

TRUSTEES

Cathy Ulrich
Daniel Unger
Matt Wahlert

FISCAL OFFICER

Jeffrey D. Baker

ADMINISTRATOR

Jeff Weckbach

Regular Meeting of the Board of Trustees - June 24, 2025

1. **Opening of Meeting**
2. **Pledge of Allegiance** 6PM
3. **Meditation (Moment of Silence)**
4. **Approval of Minutes**
5. **Public Hearings**
 - a. Public Hearing - Zoning Commission Case CZC-25-2, Zone Text Amendment to conditionally permit Cannabis Dispensaries in certain zoning districts
 - b. Public Hearing - Zoning Commission Case CZC-25-3, Zone Text Amendment to correct technical errors in the Zoning Resolution
6. **Presentations**
 - a. Presentation by Chief Walls Introducing and Swearing-in Newly Promoted Employees
7. **Citizens Address**
8. **Administrative Reports**
9. **Trustees' Report**
10. **New Business**

Public Safety

- a. Motion Authorizing the Disposal of a Surplus Vehicle (Department of Fire and EMS)
- b. Resolution Declaring Nuisance and Ordering Abatement
- c. Discussion: Clippard Park Hours and Gates

Public Services

Development

- a. Resolution Approving or Denying Zoning Commission Case CZC-25-2, Zone Text Amendment to conditionally permit Cannabis Dispensaries in certain zoning districts.
- b. Resolution Approving or Denying Zoning Commission Case CZC-25-3, Zone Text Amendment re Technical Corrections
- c. Motion for Board of Trustees to set a Public Hearing on July 8, 2025 at 6PM for a Major Amendment to Final Development Plan, Resolution 29-12

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- d. Motion for Board of Trustees to set a Public Hearing on the July 8, 2025 at 6:00PM for Zoning Commission Case CZC-25-5 regarding a Zone Text Amendment to add and revise standards related to Mobile Food Services, including provisions for food trucks, trailers, and temporary food vending operations
- e. Motion for Board of Trustees to set a Public Hearing on the July 8, 2025 at 6:00PM for Zoning Commission Case CZC-25-8 regarding a Zone Text Amendment to establish new regulations for One-Time Special Events, including defined timelines, permit requirements, and performance standards

Administration

- a. Resolution Adopting Ballot Language for Police Tax levy
- b. Motion to Move the November 25, 2025 Regular Meeting to November 11, 2025

11. Old Business

12. Consent Items

- a. New Hire- Accounting Specialist- Administration Department- Lisa White - \$24.04/hour
- b. New Hire - School Safety Officer - Police Department - Earl Davis - \$39.00/hour
- c. Donation Acceptance - Department of Fire and EMS - Cincinnati Moose Lodge #2 - \$1,965.41 (Checks)
- d. Donation Acceptance - Police Department - Moose Lodge - Cincinnati Lodge No. 2 - \$1,965.41
- e. Contract - Choice One Engineering - Property Survey for Breeze Way Sidewalk Project - \$6,975 - No Exp

13. Fiscal Office Report

14. Executive Session – if needed

15. Adjournment

PUBLIC HEARINGS

Department: Development

Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Public Hearing - Zoning Commission Case CZC-25-2, Zone Text Amendment to conditionally permit Cannabis Dispensaries in certain zoning districts

Recommend opening the public hearing.

Rationale:

As part of the Zoning Resolution amendment process, the Board of Trustees must hold a Public Hearing in their consideration of the recommendations from the Zoning Commission meeting held on May 18, 2025. A Staff Report on the Case as presented to the Zoning Commission is attached.



Staff Report:	Zoning Commission
Case #	CZC-25-2
Request:	Zoning Text Amendment
Location:	Colerain Township
Meeting Date:	May 20, 2025
Prepared by:	Juliana Petti Community Planner

Applicant:

This application is submitted by the Senior Planner of Colerain Township, acting on behalf of the Colerain Township Development Department, pursuant to a formal request from the Colerain Township Board of Trustees to initiate a zoning text amendment in accordance with R.C. §519.12(A)(1).

Proposed Action:

Colerain Township staff is proposing a text amendment to Section 3 (Land Use Standards) and Section 7 (Glossary of Terms) of the Colerain Township Zoning Resolution to allow and regulate the use of property within Colerain Township for a “Cannabis Dispensary”.

The proposed amendment would define the term “Cannabis Dispensary,” specify the zoning districts in which such use may be conditionally permitted, establish supplemental use-specific standards to ensure compatibility with surrounding uses, compliance with state law, and consistency with the Township’s long-term land use objectives.

Case Summary & History:

On April 8, 2025, the Colerain Township Board of Trustees formally requested that the Colerain Township Zoning Commission initiate a text amendment regarding the sale of marijuana in the Township. In accordance with this request, the Zoning Administration hereby presents to the Zoning Commission a proposed amendment to the Colerain Township Zoning Resolution to permit and regulate marijuana dispensaries within the Township.

This proposed amendment seeks to align the Zoning Resolution with strategic goals set forth in the *Imagine Colerain* Comprehensive Plan, particularly within the **Economic Development** element. Specifically, it advances the following objectives:

- **Repositioning underutilized properties to their highest and best potential** by incentivizing the redevelopment of aging commercial sites, especially in corridors identified for reinvestment and revitalization;
- **Establishing a business-friendly regulatory framework** that supports innovative and emerging sectors while maintaining compatibility with surrounding land uses;
- **Bolstering the Township’s commercial tax base** by enabling new forms of commerce in appropriately zoned districts, thereby diversifying economic activity and improving fiscal sustainability;

- **Encouraging targeted development that complements community health, safety, and public perception**, with design and operational requirements that prioritize community character and mitigate negative externalities;
- **Attracting investment through clear regulatory pathways and proactive land use policy**, in coordination with public and private sector partners.

By adopting this amendment, the Township is not only responding to the evolving landscape of state regulations, but also reinforcing its commitment to structured, intentional growth that reflects the values and long-term vision of Colerain Township.

Proposed Sections of the Colerain Township Zoning Resolution Text to Amend:

Colerain Township Trustees request to amend the Colerain Township Zoning Resolution text to better address the following Definition and Uses:

1. Use Table Revision

Amend **Table 3.1.4-A** in *§3.1 General Use Provisions* to establish “**Cannabis Dispensary**” as a distinct land use and to specify that such dispensaries are permitted **only as a conditional use** in select commercial zoning districts as identified by staff, and **prohibited in all other zoning districts**. This amendment replaces and supersedes previous references to “Medical Marijuana” and “Recreational Marijuana,” which shall be removed from the table and associated definitions for clarity and consistency with current state law.

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed — = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
04. Commercial & Office Uses			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
Cannabis Dispensary		3.4.10	—	—	—	—	◐	◐	◐	—	—	—

2. Definition Addition:

“Cannabis Dispensary” shall be added to *§7.1 Defined Terms* as follows:

Cannabis Dispensary shall mean a facility licensed by the State of Ohio Board of Pharmacy or other designated state regulatory authority under the Ohio Revised Code, authorized to sell, dispense, or otherwise provide cannabis or cannabis-derived products to qualifying patients, caregivers, or adult consumers, for medical and/or recreational purposes, in accordance with state law. Such facilities shall operate in full compliance with all applicable state statutes and administrative rules, and shall not include cultivation, processing, testing, or wholesale distribution activities. A Cannabis Dispensary may only be established as a principal use that meets all location, design, and operational standards as set forth in this Zoning Resolution. This definition expressly excludes unlicensed facilities, temporary pop-up operations, and any use involving the unlawful sale, transfer, or delivery of cannabis products. No aspect of the use shall

permit on-site consumption, drive-through service, or outdoor sales unless expressly authorized by state law and reviewed as part of a conditional use application.

3. New Use Specific Standards Section:

3.4.10 – Cannabis Dispensary

This new section shall be added to establish use-specific standards applicable to all Cannabis Dispensaries permitted under this Zoning Resolution. These standards are intended to ensure that dispensaries operate in a manner that is compatible with surrounding land uses, consistent with the Township’s planning objectives, and in full compliance with applicable provisions of the Ohio Revised Code. The following criteria shall apply to all dispensaries as a condition of zoning approval:

A. Applicability. This section applies to any Cannabis Dispensary operating in accordance with Ohio law. All such dispensaries shall be licensed by the State of Ohio and shall comply with all applicable state and local regulations.

B. Operation type

1. Medical and non-medical dispensaries may conditionally operate in all Avenue Mixed zoning districts of Colerain Township.

2. Dispensaries shall not be permitted in Planned Districts or any overlay districts.

C. Hours of Operation. Dispensary operations shall be permitted only between the hours of 9:00 a.m. and 9:00 p.m.

D. Dispensary quantity restriction. Only 1 Cannabis Dispensary shall be allowed per every 25,000 residents in Colerain Township. This population base will be determined based on recent, official population records available to the Township at the time of the determination, and without reference to the 10-year Census Bureau update.

E. Development agreement. Every Cannabis Dispensary operator shall be required to enter into a Development Agreement with Colerain Township as a condition to conditional use zoning approval. No Cannabis Dispensary shall obtain a zoning permit from Colerain Township’s Planning and Zoning Department until a Development Agreement has been executed between the dispensary operator and the Township. The Development Agreement will outline expectations for design, public improvements, compliance assurances, and any other terms necessary to promote long-term alignment with Township objectives, and the public health, safety and general welfare.

F. Buffer required.

1. No Cannabis Dispensary shall be located within 500 feet of the boundaries of a parcel containing a school, church, public library, public playground, or public park.

2. There shall be a minimum distance of 1,000 feet between cannabis dispensaries.

G. Signage requirement. The applicant must complete a Master Sign Plan that complies with the requirements listed in Section 4.8 of the Colerain Township Zoning Resolution. The Master Sign Plan shall be submitted as part of the conditional use application. Window signs, portable signs and temporary signs are prohibited upon the site.

H. Outdoor displays and storage

1. No cannabis paraphernalia or product advertisements shall be visible from the building exterior, including through windows or on any exterior surfaces.

I. Site readiness requirements. Prior to the commencement of any new use or occupancy of a site, the following requirements shall apply to ensure zoning compliance and visual consistency throughout the Township:

1. Façade compliance. A business shall not occupy an existing building unless the building undergoes a complete façade renovation, where applicable, to bring the exterior appearance into full compliance with the current zoning resolution.

2. Parking lot compliance. The existing parking lot shall undergo complete renovation, where applicable, to meet the design, surfacing, landscaping, and dimensional standards of the current zoning resolution.

3. Signage compliance. All nonconforming signage on the lot shall be permanently removed prior to the opening of the business. All new or replacement signs shall comply fully with the signage standards of the current zoning resolution.

4. Formatting Adjustment

Inserting “Cannabis Dispensary” as a new Section 3.4.10 in the alphabetical list of Use-Specific Standards will shift all subsequent sections in §3.4 down by one number. To maintain consistency in formatting and organization, the current Sections 3.4.10 (Cemeteries) through 3.4.43 (Wood Furnaces) will each be renumbered accordingly.

Staff Findings

1. Consistency with the Comprehensive Plan

The proposed text amendment aligns with the goals and strategies set forth in the *Imagine Colerain* Comprehensive Plan, particularly within the Economic Development element. The Plan encourages the Township to establish a regulatory framework that supports redevelopment and fosters a business-friendly environment. By defining and conditionally permitting “Cannabis Dispensary,” the Township is positioning itself to accommodate state-regulated cannabis uses in a deliberate, well-regulated manner that promotes reinvestment in aging commercial areas and expands the Township’s tax base.

2. Strategic Implementation of Land Use Policy

The proposed amendment reflects a thoughtful land use strategy that concentrates potentially sensitive uses in appropriate commercial districts, subject to robust site design and operational standards. This approach upholds the intent of the zoning resolution to balance private property rights with the protection of community character, adjacent land uses, and the public welfare.

3. **Compliance with Ohio Revised Code (R.C. §519.12)**

The initiation and review process for this text amendment complies with the procedures outlined in R.C. §519.12(A)(1), which authorizes a township zoning commission to propose zoning text amendments upon request by the board of township trustees. The amendment also adheres to relevant provisions of state law governing marijuana, as set forth in R.C. Chapters 3780 & 3796, and is limited to uses licensed and regulated by the State of Ohio.

4. **Consolidation and Clarification of Zoning Language**

By eliminating the existing separate definitions for “Medical Marijuana” and “Recreational Marijuana” and replacing them with a single, clearly defined “Cannabis Dispensary,” the amendment simplifies administration of the zoning code, reduces ambiguity, and improves enforceability. This consolidation also brings local terminology into better alignment with the evolving language of state regulations.

5. **Protection of Community Interests**

The amendment includes strict location and design standards to mitigate potential impacts on surrounding neighborhoods, reduce land use conflicts, and maintain the integrity of commercial corridors. Restrictions on signage, nonconforming conditions, and building design ensure that any approved establishment will be held to the same quality and appearance standards expected of other commercial development in the Township.

6. **Enabling Economic Diversification and Reinvestment**

Permitting licensed medical cannabis dispensaries under a controlled framework creates an opportunity to attract regulated, revenue-generating businesses to areas in need of revitalization without compromising the Township’s planning vision. The proposal reflects the Township’s intent to remain proactive, rather than reactive, in addressing emerging land uses.

Staff Recommendation:

Staff recommends **APPROVAL** of the proposed text amendment to:

- **Define “Cannabis Dispensary”** within Section 7 of the Colerain Township Zoning Resolution;
- **Remove the existing definitions and references to “Medical Marijuana” and “Recreational Marijuana”** to eliminate redundancy and better reflect current regulatory terminology; and
- **Permit “Cannabis Dispensary” as a conditional use** in select commercial zoning districts, subject to location criteria and supplemental standards intended to safeguard public health, safety, and the character of surrounding areas.
- **Renumber** shifted subsections in Section 3.4.

Respectfully submitted for the Colerain Township Zoning Commission’s consideration,



Juliana Petti

Community Planner



David Peters

Senior Planner

PUBLIC HEARINGS

Department: Development

Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Public Hearing - Zoning Commission Case CZC-25-3, Zone Text Amendment to correct technical errors in the Zoning Resolution

Recommend opening the public hearing.

Rationale:

As part of the Zoning Resolution amendment process, the Board of Trustees must hold a Public Hearing in their consideration of the recommendations from the Zoning Commission meeting held on May 18, 2025. A Staff Report on the Case as presented to the Zoning Commission is attached.



Staff Report:	Zoning Commission
Case #	CZC-25-3
Request:	Zoning Text Amendment
Location:	Colerain Township
Meeting Date:	May 20, 2025
Prepared by:	Maggie Klein Development Planner

Applicant:

This application is submitted by the Colerain Township Development Department, acting through the Senior Planner, pursuant to the authority granted under R.C. §519.12(A)(1) for initiating text amendments to the Colerain Township Zoning Resolution.

Proposed Action:

The proposed text amendment includes multiple corrections to the Colerain Township Zoning Resolution, which have been identified since the Resolution's adoption on October 10, 2024. The intent of these revisions is to clarify regulatory language and ensure internal consistency throughout the document.

Case Summary & History:

The Colerain Township Zoning Resolution has undergone a series of updates since its original adoption on November 22, 1994. A significant modernization occurred in 2006, followed by a comprehensive overhaul adopted by the Board of Trustees and made effective on October 10, 2024. The most recent update was undertaken to better align the Township's zoning framework with the long-range vision, goals, and implementation strategies set forth in Colerain Township's 2021 Comprehensive Plan.

The 2021 Comprehensive Plan - developed through extensive public engagement - calls for a coordinated, flexible, and transparent regulatory environment that facilitates quality development and redevelopment throughout the Township. Among its key land use and economic development goals are the promotion of business-friendly policies, the revitalization of aging corridors, the strengthening of neighborhood-scale commercial districts, and the implementation of zoning tools that ensure orderly growth, resilience, and compatibility among uses.

The adoption of the new Zoning Resolution in 2024 represented a substantial step forward in achieving these objectives. However, as with any major legislative rewrite, a number of minor errors, misworded provisions, and internal inconsistencies have been identified during its initial months of implementation. These issues risk undermining the clarity and enforceability of the Township's zoning regulations.

This application proposes a set of technical corrections intended to improve the internal consistency, accuracy, and practical application of the Zoning Resolution. While some changes

are strictly administrative in nature, others clarify provisions that were inadvertently inconsistent with the stated goals of the Comprehensive Plan and Zoning Resolution or with longstanding Township policy and practice.

By correcting these issues in a timely manner, the Development Department ensures that the Zoning Resolution remains a reliable and effective regulatory tool. This action reinforces the Township's commitment to effective land use administration, safeguards the integrity of adopted zoning policies, and upholds the vision articulated in the 2021 Comprehensive Plan. The proposed amendment is consistent with the Township's legislative intent and comprehensive planning framework.

Proposed Sections of the Colerain Township Zoning Resolution Text to Amend:

Colerain Township Development Department requests to amend the Colerain Township Zoning Resolution text to better address the following text from the Zoning Resolution:

1. Use Table Revision

Amend Table 3.1.4-A in §3.1 General Use Provisions to revise the permissions for “Automotive Fuel Service” to correct an error that did not carry over the proper permissions for this use. This correction restores the intended use restrictions and ensures alignment with the development character and intensity standards of each Zoning District.

Current:

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
03. Automotive Uses			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
Automotive Fuel Service		3.4.6	–	–	●	●	●	●	◐	●	–	–

Proposed:

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
03. Automotive Uses			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
Automotive Fuel Service		3.4.6	–	–	–	–	●	●	●	●	–	–

2. Use Table Revision

Amend Table 3.1.4-A in §3.1 General Use Provisions to revise the permissions for “Restaurant” to correct an error that did not carry over the proper permissions for this use. This correction restores the intended use restrictions and ensures alignment with the development character and intensity standards of each Zoning District.

Current:

Table 3.1.4-A		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
Comprehensive Use Permissions												
● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use												
03. Commercial & Office Uses			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
Restaurant	N/A	–	–	◐	●	●	●	●	●	●	–	–

Proposed:

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
03. Commercial & Office Uses			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
Restaurant	N/A	–	–	●	●	●	●	●	●	●	–	–

3. Comprehensive Development Standards Revision:

Amend Table 4.2.2-A in §4.2 Buildings and Lots to remove the distinction between “with sewer” and “without sewer” in the Rural Estate Residential (RER) District. This revision ensures consistent application of development standards regardless of utility availability.

Current:

Table 4.2.2-A Comprehensive Development Standards		Rural-Estate Residential RER		
Lot Size Standards				
Lot Area (min.) ⁽²⁾	Without Sewer 1 acre ⁽³⁾ With Sewer 20,000 ft. ² ⁽³⁾	Side Yard Setback per Side, Abutting Non-Residential District (min.)	Without Sewer 25 feet With Sewer 15 feet	Rear Yard Setback, Abutting Non Residential District (min.) Without Sewer 60 feet With Sewer 35 feet
Lot Width (min.)	Without Sewer 150 feet With Sewer 110 feet	Side Yard Setback per Side, Abutting Residential District (min.)	Without Sewer 25 feet With Sewer 15 feet	Rear Yard Setback, Abutting Residential District (min.) Without Sewer 60 feet With Sewer 35 feet

Proposed:

Table 4.2.2-A Comprehensive Development Standards		Rural-Estate Residential RER		
Lot Size Standards				
Lot Area (min.) ⁽²⁾	1 acre	Side Yard Setback per Side, Abutting Non-Residential District (min.)	15 feet	Rear Yard Setback, Abutting Non Residential District (min.) 40 feet
Lot Width (min.)	130 feet	Side Yard Setback per Side, Abutting Residential District (min.)	15 feet	Rear Yard Setback, Abutting Residential District (min.) 40 feet

4. Text Corrections:

3.2.4 (B) – Swimming Pools

For the purposes of this Resolution, outdoor swimming pools shall be considered accessory uses and shall be subject to the following regulations:

(5) All in-ground pools and above ground pools less taller than 24" tall shall have an enclosure surrounding the pool area, and the enclosure shall not extend less than 4 feet above the ground. All gates shall be self-closing and self-latching with the latches placed at least 4 feet above the ground.

3.2.4 (C) – Decks, Porches, & Patios Concrete Pads

(1) ~~Patios~~ Concrete pads may be built to the property line, so long as all applicable impervious surface ratio requirements are met.

~~(6) Decks or porches in front or side yards that are not attached to a primary structure are prohibited.~~

3.4.39 – Swimming Pools, Lakes, and Bathhouses

~~A. Exemption for certain indoor swimming pools. The provisions of this Subsection 3.4.39 shall not apply to indoor pools that are within an enclosure that is attached to the principal building.~~

~~B. Perimeter barrier required. The swimming pool, lake, or entire property on which said pool or lake is located shall be walled or fenced in accordance with the requirements of the Hamilton County Building Department.~~

~~C. Barrier for above-ground pools:~~

~~(1) Above-ground pools that have a wall height of less than 4 feet shall have a barrier surrounding the pool or property. Such barrier may be located on the outer pool wall.~~

~~(2) Above-ground pools that have a wall height of 4 feet or higher shall not be required to have a perimeter barrier around the pool or the property.~~

~~D. Pools at multi-unit dwellings. Swimming pools at multi-unit dwellings shall meet the structural and sanitary requirements of the Ohio Department of Health.~~

4.2.3 (A) – Accessory Buildings and Uses

(7) The cumulative footprints of accessory buildings on a given lot shall not occupy more than 30% of the rear yard of such lot; and

(11) Any structure used as a garage—whether attached or detached—shall be connected to a driveway that provides direct vehicular access to a public or private street.

4.2.3 (C) – Exceptions to Accessory Location Restrictions

(4) An accessory building or use may be located in any yard where such building or use is set back 200 feet or more from a right-of-way exclusive of panhandles, and is 50 feet from all property lines.

4.4.1 (E) – Fencing Restrictions on Vacant Lots. Fencing shall not be permitted on any lot that does not contain a legally established principal structure. Under no circumstances shall fencing be installed solely for the purposes of private storage, vehicle parking, or general property enclosure on a vacant lot.

(1) The Zoning Administrator may authorize fencing on otherwise vacant lots only under the following conditions:

a. The lot is utilized for a public or community-serving function—such as recreation, open space, or stormwater management—and the proposed fencing is directly related to and necessary for the ongoing use, maintenance, or safety of the site. This may include land owned or maintained by a public agency, homeowners' association, or similar entity; or,

b. The lot is located within the RER (Rural Estate Residential) Zoning District; or,

c. The fence is used in connection with an adjacent lot that contains a legally established principal structure.

4.7.2 (B) – Master Parking Plans

(3) Expansion of structures ~~and~~ **or** expansion of parking or vehicular use areas.

4.9.1 (D) – General Waste Receptable Provisions

All trash receptacles, including dumpsters and refuse containers, shall be located on the same lot as the principal use they serve. Storage of trash receptacles on vacant or adjacent lots not occupied by the associated use is prohibited.

6.3.2 (B) – Exemptions from Zoning Certificate

(9) ~~Patios that are not enclosed~~ **Concrete Pads**;

Various: Correction of ‘conform’ Tense

To maintain consistent language throughout the Zoning Resolution, all instances of conformity / nonconformity / conforming / nonconforming should be changed in the Table of Contents and in Sections 1.3.5, 4.8.2, 4.8.5, 5.1.1, 5.1.2, 5.2.2, 5.3.3, 5.3.4, 6.1.2, 6.2.4, 6.3.2, 6.3.4, and 6.5.1.

Staff Findings:

1. Consistency with the Comprehensive Plan

The proposed text amendment supports the goals outlined in the 2021 Comprehensive Plan, particularly within the Land Use and Economic Development goals. The Plan encourages the Township to maintain a zoning framework that is internally consistent, easy to administer, and adaptable to the Township’s changing needs. By correcting typographical errors, formatting inconsistencies, and misclassified use permissions, this amendment ensures that the Zoning Resolution remains an effective tool for guiding development in a manner consistent with the community’s long-term vision.

2. Correction of Drafting Errors and Misclassifications

Several provisions in the 2024 Zoning Resolution were identified as either inconsistent with Township intent or misaligned with surrounding regulations. These corrections restore the intended regulatory structure and eliminate potential misinterpretations that could result in inappropriate land use outcomes.

3. Preservation of Legislative Intent and Policy Direction

The technical corrections uphold the spirit and intent of the 2024 Zoning Resolution overhaul, which sought to modernize and streamline the Township’s zoning code. By reinforcing use permissions, accessory structure requirements, and dimensional standards, the proposed changes enhance the clarity and enforceability of regulations adopted by the

Board of Trustees and extensive community planning efforts.

4. Compliance with Ohio Revised Code (R.C. §519.12)

The amendment process was initiated in accordance with R.C. §519.12(A)(1), which authorizes a Zoning Commission to consider text amendments initiated by the Township Development Department. The review and hearing procedures follow the legislative framework prescribed by the Ohio Revised Code for townships operating under limited home rule authority.

5. Improved Administration and Zoning Certificate Review

Clarifying provisions related to decks, patios, additions, and garage placement will aid Township staff in reviewing zoning applications more efficiently and consistently. By aligning these standards with actual review practices and eliminating ambiguous language, the Township reduces the risk of inconsistent interpretation and improves the experience for applicants.

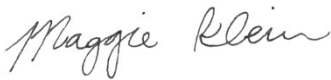
6. Protection of Public Welfare and Development Standards

Several corrections address potential gaps in regulatory oversight that could have implications for public safety, aesthetics, or neighborhood compatibility. For example, adjusting waste receptacle location requirements, reinforcing driveway connections for garages and requiring fencing standards for vacant lots helps maintain orderly development, protects community character, and ensures that the built environment evolves in a sensible and high-quality manner.

Staff Recommendation:

Staff recommends **APPROVAL** of the proposed text amendment to the Colerain Township Zoning Resolution.

Respectfully submitted for the Colerain Township Zoning Commission's consideration,



Maggie Klein

Development Planner



David Peters

Senior Planner

PRESENTATIONS

Department: Fire
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Presentation by Chief Walls Introducing and Swearing-in Newly Promoted Employees

No action is requested of the Board.

Rationale:

Introduce and administer the Oath of Office to the department's newest Career Firefighters:

- Caleb Madison
- Greg Dietrich

PUBLIC SAFETY

Department: Fire
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Motion Authorizing the Disposal of a Surplus Vehicle (Department of Fire and EMS)
Recommend ADOPTION of the Motion.

Rationale:

The Department of Fire and EMS is recommending the disposal of Unit#1-204, a 1993 E-One Hush Pumper (VIN #4ENBAAA87P1002431). See attached memo.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio,
met in regular session at _____ p.m., on the _____ day of June, 2025, at the Colerain Township
Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following
members present:

Cathy Ulrich, Dan Unger, Matthew Wahlert

Trustee _____ introduced the following resolution and moved its
adoption:

RESOLUTION NO. _____-25

RESOLUTION FOR DISPOSAL BY SALE OF EQUIPMENT AND VEHICLES
WHICH ARE OBSOLETE, UNFIT, OR UNNEEDED FOR PUBLIC USE
(O.R.C. Sec 505.10)

WHEREAS, Ohio Revised Code Sec. 505.10 authorizes the Board of Trustees to dispose of
personal property, including motor vehicles, road machinery, equipment, and tools, which the
Board finds by resolution are not needed for public use, or are obsolete, or are unfit; and

WHEREAS, Ohio Revised Code Sec. 505.10 (A)(2)(a) authorizes the Board of Trustees to sell
by private sale, without advertisement or public notification, if the property to be sold is, in the
opinion of the Board, \$2,500.00 or less.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township,
Hamilton County, Ohio:

A. The Board of Trustees finds that, in the opinion of the Board, the following equipment is
not needed for public use, or are obsolete, or are unfit, and that, in the opinion of the Board, each
vehicle has a fair market value of \$2,500.00 or less:

1. Unit#1-204, a 1993 E-One Hush Pumper (VIN #4ENBAAA87P1002431)

B. Pursuant to O.R.C. Sec. 505.10 (A)(2)(a), the Board directs that the method of private
sale of the equipment listed above shall be by direct sale for scrap to Jerry's Truck and Diesel.

C. It is hereby found and determined that all formal actions of this Board concerning and
relating to the passage of this Resolution were taken in an open meeting of this Board, that all
deliberations of this Board and any committees that resulted in those formal sessions were in
meetings open to the public, in compliance with all legal requirements, and the Board has met all
other statutory requirements for participation in a joint-self-insurance program.

D. This Resolution shall be in full force and effect from and after the earliest period allowed
by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this _____ day of June, 2025.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this _____ day of June, 2025.

Jeff Baker
Colerain Township Fiscal Officer

Memo



To: Allen Walls, Fire Chief
From: Michael Adler, Fleet Manager
Date: June 6, 2025
Re: Disposal of Unit#1-204

This is a proposal and recommendation for the disposal of unit#1-204.

I am recommending the disposal of unit#1-204, a 1993 E-One Hush Pumper (Vin#4ENBAAA87P1002431). This unit was removed from service in 2016 and has been used as a secondary water supply for the training at the fire tower. Over the last couple of years, this unit has required more frequent repairs, and in January of this year, we experienced a catastrophic failure. This requires us to remove this unit from service indefinitely.

I am proposing to sell this unit for scrap value only. This unit will run but will not move. The transmission has failed. After doing research, this is our best option in the condition that it is in. We will be removing all usable items like the emergency lights, pump valves, and any other item that we can use on any other current units. I have an offer from Jerry's Truck and Diesel to purchase this unit for \$2,000.00 for scrap value.

If you have any questions or would like to discuss this further, please let me know.

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution Declaring Nuisance and Ordering Abatement

Recommend ADOPTION of the Resolution.

Rationale:

This resolution allows for the removal of uncontrolled vegetation and/or refuse at the following properties:

3550 Alamosa Dr.	510-0111-0082-00
9597 Amarillo Ct.	510-0051-0274-00
9219 Burgess Dr.	510-0054-0131-00
7905 Colerain Av.	510-0071-0233-00
10235 Colerain Av.	510-0182-0056-00
2968 Compton Rd.	510-0054-0145-00
2620 Cornwall Dr.	510-0053-0357-00
3324 Lapland Dr.	510-0081-0129-00
3227 Niagara St .	510-0102-0092-00
8389 Pippin Rd.	510-0061-0235-00
3781 Ripplegrove Dr.	510-0101-0198-00
3029 Sovereign Dr.	510-0064-0222-00
12003 Westerly Dr.	510-0011-0360-00

All properties that are abated by the Township will have their property taxes assessed in order to reimburse the Township for the abatement services. This resolution and the Township's abatement process comport with the Ohio Revised Code for nuisance violations.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 7:00 p.m., on the ____ day of _____, 202_, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported at the properties listed below:

<u>Address</u>	<u>Book-Page-Parcel No.</u>
3550 Alamosa Dr.	510-0111-0082-00
9597 Amarillo Ct.	510-0051-0274-00
9219 Burgess Dr.	510-0054-0131-00
7905 Colerain Av.	510-0071-0233-00
10235 Colerain Av.	510-0182-0056-00
2968 Compton Rd.	510-0054-0145-00
2620 Cornwall Dr.	510-0053-0357-00
3324 Lapland Dr.	510-0081-0129-00
3227 Niagara St.	510-0102-0092-00
8389 Pippin Rd.	510-0061-0235-00
3781 Ripplegrove Dr.	510-0101-0198-00
3029 Sovereign Dr.	510-0064-0222-00
12003 Westerly Dr.	510-0011-0360-00

WHEREAS Ohio Revised Code Section 505.87 provides that, at least seven days prior to providing for the abatement, control, or removal of any vegetation, garbage, refuse, or debris, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That this Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87;
2. That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record, and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87;
3. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

Trustee _____, seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this ____ day of _____, 202__.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Administration
Department Trustee Unger
Director:

Strategic Plan Goal:

Discussion: Clippard Park Hours and Gates

Given the existing financial constraints of the Township, staff seeks direction on this issue and offsetting cost reductions to support any of these changes.

Rationale:

Trustee Unger has requested that this item be added to the agenda. The concern at hand involves individuals utilizing township parks—especially Clippard Park—beyond posted dusk hours. Several potential solutions exist to address these concerns. An analysis of each is provided below, including estimated costs and potential benefits or drawbacks.

For perspective in 2024, there were 29 total overnight police responses to Clippard Park. Of those, 19 (66%) were self initiated by a Police Officer. The other 10 were calls for service from residents (this is less than one call per month). Year to date 2025 there have been 11 overnight police responses with 5 (45%) being initiated by a Police Officer.

- Dedicate staff to lock and unlock the gates
- Utilize volunteers to lock and unlock the gates
- Hire a detail officer specific to a park with an issue
- Create a “Park Ranger” position with enforcement ability
- Purchase and install automatic gates that open and close at certain times

Option 1: Dedicate Staff to Lock and Unlock the Gates

If the Township assigns Public Services employees to lock and unlock gates at Clippard Park each day, the cost would come in the form of overtime. The Public Services Maintenance Worker job description includes “Opens and closes Township facilities,” but this work falls outside of regular hours and would trigger overtime pay for the closure of the gates. Schedules could be adjusted and gates could feasibly be opened by 8am each morning without incurring a cost to open the gates. The estimated cost per lock/unlock event for overtime is between \$120 and \$210.

Cost Estimates:

- \$44,000 – \$76,000 per year (365-day coverage)
- \$21,000 – \$37,000 per year (weekends only)
- \$15,000 – \$25,000 per year (summer only)
- \$7,000 – \$12,000 per year (summer weekends only)

Pros:

- Staff are trained, insured, and accountable
- High reliability and consistency
- Reduces risk of improper handling of park users

Cons:

- Expensive, particularly for year-round coverage
- Requires overtime coordination
- Inefficient use of skilled labor for routine task

Option 2: Utilize Volunteers to Lock and Unlock the Gates

Volunteers could be recruited to manage the gates at no labor cost, but this comes with notable legal and operational concerns.

Pros:

- No direct labor costs
- Could build community engagement

Cons:

- Likely violates Collective Bargaining Agreement, triggering grievances or back pay obligations
- Volunteers lack authority to remove lingering individuals
- Legal exposure for false imprisonment if someone is locked in
- Risk of physical confrontation if a volunteer engages park users
- Unreliable coverage due to volunteer availability
- No enforcement mechanism if a volunteer fails to lock/unlock gate

Option 3: Hire a Detail Officer for the Park

A detail officer could be hired at \$90/hour to patrol and close the park each evening. Minimum assignments are generally two hours.

Cost Estimates:

- \$65,700 per year (365-day coverage)
- \$28,080 per year (weekends only)
- \$21,960 per year (summer only)
- \$8,640 per year (summer weekends only)

Pros:

- Law enforcement presence could deter loitering or criminal activity
- Officers have authority to remove individuals and issue citations
- Flexible scheduling based on problem periods

Cons:

- High hourly cost for limited activity
- Dependent on officer availability (could be inconsistent)
- May be perceived as excessive enforcement for a low-level issue

Option 4: Create a “Park Ranger” Position with Enforcement Authority

Some communities employ part-time or retired police officers to serve as Park Rangers. This person would drive

through parks, close gates, and issue citations.

Estimated Annual Cost: \$30,000 – \$50,000

Pros:

- Dedicated presence focused solely on parks
- Lower cost than full-time officers or details
- Some enforcement authority if a sworn officer or special commission is granted
- Scalable to multiple parks

Cons:

- Still requires recruitment, training, and oversight
- May not have full police powers unless specially commissioned
- Could face legal ambiguity regarding enforcement actions
- Would need township vehicle or mileage reimbursement

Option 5: Install Automatic Timed Gates

Automated gates could be programmed to open and close on a set schedule.

Cost Estimate: Over \$100,000 (based on an example from a neighboring community and research from earlier this year)

Pros:

- One-time capital investment
- Consistent, reliable operation
- No need for staff or volunteer involvement
- Removes human error from schedule adherence

Cons:

- High upfront cost
- Gates could malfunction or trap vehicles
- Requires maintenance and potential repair/replacement costs
- No enforcement presence if someone is inside the park after closure
- May not prevent pedestrian access unless fencing is added

DEVELOPMENT

Department: Development
Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution Approving or Denying Zoning Commission Case CZC-25-2, Zone Text Amendment to conditionally permit Cannabis Dispensaries in certain zoning districts.

Recommend ADOPTION of the Resolution.

Rationale:

This proposed amendment seeks to align the Zoning Resolution with strategic goals set forth in the Imagine Colerain Comprehensive Plan, particularly within the Economic Development element. Specifically, it advances the following objectives: (1) Repositioning underutilized properties to their highest and best potential by incentivizing the redevelopment of aging commercial sites, especially in corridors identified for reinvestment and revitalization; (2) Establishing a business-friendly regulatory framework that supports innovative and emerging sectors while maintaining compatibility with surrounding land uses; (3) Bolstering the Township's commercial tax base by enabling new forms of commerce in appropriately zoned districts, thereby diversifying economic activity and improving fiscal sustainability; (4) Encouraging targeted development that complements community health, safety, and public perception, with design and operational requirements that prioritize community character and mitigate negative externalities; (5) Attracting investment through clear regulatory pathways and proactive land use policy, in coordination with public and private sector partners. By adopting this amendment, the Township is not only responding to the evolving landscape of state regulations, but also reinforcing its commitment to structured, intentional growth that reflects the values and long-term vision of Colerain Township.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 24th day of June, 2025, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

**RESOLUTION APPROVING ZONING COMMISSION CASE CZC-25-2,
ZONING TEXT AMENDMENT TO ARTICLES 3 AND 7
TO ALLOW AND REGULATE CANNABIS DISPENSARIES**

WHEREAS, on April 8, 2025, the Colerain Township Board of Trustees initiated an amendment to the Colerain Township Zoning Resolution regarding allowing and regulating cannabis dispensaries (both medical and non-medical dispensaries) within the Township;

WHEREAS, pursuant to Ohio Revised Code Section 519.12, the Colerain Township Zoning Commission held a public hearing on May 20, 2025 for Case Number CZC-25-2 that proposed text amendments to Articles 3 and 7 of the Colerain Township Zoning Resolution to allow and regulate cannabis dispensaries (both medical and non-medical dispensaries) within the Township; and

WHEREAS, after consideration of the staff proposal and all public comments, exhibits, and other materials submitted, the Colerain Township Zoning Commission unanimously recommended, through a vote of 5-0, the proposed text amendments to Articles 3 and 7 of the Colerain Township Zoning Resolution to allow and regulate cannabis dispensaries (both medical and non-medical dispensaries) within the Township, which are attached to this Resolution as Exhibit A; and

WHEREAS, pursuant to Ohio Revised Code Section 519.12(G) and (H), the Colerain Township Board of Trustees conducted its public hearing on the unanimous recommendation from the Colerain Township Zoning Commission in Case Number CZC-25-2 on June 24, 2025, and after consideration of the recommendation of the Colerain Township Zoning Commission, and all public comments, exhibits, and other materials submitted, voted ____ - ____ to approve the Colerain Township Zoning Text Amendment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio approves the text amendment to the Colerain Township Zoning Resolution, attached to this Resolution

as Exhibit A, as it would be in the best interest of the Township and the health, safety, morals and welfare of the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and

2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Administration; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this ____ day of _____, 2025.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 2025.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit A

Sections of the Colerain Township Zoning Resolution Text to Amend:

1. Use Table Revision

Amend Table 3.1.4-A in §3.1 General Use Provisions to establish “Cannabis Dispensary” as a distinct land use and to specify that such dispensaries are permitted only as a conditional use in select commercial zoning districts as identified by staff, and prohibited in all other zoning districts. This amendment replaces and supersedes previous references to “Medical Marijuana” and “Recreational Marijuana,” which shall be removed from the table and associated definitions for clarity and consistency with current state law.

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill		
			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF		
			Cannabis Dispensary	3.4.10	–	–	–	–	◐	◐	◐	–	–	–

2. Definition Addition:

“Cannabis Dispensary” shall be added to §7.1 Defined Terms as follows:

Cannabis Dispensary shall mean a facility licensed by the State of Ohio Board of Pharmacy or other designated state regulatory authority under the Ohio Revised Code, authorized to sell, dispense, or otherwise provide cannabis or cannabis-derived products to qualifying patients, caregivers, or adult consumers, for medical and/or recreational purposes, in accordance with state law. Such facilities shall operate in full compliance with all applicable state statutes and administrative rules, and shall not include cultivation, processing, testing, or wholesale distribution activities. A Cannabis Dispensary may only be established as a principal use that meets all location, design, and operational standards as set forth in this Zoning Resolution. This definition expressly excludes unlicensed facilities, temporary pop-up operations, and any use involving the unlawful sale, transfer, or delivery of cannabis products. No aspect of the use shall permit on-site consumption, drive-through service, or outdoor sales unless expressly authorized by state law and reviewed as part of a conditional use application.

3. New Use Specific Standards

Section: 3.4.10 – Cannabis Dispensary

This new section shall be added to establish use-specific standards applicable to all Cannabis Dispensaries permitted under this Zoning Resolution. These standards are intended to ensure that

dispensaries operate in a manner that is compatible with surrounding land uses, consistent with the Township's planning objectives, and in full compliance with applicable provisions of the Ohio Revised Code. The following criteria shall apply to all dispensaries as a condition of zoning approval:

A. Applicability. This section applies to any Cannabis Dispensary operating in accordance with Ohio law. All such dispensaries shall be licensed by the State of Ohio and shall comply with all applicable state and local regulations.

B. Operation type.

1. Medical and non-medical dispensaries may conditionally operate in all Avenue Mixed zoning districts of Colerain Township.

2. Dispensaries shall not be permitted in Planned Districts or any overlay districts.

C. Hours of Operation. Dispensary operations shall be permitted only between the hours of 9:00 a.m. and 9:00 p.m.

D. Dispensary quantity restriction. Only 1 Cannabis Dispensary shall be allowed per every 25,000 residents in Colerain Township. This population base will be determined based on recent, official population records available to the Township at the time of the determination, and without reference to the 10-year Census Bureau update.

E. Development agreement. Every Cannabis Dispensary operator shall be required to enter into a Development Agreement with Colerain Township as a condition to conditional use zoning approval. No Cannabis Dispensary shall obtain a zoning permit from Colerain Township's Planning and Zoning Department until a Development Agreement has been executed between the dispensary operator and the Township. The Development Agreement will outline expectations for design, public improvements, compliance assurances, and any other terms necessary to promote long-term alignment with Township objectives, and the public health, safety and general welfare.

F. Buffer required.

1. No Cannabis Dispensary shall be located within 750 feet of the boundaries of a parcel containing a school, church, public library, public playground, or public park.

2. There shall be a minimum distance of 750 feet between cannabis dispensaries.

G. Signage requirement. The applicant must complete a Master Sign Plan that complies with the requirements listed in Section 4.8 of the Colerain Township Zoning Resolution. The Master Sign Plan shall be submitted as part of the conditional use application. Window signs, portable signs and temporary signs are prohibited upon the site.

H. Outdoor displays and storage - No cannabis paraphernalia or product advertisements shall be visible from the building exterior, including through windows or on any exterior surfaces.

I. Site readiness requirements. Prior to the commencement of any new use or occupancy of a site, the following requirements shall apply to ensure zoning compliance and visual consistency throughout the Township:

1. Façade compliance. A business shall not occupy an existing building unless the building undergoes a complete façade renovation, where applicable, to bring the exterior appearance into full compliance with the current zoning resolution.

2. Parking lot compliance. The existing parking lot shall undergo complete renovation, where applicable, to meet the design, surfacing, landscaping, and dimensional standards of the current zoning resolution.

3. Signage compliance. All nonconforming signage on the lot shall be permanently removed prior to the opening of the business. All new or replacement signs shall comply fully with the signage standards of the current zoning resolution.

4. Formatting Adjustment Inserting

“Cannabis Dispensary” as a new Section 3.4.10 in the alphabetical list of Use Specific Standards will shift all subsequent sections in §3.4 down by one number. To maintain consistency in formatting and organization, the current Sections 3.4.10 (Cemeteries) through 3.4.43 (Wood Furnaces) will each be renumbered accordingly.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 24th day of June, 2025, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

**RESOLUTION DENYING ZONING COMMISSION CASE CZC-25-2,
ZONING TEXT AMENDMENT TO ARTICLES 3 AND 7
TO ALLOW AND REGULATE CANNABIS DISPENSARIES**

WHEREAS, on April 8, 2025, the Colerain Township Board of Trustees initiated an amendment to the Colerain Township Zoning Resolution regarding allowing and regulating cannabis dispensaries (both medical and non-medical dispensaries) within the Township;

WHEREAS, pursuant to Ohio Revised Code Section 519.12, the Colerain Township Zoning Commission held a public hearing on May 20, 2025 for Case Number CZC-25-2 that proposed text amendments to Articles 3 and 7 of the Colerain Township Zoning Resolution to allow and regulate cannabis dispensaries (both medical and non-medical dispensaries) within the Township; and

WHEREAS, after consideration of the staff proposal and all public comments, exhibits, and other materials submitted, the Colerain Township Zoning Commission unanimously recommended, through a vote of 5-0, the proposed text amendments to Articles 3 and 7 of the Colerain Township Zoning Resolution to allow and regulate cannabis dispensaries (both medical and non-medical dispensaries) within the Township, which are attached to this Resolution as Exhibit A; and

WHEREAS, pursuant to Ohio Revised Code Section 519.12(G) and (H), the Colerain Township Board of Trustees conducted its public hearing on the unanimous recommendation from the Colerain Township Zoning Commission in Case Number CZC-25-2 on June 24, 2025, and after consideration of the recommendation of the Colerain Township Zoning Commission, and all public comments, exhibits, and other materials submitted, voted ____ - ____ to deny the Colerain Township Zoning Text Amendment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio denies the text amendment to the Colerain Township Zoning Resolution, attached to this Resolution as

Exhibit A, as it would not be in the best interest of the Township and the health, safety, morals and welfare of the public, is not consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is not in keeping with good land use planning; and

2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Administration; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this ____ day of _____, 2025.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 2025.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit A

Sections of the Colerain Township Zoning Resolution Text to Amend:

1. Use Table Revision

Amend Table 3.1.4-A in §3.1 General Use Provisions to establish “Cannabis Dispensary” as a distinct land use and to specify that such dispensaries are permitted only as a conditional use in select commercial zoning districts as identified by staff, and prohibited in all other zoning districts. This amendment replaces and supersedes previous references to “Medical Marijuana” and “Recreational Marijuana,” which shall be removed from the table and associated definitions for clarity and consistency with current state law.

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
04. Commercial & Office Uses			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
Cannabis Dispensary		3.4.10	–	–	–	–	◐	◐	◐	–	–	–

2. Definition Addition:

“Cannabis Dispensary” shall be added to §7.1 Defined Terms as follows:

Cannabis Dispensary shall mean a facility licensed by the State of Ohio Board of Pharmacy or other designated state regulatory authority under the Ohio Revised Code, authorized to sell, dispense, or otherwise provide cannabis or cannabis-derived products to qualifying patients, caregivers, or adult consumers, for medical and/or recreational purposes, in accordance with state law. Such facilities shall operate in full compliance with all applicable state statutes and administrative rules, and shall not include cultivation, processing, testing, or wholesale distribution activities. A Cannabis Dispensary may only be established as a principal use that meets all location, design, and operational standards as set forth in this Zoning Resolution. This definition expressly excludes unlicensed facilities, temporary pop-up operations, and any use involving the unlawful sale, transfer, or delivery of cannabis products. No aspect of the use shall permit on-site consumption, drive-through service, or outdoor sales unless expressly authorized by state law and reviewed as part of a conditional use application.

3. New Use Specific Standards

Section: 3.4.10 – Cannabis Dispensary

This new section shall be added to establish use-specific standards applicable to all Cannabis Dispensaries permitted under this Zoning Resolution. These standards are intended to ensure that

dispensaries operate in a manner that is compatible with surrounding land uses, consistent with the Township's planning objectives, and in full compliance with applicable provisions of the Ohio Revised Code. The following criteria shall apply to all dispensaries as a condition of zoning approval:

A. Applicability. This section applies to any Cannabis Dispensary operating in accordance with Ohio law. All such dispensaries shall be licensed by the State of Ohio and shall comply with all applicable state and local regulations.

B. Operation type.

1. Medical and non-medical dispensaries may conditionally operate in all Avenue Mixed zoning districts of Colerain Township.

2. Dispensaries shall not be permitted in Planned Districts or any overlay districts.

C. Hours of Operation. Dispensary operations shall be permitted only between the hours of 9:00 a.m. and 9:00 p.m.

D. Dispensary quantity restriction. Only 1 Cannabis Dispensary shall be allowed per every 25,000 residents in Colerain Township. This population base will be determined based on recent, official population records available to the Township at the time of the determination, and without reference to the 10-year Census Bureau update.

E. Development agreement. Every Cannabis Dispensary operator shall be required to enter into a Development Agreement with Colerain Township as a condition to conditional use zoning approval. No Cannabis Dispensary shall obtain a zoning permit from Colerain Township's Planning and Zoning Department until a Development Agreement has been executed between the dispensary operator and the Township. The Development Agreement will outline expectations for design, public improvements, compliance assurances, and any other terms necessary to promote long-term alignment with Township objectives, and the public health, safety and general welfare.

F. Buffer required.

1. No Cannabis Dispensary shall be located within 750 feet of the boundaries of a parcel containing a school, church, public library, public playground, or public park.

2. There shall be a minimum distance of 750 feet between cannabis dispensaries.

G. Signage requirement. The applicant must complete a Master Sign Plan that complies with the requirements listed in Section 4.8 of the Colerain Township Zoning Resolution. The Master Sign Plan shall be submitted as part of the conditional use application. Window signs, portable signs and temporary signs are prohibited upon the site.

H. Outdoor displays and storage - No cannabis paraphernalia or product advertisements shall be visible from the building exterior, including through windows or on any exterior surfaces.

I. Site readiness requirements. Prior to the commencement of any new use or occupancy of a site, the following requirements shall apply to ensure zoning compliance and visual consistency throughout the Township:

1. Façade compliance. A business shall not occupy an existing building unless the building undergoes a complete façade renovation, where applicable, to bring the exterior appearance into full compliance with the current zoning resolution.
2. Parking lot compliance. The existing parking lot shall undergo complete renovation, where applicable, to meet the design, surfacing, landscaping, and dimensional standards of the current zoning resolution.
3. Signage compliance. All nonconforming signage on the lot shall be permanently removed prior to the opening of the business. All new or replacement signs shall comply fully with the signage standards of the current zoning resolution.

4. Formatting Adjustment Inserting

“Cannabis Dispensary” as a new Section 3.4.10 in the alphabetical list of Use Specific Standards will shift all subsequent sections in §3.4 down by one number. To maintain consistency in formatting and organization, the current Sections 3.4.10 (Cemeteries) through 3.4.43 (Wood Furnaces) will each be renumbered accordingly.

DEVELOPMENT

Department: Development

Department

Director:

Strategic Plan Goal:

Resolution Approving or Denying Zoning Commission Case CZC-25-3, Zone Text Amendment re Technical Corrections

Recommend ADOPTION of the Resolution.

Rationale:

The Colerain Township Zoning Resolution has undergone a series of updates since its original adoption on November 22, 1994. A significant modernization occurred in 2006, followed by a comprehensive overhaul adopted by the Board of Trustees and made effective on October 10, 2024. The most recent update was undertaken to better align the Township's zoning framework with the long-range vision, goals, and implementation strategies set forth in Colerain Township's 2021 Comprehensive Plan. The proposed text amendment includes multiple corrections to the Zoning Resolution which have been identified since the Resolution's most recent adoption. The intent of these revisions is to clarify regulatory language and ensure internal consistency throughout the document.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 24th day of June, 2025, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

**RESOLUTION APPROVING ZONING COMMISSION CASE CZC-25-3,
ZONING TEXT AMENDMENTS RE TECHNICAL
CORRECTIONS TO VARIOUS ARTICLES**

WHEREAS, on February 18, 2025, the Colerain Township Zoning Commission requested that the Planning and Zoning Staff present to the Commission a series of text amendments to address multiple corrections to the Colerain Township Zoning Resolution, which have been identified since the Resolution’s adoption on October 10, 2024, of which the intent of these revisions is to clarify regulatory language and ensure internal consistency throughout the document; and

WHEREAS, on May 20, 2025, the Colerain Township Zoning Commission held a public hearing on case CZC-25-2 proposing text amendments to various Articles; and

WHEREAS, after consideration of the staff proposal and all public comments, exhibits, and other materials submitted, the Zoning Commission voted 5-0 to recommend the Zoning Text Amendments, included below as Exhibit “A”, to the Colerain Township Board of Trustees; and

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on Zoning Commission case CZC-25-3 on June 24, 2025, and after consideration of the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted ____ - ____ to approve the Colerain Township Zoning Text Amendment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio approves the Text Amendment to the Zoning Resolution, included below as Exhibit “A”, for the reason that it would be in the best interest of the Township and the health, safety, morals and welfare of the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and

2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Administration; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this ____ day of _____, 2025.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 2025.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit “A”

Sections of the Colerain Township Zoning Resolution Text to Amend: **INSERT**, ~~DELETE~~

1. Use Table Revision

Amend Table 3.1.4-A in §3.1 General Use Provisions to revise the permissions for “Automotive Fuel Service” to correct an error that did not carry over the proper permissions for this use. This correction restores the intended use restrictions and ensures alignment with the development character and intensity standards of each Zoning District.

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
03. Automotive Uses			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
Automotive Fuel Service	3.4.6	–	–	–	–	●	●	●	●	–	–	

2. Use Table Revision

Amend Table 3.1.4-A in §3.1 General Use Provisions to revise the permissions for “Restaurant” to correct an error that did not carry over the proper permissions for this use. This correction restores the intended use restrictions and ensures alignment with the development character and intensity standards of each Zoning District.

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
03. Commercial & Office Uses												
Restaurant	N/A	–	–	●	●	●	●	●	●	●	–	–

3. Comprehensive Development Standards Revision

Amend Table 4.2.2-A in §4.2 Buildings and Lots to remove the distinction between “with sewer” and “without sewer” in the Rural Estate Residential (RER) District. This revision ensures consistent application of development standards regardless of utility availability.

Table 4.2.2-A Comprehensive Development Standards Lot Size Standards		Rural-Estate Residential RER	Side Yard Setback per Side, Abutting Non-Residential District (min.)	15 feet	Rear Yard Setback, Abutting Non-Residential District (min.)	40 feet
Lot Area (min.)⁽²⁾	1 acre		Side Yard Setback per Side, Abutting Residential District (min.)		Rear Yard Setback, Abutting Residential District (min.)	
Lot Width (min.)	130 feet			15 feet		40 feet

4. Text Corrections

3.2.4 (B) – Swimming Pools For the purposes of this Resolution, **outdoor** swimming pools shall be considered accessory uses and shall be subject to the following regulations: (5) All in-ground pools and above ground pools **less** taller than 24² ” tall shall have an enclosure surrounding the pool area, and the enclosure shall not extend less than 4 feet above the ground. All gates shall be self-closing and self-latching with the latches placed at least 4 feet above the ground.

3.2.4 (C) – Decks, Porches, & Patios **Concrete Pads**

(1) ~~Patios~~ **Concrete pads** may be built to the property line, so long as all applicable impervious surface ratio requirements are met.

~~(6) Decks or porches in front or side yards that are not attached to a primary structure are prohibited.~~

3.4.39 – Swimming Pools, Lakes, and Bathhouses

~~A. Exemption for certain indoor swimming pools. The provisions of this Subsection 3.4.39 shall not apply to indoor pools that are within an enclosure that is attached to the principal building.~~

~~B. Perimeter barrier required. The swimming pool, lake, or entire property on which said pool or~~

lake is located shall be walled or fenced in accordance with the requirements of the Hamilton County Building Department.

~~C. Barrier for above-ground pools. (1) Above-ground pools that have a wall height of less than 4 feet shall have a barrier surrounding the pool or property. Such barrier may be located on the outer pool wall. (2) Above-ground pools that have a wall height of 4 feet or higher shall not be required to have a perimeter barrier around the pool or the property.~~

~~D. Pools at multi-unit dwellings. Swimming pools at multi-unit dwellings shall meet the structural and sanitary requirements of the Ohio Department of Health.~~

4.2.3 (A) – Accessory Buildings and Uses

(7) The cumulative footprints of accessory buildings on a given lot shall not occupy more than 30% of the rear yard of such lot; and

(11) Any structure used as a garage—whether attached or detached—shall be connected to a driveway that provides direct vehicular access to a public or private street.

4.2.3 (C) – Exceptions to Accessory Location Restrictions

(4) An accessory building or use may be located in any yard where such building or use is set back 200 feet or more from a right-of-way exclusive of panhandles; ***and is 50 feet from all property lines.***

4.4.1 (E) – Fencing Restrictions on Vacant Lots. Fencing shall not be permitted on any lot that does not contain a legally established principal structure. Under no circumstances shall fencing be installed solely for the purposes of private storage, vehicle parking, or general property enclosure on a vacant lot.

(1) The Zoning Administrator may authorize fencing on otherwise vacant lots only under the following conditions:

a. The lot is utilized for a public or community-serving function—such as recreation, open space, or stormwater management—and the proposed fencing is directly related to and necessary for the ongoing use, maintenance, or safety of the site. This may include land owned or maintained by a public agency, homeowners' association, or similar entity; or,

b. The lot is located within the RER (Rural Estate Residential) Zoning District; or,

c. The fence is used in connection with an adjacent lot that contains a legally established principal structure.

4.7.2 (B) – Master Parking Plans

(3) Expansion of structures ~~and~~ ***or*** expansion of parking or vehicular use areas.

4.9.1 (D) – General Waste Receptable Provisions

All trash receptacles, including dumpsters and refuse containers, shall be located on the same lot as the principal use they serve. Storage of trash receptacles on vacant or adjacent lots not occupied by the associated use is prohibited.

6.3.2 (B) – Exemptions from Zoning Certificate

(9) ~~Patios that are not enclosed~~ ***Concrete Pads;***

Various: Correction of ‘conform’ Tense

To maintain consistent language throughout the Zoning Resolution, all instances of conformity / nonconformity / conforming / nonconforming should be changed in the Table of Contents and in Sections 1.3.5, 4.8.2, 4.8.5, 5.1.1, 5.1.2, 5.2.2, 5.3.3, 5.3.4, 6.1.2, 6.2.4, 6.3.2, 6.3.4, and 6.5.1.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 24th day of June, 2025, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

**RESOLUTION DENYING ZONING COMMISSION CASE CZC-25-3,
ZONING TEXT AMENDMENTS RE TECHNICAL
CORRECTIONS TO VARIOUS ARTICLES**

WHEREAS, on February 18, 2025, the Colerain Township Zoning Commission requested that the Planning and Zoning Staff present to the Commission a series of text amendments to address multiple corrections to the Colerain Township Zoning Resolution, which have been identified since the Resolution's adoption on October 10, 2024, of which the intent of these revisions is to clarify regulatory language and ensure internal consistency throughout the document; and

WHEREAS, on May 20, 2025, the Colerain Township Zoning Commission held a public hearing on case CZC-25-2 proposing text amendments to various Articles; and

WHEREAS, after consideration of the staff proposal and all public comments, exhibits, and other materials submitted, the Zoning Commission voted 5-0 to recommend the Zoning Text Amendments, included below as Exhibit "A", to the Colerain Township Board of Trustees; and

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on Zoning Commission case CZC-25-3 on June 24, 2025, and after consideration of the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted ____ - ____ to deny the Colerain Township Zoning Text Amendment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio denies the Text Amendment to the Zoning Resolution, included below as Exhibit "A", for the reason that it would not be in the best interest of the Township and the health, safety, morals and welfare of the public, is not consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is not in keeping with good land use planning; and

2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Colerain Township Zoning Administration; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this ____ day of _____, 2025.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 2025.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit “A”

Sections of the Colerain Township Zoning Resolution Text to Amend: **INSERT**, ~~DELETE~~

1. Use Table Revision

Amend Table 3.1.4-A in §3.1 General Use Provisions to revise the permissions for “Automotive Fuel Service” to correct an error that did not carry over the proper permissions for this use. This correction restores the intended use restrictions and ensures alignment with the development character and intensity standards of each Zoning District.

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ◐ = Conditionally Allowed – = Prohibited Use		Use-Specific Standards Subsection	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Greenspace, Open Space, Recreation	Sanitary Landfill
03. Automotive Uses			RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
Automotive Fuel Service	3.4.6	–	–	–	–	●	●	●	●	–	–	

2. Use Table Revision

Amend Table 3.1.4-A in §3.1 General Use Provisions to revise the permissions for “Restaurant” to correct an error that did not carry over the proper permissions for this use. This correction restores the intended use restrictions and ensures alignment with the development character and intensity standards of each Zoning District.

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03. Commercial & Office Uses												
Restaurant	N/A	–	–	●	●	●	●	●	●	●	–	–

3. Comprehensive Development Standards Revision

Amend Table 4.2.2-A in §4.2 Buildings and Lots to remove the distinction between “with sewer” and “without sewer” in the Rural Estate Residential (RER) District. This revision ensures consistent application of development standards regardless of utility availability.

Table 4.2.2-A Comprehensive Development Standards		Rural-Estate Residential RER			
Lot Size Standards					
Lot Area (min.) ⁽²⁾	1 acre	Side Yard Setback per Side, Abutting Non-Residential District (min.)	15 feet	Rear Yard Setback, Abutting Non-Residential District (min.)	40 feet
Lot Width (min.)	130 feet	Side Yard Setback per Side, Abutting Residential District (min.)	15 feet	Rear Yard Setback, Abutting Residential District (min.)	40 feet

4. Text Corrections

3.2.4 (B) – Swimming Pools For the purposes of this Resolution, **outdoor** swimming pools shall be considered accessory uses and shall be subject to the following regulations: (5) All in-ground pools and above ground pools **less** taller than 24² ” tall shall have an enclosure surrounding the pool area, and the enclosure shall not extend less than 4 feet above the ground. All gates shall be self-closing and self-latching with the latches placed at least 4 feet above the ground.

3.2.4 (C) – Decks, Porches, & Patios **Concrete Pads**

(1) ~~Patios~~ **Concrete pads** may be built to the property line, so long as all applicable impervious surface ratio requirements are met.

~~(6) Decks or porches in front or side yards that are not attached to a primary structure are prohibited.~~

3.4.39 – Swimming Pools, Lakes, and Bathhouses

~~A. Exemption for certain indoor swimming pools. The provisions of this Subsection 3.4.39 shall not apply to indoor pools that are within an enclosure that is attached to the principal building.~~

~~B. Perimeter barrier required. The swimming pool, lake, or entire property on which said pool or~~

lake is located shall be walled or fenced in accordance with the requirements of the Hamilton County Building Department.

~~C. Barrier for above-ground pools. (1) Above-ground pools that have a wall height of less than 4 feet shall have a barrier surrounding the pool or property. Such barrier may be located on the outer pool wall. (2) Above-ground pools that have a wall height of 4 feet or higher shall not be required to have a perimeter barrier around the pool or the property.~~

~~D. Pools at multi-unit dwellings. Swimming pools at multi-unit dwellings shall meet the structural and sanitary requirements of the Ohio Department of Health.~~

4.2.3 (A) – Accessory Buildings and Uses

(7) The cumulative footprints of accessory buildings on a given lot shall not occupy more than 30% of the rear yard of such lot; and

(11) Any structure used as a garage—whether attached or detached—shall be connected to a driveway that provides direct vehicular access to a public or private street.

4.2.3 (C) – Exceptions to Accessory Location Restrictions

(4) An accessory building or use may be located in any yard where such building or use is set back 200 feet or more from a right-of-way exclusive of panhandles; ***and is 50 feet from all property lines.***

4.4.1 (E) – Fencing Restrictions on Vacant Lots. Fencing shall not be permitted on any lot that does not contain a legally established principal structure. Under no circumstances shall fencing be installed solely for the purposes of private storage, vehicle parking, or general property enclosure on a vacant lot.

(1) The Zoning Administrator may authorize fencing on otherwise vacant lots only under the following conditions:

a. The lot is utilized for a public or community-serving function—such as recreation, open space, or stormwater management—and the proposed fencing is directly related to and necessary for the ongoing use, maintenance, or safety of the site. This may include land owned or maintained by a public agency, homeowners' association, or similar entity; or,

b. The lot is located within the RER (Rural Estate Residential) Zoning District; or,

c. The fence is used in connection with an adjacent lot that contains a legally established principal structure.

4.7.2 (B) – Master Parking Plans

(3) Expansion of structures ~~and~~ ***or*** expansion of parking or vehicular use areas.

4.9.1 (D) – General Waste Receptable Provisions

All trash receptacles, including dumpsters and refuse containers, shall be located on the same lot as the principal use they serve. Storage of trash receptacles on vacant or adjacent lots not occupied by the associated use is prohibited.

6.3.2 (B) – Exemptions from Zoning Certificate

(9) ~~Patios that are not enclosed~~ ***Concrete Pads***;

Various: Correction of ‘conform’ Tense

To maintain consistent language throughout the Zoning Resolution, all instances of conformity / nonconformity / conforming / nonconforming should be changed in the Table of Contents and in Sections 1.3.5, 4.8.2, 4.8.5, 5.1.1, 5.1.2, 5.2.2, 5.3.3, 5.3.4, 6.1.2, 6.2.4, 6.3.2, 6.3.4, and 6.5.1.

DEVELOPMENT

Department: Development

Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Motion for Board of Trustees to set a Public Hearing on July 8, 2025 at 6PM for a Major Amendment to Final Development Plan, Resolution 29-12

Recommend ADOPTION of the Motion.

Rationale:

A notice of violation was issued on this property for the installation of a driveway, which was in contrast to the original approved development plan. An application for an amendment was filed. Per zoning resolution section 6.4.3(Q):

"The Zoning Administrator may determine if any proposed amendments are substantial and therefore must be approved by the Township Trustees."

DEVELOPMENT

Department: Administration
Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Motion for Board of Trustees to set a Public Hearing on the July 8, 2025 at 6:00PM for Zoning Commission Case CZC-25-5 regarding a Zone Text Amendment to add and revise standards related to Mobile Food Services, including provisions for food trucks, trailers, and temporary food vending operations

Recommend ADOPTION of the Motion.

Rationale:

Upon recommendation of Zoning Text Amendments by the Colerain Township Zoning Commission, the Board of Trustees must hold a Public Hearing to consider such changes.

DEVELOPMENT

Department: Administration
Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Motion for Board of Trustees to set a Public Hearing on the July 8, 2025 at 6:00PM for Zoning Commission Case CZC-25-8 regarding a Zone Text Amendment to establish new regulations for One-Time Special Events, including defined timelines, permit requirements, and performance standards

Recommend ADOPTION of the Motion.

Rationale:

Upon recommendation of Zoning Text Amendments by the Colerain Township Zoning Commission, the Board of Trustees must hold a Public Hearing to consider such changes.

ADMINISTRATION

Department: Administration
Department Director: Jeff Weckbach, Township Administrator
Ed Cordie, Police Chief
Jeff McElravy, Assistant Administrator

Strategic Plan Goal: Strategic Goal #1: Chart a Pathway to Long-Term Financial Stability
Strategic Goal #2: Continue to Provide High Quality Safety Services

Resolution Adopting Ballot Language for Police Tax levy
Recommend ADOPTION of the Resolution.

Rationale:

At the June 10, 2025 Board of Trustees meeting, the Trustees adopted three separate resolutions to certify millage to the Hamilton County Auditor. At the posting of this agenda item (Friday, June 20), the County Auditor had not returned the certifications. The estimated rates and certifications are detailed below:

2.0 Mills: There will be a gap of \$530,000 per year that will need to be addressed through cuts. (\$3,651,640)
2.3 Mills: Staffing levels will be maintained (\$4,181,128)
2.9 Mills: An additional beat will be created in eastern Colerain (allowing western officers to stay in district more frequently), a vacated detective position will be reinstated, and two additional officers that can be utilized for traffic and other high need areas. (\$5,276,620)

Attached to this item is a resolution that will allow the board to submit ballot language for any of the three options. Please note, that passage of a resolution related to a levy will impact our tax budget which is due on July 18th.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the _____ day of _____, 2025, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Cathy Ulrich, Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-25

RESOLUTION TO PROCEED TO LEVY A TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR POLICE SERVICES AND REQUESTING THE BOARD OF ELECTIONS TO PLACE THE ISSUE ON THE NOVEMBER 4, 2025 BALLOT AND DECLARING AN EMERGENCY

WHEREAS, on June 10, 2025, the Board of Trustees for Colerain Township, Hamilton County, Ohio passed a Resolution of Necessity declaring the necessity of an additional tax in excess of the ten-mill limitation under Ohio Revised Code Section 5705.19(J) for the purpose of providing and maintain motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under Sections 145.48 or 742.33 of the Ohio Revised Code , for the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, for the provision of ambulance or emergency medical services operated by a police department, or for the payment of other related costs; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.03(B)(1), this Board via Resolution No. 70-25 requested the County Auditor certify to the Township Board of Trustees the total current taxable value of Colerain Township which exclusively exists in Hamilton County, Ohio, and the dollar amount of revenue that would be generated by a proposed five-year tax levy and assuming the taxable value of the Township remains constant throughout the life of such levy, at a tax rate not exceeding 2.00 mills for each one dollar (\$1.00) of taxable value within the entire territory of the Township; and

WHEREAS, the County Auditor has also certified to the Board the amount of such levy, expressed in dollars, rounded to the nearest one dollar, for each \$100,000 of the County Auditor's appraised value; and

WHEREAS, the Board of Trustees of Colerain Township, Ohio, finds it necessary to put this additional levy on the ballot on November 4, 2025 for the 2.00 mills for a five-year period of time as allowed pursuant to Ohio Revised Code 5705.19, commencing January 1, 2025 and first due in calendar year 2026; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.03(B)(1), this Board of Trustees has received the County Auditor's certification of certain matters in connection with the aforementioned proposed five-year levy which is attached to this Resolution as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. The amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Colerain Township, Hamilton County, Ohio, for its police services.

2. The Board specifically finds and hereby determines that it is necessary to levy a additional tax in excess of the ten-mill limitation for the health, safety and welfare of Colerain Township and its residents and for the purpose of police services pursuant to 5705.19(J), at a rate of 2.00 mills for each one dollar of taxable value, which amounts to \$_____ for each one \$100,000 of the County Auditor's appraised value within the entire territory of Colerain Township which only has territory in Hamilton County, Ohio.

3. The Colerain Township Board of Trustees hereby orders that the levy shall be placed upon the current tax list commencing January 1, 2025, first due in calendar year 2026, for a five-year period pursuant to Revised Code Section 5705.19(3)(a) on the entire territory of Colerain Township (all of which exists within Hamilton County), if a majority of the electors voting thereon vote in favor thereof.

4. That the Colerain Township Board of Trustees hereby orders that the question of such additional tax levy shall be submitted to the electors of Colerain Township at the election to be held therein on November 4, 2025.

5. That pursuant to Ohio Revised Code Section 5705.03(B)(1), the County Auditor has certified to the Colerain Township Board of Trustees the total current taxable value of Colerain Township and the dollar amount of revenue that would be generated by the number of mills specified as attached as Exhibit "A". Those amounts and rates are hereby accepted. In connection therewith, the Township Fiscal Officer is hereby directed to certify a copy of this Resolution to the County Board of Elections, along with a copy of the Resolution of Necessity and the Auditor's certification at least ninety days prior to the General Election, and notify the Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

6. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.

7. That this Resolution is hereby declared to be an emergency measure safeguard the health, safety, and general welfare of Colerain Township and its residents via necessary police services. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest date allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this _____ day of _____, 2025.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township
Fiscal Officer this _____ day of _____, 2025.

Jeff Baker
Colerain Township Fiscal Officer

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the _____ day of _____, 2025, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Cathy Ulrich, Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-25

RESOLUTION TO PROCEED TO LEVY A TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR POLICE SERVICES AND REQUESTING THE BOARD OF ELECTIONS TO PLACE THE ISSUE ON THE NOVEMBER 4, 2025 BALLOT AND DECLARING AN EMERGENCY

WHEREAS, on June 10, 2025, the Board of Trustees for Colerain Township, Hamilton County, Ohio passed a Resolution of Necessity declaring the necessity of an additional tax in excess of the ten-mill limitation under Ohio Revised Code Section 5705.19(J) for the purpose of providing and maintain motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under Sections 145.48 or 742.33 of the Ohio Revised Code , for the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, for the provision of ambulance or emergency medical series operated by a police department, or for the payment of other related costs; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.03(B)(1), this Board via Resolution No. 70-25 requested the County Auditor certify to the Township Board of Trustees the total current taxable value of Colerain Township which exclusively exists in Hamilton County, Ohio, and the dollar amount of revenue that would be generated by a proposed five-year tax levy and assuming the taxable value of the Township remains constant throughout the life of such levy, at a tax rate not exceeding 2.30 mills for each one dollar (\$1.00) of taxable value within the entire territory of the Township; and

WHEREAS, the County Auditor has also certified to the Board the amount of such levy, expressed in dollars, rounded to the nearest one dollar, for each \$100,000 of the County Auditor's appraised value; and

WHEREAS, the Board of Trustees of Colerain Township, Ohio, finds it necessary to put this additional levy on the ballot on November 4, 2025 for the 2.30 mills for a five-year period of time as allowed pursuant to Ohio Revised Code 5705.19, commencing January 1, 2025 and first due in calendar year 2026; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.03(B)(1), this Board of Trustees has received the County Auditor's certification of certain matters in connection with the aforementioned proposed five-year levy which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. The amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Colerain Township, Hamilton County, Ohio, for its police services.
2. The Board specifically finds and hereby determines that it is necessary to levy a additional tax in excess of the ten-mill limitation for the health, safety and welfare of Colerain Township and its residents and for the purpose of police services pursuant to 5705.19(J), at a rate of 2.30 mills for each one dollar of taxable value, which amounts to \$_____ for each one \$100,000 of the County Auditor's appraised value within the entire territory of Colerain Township which only has territory in Hamilton County, Ohio.
3. The Colerain Township Board of Trustees hereby orders that the levy shall be placed upon the current tax list commencing January 1, 2025, first due in calendar year 2026, for a pursuant to Revised Code Section 5705.19(3)(a) on the entire territory of Colerain Township (all of which exists within Hamilton County), if a majority of the electors voting thereon vote in favor thereof.
4. That the Colerain Township Board of Trustees hereby orders that the question of such additional tax levy shall be submitted to the electors of Colerain Township at the election to be held therein on November 4, 2025.
5. That pursuant to Ohio Revised Code Section 5705.03(B)(1), the County Auditor has certified to the Colerain Township Board of Trustees the total current taxable value of Colerain Township and the dollar amount of revenue that would be generated by the number of mills specified as attached as Exhibit "A". Those amounts and rates are hereby accepted. In connection therewith, the Township Fiscal Officer is hereby directed to certify a copy of this Resolution to the County Board of Elections, along with a copy of the Resolution of Necessity and the Auditor's certification at least ninety days prior to the General Election, and notify the Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.
6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
6. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.

7. That this Resolution is hereby declared to be an emergency measure safeguard the health, safety, and general welfare of Colerain Township and its residents via necessary police services. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest date allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this _____ day of _____, 2025.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township
Fiscal Officer this _____ day of _____, 2025.

Jeff Baker
Colerain Township Fiscal Officer

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the _____ day of _____, 2025, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Cathy Ulrich, Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

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WHEREAS, on June 10, 2025, the Board of Trustees for Colerain Township, Hamilton County, Ohio passed a Resolution of Necessity declaring the necessity of an additional tax in excess of the ten-mill limitation under Ohio Revised Code Section 5705.19(J) for the purpose of providing and maintain motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under Sections 145.48 or 742.33 of the Ohio Revised Code , for the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, for the provision of ambulance or emergency medical series operated by a police department, or for the payment of other related costs; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.03(B)(1), this Board via Resolution No. 70-25 requested the County Auditor certify to the Township Board of Trustees the total current taxable value of Colerain Township which exclusively exists in Hamilton County, Ohio, and the dollar amount of revenue that would be generated by a proposed five-year tax levy and assuming the taxable value of the Township remains constant throughout the life of such levy, at a tax rate not exceeding 2.90 mills for each one dollar (\$1.00) of taxable value within the entire territory of the Township; and

WHEREAS, the County Auditor has also certified to the Board the amount of such levy, expressed in dollars, rounded to the nearest one dollar, for each \$100,000 of the County Auditor's appraised value; and

WHEREAS, the Board of Trustees of Colerain Township, Ohio, finds it necessary to put this additional levy on the ballot on November 4, 2025 for the 2.90 mills for a five-year period of time as allowed pursuant to Ohio Revised Code 5705.19, commencing January 1, 2025 and first due in calendar year 2026; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.03(B)(1), this Board of Trustees has received the County Auditor's certification of certain matters in connection with the aforementioned proposed five-year levy which is attached hereto as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. The amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Colerain Township, Hamilton County, Ohio, for its police services.

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3. The Colerain Township Board of Trustees hereby orders that the levy shall be placed upon the current tax list commencing January 1, 2025, first due in calendar year 2026, for a five-year period pursuant to Revised Code Section 5705.19(3)(a) on the entire territory of Colerain Township (all of which exists within Hamilton County), if a majority of the electors voting thereon vote in favor thereof.

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Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this _____ day of _____, 2025.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township
Fiscal Officer this _____ day of _____, 2025.

Jeff Baker
Colerain Township Fiscal Officer

ADMINISTRATION

Department: Administration
Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal:

Motion to Move the November 25, 2025 Regular Meeting to November 11, 2025
Recommend ADOPTION of the Motion.

Rationale:

Due to a scheduling issue, there is a desire to move the November meeting date back to the second Tuesday of the month. This was originally shifted because November 11 is Veterans Day. This motion would have the regular meeting of the Trustees on Veterans Day this year.

CONSENT ITEMS

Department: Administration
Department Director: Jeff McElravy, Assistant Administrator

Strategic Plan Goal: Strategic Goal #5: Continuously Improve the Operations of the Township

New Hire- Accounting Specialist- Administration Department- Lisa White - \$24.04/hour
Recommend approval of all consent items.

Rationale:

The position of Accounting Specialist was posted, applicants were interviewed, and a conditional offer was extended to Lisa White. If approved, she would begin work as early as 6/23/2025.

CONSENT ITEMS

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

New Hire - School Safety Officer - Police Department - Earl Davis - \$39.00/hour
Recommend approval of all consent items.

Rationale:
The position of School Safety Officer was posted, applications were received and interviews conducted. A conditional offer of employment was extended to the following individual: Earl Davis.

The wage for this job is \$39.00 per hour for 40 hours per week. Contingent upon Board approval, he would be eligible to begin work on July 1st, 2025.

CONSENT ITEMS

Department: Fire
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Donation Acceptance - Department of Fire and EMS - Cincinnati Moose Lodge #2 - \$1,965.41 (Checks)
Recommend approval of all consent items.

Rationale:
Colerain Township Department of Fire and EMS is grateful for a \$1,965.41 donation from Cincinnati Moose Lodge #2.

CONSENT ITEMS

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Donation Acceptance - Police Department - Moose Lodge - Cincinnati Lodge No. 2 - \$1,965.41
Recommend approval of all consent items.

Rationale:
Colerain Township Police Department is grateful for a donation of \$1,965.41 from Moose Lodge - Cincinnati Lodge No. 2.

CONSENT ITEMS

Department: Administration
Department Director: Tiphonie Mays, Assistant Administrator

Strategic Plan Goal: Strategic Goal #6: Make Progress on Deferred Maintenance and Reposition Existing Assets

Contract - Choice One Engineering - Property Survey for Breeze Way Sidewalk Project - \$6,975 - No Exp
Recommend approval of all consent items.

Rationale:
It is necessary to identify the boundaries of the Township's easement and residential property in order to commence the Breeze Way Sidewalk repair/replacement project without disturbing private property in the process of performing the project.



Date

June 16, 2025

Attention

Tiphannie Mays
tmays@colerain.org

Address

Colerain Township
4200 Springdale Road
Colerain Township, OH 45251

Subject

Agreement for Professional Services
Breezeway Easement Staking
HAM-COL-2503

Dear Ms. Mays:

Choice One Engineering Corporation appreciates the opportunity to provide services for the Breezeway Easement Staking.

This Agreement is by and between Colerain Township, hereinafter referred to as Client, and Choice One Engineering Corporation, hereinafter referred to as Choice One. If everything is acceptable, please execute and return to Choice One. Choice One will not start work on this Project until the Agreement is signed and received in our office via email or hard copy.

This Agreement is subject to the provisions of the following which are attached to and made a part of this Agreement: Scope of Services, Compensation, and Schedule, consisting of two pages and Choice One Engineering Corporation Standard Terms & Conditions consisting of three pages.

Authorization by the Client to proceed, whether oral or written, constitutes acceptance of the terms and conditions of this Agreement, without modification, addition, or deletion. Client and Choice One each bind itself and its partners, successors, executors, administrators of this executed Agreement.

Colerain Township

Authorized Signature

Date

Choice One Engineering Corporation



Bradley A. Warnock, P.E., Project Manager

06/16/2025
Date

W. Central Ohio/E. Indiana
440 E. Hoewisher Rd.
Sidney, OH 45365
937.497.0200 Phone

S. Ohio/N. Kentucky
8956 Glendale Milford Rd., Suite 1
Loveland, OH 45140
513.239.8554 Phone



Scope of Services

Project Services

1. Breezeway Easement Staking

- a. Establish Easement Limits
 - i. Locate existing control points and benchmarks and set adequate control points for the duration of construction.
 - ii. Perform necessary deed and plat research to establish easements and adjoining property lines.
- b. Stake Easement Limits
 - i. Provide stakes along the easement lines every 50 feet.
- c. We will coordinate with the construction contractor on scheduling of the layout staking and will work with the contractor as best as possible but cannot re-stake any of the above items without proper compensation from either the contractor or Client as mutually agreed upon prior to construction commencing.
- d. Staking will be performed per construction plans and will not be field adjusted.

Client Responsibilities

- Provide two-day advanced notice when staking services are needed.

Compensation & Schedule

Compensation

Lump Sum Fee Schedule

Total

\$6,975.00

Prevailing wages are not applicable for these services and are not included in the fee.

Cost of other services or changes in the understanding of the project may be developed and negotiated mutually as a contractual Scope of Services is prepared or as need for the work item can be defined during the project life.

Schedule

Choice One will provide the staking services on an as-needed basis with two-day advanced notice from the Client and after receipt of an executed Agreement. Please call Connor Spurdute at 937-497-0200 to schedule staking services.

This agreement is valid for 60 days prior to being executed by the Client. After 60 days, Choice One reserves the right to modify the fee and schedule, as necessary.



Approximate
Easements to be
established, and
staked at a later date

Choice One Engineering Corporation
Standard Terms & Conditions

4/17/2018

Services Choice One Engineering Corporation (Choice One) will perform services for the Project as set forth in the Choice One agreement and in accordance with these Terms & Conditions. Choice One has developed the Project scope of service, schedule, and compensation based on available information and various assumptions. The Client acknowledges that adjustments to the schedule and compensation may be necessary based on the actual circumstances encountered by Choice One in performing their services.

Additional Services The Client and Choice One acknowledge that additional services may be necessary for the Project to address issues that may not be known at Project initiation or that may be required to address circumstances that were not foreseen. In that event, Choice One will notify the Client of the need for additional services and the Client will pay for such additional services at an hourly rate or as agreed to by the Client and Choice One.

Project Requirements The Client will confirm the objectives, requirements, constraints, and criteria for the Project at its inception. If the Client has established design standards, they will be furnished to Choice One at Project inception. Choice One will review the Client design standards and may recommend alternate standards considering the standard of care provision.

Period of Service Choice One will perform the services for the Project with due and reasonable diligence consistent with normal professional practices according to the Project Schedule. Should Choice One discern that the schedule cannot be met for any reason, Choice One will notify the Client as soon as practically possible.

Limitation of Liability In recognition of the relative risks and benefits of the project to both the Client and Choice One, the Client agrees to the fullest extent permitted by law, to limit the liability of Choice One for any and all damages or claim expenses arising out of this agreement, from any and all causes, to \$50,000 or the fee realized by Choice One for the Project, whichever is greater.

Compensation In consideration of the services performed by Choice One, the Client will pay Choice One in the manner set forth in the Choice One agreement. The parties acknowledge that terms of compensation are based on an orderly and continuous progress of the Project. Compensation will be reasonably adjusted for delays or extensions of time beyond the control of Choice One.

Payment Terms Choice One will submit monthly invoices for services performed and Client will pay the full invoice amount within thirty (30) calendar days of the invoice date. Invoices will be considered correct if not questioned in writing within ten (10) calendar days of the invoice date. In the event of a disputed or contested billing, only that portion so contested may be withheld from payment, and the undisputed portion will be paid. No interest will accrue on any contested portion of the billing until mutually resolved. Client will exercise reasonableness in contesting any billing or portion thereof. Choice One will be entitled to a 1.5% per

month administrative charge in the event of payment delay. Client payment to Choice One is not contingent on arrangement of project financing. Invoice payment delayed beyond sixty (60) calendar days will give Choice One the right to suspend services until payments are current. Nonpayment beyond seventy (70) calendar days will be just cause for termination by Choice One.

Amendment This Agreement may not be amended except in writing and executed by both Choice One and Client. No alterations or modifications to these Terms and Conditions will be effective unless affirmatively contained in the signed amendment.

Assignment Neither party will assign its rights, interests or obligations under the Project without the express written consent of the other party.

Authorized Representatives The officer assigned to the Project by Choice One is the only authorized representative to make decisions or commitments on behalf of Choice One. The Client will designate a representative with similar authority.

Betterment If, due to Choice One's error or omission, any required item or component of the project is omitted from Choice One's construction documents, Choice One will not be responsible for paying the cost to add such item or component to the extent that such item or component would have been otherwise necessary to the project or otherwise adds value or betterment to the project. In no event will Choice One be responsible for any cost or expense that provides betterment, upgrade, or enhancement of the project.

Buried Utilities Where applicable to the Project, Choice One will conduct research and prepare a plan indicating the locations of underground improvements intended for subsurface penetration with respect to assumed locations of underground improvements. Such services by Choice One will be performed in manner consistent with ordinary standard of care. Client recognizes that the research may not identify all underground improvements and that the information on which Choice One relies may contain errors or may not be complete. The Client agrees to waive all claims and causes of action against Choice One for damages to underground improvements resulting from subsurface penetration locations established by Choice One, except for damages caused by the sole negligence or willful misconduct of Choice One.

Compliance with Laws Choice One will perform its services consistent with normal professional practice and endeavor to incorporate laws, regulations, codes, and standards applicable at the time the work is performed. In the event that standards of practice change during the Project, Choice One will be entitled to additional compensation where additional services are needed to conform to the standard of practice.

Consequential Damages Neither the Client nor Choice One will be liable to the other for any consequential damages regardless of the nature or fault.

Construction Observation, If Applicable Construction observation will consist of visual observation of materials, equipment, or construction services for the purpose of ascertaining that the service is in general conformance with the Contract Documents. Such observation will not be construed as relieving the parties under contract in any way from their obligations and responsibilities under the Contract Documents. Specifically, observation will not require Choice One to assume responsibilities for the means and methods of construction. The Client has not retained Choice One to make detailed inspections or to provide exhaustive or continuous project review and observation services. Choice One does not guarantee the performance of, and will have no responsibility for, the acts or omissions of any contractor, subcontractor, supplier, or any other entity furnishing materials or performing any services on the project.

Cost Estimates or Opinions Choice One may prepare cost estimates or opinions for the Project based on historical information that represents the judgment of a qualified professional. The Client and Choice One acknowledge that actual costs may vary from the cost estimates or opinions prepared and that Choice One offers no guarantee related to the Project cost.

Defects in Service The Client will promptly report to Choice One any defects or suspected defects in service. The Client further agrees to impose a similar notification requirement on all contractors in its Client/Contractor agreement and will require all subcontracts at any level to contain a like provision. Failure by the Client and Client's contractors and subcontractors to notify Choice One will relieve Choice One of the costs of remedying the defects above the sum such remedy would have cost had prompt notification been given when such defects were first discovered.

Delays The services of each task will be considered complete when deliverables for the task have been presented to the Client. Choice One will be entitled to an extension of time and compensation adjustment for any delay beyond Choice One's control.

Design Without Construction Administration The Client acknowledges that there could be misinterpretations of Choice One Design Documents during construction, which could lead to errors and subsequent loss or damage. The Client assumes all responsibility for interpretation of the Contract Documents and for construction observation and the Client waives any claims against Choice One that may be in any way connected hereto.

Dispute Resolution In the event of a dispute between Choice One and Client arising out of or related to this Agreement, the aggrieved party will notify the other party of the dispute within a reasonable time after such dispute arises. If the parties cannot thereafter resolve the dispute, each party will nominate a senior officer of its management to meet to resolve the dispute by direct negotiation. Should such negotiation fail to resolve the dispute, the Client and Choice One agree that all disputes will be submitted to nonbinding mediation unless the parties mutually agree otherwise.

Should such negotiation or mediation fail to resolve the dispute, either party may pursue resolution by arbitration in

accordance with the Construction Industry Arbitration Rules of the American Arbitration Association.

During the pendency of any dispute, the parties will continue diligently to fulfill their respective obligations hereunder.

Environmental Matters The Client warrants they have disclosed all potential hazardous materials that may be encountered on the Project. In the event unknown hazardous materials are encountered, Choice One will be entitled to additional compensation for appropriate actions to protect the health and safety of its personnel, and for additional services required to comply with applicable laws. The Client will indemnify Choice One from any claim related to hazardous materials encountered on the Project except for those events caused by negligent acts of Choice One.

Governing Law The terms of agreement will be governed by the laws of the state where the services are performed provided that nothing contained herein will be interpreted in such a manner as to render it unenforceable under the laws of the state in which the Project resides.

Hiring of Personnel Client may not directly hire any employee of Choice One. Client agrees that it shall not, directly or indirectly solicit any employee of the Engineer from accepting employment with Client, affiliate companies, or competitors of Engineer.

Information from Other Parties The Client and Choice One acknowledge that Choice One will rely on information furnished by other parties in performing its services under the Project. Choice One will not be liable for any damages that may be incurred by the Client in the use of third party information.

Insurance Choice One will maintain the following insurance and coverage limits during the period of service if such coverage is reasonably available at commercially affordable premium. Upon request, the Client will be named as an additional insured on the Commercial General Liability and Automobile Liability policies.

- Worker's Compensation: As required by applicable state statute
- Commercial General Liability: \$1,000,000 per occurrence (bodily injury including death and property damage) \$2,000,000 aggregate
- Automobile Liability: \$1,000,000 combined single limit for bodily injury and property damage
- Professional Liability: \$2,000,000 per claim and \$2,000,000 aggregate

The Client will make arrangements for Builder's Risk, Protective Liability, Pollution Prevention, and other specific insurance coverage warranted for the Project in amounts appropriate to the Project value and risks. Choice One will be a named insured on those policies where Choice One may be at risk.

Permits and Approvals Choice One will assist the Client in preparing applications and supporting documents as identified in the scope of services for the Client to secure permits and approvals from agencies having jurisdiction over the Project. Assistance in applying for permit applications by Choice One does not guarantee approval of the permits by the jurisdictional regulatory authorities. The Client agrees to pay all application and review fees.

Reuse of Documents All documents prepared by Choice One pursuant to this Agreement are instruments of service as part of the Project. They are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or any other project. Any reuse without written verification or adaptation by Choice One for the specific purpose intended will be at the Client's risk and without liability or legal exposure to Choice One. Any verification or adaptation requested by the Client to be performed by Choice One will entitle Choice One to further compensation at rates to be agreed upon by the Client and Choice One.

Safety Choice One will be responsible solely for the safety precautions or programs of its employees and no other party. In no event will Choice One be responsible for construction methods, means, techniques or sequences of construction, which are solely the responsibility of the Contractor.

Severability Any provision of these terms later held to violate any law will be deemed void and all remaining provisions will continue in force. In such event, the Client and Choice One will work in good faith to replace an invalid provision with one that is valid with as close to the original meaning as possible.

Site Access The Client will obtain all necessary approvals for Choice One and subcontractors to access the Project site(s).

Standard of Care Services provided by Choice One will be performed with the care and skill ordinarily exercised by members of the same profession practicing under similar circumstances. The standard of care will exclusively be judged as of the time the services are rendered and not according to later standards.

Survival All provisions of these terms that allocate responsibility or liability between the Client and Choice One will survive the completion or termination of services for the Project.

Suspension of Work The Client may suspend services performed by Choice One with cause upon seven (7) calendar days documented notice. Choice One will submit an invoice for services performed up to the effective date of the work suspension and the Client will pay Choice One all outstanding invoices within fourteen (14) calendar days. Choice One will be entitled to renegotiate the Project schedule and the compensation terms for the Project.

Termination The Client or Choice One may terminate services on the Project upon seven (7) calendar days documented notice in the event of substantial failure by the other party to fulfill its obligations of the terms hereunder. Choice One will submit an invoice for services performed up to the effective date of termination and the Client will pay Choice One all outstanding invoices within fourteen (14) calendar days.

Time Bar To Legal Action All legal actions by either party against the other arising out of or in any way connected with the services to be performed hereunder will be barred and under no circumstances will any such claim be initiated by either party after three (3) years have passed from the date of Choice One's final invoice, unless Choice One's services will be terminated earlier, in which case the date of termination of this Agreement will be used.

Waiver of Rights The failure of either party to enforce any provision of these terms and conditions will not constitute a waiver of such provision nor diminish the right of either party to the remedies of such provision.