED?



- Cater to an underserved market segment.
- Travelers may feel constrained by a market where their options are limited to commercial hotel and motel rooms, which are often clustered in specific areas and lack the feel and warmth of a home environment.
- Some prefer an extended stay in a venue that permits cooking and other activities more akin to a home than a hotel.
- These are all features that the sharing economy can provide.

THE ZONING COMMISSION-JUNE 30,2020

- Traffic and Parking
- Noise
- Safety
- Trespassing
- Commercial Use in a Residential Zoning.
- Ownership
- Age of Renter

Public Comment

So-called “party houses” i.e. homes that are continuously rented to larger groups of people with the intent to party can severely impact neighbors and drive down nearby home values.

Zoning Commission Recommendation

- Age restrictions for renters
- Background checks for owners

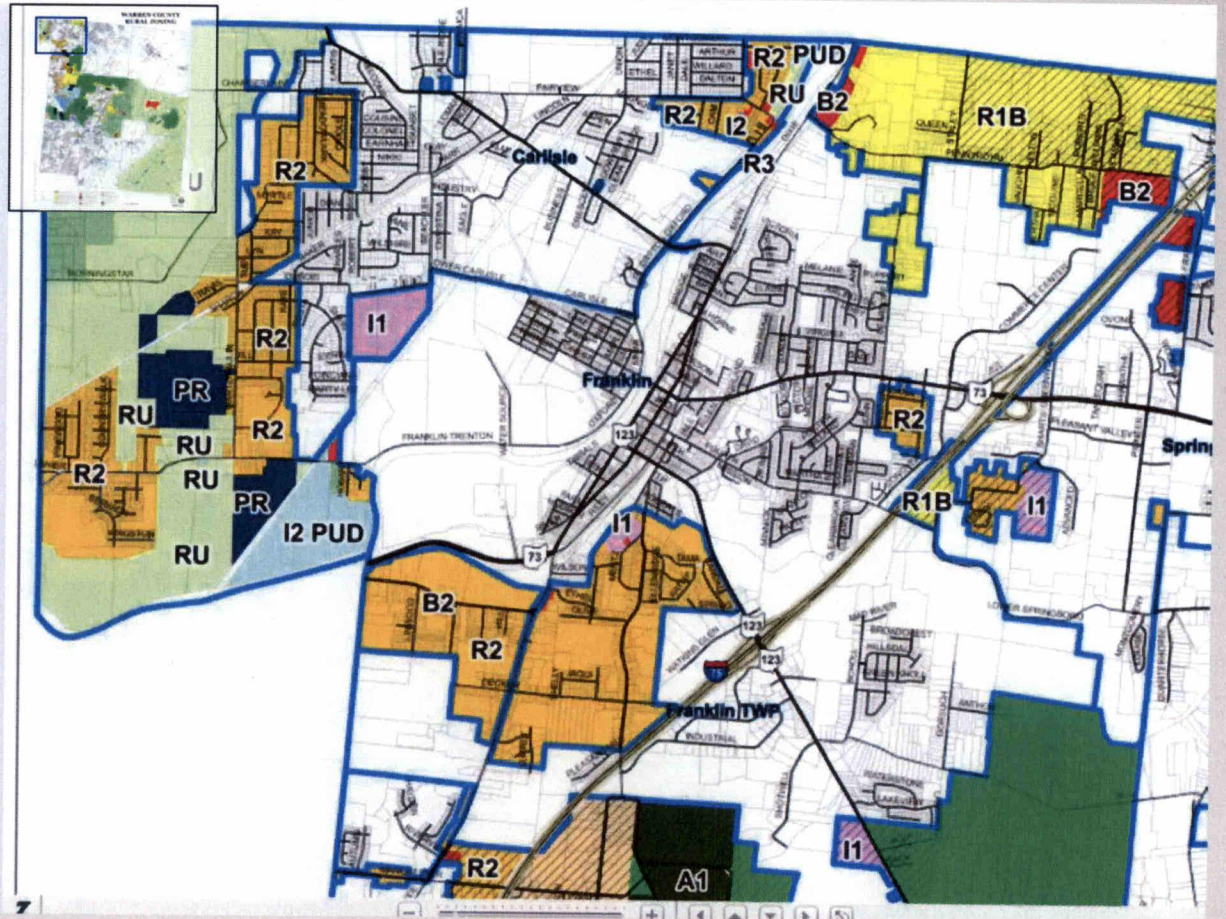
SAMPLE OF NON-RESIDENTIAL USES ALLOWED WITHIN RESIDENTIAL ZONING DISTRICTS

Use	Use Review
Boarding Houses	C
Institutional Care Facilities	C
Campgrounds	C
Government Offices	S
Hospitals	C
Colleges & Schools	C
Circus, Fairs, Carnivals & Rodeos	C
Libraries, Museums & Fine Art Centers	S
Churches	C
Bed and Breakfast	C
Country Inn	C

Use	Use Review
Garden Centers	C
Funeral Parlor	C
Day Camp	C
Recreational Facility-Indoor	C
Golf Driving Range	C
Conference Training Center	C
Civic Clubs, Civic Halls & Civic Lodges	C
Veterinary Clinic	C
Day Care Centers	C
Wedding Facility, Event Center	C

WARREN COUNTY ZONING

<https://www.co.warren.oh.us/BldgInsp/ZonInfo/RuralZoneRewrite/Article11/CurrentZoningMap.aspx>



REGULATORY APPROACH

Two different uses with different issues and different standards

- 1) **Vacation Rental, Accessory Use** (owner-occupied home sharing, in which part or all of a dwelling unit is offered for short-term rental while the owner also occupies the unit).
- 2) **Vacation Rental, Primary Use** (short-term rental, in which the entire unit is offered for rent).

USE DEFINITION



Vacation Rental, Accessory

A principal dwelling unit or a part of a principal dwelling unit, including either a single-family or multiple-family unit, being utilized by any person, other than the owner, as lodging on a daily, weekly, or any other basis for less than thirty (30) consecutive days, in exchange for rent. The accessory use may be for a limited portion of the residence or for the entire residence for a limited time.



Vacation Rental, Primary

A dwelling unit or a part of a dwelling unit, including either a single-family or multiple-family unit, being utilized by any person, other than the owner, as lodging on a daily, weekly, or any other basis for less than thirty (30) consecutive days, in exchange for rent. Where there is no ownership or management presents on the site and the structure is not utilized as the principal dwelling of the owner.

USE



Vacation Rental, Accessory

The principal dwelling unit of the owner, where the owner offers a room, an accessory structure, or their entire home for rent. Some one renting out their home conceivable while on vacation or away for the season.

Vacation Rental, Primary

A residential structure in appearance that is intended for lodging instead for a primary home.

REGULATORY

APPROACH

Two different uses

- 1) Regulated as a Residential Use (Vacation Rental, Accessory Use)
- 2) Regulated as a Commercial Use (Vacation Rental, Primary Use)

USE

LAND USES	ZONING DISTRICTS												Use-Specific Standards
	RU & ¶ R1A	R1	R1B	R2	R3	B1	B2	B3	B4	B5	I1	I2	
RESIDENTIAL USES													
Single-Family Dwellings	P	P	P	P	P								3.203.1
Two-Family Dwelling Units				P	P								3.203.1
Multiple-Family Dwelling Units					P	P	P	P	P	P			3.203.2
Boarding House					C	C	C						3.203.6
Vacation Rentals, Accessory Use	P	P	P	P	P								3.203.7(A)
COMMERCIAL BUSINESS AND SERVICES USES													
Lodging													
Bed and Breakfast	C	C	C	C	C	S	S	S	S	S			3.206.5
Vacation Rentals, Primary Use	C	C	C	C	C								3.206.18
Country Inn	C	C											3.206.8
Hotels/Motels							S	S	S	S			3.206.7

Vacation Rental, Accessory

Vacation Rental, Primary



REGULATORY APPROACH

- Ensure that the vacation rental's on-site sewage disposal system is adequate to accommodate large crowds and overuse doesn't lead to a potential public health threat.
- Ensure that minimum fire and life safety matters are considered such as adequate emergency access, working smoke detectors, stair handrails, accessible gas shut-off valves, etc., so that in the case of an emergency, renters unfamiliar with the residential dwelling they are staying in, are able to make it out of the dwelling safely.
- Ensure compatibility with existing residential neighborhoods.

STANDARDS

Vacation Rental, Accessory



- Principal residence of the operator (not required to be present during the guest's stay).
- No motor home, travel trailer, shed, garage, tent.
- Occupants shall not exceed 2 per bedroom plus 2 additional persons per residence, excluding children under twelve (12) years of age.
- Vehicles of overnight occupants shall be limited to 2 vehicles.
- Visitation limited to the hours of 7 a. m. to 10 p. m. Sunday through Thursday, and 7 a.m. to 11 p.m. Friday and Saturday.
- No signs.
- Utilized for vacation rentals for no more than one hundred and twenty (120) days per calendar year.
- Display emergency contact and location information.

STANDARDS

Vacation Rental, Primary



- Ownership or management presence is not required.
- Retain a residential appearance with house numbers.
- Provisions for garbage removal during rental periods.
- Land line required.
- No motor home, travel trailer, shed, garage, tent.
- Overnight occupants limited to 2 per bedroom plus 2 additional persons per residence, excluding children under twelve (12) years of age.
- The total number of guests shall not exceed 12.
- Number of vehicles for overnight occupants limited to 4 vehicles.
- Fire and life safety inspection.

STANDARDS

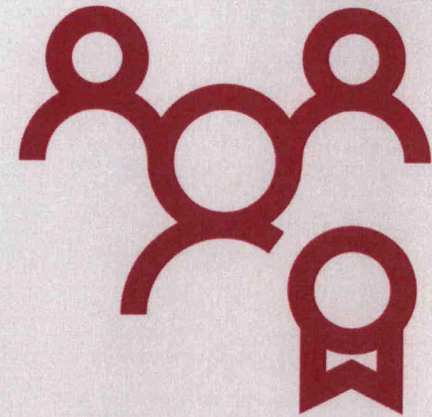
Vacation Rental, Primary



- Visitation: 7 a. m. to 10 p. m. Sunday through Thursday, and 7 a.m. to 11 p.m. Friday and Saturday.
- Signage: One sign no more than four square feet.
- If applicable, meet requirements for on-site sewage disposal system.
- **Property Management Plan:** Demonstrating how the vacation rental will be managed and how impacts to neighboring properties will be minimized.
 1. local contact available to respond immediately to complaints, clean up garbage; manage unruly tenants; property maintenance.
 2. Provisions for routine fire and life safety inspections (emergency access, working smoke detectors, stair handrails, accessible and labeled gas shut-off valves, etc.).
 3. Visibly displayed emergency contact information

GOALS & DIRECTION

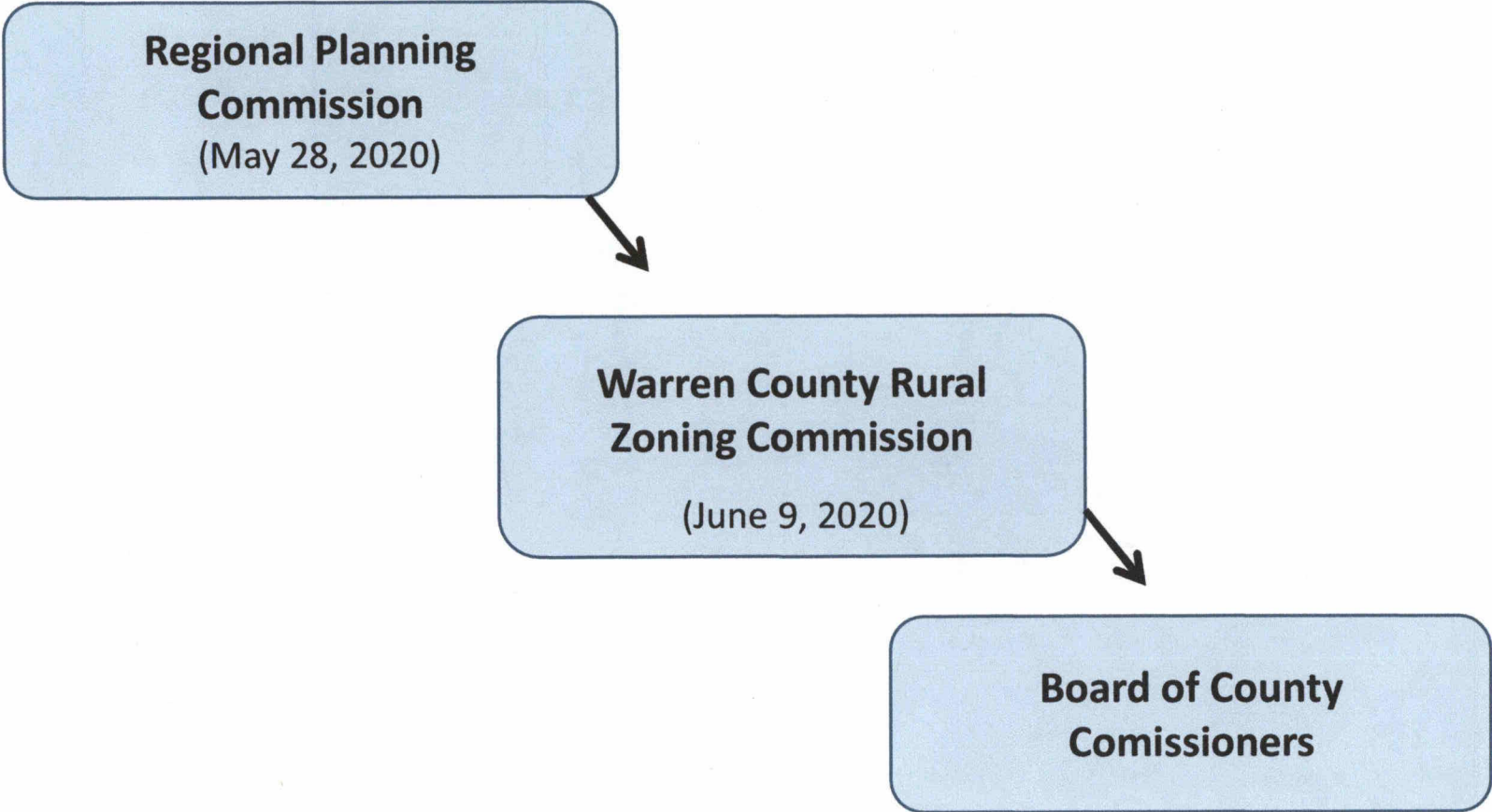
- Tourism
- Economic Development
- Public Safety
- Neighborhood Compatibility
- Rental Housing Market
- Housing Affordability
- Traffic
- Enforcement
- Zoning



REZONING	CASE # 2020-03	
APPLICANT/OWNER/AGENT	Kenneth Campbell, Planned Development Company of Ohio Richard Arnold, McGill Smith Punshon, Inc. (MSP)	
TOWNSHIP	Turtlecreek Township	
PROPERTY LOCATION	ADDRESS	2490, 2492 Butler Warren Road, Middletown, Ohio 45044
	PIN	11-03-100-002-0 11-03-100-005-0
PROPERTY SIZE	141.108 ACRES 2,044.91 FEET OF ROAD FRONTAGE	

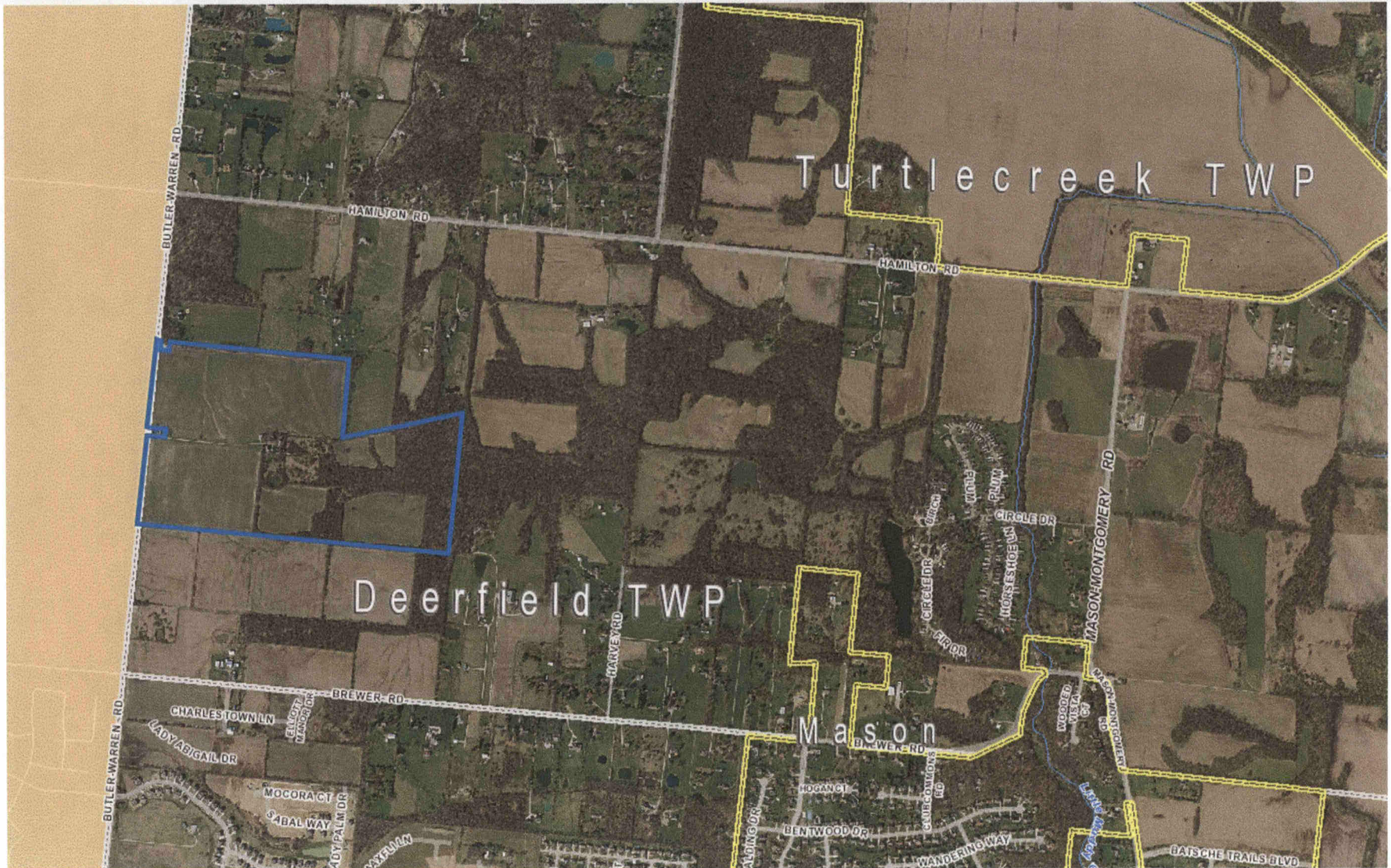
CURRENT ZONING DISTRICT	"MXU-N" Mixed Use Neighborhood Zone
FUTURE LAND USE MAP (FLUM) DESIGNATION	TURTLECREEK- Single Family Residential
EXISTING LAND USE	AGRICULTURE / RESIDENTIAL
ZONING REQUESTED	"PUD" Planned Unit Development Zone
ISSUE FOR CONSIDERATION	<p>Zone change from MXU-N to PUD for single family and paired townhomes with a max of 350 units having a density of 2.48 dwelling units per acre.</p> <p>Compliance with Section 1.305 Planned Unit Development</p>

Rezoning Process



Aerial Map

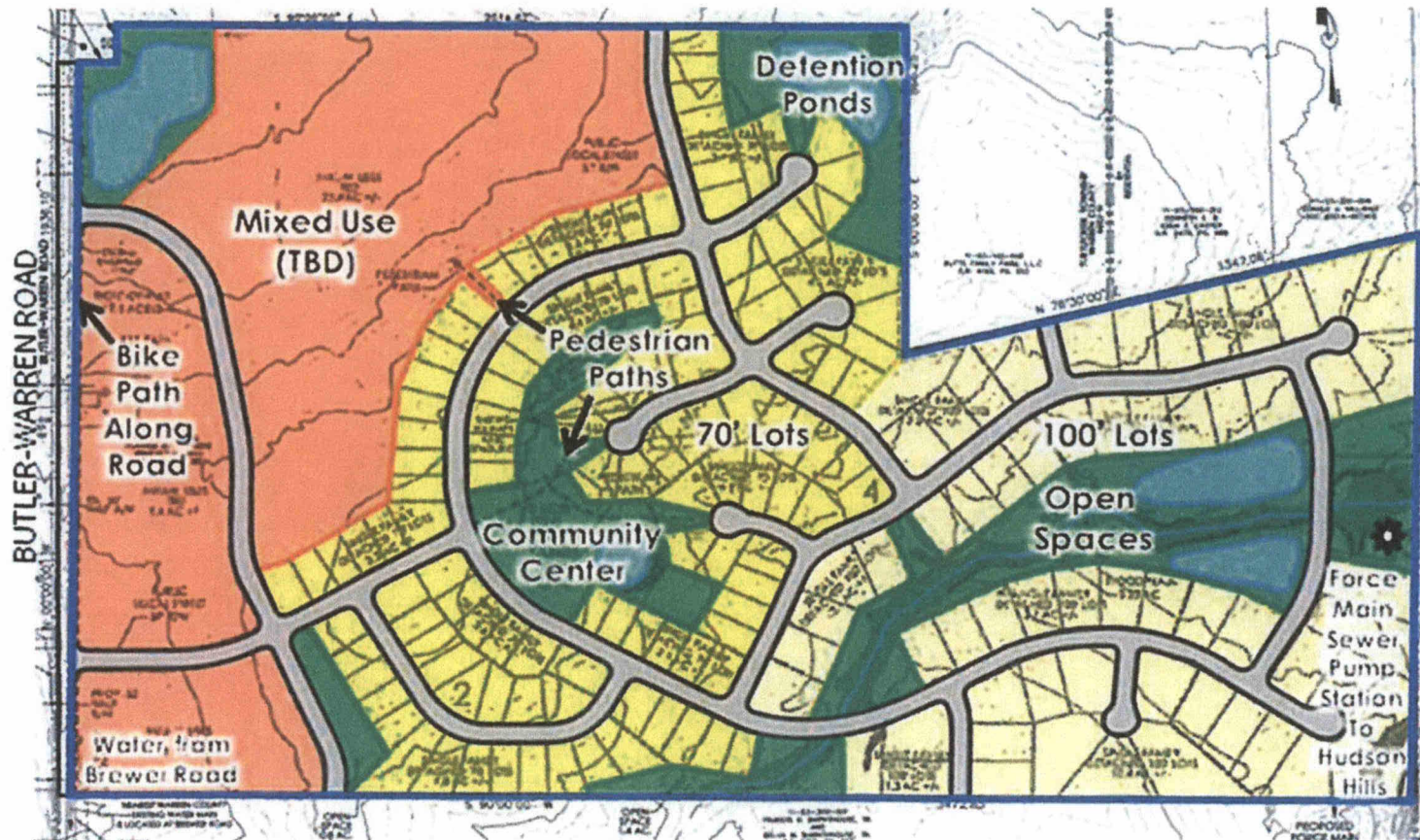
2020-03

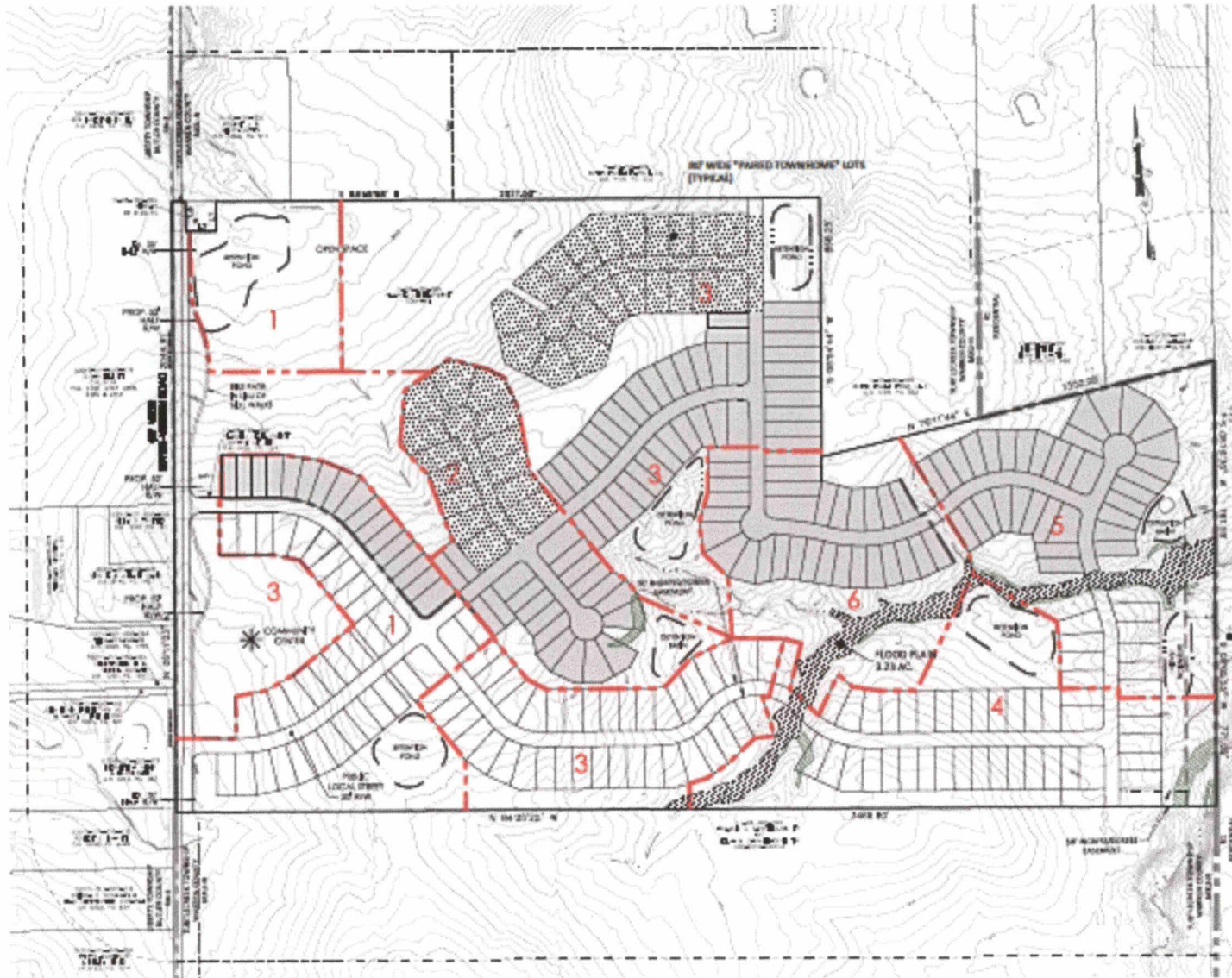


Current Approved

2020-03

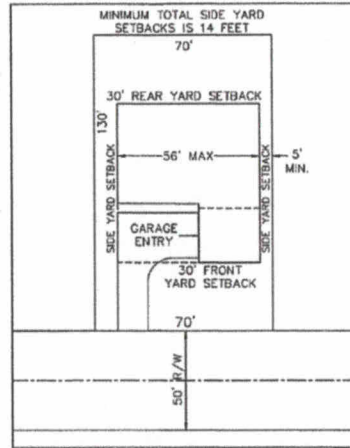
• Single-Family – 70' wide lots:	124 lots	Total SF Residential	61.3 acres (43.4% of site gross area)
Single-Family – 100' wide lots:	62 lots	Mixed-Use Area (TBD):	37.6 acres (26.7% of site gross area)
Total	186 lots	Open Space:	23.1 acres (16.4% of site gross area)
(see Exhibit A for full plan submitted)		Rights-of-Way	19.1 acres (13.5% of site gross area)







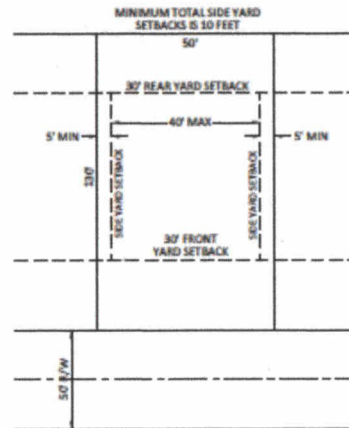
SINGLE FAMILY DETACHED
70' LOT - FRONT ENTRY
PROPOSED BUILDING SETBACKS



SINGLE FAMILY DETACHED
70' LOT - SIDE ENTRY
PROPOSED BUILDING SETBACKS



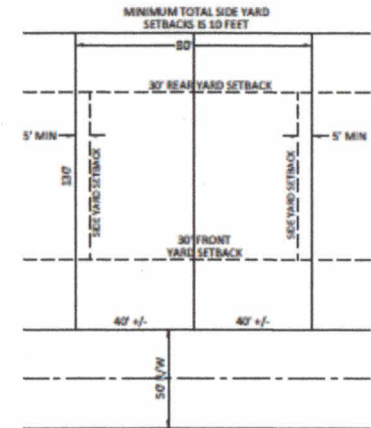
SINGLE FAMILY DETACHED
100' LOT
PROPOSED BUILDING SETBACKS



SINGLE FAMILY DETACHED
50' LOT
PROPOSED BUILDING SETBACKS



SINGLE FAMILY DETACHED
60' LOT
PROPOSED BUILDING SETBACKS



PAIRED TOWNHOME
80' - 2 UNITS / LOT
PROPOSED BUILDING SETBACKS

LAND USES

SINGLE FAMILY DETACHED:

- 70' - 100' LOTS

OPEN SPACE:

- PASSIVE
- COMMUNITY CENTER
- WATER FEATURES

LAND USE TABLE

MIXED USED AREA:	37.6 Acres
SINGLE FAMILY DETACHED 70' LOTS:	31.7 Acres
SINGLE FAMILY DETACHED 100' LOTS:	29.6 Acres
OPEN SPACE:	23.1 Acres
RIGHT OF WAY:	19.1 Acres
GROSS AREA:	141.1 Acres

THE ANTICIPATED NUMBER OF 70' LOTS IS 124.
THE ANTICIPATED NUMBER OF 100' LOTS IS 62.

MXU-N ALLOWED USES:

- RETAIL SMALL SCALE
- LIGHT MANUFACTURING
- SINGLE FAMILY DWELLINGS
- TWO FAMILY DWELLING UNITS
- LIVE/WORK UNITS
- APARTMENT HOUSES
- TOWNHOUSES
- PATIO, ATRIUM AND LOT LINE
- MULTIPLE FAMILY DWELLING UNITS

LAND USES

PROPOSED USES:

- 50' LOTS SINGLE FAMILY DETACHED
- 60' LOTS SINGLE FAMILY DETACHED
- 80' LOTS PAIRED TOWNHOME

OPEN SPACE:

- PASSIVE
- COMMUNITY FACILITY
- WATER FEATURES

LAND USE TABLE

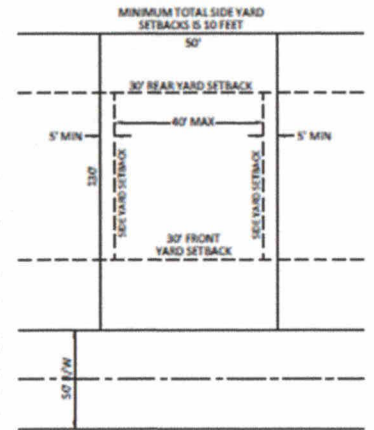
SINGLE FAMILY DETACHED 50' LOTS:	22.4 Acres
SINGLE FAMILY DETACHED 60' LOTS:	28.4 Acres
PAIRED TOWNHOME LOTS 80' LOTS:	12.1 ACRES
OPEN SPACE:	62.7 Acres(1)
RIGHT OF WAY:	15.5 Acres
GROSS AREA:	141.1 Acres

MXU-N ALLOWED USES:

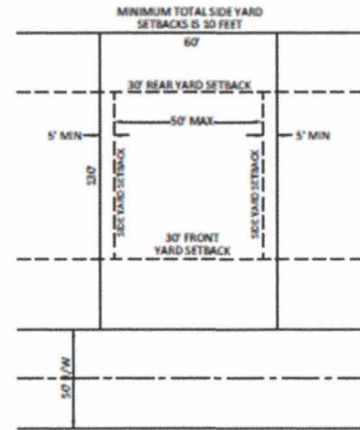
- RETAIL SMALL SCALE
- LIGHT MANUFACTURING
- SINGLE FAMILY DETACHED DWELLINGS
- TWO FAMILY DWELLING UNITS
- LIVE/WORK UNITS
- APARTMENT HOUSES
- TOWNHOUSES
- PATIO, ATRIUM AND LOT LINE
- MULTIPLE FAMILY DWELLING UNITS

Table 3.307-1 Required Number of Off-Street Parking Spaces

Use	Minimum Spaces Required
Residential and Residential Based Uses	
Single-and Two Family Dwellings	2 per dwelling unit, exclusive of garage spaces



**SINGLE FAMILY DETACHED
50' LOT
PROPOSED BUILDING SETBACKS**



**SINGLE FAMILY DETACHED
60' LOT
PROPOSED BUILDING SETBACKS**



**PAIRED TOWNHOME
80' - 2 UNITS / LOT
PROPOSED BUILDING SETBACKS**

Parking

2020-03



SEC 3.405 BUFFERING AND SCREENING REQUIREMENTS:

(A) Streetscape Buffer:

- (1) The front yard of each site shall be landscaped with street trees. Street trees may be credited toward the minimum requirements specified in Section 3.407(A) (Landscaping and Screening for Parking and Loading Areas).
- (2) Trees are required at a rate of one (1) tree per forty (40) feet of frontage with a minimum of one (1) tree per parcel.

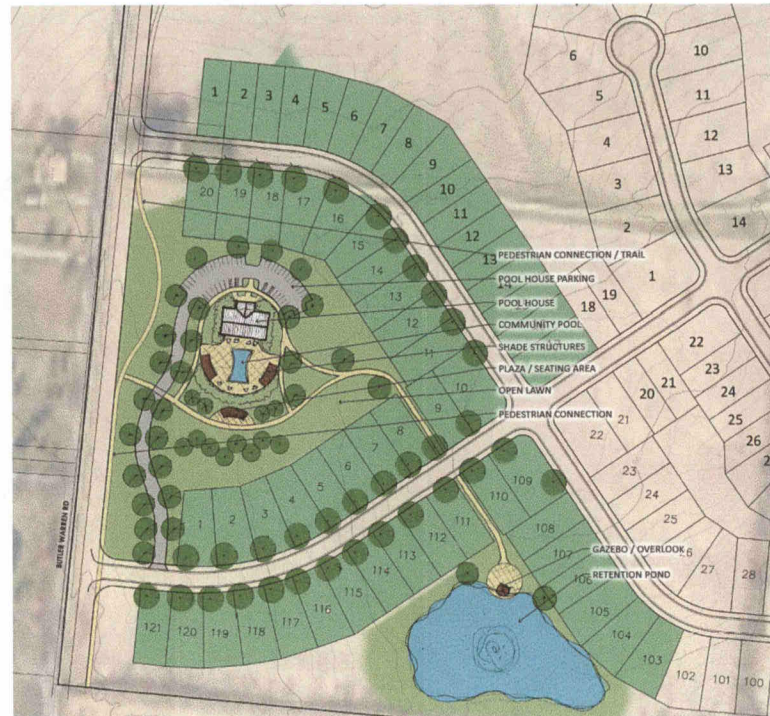
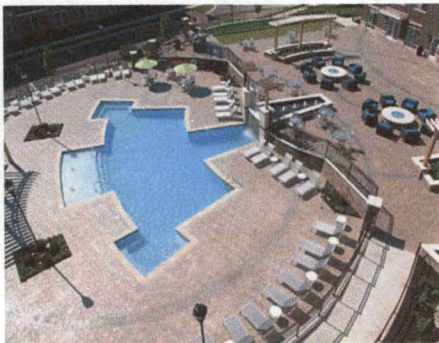


Table 3.405-1: Lot Perimeter Buffer Type

PROPOSED USE	ADJACENT TO				
	Single-Family or Two-Family Residential District, Recorded Subdivision or lot used for single family residential purposes	Multi-Family Residential Use or District	Office Use or District	Commercial/Business Use or District	Industrial Use or District
Single-Family or Two-Family	None	None	None	None	None

SEC 3.506 DESIGN REQUIREMENTS: In general, outdoor lighting shall be deflected, shaded, and focused away from adjacent properties and shall not create a spot glare nuisance. Outdoor lighting shall be designed so that any overspill of lighting onto adjacent residential properties shall not exceed two-tenths (0.2) foot-candles. The maximum permitted luminaire height and the maximum permitted illumination shall conform to this Section:



SEC 3.507 LIGHTING FOR OUTDOOR PERFORMANCE AREAS AND RECREATION FACILITIES:

- (A) Shall not exceed thirty (30) foot-candles and shall not exceed eighty (80) feet in height.
- (B) Shall be a minimum distance of one and one-half (1 ½) times the height of the lighting luminaire device from the property lines.
- (C) Existing vegetation that mitigates glare upon residential properties shall be maintained to the greatest extent possible.

SEC 3.612 SIGNS PERMITTED IN ALL DISTRICTS:

(A) **Gateway Signs:** Architectural features with signage may be erected at each entry point, subject to the following:

(1) One (1) sign is permitted on each side of the entrance.

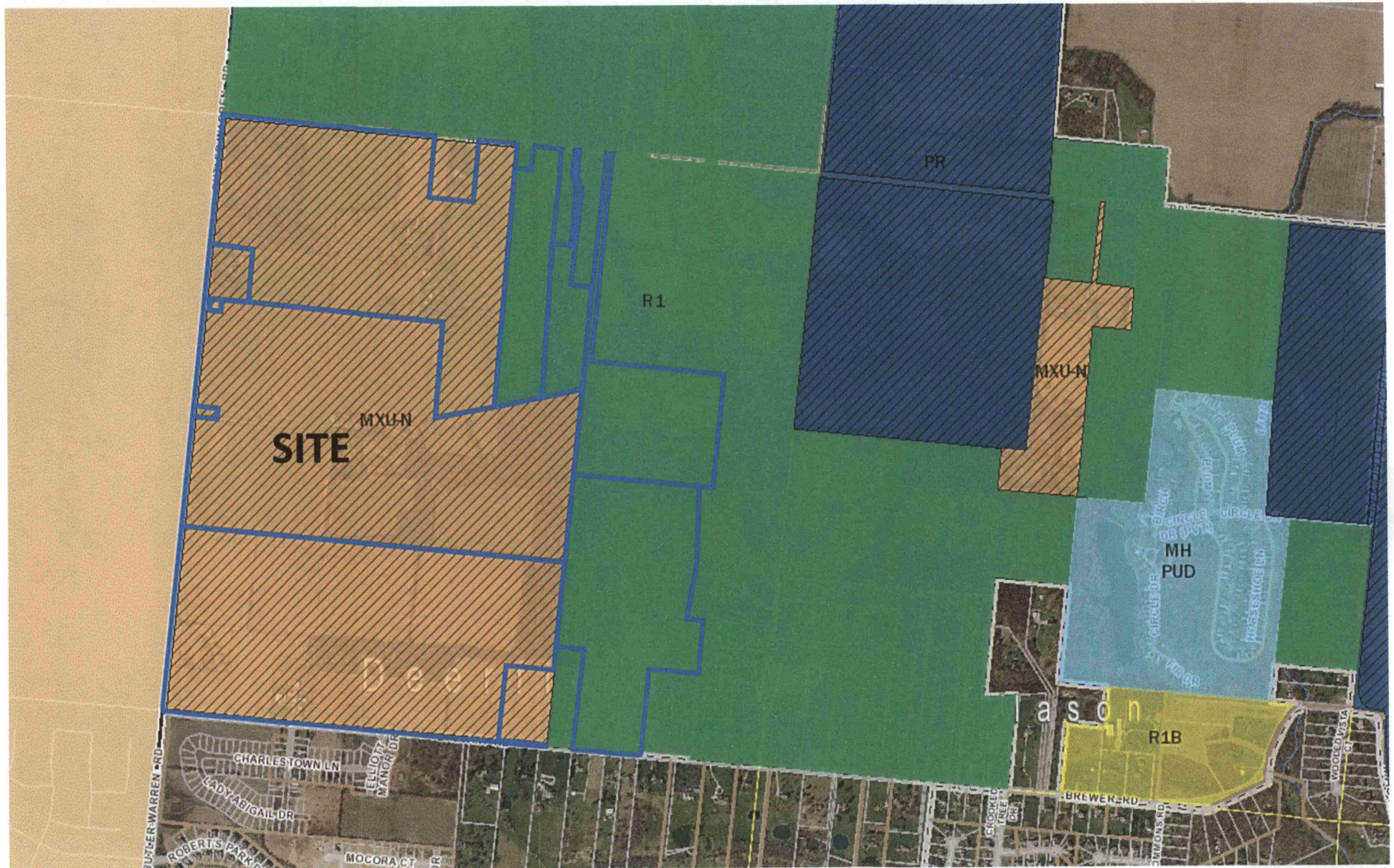
(2) Gateway signs shall maintain clear zones for pedestrians and motorists and comply with the following:

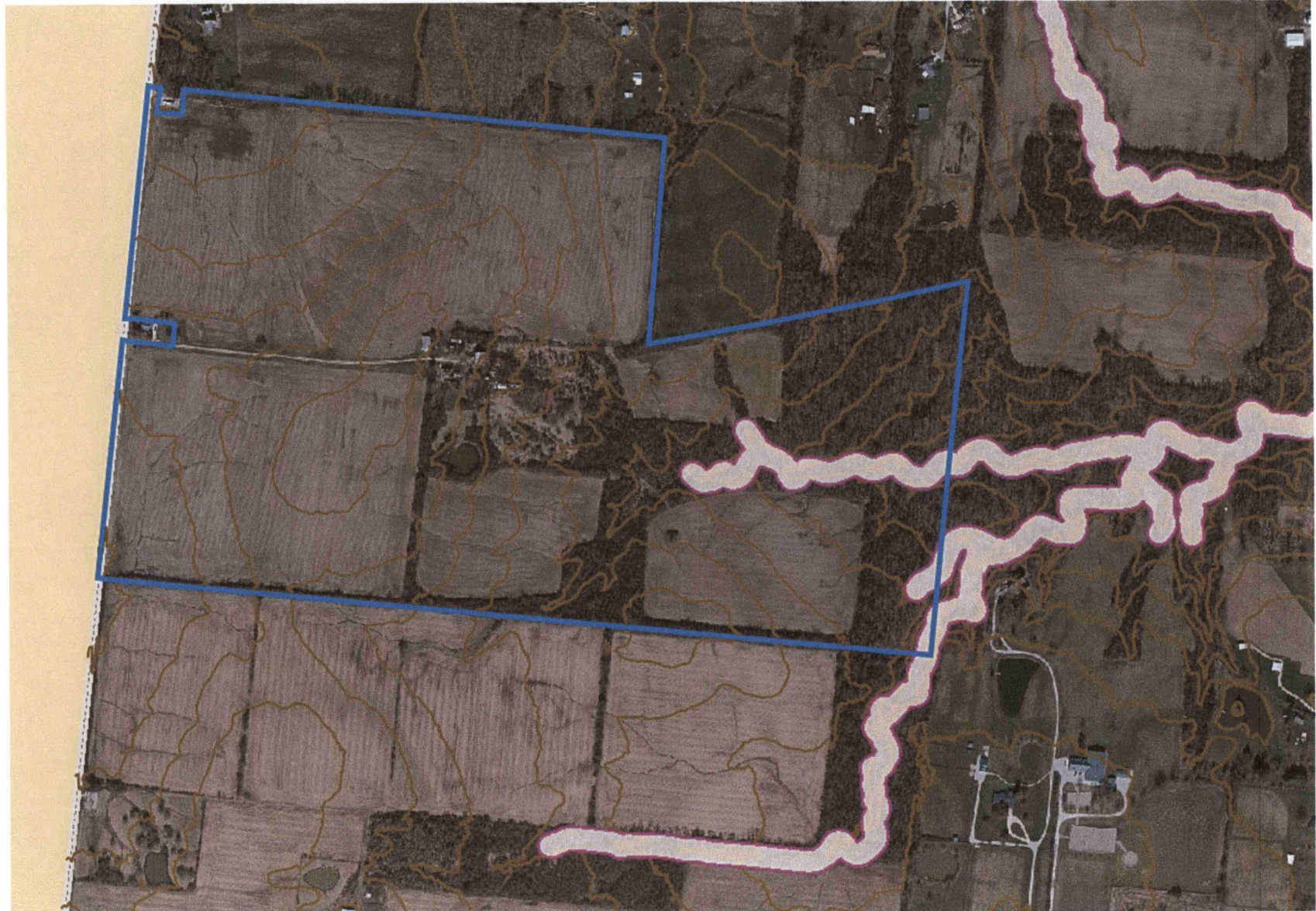
- (a) Maintain a setback of ten (10) feet from public street right-of-way line(s) as determined on the Warren County Thoroughfare Plan;
- (b) Ten (10) feet from the edge of driveway; and,
- (c) Five (5) feet from any sidewalk or paved path.

(3) A maximum height of ten (10) feet from average grade.

(4) A maximum sign face of twenty-four (24) square feet in residential zones, all other zones subject to Table 3.613-2 Ground Sign Requirements.

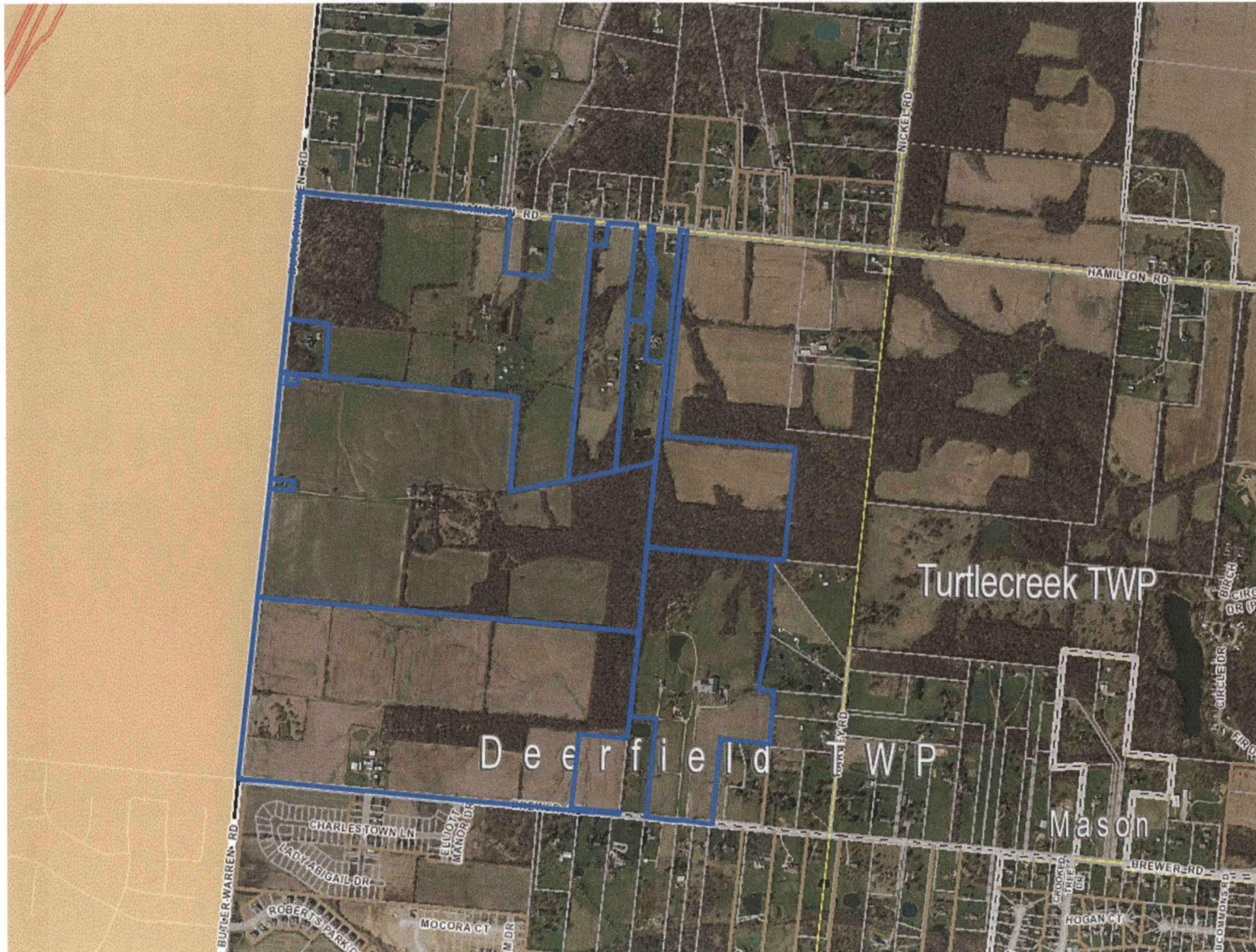
(5) Proof of an established mechanism to ensure the ongoing maintenance of the entire entrance structure and associated landscaping shall be submitted to the Zoning Inspector as part of the sign permit application.





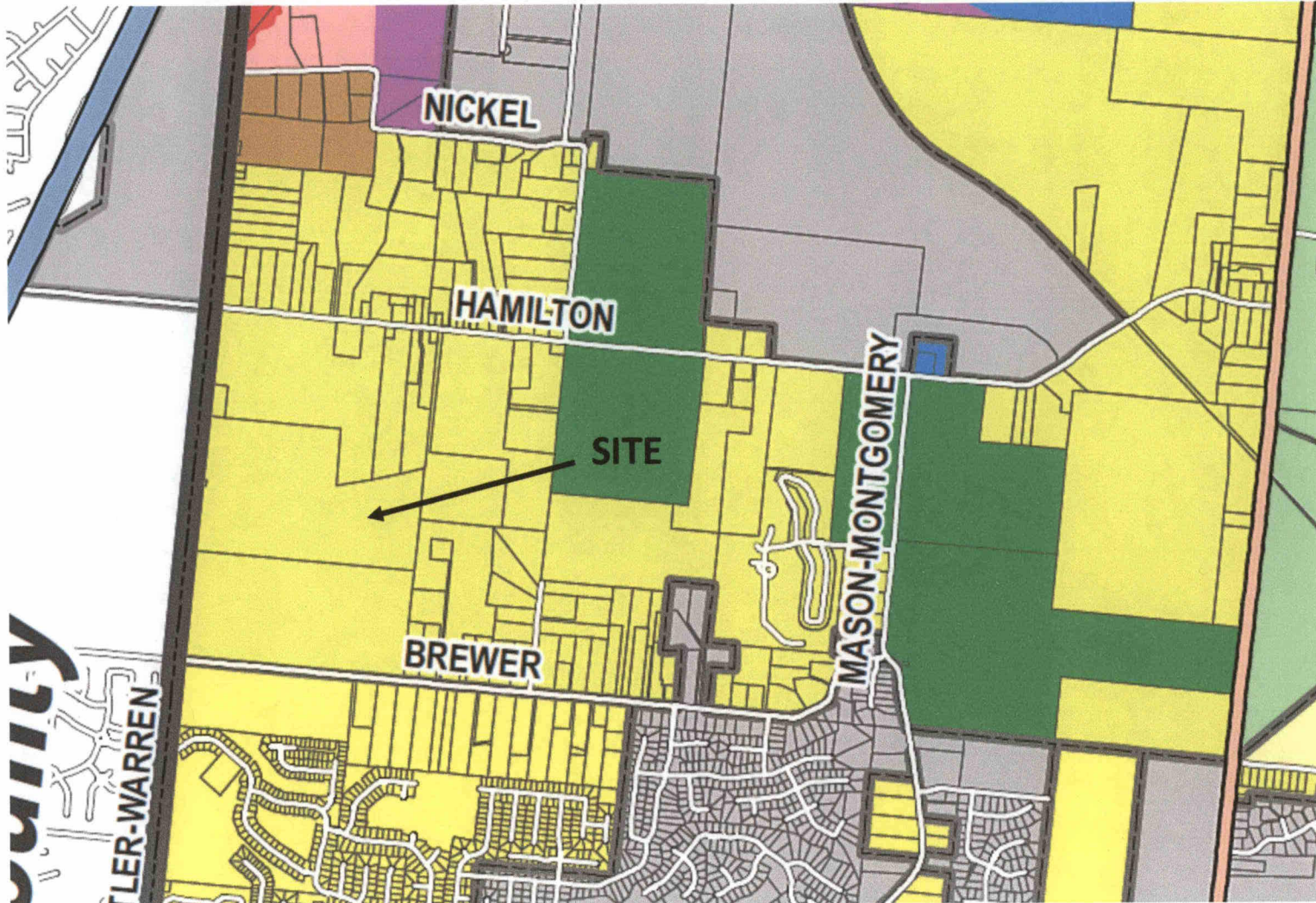
Notification Map

2020-03



Legend

- County Boundaries
 - Political Subdivisions
 - Parcels
 - Lakes and Rivers
 - Municipalities
- Future Land Uses**
- Agricultural-Rural Residential
 - Commercial
 - Industrial
 - Mixed-Use Neighborhood
 - Multi-Family Residential
 - Office
 - Protection Area
- Deerfield Township Character Areas**
- Public-Semi-Public
 - Parks and Recreational-Open Space
 - Single Family Residential
 - Low Density Rural Neighborhoods
 - Medium Density Rural Neighborhoods
 - Neighborhood Mixed Use
 - Neighborhoods
- Clearcreek Township Additional Uses**
- Office Park
 - Regional Highway Commercial
 - Town Center Mixed Use
 - Township Residential
 - Rural Residential
 - Single Family Residential
- Salem Township Additional Uses**
- Mixed Use Light Industrial/Office
 - Mixed Use
- Union Township Additional Uses**
- Low Density Residential
- Wayne Township Additional Uses**
- Mixed Use Commercial/Industrial
 - Mixed Use Residential



Comprehensive Plan-Land Use Element

Recommendation

The Warren County Regional Planning Commission Executive Committee recommended **approval** of the rezoning with the following conditions:

1. All plans and proposals of the applicant shall be made conditions of approval, unless modified by one of the following conditions.
2. Compliance with the Warren County Rural Zoning Code & the Warren County Subdivision Regulations.
3. Minimum open space: 33% of the site.
4. A traffic impact analysis shall be completed at the time of Preliminary Plan submission and shall be approved by the Warren County Engineer's Office. Any road improvements deemed necessary by the traffic impact analysis shall be installed by the developer.
5. The proposed access points shall be reviewed by the Warren County Engineer's Office for sight distance and safety.
6. A Soil and Erosion Sediment Control Plan shall be submitted to the Warren County Soil and Water Conservation District for review and approval before earth moving activities. Compliance with any requirements deemed necessary by the Warren County Soil and Water Conservation District.
7. A Storm Water Management Plan shall be submitted to the Warren County Engineer's Office for review and approval.

Recommendation

The Warren County Regional Planning Commission Executive Committee

Continued:

8. A Landscaping Plan shall be illustrated at PUD Stage 2 with each plant type and height at time of planting.
9. The maximum amount of 80 foot lots shall be 34.
10. The minimum amount of 60 foot lots shall be 121.
11. The number of 80-foot and 50-foot lots platted shall not exceed the number of 60-foot lots platted prior to the recording of all 121, 60-foot lots.
12. The total number of dwelling units shall not exceed 330.
13. Sidewalks shall be required on both sides of all interior streets.
14. The quality and nature of the public facilities and amenities shall be built as illustrated in Exhibit A.
15. This development is contingent upon the provision of central sewer access.

Recommendation

The Warren County Soil & Water stated:

The property contains some important natural resources including but not limited to streams and riparian zones. An environmental study will be required to determine sensitive areas and federal, state and local permits. Protection of these natural resources is encouraged with creative design and construction methods.

The Warren Engineer's Office noted:

1. There are two viable locations for street intersection connections to Butler Warren with the final locations to be reviewed and approved by the Warren County Engineer.
2. A traffic impact study will be required consistent with the Access Management Regulations of Warren County Ohio.
3. Storm water and storm water quality/quantity control design will be required per the Warren County storm water management regulations.

Recommendation

Warren County Water & Sewer

Requests the residential homes receive retail sewer service from Butler County due to the high cost of service associated with the operation of the Little Muddy Pump Station and the wastewater treatment processing fee paid to Butler County.

If the BOCC retains the area for sewer service then the request is for conditions 1-9 in Exhibit A.

Lebanon City School District

The Lebanon City School District is not in support of the proposed zoning amendment for the Glenmore Park Subdivision. Our concern is that the increased density will result in additional students for the Lebanon City School District without providing increased property value to generate enough tax revenue to offset the increased cost to educate the additional students. The increased burden will force the Lebanon City School District to place additional property tax levies on the ballot to generate the revenue to offset the increased cost. Neighborhoods with lower density and higher property values place a much lower burden on the school district. For these reasons, we urge you to not support the current amendment for zoning for the Glenmore Park Subdivision.

ANY
QUESTIONS?



Turtlecreek Township Tax Impact from Glenmore Park

121 Homesites (60') Expected Sales Price = \$400,000

141 Homesites (50') Expected Sales Price = \$330,000

68 Paired Patios/Townhomes Expected Sales Price = \$270,000

Total Sales Income = \$113,290,000 ÷ 330 Homes = \$343,303 Average Sales Price

Average Appraised Value of a Home in Glenmore Park ($\$343,303 \times 92\%$) = \$315,839

Total Property Tax from a Home in Glenmore Park ($\$315,839 \times 1.74\%$) = \$5,496

Tax Paid to Turtlecreek Township Per Home in Glenmore Park ($\$5,496 \times 11.87\%$) = \$652

Average Appraised Value of a Home in Turtlecreek Township = \$259,967

Total Property Tax from a Home in Turtlecreek Township ($\$259,839 \times 1.74\%$) = \$4,521

Tax Paid to Turtlecreek Township Per Home in Turtlecreek Township ($\$4,521 \times 11.87\%$) = \$537

Difference In Tax Paid Per Home in Glenmore Park and a Home in Turtlecreek Township ($\$652 - \537) = \$115

Total Positive Impact of Glenmore Park (330 Homes x \$115) = \$37,950

Positive Annual Tax Impact on Each Existing Turtlecreek Homeowners ($\$37,950 \div 3,506$ Homes) = \$10.82 per year

Lebanon City Schools District Tax Impact from Glenmore Park

2018 Local Revenue Per Pupil (From F2018 District Profile Report Line 48) = \$4,784

Average Number of School Age Children Per New Construction Residence in Ohio = .817

Total Number of Residences in LCSD = 12,404

Average Appraised Value of a Home in Glenmore Park ($\$343,303 \times 92\%$) = \$315,839

Total Property Tax from a Home in Glenmore Park ($\$315,839 \times 1.74\%$) = \$5,496

Tax Paid to LCSD Per Home in Glenmore Park ($\$5,496 \times 72\%$) = \$3,957

Average Local Revenue Spent by LCSD Per Home in Glenmore Park ($\$4,784 \times .817$) = \$3,909

Difference in Tax Paid to LCSD Per Home in Glenmore Park and Local Revenue Spent by LCSD Per Home in Glenmore Park ($\$3,957 - \$3,909$) = \$48

Total Positive Impact of Glenmore Park (330 Homes \times \$48) = \$15,840

Positive Annual Tax Impact on All LCSD Homeowners ($\$15,840 \div 12,404$ Homes) = \$1.28 per year