



CITY COUNCIL
Work Session –March 15, 2021 5:00 p.m.
Council Chambers

1368 Research Park Dr
Beaver Creek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION ITEMS
 - A. Zoning Code Updates
 - B. Greene County Community Investment Grant Program Application
 - C. Public Service's Service Capacity
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

PEC

Planning and Development Department

MEMORANDUM

TO: Beavercreek City Council

FROM: Sandra Pereira, City Planner through
Randy Burkett, Planning & Development Director

RE: *Zoning Code Update*

DATE: March 11, 2021



Planning and Development Staff is currently working on a revision to the zoning code as we have done on nearly an annual basis. There are several need to be addressed in this revision and we are seeking direction from City Council on some of the major topics that will be addressed.

Short Term Rentals/Mother-in-Law Suites/Granny Flats: We have seen an increase in interest to convert homes into short-term rentals such as AirBnB or VRBO or to convert space into separate dwelling units within finished basements or accessory structures for permanent occupancy of extended family or for additional income. The current code does not specifically address additional dwelling units within existing homes or accessory structures. Communities like Yellow Springs have allowed these types of used but require Conditional Use approval from Planning Commission. Other communities have expressly prohibited these operations.

Drive-Thru Stacking: Due to the ongoing pandemic, drive-thru customer volume with increased wait times have gotten to the point of becoming problematic in some areas. The current code has a minimum amount of drive-thru stacking required and staff would like to evaluate whether that minimum requirement should be adjusted or if this is a temporary anomaly.

Places of Religious Assembly in Commercial Zoning Districts: Places of religious assembly are currently Conditionally Permitted in all zoning districts, which requires approval by Planning Commission. This makes sense in residential and agricultural zoning districts where these uses can be located in residential neighborhoods, utilizing residential streets, affecting surrounding residential properties. However, Staff feels that in commercial zoning districts a zoning permit to ensure that requirements are being met should be a sufficient amount of oversight.

Nonconformities: The zoning code currently requires that any structure destroyed by more than 60% of its value be brought into compliance with the current code, regardless of how it was destroyed. However, it has been standard operating procedure in the department to allow existing foundations to be used, even if they are nonconforming, in the event of a fire and most recently, the Memorial Day tornadoes. This policy has only applied to primary structures and not applied to structures damaged due to flood. Staff is proposing to change the code to allow for the

use of an existing foundation for a rebuild in the event of a disaster, natural or otherwise, to align practical application of the zoning requirements.

Residences on Agricultural Properties: There is currently no limit to the number of primary residential dwellings on individual lots within agriculturally zoned properties, nor is there a minimum square footage requirement, which could potentially allow for a tiny house community or a residential compound of unlimited size. One Family Residential districts limit the number of homes to one (1), on each parcel, and have a minimum footprint requirement of 1200 square feet.

Sex Clubs: We have recently been made aware of sex clubs temporarily operating out of various hotels within the City of Beavercreek, which is currently legal. However, there has been interest in finding a more permanent location for these activities, which under current zoning regulations are permitted wherever social clubs are allowed. Based on discussions with the Law Director we have the opportunity to regulate locations of these operations.

This is not a comprehensive list of all of the proposed changes to the code for 2021 just the major concerns that have arisen since the last changes were approved. A full version of every change will be presented to City Council at a Council meeting in the near future.

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Garcia
- IV. APPROVAL OF MINUTES
- V. PRESCHEDULED SPEAKERS
 - A. Greene Forward, Jason Tincu, Director, Greene County Sanitary Engineering
- VI. PUBLIC HEARING A-21-1, Gary Turner Agricultural District
 - A. Applicant Presentation
 - B. Staff Presentation
 - C. Public Input
 - D. Council Input
 - E. Resolution 21-10
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Resolution 21-11 Greene County Community Investment Grant Program Application
- VIII. COUNCIL TIME
- IX. MAYOR'S REPORT
- X. CITY MANAGER'S REPORT
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT



CITY COUNCIL
Regular Meeting – April 12, 2021 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beaver Creek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Council Member Schwartz
- IV. APPROVAL OF MINUTES
- V. ORDINANCES, RESOLUTIONS AND PUDS
- VI. COUNCIL TIME
- VII. MAYOR'S REPORT
- VIII. CITY MANAGER'S REPORT
- IX. CITIZEN COMMENTS
- X. ADJOURNMENT

DRAFT

PLANNING DEPARTMENT STATUS REPORT

March 9, 2021

CITY COUNCIL

March 8, 2021

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Tabled / Delayed / Pending

PLANNING COMMISSION

April 7, 2021

- PUD 06-6 SSP #4, Mission Point Buildings A&B, public hearing
- PUD 21-2, Sky Crossing Rezoning, PUD B-398 (B3) to R-PUD, public hearing
- PUD 21-2 SSP #1, Sky Crossing, public hearing
- S-21-1, Dean's Plumbing
- S-21-2, Germany Lane

Tabled / Delayed / Pending

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Commercial Permits Submitted and Under Review

BOARD OF ZONING APPEALS

March 10, 2021

- No cases

April 14, 2021

- V-21-1, Niki Chaudhry, 3572 Eastmoor Drive
- V-21-2, Daniel Smith, 3869 S. Ashleaf Lane
- V-21-3, Michael & Amy Rettig, 3361 O'Hara Drive