

ORDINANCE NO. 3881

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO REPEAL AND REPLACE ZONING CODE SECTION 1143.10, UPTOWN DISTRICT, TO ALLOW FOR RETAIL SERVICES UP TO 20,000 SQUARE FEET AS A PERMITTED USE.

WHEREAS, the City of Oxford Planning and Zoning Code Uptown Zoning District Section 1143.10 currently permits retail services, including restaurants and bars, to exceed 10,000 square feet; through the process of a conditional use permit approval; and

WHEREAS, City of Oxford Community Development and Economic Development staff proposed an amendment to Section 1143.10 which would allow retail services up to 20,000 square feet without a conditional use approval; and

WHEREAS, the Planning Commission held hearings in December 2024 and March 2025 to review this topic; and

WHEREAS, the Planning Commission revised the amendment to allow retail services to exceed 10,000 square feet without conditional use approval, with the exception of restaurants and bars; and

WHEREAS, On March 11, 2025, Planning Commission voted 5-0 to recommend approval of the revised amendment to City Council; and

WHEREAS, the City Manager and Community Development Director find that the amendment complies with the procedures of Section 1135.02 and recommend that City Council accept the recommendation of the Planning Commission; and

WHEREAS, Council finds in accordance with Section 1135.02 of the Codified Ordinances of the City of Oxford, the City of Oxford Planning Commission held a public hearing on March 11, 2025, and that following the public hearing did deliberate and as a result of that deliberation, the Planning Commission recommended repealing Oxford Codified Ordinance Section 1143.10 entitled Uptown District, and adopting new Section 1143.10 entitled Uptown District consistent with the final clean version found in Exhibit A, attached.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Council hereby repeals Section 1143.10 entitled Uptown District and adopts new Section 1143.10 as shown in attached Exhibit A.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.


MAYOR

ADOPTED: SEPTEMBER 1, 2026

ATTEST:


CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: JASON BRACKEN

PREPARED BY: PLANNING STAFF

CHECKED BY: LAW

EXHIBIT A

1143.10 – UP Uptown District.

(a) Purpose.

The purpose of this district is to preserve and encourage the continued vitality of the City's historic central business and civic activity area. Selected uses and regulatory standards are provided to guide development so as to achieve a mixture of appropriate uses in a functional, aesthetic and pedestrian compatible manner.

(b) Uses.

(1) Permitted uses.

- A. Any combination of residential dwelling types as defined in Section 1159.05(8), A through E., on the second floor or higher.
- B. Restaurant, food or drink service, and similar establishments shall not exceed 10,000 square feet of floor area on any given floor.
 - 1. Bars and establishments serving alcohol, not including drive-in.
 - 2. Restaurants, not including drive-in.
- C. Retail services shall not exceed 20,000 square feet of floor area on any given floor.
 - 1. Apparel and jewelry.
 - 2. Books, stationery, newspapers, magazines, office equipment and office supply stores.
 - 3. Drugs and pharmaceuticals.
 - 4. Food products, including groceries, meat, fish, baked goods, confectionary, and beverages.
 - 5. Flowers, potted plants, and garden supplies.
 - 6. Hardware, paint, home furnishings, and other home improvements products.
 - 7. Optical aids.
 - 8. Photography, bicycles, gifts and toys, pets, music, sporting goods, and other hobby and craft supplies.
 - 9. Other similar establishments engaged in retail trade except those included as Conditional Uses in subsection (b)(2) hereof.
- D. Personal and professional services shall not exceed 10,000 square feet of floor area on any given floor.
 - 1. Accounting, advertising, architectural, auditing, bookkeeping, legal, and medical offices, and offices for other similar professional service providers.
 - 2. Banks, credit agencies, investment firms, real estate, insurance offices, and other similar establishments engaged primarily in financial services.
 - 3. Barber and beauty shops.

4. Cleaners, including dry cleaning and laundromats.
5. Home improvement services, including carpentry, electrical, heating, plumbing, and decorating.
6. Offices for nonprofit, charitable, labor, and other service organizations.
7. Repair establishments for bicycles, household appliances, locksmiths, shoes, and motor vehicles (if no gasoline is sold).
8. Theaters, not including drive-ins.
9. Other similar personal and professional services, such as employment agencies, travel bureaus, and ticket offices.

E. Accessory buildings incidental to the principal use. ~~EE~~.

Sidewalk uses.

1. This section is intended to provide for active use of private and public property in the Uptown District for outdoor cafes and retail sales. A sidewalk use requires a permit, shall be operated according to the provisions of this section, and is valid for one year and only for the location, design, and use approved.
2. A sidewalk use may include outdoor activity on both private and public property as follows:
 - a. Private property in the front setback area or any courtyard or other partially enclosed area adjacent to a right-of-way may be utilized only for the same commercial activity as the principal use on the first floor of the principal structure.
 - b. The public sidewalk and other paved portions of the right-of-way that are designed and constructed to accommodate pedestrians may be utilized only for the same commercial activity as the principal use on the first floor of an immediately adjacent principal structure.
3. A sidewalk use permit application shall include a fee, a scaled site plan, and other information sufficient to determine compliance with all of the following provisions:
 - a. The use may not result in less than five feet of open and unobstructed public sidewalk adjacent to the sidewalk use; and
 - b. The adjacent property owner and the operator of the use have a liability insurance policy that covers accidents and injuries on the public right-of-way for a minimum of one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per accident, premiums are fully paid for the calendar year of the permit, and the City of Oxford shall be named as an additional insured upon such liability policy; and
 - c. The use shall employ only displays, counters, tables, chairs, umbrellas, and planters that are moveable; and
 - d. Nothing related to the operation of the use shall be permanently installed on public or private property except anchors that do not protrude above

the adjacent sidewalk surface and do not otherwise create a trip hazard;
and

- e. All materials shall be lightweight and easily removable; and
 - f. All roofs shall be made of a flame-resistant (per Ohio Basic Building Code and Ohio Fire Code), nonstructural material such as treated canvas or vinyl fabric; and
 - g. All illumination shall be confined within the perimeter of the use; and
 - h. All partitions shall be transparent 3 feet above the adjacent sidewalk surface.
- 4. The City Manager or designee shall require removal of anything or correction of any condition associated with a sidewalk use that threatens the public health, safety, or general welfare and shall revoke an approved permit if its holder fails to comply with any such order in a timely manner.
 - 5. The City Manager shall reinstate a revoked permit if the holder removes the immediate threat and provides sufficient proof that the threat will not recur.
 - 6. If a sidewalk use permit is revoked more than once during the year that the permit is valid, the permit shall not be reinstated and a new permit shall not be issued until after the original expiration date of the revoked permit.

(2) Conditional Uses.

The following Conditional Uses are subject to review and regulation in accordance with Chapter 1147.

- A. Restaurant, food or drink service, and similar establishments:
 - 1. Any permitted use that exceeds 10,000 sq. ft. on any given floor.
 - 2. Additional restaurant-related uses above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.
- B. Retail services:
 - 1. Any permitted retail use that exceeds 20,000 sq. ft. on any given floor.
 - 2. Banks with drive-through facilities.
 - 3. Building supplies, garden supplies.
 - 4. Temporary or outdoor sales of plants and garden supplies.
 - 5. Retail uses which do not provide a minimum ratio of 0.7:1 of the lot area.
 - 6. Additional retail uses above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.
- C. Personal and public services:
 - 1. Any permitted personal or public service that exceeds 10,000 sq. ft. on any given floor.
 - 2. Cultural institutions, including libraries, art galleries and museums.

3. Hotels and motels.
4. Places of worship.
5. Funeral homes.
6. Night clubs, discotheques, and other entertainment facilities.
7. Personal and Professional Services which do not provide a minimum of 0.7:1 of the lot area.
8. Additional personal and professional services above the street level which would cause the maximum permitted gross floor area ratio to exceed the 3:1 ratio.

D. Other uses.

1. Any combination of dwelling types as defined in Section 1159.05(8), A through E, on the first floor or basement.
2. Community-Oriented Residential Social Service Facilities (CORSSF's).
3. Shared Housing and Congregate Housing for the elderly.
4. Government owned and/or operated parks and recreation facilities.
5. Bed & Breakfasts.
6. Publicly owned and operated neighborhood recreation centers.
7. Day care facilities, including Day Care for child, Day Care Center for child, Day Care Home Type A family, and Day Care Home Type B family.
8. Schools: primary, intermediate, and secondary, both public and private.
9. Hospitals

(c) Site Development Regulations. (Unless superseded by Conditional Use Requirements)

(1) Lot requirements.

A. Minimum Lot Area:

1. Lots in the Uptown District shall be a minimum of three thousand (3,000) square feet.

(2) Yard requirements.

Front Yard	16.5 feet minimum except * On High Street - at least 70 percent of building must meet the right-of-way line
Rear Yard	none except * Adjacent to a residential district 10 feet minimum
Side Yard	none except * Adjacent to a residential district 6 feet minimum

(3) Structural requirements.

A. Building height:

Minimum - 23 feet and a minimum of 2 stories above street grade
Maximum - 48 feet and 4 stories maximum above street grade.

B. Gross Floor Area Ratio:

1. The maximum permitted gross floor area ratio of a structure at or above grade in the Uptown District shall be 3. (Lot area x 3 = total bldg. sq. ft.)
 - a. Commercial space shall provide a minimum ratio of 0.7:1 of the lot area on the street level subject to the following:
 - i. The basement of a structure may be used for retail, personal and professional uses but shall not be computed into the minimum 0.7:1 ratio.
 - ii. Uncovered outdoor areas shall:
 - a. Be associated with the first floor commercial occupant,
 - b. Be located on the property and/or on the public sidewalk, only with a valid sidewalk permit.
 - c. Be computed into the minimum 0.7:1 ratio, but not the overall 3:1 ratio.
 - b. Residential space shall provide a maximum ratio of 2:1 of the lot area subject to the following:
 - i. Stairways, hallways, elevators outdoor patios, decks, and balconies, for residential use shall be computed into the maximum 2:1 ratio.

(4) Maximum Residential Density.

- A. Occupancy shall be limited to one person per 200 square feet of lot area.