

Regular Meeting of the Board of Trustees - April 28, 2026

1. **Opening of Meeting**
2. **Pledge of Allegiance 6PM**
3. **Meditation (Moment of Silence)**
4. **Approval of Minutes**
5. **Public Hearings**
 - a. Public Hearing for Zoning Commission Case CZC-25-18, Amendment to Colerain Township Zoning Resolution Sections 2.2.2(E) - Districts Established, and 6.4.3 - Planned District Review and Amendment
 - b. Resolution to Approve/Deny Case CZC-25-18, Amendment to Colerain Township Zoning Resolution Sections 2.2.2(E) - Districts Established, and 6.4.3 - Planned District Review and Amendment
 - c. Public Hearing for Zoning Commission Case CZC-25-21, Zoning Resolution Text Amendment for Technical Corrections Q1 2026
 - d. Resolution to Approve/Deny Case CZC-25-21, Zoning Resolution Text Amendment for Technical Corrections Q1 2026
 - e. Public Hearing for Zoning Commission Case CZC-26-1 & 2, Zoning Map Amendment to 10461 Pippin Rd, and its associated Preliminary Development Plan for Redwood Living Phase 2
 - f. Resolution to Approve/Deny Case CZC-26-1 & 2, Zoning Map Amendment to 10461 Pippin Rd, and its associated Preliminary Development Plan for Redwood Living Phase 2
6. **Citizens Address**
7. **Administrative Reports**
8. **Trustees' Report**
9. **New Business**
 - Public Safety**
 - a. Resolution Declaring a Junk Motor Vehicle - 3095 Lapland Dr. - 1 of 2
 - b. Resolution Declaring a Junk Motor Vehicles - 3652 Riehle Rd. - 2 of 2
 - Development**
 - a. Motion to set a Public Hearing for May 12, 2026 at 6:00 PM for Zoning Commission Case CZC-26-6, Map Amendment to rezone 10299 Colerain Avenue, parcel 510-0182-0014-00, from PD (Planned District) to AMN (Avenue Mixed

North).

Administration

- a. Request for Donation - Fallen Bikers and Riders Foundation

10. Old Business

- a. Resolution Adopting Minor Updates to the Generative Artificial Intelligence Software Policy and Employment Process Policy

11. Consent Items

- a. Contract - Employee Navigator - Human Resources Software - \$3/employee per Month - No Exp
- b. Contract - Choice One Engineering - MTIF Grant Application Assistance - \$1,400 - No Exp
- c. New Hire - Police Cadet - Police Department - Matthew T. Rutz - \$27.50
- d. New Hire - Seasonal Fire Hydrant Maintenance Worker I - Department of Fire and EMS - \$17.37 - Brian Schneider

12. Fiscal Office Report

13. Executive Session – if needed

14. 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 for Zoning Commission Case CZC-25-18, Amendment to Colerain Township Zoning Resolution Sections 2.2.2(E) - Districts Established, and 6.4.3 - Planned District Review and Amendment

Recommend a motion opening the public hearing.

Rationale:

A public hearing is required before consideration of the text amendment by the Trustees.

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: March 17, 2026

Case Information

Case Title: Planned District Review and Amendment
Application Type: Text Amendment

Application Summary

Staff requests that the Zoning Commission recommend approval of a text amendment to Section 2.2.2 (E) – Districts Established and Section 6.4.3 – Planned District Review and Amendment of the Colerain Township Zoning Resolution to modernize the Planned District framework, clarify the purpose and authority of Planned District zoning, streamline application requirements, expand planning based review criteria, and establish clearer procedures for modification and administrative review of approved Planned Districts.

Included Documents

To review this case in full, please consult the accompanying appendices:

1. **Appendix A:** *Current Zoning Text*
2. **Appendix B:** *Proposed Zoning Text*
3. **Appendix C:** *Comparison Document*

Staff Recommendation

Staff recommends **APPROVAL** of the requested text amendment to the Zoning Resolution as shown in Appendix B.

Prepared in advance of the Colerain Township Zoning Commission's consideration,



David Peters, Senior Planner

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: March 17, 2026

Case Information

Case Title: Planned District Review and Amendment
Application Type: Text Amendment

Proposed Action

Staff requests that the Zoning Commission recommend approval of a text amendment to Section 2.2.2 (E) – Districts Established and Section 6.4.3 – Planned District Review and Amendment of the Colerain Township Zoning Resolution to modernize the Planned District framework, clarify the purpose and authority of Planned District zoning, streamline application requirements, expand planning based review criteria, and establish clearer procedures for modification and administrative review of approved Planned Districts.

Case Summary & History

Staff has identified that the current Planned District regulations contained in Section 6.4.3 – Planned District Review and Amendment were written in a format that primarily functions as a detailed engineering submission checklist rather than a planning framework for evaluating integrated development proposals.

While the existing provisions provide extensive documentation requirements, they do not clearly articulate the intended planning purpose of Planned Districts or provide a robust set of criteria to guide the Zoning Commission and Township Trustees in evaluating site design quality, placemaking, mobility, or compatibility with surrounding development.

In practice, the current language requires applicants to submit detailed engineering information during the legislative zoning stage, even though these materials are more appropriately reviewed later during zoning certificate and engineering approvals.

As part of the Township's ongoing effort to modernize the Zoning Resolution following the October 2024 comprehensive update, staff prepared a rewrite of the Planned District provisions to better align the regulations with contemporary planning practice and the policy goals of the Imagine Colerain Comprehensive Plan.

The proposed amendment reorganizes the section to clearly establish the purpose of Planned District zoning, shift the application stage toward conceptual development planning rather than construction level engineering review, streamline submission requirements, expand the planning based review criteria used by the Zoning Commission and Township Trustees, and clarify procedures for modification of an approved Planned District.

The minimum acreage requirement and legislative approval process remain unchanged. The amendment primarily focuses on improving clarity, reducing redundant submission requirements, and providing a more modern and flexible framework for evaluating coordinated development proposals.

Proposed Section(s) to Amend

Section 2.2.2 (E) – Districts Established
Section 6.4.3 – Planned District Review and Amendment

Attachments

For a comprehensive understanding of the proposed text amendment, please refer to the following appendices:

1. **Appendix A:** *Current Zoning Text* – The existing language prior to amendment.
 2. **Appendix B:** *Proposed Zoning Text* – The revised language as proposed.
 3. **Appendix C:** *Comparison Document* – A side-by-side comparison highlighting additions (in bold), deletions (struck through), and descriptions of changes to tables or graphics.
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Staff Findings

1. Alignment with the Comprehensive Plan

The amendment strengthens the relationship between Planned District approvals and the goals of the Imagine Colerain Comprehensive Plan. Expanded review criteria encourage development patterns that support walkability, placemaking, coordinated site design, and appropriate transitions between land uses. These elements reflect the Comprehensive Plan's emphasis on high-quality development and reinvestment along key corridors and redevelopment areas.

2. Housing & Development Flexibility

Planned District zoning is intended to allow creative site design and integrated development patterns that cannot easily be achieved under conventional zoning standards. By clarifying the purpose of Planned Districts and shifting the review stage toward conceptual planning rather than detailed engineering submissions, the amendment reduces barriers for proposals that include mixed-use development, innovative site layouts, and diverse housing opportunities.

3. Economic Development & Investment Readiness

The proposed changes reduce unnecessary application requirements at the legislative zoning stage by removing engineering level documentation that is more appropriately reviewed during later permitting stages. This reduces up-front development costs, improves predictability for applicants, and makes it easier for property owners to pursue redevelopment or coordinated development proposals while maintaining appropriate Township oversight.

4. Improved Code Clarity & Organization

The current Planned District section contains numerous technical submission requirements but provides limited guidance regarding planning considerations or development quality. The proposed rewrite reorganizes the section to clearly distinguish between application requirements, review criteria, modification procedures, and administrative approvals. This structure improves readability, reduces ambiguity, and helps applicants and decision-makers better understand how Planned District proposals are evaluated.

5. Administrative Efficiency & Reduced Red Tape

By focusing the Planned District stage on conceptual development plans rather than construction-ready engineering documents, the amendment eliminates redundant documentation requirements that already occur during zoning certificate review and engineering approvals. This change shortens application preparation time, reduces resubmittals, and allows staff and applicants to focus earlier discussions on development concept, site design, and community compatibility.

Staff Recommendation

Staff recommends **APPROVAL** of the requested text amendment to the Zoning Resolution as shown in Appendix B.

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



David Peters, Senior Planner

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: March 17, 2026

Case Information

Case Title: Planned District Review and Amendment
Application Type: Text Amendment

Current Zoning Text

6.4.3 – Planned District Review and Amendment

A. Process. The establishment of a Planned District requires a zoning map amendment per ORC Section 519.12 and outlined in Section 6.4.1.

B. Minimum Size. The minimum size for any Planned District application shall be 10 acres. This minimum size shall not be subject to variance or modification. Applications for properties of less than 10 acres shall be rejected by the Zoning Administrator.

C. Application Requirements. In addition to the procedural requirements of the zoning map amendment process outlined in Section 6.4.1, the Zoning Administrator shall receive applications for Planned Districts and confirm completeness. For Preliminary Development Plans and modifications to a Planned District, Civil plans are acceptable. Architectural plans are required for Final Development Plans. A complete application includes the following information:

(1) A civil or architectural plan submission that meets the requirements of a Zoning Certificate as specified in Section 6.3.2 – Zoning Certificates, and includes the following:

- (i) Property lines, dimensions, and orientations.
- (ii) Adjacent streets and rights-of-way.
- (iii) Proposed new construction and site work.
- (iv) Equipment, outbuildings, and dumpster locations that will be visible on the site.
- (v) Proposed flood plain drainage and control measures.
- (vi) Watershed details for site and within 200 feet around site. Include GPM calculations for expected runoff for 5, 10, and 50 year storms.
- (vii) Proposed site drainage, including water retention/ detention and sedimentation control measures.
- (viii) Building downspouts and storm sewer sizes and locations.
- (ix) Existing site contours (5' minimum) and proposed grading plan.
- x) Impervious surface ratio (for non-single family projects).
- (xi) Location(s) of any proposed ground signage.
- (xii) A building plan for each building affected, showing the interior layout of the building and overall dimensions.

- (xiii) Exterior elevations for all affected buildings shall show all major mechanical equipment, satellite dishes, etc. that will be located on the exterior of the building and the method(s) of screening these items.
- (xiv) Exterior elevations of all sides of proposed new construction (including significant renovation). Building materials should be noted. (For additions to existing buildings, sufficient portions of the existing building shall be shown in elevation to convey an understanding of the relationship between new construction and existing.
- (xv) A roof plan shall be submitted if any major items of equipment are to be located on the roof. (Drawings, photographs, and/or manufacturer's literature may be required to convey the size and character of these items.)
- (xvi) Vicinity map.
- (xvii) Existing and proposed zoning district boundaries.
- (xviii) Existing buildings and structures on property and on adjacent property within 50 feet of property line.
- (xix) Proposed demolition of existing buildings, pavement, and fencing, if applicable.
- (xx) Existing flood plain elevation.
- (xxi) Setbacks and rights-of-way.
- (xxii) Dimensions for setbacks, rights-of-way, easements, and other site restrictions.
- (xxiii) A lighting plan per Section 4.4 – Outdoor Lighting.
- (xxiv) Total gross and net acreage of the site and square footage of proposed buildings.
- (2) Completion of the digital application, including digital copies of all plans placed into the appropriate submission fields upon the form.
- (3) TEN (10) full size copies of the drawings listed below, signed and stamped by a registered professional preparer. These shall be folded to 8.5" x 11", with title block showing.
- (4) A flash drive that contains all plans and submitted documents.
- (5) Legal descriptions for easements and other site restrictions.
- (6) Legal description of the property, including book and page numbers, owner name(s), parcel numbers, and physical location of the property.
- (7) Parcel IDs and names of property owners adjacent to the subject property.
- (8) All restrictive covenants required by the zone change and preliminary development plan Resolution adopted by the Colerain Township Board of Trustees, and other applicable conditions and/or restrictive covenants.
- (9) Declaration of Condominium, if applicable.
- D. A landscape plan per Section 4.3 – Landscape and Buffering, that includes the following:
 - (1) Clearing limits and existing plant material that is to remain, including an indication of the size of all major trees, shrubs, etc. Existing trees of four-inch caliper and greater must be shown if subject to removal. (Size and extent may be conveyed by photograph.)
 - (2) Proposed new landscaping including notation indicating size and species of all new plants.
 - (3) Existing landscaping on adjacent properties must be indicated if it influences the landscape planning for the site under construction (may be conveyed by photograph).
- E. A Master Parking Plan per Section 4.5.2
- F. A Master Signage Plan per Section 4.7.2
- G. A proposed set of uses that would be permitted across the development. Such a set of uses shall only include uses that are permitted outright and shall not propose any uses to be permitted as conditional uses. Furthermore, any use that is listed in Table 3.1.3-A as prohibited in all districts shall also be prohibited in Planned Districts. H. Application letter signed by the property owner(s), describing the proposed zone change and project.
- I. Letter confirming conceptual approval of sewer from MSD or OEPA, if applicable.
- J. Hamilton County Public Works & SDS Applications.
 - (1) A phase schedule if the development will be constructed in phases.
 - (2) A fee as outlined in Section 6.1.3.

(3) A performance bond for landscaping and/or storm drainage facilities, if applicable.

(4) Development Plan plat (must be 24"x36" page), which must include a deed of approval that is signed by property owners and lists date and condition(s) of approval.

K. Additional Requirements. The applicant shall be required to, at the request of the Zoning Administrator, Zoning Commission, or Board of Trustees, furnish additional information, plans, studies or forms that will assist with review of the proposed Planned District.

L. Review Criteria. The review and consideration of the proposed Planned District by the Zoning Commission and Township Trustees shall include the follow factors

(1) The proposal could not feasibly be constructed under a non-Planned district or zone.

(2) The proposal would meet or exceed at least one of the land use goals, objectives, and/or recommendations of the Comprehensive Plan.

(3) The proposal would support safe walking, bicycling, wheelchair, and other non-vehicular transportation to and between common destinations including residences, employment centers, educational facilities, shopping, and recreation that is provided within or adjacent to the Planned District.

(4) The proposal would support access to housing for diverse ages, household sizes, and ranges of income, if the proposal includes residential uses.

M. Conditions of Approval. The Zoning Commission and Township Trustees may impose conditions on the approval of the Planned District to cause the development to comply with the applicable review criteria or other standards established in this Resolution.

N. Modifications to Use Permissions in an Approved Planned District. Requests to add or remove use permissions to a previously approved Planned District shall require a zoning map amendment per Section 6.4.1.

O. Major Modifications to an Approved Planned District. The following modifications shall be considered major amendments to an approved Planned District and must be approved by the Township Trustees after consideration during a public hearing:

(1) An increase of 10 percent or more in setback reduction.

(2) An increase of 10 percent or more on lot coverage that impacts minimum open space requirement.

(3) An increase of 10 percent or more on any building structure height.

(4) Any increase in signage height.

(5) An increase of 10 percent or more in signage setback or area.

(6) A substantial change in building materials, as determined by the Zoning Administrator.

(7) A decrease of 10 percent or more on landscaping and screening features.

(8) Any increase of 10 percent or more in the number of dwelling units.

P. Minor Modifications to an Approved Planned District.

(1) All proposed amendments, other than those outlined in Section 6.4.3-G, shall be considered a minor modification.

(2) Within 15 days of the submittal of a written application specifically detailing the changes requested along with a revised development plan, the Zoning Administrator may administratively approve a minor modification.

(3) Anyone aggrieved by the Zoning Administrator's decision on a proposed minor modification may appeal said decision to the Board of Trustees within 30 days of said decision by the Zoning Administrator. The Board of Trustees shall hear said appeal within 30 days of receiving the appeal. The Board of Trustees' action is final and is subject to appeal through RC 2506.

Q. Zoning Administrator Determination. The Zoning Administrator may determine if any proposed amendments are substantial and therefore must be approved by the Township Trustees. The Township Trustees shall schedule and hold a public hearing within 30 days of receiving an application for a major amendment and provide notice of the public hearing where said modification will be considered. The purpose of the public hearing is to determine whether the owner(s) has made reasonable and diligent efforts toward the accomplishment of the original approved plan, and that such amendment is consistent with the intent of this Section. Notice shall be provided to the applicant and all owners within, contiguous to, and directly across the street from the property for which the amendment is proposed. Said notice shall be given by regular first-class mail sent no less than 10 days prior to the public hearing. The notice shall be mailed to the addresses of those owners as they appear on the County Auditor's current tax list. The failure of delivery of said notice shall not invalidate any action the Township Trustees may take on the request. The Township Trustees shall render a decision on the proposed amendment

at the conclusion of the public hearing. The Township Trustee's decision on the amendment is administrative in nature and is subject to appeal in accordance with RC 2506.

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: March 17, 2026

Case Information

Case Title: Planned District Review and Amendment
Application Type: Text Amendment

Proposed Zoning Text

2.2.2 Districts Established

[...]

E. PD: Planned District. Intended to provide flexibility for unique and integrated development projects that advance the goals of the Comprehensive Plan and encourage coordinated site design. Planned Districts may incorporate a mixture of residential, commercial, or industrial uses at varying densities where such development would benefit from unified planning rather than strict application of base zoning standards.

(1) The establishment of a Planned District requires a zoning map amendment per ORC Section 519.12 and outlined in Section 6.4 of this Resolution.

(2) The Township Trustee resolution approving a Planned District, including the adopted development plan, conditions of approval, and any related exhibits, shall constitute the governing zoning regulations for the property. Development within a Planned District shall occur only in accordance with the approved development plan and conditions of approval unless modified pursuant to the procedures of this Section.

(3) The minimum size for any Planned District application shall be 10 acres. This minimum size shall not be subject to variance or modification. Applications for properties of less than 10 acres shall not be accepted for filing.

6.4.3 Planned District Review and Amendment

A. Application requirements. In addition to the procedural requirements of the zoning map amendment process outlined in Section 6.4.1, the Zoning Administrator shall receive applications for Planned Districts and confirm completeness. A complete application includes all of the following:

(1) A written development narrative describing the proposed Planned District, including the overall development concept, proposed mix of uses, general phasing (if applicable), and an explanation of how the proposal meets the review criteria set forth in this Section.

(2) A civil or architectural plan submission that meets the requirements of a Zoning Certificate as specified in Section 6.3.2 – Zoning Certificates, and includes the following:

(3) Property lines, setbacks, dimensions, and orientations.

(4) Adjacent streets and rights-of-way.

(5) Proposed new construction and general site layout.

- (6) Equipment, outbuildings, and dumpster locations that will be visible on the site.
- (7) Impervious surface ratio.
- (8) A building plan for each building affected, showing general building footprints, interior layout, and overall dimensions.
- (9) Exterior elevations of all sides of proposed new construction, including significant renovation. Building materials shall be noted.
- (10) Vicinity map including all structures on adjacent properties within 50 feet of the property line.
- (11) Existing and proposed zoning district boundaries.
- (12) Proposed demolition of existing buildings, pavement, and fencing, if applicable.
- (13) Total gross and net acreage of the site and total square footage of proposed buildings.
- (14) A lighting plan per Section 4.5 – Outdoor Lighting.
- (15) A landscape plan per Section 4.7 – Parking, Loading, and Circulation.
- (16) A Master Parking Plan per Section 4.7 – Parking, Loading, and Circulation. The fees for such plan shall be included in the cost of the Preliminary Development Plan application.
- (17) A Master Signage Plan per Section 4.8 – Signage. The fees for such plan shall be included in the cost of the Preliminary Development Plan application.
- (18) Completion of the digital application.
- (19) Legal description of the property, including book and page numbers, owner name(s), parcel numbers, and physical location of the property.

B. Additional materials required. The applicant shall provide additional information, plans, studies, or forms as reasonably requested by the Zoning Administrator, Zoning Commission, or Board of Township Trustees to assist with review of the proposed Planned District, provided such requests are proportional to the scale and complexity of the development and related to legislative review of the Planned District.

C. Conceptual plans only. Submittals at the Planned District stage are intended to be conceptual in nature and shall not be construed as construction-ready plans or authorization for development without subsequent administrative approvals.

D. Uses and use authorization. Permitted uses in Planned Districts shall be established by the approving resolution and shall be consistent with the Comprehensive Plan and applicable provisions of this Resolution.

E. Review criteria. The following criteria are intended to guide the discretionary review of Planned District proposals. No single factor shall be determinative; rather, the Zoning Commission and Township Trustees shall evaluate the proposal in its entirety based on the following considerations. Review and consideration of a Planned District by the Zoning Commission and Township Trustees shall include the following factors:

- (1) The proposal meets or exceeds one or more land use goals, objectives, or recommendations of the Comprehensive Plan.
- (2) The proposal supports safe pedestrian, bicycle, wheelchair, and other non-vehicular transportation to and between common destinations within or adjacent to the Planned District.
- (3) The Planned District demonstrates a cohesive site design that integrates buildings, public spaces, circulation, landscaping, and signage into a unified development pattern.
- (4) The proposal incorporates identifiable gateways, entry features, or transition elements to establish a sense of arrival and distinguish the Planned District.
- (5) The proposal includes placemaking elements such as plazas, greens, courtyards, streetscape enhancements, or similar features.
- (6) Building placement and orientation frame streets and common spaces rather than parking areas to the maximum extent practicable.
- (7) Vehicular access, internal circulation, and traffic generation are designed to minimize congestion, maintain roadway safety, and ensure efficient connectivity to the surrounding transportation network.
- (8) Parking areas are designed and screened to minimize visual dominance and reinforce a form-based site layout.
- (9) Architectural design demonstrates compatibility and continuity across the Planned District.
- (10) The Planned District provides appropriate transitions in scale, intensity, and design to adjacent development.

(11) Open spaces and site amenities are integrated as functional design elements.

(12) The Planned District advances high-quality development consistent with Township character and long-term reinvestment goals.

F. Conditions of approval. The Zoning Commission and Township Trustees may impose conditions on approval to ensure compliance with applicable review criteria and standards of this Resolution.

G. Modification of an approved Planned District. Following approval of a Planned District, any proposed change to an approved development plan, conditions of approval, or related exhibits shall be classified by the Zoning Administrator as a major modification, minor modification, or administrative review in accordance with this Section. This classification is intended to differentiate between changes that materially alter the approved development concept or intent and changes that remain consistent with the original approval and may be reviewed administratively.

H. Major modifications. A modification shall be considered a major modification and shall require approval by the Board of Township Trustees following a public hearing when the proposed change:

(1) Alters the overall development concept, intent, or form of the Planned District.

(2) Substantially changes the mix of uses, intensity, or character of development.

(3) Modifies building location, orientation, or massing affecting streets, gateways, placemaking features, or common open spaces.

(4) Adds additional principal buildings or development areas not shown in the approved development plan.

(5) Reduces or materially alters required open space, gateways, placemaking elements, or defining design features.

(6) Increases development intensity or scale in a manner that materially increases impacts.

(7) Substantially deviates from or violates a condition of original approval or any previously approved modification.

I. Minor Modifications. Any proposed change to an approved development plan, conditions of approval, or related exhibits that does not meet the criteria for a Major Modification and is not eligible for Administrative Review shall be considered a Minor Modification. Minor Modifications shall be reviewed and may be approved by the Zoning Administrator.

J. Administrative Review. Routine zoning certificates, Change of Use certificates, Master Parking Plans, Master Signage Plans, and similar administrative approvals that do not modify the approved development concept or framework and that are consistent with the conditions of the Trustee Resolution approval and the approved development plan shall be reviewed and may be approved administratively by the Zoning Administrator.

Staff & Hearing Information

Department:	Planning & Zoning
Staff:	David Peters, Zoning Commission Administrator
Hearing Date:	March 17, 2026

Case Information

Case Title:	Planned District Review and Amendment
Application Type:	Text Amendment

Comparison Between Current & Proposed Text

Because the Planned District provisions have been comprehensively reorganized and rewritten, a traditional redlined comparison would not provide a clear or useful explanation of the proposed changes. The structure, terminology, and organization of the section have been substantially modernized, meaning that a line-by-line redline would largely appear as wholesale deletions and insertions rather than meaningful revisions.

For this reason, the following narrative summary is provided to describe the technical, functional, and policy changes between the current text and the proposed language.

Overall Intent of the Update

The proposed amendment modernizes the Planned District provisions to better reflect contemporary planning practice, improve administrative clarity, and align the regulations with the goals of the Imagine Colerain Comprehensive Plan.

The current section was written in a format that functions largely as a technical construction submission checklist. While it provides detailed information requirements, it does not clearly describe the planning intent of Planned Districts or provide meaningful criteria for evaluating design quality, placemaking, transportation connectivity, or compatibility with surrounding development.

The revised text restructures the section to:

- clarify the purpose and regulatory status of Planned Districts focus the Planned District stage on conceptual planning rather than engineering-level review
- significantly reduce unnecessary application materials at the legislative stage
- expand the planning-based review criteria used by the Zoning Commission and Township Trustees
- provide clearer administrative procedures for modifications after approval
- reduce redundant documentation requirements that already occur during subsequent permitting stages

Overall, the amendment makes the Planned District process more transparent, more predictable, and easier to navigate, while also ensuring that Township decision-makers retain strong policy guidance when evaluating proposals.

Key Technical Changes

1. Establishment of Planned District Purpose and Authority The current section begins directly with procedural language related to map amendments and application materials. The proposed amendment adds a clear statement in Section 2.2.2 (E) describing the purpose and function of Planned Districts within the zoning framework.

The amendment clarifies that the Trustee resolution approving the Planned District becomes the governing zoning regulation for the property, including the approved development plan and conditions of approval. This reflects standard practice for Planned Development zoning across Ohio and provides greater clarity for property owners, lenders, and Township staff.

These changes clarify how Planned District approvals function within the zoning system.

2. Streamlined Application Requirements

One of the most significant technical updates involves the application materials required for Planned District review.

The current code requires a large number of detailed engineering and construction documents, including:

- floodplain drainage calculations
- storm sewer sizing
- watershed runoff modeling
- downspout locations
- detailed roof equipment plans
- signed and stamped construction drawings
- full-size paper plan sets
- flash drive submissions
- multiple legal documentation requirements

These materials are typically required during engineering approvals and zoning certificate review, not during the legislative zoning stage.

The proposed amendment shifts the Planned District stage toward conceptual development planning, which is the stage at which legislative zoning decisions are typically made.

This change:

- reduces unnecessary up-front engineering costs
- improves accessibility for smaller or phased developments
- avoids requiring construction-level design before zoning approval
- makes the Planned District process more predictable and efficient

This approach is consistent with how Planned Development zoning is administered in many jurisdictions.

3. Modernized Review Criteria

The existing review criteria are limited to four basic considerations.

The revised language expands the criteria to provide a more comprehensive framework for evaluating development proposals.

- New review considerations include:
- cohesive site design and integration of development elements
- pedestrian and multimodal transportation connectivity
- gateways and sense of arrival
- placemaking and public spaces
- building orientation and site form
- parking design and screening
- compatibility with surrounding development
- architectural consistency
- open space integration
- long term reinvestment and community character

These criteria provide better guidance to decision-makers when exercising legislative discretion.

The expanded criteria reflect the design and placemaking goals of the Comprehensive Plan, particularly with respect to walkability, mixed-use development, high-quality site design, and corridor revitalization

4. Improved Modification Framework

The existing section contains a detailed list of numeric thresholds for determining whether modifications are major or minor.

The proposed amendment replaces this with a concept-based framework that evaluates whether a change materially alters:

- the development concept
- the mix or intensity of uses
- building placement or form
- major design features
- open space and placemaking elements

This approach provides a more practical standard for determining whether a modification requires additional legislative review.

Minor modifications may still be reviewed administratively when they remain consistent with the approved development plan.

Routine approvals such as zoning certificates, master signage plans, and master parking plans continue to be handled administratively when consistent with the Planned District approval.

From an operational standpoint, the amendment:

- reduces unnecessary application requirements
 - cuts redundant documentation requirements
 - clarifies administrative authority
 - improves review transparency
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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

Resolution to Approve/Deny Case CZC-25-18, Amendment to Colerain Township Zoning Resolution Sections 2.2.2(E) - Districts Established, and 6.4.3 - Planned District Review and Amendment

Recommend ADOPTION of the Resolution.

Rationale:

The Zoning Commission unanimously recommends approval of CZC-25-18 to modernize the Planned District framework, clarify the purpose and authority of Planned District zoning, streamline application requirements, expand planning-based review criteria, and establish clearer procedures for modification and administrative review of approved Planned Districts.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 28th day of April, 2026, 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-25-18,
ZONING TEXT AMENDMENT, ARTICLE 2, ZONES, DISTRICTS, AND OVERLAYS,
SECTIONS 2.2.2(E), DISTRICTS ESTABLISHED, AND
ARTICLE 6, ADMINISTRATION, SECTION 6.4.3,
PLANNED DISTRICT REVIEW AND AMENDMENT

WHEREAS, pursuant to Ohio Revised Code Section 519.12, the Colerain Township Zoning Commission initiated by motion an amendment to the Zoning Resolution and held a public hearing on March 17, 2026 for Case Number CZC-25-18 that proposed text amendments to Article 2, Zones, Districts, and Overlays, Sections 2.2.2(E), Districts Established and Article 6, Administration, Section 6.4.3, Planned District Review and Amendment, to modernize the Planned District framework, clarify the purpose and authority of Planned District zoning, streamline application requirements, expand planning-based review criteria, and establish clearer procedures for modification and administrative review of approved Planned Districts; 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 the Colerain Township Zoning Resolution; 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-25-18 on April 28, 2026, 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 _____, 2026.

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 _____, 2026.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit A

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

~~6.4.3—Planned District Review and Amendment~~

~~A. Process. The establishment of a Planned District requires a zoning map amendment per ORC Section 519.12 and outlined in Section 6.4.1.~~

~~B. Minimum Size. The minimum size for any Planned District application shall be 10 acres. This minimum size shall not be subject to variance or modification. Applications for properties of less than 10 acres shall be rejected by the Zoning Administrator.~~

~~C. Application Requirements. In addition to the procedural requirements of the zoning map amendment process outlined in Section 6.4.1, the Zoning Administrator shall receive applications for Planned Districts and confirm completeness. For Preliminary Development Plans and modifications to a Planned District, Civil plans are acceptable. Architectural plans are required for Final Development Plans. A complete application includes the following information:~~

~~(1) A civil or architectural plan submission that meets the requirements of a Zoning Certificate as specified in Section 6.3.2—Zoning Certificates, and includes the following:~~

- ~~(i) Property lines, dimensions, and orientations.~~
- ~~(ii) Adjacent streets and rights-of-way.~~
- ~~(iii) Proposed new construction and site work.~~
- ~~(iv) Equipment, outbuildings, and dumpster locations that will be visible on the site.~~
- ~~(v) Proposed flood plain drainage and control measures.~~
- ~~(vi) Watershed details for site and within 200 feet around site. Include GPM calculations for expected runoff for 5, 10, and 50 year storms.~~
- ~~(vii) Proposed site drainage, including water retention/ detention and sedimentation control measures.~~
- ~~(viii) Building downspouts and storm sewer sizes and locations.~~
- ~~(ix) Existing site contours (5' minimum) and proposed grading plan.~~
- ~~(x) Impervious surface ratio (for non-single family projects).~~
- ~~(xi) Location(s) of any proposed ground signage.~~
- ~~(xii) A building plan for each building affected, showing the interior layout of the building and overall dimensions.~~

~~(xiii) Exterior elevations for all affected buildings shall show all major mechanical equipment, satellite dishes, etc. that will be located on the exterior of the building and the method(s) of screening these items.~~

~~(xiv) Exterior elevations of all sides of proposed new construction (including significant renovation). Building materials should be noted. (For additions to existing buildings, sufficient portions of the existing building shall be shown in elevation to convey an understanding of the relationship between new construction and existing.~~

~~(xv) A roof plan shall be submitted if any major items of equipment are to be located on the roof. (Drawings, photographs, and/or manufacturer's literature may be required to convey the size and character of these items.)~~

~~(xvi) Vicinity map.~~

~~(xvii) Existing and proposed zoning district boundaries.~~

~~(xviii) Existing buildings and structures on property and on adjacent property within 50 feet of property line.~~

~~(xix) Proposed demolition of existing buildings, pavement, and fencing, if applicable.~~

~~(xx) Existing flood plain elevation.~~

~~(xxi) Setbacks and rights-of-way.~~

~~(xxii) Dimensions for setbacks, rights-of-way, easements, and other site restrictions.~~

~~(xxiii) A lighting plan per Section 4.4 — Outdoor Lighting.~~

~~(xxiv) Total gross and net acreage of the site and square footage of proposed buildings.~~

~~(2) Completion of the digital application, including digital copies of all plans placed into the appropriate submission fields upon the form.~~

~~(3) TEN (10) full size copies of the drawings listed below, signed and stamped by a registered professional preparer. These shall be folded to 8.5" x 11", with title block showing.~~

~~(4) A flash drive that contains all plans and submitted documents.~~

~~(5) Legal descriptions for easements and other site restrictions.~~

~~(6) Legal description of the property, including book and page numbers, owner name(s), parcel numbers, and physical location of the property.~~

~~(7) Parcel IDs and names of property owners adjacent to the subject property.~~

~~(8) All restrictive covenants required by the zone change and preliminary development plan Resolution adopted by the Colerain Township Board of Trustees, and other applicable conditions and/or restrictive covenants.~~

~~(9) Declaration of Condominium, if applicable.~~

D. A landscape plan per Section 4.3—Landscape and Buffering, that includes the following:

~~(1) Clearing limits and existing plant material that is to remain, including an indication of the size of all major trees, shrubs, etc. Existing trees of four-inch caliper and greater must be shown if subject to removal. (Size and extent may be conveyed by photograph.)~~

~~(2) Proposed new landscaping including notation indicating size and species of all new plants.~~

~~(3) Existing landscaping on adjacent properties must be indicated if it influences the landscape planning for the site under construction (may be conveyed by photograph).~~

E. A Master Parking Plan per Section 4.5.2

F. A Master Signage Plan per Section 4.7.2

G. A proposed set of uses that would be permitted across the development. Such a set of uses shall only include uses that are permitted outright and shall not propose any uses to be permitted as conditional uses. Furthermore, any use that is listed in Table 3.1.3-A as prohibited in all districts shall also be prohibited in Planned Districts.

H. Application letter signed by the property owner(s), describing the proposed zone change and project.

I. Letter confirming conceptual approval of sewer from MSD or OEPA, if applicable.

J. Hamilton County Public Works & SDS Applications.

~~(1) A phase schedule if the development will be constructed in phases.~~

~~(2) A fee as outlined in Section 6.1.3.~~

~~(3) A performance bond for landscaping and/or storm drainage facilities, if applicable.~~

~~(4) Development Plan plat (must be 24"x36" page), which must include a deed of approval that is signed by property owners and lists date and condition(s) of approval.~~

K. Additional Requirements. The applicant shall be required to, at the request of the Zoning Administrator, Zoning Commission, or Board of Trustees, furnish additional information, plans, studies or forms that will assist with review of the proposed Planned District.

~~L. Review Criteria. The review and consideration of the proposed Planned District by the Zoning Commission and Township Trustees shall include the following factors:~~

- ~~(1) The proposal could not feasibly be constructed under a non-Planned district or zone.~~
- ~~(2) The proposal would meet or exceed at least one of the land use goals, objectives, and/or recommendations of the Comprehensive Plan.~~
- ~~(3) The proposal would support safe walking, bicycling, wheelchair, and other non-vehicular transportation to and between common destinations including residences, employment centers, educational facilities, shopping, and recreation that is provided within or adjacent to the Planned District.~~
- ~~(4) The proposal would support access to housing for diverse ages, household sizes, and ranges of income, if the proposal includes residential uses.~~

~~M. Conditions of Approval. The Zoning Commission and Township Trustees may impose conditions on the approval of the Planned District to cause the development to comply with the applicable review criteria or other standards established in this Resolution.~~

~~N. Modifications to Use Permissions in an Approved Planned District. Requests to add or remove use permissions to a previously approved Planned District shall require a zoning map amendment per Section 6.4.1.~~

~~O. Major Modifications to an Approved Planned District. The following modifications shall be considered major amendments to an approved Planned District and must be approved by the Township Trustees after consideration during a public hearing:~~

- ~~(1) An increase of 10 percent or more in setback reduction.~~
- ~~(2) An increase of 10 percent or more on lot coverage that impacts minimum open space requirement.~~
- ~~(3) An increase of 10 percent or more on any building structure height.~~
- ~~(4) Any increase in signage height.~~
- ~~(5) An increase of 10 percent or more in signage setback or area.~~
- ~~(6) A substantial change in building materials, as determined by the Zoning Administrator.~~
- ~~(7) A decrease of 10 percent or more on landscaping and screening features.~~
- ~~(8) Any increase of 10 percent or more in the number of dwelling units.~~

~~P. Minor Modifications to an Approved Planned District.~~

- ~~(1) All proposed amendments, other than those outlined in Section 6.4.3-G, shall be considered a minor modification.~~

~~(2) Within 15 days of the submittal of a written application specifically detailing the changes requested along with a revised development plan, the Zoning Administrator may administratively approve a minor modification.~~

~~(3) Anyone aggrieved by the Zoning Administrator's decision on a proposed minor modification may appeal said decision to the Board of Trustees within 30 days of said decision by the Zoning Administrator. The Board of Trustees shall hear said appeal within 30 days of receiving the appeal. The Board of Trustee's action is final and is subject to appeal through RC 2506.~~

~~Q. Zoning Administrator Determination. The Zoning Administrator may determine if any proposed amendments are substantial and therefore must be approved by the Township Trustees. The Township Trustees shall schedule and hold a public hearing within 30 days of receiving an application for a major amendment and provide notice of the public hearing where said modification will be considered. The purpose of the public hearing is to determine whether the owner(s) has made reasonable and diligent efforts toward the accomplishment of the original approved plan, and that such amendment is consistent with the intent of this Section. Notice shall be provided to the applicant and all owners within, contiguous to, and directly across the street from the property for which the amendment is proposed. Said notice shall be given by regular firstclass mail sent no less than 10 days prior to the public hearing. The notice shall be mailed to the addresses of those owners as they appear on the County Auditor's current tax list. The failure of delivery of said notice shall not invalidate any action the Township Trustees may take on the request. The Township Trustees shall render a decision on the proposed amendment at the conclusion of the public hearing. The Township Trustee's decision on the amendment is administrative in nature and is subject to appeal in accordance with RC 2506.~~

PROPOSED TEXT AFTER NEW NUMBERING VIA TECHNICAL CORRECTIONS

2.2.2 Districts Established

E. PD: Planned District. Intended to provide flexibility for unique and integrated development projects that advance the goals of the Comprehensive Plan and encourage coordinated site design. Planned Districts may incorporate a mixture of residential, commercial, or industrial uses at varying densities where such development would benefit from unified planning rather than strict application of base zoning standards.

(1) The establishment of a Planned District requires a zoning map amendment per ORC Section 519.12 and outlined in Section 6.4 of this Resolution.

(2) The Township Trustee resolution approving a Planned District, including the adopted development plan, conditions of approval, and any related exhibits, shall constitute the governing zoning regulations for the property. Development within a Planned District shall occur only in accordance with the approved development plan and conditions of approval unless modified pursuant to the procedures of this Section.

(3) The minimum size for any Planned District application shall be 10 acres. This

minimum size shall not be subject to variance or modification. Applications for properties of less than 10 acres shall not be accepted for filing.

6.4.3 Planned District Review and Amendment

A. Application requirements. In addition to the procedural requirements of the zoning map amendment process outlined in Section 6.4.1, the Zoning Administrator shall receive applications for Planned Districts and confirm completeness. A complete application includes all of the following:

- (1) A written development narrative describing the proposed Planned District, including the overall development concept, proposed mix of uses, general phasing (if applicable), and an explanation of how the proposal meets the review criteria set forth in this Section.***
- (2) A civil or architectural plan submission that meets the requirements of a Zoning Certificate as specified in Section 6.3.2 – Zoning Certificates, and includes the following:***
 - (3) Property lines, setbacks, dimensions, and orientations.***
 - (4) Adjacent streets and rights-of-way.***
 - (5) Proposed new construction and general site layout.***
 - (6) Equipment, outbuildings, and dumpster locations that will be visible on the site.***
 - (7) Impervious surface ratio.***
 - (8) A building plan for each building affected, showing general building footprints, interior layout, and overall dimensions.***
 - (9) Exterior elevations of all sides of proposed new construction, including significant renovation. Building materials shall be noted.***
 - (10) Vicinity map including all structures on adjacent properties within 50 feet of the property line.***
 - (11) Existing and proposed zoning district boundaries.***
 - (12) Proposed demolition of existing buildings, pavement, and fencing, if applicable.***
 - (13) Total gross and net acreage of the site and total square footage of proposed buildings.***
 - (14) A lighting plan per Section 4.5 – Outdoor Lighting.***
 - (15) A landscape plan per Section 4.7 – Parking, Loading, and Circulation.***
 - (16) A Master Parking Plan per Section 4.7 – Parking, Loading, and Circulation. The fees for such plan shall be included in the cost of the Preliminary Development Plan application.***

(17) A Master Signage Plan per Section 4.8 – Signage. The fees for such plan shall be included in the cost of the Preliminary Development Plan application.

(18) Completion of the digital application.

(19) Legal description of the property, including book and page numbers, owner name(s), parcel numbers, and physical location of the property.

B. Additional materials required. The applicant shall provide additional information, plans, studies, or forms as reasonably requested by the Zoning Administrator, Zoning Commission, or Board of Township Trustees to assist with review of the proposed Planned District, provided such requests are proportional to the scale and complexity of the development and related to legislative review of the Planned District.

C. Conceptual plans only. Submittals at the Planned District stage are intended to be conceptual in nature and shall not be construed as construction-ready plans or authorization for development without subsequent administrative approvals.

D. Uses and use authorization. Permitted uses in Planned Districts shall be established by the approving resolution and shall be consistent with the Comprehensive Plan and applicable provisions of this Resolution.

E. Review criteria. The following criteria are intended to guide the discretionary review of Planned District proposals. No single factor shall be determinative; rather, the Zoning Commission and Township Trustees shall evaluate the proposal in its entirety based on the following considerations. Review and consideration of a Planned District by the Zoning Commission and Township Trustees shall include the following factors:

(1) The proposal meets or exceeds one or more land use goals, objectives, or recommendations of the Comprehensive Plan.

(2) The proposal supports safe pedestrian, bicycle, wheelchair, and other non-vehicular transportation to and between common destinations within or adjacent to the Planned District.

(3) The Planned District demonstrates a cohesive site design that integrates buildings, public spaces, circulation, landscaping, and signage into a unified development pattern.

(4) The proposal incorporates identifiable gateways, entry features, or transition elements to establish a sense of arrival and distinguish the Planned District.

(5) The proposal includes placemaking elements such as plazas, greens, courtyards, streetscape enhancements, or similar features.

(6) Building placement and orientation frame streets and common spaces rather than parking areas to the maximum extent practicable.

(7) Vehicular access, internal circulation, and traffic generation are designed to

minimize congestion, maintain roadway safety, and ensure efficient connectivity to the surrounding transportation network.

(8) Parking areas are designed and screened to minimize visual dominance and reinforce a form-based site layout.

(9) Architectural design demonstrates compatibility and continuity across the Planned District.

(10) The Planned District provides appropriate transitions in scale, intensity, and design to adjacent development.

(11) Open spaces and site amenities are integrated as functional design elements.

(12) The Planned District advances high-quality development consistent with Township character and long-term reinvestment goals.

F. Conditions of approval. The Zoning Commission and Township Trustees may impose conditions on approval to ensure compliance with applicable review criteria and standards of this Resolution.

G. Modification of an approved Planned District. Following approval of a Planned District, any proposed change to an approved development plan, conditions of approval, or related exhibits shall be classified by the Zoning Administrator as a major modification, minor modification, or administrative review in accordance with this Section. This classification is intended to differentiate between changes that materially alter the approved development concept or intent and changes that remain consistent with the original approval and may be reviewed administratively.

H. Major modifications. A modification shall be considered a major modification and shall require approval by the Board of Township Trustees following a public hearing when the proposed change:

(1) Alters the overall development concept, intent, or form of the Planned District.

(2) Substantially changes the mix of uses, intensity, or character of development.

(3) Modifies building location, orientation, or massing affecting streets, gateways, placemaking features, or common open spaces.

(4) Adds additional principal buildings or development areas not shown in the approved development plan.

(5) Reduces or materially alters required open space, gateways, placemaking elements, or defining design features.

(6) Increases development intensity or scale in a manner that materially increases impacts.

(7) Substantially deviates from or violates a condition of original approval or any previously approved modification.

I. Minor Modifications. Any proposed change to an approved development plan, conditions of approval, or related exhibits that does not meet the criteria for a Major Modification and is not eligible for Administrative Review shall be considered a Minor Modification. Minor Modifications shall be reviewed and may be approved by the Zoning Administrator.

J. Administrative Review. Routine zoning certificates, Change of Use certificates, Master Parking Plans, Master Signage Plans, and similar administrative approvals that do not modify the approved development concept or framework and that are consistent with the conditions of the Trustee Resolution approval and the approved development plan shall be reviewed and may be approved administratively by the Zoning Administrator.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 28th day of April, 2026, 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-25-18,
ZONING TEXT AMENDMENT, ARTICLE 2, ZONES, DISTRICTS, AND OVERLAYS,
SECTIONS 2.2.2(E), DISTRICTS ESTABLISHED, AND
ARTICLE 6, ADMINISTRATION, SECTION 6.4.3,
PLANNED DISTRICT REVIEW AND AMENDMENT

WHEREAS, pursuant to Ohio Revised Code Section 519.12, the Colerain Township Zoning Commission initiated by motion an amendment to the Zoning Resolution and held a public hearing on March 17, 2026 for Case Number CZC-25-18 that proposed text amendments to Article 2, Zones, Districts, and Overlays, Sections 2.2.2(E), Districts Established and Article 6, Administration, Section 6.4.3, Planned District Review and Amendment, to modernize the Planned District framework, clarify the purpose and authority of Planned District zoning, streamline application requirements, expand planning based review criteria, and establish clearer procedures for modification and administrative review of approved Planned Districts; 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 the Colerain Township Zoning Resolution; 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-25-18 on April 28, 2026, 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 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.
4. 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 _____, 2026.

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 _____, 2026.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit A

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

~~6.4.3—Planned District Review and Amendment~~

~~A. Process. The establishment of a Planned District requires a zoning map amendment per ORC Section 519.12 and outlined in Section 6.4.1.~~

~~B. Minimum Size. The minimum size for any Planned District application shall be 10 acres. This minimum size shall not be subject to variance or modification. Applications for properties of less than 10 acres shall be rejected by the Zoning Administrator.~~

~~C. Application Requirements. In addition to the procedural requirements of the zoning map amendment process outlined in Section 6.4.1, the Zoning Administrator shall receive applications for Planned Districts and confirm completeness. For Preliminary Development Plans and modifications to a Planned District, Civil plans are acceptable. Architectural plans are required for Final Development Plans. A complete application includes the following information:~~

~~(1) A civil or architectural plan submission that meets the requirements of a Zoning Certificate as specified in Section 6.3.2—Zoning Certificates, and includes the following:~~

- ~~(i) Property lines, dimensions, and orientations.~~
- ~~(ii) Adjacent streets and rights-of-way.~~
- ~~(iii) Proposed new construction and site work.~~
- ~~(iv) Equipment, outbuildings, and dumpster locations that will be visible on the site.~~
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~~(xiv) Exterior elevations of all sides of proposed new construction (including significant renovation). Building materials should be noted. (For additions to existing buildings, sufficient portions of the existing building shall be shown in elevation to convey an understanding of the relationship between new construction and existing.~~

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~~(xvi) Vicinity map.~~

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~~(xxiii) A lighting plan per Section 4.4 — Outdoor Lighting.~~

~~(xxiv) Total gross and net acreage of the site and square footage of proposed buildings.~~

~~(2) Completion of the digital application, including digital copies of all plans placed into the appropriate submission fields upon the form.~~

~~(3) TEN (10) full size copies of the drawings listed below, signed and stamped by a registered professional preparer. These shall be folded to 8.5" x 11", with title block showing.~~

~~(4) A flash drive that contains all plans and submitted documents.~~

~~(5) Legal descriptions for easements and other site restrictions.~~

~~(6) Legal description of the property, including book and page numbers, owner name(s), parcel numbers, and physical location of the property.~~

~~(7) Parcel IDs and names of property owners adjacent to the subject property.~~

~~(8) All restrictive covenants required by the zone change and preliminary development plan Resolution adopted by the Colerain Township Board of Trustees, and other applicable conditions and/or restrictive covenants.~~

~~(9) Declaration of Condominium, if applicable.~~

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~~(1) Clearing limits and existing plant material that is to remain, including an indication of the size of all major trees, shrubs, etc. Existing trees of four-inch caliper and greater must be shown if subject to removal. (Size and extent may be conveyed by photograph.)~~

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G. A proposed set of uses that would be permitted across the development. Such a set of uses shall only include uses that are permitted outright and shall not propose any uses to be permitted as conditional uses. Furthermore, any use that is listed in Table 3.1.3-A as prohibited in all districts shall also be prohibited in Planned Districts.

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~~L. Review Criteria. The review and consideration of the proposed Planned District by the Zoning Commission and Township Trustees shall include the following factors:~~

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- ~~(2) The proposal would meet or exceed at least one of the land use goals, objectives, and/or recommendations of the Comprehensive Plan.~~
- ~~(3) The proposal would support safe walking, bicycling, wheelchair, and other non-vehicular transportation to and between common destinations including residences, employment centers, educational facilities, shopping, and recreation that is provided within or adjacent to the Planned District.~~
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~~M. Conditions of Approval. The Zoning Commission and Township Trustees may impose conditions on the approval of the Planned District to cause the development to comply with the applicable review criteria or other standards established in this Resolution.~~

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~~O. Major Modifications to an Approved Planned District. The following modifications shall be considered major amendments to an approved Planned District and must be approved by the Township Trustees after consideration during a public hearing:~~

- ~~(1) An increase of 10 percent or more in setback reduction.~~
- ~~(2) An increase of 10 percent or more on lot coverage that impacts minimum open space requirement.~~
- ~~(3) An increase of 10 percent or more on any building structure height.~~
- ~~(4) Any increase in signage height.~~
- ~~(5) An increase of 10 percent or more in signage setback or area.~~
- ~~(6) A substantial change in building materials, as determined by the Zoning Administrator.~~
- ~~(7) A decrease of 10 percent or more on landscaping and screening features.~~
- ~~(8) Any increase of 10 percent or more in the number of dwelling units.~~

~~P. Minor Modifications to an Approved Planned District.~~

- ~~(1) All proposed amendments, other than those outlined in Section 6.4.3-G, shall be considered a minor modification.~~

~~(2) Within 15 days of the submittal of a written application specifically detailing the changes requested along with a revised development plan, the Zoning Administrator may administratively approve a minor modification.~~

~~(3) Anyone aggrieved by the Zoning Administrator's decision on a proposed minor modification may appeal said decision to the Board of Trustees within 30 days of said decision by the Zoning Administrator. The Board of Trustees shall hear said appeal within 30 days of receiving the appeal. The Board of Trustee's action is final and is subject to appeal through RC 2506.~~

~~Q. Zoning Administrator Determination. The Zoning Administrator may determine if any proposed amendments are substantial and therefore must be approved by the Township Trustees. The Township Trustees shall schedule and hold a public hearing within 30 days of receiving an application for a major amendment and provide notice of the public hearing where said modification will be considered. The purpose of the public hearing is to determine whether the owner(s) has made reasonable and diligent efforts toward the accomplishment of the original approved plan, and that such amendment is consistent with the intent of this Section. Notice shall be provided to the applicant and all owners within, contiguous to, and directly across the street from the property for which the amendment is proposed. Said notice shall be given by regular firstclass mail sent no less than 10 days prior to the public hearing. The notice shall be mailed to the addresses of those owners as they appear on the County Auditor's current tax list. The failure of delivery of said notice shall not invalidate any action the Township Trustees may take on the request. The Township Trustees shall render a decision on the proposed amendment at the conclusion of the public hearing. The Township Trustee's decision on the amendment is administrative in nature and is subject to appeal in accordance with RC 2506.~~

PROPOSED TEXT AFTER NEW NUMBERING VIA TECHNICAL CORRECTIONS

2.2.2 Districts Established

E. PD: Planned District. Intended to provide flexibility for unique and integrated development projects that advance the goals of the Comprehensive Plan and encourage coordinated site design. Planned Districts may incorporate a mixture of residential, commercial, or industrial uses at varying densities where such development would benefit from unified planning rather than strict application of base zoning standards.

(1) The establishment of a Planned District requires a zoning map amendment per ORC Section 519.12 and outlined in Section 6.4 of this Resolution.

(2) The Township Trustee resolution approving a Planned District, including the adopted development plan, conditions of approval, and any related exhibits, shall constitute the governing zoning regulations for the property. Development within a Planned District shall occur only in accordance with the approved development plan and conditions of approval unless modified pursuant to the procedures of this Section.

(3) The minimum size for any Planned District application shall be 10 acres. This

minimum size shall not be subject to variance or modification. Applications for properties of less than 10 acres shall not be accepted for filing.

6.4.3 Planned District Review and Amendment

A. Application requirements. In addition to the procedural requirements of the zoning map amendment process outlined in Section 6.4.1, the Zoning Administrator shall receive applications for Planned Districts and confirm completeness. A complete application includes all of the following:

- (1) A written development narrative describing the proposed Planned District, including the overall development concept, proposed mix of uses, general phasing (if applicable), and an explanation of how the proposal meets the review criteria set forth in this Section.***
- (2) A civil or architectural plan submission that meets the requirements of a Zoning Certificate as specified in Section 6.3.2 – Zoning Certificates, and includes the following:***
 - (3) Property lines, setbacks, dimensions, and orientations.***
 - (4) Adjacent streets and rights-of-way.***
 - (5) Proposed new construction and general site layout.***
 - (6) Equipment, outbuildings, and dumpster locations that will be visible on the site.***
 - (7) Impervious surface ratio.***
 - (8) A building plan for each building affected, showing general building footprints, interior layout, and overall dimensions.***
 - (9) Exterior elevations of all sides of proposed new construction, including significant renovation. Building materials shall be noted.***
 - (10) Vicinity map including all structures on adjacent properties within 50 feet of the property line.***
 - (11) Existing and proposed zoning district boundaries.***
 - (12) Proposed demolition of existing buildings, pavement, and fencing, if applicable.***
 - (13) Total gross and net acreage of the site and total square footage of proposed buildings.***
 - (14) A lighting plan per Section 4.5 – Outdoor Lighting.***
 - (15) A landscape plan per Section 4.7 – Parking, Loading, and Circulation.***
 - (16) A Master Parking Plan per Section 4.7 – Parking, Loading, and Circulation. The fees for such plan shall be included in the cost of the Preliminary Development Plan application.***

(17) A Master Signage Plan per Section 4.8 – Signage. The fees for such plan shall be included in the cost of the Preliminary Development Plan application.

(18) Completion of the digital application.

(19) Legal description of the property, including book and page numbers, owner name(s), parcel numbers, and physical location of the property.

B. Additional materials required. The applicant shall provide additional information, plans, studies, or forms as reasonably requested by the Zoning Administrator, Zoning Commission, or Board of Township Trustees to assist with review of the proposed Planned District, provided such requests are proportional to the scale and complexity of the development and related to legislative review of the Planned District.

C. Conceptual plans only. Submittals at the Planned District stage are intended to be conceptual in nature and shall not be construed as construction-ready plans or authorization for development without subsequent administrative approvals.

D. Uses and use authorization. Permitted uses in Planned Districts shall be established by the approving resolution and shall be consistent with the Comprehensive Plan and applicable provisions of this Resolution.

E. Review criteria. The following criteria are intended to guide the discretionary review of Planned District proposals. No single factor shall be determinative; rather, the Zoning Commission and Township Trustees shall evaluate the proposal in its entirety based on the following considerations. Review and consideration of a Planned District by the Zoning Commission and Township Trustees shall include the following factors:

(1) The proposal meets or exceeds one or more land use goals, objectives, or recommendations of the Comprehensive Plan.

(2) The proposal supports safe pedestrian, bicycle, wheelchair, and other non-vehicular transportation to and between common destinations within or adjacent to the Planned District.

(3) The Planned District demonstrates a cohesive site design that integrates buildings, public spaces, circulation, landscaping, and signage into a unified development pattern.

(4) The proposal incorporates identifiable gateways, entry features, or transition elements to establish a sense of arrival and distinguish the Planned District.

(5) The proposal includes placemaking elements such as plazas, greens, courtyards, streetscape enhancements, or similar features.

(6) Building placement and orientation frame streets and common spaces rather than parking areas to the maximum extent practicable.

(7) Vehicular access, internal circulation, and traffic generation are designed to

minimize congestion, maintain roadway safety, and ensure efficient connectivity to the surrounding transportation network.

(8) Parking areas are designed and screened to minimize visual dominance and reinforce a form-based site layout.

(9) Architectural design demonstrates compatibility and continuity across the Planned District.

(10) The Planned District provides appropriate transitions in scale, intensity, and design to adjacent development.

(11) Open spaces and site amenities are integrated as functional design elements.

(12) The Planned District advances high-quality development consistent with Township character and long-term reinvestment goals.

F. Conditions of approval. The Zoning Commission and Township Trustees may impose conditions on approval to ensure compliance with applicable review criteria and standards of this Resolution.

G. Modification of an approved Planned District. Following approval of a Planned District, any proposed change to an approved development plan, conditions of approval, or related exhibits shall be classified by the Zoning Administrator as a major modification, minor modification, or administrative review in accordance with this Section. This classification is intended to differentiate between changes that materially alter the approved development concept or intent and changes that remain consistent with the original approval and may be reviewed administratively.

H. Major modifications. A modification shall be considered a major modification and shall require approval by the Board of Township Trustees following a public hearing when the proposed change:

(1) Alters the overall development concept, intent, or form of the Planned District.

(2) Substantially changes the mix of uses, intensity, or character of development.

(3) Modifies building location, orientation, or massing affecting streets, gateways, placemaking features, or common open spaces.

(4) Adds additional principal buildings or development areas not shown in the approved development plan.

(5) Reduces or materially alters required open space, gateways, placemaking elements, or defining design features.

(6) Increases development intensity or scale in a manner that materially increases impacts.

(7) Substantially deviates from or violates a condition of original approval or any previously approved modification.

I. Minor Modifications. Any proposed change to an approved development plan, conditions of approval, or related exhibits that does not meet the criteria for a Major Modification and is not eligible for Administrative Review shall be considered a Minor Modification. Minor Modifications shall be reviewed and may be approved by the Zoning Administrator.

J. Administrative Review. Routine zoning certificates, Change of Use certificates, Master Parking Plans, Master Signage Plans, and similar administrative approvals that do not modify the approved development concept or framework and that are consistent with the conditions of the Trustee Resolution approval and the approved development plan shall be reviewed and may be approved administratively by the Zoning Administrator.

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 for Zoning Commission Case CZC-25-21, Zoning Resolution Text Amendment for Technical Corrections Q1 2026

Recommend a motion opening the public hearing.

Rationale:

A public hearing is required before consideration of the text amendment by the Trustees.

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: March 17, 2026

Case Information

Case Title: Technical Corrections Q1 2026
Application Type: Text Amendment

Application Summary

Staff requests that the Zoning Commission recommend approval of a technical corrections text amendment to the Colerain Township Zoning Resolution to correct grammar, punctuation, formatting, cross-references, and other minor clerical inconsistencies to ensure that the published version of the Resolution accurately reflects the text and intent of previously adopted amendments. The amendment also incorporates non-substantive formatting improvements, including the addition of summary tables that compile permitted uses and dimensional standards already established elsewhere in the Resolution.

Included Documents

To review this case in full, please consult the accompanying appendix:

1. **Appendix:** *Proposed Zoning Text*

Staff Recommendation

Staff recommends **APPROVAL** of the requested text amendment to the Zoning Resolution as shown in Appendix B.

Prepared in advance of the Colerain Township Zoning Commission's consideration,



David Peters, Senior Planner

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: March 17, 2026

Case Information

Case Title: Technical Corrections Q1 2026
Application Type: Text Amendment

Proposed Action

Staff requests that the Zoning Commission recommend approval of a technical corrections text amendment to the Colerain Township Zoning Resolution to correct grammar, punctuation, formatting, cross-references, and other minor clerical inconsistencies to ensure that the published version of the Resolution accurately reflects the text and intent of previously adopted amendments. The amendment also incorporates non-substantive formatting improvements, including the addition of summary tables that compile permitted uses and dimensional standards already established elsewhere in the Resolution.

Case Summary & History

During routine administration of the Zoning Resolution, staff identified several minor inconsistencies between the text currently published in the document and the language adopted through prior amendments. These include minor grammatical edits, punctuation corrections, formatting improvements, and clarification of wording that does not alter the regulatory meaning of the provisions.

Over time, incremental amendments and formatting updates can create small discrepancies in numbering, cross-references, and presentation. The purpose of this amendment is to ensure that the Zoning Resolution, as printed and distributed, accurately reflects the regulations adopted by the Township Trustees.

The amendment also introduces summary tables that compile the permitted uses and dimensional standards applicable to each zoning district. These tables do not establish new regulations and do not modify existing requirements. Rather, they summarize provisions that already exist elsewhere in the Resolution in order to improve readability and assist applicants, property owners, and staff in navigating the code.

Because the corrections are primarily clerical in nature and were made during the formatting and compilation process, a redlined comparison document was not created. The only attachment provided with this case is the proposed updated version of the Zoning Resolution.

The updated document also reflects one currently pending amendment related to Planned District Review and Amendment, which is scheduled to be considered by the Township Trustees at the same hearing as this technical corrections amendment. If that amendment is not adopted, the technical corrections document will be adjusted at the Trustee hearing to remove those references so that the final published version accurately reflects the Trustees' action.

Overall, the amendment is intended as a housekeeping update to maintain the clarity, accuracy, and usability of the Zoning Resolution without altering its regulatory intent.

Proposed Section(s) to Amend

Various sections throughout the Zoning Resolution, including formatting updates, cross-reference corrections, and non-substantive wording adjustments.

Attachments

For a comprehensive understanding of the proposed text amendment, please refer to the following appendix:

1. **Appendix:** *Proposed Zoning Text* – The revised language as proposed.
-

Staff Findings

1. Code Accuracy and Maintenance

Periodic technical corrections are necessary to ensure that the Zoning Resolution accurately reflects previously adopted legislative actions. Correcting grammatical issues, formatting inconsistencies, and cross-references helps maintain the integrity of the document and reduces confusion when the code is applied.

2. Improved Readability and Navigation

The addition of summary tables for permitted uses and dimensional standards compiles existing regulatory information into a format that is easier for applicants and property owners to understand. These tables simply organize requirements that already exist elsewhere in the Resolution and do not modify any regulatory standards.

Staff Recommendation

Staff recommends **APPROVAL** of the requested text amendment to the Zoning Resolution as shown in Appendix B.

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

A handwritten signature in black ink that reads "David Peters". The signature is written in a cursive, flowing style with a large initial "D" and a long, sweeping underline.

David Peters, Senior Planner

EST 1794

COLERAIN

TOWNSHIP ~ OHIO

Adopted November 22, 1994

ZONING RESOLUTION

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1 General Provisions

1.1 TITLE AND EFFECTIVE DATE

1.1.1 Official Title and References

- A. **Official title.** This Resolution shall be known, and may be cited and referred to as, the “Colerain Township Zoning Resolution,” the “Zoning Resolution,” or this “Resolution,” and all prior versions and amendments thereto are hereby superseded in their entirety.

1.1.2 Effective Date

- A. **Effective date.** This Zoning Resolution became effective on November 22, 1994, and was subsequently comprehensively updated, with the current revision taking effect on October 10, 2024.
- B. **Effective date of amendments.** Any amendments to this Resolution shall be in full force and effect as provided in Section 519.12 of the Ohio Revised Code.
- (1) Amendments: July 24, 2025; August 7, 2025; November 13, 2025; January 8, 2026; March 12, 2026; April 9, 2026

1.2 AUTHORITY, PURPOSE, AND JURISDICTION

1.2.1 Authority

- A. **Ohio Revised Code authority.** This Resolution has been passed under the authority granted to the Township under Section 519.01 et seq. of the Ohio Revised Code.

1.2.2 Purpose Statement

- A. **Development aspects regulated.** Except as otherwise provided in this Section, in the interest of the public health and safety, the Colerain Township Board of Township Trustees may regulate the use and development of land in the unincorporated territory of the Township by resolution, in accordance with a comprehensive plan:
- (1) The location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches;
 - (2) Percentages of lot areas that may be developed;
 - (3) Building setback lines;
 - (4) Sizes of yards, courts, and other open spaces;
 - (5) The density of population;
 - (6) The uses of buildings and other structures, including tents, cabins, and trailer coaches; and
 - (7) The uses of land for trade, industry, residence, recreation, or other purposes.
- B. **Additional aspects regulated.** Except as otherwise provided in this Section, in the interest of the public convenience, comfort, prosperity, or general welfare, the Board of Trustees by landscaping standards and architectural standards excluding exterior building materials in the unincorporated territory of the Township.
- C. **Division of land into districts or zones.** For all these purposes, the Board of Trustees may divide all or any part of the unincorporated territory of the Township into districts or zones of such number, shape, and area as the Board of Trustees determines. All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the regulations in one district or zone may differ from those in other districts or zones.
- D. **Mining activities.** For any activities permitted and regulated under Chapter 1513 (Coal Surface Mining) or 1514 (Other Surface Mining) of the Ohio Revised Code and any related processing activities, the Board of Township Trustees may regulate under the authority conferred by this section only in the interest of public health or safety.

1.2.3 Jurisdiction

- A. **Applicability.** The provisions of this Zoning Resolution shall apply to all land, land development, use of all structures, and uses of land within the unincorporated areas of Colerain Township, Hamilton County, Ohio.

1.3 EFFECT OF THIS ZONING RESOLUTION

1.3.1 Effect on Prior Approvals

A. **Buildings, structures, signs, lots, and uses.**

- (1) All buildings, structures, signs, lots, and uses that were legally established before the effective date of this Resolution may continue to be used, maintained, repaired, and/or operated according to an applicable prior approval.
- (2) Any building, structure, or development for which a building permit was issued prior to the effective date of this Resolution may, at the applicant's option, be completed in conformance with the issued permit and any other applicable permits and conditions, even if such building, structure, or development does not fully comply with provisions of this Resolution. Such building, structure, or development shall be considered a legal nonconforming use upon the issuance of a Certificate of Occupancy from the Hamilton County Department of Building Inspections.
- (3) If previously approved construction or alteration to a building or structure is not completed within the time allowed under the original building permit or any extension granted thereof, then the building, structure, or development may be constructed, completed, or occupied only in compliance with this Resolution.
- (4) Any unexpired preliminary development plan that was approved at a public hearing by the Board of Township Trustees but that has not been reviewed as a final development plan by the Zoning Commission prior to the effective date of this Resolution shall continue to be valid for 2 years after the effective date of this Resolution. After this 2- year period, the approved preliminary development plan shall expire and not be acted upon by the Township. During such a 2-year period, the applicant may submit a final development plan for review to the Zoning Commission. The Zoning Administrator shall submit written recommendations to the Zoning Commission and the applicant prior to the public meeting held by the Zoning Commission where the Zoning Commission shall review the detailed final development plan and determine whether all applicable requirements and the review criteria of Subsection 6.4.2 have been satisfied.
- (5) Changes to properties and development sites that do not have a prior approval after the effective date of this Resolution must comply with all applicable provisions, including changes to properties included within previously approved Planned Districts.

B. **Variances and conditional uses.**

- (1) Variances and conditional uses that were approved before the effective date of this Resolution shall remain in effect notwithstanding the applicable provisions of this Resolution.

- (2) Where the content of previously approved variances and/or conditional uses are permitted by-right after the effective date of this Resolution, such approvals shall be superseded by this Resolution and shall no longer be in effect.

1.3.2 Effect on Pending Applications

- A. **Complete applications.** Complete applications that are duly submitted prior to the effective date of this Resolution shall be reviewed by Colerain Township according to the applicable provisions of the prior Resolution as it existed the day before the effective date of this Resolution.
- B. **Incomplete applications.** Incomplete applications that are submitted prior to the effective date of this Resolution shall be returned to the applicant and shall not be acted upon by Colerain Township. The applicant may immediately resubmit an application according to the applicable provisions of this Resolution.

1.3.3 Effect on Private-Party Agreements

- A. **No effect.** The content of this Resolution is not intended to interfere with or abrogate any easements, covenants, or agreements between parties, provided that wherever this Resolution provides for a greater restriction upon the use of buildings or land, upon the location or height of buildings or structures, or upon requirements for open areas than those that are imposed or required by such easements, covenants, or agreements between parties, the provision of this Resolution shall govern.
- B. **Enforcement of private-party agreements.** In no case shall the Township be obligated to enforce the provisions of any easements, covenants, or agreements between private parties.

1.3.4 Effect on Violations

- A. **Violations continue.** Any violation under previous zoning resolutions that applied to the Township prior to the adoption of this Resolution shall continue to be a violation under this Resolution and is subject to penalties and enforcement under Section 6.6 – Enforcement, Penalties, and Remedies, unless the use, development, construction, or other activity complies with the provisions of this Resolution.

1.3.5 Effect on Nonconformities

- A. **Legal nonconformities continue.** Any legal nonconformity under any previous zoning resolutions of the Township prior to the adoption of this Resolution shall continue to be a legal nonconformity under this Resolution, subject to the provisions of Article 5 – Nonconformities, as long as the situation that resulted in the nonconforming status under the previous resolutions continues to exist.
- B. **Conformance established.** If a legal nonconformity under any previous resolutions that applied to the Township prior to the adoption of this Resolution becomes conforming because of the adoption of this Resolution, then the situation will be considered conforming and shall no longer be subject to the nonconforming use regulations.

1.3.6 Effect on Water Supply and Sewage Disposal Facilities

- A. **Water supply and sewage disposal required.** It shall be unlawful to locate, erect, or construct any building or structure to be used for human habitation without provision of an approved water supply and approved sanitary waste disposal facilities.
- B. **On-site sanitary waste disposal.** On-site sanitary waste disposal may be used only when Hamilton County Public Health approves an application to construct or replace a household sewage treatment system or the Ohio Environmental Protection Agency grants a Wastewater Permit to Install (PTI).
- C. **On-site private water systems.** On-site private water systems (wells and on-site cisterns) may be used only upon approval of Hamilton County Public Health and the Ohio Department of Health.

1.3.7 Effect on Unsafe Buildings

- A. **Unsafe buildings.** Nothing herein shall be construed as preventing the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by the Hamilton County Department of Building Inspections or from complying with the department's lawful requirements.

1.4 INTERPRETATION AND CONSTRUCTION OF LANGUAGE

1.4.1 Interpretation

- A. **Deference to Township Officials.** Deference shall be given to the Township Zoning Administrator, or Township Zoning Commission, and/or Township Board of Zoning Appeals with respect to the interpretation of the Zoning Resolution and/or decisions made as to the Zoning Resolution.
- B. **Resolution as minimum requirements.** For the purposes of interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements for the promotion of public health, safety, convenience, comfort, prosperity, or general welfare.
- C. **Intent.** All provisions, terms, phrases, and expressions contained in this Resolution shall be construed according to this Resolution's stated purpose and intent.
- D. **Lists and examples.** Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples and not be exhaustive lists of all possibilities.
- E. **Public officials and agencies.** All public officials, bodies, and agencies to which references are made in this Resolution are intended to reference such officials, bodies, and agencies of Colerain Township, unless otherwise expressly stated.
- F. **Delegation of authority.** Whenever a provision appears requiring the head of a department or another officer or employee of the Township to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate the responsibility to subordinates, unless the terms of the provision specify otherwise.
- G. **Technical words and phrases.** Technical words and phrases not otherwise defined in this Resolution that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- H. **Mandatory and discretionary terms.** The words "shall" and "must" are always mandatory. The words "may" or "should" are always permissive.
- I. **Conjunctions.** Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:
 - (1) "And" indicates that all connected items, conditions, provisions, or events shall apply; and
 - (2) "Or" indicates that one or more of the connected items, conditions, provisions, or events shall apply.
- J. **Tense and usage.** Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular shall include the plural, and the plural shall include the singular.
- K. **Gender.** The masculine shall include the feminine, and vice versa.
- L. **Defined terms.** For the purpose of this Resolution, words and phrases shall have the meanings set forth in Article 7 – Glossary of Terms.

- M. **Undefined terms.** Words and phrases not otherwise defined in this Resolution shall be construed according to the common and approved usage of US English.

1.4.2 Conflicts with, and References to, Other Laws

- A. **Inconsistency within this Resolution.** When the provisions of this Zoning Resolution are inconsistent with one another or with the provisions found in another adopted resolution, the more restrictive provision shall govern.
- B. **Inconsistency with other laws.** Where this Zoning Resolution imposes a greater restriction than imposed or required by other provision of law or by other rules, regulations, or resolution, the provisions of this Zoning Resolution shall control provided it complies with the Ohio Revised Code.
- C. **References to other regulations, publications, and documents.** Whenever reference is made to a resolution, statute, regulation, or document, that reference shall be construed as referring to the most recent edition of such regulation (as amended), resolution, statute, or document or to the relevant successor document, unless otherwise expressly stated.

1.5 SEVERABILITY AND REPEAL

1.5.1 Severability

- A. **Severability.** Should the courts declare any article, section, or provision of this Zoning Resolution to be unconstitutional or invalid, such decision shall not affect the validity of this Zoning Resolution as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1.5.2 Repeal

- A. **Trustee-initiated repeal.** This Resolution may be repealed following the Board of Township Trustees' adoption of such a resolution upon its own initiative.
- B. **Petition-initiated repeal.** This Resolution may be repealed following the Board of Township Trustees' adoption of a resolution if presented with a petition, similar in all relevant aspects to that prescribed in Section 519.12 of the Ohio Revised Code, signed by a number of qualified electors residing in the unincorporated area of the Township equal to not less than 15% of the total vote cast for all candidates for governor in such area at the most recent general election at which a governor was elected, requesting that the question of whether or not the Zoning Resolution in effect in the Township shall be repealed be submitted to the electors residing in the unincorporated area of the Township at a special election to be held on the day of the next primary or general election. The resolution adopted by the Board of Township Trustees to cause such question to be submitted to the electors shall be certified to the Hamilton County Board of Elections no later than 75 days prior to the day of election at which said question is to be voted upon. In the event a majority of the vote cast on such question in the Township is in favor of repeal of zoning, then such regulations shall no longer be of any effect. Not more than 1 such election shall be held in any 2 consecutive calendar years.

1.6 CALCULATIONS & MEASUREMENTS

1.6.1 Percentages and Fractions

A. Standards for rounding.

- (1) When a measurement results in a fractional number, any fraction less of less than $\frac{1}{2}$ shall be rounded down to the next lower whole number, and any fraction of $\frac{1}{2}$ or greater shall be rounded up to the next higher whole number.
- (2) When a calculation or measurement results in a fractional percentage, any percentage ending between .0 and .5 shall be rounded down to the next lower whole number, and any percentage ending in .5 or greater shall be rounded up to the next higher whole number.

1.6.2 Computation of Time

A. Standards for computing time.

- (1) In computing any period of time prescribed or allowed by this Resolution, the date of the application, act, decision, or event, from which the designated period of time begins shall not be included. The last date of the period of time to be computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which case the period runs until the end of the next day, which is not a Saturday, a Sunday, or a legal holiday.
- (2) When the period of time prescribed is less than 7 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded from the computation (i.e., business days and not calendar days).
- (3) Unless the terms of a specific provision state otherwise (e.g., “business days”), periods of time defined by a number of days shall mean a number of consecutive calendar days including all weekend days, holidays, and other non-business/non-working days.
- (4) When the Township offices are closed to the public for the entire day which constitutes the last day of the period of time or when the offices close before its usual closing time on such day, then such application, act, decision, or event may be performed on the next succeeding day which is not a Saturday, a Sunday, or a legal holiday.

1.6.3 Measurement Methodologies

- A. **Distance measurements.** Unless otherwise expressly stated, all distances specified in this Resolution are to be measured as the length of an imaginary straight line joining those points.
- B. **Light level.** Light level shall be measured in footcandles with a direct reading of a portable light meter at grade level.

- C. **Fence opacity.** Fence opacity shall be measured as the combined surface area of all visible posts and pickets within a representative area divided by the total surface area of the representative area. For example, the opacity of a typical wood picket fence could be measured as the combined surface area of the pickets and posts within a selected 3-foot-by-3-foot area, divided by 9 (the total square footage of the representative area).
- D. **Lots: lot area.**
- (1) The lot area is the total area within the lot lines of a lot, excluding any street right-of-way or other public dedication.
 - (2) Irregular shapes of land, panhandles, and other narrow appendages to lots with less than 50 feet of width at any point shall not be included in the measurement of a lot area or contribute to the minimum lot area requirement of the applicable zoning district, nor shall they contribute to the measurement of any setback for the location of any buildings or structures.
- E. **Lots: street or lot frontage.**
- (1) Street or lot frontage shall be measured as the total length of a lot line that runs along a right-of-way.
 - (2) When a standard is based on the street or lot frontage, the longest street or lot frontage, and not the total street or lot frontage, shall be used.
- F. **Lots: lot coverage.**
- (1) The ratio of lot coverage shall be calculated as the total surface area (when viewed from an aerial perspective) of all principal structures, accessory structures, and impermeable surfaces (including paving and driveways) within a given lot divided by the total surface area of the given lot.
 - (2) Certain building and property elements shall be excluded from lot coverage calculations as provided in Subsection 1.6.6.
- G. **Buildings: building elevation surface area.** Building elevation surface area shall be measured as the total area within a single continuous rectangle or abutting series of rectangles that enclose the outermost limits of a given elevation of a building.
- H. **Buildings: building height in stories.** Where specified in stories, building height shall be measured in number of complete stories above the finished grade for any elevation fronting on a public street including attics, half-stories, mezzanines, at-grade structured parking, but excluding features that are greater than one-half story or completely below grade, such as basements, cellars, crawl spaces, subbasements, and underground parking structures.
- I. **Buildings: building height in feet.** Where specified in feet, building height shall be measured as the vertical distance from grade at the base of the structure to (see Figure 1.6.3-A: Building Height Measurement by Roof Type):
- (1) The highest point of a flat roof;
 - (2) The deck line of a mansard roof; or
 - (3) The mean height between the eaves and ridge on gable, hip, or gambrel roofs.

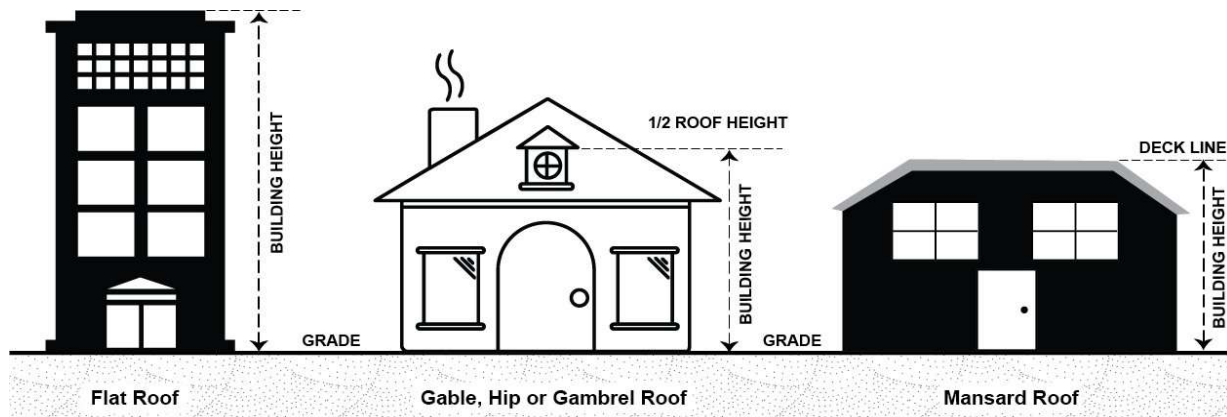


Figure 1.6.3-A. Building Height Measurement by Roof Type

1.6.4 Allowed Height Encroachments

A. **Building and property elements exempted from height calculations.** The following elements of buildings and properties may, where allowed, be erected to any lawful and safe height and shall exempt from height requirements of this Resolution:

- (1) Church spires
- (2) Domes
- (3) Flagpoles
- (4) Aerials
- (5) Antennas
- (6) Wireless telecommunication towers
- (7) Telephone transmitters and towers
- (8) Chimneys
- (9) Cooling Towers
- (10) Elevator bulkheads
- (11) Fire towers
- (12) Belfries
- (13) Monuments
- (14) Stacks
- (15) Derricks
- (16) Conveyors
- (17) Stage towers or scenery lofts
- (18) Tanks or water towers
- (19) Silos and farm buildings
- (20) Necessary mechanical appurtenances

- B. **Modification of maximum height standards.** Public or public service buildings, hospitals (except as otherwise provided), institutions, or educational facilities, when permitted within a given zoning district, may be erected to a height not exceeding 6 stories, and churches and temples may be erected to a height not exceeding 75 feet if the building is set back from each required yard line at least one foot for each foot of additional building height above the height limit otherwise provided in the applicable zoning district in which the building is built.
- C. **Cell towers and wireless telecommunication towers.** The height of cell towers and other wireless telecommunication towers are subject to the applicable use-specific regulations of this Resolution, as provided in Article 3 of this Resolution.
- D. **Use-specified standards.** Standards for allowable heights may be modified by applicable provisions within Article 3 of this Resolution.

1.6.5 Allowed Setback Encroachments

- A. **Unobstructed setbacks required.** Every part of a required yard shall be open to the sky and unobstructed except:
 - (1) As otherwise provided in this section;
 - (2) For accessory buildings in a rear yard;
 - (3) For the ordinary projections of skylights, sills, belt courses, cornices, and ornamental features projecting not to exceed 3 feet in residential zoning districts, and not to exceed 1 foot in all other districts;
 - (4) Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers projecting into a yard not more than 5 feet; and
 - (5) The ordinary projections of chimneys and flues may be permitted by the Hamilton County Building Commissioner when placed so as not to obstruct light and ventilation but not closer than 2 feet to any lot line.
- B. **Terraces, porches, and platforms.**
 - (1) Terraces, uncovered porches, platforms, and ornamental features which do not extend more than 3 feet above the floor level of the ground (first) story may project into a required front or rear yard but shall not be closer to any side lot line than the side yard requirement.
 - (2) An open, unenclosed porch, or paved terrace may project into a front yard for a distance not exceeding 10 feet.
- C. **Modification to minimum front yard setback requirements.** For new construction on a lot in a residential zoning district where the adjacent lots are already developed with buildings and where buildings within 100 feet of the subject lot (and on the same side of the street as the subject lot) are set back less than the minimum required front yard setback, the minimum front yard setback for the new construction on the subject lot shall be not less than the average depths of the front yards of the 2 buildings on each side and within 100 feet of the such lot.

1.6.6 Exceptions from Lot Coverage Calculation

- A. **Building and property elements exempted from lot coverage calculations.** The following elements of buildings and properties, where allowed, shall not be counted against maximum lot coverage standards of this Resolution:
- (1) Basketball hoops that are set back at least 10 feet from any street right-of-way;
 - (2) Bird baths;
 - (3) Compost piles or bins that meet the provisions of Article 3 of this Resolution.
 - (4) Flag poles;
 - (5) Fountains;
 - (6) Gardens;
 - (7) Noncommercial (amateur) radio antennas that meet the provisions of Article 3 of this Resolution.
 - (8) Patios that are not enclosed;
 - (9) Private kennels that meet the provisions of Article 3 of this Resolution.
 - (10) Roof-mounted solar panels;
 - (11) Satellite dish antennas that are specified as exempt in the provisions of Article 3 of this Resolution.
 - (12) Small wind energy conversion systems (SWECS) that are less than 5 megawatts in capacity and that meet the provisions of Article 3 of this Resolution.
 - (13) Statues;
 - (14) Swing sets and gym sets;
 - (15) Wood or solid surface decks;
 - (16) Woodpiles, provided the wood is neatly stacked and does not exceed 6 feet in height; and
 - (17) Other structures or uses as permitted by the Zoning Commission.

2 Zones, Districts, and Overlays

2.1 GENERAL PROVISIONS

2.1.1 Purpose of Zones, Districts, and Overlays

- A. **Purpose.** The purpose of this Article 2 is to establish zoning designations in order to:
- (1) Realize the purpose set forth in Section 1.2 – Authority, Purpose, and Jurisdiction;
 - (2) Classify, regulate, and restrict the location of industries, residences, recreation, trades, and other land uses and the location of buildings designated for specified uses; and
 - (3) Establish standards for lot sizes, setbacks, building sizes, and lot coverage.

2.1.2 Establishment and Authority of Zones, Districts, and Overlays

- A. **Zoning designations established.** For the purposes of this Resolution, Colerain Township is hereby divided into separate zones, districts, and overlays as designated in this Article.
- B. **Relationship among districts, zones, and overlays.** Where a property is classified within an overlay designation as well as a non-overlay zone or non-overlay district, the regulations governing development in the overlay designation shall apply in addition to the regulations governing the underlying zone or district. In the event of express conflict between the standards set forth in the underlying zone or district and the standards set forth in the overlay designation, the standards of the overlay designation shall control.

2.2 ZONE AND DISTRICT DESIGNATIONS

2.2.1 Zones Established

- A. **RER: Rural Estate Residential.** Provides standards for residential uses and limited non-residential uses in a rural setting.
- B. **SUR: Single Unit Residential.** Provides standards for different types of residential uses and limited non-residential uses in a suburban setting.
- C. **MUR: Multi-Unit Residential.** Provides for a wide range of residential uses and some limited non-residential uses in first-ring suburban and urban settings.
- D. **NBM: Neighborhood Mixed.** Provides for a variety of non-residential and limited residential uses in first-ring suburban and urban settings.
- E. **LIT: Light Intensity Industrial.** Provides for industrial and other non-residential uses in industrial park settings.
- F. **GOR: Greenspace, Open Space & Recreation.** Provides for recreational uses, limited institutional uses, and limited agricultural uses in sparsely developed areas.

2.2.2 Districts Established

- A. **AMN: Avenue Mixed North.** Provides for a variety of non-residential and limited residential uses along the north portion of the Colerain Avenue corridor.
- B. **AMC: Avenue Mixed Central.** Provides for a variety of non-residential and limited residential uses along the central portion of the Colerain Avenue corridor.
- C. **AMS: Avenue Mixed South.** Provides for a variety of non-residential and limited residential uses along the south portion of the Colerain Avenue corridor.
- D. **SLF: Sanitary Landfill.** Provides standards for solid waste disposal facilities and compatible uses that avoid continued expansion of such uses without planning for, and mitigation of, adverse impacts on surrounding properties and neighborhoods.
- E. **PD: Planned District.** Intended to provide flexibility for unique and integrated development projects that advance the goals of the Comprehensive Plan and encourage coordinated site design. Planned Districts may incorporate a mixture of residential, commercial, or industrial uses at varying densities where such development would benefit from unified planning rather than strict application of base zoning standards.
 - (1) The establishment of a Planned District requires a zoning map amendment per ORC Section 519.12 and outlined in Section 6.4 of this Resolution.
 - (2) The Township Trustee resolution approving a Planned District, including the adopted development plan, conditions of approval, and any related exhibits, shall constitute the governing zoning regulations for the property. Development within a Planned District shall occur only in accordance with the approved development plan and conditions of approval unless modified pursuant to the procedures of this Section.

- (3) The minimum size for any Planned District application shall be 10 acres. This minimum size shall not be subject to variance or modification. Applications for properties of less than 10 acres shall not be accepted for filing.

2.2.3 Generally Applicable Regulations in Zones & Districts

- A. **Generally applicable regulations.** Article 4 of this Resolution, and the Sections within, contain general regulations that govern all Zones and Districts, with the exception of Planned Districts.
- B. **Governing tables for Zones & Districts.** In case of discrepancy with the content of any excerpt table provided within this Section, the following tables shall govern the following standards:
 - (1) Table 3.1.4 A: Comprehensive Use Permissions shall govern the uses allowed within each Zone or District.
 - (2) Table 4.2.2 A: Comprehensive Dimensional Standards shall govern the dimensional development standards within each Zone or District.
- C. **Zone & District Summary Tables.** The zone & district tables that follow provide the regulatory framework for each zoning district, including intent, permitted, conditional, accessory, and temporary uses, along with applicable development standards. The contents of each table, including all symbols, notes, and footnotes, are regulatory in nature and shall be applied as enforceable requirements of this Resolution for all development within the applicable district.

TABLE 2.2.3-A: GOR (GREENSPACE, OPEN SPACE, RECREATION) ZONE INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT Provides for recreational uses, limited institutional uses, and limited agricultural uses in sparsely developed areas. ● PERMITTED USES * Agricultural & Animal Uses ● Agricultural & Animal Keeping ● Riding Stable Institutional & Public Uses ● Active Park & Recreational Facility ● Government & Public Use ● Nature Park & Conservation Area ● Private Recreational Facility Ⓐ ACCESSORY USES * Ⓐ Electric Vehicle Charging Stations Ⓐ Radio Antenna: Non-Commercial Ⓐ Satellite Dish Antenna Ⓐ Solar Panels Ⓐ Small Wind Energy Conversion System	Ⓣ TEMPORARY USES * Ⓣ Temporary Entertainment Building Ⓣ Temporary Incidental Construction Building Ⓣ Temporary Storage Container		
ZONE DEVELOPMENT STANDARDS *			
Lot Area Standard Lots 1 acre minimum	Side Yard Setback Abutting Non-Residential None		
Lot Area Corner & Panhandle Lots 1.5 acres minimum	Rear Yard Setback Abutting Residential 15 feet		
Lot Width 75 feet minimum	Rear Yard Setback Abutting Non-Residential None		
Lot Coverage 75% maximum of lot area	Building Height Principal Building 60 feet		
Front Yard Setback Lesser of 50 feet or 80% of context average	Building Size Principal Building Minimum Square Footage: N/A Minimim Length & Width: N/A		
Side Yard Setback Abutting Residential 5 feet minimum per side	Building Size Accessory Dwelling Unit Minimum Square Footage: N/A Minimim Length & Width: N/A		

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable Zone Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the GOR Zone.

TABLE 2.2.3-B: RER (RURAL-ESTATE RESIDENTIAL) ZONE INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT	
Provides standards for residential uses and limited non-residential uses in a rural setting.	
● PERMITTED USES * Agricultural & Animal Uses ● Agricultural & Animal Keeping ● Riding Stable Residential Uses ● Adult Group Facility: Small ● Dwelling: One Unit ● Permanently Sited ● Manufactured Home Commercial Uses ● Mobile Food Vendor ● Small Cellular Telecommunications Facility ● Telecommunications Tower ● Type-B Family Day Care Home Institutional & Public Uses ● Active Park & Recreational Facility	
● CEMETERY ● Cemetery ● Essential Service or Utility ● Government & Public Use ● Nature Park & Conservation Area ● Private Recreational Facility ● Religious Place of Worship	
● CONDITIONAL USES * Commercial Uses ● Radio Antenna: Commercial Institutional & Public Uses ● Active Park & Recreational Facility ● Educational Facility: Non-Higher Learning ● Private Recreational Facility ● Religious Place of Worship	
Ⓐ ACCESSORY USES * Ⓐ Accessory Dwelling Unit Ⓐ Short-Term Rentals Ⓐ Carports Ⓐ Decks, Porches & Concrete Pads Ⓐ Electric Vehicle Charging Stations Ⓐ Home Occupation	
Ⓐ OUTDOOR SALES & STORAGE Ⓐ Outdoor Sales & Storage Ⓐ Private Kennel Ⓐ Radio Antenna: Non-Commercial Ⓐ Roadside Stand Ⓐ Satellite Dish Antenna Ⓐ Solar Panels Ⓐ Small Wind Energy Conversion System Ⓐ Swimming Pool, Lake, or Bathhouse Ⓐ Wood Furnace: Outdoor	
Ⓜ TEMPORARY USES * Ⓜ Temporary Incidental Construction Building Ⓜ Temporary Storage Container	

ZONE DEVELOPMENT STANDARDS *			
Lot Area per Dwelling Unit Standard Lots 1 acre minimum		Side Yard Setback Abutting Non-Residential 15 feet minimum per side	
Lot Area per Dwelling Unit Corner & Panhandle Lots 1.5 acres minimum		Rear Yard Setback Abutting Residential 40 feet	
Lot Width 130 feet minimum		Rear Yard Setback Abutting Non-Residential 40 feet	
Lot Coverage 75% maximum of lot area		Building Height Principal Building 3 stories	
Front Yard Setback 50 feet		Building Size Principal Building Minimum Square Footage: 900 Minimim Length & Width: 22 ft.	
Side Yard Setback Abutting Residential 15 feet minimum per side		Building Size Accessory Dwelling Unit Minimum Square Footage: 400 Minimim Length & Width: 12 ft.	

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable Zone Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the RER Zone.

TABLE 2.2.3-C: SUR (SINGLE UNIT RESIDENTIAL) ZONE INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT Provides standards for different types of residential uses and limited non-residential uses in a suburban setting. ● PERMITTED USES * Agricultural & Animal Uses ● Agricultural & Animal Keeping Residential Uses ● Adult Group Facility: Small ● Dwelling: One Unit ● Dwelling: Two Unit ● Permanently Sited Manufactured Home Commercial Uses ● Mobile Food Vendor ● Small Cellular Telecommunications Facility ● Telecommunications Tower ● Type-B Family Day Care Home Institutional & Public Uses ● Essential Service or Utility ● Government & Public Use ● Nature Park & Conservation Area	● CONDITIONAL USES * Residential Uses ● Child Group Facility ● Dwelling: Multi-Unit Commercial Uses ● Radio Antenna: Commercial Institutional & Public Uses ● Active Park & Recreational Facility ● Educational Facility: Non-Higher Learning ● Private Recreational Facility ● Religious Place of Worship Ⓐ ACCESSORY USES * Ⓐ Accessory Dwelling Unit Ⓐ Short-Term Rentals Ⓐ Carports Ⓐ Decks, Porches & Concrete Pads Ⓐ Electric Vehicle Charging Stations Ⓐ Home Occupation Ⓐ Outdoor Sales & Storage Ⓐ Private Kennel Ⓐ Radio Antenna: Non-Commercial Ⓐ Satellite Dish Antenna Ⓐ Solar Panels	Ⓐ Small Wind Energy Conversion System Ⓐ Swimming Pool, Lake, or Bathhouse Ⓐ Wood Furnace: Outdoor Ⓣ TEMPORARY USES * Ⓣ Temporary Incidental Construction Building Ⓣ Temporary Storage Container	
ZONE DEVELOPMENT STANDARDS *			
Lot Area Standard Lots 7,500 ft.²	Side Yard Setback Abutting Non-Residential 7.5 feet minimum per side		
Lot Area Corner & Panhandle Lots 11,250 ft.²	Rear Yard Setback Abutting Residential 30 feet		
Lot Width Lesser of 60 feet or 80% of context average	Rear Yard Setback Abutting Non-Residential 30 feet		
Lot Coverage 75% maximum of lot area	Building Height Principal Building 3 stories		
Front Yard Setback Lesser of 30 feet or 80% of context average	Building Size Principal Building Minimum Square Footage: 900 Minimim Length & Width: 22 ft.		
Side Yard Setback Abutting Residential 7.5 feet minimum per side	Building Size Accessory Dwelling Unit Minimum Square Footage: 400 Minimim Length & Width: 12 ft.		

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable Zone Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the SUR Zone.

TABLE 2.2.3-D: MUR (MULTI-UNIT RESIDENTIAL) ZONE INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT Provides for a wide range of residential uses and some limited non-residential uses in first-ring suburban and urban settings. ● PERMITTED USES * Agricultural & Animal Uses ● Agricultural & Animal Keeping Residential Uses ● Adult Group Facility: Small ● Adult Group Facility: Large ● Child Group Facility ● Dwelling: Multi-Unit ● Dwelling: Two Unit ● Institutional Housing ● Permanently Sited Manufactured Home Mixed Uses ● Vertical Mixed: Small Commercial Uses ● Day Care Facility ● Mobile Food Vendor ● Restaurant ● Small Cellular Telecommunications Facility	● Telecommunications Tower ● Type-B Family Day Care Home Institutional & Public Uses ● Essential Service or Utility ● Government & Public Use ● Nature Park & Conservation Area ① CONDITIONAL USES * Agricultural & Animal Uses ① Pet Services and Daycare ① Veterinary Facility Residential Uses ① Dwelling: One Unit Commercial Uses ① Art Studio or Classroom ① Bank or Financial Institution ① Bar, Micro-Brewery, and Micro-Distillery ① Fabrication Retail ① Health & Fitness Venue ① Personal Service ① Professional or Business Office ① Radio Antenna: Commercial ① Retail	Institutional & Public Uses ① Active Park & Recreational Facility ① Educational Facility: Higher Learning ① Educational Facility: Non-Higher Learning ① Private Recreational Facility ① Religious Place of Worship Ⓐ ACCESSORY USES * Ⓐ Accessory Dwelling Unit Ⓐ Accessory Off-Street Parking Ⓐ Short-Term Rentals Ⓐ Carports Ⓐ Decks, Porches & Concrete Pads Ⓐ Electric Vehicle Charging Stations Ⓐ Home Occupation Ⓐ Outdoor Sales & Storage Ⓐ Private Kennel Ⓐ Radio Antenna: Non-Commercial Ⓐ Satellite Dish Antenna Ⓐ Solar Panels Ⓐ Small Wind Energy Conversion System	Ⓐ Swimming Pool, Lake, or Bathhouse Ⓐ Wood Furnace: Outdoor Ⓜ TEMPORARY USES * Ⓜ Temporary Incidental Construction Building Ⓜ Temporary Storage Container
ZONE DEVELOPMENT STANDARDS *			
Lot Area Standard Lots 6,000 ft.²		Side Yard Setback Abutting Non-Residential 7.5 feet minimum per side	
Lot Area Corner & Panhandle Lots 9,000 ft.²		Rear Yard Setback Abutting Residential 20 feet	
Lot Width Lesser of 50 feet or 80% of context average		Rear Yard Setback Abutting Non-Residential 20 feet	
Lot Coverage 75% maximum of lot area		Building Height Principal Building Greater of 6 stories or 120% of context average	
Front Yard Setback Lesser of 30 feet or 80% of context average		Building Size Principal Building Minimum Square Footage: N/A Minimim Length & Width: N/A	
Side Yard Setback Abutting Residential 7.5 feet minimum per side		Building Size Accessory Dwelling Unit Minimum Square Footage: N/A Minimim Length & Width: N/A	

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable Zone Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the MUR Zone.

TABLE 2.2.3-E: NBM (NEIGHBORHOOD MIXED) ZONE INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT	
Provides for a variety of non-residential and limited residential uses in first-ring suburban and urban settings.	
● PERMITTED USES *	
Agricultural & Animal Uses	
● Agricultural & Animal Keeping	
● Pet Services and Daycare	
● Veterinary Facility	
Mixed Uses	
● Vertical Mixed: Small	
● Vertical Mixed: Large	
● Live-Work Unit	
● Civic Hub	
Commercial Uses	
● Art Studio or Classroom	
● Day Care Facility	
● Entertainment Venue	
● Fabrication Retail	
● Health & Fitness Venue	
● Medical Office or Clinic	
● Mobile Food Vendor	
● Personal Service	
● Professional or Business Office	
● Restaurant	
● Retail	
● Service Commercial	
● Small Cellular Telecommunications Facility	
● Telecommunications Tower	
● Type-A Family Day Care Home	
● Type-B Family Day Care Home	
● Vendor Market	
Institutional & Public Uses	
● Active Park & Recreational Facility	
● Cemetery	
● Essential Service or Utility	
● Government & Public Use	
● Nature Park & Conservation Area	
● CONDITIONAL USES *	
Residential Uses	
● Dwelling: Multi-Unit	
Commercial Uses	
● Bank or Financial Institution	
● Bar, Micro-Brewery, and Micro-Distillery	
● Event Venue	
● Radio Antenna: Commercial	
Institutional & Public Uses	
● Educational Facility: Higher Learning	
● Educational Facility: Non-Higher Learning	
● Hospital	
● Indoor Recreational Facility	
● Private Recreational Facility	
● Religious Place of Worship	
● ACCESSORY USES *	
● Accessory Dwelling Unit	
● Accessory Off-Street Parking	
● Short-Term Rentals	
● Decks, Porches & Concrete Pads	
● Electric Vehicle Charging Stations	
● Home Occupation	
● Outdoor Sales & Storage	
● Radio Antenna: Non-Commercial	
● Satellite Dish Antenna	
● Solar Panels	
● Small Wind Energy Conversion System	
● Swimming Pool, Lake, or Bathhouse	
● TEMPORARY USES *	
● One-Time Special Events	
● Charitable Donation Container	
● Temporary Entertainment Building	
● Temporary Incidental Construction Building	
● Temporary Storage Container	
● Temporary Tent for Outdoor Displays or Sales	

ZONE DEVELOPMENT STANDARDS *			
Lot Area		10,000 ft. ²	
Standard Lots			
Lot Area		15,000 ft. ²	
Corner & Panhandle Lots			
Lot Width		Lesser of 50 feet or 80% of context average	
Lot Coverage		75% maximum of lot area	
Front Yard Setback		Lesser of 30 feet or 80% of context average	
Side Yard Setback		5 feet minimum per side	
Abutting Residential			
Side Yard Setback		None	
Abutting Non-Residential			
Rear Yard Setback		15 feet	
Abutting Residential			
Rear Yard Setback		None	
Abutting Non-Residential			
Building Height		Greater of 6 stories or 120% of context average	
Principal Building			
Building Size		Minimum Square Footage: N/A	
Principal Building		Minimim Length & Width: N/A	
Building Size		Minimum Square Footage: N/A	
Accessory Dwelling Unit		Minimim Length & Width: N/A	

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable Zone Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the NBM Zone.

TABLE 2.2.3-F: AMN (AVENUE MIXED NORTH) DISTRICT INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT			
Provides for a broad range of non-residential uses and limited residential uses that accommodate a mix of employment, service, and commercial activities.			
● PERMITTED USES * Agricultural & Animal Uses ● Pet Services & Daycare ● Veterinary Facility Mixed Uses ● Vertical Mixed: Large ● Live-Work Unit ● Civic Hub Commercial Uses ● Art Studio or Classroom ● Bank or Financial Institution ● Bar, Micro-Brewery, and Micro-Distillery ● Broadcasting & Streaming Studio ● Day Care Facility ● Entertainment Venue ● Event Venue ● Fabrication Retail		● Funeral & Memorial Service ● Greenhouse & Nursery ● Health & Fitness Venue ● Laboratory ● Medical Office or Clinic ● Mobile Food Vendor ● Off-Premises Sign ● Personal Service ● Professional or Business Office ● Restaurant ● Retail ● Service Commercial ● Small Cellular Telecommunications Facility ● Telecommunications Tower ● Type-B Family Day Care Home ● Vendor Market Institutional & Public Uses ● Active Park & Recreational Facility ● Cemetery ● Educational Facility: Higher Learning ● Educational Facility: Non-Higher Learning ● Essential Service or Utility	
		● Government & Public Use ● Hospital ● Indoor Recreational Facility ● Nature Park & Conservation Area ● Private Recreational Facility ● Religious Place of Worship	
		● CONDITIONAL USES * Agricultural Uses ● Commercial Kennel Residential Uses ● Dwelling: Multi-Unit Automotive Uses ● Automotive Body Repair ● Automotive Fuel Service ● Automotive Service ● Automotive Wash Commercial Uses ● Alternative Financial Service ● Cannabis Dispensary ● Contractor Services & Supply ● Hotel or Motel ● Industrial: Light ● Radio Antenna: Commercial ● Tattoo Studio ● Tobacco Retail	
		Ⓐ ACCESSORY USES * Ⓐ Accessory Dwelling Unit Ⓐ Accessory Off-Street Parking Ⓐ Short-Term Rentals Ⓐ Decks, Porches & Concrete Pads Ⓐ Electric Vehicle Charging Stations Ⓐ Home Occupation Ⓐ Outdoor Sales & Storage Ⓐ Radio Antenna: Non-Commercial Ⓐ Satellite Dish Antenna Ⓐ Solar Panels Ⓐ Small Wind Energy Conversion System	
		Ⓣ TEMPORARY USES * Ⓣ One-Time Special Events Ⓣ Charitable Donation Container Ⓣ Temporary Entertainment Building Ⓣ Temporary Incidental Construction Building Ⓣ Temporary Storage Container Ⓣ Temporary Tent for Outdoor Displays or Sales	
DISTRICT DEVELOPMENT STANDARDS *			
Lot Area Standard Lots 1 acre minimum		Side Yard Setback Abutting Non-Residential None	
Lot Area Corner & Panhandle Lots 1.5 acres minimum		Rear Yard Setback Abutting Residential 15 feet	
Lot Width 75 feet minimum		Rear Yard Setback Abutting Non-Residential None	
Lot Coverage 75% maximum of lot area		Building Height Principal Building 60 feet	
Front Yard Setback None		Building Size Principal Building Minimum Square Footage: N/A Minimim Length & Width: N/A	
Side Yard Setback Abutting Residential 5 feet minimum per side		Building Size Accessory Dwelling Unit Minimum Square Footage: N/A Minimim Length & Width: N/A	

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable District Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the AMN Zone.

TABLE 2.2.3-G: AMC (AVENUE MIXED CENTRAL) DISTRICT INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT		● Broadcasting & Streaming Studio ● Day Care Facility ● Entertainment Venue ● Event Venue ● Fabrication Retail ● Funeral & Memorial Service ● Greenhouse & Nursery ● Health & Fitness Venue ● Laboratory ● Medical Office or Clinic ● Mobile Food Vendor ● Off-Premises Sign ● Personal Service ● Professional or Business Office ● Restaurant ● Retail ● Service Commercial ● Small Cellular Telecommunications Facility ● Telecommunications Tower ● Type-B Family Day Care Home ● Vendor Market Institutional & Public Uses ● Active Park & Recreational Facility	● Cemetery ● Educational Facility: Higher Learning ● Educational Facility: Non-Higher Learning ● Essential Service or Utility ● Government & Public Use ● Hospital ● Indoor Recreational Facility ● Nature Park & Conservation Area ● Private Recreational Facility ● Religious Place of Worship ● CONDITIONAL USES * Agricultural Uses ● Commercial Kennel Residential Uses ● Dwelling: Multi-Unit Commercial Uses ● Alternative Financial Service ● Cannabis Dispensary ● Contractor Services & Supply ● Hotel or Motel ● Industrial: Light ● Radio Antenna: Commercial ● Tattoo Studio ● Tobacco Retail	Ⓐ ACCESSORY USES *	Ⓐ Accessory Dwelling Unit Ⓐ Accessory Off-Street Parking Ⓐ Short-Term Rentals Ⓐ Decks, Porches & Concrete Pads Ⓐ Electric Vehicle Charging Stations Ⓐ Home Occupation Ⓐ Outdoor Sales & Storage Ⓐ Radio Antenna: Non-Commercial Ⓐ Satellite Dish Antenna Ⓐ Solar Panels Ⓐ Small Wind Energy Conversion System Ⓣ TEMPORARY USES * Ⓣ One-Time Special Events Ⓣ Charitable Donation Container Ⓣ Temporary Entertainment Building Ⓣ Temporary Incidental Construction Building Ⓣ Temporary Storage Container Ⓣ Temporary Tent for Outdoor Displays or Sales
DISTRICT DEVELOPMENT STANDARDS *					
Lot Area Standard Lots	1 acre minimum	Side Yard Setback Abutting Non-Residential	None		
Lot Area Corner & Panhandle Lots	1.5 acres minimum	Rear Yard Setback Abutting Residential	15 feet		
Lot Width	75 feet minimum	Rear Yard Setback Abutting Non-Residential	None		
Lot Coverage	75% maximum of lot area	Building Height Principal Building	60 feet		
Front Yard Setback	None	Building Size Principal Building	Minimum Square Footage: N/A Minimim Length & Width: N/A		
Side Yard Setback Abutting Residential	5 feet minimum per side	Building Size Accessory Dwelling Unit	Minimum Square Footage: N/A Minimim Length & Width: N/A		

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable District Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the AMC District.

TABLE 2.2.3-H: AMS (AVENUE MIXED SOUTH) DISTRICT INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT			
Provides for a broad range of non-residential uses and limited residential uses that accommodate a mix of employment, service, and commercial activities.			
● PERMITTED USES * Agricultural & Animal Uses ● Pet Services & Daycare ● Veterinary Facility Mixed Uses ● Vertical Mixed: Large ● Live-Work Unit ● Civic Hub Commercial Uses ● Art Studio or Classroom ● Bank or Financial Institution ● Bar, Micro-Brewery, and Micro-Distillery ● Broadcasting & Streaming Studio ● Day Care Facility ● Entertainment Venue ● Event Venue ● Fabrication Retail		● Funeral & Memorial Service ● Greenhouse & Nursery ● Health & Fitness Venue ● Laboratory ● Medical Office or Clinic ● Mobile Food Vendor ● Off-Premises Sign ● Personal Service ● Professional or Business Office ● Restaurant ● Retail ● Service Commercial ● Small Cellular Telecommunications Facility ● Telecommunications Tower ● Type-B Family Day Care Home ● Vendor Market Institutional & Public Uses ● Active Park & Recreational Facility ● Cemetery ● Educational Facility: Higher Learning ● Educational Facility: Non-Higher Learning ● Essential Service or Utility	
		● Government & Public Use ● Hospital ● Indoor Recreational Facility ● Nature Park & Conservation Area ● Private Recreational Facility ● Religious Place of Worship	
		● CONDITIONAL USES * Agricultural Uses ● Commercial Kennel Residential Uses ● Dwelling: Multi-Unit Automotive Uses ● Automotive Body Repair ● Automotive Fuel Service ● Automotive Service ● Automotive Wash Commercial Uses ● Alternative Financial Service ● Cannabis Dispensary ● Contractor Services & Supply ● Hotel or Motel ● Industrial: Light ● Radio Antenna: Commercial ● Tattoo Studio ● Tobacco Retail	
		Ⓐ ACCESSORY USES * Ⓐ Accessory Dwelling Unit Ⓐ Accessory Off-Street Parking Ⓐ Short-Term Rentals Ⓐ Decks, Porches & Concrete Pads Ⓐ Electric Vehicle Charging Stations Ⓐ Home Occupation Ⓐ Outdoor Sales & Storage Ⓐ Radio Antenna: Non-Commercial Ⓐ Satellite Dish Antenna Ⓐ Solar Panels Ⓐ Small Wind Energy Conversion System	
		Ⓣ TEMPORARY USES * Ⓣ One-Time Special Events Ⓣ Charitable Donation Container Ⓣ Temporary Entertainment Building Ⓣ Temporary Incidental Construction Building Ⓣ Temporary Storage Container Ⓣ Temporary Tent for Outdoor Displays or Sales	
DISTRICT DEVELOPMENT STANDARDS *			
Lot Area Standard Lots 1 acre minimum		Side Yard Setback Abutting Non-Residential None	
Lot Area Corner & Panhandle Lots 1.5 acres minimum		Rear Yard Setback Abutting Residential 15 feet	
Lot Width 75 feet minimum		Rear Yard Setback Abutting Non-Residential None	
Lot Coverage 75% maximum of lot area		Building Height Principal Building 60 feet	
Front Yard Setback None		Building Size Principal Building Minimum Square Footage: N/A Minimim Length & Width: N/A	
Side Yard Setback Abutting Residential 5 feet minimum per side		Building Size Accessory Dwelling Unit Minimum Square Footage: N/A Minimim Length & Width: N/A	

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable District Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the AMS Zone.

TABLE 2.2.3-1: LIT (LIGHT INTENSITY INDUSTRIAL) DISTRICT INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT	
Provides for industrial and other non-residential uses in industrial park settings.	● Mobile Food Vendor ● Off-Premises Sign ● Personal Service ● Professional or Business Office ● Small Cellular Telecommunications Facility ● Telecommunications Tower
● PERMITTED USES * Agricultural & Animal Uses ● Agricultural & Animal Keeping ● Pet Services and Daycare ● Veterinary Facility Commercial Uses ● Art Studio or Classroom ● Brewery or Distillery ● Broadcasting & Streaming Studio ● Contractor Services & Supply ● Distribution Facility ● Entertainment Venue ● Funeral & Memorial Service ● Greenhouse & Nursery ● Industrial: Light ● Laboratory ● Medical Office or Clinic	Institutional & Public Uses ● Active Park & Recreational Facility ● Cemetery ● Essential Service or Utility ● Government & Public Use ● Indoor Recreational Facility ● Nature Park & Conservation Area ● Private Recreational Facility ● Religious Place of Worship ⓪ CONDITIONAL USES * Agricultural & Animal Uses ⓪ Commercial Kennel Automotive Uses ⓪ Automotive Body Repair ⓪ Automotive Fuel Service ⓪ Automotive Recycling Facility
	⓪ Automotive Service ⓪ Automotive Wash Commercial Uses ⓪ Day Care Facility ⓪ Fabrication Retail ⓪ Fireworks Manufacturing ⓪ Fireworks Retail Sales ⓪ Health & Fitness Venue ⓪ Industrial: Heavy ⓪ Radio Antenna: Commercial ⓪ Restaurant ⓪ Retail ⓪ Self-Storage Facility ⓪ Service Commercial ⓪ Vendor Market Ⓐ ACCESSORY USES * Ⓐ Accessory Off-Street Parking Ⓐ Short-Term Rentals Ⓐ Decks, Porches & Concrete Pads Ⓐ Electric Vehicle Charging Stations Ⓐ Radio Antenna: Non-Commercial Ⓐ Satellite Dish Antenna Ⓐ Solar Panels Ⓐ Small Wind Energy Conversion System
	⓪ TEMPORARY USES * ⓪ One-Time Special Events ⓪ Charitable Donation Container ⓪ Temporary Incidental Construction Building ⓪ Temporary Storage Container ⓪ Temporary Tent for Outdoor Displays or Sales

DISTRICT DEVELOPMENT STANDARDS *

Lot Area Standard Lots	1 acre minimum	Side Yard Setback Abutting Non-Residential	None
Lot Area Corner & Panhandle Lots	1.5 acres minimum	Rear Yard Setback Abutting Residential	15 feet
Lot Width	75 feet minimum	Rear Yard Setback Abutting Non-Residential	None
Lot Coverage	75% maximum of lot area	Building Height Principal Building	60 feet
Front Yard Setback	Lesser of 50 feet or 80% of context average	Building Size Principal Building	Minimum Square Footage: N/A Minimum Length & Width: N/A
Side Yard Setback Abutting Residential	5 feet minimum per side	Building Size Accessory Dwelling Unit	Minimum Square Footage: N/A Minimum Length & Width: N/A

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable District Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the LIT District.

TABLE 2.2.3-J: SLF (SANITARY LANDFILL) DISTRICT INTENT, USES, AND DEVELOPMENT STANDARDS

DISTRICT INTENT Provides standards for solid waste disposal facilities and compatible uses that avoid continued expansion of such uses without planning for, and mitigation of, adverse impacts on surrounding properties and neighborhoods. ● PERMITTED USES * Commercial Uses ● Industrial: Heavy ● Off-Premises Sign Institutional & Public Uses ● Active Park & Recreational Facility ● Government & Public Use ● Nature Park & Conservation Area ● Solid Waste Disposal or Transfer Facility 🔑 CONDITIONAL USES * Commercial Uses 🔑 Radio Antenna: Commercial	Ⓐ ACCESSORY USES * Ⓐ Electric Vehicle Charging Stations Ⓐ Radio Antenna: Non-Commercial Ⓐ Satellite Dish Antenna Ⓐ Solar Panels Ⓐ Small Wind Energy Conversion System 🕒 TEMPORARY USES * 🕒 Temporary Incidental Construction Building 🕒 Temporary Storage Container		
DISTRICT DEVELOPMENT STANDARDS *			
Lot Area Standard Lots 2 acres minimum	Side Yard Setback Abutting Non-Residential None		
Lot Area Corner & Panhandle Lots 3 acres minimum	Rear Yard Setback Abutting Residential 15 feet		
Lot Width 150 feet minimum	Rear Yard Setback Abutting Non-Residential None		
Lot Coverage 75% maximum of lot area	Building Height Principal Building 60 feet		
Front Yard Setback 100 feet minimum	Building Size Principal Building Minimum Square Footage: N/A Minimim Length & Width: N/A		
Side Yard Setback Abutting Residential 5 feet minimum per side	Building Size Accessory Dwelling Unit Minimum Square Footage: N/A Minimim Length & Width: N/A		

* Uses listed in this table are subject to all applicable use-specific standards set forth in Article 3 and all applicable District Development Standards footnotes contained in Table 4.2.2-A, which are hereby incorporated by reference and shall apply to all development within the SLF District.

2.3 OVERLAY DESIGNATIONS

2.3.1 FHO: Flood Hazard Overlay. Identifies special flood hazard areas and ground water resources to provide for additional uses or special prohibitions based on the existence of these flood hazards and groundwater resources, including but not limited to the Great Miami Aquifer which is a sole source aquifer in Colerain Township.

- A. **Purpose.** The Flood Hazard Overlay (FHO) District identifies special flood hazard areas and ground water resources to provide for additional uses or special prohibitions based on the existence of these flood hazards and groundwater resources, including but not limited to the Great Miami Aquifer which is a sole source aquifer in Colerain Township.
- B. **Applicability of FHO standards.**
- (1) The standards of this Subsection 2.2.1 apply based on the location of a given property in special flood hazard areas as defined in the applicable 2004 Flood Insurance Rate Map (FIRM). Such areas may or may not be mapped on the Official Zoning Map.
 - (2) The standards of this Subsection 2.2.1 shall modify specified standards of the underlying district as provided herein.
 - (3) Standards of the underlying district that are not modified by the provisions of this Subsection 2.2.1 shall remain applicable.
- C. **Use permissions in floodway areas of Zone AE.** Use permissions for properties that are subject to the FHO and that are within designated floodway areas of Zone AE on the applicable FIRM maps shall be modified from the applicable permissions of Table 3.1.4-A: Comprehensive Use Permissions and shall be limited to the following uses:
- (1) Agricultural use, subject to the use-specific standards of Article 3 of this Resolution.
 - (2) Accessory off-street parking;
 - (3) Active park and recreational facility; subject to the use-specific standards of Article 3 of this Resolution.
 - (4) Passive park, recreational facility, or conservation area, provided that no structures are constructed within the floodway; and
 - (5) Any residential uses (within the residential use category of Table 3.1.4-A: Comprehensive Use Permissions) permitted within the underlying district that receive certification through a No Rise Form from the Hamilton County Department of Public Works that the proposed use and associated construction will not result in an increase in base flood levels.
- D. **Use permissions in the floodway fringe.** Use permissions for properties that are subject to the FHO and that are within designated floodway fringe areas on the applicable FIRM maps shall be modified from the applicable permissions of Table 3.1.4-A: Comprehensive Use Permissions and shall be limited to the following uses:
- (1) Agricultural use, subject to the use-specific standards of Article 3;

- (2) Accessory off-street parking;
- (3) Active park and recreational facility; subject to the use-specific standards of Article 3;
- (4) Passive park, recreational facility, or conservation area, provided that no structures are constructed within the floodway; and
- (5) Any residential uses (within the residential use category of Table 3.1.4-A: Comprehensive Use Permissions) permitted within the underlying district that receive certification through an Elevation Certificate from the Hamilton County Department of Public Works that the proposed use and associated construction is located above the base flood elevation.

2.3.2 HDO: Hillside Development Overlay. Restricts the development of land construction of structures in certain environmentally sensitive areas of Colerain Township, ensuring such development is compatible with the environment.

A. **Purpose.** The Hillside Development Overlay (HDO) District restricts the development of land construction of structures in certain environmentally sensitive areas of Colerain Township, ensuring such development is compatible with the environment. These standards are intended to:

- (1) Prevent the creation of unstable lands and landslides – based on the finding that steep slopes alone and in combination with Kope Formations create a susceptibility to landslides, precipitating excessive soil erosion, unstable hillsides, and/or the destruction of natural vegetation and contours thereof;
- (2) Prevent significant damage or destruction of prominent hillsides and the Great Miami River Valley slopes;
- (3) Prevent soil erosion and stream siltation;
- (4) Prevent destruction of natural and/or valuable trees and other vegetation; and
- (5) Promote innovative approaches to development by encouraging open space that maintains development rights while protecting environmentally sensitive areas.

B. **Applicability of HDO standards.**

- (1) The standards of this Subsection 2.2.2 shall modify specified standards of the underlying districts as provided herein.
- (2) Standards of the underlying district that are not modified by the provisions of this Subsection 2.2.2 shall remain applicable.

C. **Areas subject to HDO standards.** The standards of this Subsection 2.2.2 apply over lands that contain the following characteristics. Such areas may or may not be mapped on the Official Zoning Map:

- (1) A natural slope of 20% or greater; and/or
- (2) The existence of Kope Formations.

D. **Identification of HDO areas.** Identification of land where the HDO is applicable may be derived from the latest edition of the Cincinnati Hamilton County Ohio Metropolitan Area

topographic map series as furnished by the Office of the Hamilton County Engineer or other applicable mapping available through the Cincinnati Area Geographic Information System.

- E. **Density and intensity standards for sloped areas.** For the purposes of calculating the permitted density and intensity of development, the following density/intensity standards shall apply to land with a natural slope of 20% or more, or to land within the Kope Formation. These density/intensity standards shall only apply to those areas within the HDO boundaries and not to the remainder of the given lot that lies outside of HDO boundaries:
- (1) Where the underlying district is a residential zoning district, and where sanitary sewer and centralized water service are not available for a development site, the minimum required lot area shall be modified to be the greater of (A) the lot area requirement of the underlying district, or (B) 3 acres.
 - (2) Where the underlying district is a residential zoning district, and where sanitary sewer and centralized water service are available for a development site, the minimum required lot area shall be modified to be the greater of (A) the lot area requirement of the underlying district, or (B) 1 acre.
 - (3) Where the underlying district is a nonresidential zoning district, the maximum lot coverage by buildings and impervious surfaces shall be modified to be no greater than 15% of the total lot area.
- F. **Density and intensity standards for non-sloped areas.** Where a development site has at least 1 acre of land that is subject to this Subsection 2.2.2, and if the property owner avoids development and disturbance of all land on a development site that has a natural slope of 20% or more, and protects such land from future development through the recording of a deed restriction in a form accepted by Colerain Township, then the development permissions of the zoning district that apply to the development site but that lay outside of the HDO geography are modified as follows:
- (1) The minimum required lot area may be decreased by 20% from the underlying standard (e.g., a 6,000-square-foot minimum may be decreased to 4,800 square feet).
 - (2) The maximum allowed lot coverage by buildings and impervious surfaces may be increased by up to 15% from the underlying standard (e.g., a 75% maximum may be increased to 90%).
 - (3) The maximum allowed number of dwelling units may be increased by 20%, rounded up to the nearest whole unit, from the underlying standard (e.g., a 4-unit maximum may be increased to 5 units).

2.4 OFFICIAL ZONING MAP

2.4.1 Establishment and Authority

- A. **Official Zoning Map established.** The boundaries of the established zoning districts are indicated upon the Official Zoning Map for Colerain Township. This Official Zoning Map, together with all explanatory matters thereon, is hereby made a part of this Resolution.
- B. **Location of Official Zoning Map.** The Official Zoning Map is properly attested and is on file in the offices of the Colerain Township Zoning Department.
- C. **Mapped geographies.** Nothing in this Article shall be construed to require the actual location of any district on the Official Zoning Map. It is the intent of this Resolution to provide flexibility in its administration to allow for future expansion and amendments.
- D. **Interpretation of Official Zoning Map.** Boundaries shown on the Official Zoning Map of Colerain Township shall be interpreted as follows:
 - (1) Boundaries for the FHO district: The district boundary lines for the Flood Hazard Overlay (FHO) District are intended to follow the special flood hazard area boundaries as designated by the Federal Emergency Management Agency, and there the districts on the map are bounded approximately by such area boundaries, the boundaries are otherwise indicated on the map.
 - (2) Boundaries approximately following streets, alleys, or highways: Where district boundaries are indicated as approximately following the center line or right-of-way line of streets, the center line or alley line of alleys, or the center line or right-of-way lines of highways, such lines shall be construed to be such district boundaries.
 - (3) Boundaries parallel to right-of-way lines: Where district boundaries are so indicated that they are approximately parallel to the center lines or right-of-way lines of streets, the center lines or alley lines of alleys, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Zoning Map.
 - (4) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 - (5) Whenever any street or public way is vacated in the manner authorized by law, the zoning districts adjoining each side of the street or public way shall be automatically extended to the center of such vacations and all area included in the vacation shall thereafter be subject to all regulations of the extended districts.
 - (6) Where a district boundary line divides a lot that was in single ownership at the time of passage of this Resolution, the Zoning Commission may permit the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.

3 Land Use Standards

3.1 GENERAL USE PROVISIONS

3.1.1 Applicability of Use-Specific Standards

- A. **Purpose.** The General Use Standards of this Article establish baseline requirements and review procedures to ensure that all land uses within Colerain Township are located, operated, and maintained in a manner that protects public health, safety, and welfare; promotes compatibility between neighboring uses; and upholds the intent of the Comprehensive Plan. These standards provide a uniform structure for evaluating uses, supplementing district regulations, and ensuring that each use functions appropriately within its surroundings. Use-specific standards further refine these requirements by addressing the unique characteristics, operational impacts, and development needs of individual uses.
- B. **Compliance; modifications of use-specific standards.** Where a use within Table 3.1.4-A: Comprehensive Use Permissions is included within Article 3 - Land Use Standards, any such applicable provisions shall be construed to be a condition of the use's approval, except where explicitly modified through the approval of a conditional use permit per Subsection 6.5.3 – Conditional Use.
- C. **Use-specific standards may apply to undefined uses.** If the Zoning Administrator determines, per Subsection 3.1.2 – Interpretation of Uses, that a proposed use is functionally the same as a defined use that is subject to use-specific standards in Article 3 of this Resolution, such use-specific standards shall also apply to the proposed use.

3.1.2 Interpretation of Uses

- A. **Interpretation of defined or undefined uses.** The following provisions shall apply to the interpretation of uses:
 - (1) Each use type included in Table 3.1.4-A: Comprehensive Use Permissions is defined in Article 7 – Glossary of Terms.
 - (2) A proposed use that is not listed in Table 3.1.4-A: Comprehensive Use Permissions or that is not defined elsewhere in this Resolution may be authorized by the Zoning Administrator as an allowed by-right use, a conditionally allowed use, an allowed accessory use, or an allowed temporary use if they determine that the proposed use is functionally the same as a defined use that is allowed in the same zoning district as the subject property according to the considerations provided within this Subsection 3.1.2.
 - (3) If the Zoning Administrator determines that an undefined proposed use is not functionally the same as a defined use that is allowed in the same zoning district as the subject property, then the proposed use shall be deemed a prohibited use.

- B. **Classification of uses.** In determining the classification of a proposed use that is undefined, or in determining if a proposed use qualifies as a principal, accessory, or temporary use, the Zoning Administrator may consider, but shall not be limited to, the following criteria as applicable:
- (1) Information provided by the property owner, including the contents of a Zoning Certificate application;
 - (2) Actual or projected characteristics of the use, their common association with established uses on a given lot, and their effects on permitted uses within the zoning district of the subject property;
 - (3) Amount of floor space and/or equipment that would be provided for the use;
 - (4) Amount of pedestrian, bicycle, and/or vehicular traffic typically associated with the use;
 - (5) Size (including footprint area and height) of the building(s) and/or feature(s) proposed for the use;
 - (6) Location of the building, feature, or use in relation to the location of other buildings and uses on the same lot;
 - (7) Signage located on or proposed for the property;
 - (8) Noise, lighting, dust, and/or odors typically associated with the use;
 - (9) Number of employees on a typical shift;
 - (10) Use and/or storage of hazardous materials; and/or hours of operation for the use.

3.1.3 Change of Use Zoning Certificate

- A. **Change of use.** A Change of Use Zoning Certificate is required whenever a property proposes a new use that differs from the existing use classification shown in the Comprehensive Use Permission Table. Applicants shall submit a Change of Use application to allow the Zoning Administrator to evaluate compliance with this Resolution. If the submitted information is compliant, a Zoning Certificate shall be issued. Applications shall include the following:
- (1) A written statement (minimum one page) describing the proposed activities on the site.
 - (2) Confirmation that the proposed use will comply with all applicable use-specific standards and that no unlawful use will occur.
 - (3) Property owner signature acknowledging and authorizing the request.
 - (4) Copies of all variances applicable to the property.
 - (5) Copies of any licenses required by Colerain Township, Hamilton County, the State of Ohio, or other agencies.
 - (6) A general description of the current and proposed use of all buildings or units, including floorplans, operational characteristics, prior occupancy, and other information needed to evaluate compliance.

- (7) A summary of any changes related to density or development intensity, such as floor area ratios or dwelling units per acre, if applicable.
- (8) A description of operational features of the proposed use, such as hours, staffing, customer or visitor activity, deliveries, waste generation, or other factors relevant to assessing impacts on surrounding properties.
- (9) A floorplan and narrative describing the internal layout and any associated building or site changes, including landscaping, lighting, architectural elements, or impervious surface.
- (10) Information describing existing and proposed parking and signage conditions. As a condition of approval of a Change of Use Zoning Certificate, the Zoning Administrator is authorized to require the submission of a Master Parking Plan and/or Master Signage Plan as required by this Resolution. The failure to submit, obtain approval for, or implement a Master Parking Plan or Master Signage Plan as required shall constitute grounds for withholding the commencement of the use or initiating enforcement action pursuant this Resolution.
- (11) Any other information deemed necessary by the Zoning Administrator to evaluate the proposed change of use and ensure compliance with this Resolution.

3.1.4 Comprehensive Use Permissions

- A. **Use permissions.** The use permissions in Table 3.1.4-A: Comprehensive Use Permissions identify for each zoning district the principal uses, temporary uses, and accessory buildings, features, and uses that are allowed by right, allowed through a conditional use permit, allowed as an accessory use, allowed as a temporary use, or prohibited per the following key:
- (1) A solid circle identifies a use as allowed through the approval of a Zoning Certificate within a specified zoning district.
 - (2) A half-filled circle identifies a use that is allowed only through approval of a conditional use permit pursuant to Subsection 6.5.3, and, where approved, a Zoning Certificate shall be issued as required by this Resolution.
 - (3) A circled letter 'A' identifies a building, feature, or use that is allowed as an accessory use within a specified zoning district.
 - (4) A circled letter 'T' identifies a building or use that is allowed as a temporary use within a specified zoning district.
 - (5) A hyphen identifies a building, feature, or use that is prohibited within a specified zoning district.
- B. **Zoning Certificate Required.** Unless expressly exempted by this Resolution, the establishment, commencement, expansion, or modification of any principal use, accessory use, temporary use, or site feature shown in Table 3.1.4-A shall require Zoning Certificate approval in accordance with Section 6.3.2.

Table 3.1.4-A Comprehensive Use Permissions ● = Allowed By-Right ① = Conditionally Allowed Ⓐ = Allowed as Accessory Use ④ = Allowed as Temporary Use – = Prohibited Use		Use-Specific Standards Subsection	Greenspace, Open Space & Recreation	Rural Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Sanitary Landfill
3.2. - Agricultural & Animal Uses			GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Agricultural & Animal Keeping	3.2.1	●	●	●	●	●	●	–	–	–	●	–
Commercial Kennel	3.2.2	–	–	–	–	–	–	①	①	①	①	–
Pet Services and Daycare	3.2.3	–	–	–	①	●	●	●	●	●	●	–
Riding Stable	3.2.4	●	●	–	–	–	–	–	–	–	–	–
Veterinary Facility	3.2.5	–	–	–	①	●	●	●	●	●	●	–
3.3 - Residential Uses			GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Adult Group Facility: Small	3.3.1	–	●	●	●	–	–	–	–	–	–	–
Adult Group Facility: Large	3.3.2	–	–	–	●	–	–	–	–	–	–	–
Child Group Facility	3.3.3	–	–	①	●	–	–	–	–	–	–	–
Dwelling: Multi-Unit	3.3.4	–	–	①	●	①	①	①	①	①	–	–
Dwelling: One Unit	3.3.5	–	●	●	①	–	–	–	–	–	–	–
Dwelling: Two Unit	3.3.6	–	–	●	●	–	–	–	–	–	–	–
Institutional Housing	3.3.7	–	–	–	●	–	–	–	–	–	–	–
Permanently Sited Manufactured Home	3.3.8	–	●	●	●	–	–	–	–	–	–	–
3.4 - Mixed Uses			GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Vertical Mixed: Small	3.4.1	–	–	–	●	●	–	–	–	–	–	–
Vertical Mixed: Large	3.4.2	–	–	–	–	●	●	●	●	●	–	–
Live-Work Unit	3.4.3	–	–	–	–	●	●	●	●	●	–	–
Civic Hub	3.4.4	–	–	–	–	●	●	●	●	●	–	–
3.5 - Automotive Uses			GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Automotive Body Repair	3.5.1	–	–	–	–	–	–	①	●	①	①	–
Automotive Fuel Service	3.5.2	–	–	–	–	–	–	①	●	①	①	–
Automotive Recycling Facility	3.5.3	–	–	–	–	–	–	–	–	–	①	–
Automotive Sales or Rental	3.5.4	–	–	–	–	–	–	–	●	–	–	–
Automotive Service	3.5.5	–	–	–	–	–	–	①	●	①	①	–
Automotive Wash	3.5.6	–	–	–	–	–	–	①	●	①	①	–

3.6 - Commercial Uses		GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Alternative Financial Service	3.6.1	—	—	—	—	—	◐	◐	◐	—	—
Art Studio or Classroom	3.6.2	—	—	—	◐	●	●	●	●	●	—
Bank or Financial Institution	3.6.3	—	—	—	◐	◐	●	●	●	—	—
Bar, Micro-Brewery, or Micro-Distillery	3.6.4	—	—	—	◐	◐	●	●	●	—	—
Brewery or Distillery	3.6.5	—	—	—	—	—	—	—	—	●	—
Broadcasting & Streaming Studio	3.6.6	—	—	—	—	—	●	●	●	●	—
Cannabis Dispensary	3.6.7	—	—	—	—	—	◐	◐	◐	—	—
Contractor Services & Supply	3.6.8	—	—	—	—	—	◐	◐	◐	●	—
Day Care Facility	3.6.9	—	—	—	●	●	●	●	●	◐	—
Distribution Facility	3.6.10	—	—	—	—	—	—	—	—	●	—
Entertainment Venue	3.6.11	—	—	—	—	●	●	●	●	●	—
Event Venue	3.6.12	—	—	—	—	◐	●	●	●	—	—
Fabrication Retail	3.6.13	—	—	—	◐	●	●	●	●	◐	—
Fireworks Manufacturing	3.6.14	—	—	—	—	—	—	—	—	◐	—
Fireworks Retail Sales	3.6.15	—	—	—	—	—	—	—	—	◐	—
Funeral & Memorial Service	3.6.16	—	—	—	—	—	●	●	●	●	—
Greenhouse & Nursery	3.6.17	—	—	—	—	—	●	●	●	●	—
Health & Fitness Venue	3.6.18	—	—	—	◐	●	●	●	●	◐	—
Hotel or Motel	3.6.19	—	—	—	—	—	◐	◐	◐	—	—
Industrial: Heavy	3.6.20	—	—	—	—	—	—	—	—	◐	●
Industrial: Light	3.6.21	—	—	—	—	—	◐	◐	◐	●	—
Laboratory	3.6.22	—	—	—	—	—	●	●	●	●	—
Massage Parlor	3.6.23	—	—	—	—	—	—	—	—	—	—
Medical Office or Clinic	3.6.24	—	—	—	—	●	●	●	●	●	—
Mobile Food Vendor	3.6.25	—	●	●	●	●	●	●	●	●	—
Off-Premises Sign	3.6.26	—	—	—	—	—	●	●	●	●	●
Personal Service	3.6.27	—	—	—	◐	●	●	●	●	●	—
Professional or Business Office	3.6.28	—	—	—	◐	●	●	●	●	●	—
Radio Antenna: Commercial	3.6.29	—	◐	◐	◐	◐	◐	◐	◐	◐	◐
Restaurant	3.6.30	—	—	—	●	●	●	●	●	◐	—
Retail	3.6.31	—	—	—	◐	●	●	●	●	◐	—
Self-Storage Facility	3.6.32	—	—	—	—	—	—	—	—	◐	—
Service Commercial	3.6.33	—	—	—	—	●	●	●	●	◐	—
Small Cellular Telecommunications Facility	3.6.34	—	●	●	●	●	●	●	●	●	—
Tattoo Studio	3.6.35	—	—	—	—	—	◐	◐	◐	—	—
Telecommunications Tower	3.6.36	—	●	●	●	●	●	●	●	●	—
Tobacco Retail	3.6.37	—	—	—	—	—	◐	◐	◐	—	—
Type-A Family Day Care Home	3.6.38	—	—	—	—	●	—	—	—	—	—
Type-B Family Day Care Home	3.6.39	—	●	●	●	●	●	●	●	—	—
Vendor Market	3.6.40	—	—	—	—	●	●	●	●	◐	—

3.7 - Institutional & Public Uses		GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Active Park & Recreational Facility	3.7.1	●	◐	◐	◐	●	●	●	●	●	●
Cemetery	3.7.2	—	●	—	—	●	●	●	●	●	—
Educational Facility: Higher Learning	3.7.3	—	—	—	◐	◐	●	●	●	—	—
Educational Facility: Non-Higher Learning	3.7.4	—	◐	◐	◐	◐	●	●	●	—	—
Essential Service or Utility	3.7.5	—	●	●	●	●	●	●	●	●	—
Government & Public Use	3.7.6	●	●	●	●	●	●	●	●	●	●
Hospital	3.7.7	—	—	—	—	◐	●	●	●	—	—
Indoor Recreational Facility	3.7.8	—	—	—	—	◐	●	●	●	●	—
Nature Park & Conservation Area	3.7.9	●	●	●	●	●	●	●	●	●	●
Private Recreational Facility	3.7.10	●	◐	◐	◐	◐	●	●	●	●	—
Religious Place of Worship	3.7.11	—	◐	◐	◐	◐	●	●	●	●	—
Solid Waste Disposal or Transfer Facility	3.7.12	—	—	—	—	—	—	—	—	—	●
3.8 - Accessory Buildings, Features & Uses ⁽¹⁾		GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Accessory Dwelling Unit	3.8.5	—	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	—	—
Accessory Off-Street Parking	3.8.6	—	—	—	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	—
Short-Term Rentals	3.8.7	—	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	—
Carports	3.8.8	—	Ⓐ	Ⓐ	Ⓐ	—	—	—	—	—	—
Decks, Porches, or Concrete Pads	3.8.9	—	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	—
Electric Vehicle Charging Stations	3.8.10	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ
Home Occupation	3.8.11	—	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	—	—
Outdoor Sales & Storage	3.8.12	—	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	—	—
Private Kennel	3.8.13	—	Ⓐ	Ⓐ	Ⓐ	—	—	—	—	—	—
Radio Antenna: Non-Commercial	3.8.14	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ
Roadside Stand	3.8.15	—	Ⓐ	—	—	—	—	—	—	—	—
Satellite Dish Antenna	3.8.16	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ
Solar Panels	3.8.17	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ
Small Wind Energy Conversion System	3.8.18	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ	Ⓐ
Swimming Pool, Lake, or Bathhouse	3.8.19	—	Ⓐ	Ⓐ	Ⓐ	Ⓐ	—	—	—	—	—
Wood Furnace: Outdoor	3.8.20	—	Ⓐ	Ⓐ	Ⓐ	—	—	—	—	—	—
3.9 - Temporary Buildings & Uses		GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
One-Time Special Events	3.9.5	—	—	—	—	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	—
Charitable Donation Container	3.9.6	—	—	—	—	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	—
Temporary Entertainment Building	3.9.7	Ⓣ	—	—	—	Ⓣ	Ⓣ	Ⓣ	Ⓣ	—	—
Temporary Incidental Construction Building	3.9.8	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ
Temporary Storage Container	3.9.9	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ
Temporary Tent for Outdoor Displays or Sales	3.9.10	—	—	—	—	Ⓣ	Ⓣ	Ⓣ	Ⓣ	Ⓣ	—

Table Note:

(1) Includes all accessory buildings and features that are not separately identified with permissions within this table, subject to the provisions of Subsection 3.1.2– Interpretation of Uses, and Section 3.8 – Accessory Buildings, Features, and Uses.

3.2 AGRICULTURAL & ANIMAL USES

3.2.1 Agricultural & Animal Keeping

- A. **Applicability.** This section applies to the raising or keeping of animals for agricultural purposes, as defined by Ohio Revised Code §519.01. Agricultural uses that qualify for exemption under ORC §519.21 are not subject to zoning regulation except as permitted under applicable exceptions for platted subdivisions. The following standards apply to all non-exempt properties and any property seeking to keep animals not protected by agricultural exemption.
- B. **Subdivision exceptions.** In accordance with ORC §519.21:
- (1) Agricultural uses are prohibited on lots smaller than one acre and located within a platted subdivision.
 - (2) On lots between one and five acres within a platted subdivision where 35 percent or more of the lots are developed, the keeping of animals for agricultural purposes may be regulated by the Township and is subject to this section.
 - (3) Adjacent parcels under the same ownership may be combined to meet acreage thresholds, provided the parcels are contiguous and recorded as such.
- C. **Animal keeping standards.**
- (1) No animals for agricultural purposes shall be kept on lots smaller than one acre. This provision does not apply to chickens, quails, or bees.
 - (2) Acreage shall be rounded down and cannot be fractioned except where expressly permitted by this Section.
 - (3) A maximum of six chickens is allowed on properties smaller than one acre, so long as the other requirements of this Resolution are met. For each additional half acre, three additional chickens are permitted.
 - (4) Roosters are prohibited.
 - (5) Chickens shall be housed in a secure, enclosed coop and run, situated in the rear yard and set back a minimum of 20 feet from all property lines and 50 feet from the principal dwelling building of all adjacent properties.
 - (6) All animals shall be enclosed within a fenced pasture or structure located at least 100 feet from all property lines.
 - (7) All animals shall be securely contained within the property boundaries by approved fencing or enclosures appropriate to the animal's size and behavior.
 - (8) Manure and waste shall be managed in a manner that prevents runoff, odor, and attraction of pests. Manure shall not be stored within 100 feet of any property line or waterway.
 - (9) Animal enclosures shall be maintained in a clean, sanitary condition and inspected regularly for structural integrity.

- (10) Properties shall implement reasonable pest control practices to limit the presence of flies, rodents, and other nuisances.
- D. **Small livestock.** (e.g., goats, sheep, ducks, turkeys, geese, guinea fowl, and similar animals as determined by the Zoning Administrator).
 - (1) Small livestock shall be permitted only in the Rural Estate Residential (RER) Zoning District.
 - (2) No more than four small livestock per acre, up to a total of twelve animals per property.
- E. **Large livestock.** (e.g., horses, cows, alpacas, llamas, donkeys, mules, bison, and similar animals as determined by the Zoning Administrator).
 - (1) Large livestock shall be permitted only in the Rural Estate Residential (RER) Zoning District.
 - (2) Minimum lot size for large livestock shall be five acres.
 - (3) No more than three large livestock animals per 5 acres shall be permitted, with a maximum of six large animals per property.
 - (4) Barns or stables shall be located at least 100 feet from all property lines.
- F. **Beekeeping.**
 - (1) Beekeeping activities shall be permitted on lots of one acre or more in any zoning district.
 - (2) No more than two hives are permitted per acre, with a maximum of six hives per property.
 - (3) Hives shall be located in the rear yard and set back a minimum of 100 feet from all property lines.
- G. **Household pets.** This section does not apply to indoor household pets such as domesticated dogs, cats, and similar animals typically kept inside a home. Exotic or prohibited species, as regulated by local, state, or federal law, are not permitted.
- H. **Zoning Certificate required.** A valid Zoning Certificate must be obtained for the construction of any structure related to the keeping of animals, including but not limited to coops, barns, sheds, and fencing, unless otherwise exempt under Section 6.3.2 of this Resolution.
- I. **Nonconforming uses.** Existing animal-keeping activities that exceed the limits of this section may continue as legal nonconforming uses, subject to the provisions of Article 5 of this Resolution.

3.2.2 Commercial Kennel

- A. **Minimum lot area.** There shall be a minimum lot area of 5 acres required for commercial kennels.

- B. **Minimum setbacks.** All indoor animal care areas and outdoor activity areas shall be located a minimum of 50 feet from any residentially zoned lot line, and a minimum of 20 feet from all other lot lines.

3.2.3 Pet Services and Daycare

- A. **Minimum setbacks.** All indoor animal care areas and outdoor activity areas shall be located a minimum of 50 feet from any residentially zoned lot line, and a minimum of 20 feet from all other lot lines.

3.2.4 Riding Stable

- A. **Minimum setbacks.** All indoor animal care areas and outdoor activity areas shall be located a minimum of 50 feet from any residentially zoned lot line, and a minimum of 20 feet from all other lot lines.
- B. **Limit on the number of animals.** A maximum of one animal unit shall be allowed per acre for a given property.

3.2.5 Veterinary Facility

- A. **Minimum setbacks.** All structures, exterior storage, refuse, or supplies shall be set back a minimum of 100 feet from all lot lines.

3.3 RESIDENTIAL USES

3.3.1 Adult Group Facility: Small

3.3.2 Adult Group Facility: Large

3.3.3 Child Group Facility

- A. **Applicability.** Except as expressly permitted under Section 5119.34 of the Ohio Revised Code, the standards contained in this section shall apply to Group Homes for Children, Adult Group Homes, and Adult Family Homes in a uniform manner and must be in accordance with Section 2967.14 and Section 3722 of the Ohio Revised Code.
- B. **Building character.** All buildings in which this use is established shall be residential in character.
- C. **Dwelling unit designation.** Each dwelling unit in which a Halfway House or Community Residential Center is established shall be deemed to be a separate Halfway House or Community Residential Center.
- D. **Spacing requirements.** A Dwelling Unit in which a Halfway House or Community Residential Center is established shall not be closer than 600 feet to the next closest Dwelling Unit used as a Halfway House or Community Residential Center.
- E. **Proof of permitting and code compliance.** The Colerain Township Planning and Zoning Department, Code Department, Police Department, and Fire Department shall have the ability to request the custodial contract permitting the Halfway House or Community Residential Center for each individual resident. The owner/operator of a Halfway House or Community Residential Center must be able to provide proof that building and fire codes are adequately met and maintained. If the owner/operator is unable to provide this documentation within 14 days, the Zoning Administrator shall have the ability to revoke the Zoning Certificate granting allowance for the Halfway House or Community Residential Center. Township Staff shall have the ability to, upon request, inspect the interior of the property for compliance.
- F. **Violations.** Any violations to the Colerain Township Zoning Resolution, including the inability to provide proof of documentation, shall be subject to penalties as described in Article 5: Violations and Penalties.

3.3.4 Dwelling: Multi-Unit

- A. **Restrictions in SUR zone.** Multi-Unit Dwellings within the Single Unit Residential (SUR) Zone shall be subject to the following standards:
 - (1) There shall be a maximum of 4 units per structure.
 - (2) Each unit shall have a separate exterior entrance.
 - (3) Individual dwelling units shall be attached by a common wall.

- (4) No part of a parking area shall be closer than 10 feet to the side and rear lot lines unless the parking area is adjacent to a residential district where it shall be set back at least 25 feet from the property line adjacent to the residential district.
- (5) Setbacks around all parking areas shall be landscaped with grass and planting areas and shall be well maintained.
- (6) Accessory Dwelling Units (ADU) are prohibited on multi-unit lots.

3.3.5 Dwelling: One Unit

3.3.6 Dwelling: Two Unit

- A. Two-unit dwellings shall only be located in zones that allow two-unit dwellings and when the following circumstances exist:
 - (1) Two-unit dwellings shall only be located on infill lots where other two-unit or multi-unit dwellings are located on adjacent lots, or in newly approved PUDs, or in new subdivisions of greater than 10 lots where any lot containing a two-unit dwelling shall not abut a lot containing an existing single-unit dwelling;
 - (2) Two-unit dwellings in the Single Unit Residential (SUR) zone shall meet the requirements of Article 3 of this Resolution.
 - (3) The gross floor area of any two-unit dwelling shall not be 30% larger than the average of the gross floor area of surrounding single-unit dwellings; and
 - (4) Where attached garages are utilized, the front facade of the structure shall not contain more than two garage doors.

3.3.7 Institutional Housing

- A. **Maximum density.** The maximum density of institutional housing shall be 7 dwelling units or 7 beds per acre, whichever is less.
- B. **Limit on units and beds.** Within a residential zoning district, there shall be a maximum of 21 dwelling units or beds per site of institutional housing.
- C. **Minimum setbacks.** For institutional housing uses:
 - (1) All buildings shall be setback 50 feet from all lot lines.
 - (2) Parking areas shall provide a setback that is a minimum of 50 feet from property lines adjacent to a residential district. Parking areas that are not adjacent to a residential district shall be setback a minimum of 5 feet from side and/or rear lot lines.
- D. **Qualifications for institutional housing.** All units shall be rented or sold as part of a licensed or regulated institutional, congregate, assisted living, skilled nursing, or similar residential care setting. Mixed developments that include independent living units may be approved as institutional housing where the overall development functions as an integrated care-oriented campus and meets the standards of this Section.

3.3.8 Permanently Sited Manufactured Home

- A. **Applicability of zoning requirements.** Permanently sited manufactured homes shall be permitted where they meet the following provisions:
 - (1) They meet the definition of a permanently sited manufactured home; and
 - (2) They comply with all zoning requirements of a single-family dwelling in the applicable zoning district.
- B. **Prohibited structures.** Travel trailers, park trailers, and mobile homes, as defined in Section 4501.01 of the ORC, and that do not qualify as a permanently sited manufactured home shall be prohibited as a principal residential dwelling.

3.4 MIXED USES

3.4.1 Vertical Mixed: Small

- A. **Mixed-use requirement.** A Vertical Mixed – Small use shall include at least two (2) different permitted principal uses within the same building, one of which shall be a Commercial Use and one of which shall be a Residential Use. All separate uses shall be allowed by-right in the applicable zoning district.
- B. **Vertical arrangement.** Any Commercial Use shall be located on the ground floor only, and all Residential Uses shall be located above the ground floor.
- C. **Separate entrances.** Residential dwelling units shall have a separate, secured entrance that is independent from commercial customer entrances.

3.4.2 Vertical Mixed: Large

- A. **Mixed-use requirement.** A Vertical Mixed – Large use shall include at least two (2) different permitted principal uses within the same building, one of which shall be a Commercial Use and one of which shall be a Residential Use. All separate uses shall be allowed by-right in the applicable zoning district.
- B. **Vertical arrangement.** Any Commercial Use shall be located on the ground floor, and all Residential Uses shall be located above the ground floor.
- C. **Building height compliance.** The building shall comply with the maximum height and all applicable site development standards of the zoning district in which the use is located.
- D. **Access and circulation.** Loading, service, refuse, and building utilities shall be located and designed to avoid conflict with pedestrian access and to minimize impacts on adjacent residentially used property.
- E. **Separated entrances.** Residential dwelling units shall have a separate, secured entrance that is independent from commercial customer entrances.

3.4.3 Live-Work Unit

- A. **Allowed format.** A Live-Work Unit shall consist of one dwelling unit that includes integrated work space within the same unit or on the same lot, occupied and operated by at least one resident of the dwelling unit.
- B. **Residential remains primary.** The residential component shall remain the primary use and function of the unit, and the work component shall be clearly incidental and subordinate.
- C. **No external impacts.** A Live-Work Unit shall not generate impacts beyond those typical of a dwelling unit, including excessive traffic, parking demand, noise, odor, vibration, glare, or outdoor storage.
- D. **Customer access limits.** Customer visits shall be permitted only by appointment, and the use shall not function as a high-turnover retail establishment.

- E. **No hazardous or industrial activity.** Uses involving hazardous materials beyond normal household quantities, repair bays, vehicle service, or industrial fabrication are prohibited.

3.4.4 Civic Hub

- A. **Use composition.** A Civic Hub shall include an Institutional or Public Use as a principal component of the development and may include accessory or supporting Commercial Uses that are customarily incidental to and supportive of the primary civic function.
- B. **No auto-intensive principal uses.** Automotive sales, automotive service, automotive body repair, fuel service, self-storage, and heavy industrial uses are prohibited as part of a Civic Hub.
- C. **Pedestrian orientation.** The primary building entrance shall be oriented to a public street or to a clearly defined pedestrian route connecting to a public street or shared parking area.
- D. **Outdoor gathering areas.** Outdoor plazas, seating, courtyards, or similar civic spaces are permitted and shall be designed to avoid conflicts with required parking, loading, emergency access, and accessible routes.
- E. **Parking and circulation.** Vehicle access, drop-off areas, and service/loading areas shall be designed to minimize conflicts with pedestrians and avoid creating unsafe circulation patterns.

3.5 AUTOMOTIVE USES

3.5.1 Automotive Body Repair

- A. **Enclosure required.** An automotive body repair use, where allowed, shall operate all activities related to the use within a completely enclosed structure.
- B. **Screening required.** Any area used for temporary vehicle staging shall be screened from public rights-of-way and adjacent residential districts by a continuous fence, wall, and/or landscaped buffer as determined by the Zoning Administrator.

3.5.2 Automotive Fuel Service

- A. **Development standards.** Automotive fuel services shall be subject to the following:
 - (1) All fuel pumps and service islands shall meet the site development standards of the applicable zoning district.
 - (2) The outermost edges of all protective canopies shall comply with all yard and setback requirements of the applicable zoning district.
- B. **Minimum setbacks.** Where a proposed fuel pump or service island abuts a lot with a dwelling, the minimum setback shall be 50 feet from such abutting lot lines.

3.5.3 Automotive Recycling Facility

- A. **Minimum lot area.** The minimum lot area shall be 10 acres.
- B. **Location restrictions.** Automotive recycling facilities shall not be permitted within 300 feet of a residential zoning district boundary.
- C. **Screening required.** Any outdoor storage, including vehicle storage, shall be screened from public rights-of-way and adjacent residential districts by a continuous fence, wall, and/or landscaped buffer as determined by the Zoning Administrator.

3.5.4 Automotive Sales or Rental

- A. **Minimum lot size.** The minimum lot size for an automotive sales or rental use is 5 acres.
- B. **Sales office building required.** A sales office building shall be located on the same lot as the automotive sales or rental use, having a minimum floor area of 1,000 square feet, and being built on a permanent foundation to commercial building standards.
- C. **Parking surface standards.** All vehicles must be parked on a solid paved surface of concrete or asphalt with perimeter curbing, buffering, landscaping, parking lot striping, and other similar aesthetic and/or safety requirements.
- D. **Inoperable and junk equipment prohibited.** Inoperable or junk motor vehicles, boats, recreational vehicles, and trailers are not permitted on site. All repair and detailing beyond washing shall be completed in an enclosed building or off site.
- E. **Parking standards apply.** Parking for the display of vehicles for sale or lease must conform to the standards for off-street parking as provided in Section 4.7 – Parking, Loading, and

Circulation. Parking provided to meet the requirements of Section 4.10 – Sight Triangle shall not be used for parking display vehicles for sale or lease.

- F. **Screening required.** Where an automotive sales or rental use abuts a residentially zoned or residentially used property, a buffer shall be provided, consisting of a continuous fence, wall, and/or landscaped buffer as determined by the Zoning Administrator.

3.5.5 Automotive Service

- A. **Enclosure required.** All vehicle repair and service activities shall occur within a completely enclosed structure.
- B. **Screening required.** Where an automotive service use abuts a residentially zoned or residentially used property, a buffer shall be provided, consisting of a continuous fence, wall, and/or landscaped buffer as determined by the Zoning Administrator.
- C. **Prohibited accessory activities.** Vehicle dismantling, salvage operations, and long-term vehicle storage are prohibited as accessory activities to automotive service.
- D. **Vehicle sales prohibited.** The display, advertising, offering for sale, or sale of motor vehicles on the premises shall be prohibited as part of an automotive service use. Vehicles shall not be displayed for sale in parking areas, drive aisles, or other outdoor areas.

3.5.6 Automotive Wash

3.6 COMMERCIAL USES

3.6.1 Alternative Financial Service

- A. **Township-wide limitation on the number of such uses.** The number of alternative financial service uses operating within the township shall not exceed 1 such use per 10,000 inhabitants residing in the township. The applicant of a Zoning Certificate for an alternative financial service shall demonstrate that the issuance of an approved Zoning Certificate would not increase the number of alternative financial services uses operating within the township at the time of application above this threshold and may rely on the most recent decennial census.
- B. **Minimum separation required.**
- (1) Alternative financial services shall not be located within 1,000 feet from any lot containing a separate alternative financial service.
 - (2) Alternative financial services shall not be located on lots that are less than 200 feet from any lot within a residential zoning district.

3.6.2 Art Studio or Classroom

3.6.3 Bank or Financial Institution

3.6.4 Bar, Micro-Brewery, or Micro-Distillery

- A. **Minimum setbacks.** This use may be conditionally allowed in the Neighborhood Mixed (NBM) Zone when there is a minimum setback of 50 feet from all lot lines that are adjacent to a residential zoning district. Such a setback shall apply to all parking areas and structures, except fences.

3.6.5 Brewery or Distillery

3.6.6 Broadcasting & Streaming Studio

3.6.7 Cannabis Dispensary

- 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 required.** 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. **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.
- H. **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.

3.6.8 Contractor Services & Supply

- A. **Indoor operations required.** All principal business operations shall occur within a completely enclosed building, except for permitted outdoor storage areas as provided herein.
- B. **Outdoor storage limitations.** Outdoor storage shall be permitted only as an accessory component of the use and shall be limited to equipment, vehicles, materials, and supplies customarily associated with a licensed contractor or trade business. Outdoor storage of refuse, junk, scrap, dismantled or inoperable vehicles or equipment is prohibited.

- C. **Screening required.** Any outdoor storage, including vehicle or equipment parking areas used for business purposes, shall be fully screened from public rights-of-way and from adjacent residentially zoned or residentially used properties by a continuous opaque fence or wall and supplemental landscaping.
- D. **Location of outdoor storage.** Outdoor storage shall not be located within any required front yard and shall not be located between the principal building and any public street.
- E. **Setbacks for outdoor storage.** Outdoor storage areas shall be set back a minimum of 50 feet from any residentially zoned or residentially used lot line.

3.6.9 Day Care Facility

3.6.10 Distribution Facility

3.6.11 Entertainment Venue

3.6.12 Event Venue

3.6.13 Fabrication Retail

3.6.14 Fireworks Manufacturing

3.6.15 Fireworks Retail Sales

3.6.16 Funeral & Memorial Service

3.6.17 Greenhouse & Nursery

3.6.18 Health & Fitness Venue

3.6.19 Hotel or Motel

3.6.20 Industrial: Heavy

3.6.21 Industrial: Light

3.6.22 Laboratory

3.6.23 Massage Parlor

3.6.24 Medical Office or Clinic

3.6.25 Mobile Food Vendor

- A. **Zoning Certificate required.** A Mobile Food Service Unit shall obtain and maintain a valid Township Zoning Certificate prior to operation. Certificates shall be issued annually and kept in the unit and produced upon request.
- B. **Permitted locations.** Mobile Food Service Units may operate only in approved zoning districts and with written permission from the property owner or applicable public agency.

Operation on private property is permitted within the AMN, AMC, AMS, NBM, and LIT Districts; operation within the RER, SUR, and MUR Districts is permitted only when conducted as part of a Township-approved One-Time Special Event (OTSE).

- C. **Required approvals.** Zoning Certificate applications shall include: (1) current Hamilton County Public Health license; (2) Fire Department approval; and (3) proof of registration and \$1,000,000 liability insurance.
- D. **Location standards.** Mobile Food Service Units:
 - (1) shall not operate within the public right-of-way;
 - (2) shall not operate within required buffers;
 - (3) shall not operate within sight triangles;
 - (4) shall not block sidewalks, driveways, entrances, circulation aisles, or fire lanes;
 - (5) shall be at least 15 feet from hydrants, 5 feet from building entrances, ramps, or driveways, and shall be located at least 10 feet from other MFSUs;
 - (6) shall be located at least 100 feet from any restaurant entrance or outdoor dining area unless waived in writing by the restaurant owner;
 - (7) shall follow applicable residential setback requirement when the unit abuts a residential zoning district; and
 - (8) shall be limited to no more than two (2) MFSUs may operate on a site of ½ acre or less, three (3) on sites over ½ acre up to 1 acre, and four (4) on sites over 1 acre, unless approved through a One-Time Special Event permit.

3.6.26 Off-Premises Sign

- A. **Zoning certificate required.** A Zoning Certificate shall be required for off-premises signs.
- B. **Additional or accessory uses prohibited.** Off-premises signs shall not be located on a lot that contains another principal use or structure. Accessory uses shall not be permitted on lots that contain an off-premises sign.
- C. **Landscaping radius.** The base of all Off-Premise signage shall include landscaping at the base of all sign structures having a radius of no less than 5 feet length. This area/s shall be effectively landscaped with living plant material and with the use of permanent shrubs, groundcover, or other ornamental plantings. Annuals and perennials are permitted in combination with permanent plant materials. The average initial height of the plantings shall be 24" minimum.
- D. **Lighting.** Lighting of off-premises signs shall be prohibited except:
 - (1) Where such lighting is effectively shielded to prevent direct or indirect casting of light on any portion of the street or highway; and
 - (2) Where such lighting is of low intensity or brilliance as to not cause glare or impair the vision of a driver or otherwise interfere with a driver's operation of a motor vehicle.
- E. **Electrically activated off-premises signs.** Electrically activated off-premises signs are prohibited.

- F. **State highway controls.** Off-premises signs located adjacent to interstate or primary highways shall comply with Ohio Revised Code Chapter 5516 and all rules and permit requirements administered by the Ohio Department of Transportation. Nothing in this Section shall be interpreted to permit an off-premises sign in a location where such sign is prohibited by state or federal law, or to expand the areas where off-premises signs may be permitted.
- G. **Dimensional and design standards.** Off-premises signs shall be subject to the provisions of Table 3.6.26-A: Off-Premises Signs Standards.

Type of Standard	Requirement
Number of Off-Premises Signs	Maximum of 1 per lot (One or two sided)
Sign Area (max.)	Bulletin – 300 sq. ft.
	Poster – 150 sq. ft.
	Junior Poster – 75 sq. ft.
Sign Height (max.)	25 feet
Sign Setback (min.)	500 feet from any recorded subdivision or lot less than 1 acre in size within a residential zoning district.
	Shall meet the minimum setback requirement of the applicable zoning district.
Spacing between Signs (min.)	2,500 feet when adjacent to any Freeway or Expressway
	2,000 feet when adjacent to any Major Arterial, Minor Arterial, Major Collector, or Minor Collector

Table 3.6.26-A. Dimensional Standards for Off-Premise Signs

3.6.27 Personal Service

3.6.28 Professional or Business Office

3.6.29 Radio Antenna: Commercial

3.6.30 Restaurant

3.6.31 Retail

3.6.32 Self-Storage Facility

- A. **Zoning certificate required.** A Self-Storage Facility shall require a Zoning Certificate and site plan approval prior to establishment, expansion, or conversion of any building to self-storage.
- B. **Permitted format.** Self-storage shall be permitted only as an enclosed, indoor facility within a completely enclosed building. Outdoor storage is prohibited.
- C. **Prohibited accessory activities.** The following are prohibited as part of, or accessory to, a self-storage facility:
 - (1) Outdoor storage of any kind, including but not limited to vehicles, recreational vehicles, boats, trailers, construction equipment, or materials;
 - (2) Vehicle sales, vehicle repair, detailing, or service;
 - (3) Auction operations or on-site sales events;
 - (4) Freight terminals, trucking operations, dispatch, or contractor staging;
 - (5) Residential occupancy, lodging, or overnight stays.
- D. **Minimum lot size.** A self-storage facility shall be located on a lot containing a minimum of five (5) acres.

3.6.33 Service Commercial

3.6.34 Small Cellular Telecommunication Facility

- A. **Applicability.** Small Wireless Facilities may be installed in the public right-of-way, utility easements, or on private property, subject to ORC Chapter 4939, applicable federal law, and this Section. These standards are objective and shall not be applied to prohibit or effectively prohibit service.
- B. **Preferred locations.** Co-location on existing support structures is required where feasible. New or replacement structures are permitted only where co-location is not feasible or where allowed as a lawful replacement.
- C. **Design.** Facilities shall use stealth design and minimize visual impacts by concealing equipment, conduit, and wiring to the maximum extent feasible, screening any ground equipment, maintaining a neat appearance, and matching the existing structure in color and scale where practicable. Signage is limited to required safety/ID.

- D. **Safety and operations.** Facilities shall not obstruct sight distance, impede pedestrian/vehicular movement, or block access to utilities, sidewalks, drainage, curb ramps, or emergency access. Lighting is prohibited except where integrated into a streetlight or required by law. Facilities shall not produce noise audible at the property line, shall meet applicable codes, and shall not interfere with public safety communications.
- E. **Abandonment and/or removal.** Facilities unused for twelve (12) months shall be removed within one hundred eighty (180) days after Township notice, unless extended for transfer or coordinated removal.
- F. **Definitions and administration.** Terms shall have the meanings in ORC Chapter 4939. Complete applications shall be acted upon within applicable state and federal timeframes.

3.6.35 Tattoo Studio

3.6.36 Telecommunications Tower

- A. **Applicability.** This Section regulates telecommunications towers and related facilities to the fullest extent permitted by law. Telecommunications towers proposed in residential zoning districts shall be reviewed and processed in accordance with ORC 519.211, as amended. Nothing in this Section shall be construed to conflict with applicable federal law, including FCC regulations.
- B. **Residential notice and review.** Where required by ORC 519.211, the applicant shall provide certified-mail notice to the Township and affected property owners, and the application shall be subject to Board of Zoning Appeals review and procedures in accordance with ORC 519.211.
- C. **Standards.** All towers subject to Township review shall comply with the following:
 - (1) Co-location. Existing towers and structures shall be used to the maximum extent feasible, including modification where feasible.
 - (2) Siting. The proposed location shall be the least intrusive feasible option, with preference for nonresidential zoning districts where practicable.
 - (3) Lighting. Prohibited unless required by the FAA or other authority having jurisdiction.
 - (4) Setbacks. Minimum 100 feet from all lot lines, unless reduced based on documented engineering addressing fall-zone and safety impacts.
 - (5) Screening. Equipment areas shall be screened from adjacent residentially zoned or used properties.
 - (6) Agency Compliance. The applicant shall provide evidence of compliance with applicable FAA/FCC requirements and other required approvals.
 - (7) Removal. Facilities shall be removed within twelve (12) months after cessation of operations upon written Township notice; a decommissioning plan and owner/operator contact information shall be provided.
 - (8) Access. Access drives and equipment areas shall maintain safe emergency and maintenance access.

- (9) Signage. Limited to safety, warning, and identification signage.
- D. **Expert review.** The Township may retain qualified experts to review technical submissions at the applicant's expense, limited to reasonable and necessary costs consistent with applicable law.
- E. **Micro antennas / small wireless.** Micro antennas on existing structures are permitted when concealed to the maximum extent feasible. Small wireless facilities in the public right-of-way shall comply with Section 3.5.34 and ORC Chapter 4939.

3.6.37 Tobacco Retail

- A. **Tobacco retail quantity restriction.** Only 1 Tobacco Retail establishment shall be allowed per every 10,000 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.

3.6.38 Type-A Family Day Care Home

3.6.39 Type-B Family Day Care Home

3.6.40 Vendor Market

- A. **Zoning certificate required.** A Zoning Certificate is required for a vendor market operating on private property for more than ten (10) days in any calendar month on the same site.
- B. **Compliance required.** All vendors shall comply with applicable federal, state, county, and Township requirements, including any required health department licensing.
- C. **Safety and access.** Vendor markets shall not block required parking, drive aisles, fire lanes, sidewalks, building entrances, or required access for emergency vehicles.
- D. **Parking and circulation.** Adequate on-site parking and circulation shall be provided to prevent spillover parking or queuing onto public roads.

3.7 INSTITUTIONAL & PUBLIC USES

3.7.1 Active Park & Recreational Facility

3.7.2 Cemetery

- A. **Minimum lot area.** Cemeteries shall have a minimum lot area of 20 acres.
- B. **Minimum setbacks.** All chapels, mausoleums, accessory structures, or other structures associated with cemeteries shall be located a minimum of 100 feet from all lot lines in or abutting a residential zoning district.
- C. **Setbacks apply to gravestones and grave markers.** Gravestones or grave markers shall meet applicable setback requirements.

3.7.3 Educational Facility: Higher Learning

- A. **Minimum setbacks.** All buildings, activity areas, and parking areas shall be set back a minimum of 50 feet from all lot lines when located within or adjacent to a residential zoning district.

3.7.4 Educational Facility: Non-Higher Learning

- A. **Minimum setbacks.** All buildings, activity areas, and parking areas shall be set back a minimum of 50 feet from all lot lines when located within or adjacent to a residential zoning district.

3.7.5 Essential Service or Utility

3.7.6 Government & Public Use

3.7.7 Hospital

3.7.8 Indoor Recreational Facility

3.7.9 Nature Park & Conservation Area

3.7.10 Private Recreational Facility

3.7.11 Religious Place of Worship

- A. **Minimum setbacks.** All buildings, activity areas, and parking areas shall be set back a minimum of 50 feet from all lot lines when located within or adjacent to a residential zoning district.

3.7.12 Solid Waste Disposal or Transfer Facility

3.8 ACCESSORY BUILDINGS, FEATURES & USES

3.8.1 Applicability

- A. **Zoning certificate required.** Except where exempted in Subsection 6.3.2 – Zoning Certificate, accessory buildings and uses shall require an approved Zoning Certificate.
- B. **Dimensional standards.** In addition to dimensional standards provided within this Subsection, accessory buildings, features, and uses shall be subject to any dimensional standards that apply to principal buildings and principal uses on the lot, except where the accessory building, feature, or use is explicitly exempted.
- C. **Use-specific standards.** All accessory buildings, features, and uses shall be subject to the applicable use-specific standards provided in Article 3 of this Resolution.
- D. **Interpretation of undefined accessory buildings and uses.** A proposed accessory building, feature, or use that is not defined within this Resolution shall be interpreted by the Zoning Administrator according to the provisions of Subsection 3.1.3 – Interpretation of Uses.
- E. **Nonconforming accessory buildings and uses.** Nonconforming accessory buildings, features, and uses shall be subject to the provisions of Article 5 – Nonconformities.

3.8.2 General Provisions for Accessory Buildings, Features, and Uses

- A. **Uses restricted.** Accessory buildings, features, and uses shall only be allowed on a lot if they are classified as being customarily associated with the established uses and/or buildings on the lot per the provisions of Subsection 3.1.3 – Interpretation of Uses.
- B. **Locations restricted.** All accessory buildings, features, and uses:
 - (1) Shall be located within a rear yard, except where explicitly exempted from this standard;
 - (2) May be located within a side yard of corner lots;
 - (3) May be located in the front yard of a double frontage lot where such yard abuts the rear elevation of the principal building on the lot;
 - (4) Shall be located on the same lot as the associated principal use;
 - (5) Shall not be located in any open space area that is preserved by covenant including, but not limited to, open spaces in any Planned District; and
 - (6) Shall not block required parking.
- C. **Exemptions from location restrictions.** The following exemptions from the location restrictions apply to specified accessory buildings, features, and uses:
 - (1) Detached garages may be located in a side yard provided they shall not protrude further into the front yard than the front building line of the principal building on the lot.

- (2) Accessory buildings, features, and uses may be located in any yard where such building or use is set back 200 feet or more from a right-of-way and is 50 feet from all property lines.
- D. **Size restricted.** Any individual accessory building, feature, and/or use:
 - (1) Shall not occupy more surface area of a given lot than the associated principal use;
 - (2) Shall not, in combination with others on the lot, collectively occupy more than 30% of the surface area of lot, except where specific accessory buildings and uses are explicitly exempted from counting towards this standard;
 - (3) Shall not be larger in floor area or taller in height than the principal building; and
 - (4) Shall be subordinate in purpose to the principal building or principal use.

3.8.3 Reclassification of Accessory Buildings to Principal Buildings

- A. **Applicable dimensional standards.** If an accessory building is reclassified as a principal building or as part of a principal building, such building shall be required to comply with applicable dimensional standards of the zoning district. A Zoning Certificate shall not be approved if alterations would create a non-compliant principal building.
- B. **Construction of enclosed, connecting addition.** An accessory building shall be reclassified as part of a principal building if the former accessory building is connected to the principal building by a permanently enclosed porch, enclosed walkway, enclosed breezeway, or similar enclosed structure.
- C. **Demolition of principal building.** An accessory building shall be reclassified as a principal building if the former principal building on a given lot is demolished and not rebuilt or destroyed and not repaired with such rebuilding or repairing activities commencing within 1 year from the date of demolition or destruction.
- D. **Construction of addition.** A building or feature that is defined as accessory shall instead be considered an attached expansion of a principal building if the proposed building or feature is an integral part of the principal building. An integral part of a principal building includes any portions of the building that are contiguous or abutting and that are not separated by unimproved land, an open porch, an open walkway, an open breezeway, or other similar open structure.

3.8.4 Permissions for Accessory Buildings, Features, and Uses

- A. **Comprehensive use table.** Accessory buildings, features, and uses shall be allowed as provided per Subsection 3.1.4 – Comprehensive Use Permissions.
- B. **By-right uses as accessory uses.** Uses that are allowed by-right per the provisions of Table 3.1.4-A: Comprehensive Use Permissions may also be allowed as accessory uses on a given lot if the Zoning Administrator determines such use is customarily associated with the principal use per Subsection 3.1.3 – Interpretation of Uses.
- C. **Exempted uses as accessory uses.** Uses that are exempt from requiring a zoning certificate per Subsection 6.3.2 – Zoning Certificate may also be allowed as accessory uses on a given

lot if the Zoning Administrator determines such use is customarily associated with the principal use per Subsection 3.1.3 – Interpretation of Uses.

- D. **Conditional uses as accessory uses.** Uses that are identified as being conditionally allowed per Table 3.1.4-A: Comprehensive Use Permissions within a given zoning district shall only be permitted as an accessory building, feature, or use if:
 - (1) The Zoning Administrator determines such use is customarily associated with the principal use per Subsection 3.1.3 – Interpretation of Uses; and
 - (2) The use receives approval of a conditional use permit per the provisions this Resolution.
- E. **Prohibited accessory buildings and uses.** Uses prohibited by Table 3.1.4-A are also prohibited as accessory buildings, features, or uses. Quonset huts, steel arch buildings, inflatable, portable, or temporary garages or carports, portable containers, converted storage/shipping containers, and converted semi-tractor trailers are prohibited in all zoning districts.

3.8.5 Accessory Dwelling Unit

- A. **Allowed location and number of accessory dwelling units.** Up to one accessory dwelling unit shall be allowed per lot in residential zoning districts and in zoning districts where a principal dwelling unit is permitted, subject to the standards of this Section.
- B. **Prohibited locations.** Accessory dwelling units are prohibited in the following zoning districts:
 - (1) Light Intensity Industry (LIT);
 - (2) Greenspace, Open Space, Recreation (GOR); and,
 - (3) Sanitary Landfill (SLF).
- C. **Residential zoning districts.** Accessory dwelling units within residential zoning districts:
 - (1) May be created through new construction, conversion of an existing structure, addition to an existing structure, or conversion of a qualifying existing house to a garden cottage while simultaneously constructing a new primary dwelling on the site; and,
 - (2) Are exempt from the residential density standards of this Zoning Resolution; and,
 - (3) Shall not have a separate address from the principal dwelling unit on the lot.
- D. **Commercial zoning districts.** Accessory dwelling units within commercial zoning districts:
 - (1) Shall be located on the same lot as the principal use; and
 - (2) May be located in a separate building from the principal building.

3.8.6 Accessory Off-Street Parking

- A. **Parking threshold.** Accessory off-street parking area(s) having more than 1,800 square feet of area and/or 5 or more parking spaces require the submission of a Master Parking Plan.

3.8.7 Short-Term Rentals

- A. **Regulation by Rental Registration Program.** Bed & Breakfast Establishments, short-term rentals, and transient vacation rentals are not regulated by the Colerain Township Zoning Resolution. Oversight of such uses is provided exclusively through the Township's Rental Registration Program, administered by the Police Department in accordance with Township policy and procedures.
- B. **Registration requirement.** All property owners who intend to operate a Bed & Breakfast Establishment, short-term rental, or transient vacation rental must complete all required forms and comply with all fees and requirements of the Township's Rental Registration Program. No property may be used for such purposes unless and until a valid registration has been obtained, and the property must remain in compliance with all registration requirements at all times in order for the registration to remain valid.
- C. **Administration.** The Township Administrator, or a designated representative, shall be responsible for administering the Rental Registration Program for Bed & Breakfast Establishments, short-term rentals, and transient vacation rentals, including establishing and collecting applicable fees and ensuring compliance with all program requirements.

3.8.8 Carports

- A. **Location standards – attached.** Carports which are permanently affixed to the principal structure shall be located in the rear or side yards, but outside of the required rear yard and required side yard.
- B. **Location standards – detached.** Carports which are not permanently affixed to the principal structure shall be located in the rear yard only.
- C. **Construction.** Carports must be constructed of a rigid material.
- D. **Compatibility.** Carports attached to the existing principal structure must be architecturally compatible with said principal structure.
- E. **Prohibited locations.** Carports shall be prohibited in commercial districts or upon commercially used lots in residential districts.

3.8.9 Decks, Porches, or Concrete Pads

- A. **Concrete pads.** Concrete pads may be built to the property line, so long as all applicable impervious surface ratio requirements are met.
- B. **Detached decks and porches.** Decks or porches in rear yards that are not attached to a primary or accessory structure, whether covered or uncovered, shall be considered accessory structures and shall meet the applicable accessory structure requirements of this Resolution.
- C. **Attached uncovered decks and porches.** Decks or porches in side or rear yards that are uncovered and attached to a primary or accessory structure shall be considered accessory structures and shall meet the applicable accessory structure requirements of this Resolution.

- D. **Attached covered decks and porches.** Decks or porches in side or rear yards that are covered and attached to a primary or accessory structure shall be considered additions and shall meet the applicable site development standards of this Resolution.
- E. **Front porches and decks.** Decks or porches that are built on the front of a primary structure shall not protrude further than ten feet into the front yard of the property and shall meet the applicable site development standards of this Resolution.

3.8.10 Electric Vehicle Charging Stations

- A. **Applicability.** Any off-street parking space may be equipped with an electric vehicle charging station.
- B. **Impact.** The presence of an electric vehicle charging station shall not impact the principal use of a lot.
- C. **Use determination.** An electric vehicle charging station shall be considered an accessory use of a parking lot, a parking structure, or a side yard or rear yard parking pad.

3.8.11 Home Occupation

- A. **Purpose.** Home occupations are permitted to support remote work and small-scale business activity that is incidental to residential living and maintains the appearance and function of a dwelling.
- B. **Eligibility.** A home occupation shall be conducted only within a dwelling unit or an accessory structure on the same lot and shall be operated by a resident of the dwelling as their primary residence.
- C. **Scale and intensity.** A home occupation shall remain clearly subordinate to the residential use of the property and shall not occupy more than 25% of the gross floor area of the dwelling and accessory structures combined.
- D. **Neighborhood compatibility.** A home occupation shall not:
 - (1) Create noise, vibration, glare, fumes, or other nuisance impacts detectable beyond the property line;
 - (2) Include outdoor storage or outdoor display of materials, equipment, or merchandise;
 - (3) Require parking in excess of what is customarily provided for a dwelling, or create regular parking conflicts on adjacent streets; or
 - (4) Involve the dispatching of employees or vehicles from the site as a place of assembly.
- E. **Customers and deliveries.** Customer visits are permitted by appointment only, provided they remain incidental and do not create operational impacts. Deliveries shall be limited to typical residential carrier service.
- F. **Employees.** No more than one (1) non-resident employee may be on-site at any time.
- G. **Prohibited home occupations.** The following are prohibited as home occupations:
 - (1) Vehicle repair or automotive body work;
 - (2) Outdoor storage, salvage, or equipment yards;

- (3) Uses requiring industrial ventilation or processing equipment; and
- (4) Any illegal activity.
- (5) Uses that involve controlled substances.

3.8.12 Outdoor Sales & Storage

- A. **Applicability.** This Subsection applies to any outdoor area used for the sale, display, or storage of goods or materials as part of a nonresidential use, except where such area has been approved as part of an approved site plan or development plan.
- B. **Prohibited locations.** Outdoor sales and storage shall not be located within the public right-of-way, required setbacks, required buffers, required landscaping areas, required parking spaces, fire lanes, drive aisles, sight-distance triangles, sidewalks, or other required pedestrian routes.
- C. **Residential lots.** Outdoor sales and storage are prohibited on lots used primarily for one-unit or two-unit dwellings, except for the noncommercial sales of personal household items.
- D. **Zoning Certificate required.** A Zoning Certificate shall be required prior to establishing or expanding an outdoor sales or storage area. The application shall include a site plan identifying the location and extent of the proposed area.
- E. **Outdoor dining.** Outdoor dining areas accessory to a restaurant or food service use are permitted and shall not obstruct required access, circulation, or fire lanes.

3.8.13 Private Kennel

- A. **Yard requirement.** Exterior enclosures shall be located in the rear yard.
- B. **Minimum setbacks.** All indoor animal care areas and outdoor activity areas shall be located a minimum of 50 feet from any residentially zoned lot line, and a minimum of 20 feet from all other lot lines.

3.8.14 Radio Antenna: Non-Commercial

- A. **Zoning certificate exemption.** No Zoning Certificate shall be required for a non-commercial radio antenna.
- B. **Maximum height.** Amateur radio antennas are permitted as an accessory structure in residential zoning districts. Antennas shall comply with the maximum height of the applicable zoning district, except that the Township shall reasonably accommodate amateur radio communications consistent with federal law.
- C. **Minimum setbacks.** Antennas shall be set back from all lot lines a minimum distance equal to the height of the antenna.

3.8.15 Roadside Stand

- A. **Operation limits.** A use shall only qualify as a roadside stand if 25% or more of the gross income received from the stand is derived from produce raised on farms owned or operated by the market operator in a normal crop year.

- B. **Maximum size.** The structure shall not exceed 1200 square feet in area.
- C. **Required setbacks.** The structure and any parking associated with a roadside stand shall be set back at least 20 feet from all lot lines.

3.8.16 Satellite Dish Antenna

- A. **Exempt antennas.** Satellite dish antennas forty (40) inches or less in diameter shall be permitted in all zoning districts and shall not require a Zoning Certificate.
- B. **Large ground-mounted antennas.** Ground-mounted satellite dish antennas greater than forty (40) inches in diameter shall require a Zoning Certificate and shall be located in the rear yard and set back a minimum of 10 feet from all lot lines.
- C. **Federal compliance.** This Section shall be interpreted and applied in a manner consistent with applicable federal requirements for over-the-air reception devices.

3.8.17 Solar Panels

- A. **Permitted.** Solar energy equipment is permitted as an accessory use in all zoning districts where the principal use is permitted.
- B. **Installation.** Solar energy equipment shall be installed and maintained in compliance with applicable building and electrical codes and manufacturer specifications.
- C. **Roof-mounted systems.** Roof-mounted solar panels shall not extend above the ridgeline of the roof.
- D. **Ground-mounted systems.** Ground-mounted solar panels shall not exceed 20 feet in height and shall comply with applicable accessory structure setback requirements of the zoning district.
- E. **Removal.** Solar energy equipment that is nonfunctioning or abandoned for 12 consecutive months shall be removed within 90 days after notice by the Township.

3.8.18 Small Wind Energy Conversion System

- A. **Permitted.** Small Wind Energy Systems are permitted as an accessory use in zoning districts where the principal use is permitted, subject to the standards of this Section.
- B. **Zoning Certificate required.** A Zoning Certificate shall be required prior to installation.
- C. **Height and setbacks.** A Small Wind Energy System shall not exceed 60 feet in total height and shall be set back from all lot lines a minimum distance equal to the total height of the system.
- D. **Lighting.** Lighting is prohibited except as required by the FAA.
- E. **Abandonment and removal.** A system that is nonfunctioning or abandoned for 12 consecutive months shall be removed within 90 days after notice by the Township.

3.8.19 Swimming Pool, Lake, or Bathhouse

- A. **Location.** Outdoor swimming pools shall be located in the rear yard.

- B. **Setbacks.** Outdoor swimming pools shall be set back a minimum of 10 feet from all lot lines. Setbacks shall be measured from the property line to the nearest water's edge.
- C. **Height.** Pool walls, decks, and associated enclosures and appurtenances shall not exceed 6 feet above finished grade, except as otherwise permitted by applicable building codes.
- D. **Septic systems.** Outdoor swimming pools shall not be constructed over septic tanks, leach fields, or other on-site sewage disposal components.

3.8.20 Wood Furnace: Outdoor

- A. **Setbacks.** An outdoor wood furnace shall be located a minimum of 25 feet from all lot lines and 100 feet from any dwelling on an adjoining lot.
- B. **Chimney.** The chimney shall have a minimum height of 20 feet above grade.

3.9 TEMPORARY BUILDINGS & USES

3.9.1 Applicability

- A. **Zoning Certificate required.** Except as provided in Subsection 6.3.2 – Zoning Certificate, all temporary buildings, structures, and uses shall require an approved Zoning Certificate.
- B. **Use-Specific provisions.** Certain temporary uses may be subject to additional standards elsewhere in this Resolution. Where a conflict exists between the provisions of this Section and any other section of the Zoning Resolution, the more restrictive standard shall apply.

3.9.2 General Time Limits

- A. **Standard limitations.** Unless otherwise provided by this Section, a temporary building, structure, or use shall be allowed on a given lot for no more than 30 consecutive calendar days.

3.9.3 Authorization of Temporary Uses

- A. **Comprehensive Use Table reference.** All temporary uses shall be reviewed in relation to Table 3.1.4-A: Comprehensive Use Permissions.
- B. **Temporary use of permitted uses.** Uses permitted by right may be allowed temporarily if:
 - (1) The Zoning Administrator determines the use is customarily associated with the principal use; and
 - (2) The use receives a Zoning Certificate.
- C. **Exempted uses.** Uses exempted from requiring a Zoning Certificate may still be subject to inspection and enforcement if established as a temporary use.
- D. **Temporary conditional uses.** Uses designated as conditional in Table 3.1.4-A shall only be permitted temporarily if:
 - (1) They are customarily associated with the principal use; and
 - (2) A Conditional Use Permit is approved by the Board of Zoning Appeals.
- E. **Prohibited uses.** Uses prohibited within a zoning district shall not be authorized as a temporary use.

3.9.4 Temporary Structures and Site Requirements

- A. **Site plan required.** A site plan shall be submitted for all temporary structures or uses, identifying:
 - (1) Location of all temporary uses and/or elements;
 - (2) Parking and access routes;
 - (3) Clearance from fire lanes, hydrants, circulation, sidewalks, and utilities.
- B. **Safety standards.** All temporary structures shall comply with fire code, building code, and health department regulations. Electrical connections and sanitation facilities shall be installed per applicable code.

- C. **Removal and restoration.** All temporary structures, signs, equipment, and refuse shall be removed, and the site restored to its original condition within 48 hours of permit expiration unless otherwise approved by the Zoning Administrator.

3.9.5 One-Time Special Events

- A. **Purpose.** One-Time Special Events provide a streamlined temporary use permit for short-term events involving multiple temporary structures or activities such as food trucks, tents, signage, restrooms, dumpsters, or live entertainment.
- B. **Permit requirements.**
- (1) A Zoning Certificate shall be required and shall serve as consolidated approval for all temporary structures and signs included in the event.
 - (2) The event shall not exceed 7 consecutive calendar days, including setup and takedown, unless an extension is granted by the Zoning Administrator.
 - (3) A site plan.
 - (4) Upon application, applicants shall provide evidence of property owner consent and health/fire department approvals if applicable.
- C. **Included elements.** The OTSE permit shall cover the following, without separate daily fees or separate permits:
- (1) Food trucks and temporary food service
 - (2) Portable sanitation and waste containers
 - (3) Temporary stages, tents, and similar installations
 - (4) Temporary signs, when permitted as part of an approved One-Time Special Event, shall be exempt from the requirements of Table 4.8.3-L. Instead, such signs shall not exceed 25 square feet per acre of event space, shall be located outside of the public right-of-way, and shall be identified and dimensioned on the required site plan submitted with the OTSE application.
 - (5) A property may receive no more than forty-two total days of OTSE permits per calendar year unless otherwise approved by the Board of Zoning Appeals.
 - (6) OTSE permits shall not be used to avoid requirements for permanent site improvements or repeated use authorizations.
 - (7) Activities not part of an approved OTSE shall be subject to all standard temporary structure limits and the Colerain Township Zoning Fee Schedule.
- D. **Fees and enforcement.**
- (1) OTSE permits shall be subject to a flat fee as adopted by the Board of Trustees.
 - (2) Failure to remove temporary installations or comply with approved site plans may result in fines, revocation, or denial of future permits.

3.9.6 Charitable Donation Container

- A. **Annual Zoning Certificate required.** A charitable donation container shall require an annual Zoning Certificate prior to placement and operation on any lot.
- B. **Permitted locations.** Charitable donation containers are permitted only on nonresidentially used lots containing an existing lawful principal use, including an approved conditional use or a legally nonconforming conditional use. Charitable donation containers are prohibited on vacant lots and on lots containing a vacant principal building.
- C. **Location standards.** Charitable donation containers shall not be located within the public right-of-way, required buffers, fire lanes, drive aisles, accessible routes, or required parking spaces, and shall not obstruct safe pedestrian or vehicular circulation.
- D. **Quantity.** No more than two (2) charitable donation containers shall be permitted on any lot.
- E. **Required labeling.** Each container shall display, in a legible manner, the name and telephone number of the operator responsible for servicing the container.
- F. **Exterior dumping prohibited.** Donated materials shall be contained entirely within the container. The accumulation of items outside the container is prohibited.
- G. **Maintenance and removal.** Charitable donation containers shall be maintained free of litter and overflow. Upon notice by the Township, the operator and/or property owner shall service or remove the container and any associated debris within seventy-two (72) hours.

3.9.7 Temporary Entertainment Building

- A. **Zoning Certificate required.** A Zoning Certificate shall be required prior to the placement or operation of any Temporary Entertainment Building, except:
 - (1) A Temporary Entertainment Building approved as part of a OTSE shall not be required to obtain a separate Zoning Certificate.
- B. **Permitted locations.** Temporary Entertainment Buildings are permitted only on lots containing an existing lawful principal use, or as part of a Township-approved special event.
- C. **Location standards.** Temporary Entertainment Buildings shall not be located within the public right-of-way, required setbacks, required buffers, fire lanes, drive aisles, accessible routes, or required parking spaces unless otherwise approved as part of the Zoning Certificate.
- D. **Duration.** A Temporary Entertainment Building shall be permitted for a maximum of thirty (30) days, with one (1) administrative extension of up to thirty (30) additional days.
- E. **Removal.** All temporary structures, equipment, and associated materials shall be removed within seven (7) days following the end of the approved period.

3.9.8 Temporary Incidental Construction Building

- A. **Zoning Certificate required.** A Zoning Certificate shall be required prior to the placement or operation of any Temporary Incidental Construction Building, except:

- (1) A Temporary Incidental Construction Building approved as part of a OTSE shall not be required to obtain a separate Zoning Certificate.
- B. **Applicability.** Temporary Incidental Construction Buildings are permitted only in connection with an active, valid building permit, zoning approval, or approved site improvement project on the same lot.
- C. **Location standards.** Temporary Incidental Construction Buildings shall not be located within the public right-of-way, required setbacks, required buffers, fire lanes, drive aisles, accessible routes, or required parking spaces.
- D. **Duration.** Temporary Incidental Construction Buildings may remain on-site for the duration of active construction and shall be removed within thirty (30) days following final inspection, certificate of occupancy, or completion of the approved work, as applicable.

3.9.9 Temporary Storage Container

- A. **Zoning Certificate required.** A Zoning Certificate shall be required prior to the placement of any Temporary Storage Container, except:
 - (1) A Temporary Storage Container approved as part of a OTSE shall not be required to obtain a separate Zoning Certificate.
 - (2) A Temporary Storage Container placed on a lot for fewer than fourteen (14) consecutive days shall not require a Zoning Certificate.
- B. **Permitted locations.** Temporary Storage Containers are permitted only on lots containing an existing lawful principal use.
- C. **Location standards.** Temporary Storage Containers shall not be located within the public right-of-way, required setbacks, required buffers, fire lanes, drive aisles, accessible routes, or required parking spaces, and shall not obstruct safe pedestrian or vehicular circulation.
- D. **Duration.** Temporary Storage Containers shall be permitted for a maximum of:
 - (1) thirty (30) days on lots in residential zoning districts; and
 - (2) ninety (90) days on lots in nonresidential zoning districts.
- E. **Extensions.** One (1) administrative extension may be approved where associated with active construction, restoration, or similar temporary conditions.
- F. **Removal.** Temporary Storage Containers shall be removed within seven (7) days following expiration of the approved period.

3.9.10 Temporary Tent for Outdoor Displays or Sales

- A. **Zoning Certificate required.** A Zoning Certificate shall be required prior to the placement or operation of any Temporary Tent for Outdoor Displays or Sales, except:
 - (1) A Temporary Tent for Outdoor Displays or Sales approved as part of a OTSE shall not be required to obtain a separate Zoning Certificate.
- B. **Permitted locations.** Temporary Tents for Outdoor Displays or Sales are permitted only on lots containing an existing lawful principal use in nonresidential zoning districts.

- C. **Location standards.** Temporary tents and associated display areas shall not be located within the public right-of-way, required setbacks, required buffers, fire lanes, drive aisles, accessible routes, or required parking spaces unless otherwise approved as part of the Zoning Certificate.
- D. **Duration.** Temporary tents for outdoor displays or sales shall be permitted for a maximum of fourteen (14) consecutive days, with a maximum of sixty (60) total days per calendar year per lot.
- E. **Removal.** All tents, display materials, and associated equipment shall be removed within forty-eight (48) hours following the end of the approved period.

4 Development Design Standards

4.1 GENERAL PROVISIONS

4.1.1 Performance Standards

- A. **Applicability.** All uses established or placed into operation on or after the effective date of this Resolution shall comply with the performance standards in this Subsection 4.1.1. No use in existence prior to the effective date of this Resolution shall be altered or modified in a manner that conflicts with these standards.
- B. **General standards.** All uses shall conform to the standards of the Ohio Environmental Protection Agency regarding glare, heat, exterior light, liquid or solid wastes, vibrations, and noise.
- C. **Glare, heat, and exterior light.** Any operation producing intense light or heat, such as high temperature processing, combustion, welding, or other, shall be performed within an enclosed building and shall not be visible beyond any lot line bounding the subject lot.
- D. **Liquid or solid waste.** No use shall discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, any materials of such nature or temperature as can contaminate any water supply or interfere with bacterial processes in sewage treatment.
- E. **Vibrations and noise.** No uses shall be located – and no equipment shall be installed – in such a way as to produce intense, earth-shaking vibrations which are discernible without instruments at or beyond the property line of the subject lot.

4.2 BUILDINGS & LOTS

4.2.1 General Provisions

- A. **Modifications to parking standards.** The provisions of this Section 4.2 may be modified by the provisions of Article 3 of this Resolution.
- B. **Minimum lot width and frontage requirement.**
 - (1) All portions of every lot, including panhandle lots, shall have a minimum width of 20 feet at every point in the lot, including the street frontage, unless a reduction is permitted in accordance with the Hamilton County Subdivision Regulations.
 - (2) In addition, all lots must meet the minimum site development standards established for each zoning district.
- C. **Building setback lines.** For any irregularly shaped or situated lots where front, side, or rear lot lines are not apparent within the definitions and diagrams provided in this Resolution, building setback lines indicating such front, side, and rear setbacks shall be reviewed by the Zoning Administrator. If approved, these setbacks shall be a part of, and recorded with a plat that designates, the division of land.

4.2.2 Dimensional Standards for Buildings and Lots

- A. **Comprehensive dimensional standards.** The standards in Table 4.2.2-A: Comprehensive Dimensional Standards apply to all lots and all principal and accessory structures unless otherwise specified.
- B. **Modification of standards based on lot type or private drive.** The standards in Table 4.2.2-A: Comprehensive Dimensional Standards may be modified by the provisions of this Resolution.
- C. **Certain encroachments allowed.** Specified types of buildings and elements may encroach into required setbacks per the provisions of Subsection 1.6.4 – Allowed Height Encroachments.
- D. **Maximum residential impervious lot coverage.** The following standards apply to lots improved with a one-unit dwelling or a two-unit dwelling, as specified herein:
 - (1) The maximum impervious surface coverage in the front yard on residential lots with a width of 70 feet or greater, and on panhandle lots, is 35%.
 - (2) On lots with a width of 50 - 70 feet, the maximum impervious surface coverage in the front yard is 40%.
 - (3) On lots less than 50 feet in width or on irregular-shaped lots with reduced frontage at the end of a cul-de-sac, the maximum impervious surface coverage in the front yard is 50%.
- E. **Context average.** Context average shall be calculated as the average of all adjacent properties that are:
 - (1) within 100 feet of the subject property boundaries;

- (2) in the same zoning district;
- (3) in the same character area; and
- (4) on the same street.
- (5) The single smallest outlier and single largest outlier in the results shall be excluded from the calculation.

F. Additional provisions related to Comprehensive Development Standards table.

- (1) For buildings in the MUR or NBM districts that are within 100 feet of an RER or SUR district boundary, each floor of the building above the second story must provide a minimum 10-foot setback from the exterior wall of the floor below for those walls of the building that are nearest to and roughly parallel to the RER or SUR district boundary. The effect of this requirement shall be that the upper floors (above the second floor) of buildings are stepped back successively further from property zoned RER or SUR.
- (2) All corner lots and panhandle lots created after the effective date of this Resolution must have a minimum lot area that is at least 150% of the minimum lot area required for non-corner lots or non-panhandle lots, as applicable by zoning district.
- (3) Minimum lot area for the RER, SUR, and MUR zoning districts shall be applied per dwelling unit on a lot within such zoning district.
- (4) Buildings in the MUR or NBM districts that have 3 or more stories shall provide a minimum front yard setback of 20 feet (for stories above the second floor) from the street-facing elevation(s) of the first and second floors.
- (5) Dimensional standards for accessory buildings are further regulated by the provisions of Subsection 4.2.3.
- (6) The lot coverage standards of Table 4.2.2-A may be modified by Subsection 4.2.2-D and include all buildings and impervious surfaces.

Article 4 - Development Design Standards

Table 4.2.2-A Comprehensive Development Standards		Greenspace, Open Space & Recreation	Rural-Estate Residential	Single Unit Residential	Multi-Unit Residential	Neighborhood Mixed	Avenue Mixed North	Avenue Mixed Central	Avenue Mixed South	Light Intensity Industry	Sanitary Landfill
01. Lot Size Standards		GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Minimum Lot Area	Standard Lots	1 acre	1 acre per dwelling unit	7,500 ft.² per dwelling unit	6,000 ft.² per dwelling unit	10,000 ft.²	1 acre	1 acre	1 acre	1 acre	2 acres
	Corner & Panhandle Lots	1.5 acres	1.5 acres per dwelling unit	11,250 ft.² per dwelling unit	9,000 ft.² per dwelling unit	15,000 ft.²	1.5 acres	1.5 acres	1.5 acres	1.5 acres	3 acres
Minimum Lot Width		75 feet	130 feet	<u>Lesser of</u> 60 feet or 80% of context average	<u>Lesser of</u> 50 feet or 80% of context average	<u>Lesser of</u> 50 feet or 80% of context average	75 feet	75 feet	75 feet	75 feet	150 feet
Maximum Lot Coverage		75% of total lot area	75% of total lot area	75% of total lot area	75% of total lot area	75% of total lot area	75% of total lot area	75% of total lot area	75% of total lot area	75% of total lot area	75% of total lot area
02. Setback Standards		GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Minimum Front Yard		<u>Lesser of</u> 50 feet or 80% of context average	50 feet	<u>Lesser of</u> 30 feet or 80% of context average	<u>Lesser of</u> 30 feet or 80% of context average	<u>Lesser of</u> 30 feet or 80% of context average	0 feet	0 feet	0 feet	<u>Lesser of</u> 50 feet or 80% of context average	100 feet
Minimum Side Yard	Abutting Residential	5 feet	15 feet	7.5 feet	7.5 feet	5 feet	5 feet	5 feet	5 feet	5 feet	5 feet
	Abutting Non-Residential	0 feet				0 feet	0 feet	0 feet	0 feet	0 feet	0 feet
Minimum Rear Yard	Abutting Residential	15 feet	40 feet	30 feet	20 feet	15 feet	15 feet	15 feet	15 feet	15 feet	15 feet
	Abutting Non-Residential	0 feet				0 feet	0 feet	0 feet	0 feet	0 feet	0 feet
03. Building Size Standards		GOR	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	SLF
Maximum Building Height		60 feet	3 stories	3 stories	<u>Greater of</u> 6 stories or 120% of context average	<u>Greater of</u> 6 stories or 120% of context average	60 feet	60 feet	60 feet	60 feet	60 feet
Minimum Building Size	Principal Building	N/A	900 ft.²	900 ft.²	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Accessory Dwelling Unit		400 ft.²	400 ft.²							
Minimum Length & Width	Principal Building	N/A	22 feet	22 feet	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Accessory Dwelling Unit		12 feet	12 feet							

4.2.3 Accessory Buildings and Uses

A. **Allowed accessory buildings and uses.** Accessory uses or structures will be allowed provided:

- (1) The building or use is incidental to and customarily found in connection with a principal building or principal use approved and established on the lot;
- (2) It is subordinate to and serves the principal building or use on the lot;
- (3) It is subordinate in size, height, area, and extent to the principal building or use on the lot;
- (4) It is located on the same lot as the principal use which it serves;
- (5) It receives all required permits prior to establishment and/or operation;
- (6) The cumulative footprints of all accessory buildings on a given lot shall not occupy more than 100% of the footprint of the principal building, except that in the RER zoning district, the cumulative footprints of all accessory buildings on a given lot that is greater than 2 acres in size shall not occupy more than 150% of the footprint of the principal building;
- (7) The cumulative footprints of accessory buildings on a given lot shall not occupy more than 30% of the rear yard of such lot;
- (8) All accessory buildings and uses comply with applicable district-specific and use-specific standards;
- (9) Accessory buildings and structures shall have a maximum height of 15 feet, but in no case shall the accessory building or structure exceed the height of the principal structure;
- (10) Accessory buildings and uses shall be located a minimum of 5 feet from all lot lines; 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. Detached garages shall not be permitted unless such a connection is provided.

B. **Location of accessory buildings and uses restricted.**

- (1) Unless otherwise explicitly provided, detached accessory buildings and uses may only be located in the rear yard of a lot.
- (2) Accessory buildings are prohibited in any open space areas that are preserved by covenant including, but not limited to, open spaces in any Planned District.

C. **Exceptions to accessory location restrictions.** Certain standards of Subsection 4.2.3-B may be modified for specific types of lots, accessory buildings, and accessory uses, as follows:

- (1) On a corner lot, accessory buildings and uses may be located in a side yard as illustrated in Figure 4.2.4-A - Yard Classification for Corner Lots.

- (2) On a double frontage lot, accessory buildings and uses may be located in the front yard located to the rear of the building as illustrated in Figure 4.2.4-B - Yard Classification for Double Frontage Lots.
- (3) Detached garages may be located in the side yard of any lot provided they are set back from the front building line of the principal building.
- (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 and is 50 feet from all property lines, as shown in Figure 4.2.3-A - Accessory Buildings Yard Exception.

D. **Attached versus detached accessory buildings.** Accessory buildings shall be considered attached and subject to the site development standards of the applicable zoning district rather than the provisions of this Subsection when such buildings meet any of the following criteria:

- (1) The building is an integral part of the principal building and is not separated by an open porch, walkway, breezeway, or other similar open structure; or
- (2) The building is connected by a permanently enclosed porch, walkway, breezeway, or other similar enclosed structure.

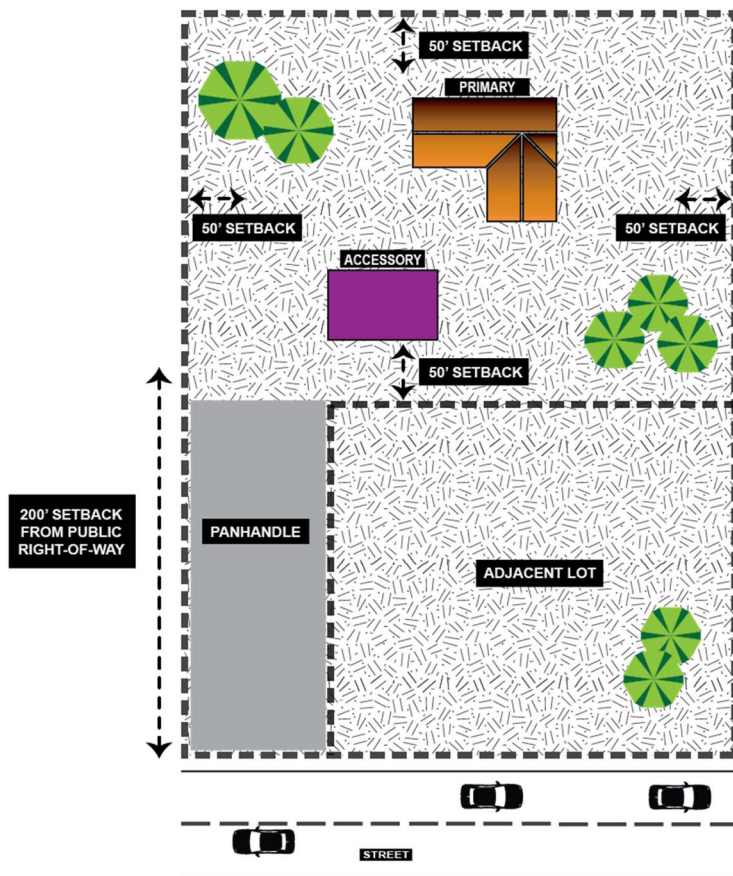


Figure 4.2.3-A. Accessory Buildings Yard Exception.

4.2.4 Lot Requirements by Lot Type

- A. **Corner lots.** For corner lots, minimum setback requirements and the classification of specific lot lines shall be as follows and as shown in Figure 4.2.4-A - Yard Classification for Corner Lots:
- (1) Where a lot is considered a corner lot, the required minimum front yard setback shall be provided from each lot line, or portion thereof, that abuts a right-of-way.
 - (2) The narrowest lot line opposite the public right-of-way shall be classified as the rear lot line. Applicable minimum rear yard setbacks shall be applied to such lot line.
 - (3) The longest lot line opposite the public right-of-way shall be the side lot line and the minimum side yard setback shall be applied.

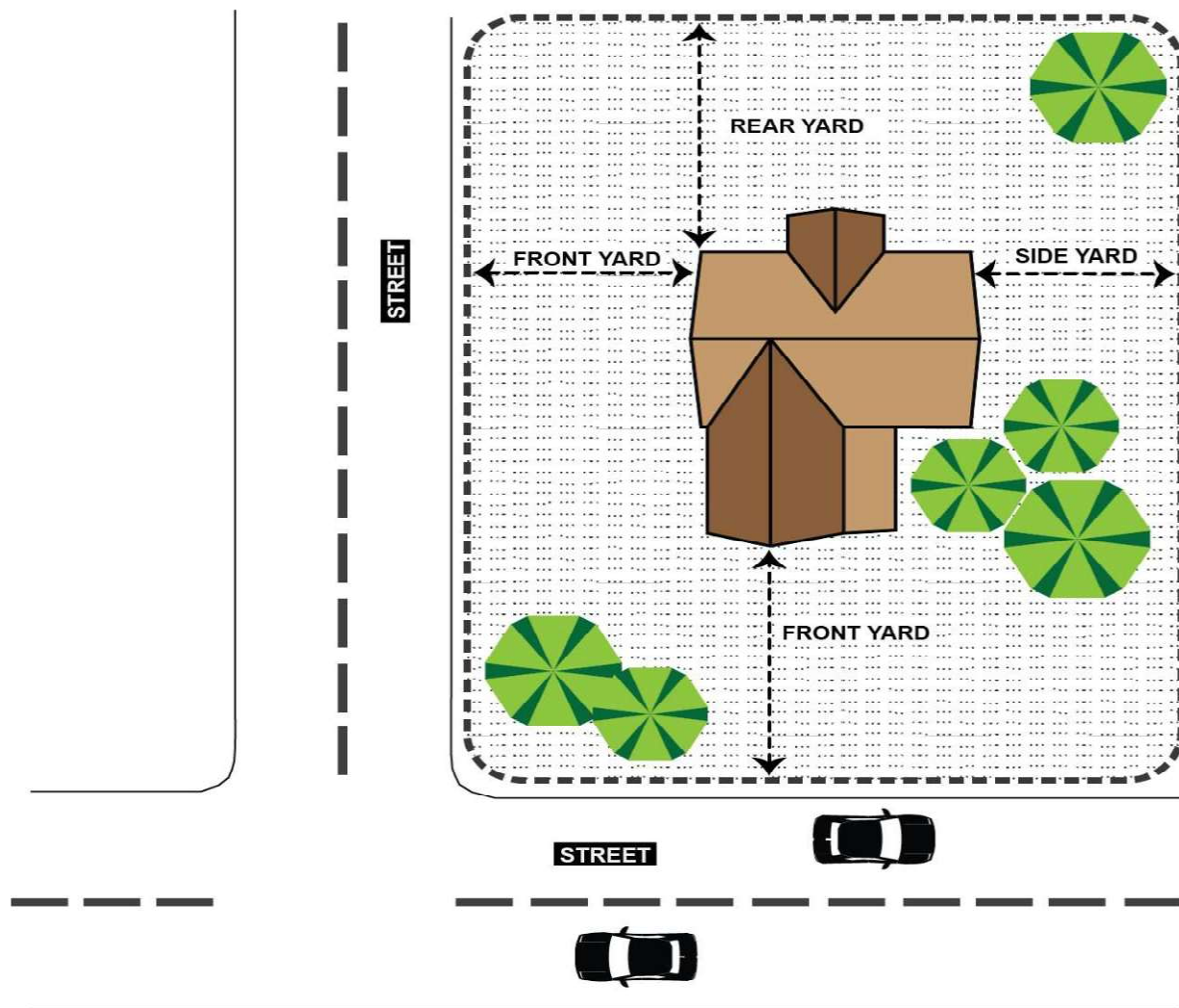


Figure 4.2.4-A. Yard Classification for Corner Lots

B. **Double frontage lots.** For double frontage lots, minimum setback requirements and the classification of specific lot lines shall be as follows and as shown in Figure 4.2.4-B - Yard Classification for Double Frontage Lots:

- (1) Where a lot is considered a double frontage lot, the required minimum front yard setback shall be provided on both streets.
- (2) The remaining lot lines not abutting a right-of-way shall be classified as side lot lines and shall have the required minimum side yard setback apply to each side lot line.

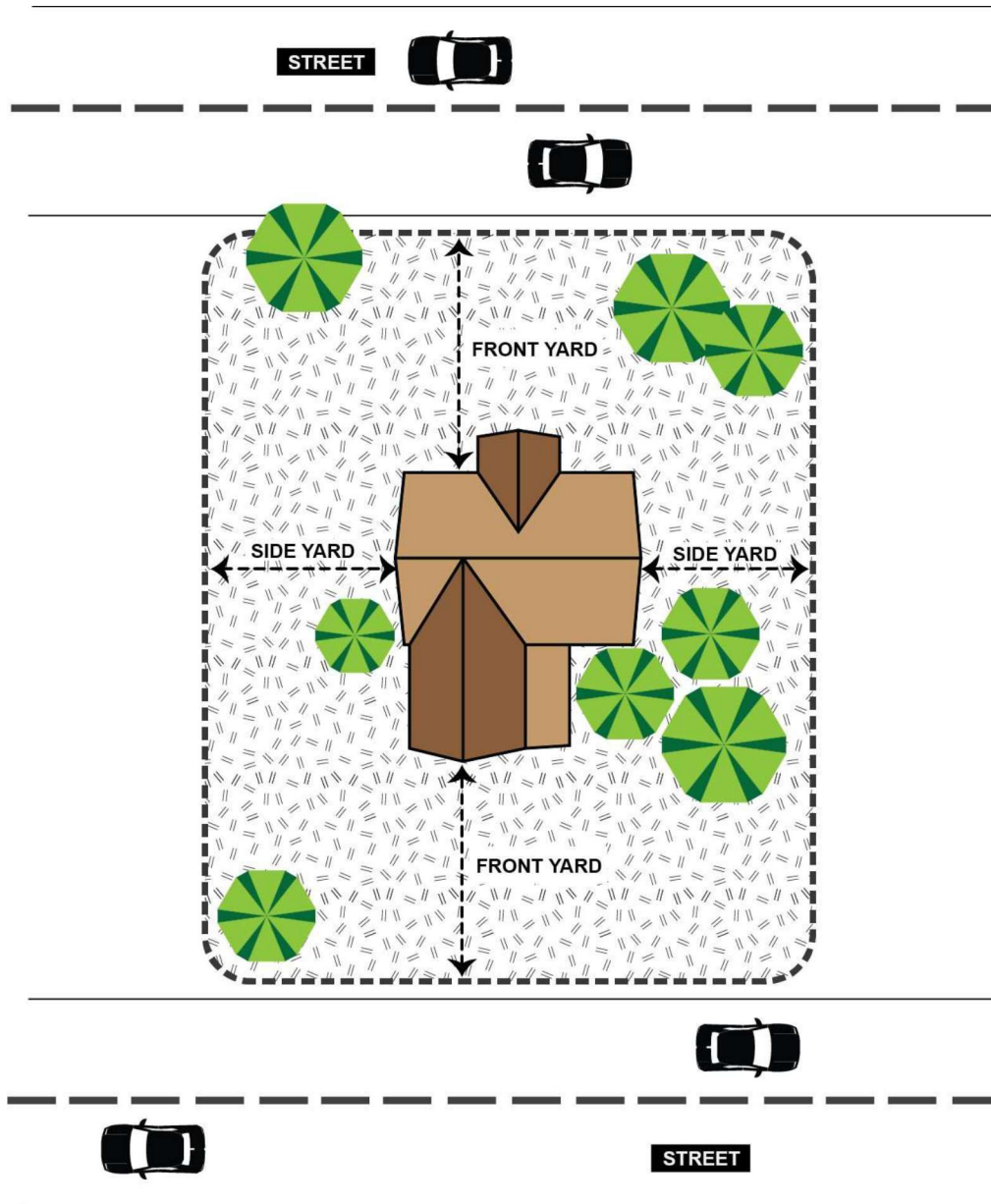


Figure 4.2.4-B. Yard Classification for Double Frontage Lots

C. **Panhandle lots.** For panhandle lots, minimum setback requirements and the classification of specific lot lines shall be as follows and as shown in Figure 4.2.4-C - Yard Classification for Panhandle Lot and Setbacks from Private Drives:

- (1) The panhandle portion of the lot shall have a minimum frontage as regulated by the Hamilton County Subdivision Regulations.
- (2) Flag or panhandle lots shall not be used to avoid the construction of a street.
- (3) The minimum front yard setback requirement shall be measured from the lot line that creates the rear lot line of the adjacent lot.
- (4) For panhandle lots that are not subject to the panhandle regulations of Subsection 4.2.5, there shall be no front yard setback requirement from the driveway or private drive that accesses less than 3 lots.
- (5) The panhandle portion of a panhandle lot shall not be used for storage, nor shall any structures be allowed in such portion of the lot.

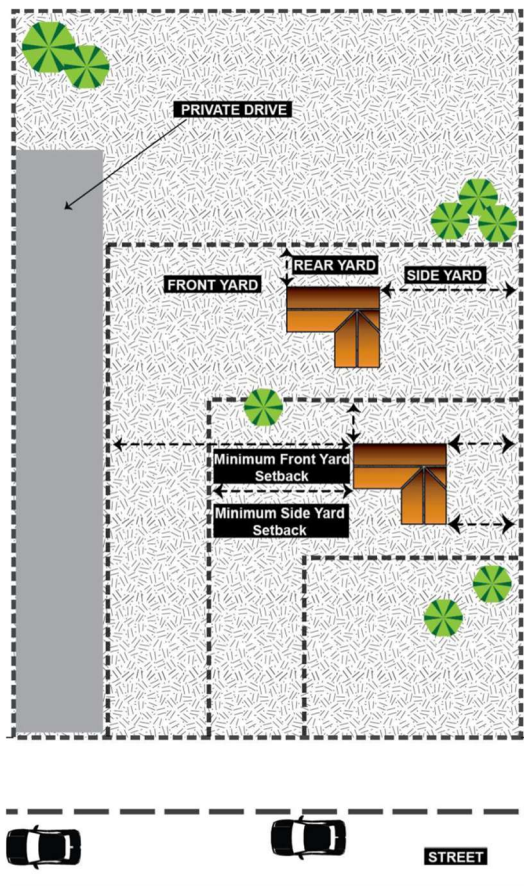


Figure 4.2.4-C. Yard Classification for Panhandle Lot and Setbacks from Private Drives

4.2.5 Setback Requirements from Private Drives

A. Applicability for certain types of private drives.

- (1) Private drives that provide access to 3 or more lots shall be considered rights-of-way for the purposes of establishing minimum setbacks and yard requirements. All lots gaining access from such a private drive shall be subject to the setback provisions of this Subsection 4.2.5.
- (2) Corner lots with one private drive frontage and one public street frontage shall not be included in the calculation for the purposes of determining the number of lots served by the private drive. Such lots shall not be subject to the requirements of this Subsection 4.2.5 unless the principal use gains primary vehicular access from the private drive.

B. Setback standards from private drives.

- (1) There shall be a minimum setback, equal to the minimum front yard setback of the applicable zoning district, between the edge of pavement of a private drive and the principal building, as shown in Figure 4.2.4-C - Yard Classification for Panhandle Lot and Setbacks from Private Drives.
- (2) There shall be a minimum setback, equal to the side yard setback of the applicable zoning district, between the principal building and the side lot line, as shown in Figure 4.2.4-C - Yard Classification for Panhandle Lot and Setbacks from Private Drives.
- (3) In all cases, the area between the building and the private drive shall be considered the front yard, as shown in Figure 4.2.4-C - Yard Classification for Panhandle Lot and Setbacks from Private Drives.
- (4) The creation of a private drive or a public street shall be designed to ensure that the minimum setback requirements of any existing buildings shall be maintained, and the new drive or street shall not create nonconforming setbacks.

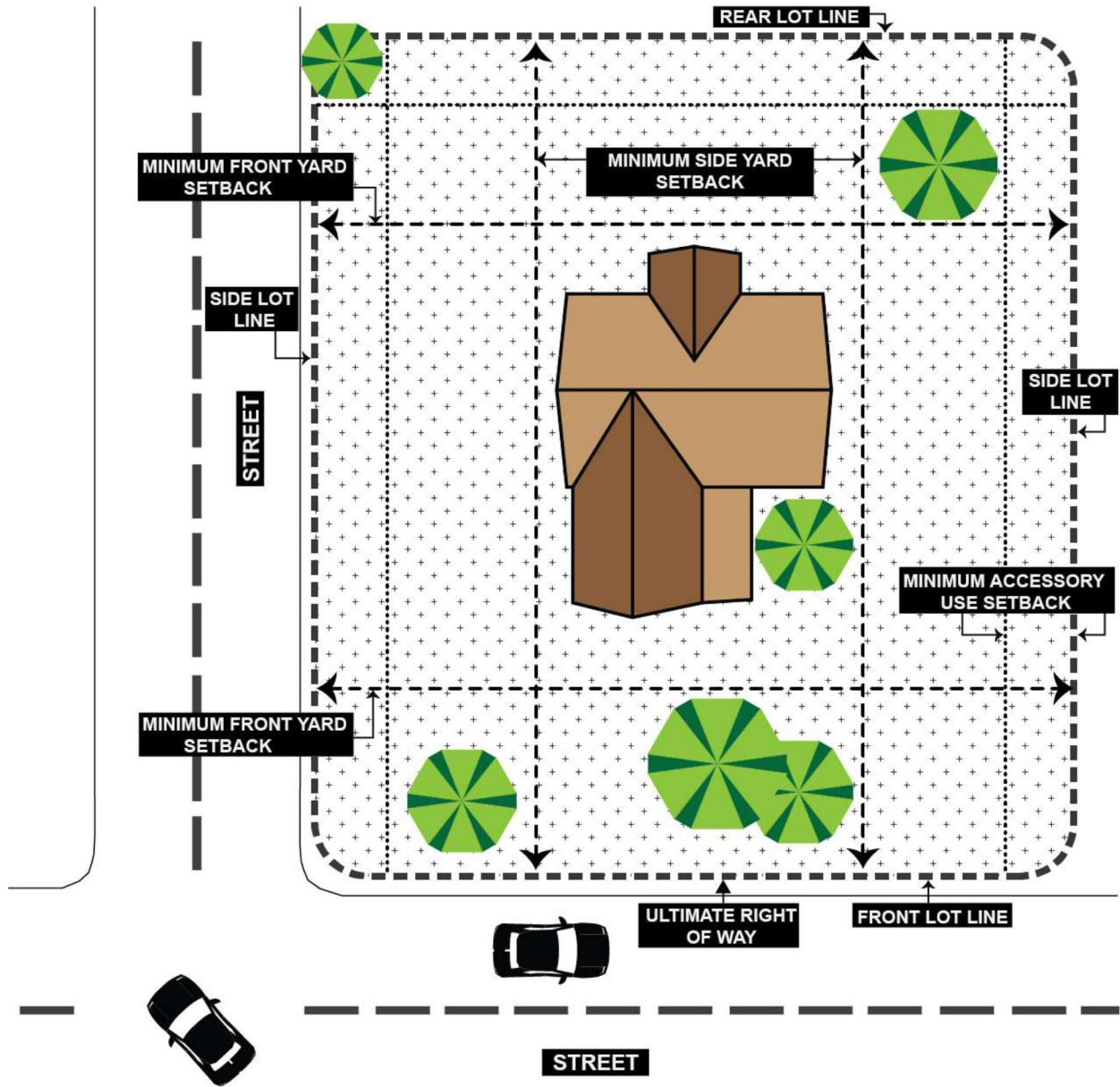


Figure 4.2.4-D. Location of Lot Lines and setbacks or Yard on a Typical Lot Diagram

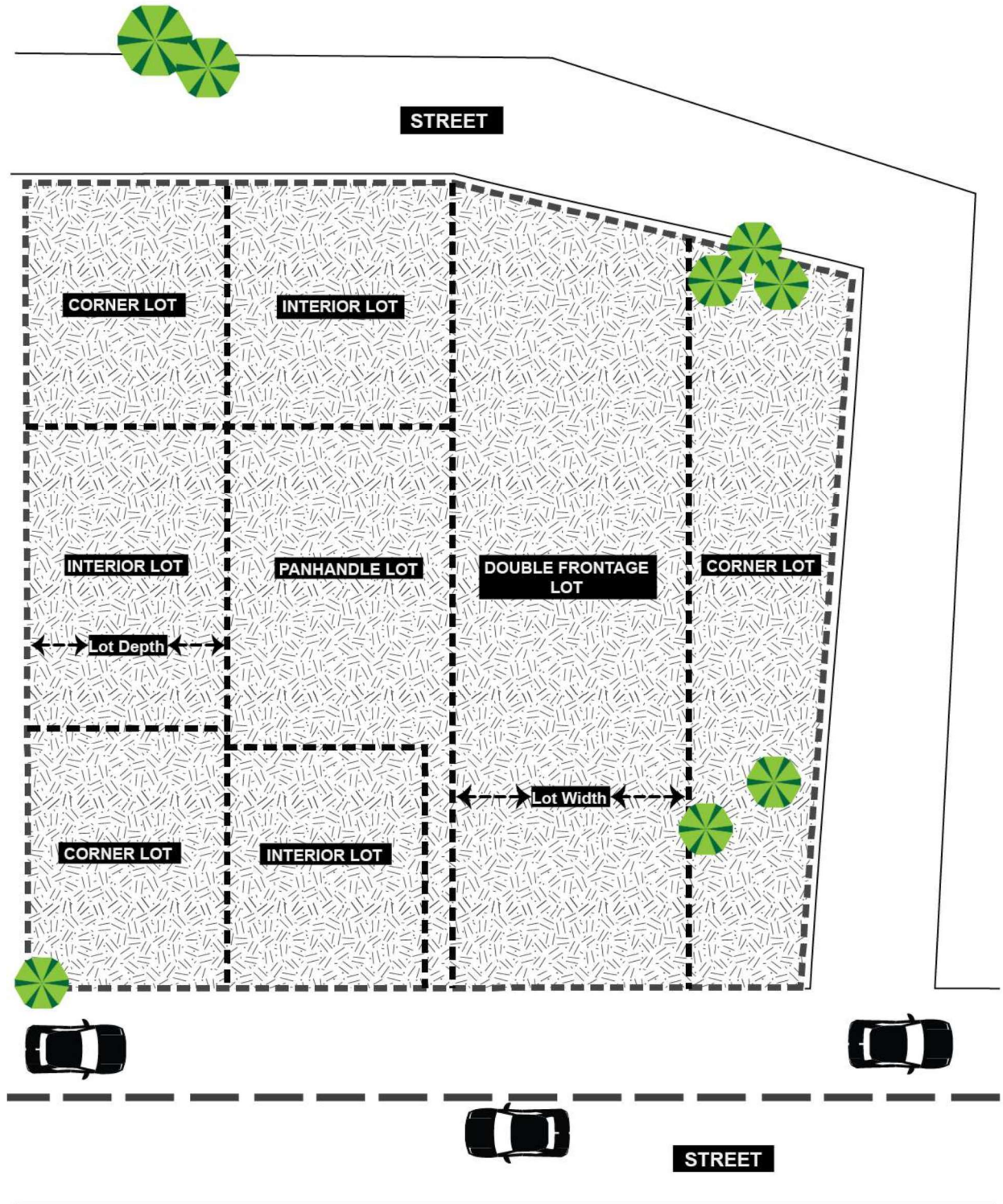


Figure 4.2.4-E. Lot Types and Measurements

4.3 LANDSCAPING & BUFFERING

4.3.1 General Landscaping and Buffering Provisions

- A. **Purpose.** The purpose of this Section is to:
- (1) Promote and protect public health, safety, and welfare through orderly standards and required maintenance of trees, shrubs, and other plants within the Township;
 - (2) Require buffering between incompatible land uses to reduce noise pollution, air pollution, air temperature, and artificial light glare; and
 - (3) Require orderly landscaping, including the preservation or replacement of trees that are affected by development, which will enhance quality of life and quality of place within the Township.
- B. **Applicability.** Except where explicitly exempted, this Section applies to the following scenarios or when the following types of work are proposed:
- (1) New construction of a principal building.
 - (2) 100% redevelopment of a lot or site (including demolition and construction of principal buildings).
 - (3) Expansion of structures and expansion of parking or vehicular use areas.
 - (4) Change in use of a building or lot to a more intense use.
- C. **Exemption for one-unit and two-unit dwellings.** A lot that has a principal use of a one-unit dwelling or a two-unit dwelling shall be exempt from the provisions of this Section 4.3.
- D. **Parking lot landscaping.** Landscaping in parking lots and vehicular use areas shall be subject to the provisions of Section 4.7 – Parking, Loading, and Circulation and shall be exempt from the provisions of this Section 4.3 except where otherwise explicitly stated.
- E. **Landscaping and buffer plan requirements.** Any property to which this Section applies shall provide – as part of an application for a Zoning Certificate – an illustration of all proposed landscaping and buffering on a site plan and the following supplemental information:
- (1) A table listing the existing plant material that will be retained and all proposed plant materials within the landscaping and buffer areas; and
 - (2) Details showing the proper planting of trees, shrubs, and ground cover within the landscaping and buffer areas.
- F. **Approval of buffer plan.** The criteria for the approval of a buffer plan shall be as follows:
- (1) No Zoning Certificate shall be issued without approval of a landscaping and buffer plan.
 - (2) Failure to implement the buffer plan within 12 months of the issuance of a Zoning Certificate shall be deemed a violation of this Resolution.

- G. **Maintenance of landscaping materials.** The following standards apply to this Section 4.3, to Section 4.7 – Parking, Loading, and Circulation, and to all other landscaping materials planted or installed within the Township:

- (1) All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The owner of the property shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance free from refuse and debris at all times.
- (2) Plants that are required as part of this Section 4.3 and that become unhealthy or that die must be replaced by the earliest of either one calendar year from their death or by the next planting season.
- (3) Violation of these maintenance practices shall be a violation of this Zoning Resolution.

4.3.2 Landscaping Standards

- A. **Existing landscape material.**

- (1) Except where otherwise stated, existing landscape material in healthy condition may be used to satisfy the requirements of this Section in whole or in part.
- (2) Existing vegetation shall be preserved as much as possible in accordance with acceptable nursery industry standards.

- B. **Planting in easements restricted.** No landscaping materials shall be planted or installed within the easements of underground or overhead utilities, or within drainage easements, without the consent of the utility provider, easement holder, and/or the Township, as applicable.

- C. **Allowed landscape materials.** The following items are suitable for landscaping materials used individually or in combination with each other, subject to review and approval by the Zoning Administrator:

- (1) Walls and fences;
- (2) Plants; and
- (3) Earth mounds.

- D. **Walls and fences as landscape materials.**

- (1) When walls or fences are used to fulfill screening requirements, they shall be detailed in any submitted plan(s).
- (2) Walls or fences must be constructed of weatherproof materials and must meet all applicable standards of Section 4.4.

- E. **Plants as landscape materials.** Plant materials used in conformance with these provisions shall conform to the American Association of Nurserymen and shall have passed any inspection required under state regulations. All trees shall be balled and bur lapped or in containers. Shrubs, vines, and ground covers can be planted as bare root or balled and bur lapped or be placed in a container. Once minimum landscape requirements have been met,

any size plant may be installed on a lot to supplement the minimum requirements. The following provisions apply to specified types of plants:

- (1) Deciduous trees shall have a minimum caliper of at least 2.5 inches DBH conforming to acceptable nursery industry procedures at the time of planting. If deciduous trees are to be used for screening purposes, additional materials listed in this Section shall be used to create a dense buffer.
- (2) Evergreen trees shall be a minimum of 6 feet in height at the time of planting. Evergreen plantings shall be planted at a maximum distance of 20 feet on center to provide an effective buffer.
- (3) Ornamental trees shall have a minimum height of 5 feet or a minimum caliper of at least 2.5 inches DBH conforming to acceptable nursery industry procedures at the time of planting.
- (4) Shrubs and hedges shall be at least 36 inches in height at the time of planting. All shrubs and hedges shall be designed to provide an effective buffer of at least 5 feet within a period of 4 years after planting.
- (5) Grass shall be planted in species normally grown in permanent lawns in Hamilton County, Ohio. In swales or other areas subject to erosion, solid sod shall be sown for immediate protection until complete coverage is otherwise achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted at a maximum spacing of one foot on center to provide 75% complete coverage after 2 growing seasons.

F. **Plant species diversity.** Plants provided in the scenarios below must include a variety of species according to the following provisions:

- (1) When fewer than 40 trees are required on a site, at least 2 different species shall be utilized, in roughly equal proportions.
- (2) When 40 or more trees are required on a site, at least 3 different species shall be utilized, in roughly equal proportions.
- (3) Required shrubs shall utilize the same species diversity requirements.
- (4) Nothing in this subsection shall be construed so as to prevent the utilization of a larger number of different species than specified above.

G. **Earth mounds as landscape materials.** Earth mounds may be used as buffers, however, differences in natural elevation between areas requiring a buffer does not constitute an earth mound. Earth mounds shall be constructed of earthen materials and shall meet the following standards:

- (1) Earth mounds shall conform with the grading requirements of the authority having jurisdiction.
- (2) Berms and earth forms shall be designed with physical variations in height and alignment throughout its length.

- (3) Landscaping plant materials may be installed on berms and earth mounds and shall be arranged in an irregular pattern to accentuate the physical variation of such berms or earth mounds and achieve a natural appearance.
- (4) Berms and earth mounds shall be located and designed to minimize the disturbance of existing trees located on the site or adjacent thereto.
- (5) Adequate ground cover shall be used and maintained to prevent erosion of the earth mound.

H. **Grade changes.** In cases where grading is necessary that results in a parking lot lower in elevation than the surrounding area or adjacent right-of-way, the resulting embankment shall be planted with low shrubs and shade or ornamental trees according to the following provisions:

- (1) The type and variety of plantings shall be based on the steepness of the slope, utilizing plants with root structures that will prevent erosion of the embankment.
- (2) A maximum slope of 1:2.5 shall be provided for landscaping between the lot line and the parking lot.

4.3.3 Buffering Standards

A. **Prohibited buffer materials.** The following materials will not be counted towards, and are prohibited from being installed within, required buffers:

- (1) Chain link fences with or without wooden or synthetic slat material; and
- (2) Mound wastewater treatment systems and other similar on-site wastewater treatment systems.

B. **Streetscape buffers.** A streetscape buffer that is a minimum of 15 feet wide is required for all applicable properties that are not exempt from the provisions of this Section 4.3. The following standards apply to buffer areas provided along a right-of-way:

- (1) A minimum of 1 canopy tree shall be provided for every 35 lineal feet of lot street frontage. Such trees may be planted in an irregular pattern but must be located along the street frontage in a manner that will not interfere with overhead utilities upon full growth.
- (2) If overhead wires restrict the placement of canopy trees, ornamental trees can be substituted but at a ratio of one ornamental tree per 25 lineal feet of street frontage.
- (3) A minimum of 10 square feet of landscaped area including flowers, shrubs, or ground covers shall be provided for every 100 square feet of streetscape buffer.

C. **Minimum buffer yard required.** Buffers between lots along the boundary line of different zoning districts shall be required according to the standards of Table 4.3.3-A.

D. **Required buffer yards by District.** Where any activity or land falls under more than one of the listed categories, the most stringent requirements shall be applied. Where the minimum setback for the applicable zoning district differs from the required buffer yard, the more restrictive standards shall apply.

E. **Planting requirements for buffers.** At a minimum, buffer yards other than streetscape buffers shall include:

- (1) A 6-foot-tall fence or wall, or an earth mound, or an earth berm; and
- (2) 1 evergreen tree and 2 shrubs for every 20 lineal feet of lot line requiring a buffer.

abuts:	RER	SUR	MUR	NBM	AMN	AMC	AMS	LIT	GOR	SLF
<u>when</u>										
RER	0	0	0	0	0	0	0	0	0	0
SUR	0	0	0	0	0	0	0	0	0	0
MUR	25	0	0	0	0	0	0	0	25	0
NBM	25	25	20	0	0	0	0	0	40	0
AMN	30	30	40	10	0	0	0	0	50	0
AMC	30	30	40	10	0	0	0	0	50	0
AMS	30	30	40	10	0	0	0	0	50	0
LIT	100	100	100	30	10	10	10	0	50	0
GOR	25	0	0	0	0	0	0	0	0	0
SLF	500	500	500	100	100	100	100	80	500	0

Table 4.3.3-A. Required Buffer Yards by District

F. **Alternative requirements for buffers.** In lieu of a fence, wall, or earth mound or earth berm, a natural buffer made of the following may be provided:

- (1) 1 evergreen tree for every 10 lineal feet of lot line requiring a buffer, planted in an offset manner to provide a solid buffer; and
- (2) 1 shrub for every 6 lineal feet of lot line requiring a buffer.

G. **Increased standards for wide required buffers.** For buffers with a minimum width requirement of 50 feet or more, the minimum tree and shrub planting requirements in Subsection 4.3.3-D and/or Subsection 4.3.3-E shall be doubled.

H. **Buffer design standards.** Buffer yards must meet the following design standards:

- (1) Buffers shall not be located on any portion of an existing, dedicated, or reserved public right-of-way or private ingress/egress easement
- (2) Required buffers shall be installed on those properties that are applicable per Subsection 4.3.1 and per the provisions of Table 4.3.3-A - Required Buffer Yards by District;
- (3) The location(s) of buffers may be adjusted along sloped areas to maximize their effectiveness at screening the uses on the associated lot;
- (4) No construction shall be permitted within a required buffer other than a wall, fence, or berm, or a driveway in the front yard connecting a parking area on the lot to a right-of-way or to an abutting lot;
- (5) A driveway in the side yard that connects a parking area on the lot to the street shall not encroach into the buffer area; and
- (6) Subsurface constructions are permitted beneath a buffer, provided that no subsurface construction protrudes above the ground surface and that the required buffer is placed above said subsurface constructions.

I. Buffer requirements and adjacent lots.

- (1) When 2 or more adjacent lots are owned and being developed at the same time by the same owner, the buffer may be placed on either adjoining lot or astride the boundary. If one property remains vacant, a buffer shall be provided between the lots.
- (2) When adjacent lots have different owners, the buffer shall be placed on the lot being developed. However, a buffer that meets the requirements of both lots may be placed astride the boundary if a written agreement signed by both property owners is filed within the Colerain Township Zoning Commission.

J. Buffer requirements and existing development or landscape materials.

- (1) When the adjoining parcel has an existing fence, wall, or berm adjacent to a developing lot boundary, the existing landscape material on the adjacent lot may not be used toward the requirements for the boundary buffer required for that boundary edge.
- (2) Where a principal building or an accessory building already exists on the subject lot, a buffer shall be established as a condition of any new development. The property owner shall provide the maximum buffer possible under the standards of this Section, given the location of any existing and legally established buildings and driveways.

4.4 FENCING

4.4.1 General Fence Provisions

- A. **Applicability.** The provisions of this Section apply to all required and voluntarily provided fences.
- B. **Prohibited fence elements.**
 - (1) Razor wire fencing is prohibited in all zoning districts.
 - (2) Electric or barbed wire fences are prohibited for all uses except for agricultural land uses and are prohibited in all zoning districts except for the LIT district.
 - (3) In the LIT district, electric or barbed wire fences are prohibited in front yards.
 - (4) Chain link fencing, cyclone fencing, or similar appurtenances shall be prohibited in the front yard.
 - (5) Except for the use as backing of a split-rail fence/Kentucky board fence, mesh fencing, chicken wire fencing and welded wire fencing shall not be permitted within residential districts.
 - (6) No chain link (other than fences surrounding tennis courts) over 60 inches or split-rail/Kentucky board fence over 48 inches shall be permitted in the rear or side yard within residential and commercial districts.
- C. **Maintenance of land outside of a fence.** The property owner of a lot upon which there is a fence shall be responsible for the maintenance of any lands between the fence on their property and their property line.
- D. **Number of fences.** Only one fence may be located on any one property adjacent to any given property line. Adjoining property owners may install separate, adjacent fences.
- E. **Fencing restrictions on vacant lots.** Fences 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 an otherwise vacant lot only if the lot is used for a public or community-serving purpose requiring fencing for safety or maintenance, is located within the RER (Rural Estate Residential) Zoning District, or is accessory to an adjacent lot containing a legally established principal structure.
 - (2) An exception may be granted for land used for parks, recreation, stormwater management, or other public facilities, provided the fencing is directly related to the public function of the site and is approved by the Zoning Administrator. Under no circumstances shall fencing be permitted solely for the purpose of private storage, vehicle parking, or property enclosure on an otherwise vacant lot.

4.4.2 Fence Design and Location Standards

- A. **Applicable dimensional standards.** Specified types of fences must meet the dimensional and location standards provided in Table 4.4.2-A - Fence Standards by Type of Fence.

Standard	Privacy Fence	Non-Privacy Fence	Security Fence
Applicable Districts	All zoning districts	All zoning districts	AMC, AMS, LIT, SLF
Allowed Yard(s)	Rear	Front; Side; Rear	Side; Rear
Fence Opacity (min.)	0%	50%	25%
Fence Height (max.)	6 feet	4 feet	8 feet
Location Standards	50% of side wall	N/A	N/A

Table 4.4.2-A. Fence Standards by Type of Fence

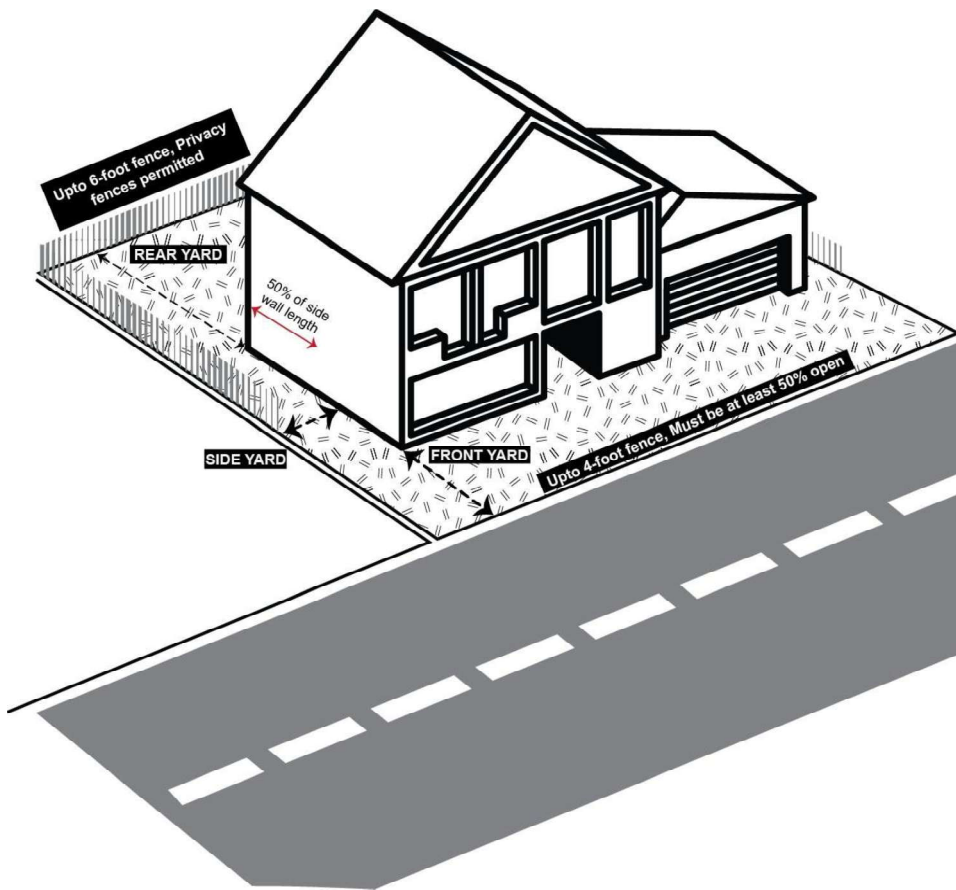


Figure 4.4.2-A. Fence Standards by Yard

B. Fence design requirements. Fences in all zoning districts are subject to the following standards:

- (1) All fence posts and related supporting members of a fence shall be erected so that the finished sides – the sides of a fence that do not have fence posts or supporting members – face away from the subject lot; causing the finished sides to face adjacent lots or adjacent rights-of-way.
- (2) A fence that is designed where both sides are equally finished in the same manner may have either equally finished side face away from the subject lot and face out towards adjacent lots or adjacent rights-of-way.
- (3) Fences shall be of chain link (rear yard only), wrought iron, aluminum, wood or vinyl picket or rail, louver, or other commonly used design. If a fence is painted or stained, the entire fence shall be one color.
- (4) Fences shall be constructed of sturdy materials that are resistant to weather. Fences and walls must always be maintained in good repair.

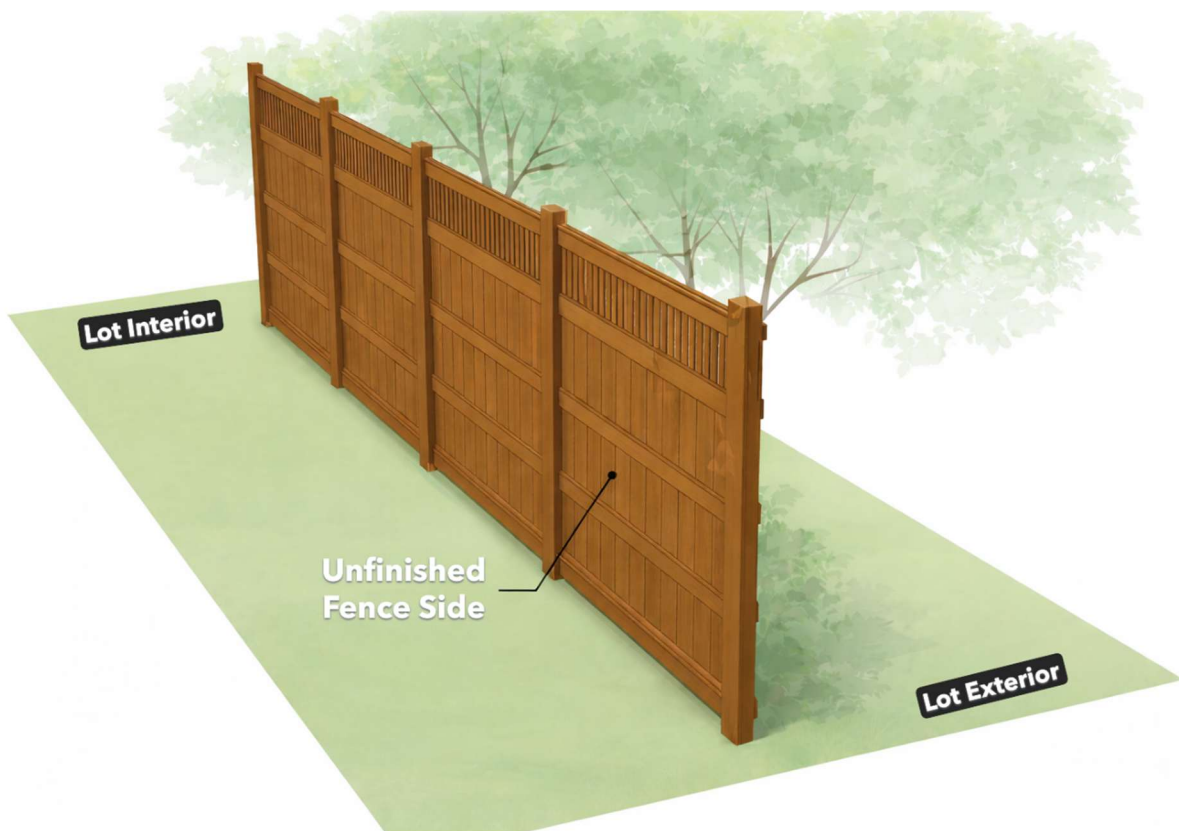


Figure 4.4.2-B. Required Orientation of Finished Fence Side

4.5 OUTDOOR LIGHTING

4.5.1 General Outdoor Lighting Provisions

- A. **Purpose.** The purpose of this Section 4.5 is to regulate outdoor lighting, promote safety and security, and reduce or prevent light pollution and impacts of lighting on surrounding properties. Such effects to be reduced or prevented include but are not limited to glare, light trespass, and conservation of energy.
- B. **Applicability.** The regulations of this Section shall apply to all lighting that illuminates the exterior of a building, structure, open space, parking and loading areas, or other features of a lot.
- C. **Lighting plans required.** Except where explicitly exempted, lighting plans must be submitted for approval with all applications for a Zoning Certificate per Subsection 6.3.2 for work in the following zones or districts:
 - (1) MUR – Multi-Unit Residential;
 - (2) NBM – Neighborhood Mixed;
 - (3) LIT – Light Intensity Industry
 - (4) GOR – Greenspace, Open Space, and Recreational
 - (5) SLF – Sanitary Landfill District
 - (6) AMN – Avenue Mixed – North;
 - (7) AMC – Avenue Mixed – Central; and
 - (8) AMS – Avenue Mixed – South.
- D. **Exemptions.** The following types of outdoor lighting shall not be regulated by this Section 4.5:
 - (1) Lighting required by State or Federal regulations;
 - (2) Illuminated poles for government-installed flags;
 - (3) Seasonal holiday lighting (less than 30 days in any calendar year);
 - (4) Athletic field and amphitheater lighting (when extinguished within one hour following programs); and
 - (5) Emergency lighting.
- E. **Alternative illumination standards.** Uses in the AMN, AMC, or AMS districts that incorporate approved outdoor display areas that are exempt from this Resolution may follow the alternate illumination levels of Table 4.5.2-B - Specified Outdoor Area Illumination Levels provided that a lighting plan meeting the standards of Subsection 4.5.2 – Lighting Standards is approved.
- F. **Prohibited outdoor lighting.** The following types or features of outdoor lighting are prohibited:
 - (1) Non-cutoff lighting affixed to a wall; and
 - (2) Flashing lights within or casting light onto outdoor display areas or parking lots.

- G. **Nonconforming outdoor lighting.** The use of legally established, nonconforming lighting may continue until the luminaire is replaced.

4.5.2 Lighting Standards

- A. **Lighting plan requirements.** Lighting plans shall include the following information, as applicable, in a format approved by Colerain Township:
- (1) A site plan showing the location(s) and height(s) of proposed outdoor lighting fixtures and the location(s) of associated controllers and transformers;
 - (2) Illustrated uniform lighting across parking areas – including information on the brightness and warmth of the proposed bulbs;
 - (3) A site plan delineating separate outdoor display areas, customer and employee parking, outdoor storage areas, and building entrances; and
 - (4) A photometric plan showing the illumination levels for each area designated in the sight plan, in accordance with Table 4.5.2-B - Specified Outdoor Area Illumination Levels.
- B. **Height of lighting.** Non-cutoff outdoor lighting shall be designed, located, and mounted at heights no greater than 12 feet above grade level. Cutoff outdoor lighting shall be designed, located, and mounted at heights no greater than 24 feet above grade level.

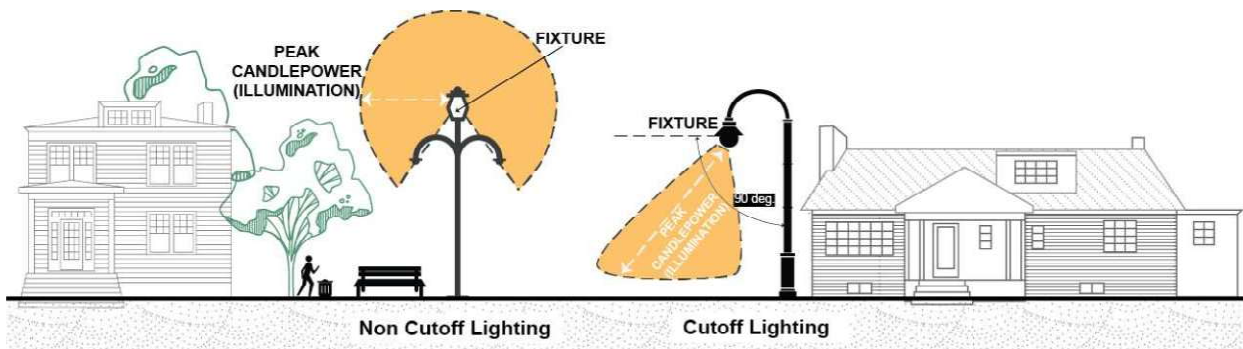


Figure 4.5.2-A. Cutoff and Non-Cutoff Lighting.

- C. **Variations from lighting height standards.** Variation of heights greater than as specified in Paragraph 4.5.2-A shall be subject to approval by the Zoning Commission based upon a lighting plan designed by an architect or engineer citing reasons for variations and methods used to comply with other parts of this Section 4.5.
- D. **Light trespassing onto dwellings prohibited.** Outdoor lighting shall not be designed or located in such a way that causes light to shine directly into an adjacent dwelling unit.
- E. **Maximum allowed illumination.**
- (1) The maximum illumination permitted in each district type shall be as provided in Table 4.5.2-A - Illumination Levels.

- (2) Where there are two or more abutting lots with different zoning districts and different maximum illumination requirements, the more restrictive standards shall apply to both lots along the shared property line.
- (3) When a use is adjacent to any one-unit dwelling, the most restrictive standards in Table 4.5.2-A - Illumination Levels shall apply to such use.
- (4) Illumination levels across parking lots shall be maintained at an average level as shown in Table 4.5.2-A.

District	Across Property	At Property Lines <i>Non-Cutoff Lighting</i>	At Property Lines <i>Cutoff Lighting</i>
RER, SUR, MUR, NBM	2	0.1	0.1
LIT, GOR, AMN, AMC, AMS, SLF	Building entryways: 5.0	0.3	0.5
	Parking lots: 2.0		

Table 4.5.2-A. Illumination Levels

F. **Design standards.** The following design standards apply to certain outdoor lighting, as described below:

- (1) The placement of light poles within raised curb planter areas or within landscaped islands is encouraged. Any conflicts with trees in parking lots that can obscure lighting shall be avoided through alternative lighting locations.
- (2) No outdoor lighting shall be of such an intensity or color distortion as to cause glare or to impair the vision of drivers or pedestrians.
- (3) Uniform lighting shall be provided to prevent various intensities of lighting throughout parking areas. Such uniform lighting shall be illustrated in any required lighting plan.
- (4) All outdoor lighting fixtures within a development shall be the same, similar, or complementary in design and appearance.
- (5) Lighting shall be dimmed between the hours of 11:30pm and 6:30am, as shown in Table 4.5.2-B - Specified Outdoor Area Illumination Levels, to limit light pollution and preserve the opportunity for appreciation of the night sky. Facilities where customers are served on-site 24 hours per day may be granted an exemption by the Zoning Administrator upon compliance with all other sections of this Article 4 – Development Design Standards.

Specified Outdoor Area	Across Area	At Property Lines or Curb		Uniformity Ratio <i>Maximum to Minimum</i>
		<i>Non-Cutoff</i>	<i>Cutoff</i>	
Display Area (maximum) (front three parking rows)	30	10	10	10:01
Parking Area	2.0 (average)	0.3	0.5	5:01
Storage Area	2.0 (average)	0.3	0.5	5:01
Rear Area (adjacent to RER, SUR, MUR)	2.0 (average)	0.1	0.1	5:01
Overnight Lighting	2.0 (average) 5.0 at building entryways	0.3	0.5	4:01
Building Entrances	5.0 at building entryways	-	-	-

Table 4.5.2-B. Specified Outdoor Area Illumination Levels

4.6 ARCHITECTURAL DESIGN STANDARDS

4.6.1 General Provisions

- A. **Applicability.** The standards of this Subsection apply to all development in nonresidential zoning districts.
- B. **Enforcement of standards.** The Zoning Administrator shall be responsible for reviewing and enforcing the provisions of this Subsection during the review of a Master Parking, Architecture & Landscape Plan application, which is required for in the following circumstances:
 - (1) New construction of a principal building.
 - (2) 100% redevelopment of a lot or site (including demolition and construction of principal buildings).
 - (3) Expansion of structures and expansion of parking or vehicular use areas.
 - (4) Change in use of a building or lot to a more intense use.

4.6.2 Façade Massing: Offset Standards

- A. **Front façade modulation.** Front façades that are 60 feet wide or wider shall incorporate wall offsets of at least 2 feet in depth (projections or recesses) a minimum of every 40 feet. Each required offset shall have a minimum width of 20 feet. The following alternatives may be used in place of the required front façade offsets:
- (1) Façade color and building face material changes following the same vertical dimensional standards as the offset requirements;
 - (2) Pilasters having a minimum depth of 1 foot, a minimum width of 1 foot, and a minimum height of 80% of the façade's height; and/or
 - (3) Roofline changes when coupled with correspondingly aligned façade material changes.
- B. **Façade massing: roofline changes.**
- (1) Roofline changes shall include changes in roof planes or changes in the top of a parapet wall, such as extending the top of pilasters above the top of the parapet wall.
 - (2) When roofline changes are included on a façade that incorporates wall offsets or material or color changes, roofline changes shall be vertically aligned with the corresponding wall offset or material or color changes.
- C. **Flat roofs.** Flat roofs shall be concealed with cornice treatments that project at least 8 inches from the face of the façade or parapet wall.

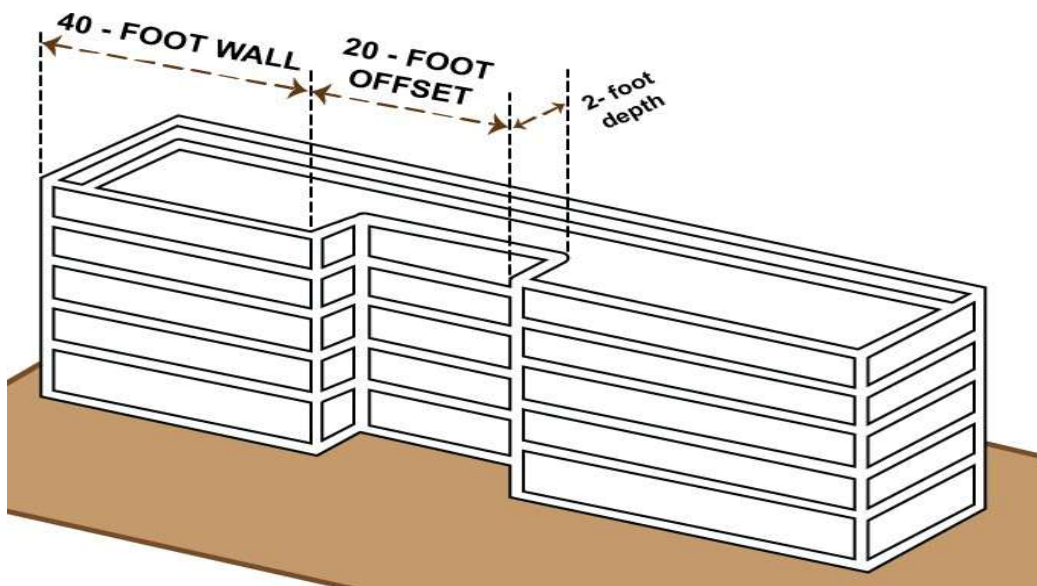


Figure 4.6.2-A. Façade Offset Standards

4.6.3 Roof Penetrations and Equipment

- A. **Rooftop equipment screening.** All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (with the exception of chimneys), shall be located on the rear elevations or screened with a parapet wall having a three-dimensional cornice treatment so as to have a minimal visual impact as seen from:
- (1) A public right-of-way;
 - (2) Existing one-unit dwellings;
 - (3) Unimproved land that is included in the RER or SUR zoning districts; and
 - (4) Planned residential developments.

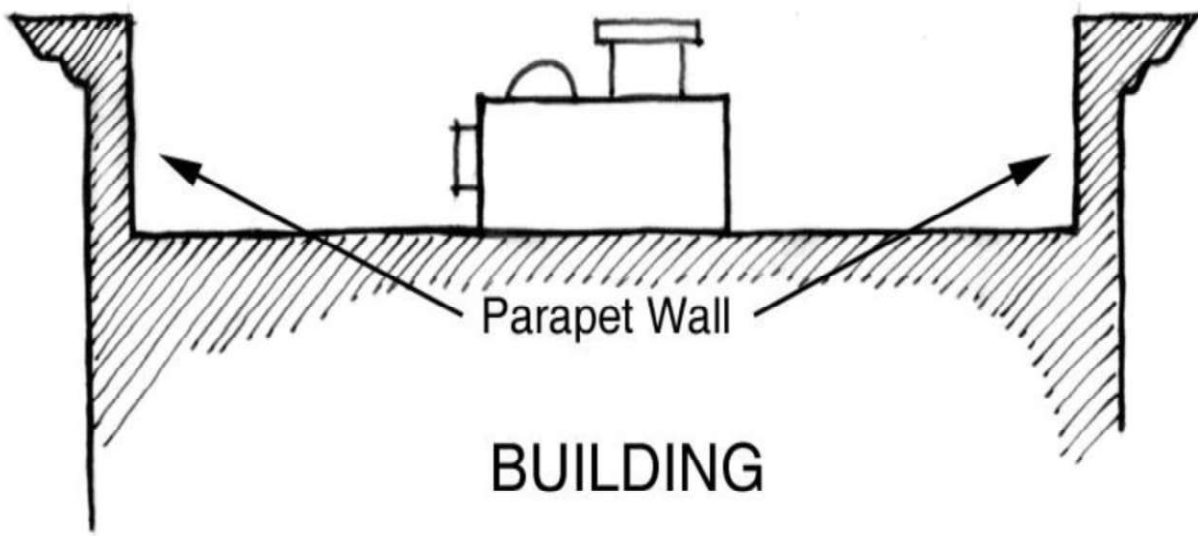


Figure 4.6.3-A. Equipment Screening Example

4.6.4 Required Customer Entrances

- A. **Required customer entrances.** Each side of a building facing a public right-of-way shall include at least 1 customer entrance, except that no building shall be required to provide entrances on more than two (2) sides of the structure which face public rights-of-way.
- B. **Customer entrance design.** Buildings shall have clearly defined, highly visible customer entrances that include no less than 3 of the following design features:
- (1) Canopies above/porticos in front of the entrance;
 - (2) Roof overhangs above the entrance;
 - (3) Entry recesses/projections;
 - (4) Arcades that are physically integrated with the entrance;
 - (5) Raised corniced parapets above the entrance;
 - (6) Gabled roof forms or arches above the entrance;
 - (7) Outdoor plaza space adjacent to the entrance having seating and a minimum depth of 20 feet;
 - (8) Display windows that are directly adjacent to the entrance;
 - (9) Architectural details, such as tile work and moldings, which are integrated into the building structure and design and are above and/or directly adjacent to the entrance;
 - or,
 - (10) Integral planters or wing walls that incorporate landscaped areas or seating areas.



Figure 4.6.4-A. Required Customer Entrance Example

4.6.5 Building Design and Mass

A. **Building massing.** All architectural elevations of principal buildings shall consist of a base, a body, and a cap as shown in Figure 4.6.5-A – Building Mass Example.

- (1) The base shall occupy the lowest portion of the elevation.
- (2) The body shall occupy the middle portion of the elevation.
- (3) The cap shall occupy the highest portion of the elevation and shall consist of at least one of the following architectural features: a cornice, parapet, awning, canopy, or eaves.
- (4) The base and cap shall be clearly distinguishable from the body through changes in color, material, pattern, profile, or texture.

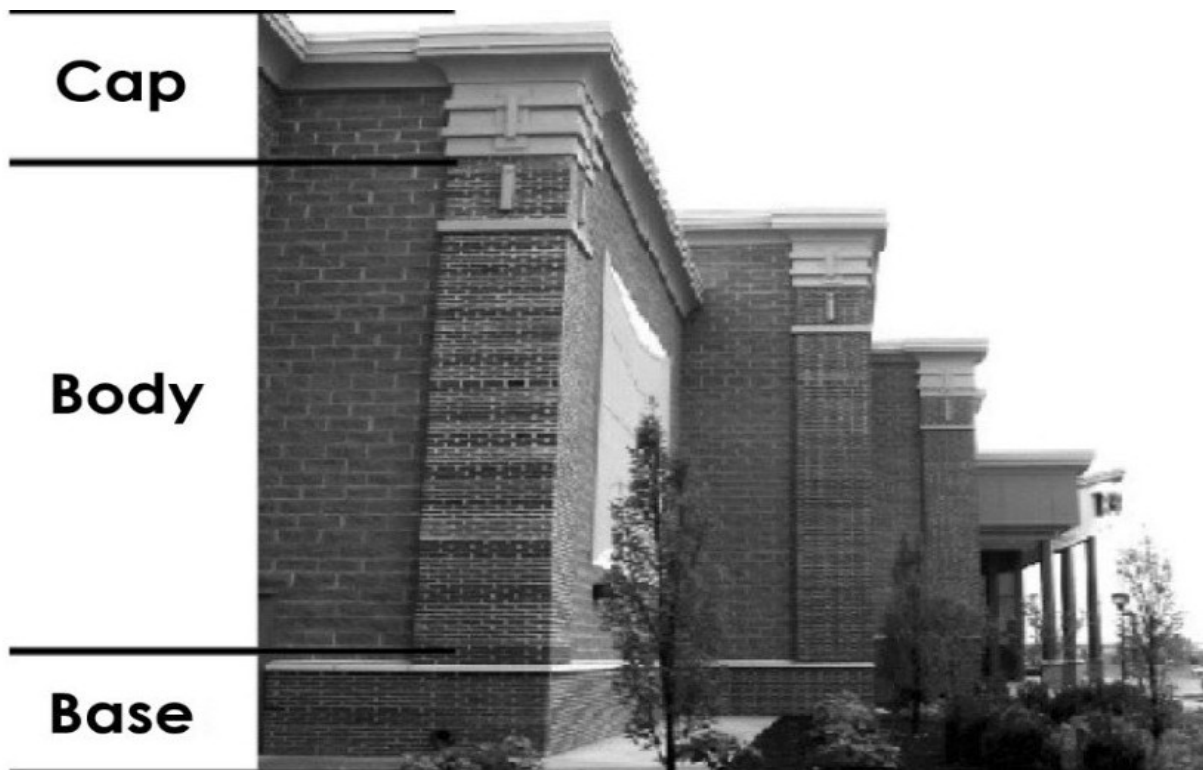


Figure 4.6.5-A. Building Mass Example

4.6.6 Building Transparency

- A. **Building transparency.** Building transparency provided by storefront windows, entrances, and other openings is a key element to establish a pedestrian-oriented context, and should be provided by retail and commercial development in the following amounts:
- (1) Strip shopping centers or other multi-tenant commercial buildings should dedicate a minimum of forty percent (40%) of the length of the front facade, of each tenant space, to windows or transparent entrances.
 - (2) Buildings or tenant spaces that occupy 10,000 square feet or more of gross floor area should dedicate a minimum of twenty-five percent (25%) of the length of the front facade to windows or transparent entrances.
 - (3) Outparcel structures should dedicate a minimum of thirty-five (35%) of the length of the front facade to windows or transparent entrances.
 - (4) Offices and other noncommercial structures should dedicate a minimum of twenty-five percent (25%) of the length of the front facade to windows or transparent entrances.
 - (5) Clear glass shall be used for commercial storefront display windows and doors.



Figure 4.6.6-A. Transparent Façade Example

4.6.7 Shopping Centers

- A. **Compatible architectural design.** The architectural design of buildings within a development, including freestanding outparcel structures, shall be organized around a consistent architectural theme in terms of the architectural style, materials, texture, color, and scale of buildings. Themed restaurants, retail chains, and other franchise-style structures should adjust some aspects of their standard architectural model to be consistent with the development's architectural theme.
- B. **Individual business or franchise.** Building design based on a standardized formula associated with a business or franchise shall be modified if necessary, to meet the provisions of Section 4.2.6.
- C. **Façade consistency.** Although the front façade of a building is expected to be the focal point in terms of the level of architectural character and features, all sides of buildings shall incorporate architectural detailing on all facades that is consistent with the front façade.
- D. **Adjacent design compatibility.** All new development or redevelopment shall be compatible with the established architectural character of the surrounding area utilizing a building design and style that is complementary to the surrounding uses and structures as shown in Figure 4.6.9-A – Infill Development Example. Compatibility may be achieved through the repetition of similar rooflines, similar proportions in relation to height, size, scale and mass, similar door and window patterns, building materials and color, and building orientation.



Figure 4.6.9-A. Infill Development Example

4.7 PARKING, LOADING, AND CIRCULATION

4.7.1 General Provisions

- A. **Intent.** The intent of this Section is to allow development that provides the off-street parking, loading, and circulation facilities needed to meet demands created by occupants, employees, visitors, customers, and patrons, and to improve local traffic patterns. The standards in this section ensure that all provided off-street parking and parking areas allow for safe and equitable access to developments for all users, including drivers, pedestrians, transit-riders, and cyclists. The standards are intended to implement policies that support new development and the revitalization of mixed-use urban areas that encourages pedestrian-oriented development, reduces excessive paved surface areas, and promotes environmental sustainability.
- B. **Nonconforming parking.** Any parking or loading spaces established prior to the adoption or amendment of this Zoning Ordinance shall be governed by any previous approved site plan until a new Zoning Certificate application or Master Parking Plan is approved. In order to nullify previous required minimum parking space requirements on existing lots, a new Master Parking Plan that conforms to the requirements of this Resolution must be submitted and approved.

4.7.2 Master Parking Plans

- A. **Zoning Certificate required.** Zoning Certificates are required for private walkways, parking, loading or unloading areas in Residential Zones or any off-street parking area having less than 1,800 square feet of area and/or less than 5 parking spaces in Non-Residential Zones. Such Plans shall not be issued until the applicant has met the standards outlined in this Resolution.
- B. **Parking plan thresholds.** All Non-Residential uses in any zone that propose off-street parking area(s) having more than 1,800 square feet of area and/or 5 or more parking spaces require the submission of a Master Parking Plan. Such Plans shall not be approved until the applicant has met the standards outlined in this Resolution. This plan is required in any of the following circumstances:
 - (1) New construction of a principal building.
 - (2) 100% redevelopment of a lot or site (including demolition and construction of principal buildings).
 - (3) Expansion of structures or expansion of parking or vehicular use areas.
 - (4) Change in use of a building or lot to a more intense use.
- C. **Required submission details for Master Parking Plans.** The following are required for submission with a Master Parking Plan application:
 - (1) **Location Details.** The proposed location of the parking which is the subject of the permit; the location of all other existing and planned vehicular parking, bicycle

parking, and pedestrian pathways, when such parking and pathways are on the same premises; and

- (2) Circulation and connectivity details that show how the parking connects to the rights of way and adjacent existing or planned parking; proposed sight triangle details; and the location of buildings, signage, driveways, and landscaped areas on such lot with dimensions relative to all parking; and
- (3) Area Details. Computation of the maximum total parking area; the area and description of all other existing and planned vehicular parking, bicycle parking, and pedestrian pathways, when such parking and pathways are on the same premises; a statement demonstrating conformance to the applicable dimensional requirements of this Resolution for all existing and planned parking and pathways; and
- (4) Landscaping Details. A complete and detailed landscaping plan, showing the types of plants and ground covering that will be used in buffer zones and adjacent to the parking; expected height of all living plants, shrubs, and trees at the time of planting; expected height of all living plants, shrubs, and trees at full growth; screening details; and interior and perimeter parking area landscaping details Landscape plans are required for all Master Parking Plans; and
- (5) Shared Parking Agreement. If the applicant intends to share parking with an adjacent lot, a completed shared parking agreement shall be included within the Master Parking Plan.

D. Action on Master Parking Plans.

- (1) On any application for approval or modification of a Master Parking Plan, the Zoning Administrator shall take action on the application on one of the following dates: Fourteen days after the submission of a complete application if the application is for parking on existing lots; or on the date of final action on any related application for building permit, site plan, or development plan for parking involving new construction. In case of a denial of the Master Parking Plan, the Zoning Administrator shall specify in the Refusal Letter the section or sections of the Resolution with which the plan is inconsistent; or
- (2) If the Master Parking Plan is included in an application for a new Planned District, the Zoning Administrator will review the Plan and make a recommendation to approve or deny the application to the Zoning Commission. The Zoning Commission will then vote to approve or deny the Plan.

4.7.3 Parking Area Design and Maintenance Standards

A. Parking area standards. Every parcel of land hereafter used as a parking area shall be designed and maintained in accordance with the following requirements:

- (1) Off-street parking areas shall be of useable shape and surface and shall have safe and convenient ingress and egress;

- (2) Aisles and access drives shall be designed so as to provide adequate vehicular maneuvering wholly upon the property being served;
- (3) In no case shall off-street parking areas be permitted that encourage or require the backing onto, parking upon, or maneuvering within the right-of-way of any public street, private street, or private driveway;
- (4) Lighting used to illuminate off-street parking areas shall be arranged so as to reflect away from any adjoining residential zone or uses and any public or private right-of-way. Free- standing lighting shall be no taller than 12 feet in height.
- (5) Any off-street parking area having more than 1,800 square feet of area and/or 5 or more parking spaces shall be landscaped and screened as required by section 4.6.4 of this Resolution. This landscaping shall be included upon the Master Parking Plan.
- (6) A sight triangle shall be observed at all street intersections or intersections of driveways with streets as required in section 4.6.4 of this Resolution.
- (7) All parking areas shall be paved and drained so as to dispose of all surface water within the parking area without carrying said water accumulation over a public sidewalk. Piping the water to a suitable outfall may be required. All parking areas and driveways shall be paved with concrete, asphalt, brick, grass pavers, or other suitable hard surface materials. Loose aggregate or other type of gravel is prohibited, except for agricultural land uses or residential lots of 2 acres or larger.
- (8) Permanent stormwater management, in compliance Hamilton County requirements, shall be provided for all off-street parking areas containing more than 1,800 square feet of area and/or 5 or more parking spaces.
- (9) For any use which utilizes a drive-in or drive-through window or service area, a vehicular stacking area shall be provided for a minimum of 5 vehicles. Such vehicular stacking area shall not include any spaces located at the windows or service areas, shall be provided wholly on the property and shall not include any right-of-way. Where menu boards or other stopping points are utilized before moving to the window or service area, the vehicular stacking area shall not include the space at the stopping point nor the spaces between that stopping point and the window or service area. The vehicular stacking area shall be subject to all yard, paving, landscaping and other requirements of a vehicular use area, as contained in section 4.6.4 of this Resolution.
- (10) No person shall use any exterior premises in any zoning district for the purpose of parking, repairing, or keeping an inoperable motor vehicle except when ancillary to a specifically permitted use that allows and has provided for the same on an approved site plan in a Commercial or Industrial Zoning District. For purposes of this section, a motor vehicle shall be deemed inoperable when any of the following conditions exist: one or more wheels are missing; one or more tires are missing; two or more tires are flat; one or more windows are missing or broken; the windshield is shattered or missing; parts necessary for the operation of the vehicle are missing; or a license with a distinctive number and valid for the current year is not displayed thereon. No

exterior parking area or driveway of a residential dwelling shall be used for the repair of vehicles, whether operable or inoperable.

- (11) Parking space striping is required and shall be maintained in good condition. Each parking space and aisle shall be clearly designated and marked to assure approved utilization of the space, direction of traffic flow and general safety. When a parking space is designated for disabled or small car use, it shall be clearly marked.
- (12) All refuse disposal dumpsters, containers and refuse storage areas must be fully enclosed on three (3) sides by a solid wood or simulated wood screen fence, a masonry wall (stone, stucco or brick) or principal structure wall at least six feet in height. The enclosure shall be gated. The materials used for screening, including the enclosure, must complement the architecture of the principal building. An extension of an exterior principal building wall may be used as one of the screening walls for a refuse container, provided that the wall is at least six feet in height and is of the same building materials as the principal building.
- (13) In any zone, every nonresidential building or part thereof, hereafter erected, with a floor area of 5,000 square feet or more, there shall be provided and maintained on the same premises with such building at least 1 off-street loading or unloading space plus 1 additional off-street loading or unloading space for each 20,000 square feet. Loading or unloading areas shall be located and oriented or screened so as not to be visible from the street and adjacent properties.

4.7.4 Parking Area Configuration

- A. **Parking dimensions.** Parking aisles and individual parking stalls must meet the minimum applicable standards provided in Table 4.7.3-A - Parking Area Minimum Dimensions, based on the angle of the parking stall from the drive aisle, and the type of maneuvering (one-way or two-way) along such drive aisles.

Angle of Parking (from Drive Aisle)	Maneuvering Aisle Minimum Width		Parking Stall Minimum Width	Parking Stall Minimum Length
	One-Way	Two-Way		
0 – Parallel	12 feet	20 feet	9 feet	23 feet
30-53 degrees	13 feet	20 feet	9 feet	19 feet
54-75 degrees	18 feet	22 feet	9 feet	19 feet
76-90 degrees	22 feet	24 feet	9 feet	19 feet

Table 4.7.4-A. Parking Area Minimum Dimensions

4.7.5 Parking Landscaping Standards

- A. **Applicability.** Interior landscaping, perimeter landscaping, and screening required by this section shall be indicated on the Zoning Certificate or Master Sign Plan application for any newly created or newly expanded or reconfigured parking area. In the case of expansion, the landscaping and screening regulations apply to new portions of a parking area. Landscaping and screening shall be installed upon development of a parking area or parking area expansion or reconfiguration.
- B. **Interior landscaping.** For parking areas consisting of 10 or more spaces, interior parking area landscaping is required.
- (1) One parking area island must be provided between every ten contiguous parking spaces. As part of the landscape plan approval, parking area island locations may be varied based on specific site requirements or design scheme, to be approved as part of the landscape plan, but the total number of islands must be no less than the amount required, one island for every ten spaces.
 - (2) In addition to parking area islands, additional landscaped areas must be provided within the interior of parking areas. All rows of parking spaces must terminate in a parking area island or landscaped area. The minimum interior landscaped area, including parking area islands, is ten percent (10%) of the parking area.
 - (3) Parking area islands or landscaped areas must be at least 125 square feet in area. Double rows of parking must provide double-row width islands.
 - (4) Parking area islands must be at least six inches above the surface of the parking area and protected with concrete curbing, except where designed to apply sustainable techniques allowing the flow and access of runoff. Such islands and landscaped areas must be properly drained and irrigated to ensure survivability.
 - (5) Parking area islands and landscaped areas shall be planted primarily with shade trees, with supplemental ornamental trees, shrubs, hedges, and other plant materials permitted only if they do not obstruct visibility. Plans shall provide one (1) shade tree per island or landscaped area, or two (2) where an island spans the full width of a double row. Remaining island area shall be planted with shrubs, live groundcover, perennials, or ornamental grasses, and mulched until fully established (typically 3–5 years).
 - (6) The above specific planting provisions (4.7.5 (B) (5)) may be waived during site plan review if the applicant presents an alternate landscape plan that provides a combination of tree canopy and non- reflective auto canopies that shade at least fifty percent (50%) of the parking area paved surface. This may include areas designated for solar powered electric auto recharging stations.
 - (7) Landscaped medians that separate every 4th row of parking spaces, running the full length of the parking area, shall be planted with a minimum of one tree per 40 lineal feet.

- C. **Perimeter landscaping.** Perimeter parking area landscaping provides for the enhancement and screening of parking areas and enhancement of the street's shade tree canopy by requiring a scheme of landscaping along public streets. Perimeter landscaping is required for all parking areas and the landscape treatment must run the full length of the parking area where it abuts a street. In the case of parking located at the front of the building, see Table 4.6.4-A for requirements. The perimeter parking area landscape yard for all other yards must be improved as follows:
- (1) The perimeter landscape yard must be a minimum of fifteen (15) feet in width.
 - (2) A single hedge row shall be planted with one shrub every 36 inches on center, spaced linearly. The shrubs must measure a minimum of 24 inches at planting, and a minimum of 36 inches to a maximum of 48 inches in height at maturity.
 - (3) A minimum of one foot of width of groundcover and/or mulch.
 - (4) One shade tree every twenty-five (25) feet on-center, spaced linearly. Trees may be spaced at various intervals and/or clustered based on specific site requirements or design scheme to be approved as part of the landscape plan.
 - (5) All perimeter parking area landscaping areas must be protected with raised curb and gutter. Curb inlets are required to allow water to infiltrate into the landscape areas as permitted by grading.
- D. **Screening.** Where the parking area or a drive-thru/drive-in facility of a non-residential use or district abuts a residential district along the interior side or rear lot line, a buffer yard of 10 feet shall be provided along the interior side lot line and/or rear lot line through:
- (1) The perimeter landscape yard must be a minimum of fifteen (15) feet in width.
 - (2) A single hedge row planted with one shrub every 36 inches on center, spaced linearly. The shrubs must measure a minimum of 24 inches at planting, and a minimum of 36 inches to a maximum of 48 inches in height at maturity. There shall be one shade tree for every 25 linear feet of the adjacent property line. The remainder of the area must be planted with turf or live groundcover.
 - (3) No screening shall be required for a parking area effectively screened to this section's standards and specifications by a densely planted planting strip of at least 75 percent opacity; or existing natural or artificial barriers; providing the existing barrier has opacity of not less than.
 - (4) A parking area need not be screened from the use it serves.
- E. **Sight triangle.** To ensure that landscape materials do not constitute a driving hazard, a clear sight triangle shall be observed at all street intersections or intersections of driveways with streets. A "clear sight triangle" is the triangular area formed by a diagonal line connecting two points located on intersecting right-of-way lines (or a right-of-way line and the edge of an access road), each point being 35 feet from the intersection, and the two intersecting right-of-way lines (or a right-of-way line and an access road).

- (1) The entire area of the clear sight triangle should be designed as illustrated in Figure 4.7.5-A. to provide the driver of the vehicle entering the intersection with an unobstructed view to all points nine feet above the roadway along the centerline. The recommended distance depends upon the design speed of the higher-order street and therefore is greater for arterial streets than for collectors.
- (2) Within a sight triangle, no landscaping over 12 inches in height is permitted, except trees that maintain clear visibility between the ground and nine (9) feet above grade (excluding early growth stages) and do not create a traffic sight hazard. These restrictions do not apply to existing natural grades rising twelve (12) inches or more above the adjacent intersection centerline, or to fire hydrants, utility poles, street markers, governmental signs, and traffic control devices.

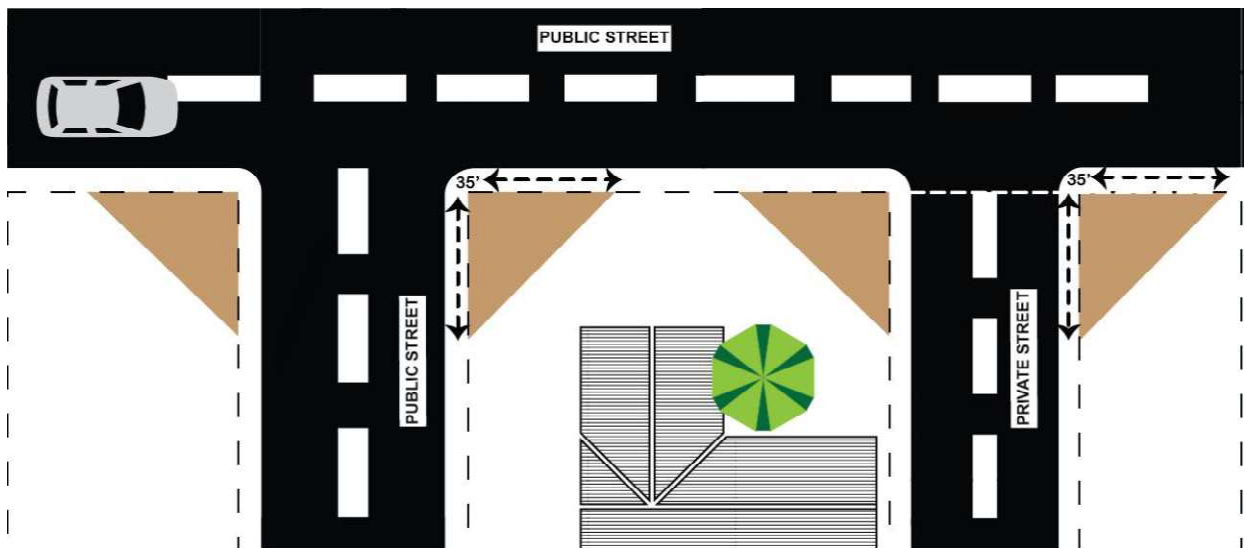


Figure 4.7.5-A. Sight Triangle Diagram

- F. **Maintenance of plants.** All plants shall be maintained in a healthy, live state and replaced as needed to comply with the original site plan and the specifications and standards herein set forth. Dead plants shall be replaced within the next growing season.
- G. **Front yard landscaping.** Where a multi-family dwelling of four or more dwelling units, a mixed-use development, or a commercial or other non-residential use maintains a front or corner side yard of ten or more feet, a landscape yard a minimum of ten feet in width must be installed along that lot line in compliance with the following:
 - (1) Plantings may be spaced at various intervals and/or clustered based on specific site requirements or design scheme to be approved as part of the landscape plan. Examples are presented in Table 4.7.5-A - Front Yard Landscaping.
 - (2) All plant materials, excluding trees, must be in the bed line. Plant materials in raised planters are not permitted as front yard landscaping.

- (3) Ornamental rocks in lieu of groundcover plantings shall not exceed 10% of the total front yard landscape area, including driveways and walkways.

Plant Options	Shade Trees	Ornamental Trees	Evergreen Trees	Shrubs
Standard	1	2	-	20
Alternative A	1	1	1	30
Alternative B	-	2	3	25
Alternative C	-	-	4	35
Alternative D	Native Landscaping			

Table 4.7.5-A. Front Yard Landscaping

4.7.6 Parking Requirements in Residential Zones

- A. **No parking space shall be located within any front yard outside of a paved parking area or driveway.**
- B. **Private walkway design.** Any private walkway shall be designed in such a way that a vehicle cannot drive on it.
- C. **Pavement setbacks.** The setback from the side and rear lot line shall be two feet for paved areas and driveways.
- D. **Limitations on paving.** Paving within a designated front yard shall be limited to private walkways and residential driveways.
- E. **Driveway width.** Allowable driveway width shall be based on the lot frontage, regardless of the width of the provided of-street parking area.
- (1) Where lot frontage is 40 feet or more, the maximum driveway width shall be 24 feet.
 - (2) Where existing lot frontage is less than forty 40 feet, driveway width shall not exceed 10 feet.
 - (3) If the width of a garage exceeds the allowable driveway width, the driveway shall be allowed to flare to that width for a distance no less than eighteen (18) feet, beginning at a location no closer to the street than half ($\frac{1}{2}$) of the required front yard or side street side yard.
 - (4) Shared single-family driveways are allowed but may not exceed a total width of 20 feet.
- F. **Driveway access location.** Single-family units shall receive vehicle access only from the front or rear lot line exclusively, not both. End units with a side street side yard may receive vehicle access from that lot line in lieu of front or rear entry.

- G. **Rear vehicle access.** Single-family units with vehicle access in the rear shall be served by an alley or public street and shall not have driveways in the front yard.
- H. **Shared residential parking areas.** Where shared parking areas in residential districts are provided, the following standards shall be met:
- (1) Shared parking areas shall be owned and maintained by a common ownership mechanism.
 - (2) Shared parking areas shall be landscaped in accordance with section 4.6.4 of this Resolution.
 - (3) Shared parking areas shall be located to the rear or side of the single-family attached units. No portion of the front yard, exclusive of driveways or pedestrian walkways, shall be paved or surfaced.
 - (4) The design of shared parking areas shall be developed so as to discourage the backing of vehicles onto a public right-of-way.
- I. **Residential lots.** On residential lots smaller than 0.5 acres, no exterior improved or unimproved surface shall be used for the parking or storage of a boat, trailer, trailer or tow dolly, camping trailer, or other recreational vehicle. On residential lots larger than 0.5 acres, the parking or storage of a boat, trailer, trailer or tow dolly, camping trailer, or other recreational vehicle shall be governed by the following provisions:
- (1) Recreational vehicles and utility trailers may only be parked or stored within an enclosed building or in the rear or side yard of a given property.
 - (2) Vehicles stored or parked on a trailer intended for road transportation of the recreational vehicle shall be deemed to be one recreational vehicle. (E.g., a boat and the trailer it is secured to shall be deemed one recreational vehicle.)
 - (3) No recreational vehicle or utility trailer shall be occupied for the purpose of habitation, living, housekeeping, business, or home occupation purposes.
 - (4) No recreational vehicle or utility trailer shall be stored in any residential district, except on a one-unit dwelling lot in which the owner of the recreational vehicle or utility trailer has an ownership interest, or an interest as a lessee or tenant.
 - (5) On lots of less than one acre, only one recreational vehicle or one utility trailer may be parked or stored outside. On lots of one acre or more, up to two recreational vehicles or two utility trailers or one recreational vehicle and one utility trailer may be parked or stored outside.
 - (6) Recreational vehicles or utility trailers which are stored outside must provide setbacks of 5 feet from all property lines in the SUR zone, 25 feet from all property lines in the RER zone, and shall not block the line of sight of neighboring motorists or pedestrians in any zone.
- J. **Commercial vehicle restrictions.** No commercial vehicle shall be stored or parked on a residentially zoned lot. However, infrequent, short-term parking of a commercial or commercial-type vehicle for conveying tools and materials to premises where labor using

such tools and materials is being performed, delivering goods to a residence, or moving furniture to or from a residence, all only during the time such parking is actually necessary, is allowed.

- K. **Lot line clearance.** Outside parking of automobiles, station wagons, personal pick-ups, and passenger vans shall be located not closer than 3 feet to a side or rear lot line, except in the case of a legal nonconforming driveway location.
- L. **Junk resolution enforced.** All vehicles are subject to the Colerain Township Junk Vehicle Resolution.

4.7.7 Parking Requirements in Non-Residential Zones

- A. **Locational standards.** On corner lots in Commercial Districts, parking areas and driveways shall not be in the front yard.
- B. **Connection standards.**
 - (1) Internal pedestrian walkways shall be provided and shall be a minimum of five (5) feet wide, connect parking areas to building entrances, and provide direct connections to all adjacent rights-of-way; where two or more buildings are present, internal pedestrian and vehicular connections shall also be provided between parking areas.
 - (2) Primary internal drives shall connect to established internal drives on adjacent properties to create cross-access and thru connections.
- C. **Shared non-residential parking areas.** Where shared parking areas in non-residential districts are provided, the following standards shall be met:
 - (1) Shared parking areas shall be owned and maintained by a common ownership mechanism.
 - (2) Shared parking areas shall be landscaped in accordance with section 4.6.4 of this Resolution.
 - (3) The design of shared parking areas shall be developed so as to discourage the backing of vehicles onto a public right-of-way.

4.7.8 Sidewalks and Walkways

- A. **Applicability of sidewalk requirement.** Sidewalks are required per the following:
 - (1) Any use or building subject to the provisions of this Section 4.7 and established after the adoption of this Resolution shall be required to install a 4-foot-wide sidewalk along all public streets for the full length of the lot's street frontage(s).
 - (2) Any established use or building that is expanded by more than 50% of the existing floor area after the adoption of this Resolution shall be required to install a 4-foot-wide sidewalk along all public streets for the full length of the lot's street frontage(s).
 - (3) Existing sidewalks along a lot's street frontage that are at least 4 feet wide may be counted towards this requirement.

- B. **Waiver of sidewalk requirement.** The sidewalk requirement may be waived or modified by the Board of Zoning Appeals pursuant to the variance review process.
- C. **Sidewalk standards.** All sidewalks must meet the minimum design requirements of the rules and regulations of the Hamilton County Engineer's Office.
- D. **Walkway connection to public sidewalks.** Pedestrian walkways between the sidewalk and a building on a given property shall be required per the following standards:
 - (1) Where a sidewalk exists in a public right-of-way adjacent to the site or is required to be constructed as part of the development approval, a pedestrian connection shall be constructed from the principal building on the subject lot to the sidewalk.
 - (2) Pedestrian walkways shall be constructed of asphalt, concrete, or hard-surface pavers.
 - (3) The pedestrian walkway may be created as part of a driveway if it is delineated with a minimum of a painted line and the portion utilized for vehicular traffic is not reduced from the minimum width requirements.
 - (4) Pedestrian walkways shall have a minimum width of 4 feet.
- E. **Walkway connections to certain features.** To the maximum extent feasible, all uses shall provide concrete or paved pedestrian linkages to existing trail systems, parks, schools, adjacent developments, and mass transit stations or stops. Such pedestrian linkages shall be a minimum of 5 feet in width.

4.8 SIGNAGE

4.8.1 General Provisions

A. **Purpose.** The purposes of this Section are to:

- (1) Regulate signage in a content-neutral manner based on form, placement, and physical characteristics, consistent with First Amendment protections;
- (2) Protect public safety by preventing signage that interferes with traffic control devices, sight distance, or pedestrian and vehicular circulation;
- (3) Reduce visual clutter and improve corridor legibility through reasonable limits on sign size, height, number, illumination, and location;
- (4) Ensure signage is appropriately scaled for on-site identification and wayfinding; and
- (5) Support community character and economic reinvestment through clear, predictable, and uniformly applied standards.

B. **Applicability.**

- (1) This Section governs the establishment, installation, alteration, and maintenance of all signage.
- (2) This Section applies to all zoning districts and all parcels unless a provision expressly states otherwise.
- (3) Permanent signage is permitted only in accordance with an adopted Master Signage Plan, except where expressly exempted by this Resolution.
- (4) Routine maintenance and repair that does not alter a sign face, panel, or display surface, or otherwise change the sign's size, height, location, illumination, or structural components, shall not be considered a sign alteration and shall not require plan approval or amendment.
- (5) Property owners and authorized agents are jointly and severally responsible for ensuring that all signage remains in compliance with this Resolution.

C. **Measurements.**

- (1) **Setbacks.** Setbacks shall be measured horizontally from the applicable lot line to the nearest point of the sign structure, including any base, support, frame, or architectural element.
- (2) **Height.** Sign height shall be measured from normal grade to the highest attached component of the sign structure, including all sign faces, cabinets, frames, and decorative elements. Grade changes made solely or primarily to increase sign height shall not be used for measurement.
- (3) **Area.** Sign area shall be calculated as the area of the smallest geometric shape that encloses the entire sign face. For signs consisting of individual letters, symbols, or elements mounted directly to a surface, sign area shall be calculated as the area enclosing all sign components.

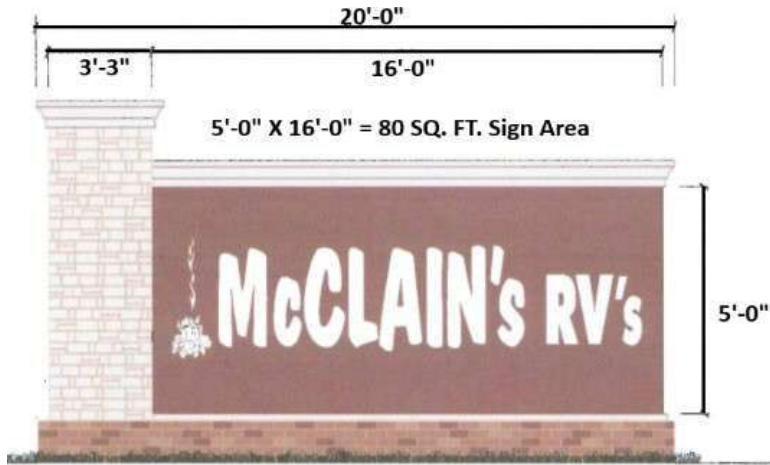


Figure 4.8.1-A. Monument Sign Dimensions Diagram

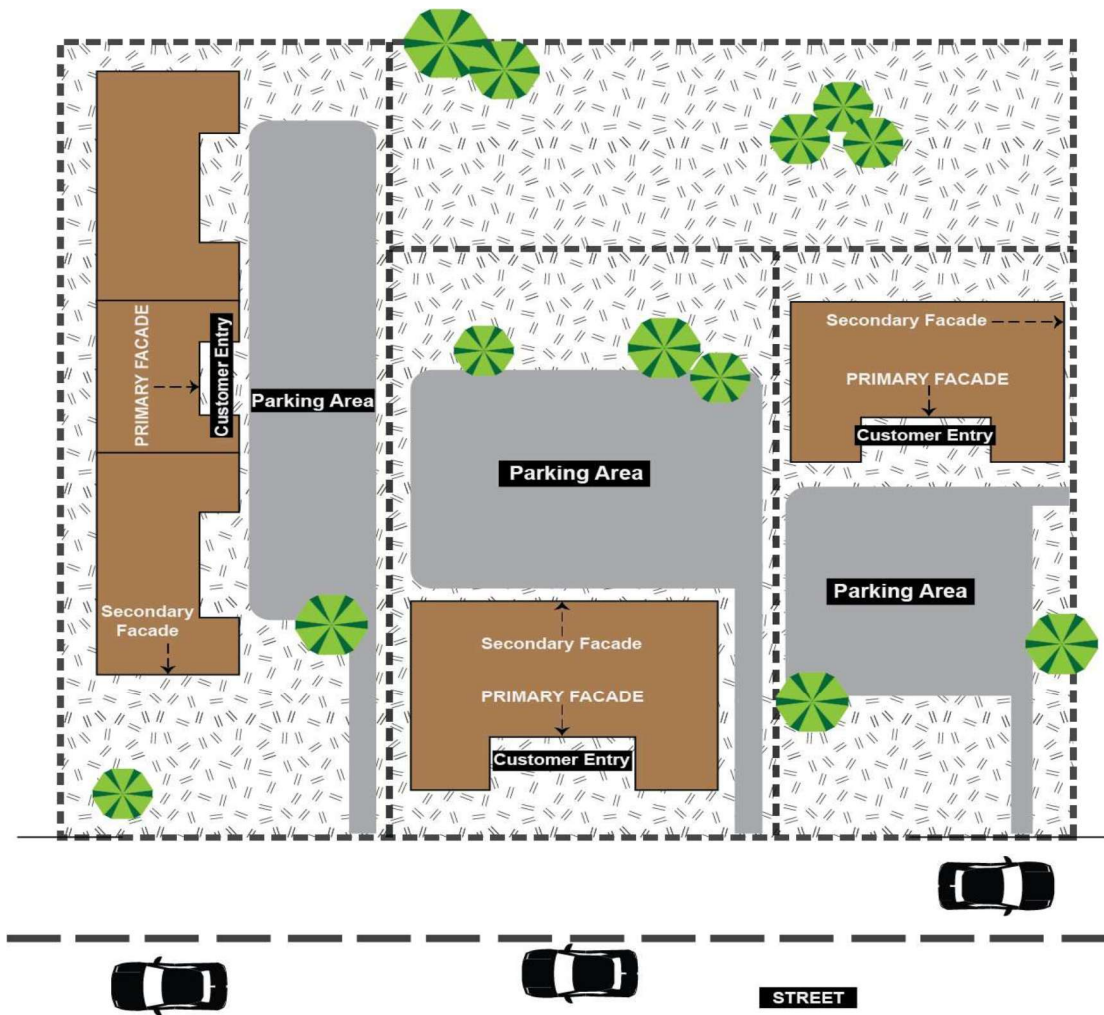


Figure 4.8.1-B. Façade Identification

D. **Zones and Districts.** For purposes of this Section, signage permissions shall be determined based on the applicable zoning district and, where a conditional or lawful nonconforming use exists, the type of use lawfully occupying the site, as follows:

- (1) Residential Zoning Districts. RER, SUR, and MUR zoning districts. Properties within these districts that are lawfully occupied by non-residential uses shall be subject to the signage standards applicable to the use as permitted by this Resolution.
- (2) Commercial Zoning Districts. NBM, AMN, AMC, and AMS zoning districts.
- (3) Industrial Zoning Districts. LIT and SLF zoning districts.
- (4) GOR District. No signage shall be permitted within the GOR zoning district except for governmental signs, signs required by law, and gateway monument signs approved in accordance with this Resolution.

4.8.2 Master Signage Plan

A. **Requirement and effect.**

- (1) A Master Signage Plan shall be required for any lot proposing one or more permanent surface or identification signs.
- (2) An approved Master Signage Plan authorizes all signage shown on the plan, and no separate zoning certificate shall be required.
- (3) A joint plan may be submitted for unified or commonly maintained developments to establish coordinated signage standards, as determined appropriate by the Zoning Administrator.
- (4) The Zoning Administrator shall approve or deny a complete Master Signage Plan application within thirty (30) days of completeness determination. The review period may be extended provided that notice of such extension is issued to the applicant through the Township's permit processing portal.
- (5) Written findings shall be issued for any denial.

B. **Submittal requirements.** A Master Signage Plan shall include sufficient information to demonstrate compliance with this Resolution, including:

- (1) A consolidated site plan showing all existing and proposed signage and relevant site features;
- (2) Calculations demonstrating compliance with applicable sign standards;
- (3) Design, construction, and illumination details;
- (4) Landscaping details for ground-mounted signs; and
- (5) Identification of any proposed sign face changes. Replacement or modification of a sign structure shall constitute a new sign.

4.8.3 Surface Signs

- A. **Applicability.** Surface signs, including wall signs, blade signs, and window signs, shall be permitted in all residential, commercial, and industrial zoning districts, subject to approval of a Master Signage Plan, and in compliance with the standards of this subsection and Table 4.8.3-A.

Zoning District	Combined Area of All Surface Signs
Residential	0.5 square feet per lineal foot of building frontage, max 75 ft ²
Commercial	1 square foot per lineal foot of building frontage; max 150 ft ²
Industrial	5. square feet per lineal foot of building frontage; max 225 ft ²

Table 4.8.3-A. Dimensional Standards for Surface Signs

- B. **Additional requirements.** All surface signs shall comply with the following:
- (1) Surface signs shall not include visible wiring, conduit, raceways, transformers, or cabinet-style box signs with changeable faces;
 - (2) Wall signs and blade signs may be internally, externally, or indirectly illuminated; and
 - (3) Window signs shall not be illuminated. The following shall be permitted notwithstanding this limitation: One (1) illuminated window sign, not exceeding two (2) square feet in area, operated only during business hours.



Figure 4.8.3-A. Surface Sign Examples

4.8.4 Directional Signs

- A. **Applicability.** Directional signs, including curb cut signs and wayfinding signs, shall be permitted in all commercial and industrial zoning districts, subject to approval of a Master Signage Plan, and in compliance with the standards of this subsection and Table 4.8.4-A.

Directional Sign Type	Count	Sign Face Surface Area	Total Sign Height (Including Base)	Setback
Curb Cut	1 per driveway	10 ft ² per side per sign structure	4 feet maximum	None
Wayfinding	1 per 5 acres; Maximum of 4	50 ft ² per side per sign structure	8 feet maximum	20 feet

Table 4.8.4-A. Dimensional Standards for Directional Signs

- B. **Additional requirements.** All directional signs shall comply with the following:
- (1) Signs shall be ground-mounted and not mounted on one or more poles;
 - (2) Signs shall be subordinate in size and placement to permitted identification signage;
 - (3) Signs shall not function as on-premises identification signage; and
 - (4) Wayfinding signs shall be permitted only on lots with a minimum lot area of ten (10) acres, or within a development consisting of multiple lots that collectively contain a minimum of ten (10) acres and are under common ownership or common control by a homeowners' association or similar entity.



Figure 4.8.4-A. Directional Sign Example

4.8.5 Identification Signs

- A. **Applicability.** Identification signs, including single identification signs, joint monument signs, and gateway signs, shall be permitted subject to approval of a Master Signage Plan and in compliance with the standards of this subsection and Tables 4.8.5-A. Gateway signs are permitted in all zoning districts. Single identification and joint identification signs are permitted in commercial and industrial zoning districts only.

Identification Sign Type	Count	Sign Face Surface Area	Total Sign Height (Including Base)	Setback
Single Identification	1 per 500 lineal feet of lot frontage; Maximum of 2	50 ft ²	8 feet maximum	10 feet
Joint Identification	1 per 500 lineal feet of lot frontage; Maximum of 4	50 ft ² per tenant; 200 ft ² total per side per sign structure	12 feet maximum	10 feet
Gateway	2 per development	200 ft ² total per side per sign structure	16 feet maximum	10 feet

Table 4.8.5-A. Dimensional Standards for Identification Signs

- B. **Additional requirements for all identification signs.** All identification signs shall comply with the following:
- (1) Signs shall be ground-mounted monument style with a solid masonry, stone, concrete, or comparable durable base between eighteen (18) and thirty-six (36) inches in height;
 - (2) Signs shall be scaled for on-site identification and internal circulation and shall not be designed for long-range visibility;
 - (3) No business, use, or tenant shall be identified on more than one (1) sign face on the same sign structure, nor on more than one (1) identification sign structure. Identification on any ground-mounted sign, including joint or multi-tenant signs located on a separate lot, shall count toward this limitation;
 - (4) A business, use, or tenant with an existing nonconforming ground-mounted identification sign shall not establish an additional ground-mounted identification sign unless the nonconforming sign is permanently removed and the site is brought into full compliance with this Section;

- (5) Identification signs may be internally, externally, or indirectly illuminated;
 - (6) Replacement, modification, or alteration of any sign face, panel, or display surface on an identification sign or nonconforming pole or pylon sign shall require approval of a Master Signage Plan.
- C. **Landscape requirements for all identification signs.** All ground-mounted identification signs shall incorporate landscaping that complies with the following:
- (1) Each sign shall be fully surrounded by a continuous landscaped area with a minimum five-foot (5') radius measured from the outer edge of the sign base, uninterrupted by paving, curbing, edging, or structural elements.
 - (2) The landscaped area shall consist of living plant materials and shall include, at a minimum, one (1) ornamental tree or multi-stem shrub (6 ft. minimum installed height), three (3) shrubs (30 in. minimum installed height), and groundcover sufficient to achieve full coverage within two (2) growing seasons.
 - (3) Mulch may comprise no more than forty percent (40%) of the landscaped area. Decorative rock, gravel, artificial turf, and other non-living materials shall not be counted.
 - (4) Required landscaping shall not be located within sight-distance triangles, clear-vision areas, utility easements, or areas that obstruct pedestrian or vehicular circulation.
 - (5) Landscaping shall be continuously maintained in a healthy and orderly condition. Dead or diseased plant material shall be replaced in the next available planting season. Failure to maintain required landscaping shall constitute a violation of this Resolution.
- D. **Additional requirements for joint identification signs.** Joint identification signs shall comply with the following:
- (1) Tenant sign faces on joint identification signs shall be consistent in dimensions across the sign structure; and
 - (2) Tenant names and graphics on joint identification signs shall be displayed on a uniform background and shall be limited to a single, consistent color.
- E. **Additional requirement for gateway signs.** Gateway signs shall comply with the following:
- (1) Gateway signs shall be permitted only on lots with a minimum lot area of ten (10) acres, or within a development or neighborhood consisting of multiple lots that collectively contain a minimum of ten (10) acres and are under common ownership or common control by a homeowners' association or similar entity.
- F. **Changeable copy boards.** Copy boards that change manually, mechanically, or electronically may be incorporated into a single identification monument sign, and shall comply with the following:
- (1) Electronic copy shall be displayed only against a black background and shall not flash, scroll, move, or otherwise create the appearance of motion;
 - (2) Changes to displayed copy shall occur no more than once per hour; and

- (3) Maximum brightness shall not exceed two thousand (2,000) nits and shall include automatic dimming controls and glare shields equipped with a photocell responsive to ambient light conditions.
- (4) The area of the changeable copy board shall count towards the maximum permitted sign face surface area as shown in Table 4.8.5-A.



Figure 4.8.5-A. Single Identification Sign Example



Figure 4.8.5-A. Joint Identification Sign Example

4.8.6 Signs Permitted Without a Master Signage Plan

- A. **Governmental and signs required by law.**
- B. **Drive-thru order display boards.** Drive-thru order display boards are permitted only in conjunction with a lawful drive-thru or drive-in use. Such signs shall be set back a minimum of ten (10) feet from all property lines, shall be no taller than 8 feet, and shall not exceed fifty (50) square feet per sign.
- C. **Portable A-frame or sandwich board signs.** One (1) portable A-frame or sandwich board sign is permitted per lot or per tenant space. Such signs shall not exceed six (6) square feet, shall be non-illuminated, and shall be displayed only during hours of operation and shall be removed from the site at the close of business each day.
- D. **Temporary signs.** One (1) temporary banner sign is permitted per lot or per tenant space. Such signs shall not exceed six (6) square feet in residential zoning districts or thirty-six (36) square feet in commercial or industrial zoning districts, shall be non-illuminated, shall be set back a minimum of ten (10) feet from all property lines, and shall be displayed for a maximum of 60 consecutive days within a 90-day period.
- E. **Incidental signs.** Incidental signs are permitted without a Master Signage Plan when accessory to and physically integrated with a lawful on-site use, structure, or equipment. Such signs shall be oriented toward on-site users, and shall be limited to identification, instructional, safety, pricing, or operational information directly related to the associated use or equipment. Incidental signs shall be non-illuminated or illuminated only as an integral part of the equipment and shall not function as general advertising, off-premises signage, or a substitute for signage otherwise regulated by this Article, nor be arranged or combined to create the appearance of a larger sign.

4.8.7 Prohibited Signs

- A. **Prohibited sign types.** The following sign types are prohibited in all zoning districts:
 - (1) Pole signs and pylon signs;
 - (2) Human-held, worn, or carried signs;
 - (3) Inflatable signs or inflatable sign devices;
 - (4) Snipe signs;
 - (5) Signs that utilize motion, including signs with physically moving parts or mechanical movement;
 - (6) Improvised, makeshift, or non-permanent signs used or intended for permanent display. This provision includes post-and-panel signs;
 - (7) Signs utilizing flashing, scrolling, pulsing, moving, or otherwise animated illumination, except where expressly permitted by this Resolution;
 - (8) Roof-mounted signs; and

- (9) Signs that utilize flexible, exposed, or decorative lighting elements, including rope lights, LED string lights, neon tubing, or similar continuous light sources not enclosed within a sign cabinet or individual channel letters.
- B. **Prohibited locations.** Signs shall not be installed, displayed, or maintained in any of the following locations:
 - (1) Within public rights-of-way or on public property, except where expressly authorized by a governmental entity or permitted elsewhere in this Resolution;
 - (2) On traffic control devices, utility poles, street furniture, fences, trees, other signage, or other objects not designed or approved to support signage;
 - (3) Without authorization of the property owner or lawful occupant of the premises;
 - (4) In a manner that obstructs sight distance, interferes with traffic control devices, or creates a hazard to pedestrian or vehicular circulation; and
 - (5) In a manner that imitates, resembles, or conflicts with official traffic control devices or signage.

4.8.8 Signage Compliance Standards

- A. **Purpose and intent.** This section establishes the rules governing signage when compliance issues arise. Its objectives are to protect public safety, preserve community character, enforce consistent signage standards, and outline fair and transparent enforcement procedures.
- B. **Illegal placement.** Signage is illegally placed if it does not meet legal requirements for erection or display. This includes signs installed before the adoption of this Resolution without authorization under then-applicable laws, or signs erected after adoption without required zoning certificates, approvals, or inclusion in a Master Signage Plan. It also includes signage in prohibited areas, within the public right-of-way without authorization, or on property without the owner's consent. Illegally placed signs shall be removed or brought into full compliance with this Resolution.
- C. **Abandoned signage.** Signage is deemed abandoned when it no longer advertises or identifies a bona fide business, product, service, or activity. A sign is presumed abandoned if ninety (90) consecutive days have elapsed since cessation of the advertised use without submission of a replacement plan, or if its structure or surface remains blank, deteriorated, or unused for the same period. Abandoned signs shall be removed or brought into full compliance with this Resolution.
- D. **Nonconforming signage.** Nonconforming signage includes any sign lawfully erected before adoption of this Resolution, or a subsequent amendment, that no longer meets current requirements. Such signage may continue as a legal nonconforming use if maintained, repaired, or refaced in its existing location. Nonconforming status is lost if the sign is unused for two (2) consecutive years, structurally altered, relocated, damaged by fifty percent (50%) or more of its replacement value, or otherwise modified to increase its nonconformity. Upon

loss of status, the sign shall be removed or brought into full compliance with this Resolution.

- E. **Maintenance standards.** All signage within the Township shall be constructed, installed, and maintained in a safe, orderly condition, in full compliance with applicable codes, and kept in good repair. Signs shall remain free of rust, dirt, dust, graffiti, and similar debris. Exposed surfaces shall be kept clean and, where painted, properly coated. Damaged or defective parts shall be promptly replaced without creating or increasing nonconformity, and approved illumination shall be fully operational and promptly repaired if malfunctioning. Associated landscaping or decorative features shall be maintained in a healthy, presentable condition consistent with any approved Master Signage Plan. Any sign not maintained in good repair shall be removed or brought into full compliance with this Resolution.
- F. **Enforcement process for correcting signage compliance issues.** The Zoning Administrator is authorized to inspect signs and determine if issues exist related to illegal placement, abandonment, nonconformity, or maintenance. When such a determination is made, the Zoning Administrator shall initiate the following enforcement process:
- (1) Before issuing any notice, the Zoning Administrator shall determine that a violation exists and prepare a written record that includes the property address and parcel number, date-stamped photographs, a description of the condition of the signage, the specific sections of this Resolution violated, a determination of curable or non-curable status under this Resolution, and facts supporting the determination. For purposes of this section:
 - (2) For violations that can be corrected without loss of legal nonconforming status, the Zoning Administrator shall issue a written warning to the owner of record and the property address where the signage is located. The notice shall identify the violation and applicable code sections, specify the corrective steps, and allow ninety (90) days for voluntary compliance. Upon written request submitted before the period expires, the Zoning Administrator may grant one (1) ninety-day extension if substantial progress toward correction is demonstrated. This provision does not apply to non-curable violations, which cannot lawfully be maintained or brought into compliance under this Resolution.
 - (3) For any violation uncorrected after the ninety (90) day warning period, or for violations deemed non-curable, the Zoning Administrator shall issue a written violation notice to the property owner of record and the address where the signage is located. The notice shall restate the violation, cite the specific sections of this Resolution, and advise the owner of the right to appeal to the Board of Zoning Appeals within thirty (30) days of the notice.
 - (4) If removal has not occurred within the prescribed compliance period and no timely appeal has been filed, or if an appeal is denied and the violation remains, the Zoning Administrator shall refer the matter to the Board of Trustees for a public hearing on abatement. If the Board determines the signage is a public nuisance, it shall adopt a

Resolution ordering abatement. Once an abatement order is issued by Resolution, the violation is no longer subject to correction by the owner. The owner shall have thirty (30) days from the Board's decision to remove the signage. If removal does not occur, the Township shall remove the signage. All costs of removal, including administrative and incidental expenses, shall constitute a debt owed to the Township by the property owner and may be collected in any manner authorized by law. Any signage removed pursuant to an abatement Resolution shall become Township property and may be disposed of as the Township deems appropriate.

- G. **Non-curable vs curable violations.** For the purposes of this Resolution:
- (1) Non-curable violations are compliance issues where the signage cannot lawfully remain under any circumstances, and correction is not possible. Examples include signs that have lost legal nonconforming status due to abandonment, signs installed in prohibited locations such as the public right-of-way without authorization, or signs never permitted under this Resolution.
 - (2) Curable violations are compliance issues that can be corrected through repair, maintenance, or lawful modification of the signage so that it conforms to this Resolution. Examples include replacing damaged panels, restoring illumination, repainting, or obtaining a zoning certificate where one was omitted.
- H. **Removal and prohibition on retention or repurposing.** For purposes of this Resolution, "removal" of signage means the complete elimination of the sign face, cabinet, frame, pole or support structure, foundation, electrical components, footings, and all other associated materials. No portion of a removed sign or its supporting structure shall remain in place or be reused or repurposed for any other function, including but not limited to conversion to lighting, flagpoles, or other site fixtures. The site shall be restored to a safe, orderly condition.
- I. **Imminent hazards.** Signs posing an imminent hazard, such as risk of collapse or fire hazard, shall be removed immediately at the property owner's expense, without prior notice or hearing, upon determination by the Zoning Administrator. Nothing in this Section limits the Township's authority to summarily abate signage that presents an imminent threat to public health or safety under applicable law.

4.9 WASTE RECEPTACLES

4.9.1 General Waste Receptacle Provisions

- A. **Location restrictions.** Waste receptacles that are 32 gallons or larger in size shall only be permitted in the side or rear yard or in the front driveway if stored against a principal building used for a dwelling unit.
- B. **Exemption from setback requirements.** Waste receptacles smaller than 32 gallons in size shall not have to meet any setback requirements in any zoning district.
- C. **Screening required.** Waste receptacles or dumpsters in excess of 2 yards in volume capacity (including a combination of individual receptacles with a total of more than 2 yards of capacity) shall be screened from view from rights-of-way and from adjacent lots in accordance with the standards contained in Section 4.6.2 (L)
- D. **Lot 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.

4.10 VISION CLEARANCE TRIANGLE

4.10.1 General Vision Clearance Triangle Provisions

- A. **Vision clearance triangle standards.** Nothing within a required vision clearance triangle shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between the heights of 2.5 feet and 10 feet above the centerline of grade(s) of the adjacent street(s).

4.10.2 Corner Lots at Unsignalized Intersections

- A. **Vision clearance triangle required.** All corner lots at unsignalized street intersections shall maintain, for safety vision purposes, a vision clearance triangle.
- B. **Design of vision clearance triangle.** A vision clearance triangle for a corner lot shall consist of the area bounded by the right-of-way of the adjacent intersecting streets extending along those right-of-way centerlines 30 feet from the point of right-of-way intersection, and a straight line connecting said latter points, as shown in Figure 4.10.2-A - Unsignalized Intersection Vision Clearance Triangle.



Figure 4.10.2-A. Unsignalized Intersection Vision Clearance Triangle

4.10.3 Driveway Curb Cuts

- A. **Vision clearance triangle required.** A vision clearance triangle shall be maintained at all driveway entrances and curb cuts from rights-of-way for vision safety purposes.
- B. **Design of vision clearance triangle.** A vision clearance triangle for a driveway curb cut shall be formed by extending one line 25 feet along the street right-of-way from the edge of the driveway pavement and another line from that same point 20 feet along the driveway and then connecting the two endpoints, as shown in Figure 4.10.3-A - Driveway Vision Clearance Triangle.

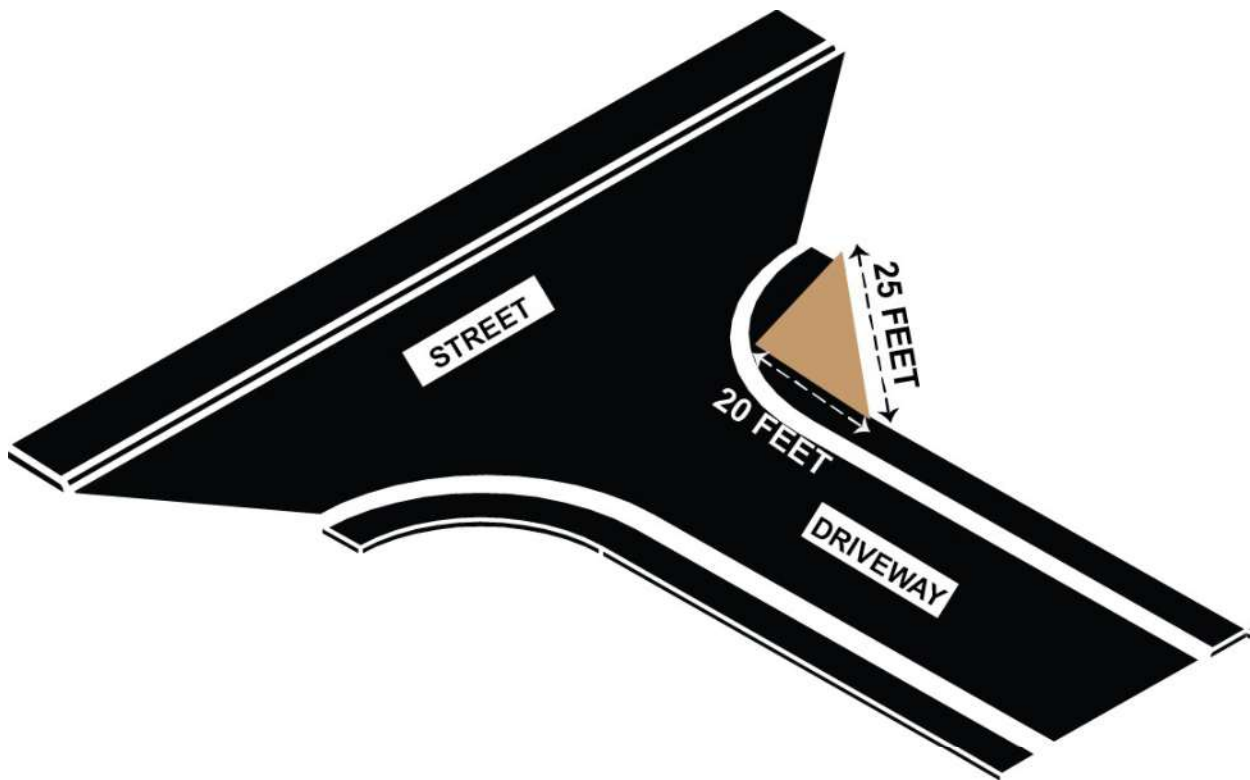


Figure 4.10.3-A. Driveway Vision Clearance Triangle

5 Nonconformities

5.1 GENERAL PROVISIONS

5.1.1 Classification and Effect of Nonconforming Status

- A. **Classification of nonconformities.** Lots, uses of lands, structures, signs, or combinations thereof may exist which were lawfully established prior to the effective date or amendment of this Resolution, but that do not comply with the effective terms of this Resolution. Such legally established lots, uses of lands, structures, and/or signs shall be considered as nonconformities.
- B. **Burden of proof on property owner.** The burden of establishing that any use or building is lawfully nonconforming under the provisions of this Resolution shall, in all cases, be upon the owner of such nonconformity and not upon the Township.
- C. **Effect of nonconforming status.** Legally established nonconformities shall be permitted to remain in place and/or continue their use, as applicable, but are prohibited from be altered, moved, extended, expanded, or replaced without the approval of the Board of Zoning Appeals, except where otherwise specifically provided for in this Resolution.
- D. **New nonconformities restricted.** Nonconforming uses and buildings shall not be replaced with any other prohibited uses or buildings without the approval of the Board of Zoning Appeals, except where otherwise specifically provided for in this Resolution.

5.1.2 Determination and Effect of Abandonment or Destruction

- A. **Effect of abandonment or vacancy.** If any nonconforming building, feature, or use is abandoned, vacated, or voluntarily discontinued for 2 years or more, any future uses and/or any future alterations to such nonconformity shall be in conformity with all applicable standards of this Resolution, including the applicable zoning district.
- B. **Restoration following damage or destruction.** Nothing in this Resolution shall prevent the restoration of a nonconforming building, feature, or use that is destroyed or damaged, provided:
 - (1) That the extent of the damage or destruction is less than 30% of the reproduction value;
 - (2) That the property owner(s) shall file with the Zoning Administrator a notice of intention to continue the nonconformity within 6 months of such damage or destruction; and
 - (3) That the restoration or construction is commenced within 1 year of the date that such notice is given to the Zoning Administrator.
- C. **Failure to provide notice following damage or destruction.** If a notice of intention to continue a damaged or destroyed nonconformity is not provided to the Zoning Administrator within 6 months of such damage or destruction, the nonconformity shall be deemed abandoned and shall not be restored except in compliance with this Resolution.

- D. **Exception to restoration limit.** The Board of Zoning Appeals may review and decide upon the restoration of a nonconforming use damaged by fire, explosion, act of God, or the public enemy to the extent of more than 30% of its reproduction value.

5.1.3 Repair and Maintenance

- A. **Ordinary repairs allowed.** On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, provided that the footprint and height of the structure as it existed, when it became nonconforming, shall not be increased.
- B. **Major repairs allowed with limitations.** Nothing within this Article 6 – Administration shall be deemed to prevent the strengthening or restoring to safe condition of any building, or part thereof, declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Where appropriate, a building permit for such activities shall be required.

5.2 NONCONFORMING BUILDINGS, FEATURES, & USES

5.2.1 Accessory Buildings, Features, and Uses

- A. **Applicability.** Accessory buildings, features, and uses that were legally established prior to the effective date of this Resolution which do not comply with applicable setback or coverage requirements shall still be considered in compliance with this Resolution.
- B. **Compliance for new modifications.** Any modifications of existing accessory buildings, features, and uses proposed after the effective date of this Resolution shall only be permitted in compliance with all applicable standards of this Resolution.

5.2.2 Restrictions on Alterations

- A. **Required yards and setbacks.** Nonconforming buildings, features, and uses shall not be altered in a manner that reduces provided yards and/or setbacks below minimum requirements thereof.
- B. **Alterations to nonconforming uses.**
 - (1) Nonconforming uses shall not be enlarged, increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution, except as provided in Subsection 6.3.4– Legal Nonconformity Certificate. The Board of Zoning Appeals shall only grant such alteration to a nonconforming use upon finding that the manner of increase or improvement in the useable area of the nonconforming use will have minimal adverse impact upon adjacent properties and permitted land uses in the surrounding neighborhood; or upon finding that the increase or improvement can be made compatible with the adjacent properties and the uses in the surrounding neighborhood upon compliance with specified conditions.
 - (2) Nonconforming uses may be extended throughout any parts of an associated building that were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution. No such use shall be extended to occupy any land outside such building.
 - (3) Any structure or structure and land in combination in or on which a nonconforming use is replaced with a conforming use shall thereafter conform to the applicable regulations of this Resolution. The prior nonconforming use may not thereafter be resumed.
 - (4) Nonconforming uses that are altered shall be required to meet all setbacks of the applicable zoning district.
- C. **Substitution of nonconforming uses.** If no structural alterations are made, any nonconforming use of a structure or of a structure and land in combination may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Board of

Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution.

- D. **Alterations to nonconforming and/or associated buildings.** Buildings that are associated with a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to an allowed use, except as authorized by the Board of Zoning Appeals per Subsection 6.2.2 – Board of Zoning Appeals.
- E. **New construction prohibited.** Construction of new buildings associated with nonconforming uses of land shall be prohibited.

5.2.3 Effect of Variances on Nonconforming Uses

- A. **Proposed uses.** The granting of a variance per Subsection 6.5.4 – Variance for a use that otherwise complies with this Resolution shall not create a nonconforming use.
- B. **Existing nonconforming uses.**
 - (1) An existing nonconforming use shall be considered a conforming use upon the granting of a variance per Subsection 6.5.4 – Variance that addresses all nonconforming aspects of the existing use.
 - (2) An existing nonconforming use shall remain considered as a nonconforming use upon the granting of a variance per Subsection 6.5.4 – Variance that addresses some nonconforming aspects but leaves other nonconforming aspects unaddressed.

5.3 NONCONFORMING SIGNS & LOTS

5.3.1 Nonconforming Lots of Record in Combination

- A. **Abutting lots considered one lot.** If 2 or more lots, or a combination of lots and portions of lots with continuous frontage in a single ownership are of record at the time this Resolution becomes effective, and if all or part of the lots with not buildings do not meet the requirements established for lot area or lot width, the lands involved shall be considered as an undivided parcel for the purposes of this Resolution.
- B. **Restrictions on combined lots.** No portion of combined lots that are considered an undivided parcel shall be used or divided in a manner which diminishes compliance with lot area or lot width requirements.

5.3.2 New Construction on Nonconforming Lots

- A. **Construction allowed.** Within a zoning district where one-unit dwellings are permitted, a one-unit dwelling and any allowed accessory buildings and features may be erected on a nonconforming single lot of record that is in separate ownership from any abutting lots, even where such lot does not meet minimum applicable lot area or lot width standards.
- B. **Minimum required dimensional standards.** Construction of a one-unit dwelling on a nonconforming lot shall meet all applicable yard and setback standards, except where a variance of such standards is approved per the provisions of Subsection 6.5.4 – Variance.

5.3.3 Restrictions on Alterations of Signs and Lots

- A. **Alterations to lot area and width.** Nonconforming lots shall not be subdivided or otherwise altered in a manner that reduces the provided lot area and/or lot width below minimum requirements thereof.
- B. **Alterations to signs.** The replacement or upgrading of defective parts of a nonconforming sign may not result in increasing the degree of nonconformity of such sign.

5.3.4 Determination and Loss of Sign Legal Nonconformity

- A. **Determination of legal nonconformity.**
 - (1) All signs legally existing before the effective date of the amendment of this resolution may be continued, even though such sign may not conform with the provisions (excluding safety, maintenance, and repair) of this resolution, provided, such signs are properly maintained and do not endanger the public health, safety, or general welfare. Such signs may be issued a Legal Nonconformity Certificate, pursuant to the Subsection regarding Legal Nonconformity Certificate.
- B. **Loss of legal nonconforming status.** A legal nonconforming sign will lose its designation of legal nonconformity if:
 - (1) The sign is relocated;
 - (2) The sign is removed or replaced for any length of time;

- (3) The structure or size of the sign is altered in any way except towards compliance with this Resolution – exempting general maintenance, changeable marquees, or face and copy changes; or,
- (4) The sign is on a lot that discontinues active operation for a period of 2 or more years.

C. Maintenance and repair of nonconforming signs.

- (1) Legal nonconforming signs are subject to all requirements of this Resolution regarding safety, maintenance, and repair. However, if the sign suffers damage to an extent greater than 30% of the estimated replacement value, the sign shall be replaced with a sign that complies with this Resolution.
- (2) The Zoning Administrator shall be authorized to determine whether a legal nonconforming sign is properly maintained and does not endanger the public or constitute a nuisance.

6 Administration

6.1 GENERAL PROVISIONS

6.1.1 Authority to File Applications

- A. The person having legal authority to take action in accordance with the approval sought shall file an application for any review in accordance with this Resolution. The person having authority shall be the record owner or the duly authorized agent of the record owner and may be required to provide proof of such authority at the time of application.
- B. **Township authority.** The Zoning Commission and Board of Township Trustees may initiate resolution and map amendments under this Resolution with or without an application from the property owner who may be affected.

6.1.2 Classification of Application Types

- A. **Administrative applications.**
 - (1) Zoning certificate (see Subsection 6.3.1 and 6.3.2);
 - (2) Legal nonconformity certificate (see Subsection 6.3.1 and 6.3.4);
 - (3) Modification to a conditional use (see Subsection 6.3.1 and 6.3.5); and
 - (4) Administrative waiver (see Subsection 6.3.1 and 6.3.6).
- B. **Legislative applications.**
 - (1) Text and map amendment (see Subsections 6.4.1 and 6.4.2); and
 - (2) Planned District Review and Amendment (see Subsection 6.4.3).
- C. **Quasi-judicial applications.**
 - (1) Appeal of administrative decision (see Subsection 6.5.1 and 6.5.2);
 - (2) Conditional use (see Subsection 6.5.1 and 6.5.3); and
 - (3) Variance (see Subsection 6.5.1 and 6.5.4).

6.1.3 Fees

- A. **Fees established.** The Township shall charge appropriate fees for the review or issuance of Zoning Certificates, Conditional Use Certificates, Appeals, Variances, Zoning Amendments, Nonconforming use Certificates, and other applicable certificates to cover the costs of inspection, investigation, legal notices, and other expenses incidental to the enforcement of this Resolution. Such fees shall be paid to the Colerain Township Zoning Department, or its designee, and shall be paid in accordance with the Official Zoning Fee Schedule as established by the Board of Township Trustees.
- B. **Refund of fee.** Application or review fees are not refundable except where the Zoning Administrator determines that an application was accepted in error, or the fee paid exceeds the amount due, in which case the amount of overpayment will be refunded to the applicant.

6.2 ADMINISTRATIVE BODIES

6.2.1 Board of Township Trustees

- A. **Roles and powers.** For the purpose of this Resolution, the Board of Township Trustees shall have the following roles and powers:
- (1) Initiate proposed amendments to this Resolution.
 - (2) Review and decide on all proposed amendments to this Resolution.
 - (3) Perform all other duties as specified in Chapter 519 of the Ohio Revised Code and as specified in this Resolution.

6.2.2 Board of Zoning Appeals

- A. **Establishment.** The Board of Trustees, for the purpose and intentions of this Resolution, hereby creates and establishes the Board of Zoning Appeals.
- B. **Roles and powers.** The Board of Zoning Appeals shall have the following roles and powers:
- (1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision, grant, or refusal made by the Zoning Administrator or other official in the interpretation or enforcement of the provisions of this Resolution.
 - (2) To hear and decide, in accordance with the provisions of this Resolution, applications filed for conditional uses, for interpretation of the zoning map, or for decisions upon other special questions on which the Board of Zoning Appeals is authorized by this Resolution to pass.
 - (3) In considering an application for conditional use, the Board of Zoning Appeals shall have the power to impose such requirements and conditions with respect to location, construction, maintenance, and operation, in addition to those expressly stipulated in this Resolution for the given conditional use, as the Board of Zoning Appeals may deem necessary for the protection of adjacent properties and the public interest.
 - (4) To authorize upon appeal in specific cases, filed as herein provided, such variances from the provisions or requirements of this Resolution as will not be contrary to the public interest, but only in such cases where, owing to special conditions pertaining to a specific piece of property, the literal enforcement of the provisions or requirements of this Resolution would cause unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done. The Board of Zoning Appeals may attach thereto such conditions regarding the location, character, and other features of the proposed structure or use, as it may deem necessary in the interest of the furtherance of the purposes of the Resolution and in the public interest.
 - (5) To allow the extension of a use or building into a more restrictive district immediately adjacent thereto but not more than 25 feet beyond the dividing line of the 2 districts. Under such conditions, the standards of the more restrictive district shall apply.

- (6) To permit the substitution of a nonconforming use existing at the time of enactment of this Resolution in compliance with Article 5 – Nonconformities.
- (7) To grant the extension of a nonconforming building where such extension is necessary incidental to the existing use, provided, however, that the floor area of such extension shall not exceed 50% of the total floor area of the existing building(s) on the lot devoted to a nonconforming use on the effective date of this Resolution.
- (8) All other powers conferred upon township boards of zoning appeals in Section 519.14 of the Ohio Revised Code, or as authorized by the Board of Trustees in compliance with state law.

C. Appointment and organization.

- (1) The Board of Zoning Appeals shall consist of 5 members, to be appointed by the Board of Township Trustees.
- (2) Members shall be residents of the unincorporated area of Colerain Township, Hamilton County, Ohio.
- (3) Members shall serve 5-year terms with the term of one member expiring each year.
- (4) Each member shall serve until their successor is appointed and qualified.

D. Alternate members.

- (1) The board of Township Trustees shall appoint 2 alternate members to the Board of Zoning Appeals for a 2-year term each.
- (2) An alternate member shall take the place of an absent regular member at any meeting of the Board of Zoning Appeals.
- (3) An alternate member shall meet the same appointment criteria as a regular member.
- (4) When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote.

E. Member removal and vacancies.

- (1) Members of the Board of Zoning Appeals shall be removable for nonperformance of duty, misconduct in office, or other cause, by the Trustees, upon written charges having been filed with the Trustees, and after a public hearing has been held regarding such charges, a copy of the charges having been served upon the member so charged at least 10 days prior to the hearing, either personally or by registered mail, or by leaving the same at the member's usual place of residence. The member shall be given an opportunity to be heard and answer such charges.
- (2) Vacancies shall be filled by appointment by the Trustees and shall be for the time remaining in the unexpired term.

F. Rules. The Board of Zoning Appeals shall organize and adopt rules for its own governance provided they are consistent with law or with any other Resolution of the Township.

G. Meetings.

- (1) Meetings of the Board of Zoning Appeals shall be held at the call of the Chair and at such other times as the Board of Zoning Appeals may determine.
- (2) The Chair, or in their absence, the Active Chair may administer oaths and the Board of Zoning Appeals may compel the attendance of witnesses per Section 519.15 of the Ohio Revised Code.
- (3) All meetings of the Board of Zoning Appeals shall be open to the public, except as exempted by law.
- (4) The Board of Zoning Appeals shall keep minutes of its proceedings showing the vote, indicating such fact and shall keep records of its examinations and official actions, all of which shall be immediately filed in the office of the Township Fiscal Officer and shall be a public record, unless exempted by law.

H. **Quorum.**

- (1) Any combination of 3 regular members of 2 regular members and 1 alternate member of the Board of Zoning Appeals shall constitute a quorum.
- (2) The Board shall act by resolution or motion when 3 members concur. Every decision shall be accompanied by findings of fact, based on testimony and evidence and specifying the reason for granting or denying the application.

6.2.3 Zoning Commission

- A. **Establishment.** The Board of Township Trustees, for the purpose and intent of this Resolution, hereby creates and establishes the Colerain Township Zoning Commission, hereafter referred to as the Zoning Commission.
- B. **Roles and powers.** The Zoning Commission shall have the following roles and powers:
- (1) Initiate proposed amendments to this Resolution.
 - (2) Review all proposed amendments to this Resolution and make recommendations to the Board of Township Trustees.
 - (3) Perform all other duties as specified for a township zoning commission in Chapter 519 of the Ohio Revised Code and as specified in this Resolution.
- C. **Appointment and organization.**
- (1) The Zoning Commission shall be composed of 5 members who reside in the unincorporated area of Colerain Township, to be appointed by the Board of Trustees.
 - (2) Members shall serve 5-year terms with the term of one member expiring each year.
 - (3) Each member shall serve until their successor is appointed and qualified.
- D. **Alternate members.**
- (1) The Board of Township Trustees shall appoint 2 alternate members to the Zoning Commission for a term of 2 years each.
 - (2) An alternate member shall take the place of an absent regular member at any meeting of the Zoning Commission.

- (3) An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote.

E. Member removal and vacancies.

- (1) Members of the Zoning Commission shall be removable for nonperformance of duty, misconduct in office, or other cause, by the Trustees, and after a public hearing has been held regarding such charges, a copy of the charges having been served upon the member so charged at least 10 days prior to the hearing, either personally or by registered mail, or by leaving the same at the member's usual place of residence. The member shall be given an opportunity to be heard and answer such charges.
- (2) Vacancies shall be filled by appointment by the Trustees and shall be for the time remaining in the unexpired term.

F. Rules. The Zoning Commission shall organize and adopt rules for its own governance provided they are consistent with law or with any other Resolution of the Township.

G. Meetings.

- (1) Meetings shall be held at the call of the Chair and at such other times as the Zoning Commission may determine.
- (2) All meetings shall be open to the public, except as exempted by law.
- (3) The Zoning Commission shall keep minutes of its proceedings showing the vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record, unless exempted by law, and be immediately filed in the office of the Zoning Commission.

H. Quorum.

- (1) Any combination of 3 regular members or 2 regular members and 1 alternate member of the Zoning Commission shall constitute a quorum.
- (2) The Zoning Commission shall act when 3 members concur, and every decision shall be accompanied by written findings specifying the reason for granting or denying the application or making its recommendation.

6.2.4 Zoning Administrator

A. Roles and powers. The Board of Township Trustees shall appoint a Zoning Inspector/Zoning Administrator who shall have the following roles and powers and shall be referred to as the Zoning Administrator for the purposes of this Resolution:

- (1) Serve as the Zoning Administrator within the Colerain Township Planning and Zoning Department.
- (2) It shall be the duty of the Zoning Administrator to enforce this Resolution. It shall also be the duty of all officials and employees of the Township to assist the Zoning Administrator by reporting to them upon new construction, reconstruction, land uses, or upon seeing violations.

- (3) It shall be the duty of the Zoning Administrator to review applications for Zoning Certificates, Legal Nonconformity Certificates, Modifications to a Conditional Use, and Administrative Waivers, and to ensure compliance with this Resolution in accordance with Section 6.3 – Administrative Applications.
 - (4) Upon written request from the owner or authorized agent, the Zoning Administrator shall issue a Zoning Certificate for any building or premises existing at the time of effective date of this Resolution certifying, after inspection, the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this Resolution.
 - (5) It shall be the duty of the Zoning Administrator to keep adequate records of all applications and decisions on said applications.
 - (6) It shall be the duty of the Zoning Administrator to issue citations of zoning violations and keep adequate records of all violations.
 - (7) The Board of Township Trustees may also appoint additional zoning inspector personnel to assist the Zoning Administrator in such roles and powers.
- B. **Appeal of decisions.** A decision of the Zoning Administrator may be appealed to the Board of Zoning Appeals. The Zoning Administrator shall have appropriate forms available at the time of denial.

6.3 ADMINISTRATIVE APPLICATIONS

6.3.1 Administrative Review Procedures

- A. **Review procedure step #1: application.** The applicant shall submit 2 copies of the following to the Township Zoning Administrator prior to submitting for a Hamilton County Building Permit:
- (1) A complete application on applicable forms available from the Township offices;
 - (2) All such forms, maps, and information as may be prescribed for that purpose by the Colerain Township Zoning Department to assure the fullest practicable presentation of the facts for the permanent record. A list of minimum submittal requirements may be adopted by the Zoning Commission; and
 - (3) All required fees as established in the Colerain Township fee schedule.
 - (4) Applications that have not been addressed due to lack of communication from the applicant will automatically be closed without prejudice 45 days following the date of application. The Zoning Administrator is under no obligation to refund any fees collected.
- B. **Review procedure step #2: review.**
- (1) The Township Zoning Administrator shall review the application for conformance with the provisions of this Zoning Resolution.
 - (2) For Administrative Waiver applications, the Zoning Administrator shall review a complete application within 30 days of submission. The Zoning Administrator may refer the Administrative Waiver to the Board of Zoning Appeals to request assistance in determining the reasonableness of the request. In so doing, the Administrative Waiver shall be subject to the review criteria provided in Subsection 6.3.6 – Administrative Waiver, and shall be subject to the review procedure provided in Subsection 6.5.1 – Quasi-Judicial Review Procedures. Applications for Administrative Waiver that are not referred to the Board of Zoning Appeals shall continue to be reviewed per the procedures of this Subsection 6.3.1 – Administrative Review Procedures.
- C. **Review procedure step #3: decision.**
- (1) Within 10 business days after receipt of a complete application (Step #1), the Township Zoning Administrator shall either issue an approval of the application or deny the application and in so doing state in writing the reasons for the action taken.
 - (2) Upon approval, the Zoning Administrator shall return one signed copy of the application and maintain the second copy of the application for Township records.
 - (3) If the application is denied, the applicant may submit a revised application and sketch plan for review in accordance with the review procedure, or the applicant may appeal the decision to the Board of Zoning Appeals in accordance with Section 6.5 – Quasi- Judicial Applications of this Resolution.

6.3.2 Zoning Certificate

- A. **Applicability.** It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter erected, created, changed, converted, or enlarged, wholly or partly, until a Zoning Certificate is issued by the Zoning Administrator. A Zoning Certificate shall be required for any of the following:
- (1) New construction or structural alteration of any building or structure, including accessory buildings;
 - (2) Change in use of an existing building, accessory building, lot, or portion thereof, to a use of a different classification, excluding changing to any agricultural use;
 - (3) Occupancy and use of vacant land excluding agricultural land;
 - (4) Change in the use of land to a use of a different classification;
 - (5) Replacement of structures, regardless of whether the new structure is a one-for-one replacement of an existing structure. This should not be interpreted to prohibit a property owner from conducting maintenance upon an existing structure;
 - (6) Any change in the use of a nonconforming use; or
 - (7) For any platted subdivision approved under Section 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any area consisting of 15 or more lots approved under Section 711.131 (711.13.1) of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, the Township shall require a Zoning Certificate for: (a) Agriculture uses on lots of one acre or less; (b) Setbacks, heights, and sizes of buildings or structures incidental to the use of land for agricultural purposes on lots greater than 1 acre but not greater than 5 acres; or (c) Dairying and animal and poultry husbandry on lots greater than one acre but not greater than 5 acres when at least 35% of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under Section 4503.06 of the Ohio Revised Code. After 35% of the lots are so developed, dairying and animal and poultry husbandry shall be considered a nonconforming use of land and nonconforming buildings or structures pursuant to Section 519.19 of the Ohio Revised Code.
- B. **Exemptions from zoning certificate.** The following buildings, structures, and types of work shall not require a Zoning Certificate and may be located in any yard except where explicitly restricted:
- (1) Agricultural structures and uses on lots with a lot area of 5 acres more, per Section 519.21 of the Ohio Revised Code;
 - (2) Basketball hoops that are set back at least 10 feet from any street right-of-way;
 - (3) Bird baths;

- (4) Compost piles or bins that meet the provisions of Article 3 of this Resolution.
 - (5) Essential services;
 - (6) Flag poles;
 - (7) Fountains;
 - (8) Gardens;
 - (9) Concrete pads;
 - (10) Private kennels that meet the provisions of Article 3 of this Resolution.
 - (11) Repair and replacement of existing solar energy equipment that does not include expansion of rooftop and/or ground area covered by solar panels;
 - (12) Satellite dish antennas that are specified as exempt in the provisions of Article 3 of this Resolution.
 - (13) Solar panels that are specified as exempt in the provisions of Article 3 of this Resolution.
 - (14) Statues;
 - (15) Swing sets and gym sets;
 - (16) Temporary fences up to 2 feet tall;
 - (17) Woodpiles, provided the wood is neatly stacked and does not exceed 6 feet in height; and
 - (18) Other structures or uses as permitted by the Zoning Commission.
- C. **Exemptions and flood hazard area regulations.** Structures that are exempt from the provisions of the Zoning Resolution pursuant to this Section shall not be exempt from any applicable special flood hazard area regulations established and enforced by Hamilton County.
- D. **Zoning certificates and on-site water or sewer systems.**
- (1) A certificate of approval for individual on-site water or sewer systems shall be obtained from authorities having jurisdiction and supplied to the Township prior to the final occupancy inspection by the Township for a nonresidential Zoning Certificate.
 - (2) Where an on-site sewer or wastewater system is to be used, the applicant shall be required to submit a letter or permit from the Health Department or the Ohio Environmental Protection Agency stating that a soil suitability test demonstrates that the soils are suitable for the proposed system or that a soil suitability test is not required for the subject site.
- E. **Review criteria.**
- (1) All applications for a Zoning Certificate shall demonstrate conformity with the provisions of this Zoning Resolution.
 - (2) In addition to other requirements, a landscaping and buffer plan may be required for review and approval as part of an application for a Zoning Certificate per the provisions of Section 4.3 – Landscaping and Buffering.

F. Expiration.

- (1) Construction shall begin within 12 months of issuance of a Zoning Certificate, and the Certificate shall expire 24 months after issuance if construction is not completed and a Certificate of Occupancy is issued by the Hamilton County Department of Building Inspections unless an extension is granted by the Township.
- (2) Failure to begin construction within 12 months shall result in the expiration of the Zoning Certificate unless the applicant requests and receives an extension from the Zoning Administrator.
- (3) Upon expiration of a Zoning Certificate, a new Zoning Certificate application, including all applicable fees, shall be required before construction.

6.3.3 Zoning Verification Letter

- A. Applicability.** An application for a Zoning Verification Letter is required for any official information regarding a specific lot, parcel, or Planned District. An applicant shall apply digitally for a Zoning Verification Letter to receive answers to specific questions regarding up to three contiguous parcels. If the parcels that are subject to the request are not contiguous, or the applicant is requesting information for four or more parcels, separate request(s) shall be made.
- B. Letter contents.** In response to a Zoning Verification Letter request, the Zoning Administrator shall, within 30 days, provide answers to the following questions to the best of their ability:
- (1) The zoning class of the property;
 - (2) Whether the property is in an overlay district;
 - (3) The zoning class of adjacent properties;
 - (4) The current use of the property;
 - (5) A description of the uses allowed by right at the property;
 - (6) A list of any open zoning or code enforcement violations at the property;
 - (7) A list of any known variances that have been granted to the property;
 - (8) Whether the property has legal non-conforming status;
 - (9) In the event of casualty, whether the structure would be able to be rebuilt in its current form; and
 - (10) Any known and relevant digital documents regarding the property will be attached to the letter.
- C. Additional inquires.** As part of the Zoning Verification Letter application, the applicant may ask other questions regarding the parcel or parcels that are subject to the request. However, this will increase the response timeline and each question will add a three-day window to the anticipated response time.

6.3.4 Legal Nonconformity Certificate

- A. **Applicability.** The owner of any nonconforming building, feature, use, lot, or sign may at any time apply to the Department of Building, Planning, and Zoning for a Legal Nonconforming Certificate to establish the legality of such nonconformity as of a specified date.
- B. **Review criteria.** Approval of an application for a Legal Nonconformity Certificate shall only be granted if the application demonstrates that the subject(s) of the application, be it a lot, building, use, sign, other regulated feature, or combination thereof, was legally established and in conformance with the applicable standards of the Zoning Resolution enacted at the time of establishment.
- C. **Issuance of nonconforming certificate.** If approved and upon approval, the Zoning Administrator shall issue a Legal Nonconformity Certificate evidencing facts that the nonconformity in question remains lawfully existing, that any required affidavit is in order, and setting forth the nature and extent of the nonconformity.
- D. **Expiration.**
 - (1) Approved Legal Nonconformity Certificates expire when the subject of the certificate loses its nonconforming status per the provisions of Article 5 – Nonconformities.
 - (2) Approved Legal Nonconformity Certificates also expire when applicable standards of the Zoning Resolution are changed in a manner that causes the subject of the certificate to comply.

6.3.5 Modification to a Conditional Use

- A. **Applicability.** The following types of modifications to a previously approved conditional use are eligible for an administratively reviewed Modification to a Conditional Use:
 - (1) Altering the location of structures;
 - (2) Constructing accessory structures;
 - (3) Enlargement or relocation of open space or grading where such alterations will comply with the intent of all applicable regulations as established by the Colerain Township Zoning Resolution and by the approval of the Conditional Use by the Board of Zoning Appeals;
 - (4) Increasing the previously approved lot impervious surface area by 5% or less; and/or
 - (5) Increasing or decreasing the square footage of previously approved buildings by 5% or less.
- B. **Disqualifiers.** In addition to the applicability standards above, the following types of modifications will require a new Conditional Use approval per the applicable procedures in Section 6.5 – Quasi-Judicial Applications:
 - (1) Grading or location of structures over an existing sanitary sewer;
 - (2) Construction or installation of lighting above the levels and amounts allowed by the Colerain Township Zoning Resolution or by approval of the Board of Zoning Appeals;
 - (3) Reduction of previously approved open space, landscaping, or buffering;

- (4) Change of use from the previously approved use;
 - (5) Increase in signage from the previously approved Conditional Use; and/or
 - (6) Creating a Variance or extending a previously approved Variance.
- C. **Quasi-judicial review required.** Applications to modify a previously approved conditional use that do not meet the eligibility criteria provided above must be reviewed as a new Conditional Use and follow the applicable procedures in Section 6.5 – Quasi-Judicial Applications.

6.3.6 Administrative Waiver

- A. **Applicability.** The Zoning Administrator may grant Administrative Waivers for any area or dimensional regulation that meets ALL of the criteria listed in Section 6.3.6-D.
- B. **Limitations.**
- (1) Primary structures may have a setback reduction of up to 20% in the side yard.
 - (2) Accessory structures (sheds, garages, pools, fences, etc.) may have a setback reduction of up to 1.5 feet, an increase of up to 1.5 feet in maximum permitted height, and/or up to 25% increase to the allowed encroachment into a side yard for privacy fences for the purpose of including a side door within a fenced area. The fence shall not exceed a total of 75% of the building's side wall length.
 - (3) An administrative waiver may allow existing accessory structures (including side and rear yard fences) to be replaced 1 for 1, provided that they adhere to the approval criteria listed in Section 6.3.6-D.
 - (4) All other area and dimensional requirements shall not exceed 10% of the applicable minimum or maximum requirements.
- C. **Ineligible requests.**
- (1) No Administrative Waivers shall be granted for an area or dimensional regulations related to signage.
 - (2) No Administrative Waivers shall be granted for any waiver request that does not meet the criteria in Section 6.3.6-D. Applicants that exceed the limits of an Administrative Waiver shall be required to apply for a Variance through the Board of Zoning Appeals.
- D. **Review criteria.** Requests will be evaluated based upon the current requirements of this Resolution. Decisions on an Administrative Waiver shall be based on consideration of the Duncan Factors found in Section 6.5.4 (A)(4) of this Resolution and the following criteria:
- (1) The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, etc.);
 - (2) The waiver request is minor in nature;
 - (3) The waiver will not have a detrimental impact on any surrounding properties;
 - (4) The waiver request does not substantially deviate from the development character of the surrounding properties; and

- (5) The waiver request does not deviate from the overall purpose of this Resolution or the intent and objective of the original regulation.
- E. **Expiration.** Within 1 year of the date the Administrative Waiver is approved, the applicant must submit a completed application for a Zoning Certificate per the applicable provisions of Section 6.3 – Administrative Applications, or the approval shall expire.

6.4 LEGISLATIVE APPLICATIONS

6.4.1 Legislative Review Procedures

- A. **Amendment initiation.** Amendments or supplements to the Zoning Resolution may be initiated by:
- (1) Motion of the Zoning Commission;
 - (2) Passage of a resolution by the Board of Township Trustees, who shall then certify such resolution to the Zoning Commission; or
 - (3) By the filing of an application by 1 or more of the owners of property within the area proposed to be changed or affected by the proposed amendment.
- B. **Review procedure step #1: preapplication conference.**
- (1) The applicant is encouraged to meet with the Colerain Township Zoning Department to discuss the initial concepts of a zoning map amendment and general compliance with applicable provisions of this Resolution prior to the submission of the application.
 - (2) During this time, an applicant may also request a preliminary, informal meeting with the Zoning Commission to discuss the initial concepts.
 - (3) Discussions that occur during a preapplication conference or a preliminary meeting with staff or the Zoning Commission are not binding on the Township and do not constitute official assurances or representations by Colerain Township or its officials regarding any aspects of the plan or application discussed.
- C. **Review procedure step #2: application.**
- (1) Applications for any change of district boundaries, classifications of property as shown on the Zoning Map, or changes to the Resolution text shall be submitted to the Zoning Commission at the Colerain Township Zoning Department.
 - (2) The application shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Commission to assure the fullest practicable presentation of the facts for the permanent record. Minimum submittal requirements may be established by resolution or administrative policy.
 - (3) Each application shall be signed by at least one of the owners, or the owner's authorized agent of the property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications.
 - (4) Amendments initiated by the Zoning Commission shall be formally authorized by motion of the Zoning Commission describing the proposed amendment.
 - (5) Any person or persons desiring a change in the zoning classification of property shall file with the application for such change a statement giving the names and addresses of the owners of all properties lying within 200 feet of any part of the property the zoning classification of which is proposed to be changed.

- (6) All applications shall be submitted with the required fees as established in the Colerain Township fee schedule.
- D. **Review procedure step #3: zoning commission hearing.**
- (1) Upon adoption of a motion, certification of a resolution, or the filing of an application for an amendment (Step #2), the proposed amendment shall be scheduled for a public hearing before the Zoning Commission on a date established by the Board of Township Trustees, in accordance with the Ohio Revised Code.
 - (2) The public hearing shall not be less than 20 or more than 40 days after the date the application (Step #2) was submitted.
 - (3) Notification shall be given in accordance with Section 519.12 of the Ohio Revised Code. In addition to the notification required by the Ohio Revised Code, the Township shall mail notice to all property owners within 200 feet of a property subject to a map amendment at least 10 days prior to the public hearing.
- E. **Review procedure step #4: zoning commission recommendation.** Within 30 days after the Zoning Commission's public hearing (Step #3), the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed amendment and submit such recommendation together with such application or resolution, the text and map pertaining thereto, and any advisory recommendations to the Board of Township Trustees.
- F. **Review procedure step #5: trustees hearing.**
- (1) Upon receipt of the recommendation from the Zoning Commission (Step #4), the Board of Township Trustees shall set a time for a public hearing on such proposed amendment.
 - (2) The date of the public hearing shall not be more than 30 days after the date of the receipt of such recommendation from the Zoning Commission.
 - (3) Notification shall be given in accordance with Section 519.12 of the Ohio Revised Code.
- G. **Review procedure step #6: decision.**
- (1) Within 20 days after its public hearing (Step #5), the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Board of Trustees denies or modifies the recommendation of the Zoning Commission, a majority vote of the Board of Trustees shall be required.
 - (2) Any amendment adopted by the Board of Township Trustees shall be subject to referendum in accordance with Ohio Revised Code §§ 519.12 and 3501.38, including the timing, petition requirements, elector thresholds, and election procedures set forth therein.

6.4.2 Text and Map Amendment

- A. **Review criteria.** The following criteria, as applicable, shall be used in decisions regarding text and map amendments for this Resolution:
- (1) The amendment is in accordance with the Colerain Township Comprehensive Plan, the Colerain Township Land Use Plan, other adopted plans or policies of the Township, and this Resolution, as adopted by the Board of Township Trustees; and
 - (2) Where more than one zoning district is available to implement the Comprehensive Plan or Land Use designation, the applicant must justify the particular zoning district being sought and show that it is best suited for the specific site, based upon the policies of the Colerain Township Comprehensive Plan.

6.4.3 Planned District Review and Amendment

- A. **Application requirements.** In addition to the procedural requirements of the zoning map amendment process outlined in Section 6.4.1, the Zoning Administrator shall receive applications for Planned Districts and confirm completeness. A complete application includes all of the following:
- (1) A written development narrative describing the proposed Planned District, including the overall development concept, proposed mix of uses, general phasing (if applicable), and an explanation of how the proposal meets the review criteria set forth in this Section.
 - (2) A civil or architectural plan submission that meets the requirements of a Zoning Certificate as specified in Section 6.3.2 – Zoning Certificates, and includes the following:
 - (3) Property lines, setbacks, dimensions, and orientations.
 - (4) Adjacent streets and rights-of-way.
 - (5) Proposed new construction and general site layout.
 - (6) Equipment, outbuildings, and dumpster locations that will be visible on the site.
 - (7) Impervious surface ratio.
 - (8) A building plan for each building affected, showing general building footprints, interior layout, and overall dimensions.
 - (9) Exterior elevations of all sides of proposed new construction, including significant renovation. Building materials shall be noted.
 - (10) Vicinity map including all structures on adjacent properties within 50 feet of the property line.
 - (11) Existing and proposed zoning district boundaries.
 - (12) Proposed demolition of existing buildings, pavement, and fencing, if applicable.
 - (13) Total gross and net acreage of the site and total square footage of proposed buildings.
 - (14) A lighting plan per Section 4.5 – Outdoor Lighting.
 - (15) A landscape plan per Section 4.7 – Parking, Loading, and Circulation.

- (16) A Master Parking Plan per Section 4.7 – Parking, Loading, and Circulation. The fees for such plan shall be included in the cost of the Preliminary Development Plan application.
 - (17) A Master Signage Plan per Section 4.8 – Signage. The fees for such plan shall be included in the cost of the Preliminary Development Plan application.
 - (18) Completion of the digital application.
 - (19) Legal description of the property, including book and page numbers, owner name(s), parcel numbers, and physical location of the property.
- B. **Additional materials required.** The applicant shall provide additional information, plans, studies, or forms as reasonably requested by the Zoning Administrator, Zoning Commission, or Board of Township Trustees to assist with review of the proposed Planned District, provided such requests are proportional to the scale and complexity of the development and related to legislative review of the Planned District.
- C. **Conceptual plans only.** Submittals at the Planned District stage are intended to be conceptual in nature and shall not be construed as construction-ready plans or authorization for development without subsequent administrative approvals.
- D. **Uses and use authorization.** Permitted uses in Planned Districts shall be established by the approving resolution and shall be consistent with the Comprehensive Plan and applicable provisions of this Resolution.
- E. **Review criteria.** The following criteria are intended to guide the discretionary review of Planned District proposals. No single factor shall be determinative; rather, the Zoning Commission and Township Trustees shall evaluate the proposal in its entirety based on the following considerations. Review and consideration of a Planned District by the Zoning Commission and Township Trustees shall include the following factors:
- (1) The proposal meets or exceeds one or more land use goals, objectives, or recommendations of the Comprehensive Plan.
 - (2) The proposal supports safe pedestrian, bicycle, wheelchair, and other non-vehicular transportation to and between common destinations within or adjacent to the Planned District.
 - (3) The Planned District demonstrates a cohesive site design that integrates buildings, public spaces, circulation, landscaping, and signage into a unified development pattern.
 - (4) The proposal incorporates identifiable gateways, entry features, or transition elements to establish a sense of arrival and distinguish the Planned District.
 - (5) The proposal includes placemaking elements such as plazas, greens, courtyards, streetscape enhancements, or similar features.
 - (6) Building placement and orientation frame streets and common spaces rather than parking areas to the maximum extent practicable.

- (7) Vehicular access, internal circulation, and traffic generation are designed to minimize congestion, maintain roadway safety, and ensure efficient connectivity to the surrounding transportation network.
 - (8) Parking areas are designed and screened to minimize visual dominance and reinforce a form-based site layout.
 - (9) Architectural design demonstrates compatibility and continuity across the Planned District.
 - (10) The Planned District provides appropriate transitions in scale, intensity, and design to adjacent development.
 - (11) Open spaces and site amenities are integrated as functional design elements.
 - (12) The Planned District advances high-quality development consistent with Township character and long-term reinvestment goals.
- F. **Conditions of approval.** The Zoning Commission and Township Trustees may impose conditions on approval to ensure compliance with applicable review criteria and standards of this Resolution.
- G. **Modification of an approved Planned District.** Following approval of a Planned District, any proposed change to an approved development plan, conditions of approval, or related exhibits shall be classified by the Zoning Administrator as a major modification, minor modification, or administrative review in accordance with this Section. This classification is intended to differentiate between changes that materially alter the approved development concept or intent and changes that remain consistent with the original approval and may be reviewed administratively.
- H. **Major modifications.** A modification shall be considered a major modification and shall require approval by the Board of Township Trustees following a public hearing when the proposed change:
- (1) Alters the overall development concept, intent, or form of the Planned District.
 - (2) Substantially changes the mix of uses, intensity, or character of development.
 - (3) Modifies building location, orientation, or massing affecting streets, gateways, placemaking features, or common open spaces.
 - (4) Adds additional principal buildings or development areas not shown in the approved development plan.
 - (5) Reduces or materially alters required open space, gateways, placemaking elements, or defining design features.
 - (6) Increases development intensity or scale in a manner that materially increases impacts.
 - (7) Substantially deviates from or violates a condition of original approval or any previously approved modification.
- I. **Minor Modifications.** Any proposed change to an approved development plan, conditions of approval, or related exhibits that does not meet the criteria for a Major Modification and is

not eligible for Administrative Review shall be considered a Minor Modification. Minor Modifications shall be reviewed and may be approved by the Zoning Administrator.

- J. **Administrative Review.** Routine zoning certificates, Change of Use certificates, Master Parking Plans, Master Signage Plans, and similar administrative approvals that do not modify the approved development concept or framework and that are consistent with the conditions of the Trustee Resolution approval and the approved development plan shall be reviewed and may be approved administratively by the Zoning Administrator.

6.5 QUASI-JUDICIAL APPLICATIONS

6.5.1 Quasi-Judicial Review Procedures

A. **Application.** (Step 1)

- (1) An application for variances, conditional uses, or other review over which the Board of Zoning Appeals has original jurisdiction per Subsection 6.2.2 may be made by any property owner, including an authorized agent, or by a governmental officer, department, board, or bureau. In cases where a property has been denied an appeal by the Board of Zoning Appeals in the previous six-month period, applications for appeals may be rejected by the Zoning Administrator. Only where the request is substantially different than the previous reviewed appeal can the Zoning Administrator accept the application.
- (2) An application for appeal of administrative decision may be taken by any person aggrieved by a decision of the Zoning Administrator or by any administrative office of the Township in interpreting or applying the provisions of this Resolution. Such appeal shall be taken within 20 days of the decision in question, by filing with the Zoning Administrator and with the Board of Zoning Appeals, a notice of appeal specifying the ground thereof.
- (3) All applications shall be submitted to the Zoning Administrator with the required fee as established in the Colerain Township fee schedule. The Zoning Administrator shall forthwith transmit a copy of the application to the Board of Zoning Appeals. For applications for appeal of administrative decisions, the Zoning Administrator shall also forthwith transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

B. **Public hearing.** (Step 2)

- (1) The Board of Zoning Appeals shall fix a reasonable time for a hearing on any application or appeal, give public notice thereof, and give at least 10 days' notice to parties in interest, and decide upon the appeal within a reasonable time after it is submitted (see Step #1).
- (2) Any party may appear in person or by attorney at a hearing for an appeal or application.
- (3) Upon the day for hearing any application or appeal, the Board of Zoning Appeals may adjourn the hearing in order to obtain additional information or to cause further notice, as it deems proper to be substantially interested in said application or appeal. In the case of an adjourned hearing, persons previously notified, and persons already heard need not be notified of the time of resumption of said hearing unless the Board of Zoning Appeals decides so.

C. **Decision.** (Step 3)

- (1) Within 30 days after the hearing concludes (see Step #2), the Board of Zoning Appeals shall make a decision on the application or appeal based on all applicable criteria provided within this Resolution.
- (2) A certified copy of the Board of Zoning Appeals' decision shall be transmitted to all parties of interest. Such a decision shall be binding upon the Zoning Administrator and observed by them. They shall incorporate the terms and conditions of the decision in the permit to the applicant or appellant, whenever the Board of Zoning Appeals authorizes a Certificate.
- (3) A decision of the Board of Zoning Appeals shall not become final until the expiration of 30 days from the date such decision is made, unless the Board of Zoning Appeals finds that it is necessary for the preservation of property or personal rights that the decision be given immediate effect. Such a determination shall be stated in the record of the Board of Zoning Appeals.
- (4) For appeals, the Board of Zoning Appeals may, in conformity with the provisions of this Section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as in its opinion ought to be made in the premises; and to that end, shall have all powers of the Zoning Administrator from whom the appeal is taken.
- (5) Failure to comply with the conditions of a decision shall be deemed a violation of this Zoning Resolution.
- (6) Any party adversely affected by a decision of the Board of Zoning Appeals may appeal the decision to the Hamilton County Court of Common Pleas.

6.5.2 Appeal of Administrative Decision

- A. **Effect of filing application.** The filing of an appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board of Zoning Appeals, after the notice of appeal has been filed, that by reason of facts stated in the Certificate, a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order that may be granted by the Board of Zoning Appeals or by a court of record. Such applications shall be filed with the Zoning Administrator on any applicable forms available at the Township Zoning Office.
- B. **Review criteria.** The following criteria shall be used to review all applications for an Appeal of Administrative Decision or for interpretation of this Resolution:
 - (1) An order, decision, determination, or interpretation shall not be reversed or modified unless there is competent material and substantial evidence in the record that the order, decision, determination, or interpretation fails to comply with either the procedural or substantive requirements of this Resolution, state law, or the federal or state constitutions.

- (2) The Board of Zoning Appeals may impose conditions upon an affirmative decision to ensure that the requirements and purposes of this ordinance are followed in the order, decision, determination, or interpretation.
- (3) A properly submitted appeal shall stay all administrative proceedings by the Township in furtherance of the action appealed, unless the Planning and Zoning Department or other administrative official from whom the appeal is taken certifies to the Board of Zoning Appeals that a stay would cause imminent peril to life or property, in which case the administrative proceedings shall not be stayed unless a restraining order is granted by the Board of Zoning Appeals for good cause shown.

6.5.3 Conditional Use

- A. **Conditional use review criteria.** In reviewing conditional uses, the Board of Zoning Appeals shall grant approval only when the use is consistent with the following standards:
 - (1) The use is a conditional use, permitted with approval by the Board of Zoning Appeals, in the district where the subject lot is located;
 - (2) The use is in accordance with the objectives of the Colerain Township Comprehensive Plan and Zoning Resolution;
 - (3) The conditional use will not substantially and/or permanently injure the appropriate use of neighboring properties and will serve the public convenience and welfare; and
 - (4) The use will not create excessive requirements, at public cost, for public facilities and services and will not be detrimental to the economic welfare of the community.
- B. **Approval conditions authorized.** The Board of Zoning Appeals may impose such conditions and restrictions upon the conditional use as the Board of Zoning Appeals may deem necessary to comply with the standards set forth in this Section to reduce or minimize the impact of such use upon other property in the neighborhood and to further the purpose and intent of this Resolution.
- C. **Modifications to a previously approved conditional use.** Qualified applications to modify a previously approved conditional use shall be reviewed according to the procedures of Subsection 6.3.5 – Modification to a Conditional Use.

6.5.4 Variance

- A. **Variance review criteria.** The following criteria shall be used to review all applications for variances:
 - (1) The Board of Zoning Appeals shall not be authorized to grant variances for uses that are expressly prohibited in every zone by this Resolution and/or signage that is expressly prohibited by this Resolution.
 - (2) The Board of Zoning Appeals may authorize a variance when such variance will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the resolution will result in unnecessary hardship, and so that the spirit of the resolution shall be observed, and substantial justice done.

- (3) No grant of a variance shall be authorized unless the Board of Zoning Appeals finds that such variance from the provisions or requirements of this Resolution will not be contrary to the public interest and owing to special conditions pertaining to a specific piece of property, the literal enforcement of the provisions or requirements of this Resolution would cause unnecessary hardship. The Board of Zoning Appeals may attach thereto such conditions regarding the location, character, and other features of the proposed structure or use, as it may deem necessary in the interest of the furtherance of the purposes of the Resolution and in the public interest.
- B. **Duncan Factor analysis.** In its determination, the Board of Zoning Appeals shall consider the following factors, commonly known as the Duncan Factors for bulk, area, and size variance requests. (Duncan v. Middlefield (1986) , 23 Ohio St. 3d 83)
- (1) Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without the variance;
 - (2) Whether the variance is substantial;
 - (3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
 - (4) Whether the variance would adversely affect the delivery of governmental services;
 - (5) Whether the property owner purchased the property with the knowledge of the zoning restriction;
 - (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
 - (7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- C. **Approval conditions authorized.** The Board of Zoning Appeals may impose such conditions and restrictions upon the property benefited by a variance as the Board of Zoning Appeals may deem necessary to comply with the standards set forth in this Section, to reduce or minimize the impact of such variance upon other property in the neighborhood and to further the purpose and intent of this Resolution.

6.6 ENFORCEMENT, PENALTIES, AND REMEDIES

6.6.1 Violations

A. **Violations established.**

- (1) No building shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, and no land shall be used, in violation of this Zoning Resolution.
- (2) Each day's continuation of a violation of this Section may be deemed a separate offense.

6.6.2 Penalties and Remedies

A. **Failure to acquire a zoning certificate.** An amount equal to double the normal scheduled fees shall be assessed to the property owner for failure to acquire a Zoning Certificate as required by this Article.

B. **Penalties.** Any person, firm, or corporation violating any regulation, provision, amendment, or supplement to this Zoning Resolution, or failing to obey any lawful order of the Colerain Township Zoning Administrator issued pursuant thereto, shall be deemed guilty of a minor misdemeanor and, upon conviction thereof, shall be fined not more than \$500.00 or the maximum amount allowed by the Ohio Revised Code. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues may be deemed a separate offense.

C. **Remedies.**

- (1) In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of Sections 519.01 to 519.99, inclusive, of the Ohio Revised Code, or in violation of this Zoning Resolution, the Board of Trustees, the Hamilton County Prosecuting Attorney, the Zoning Administrator, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.
- (2) The Board of Trustees may employ special counsel to represent it in any proceeding or to prosecute any actions brought under this Subsection.

7 Glossary of Terms

7.1 TERMS DEFINED

7.1.1 "A" Terms.

- A. **Abutting or Adjacent.** The land, lot, or property adjoining the property in question along a lot line or separated only by an Alley, easement, or Street.
- B. **Accessory Buildings and Features.** Structures or large items that are attached to a Building or are directly anchored into the ground and that are accessory to the primary use of a property. Such features and structures include but are not limited to bird baths, flag poles, fountains, game courts, garages, gardens, patios, roof-mounted solar panels, statues, swings sets and gym sets, tool sheds, wood or solid-surface decks, and woodpiles. This definition does not include Fences.
- C. **Accessory Dwelling Unit.** An accessory dwelling unit (ADU) is a smaller, secondary home on the same lot as a primary dwelling. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, and sanitation. There are two types of ADUs:
 - (1) Garden cottages. Garden cottages are detached structures. Examples include converted garages or new construction.
 - (2) Attached accessory suites. Accessory suites are attached to or part of the primary dwelling. Examples include converted living space, attached garages, basements or attics; additions; or a combination thereof.
- D. **Accessory Off-Street Parking.** A parking lot that is accessory to, and on the same Lot as, a principal use.
- E. **Accessory Use.** A use that is incidental to and customarily found in connection with a Principal Building or use; is subordinate to and serves a principal building or use; is subordinate in area, extent, or purpose to the principal building or use served; and is located on the same lot as the principal building or use served.
- F. **Active Park & Recreational Facility.** Any park or recreational facility that requires grading of the land, construction of facilities, lighting, or is developed for ball fields, tennis courts, swimming pools, skate parks, disc golf, golf courses, and other active sports facilities with the exception of bike and hike trails. This definition includes canoe ramps.
- G. **Adult Group Facility - Small.** A residence or facility, as defined and regulated in Chapter 3722 of the Ohio Revised Code, which provides accommodations for 3 to 5 unrelated adults and provides supervision and personal care services to at least 3 of the unrelated adults. This use may also be referred to as Adult Family Home or Small Residential Facility.
- H. **Adult Group Facility - Large.** A residence or facility, as defined and regulated in Chapter 3722 of the Ohio Revised Code, which provides accommodations for 6 to 16 unrelated adults and provides supervision and personal care services to at least 3 of the unrelated adults. This use may also be referred to as Adult Group Home or Large Residential Facility.

- I. **Agricultural & Animal Keeping.** Farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.
- J. **Alley.** A public or private way which affords only secondary means of access to abutting properties. See also, Street.
- K. **Alternative Financial Service.** Check cashing businesses, payday advance or loan businesses, pawn businesses, money transfer businesses, or car title loan businesses. This term excludes Financial Institutions.
- L. **Animal Uses.** See Agricultural & Animal Use.
- M. **Applicant.** An owner or an agent for the owner, including, a subdivider, developer, attorney, or similar representative, who has filed an application for development review pursuant to Article 6 – Administration, unless otherwise specified.
- N. **Application.** The process by which the owner (or owner's agent) of a parcel of land within the Township submits a request for any type of development review or approval identified in Article 6 – Administration of this Resolution. Applications include all written documentation, verbal statements, and representation in whatever forms and quantities as required by the Township.
- O. **Art Studio or Classroom.** A facility where music, art, photography, and other forms of art are produced or studied and where models or customers may come to be photographed or have their likeness created in artistic form.
- P. **Authorities Having Jurisdiction.** Any empowered agency or entity with enforcement powers applicable to the subject provision of this Resolution.
- Q. **Automotive Body Repair.** A facility that provides collision repair services, including but not limited to body frame straightening and repair or replacement of damaged parts and paint.
- R. **Automotive Fuel Service.** The retail sales of unleaded and diesel gasoline.
- S. **Automotive Recycling Facility.** The dismantling or wrecking of vehicles at a facility as defined and regulated in ORC Section 4738. Such uses may include the storage or sale of junk vehicles, inoperable vehicles, or parts.
- T. **Automotive Sales or Rental.** A facility where new or used vehicles, in operable condition, are sold, leased, or rented to customers.
- U. **Automotive Service.** A building, structure, or land use for the general repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles include, but not limited to, muffler repair and replacement, oil change and lubrication, tire service and

sales, installation of accessories, or engine repairs. This definition does not include Automotive Body Repair.

- V. **Automotive Wash.** A facility, whether automatic, semi-automatic or manual, for washing
- W. **A-Weighted Sound Level (dba).** A measurement of sound pressure level that has been filtered or weighted to progressively de-emphasize the importance of frequency components below 1000 Hz and above 5000 Hz. This reflects the fact that human hearing is less sensitive at low frequencies and at extremely high frequencies relative to the mid-range of the frequency spectrum. This area of sensitivity also corresponds to the human speech band.

7.1.2 "B" Terms.

- A. **Bank.** See Financial Institution.
- B. **Bar.** An establishment providing or dispensing, for on-site consumption, any fermented malt beverage, malt beverage, special malt, vinous, or spirituous liquors. The sale of food products including, but not limited to, sandwiches and light snacks may be a secondary use to the service of the aforementioned drinks.
- C. **Basement.** That portion of a structure between the floor and ceiling which is wholly or partly below grade and having more than one-half of its height below grade.
- D. **Bed and Breakfast Establishment.** See Short-Term Rental.
- E. **Berm.** A mound of earth typically used to shield, screen, and buffer undesirable views and to separate potentially incompatible uses, within the context of landscaping, bufferyard, or screening requirements.
- F. **Board of Zoning Appeals.** The Colerain Township Board of Zoning Appeals as created as part of this Resolution.
- G. **Book Barn.** See Neighborhood Literature Redistribution Container.
- H. **Borrow.** Earth material acquired from an off-site location for use in grading a site.
- I. **Brewery.** A facility for the brewing of beer and ale for sale on the premises, as well as for off-site sales and distribution, which produces more than 10,000 barrels annually and may include a restaurant, bar, tasting, and/or retail space. The brewing operation processes the ingredients to make beer and ale by mashing, cooking, and fermenting. The brewing operation does not include the production of any other alcoholic beverages.
- J. **Broadcasting & Streaming Studio.** Commercial and public communications uses including radio and television broadcasting and receiving stations and studios, with facilities located entirely within enclosed structures.
- K. **Buffer or Bufferyard.** An area of natural or planted vegetation adjoining or surrounding a land use and unoccupied within its entirety by any building structure, paving, or portion of such land use. A buffer or bufferyard does not include space for active recreation, parking, or interior access drives. A buffer may include a wall, fence, or Berm as provided in accordance with the provisions of Section 4.3 – Landscaping and Buffering.

- L. **Building.** A temporary or permanent structure having a roof supported by walls and which can be used for shelter, business, housing, or enclosure of persons, animals, motor vehicles, boats, recreational vehicles, and other goods. This definition excludes Fences. This included the following defined categories:
- (1) **Building: Accessory Building.** A building that is incidental to and customarily found in connection with a Principal Building or Principal Use; is subordinate to and serves a principal building or use; is subordinate in area, extent, or purpose to the principal building or use served; and is located on the same lot as the principal building or use served.
 - (2) **Building: Principal Building.** A building that is designed for or occupied by a Principal Use of the lot. A lot may have more than one principal building (e.g., an apartment complex made of separate apartment buildings on one lot).
- M. **Building Height.** The vertical distance of a building as measured pursuant to Subsection 1.6.3 – Measurement Methodologies.

7.1.3 "C" Terms.

- A. **Cannabis Dispensary.** 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 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.
- B. **Canopy Tree.** A deciduous tree with an expected height of at least 35 feet at maturity.
- C. **Car Title Loan Business.** An establishment that makes or facilitates short term consumer loans that leverage the equity value of a car or other vehicle as collateral. This excludes state or federally chartered banks, savings and loan associations, or credit unions engaged primarily in the business of making longer-term loans and that makes loans that leverage the total equity value of a car or vehicle as collateral.
- D. **Carports.** An area attached to a residential structure, under the roof of the residential structure, and open on not more than three sides, intended and used primarily for the storage of motor vehicles and recreational vehicles. Such structures shall not extend beyond the front line of the primary residential structure.
- E. **Cellar.** That portion of the building having more than one-half of the floor-to-ceiling height below the average grade of the adjoining ground.

- F. **Cemetery.** A place for interment of human or animal remains or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof.
- G. **Charitable Donation Container.** An outdoor receptacle made of metal, steel, or a similar product capable of resisting the effects of weathering and designed with a door, slot, or other opening that is intended to accept and store donated items such as books, clothing, or other non-perishable goods and materials capable of being placed within the container using the intended method of securing the donated item(s) from the elements. This definition does not include Neighborhood Literature Redistribution Container.
- H. **Check Cashing Business.** An establishment that provides or facilities the provision of an amount of money that is equal to the face of the check or the amount specified in the written authorization for an electric transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specified period of time. This definition excludes a state or federally chartered bank, savings and loan association, credit union, pawnshop, grocery store, or gas station.
- I. **Child Group Facility.** Any dwelling unit that is being utilized as a group home for children, adult group home, or adult family home as defined by the Ohio Revised Code. This definition does not include residential facilities licensed under section 5119.34 of the Revised Code. This use may also be referred to as a Halfway House, Community Residential Center, or Group Home for Children.
- J. **Civic Hub.** A site or building organized around an Institutional or Public Use that serves the community (such as government, education, library, cultural, public safety, or similar civic functions), and that may include supporting Commercial Uses that are incidental and complementary to the primary civic purpose, integrated into a unified development.
- K. **Clinic.** An establishment where human patients are not hospitalized overnight and examined and are treated by or under the care and supervision of doctors, dentists, or other medical practitioners. This definition does not include Hospitals.
- L. **Club.** A building or portion thereof or premises owned or operated by a corporation, association, or group of persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.
- M. **Commercial Message.** Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.
- N. **Commercial Trailer.** Any towed vehicle, open or enclosed, specifically designed for the purpose of transporting equipment, tools, supplies, materials or other similar goods that will not permit human habitation for travel or recreation and that is not a Utility Trailer.
- O. **Commercial Vehicle and Equipment Parking Area.** An area of land used for temporary (nighttime) or long-term (multi-day) storage of vehicles that are larger than a full-sized pickup truck, commercial vehicles weighing over 10,000 pounds, commercial trailers weighing over 4,000 pounds, and associated equipment.

- P. **Common Open Space.** Land areas not occupied by Buildings, Structures, Parking Areas, Streets, Driveways, or Alleys. Open space shall not include upper floor decks and/or balconies.
- Q. **Compost Piles or Bins.** Containers or designated areas where organic materials, such as food scraps, yard waste, and other biodegradable items, are collected and allowed to decompose, transforming the organic matter into nutrient-rich material that is typically used for gardening.
- R. **Condominium.** A multi-unit dwelling or development containing individual dwelling units and jointly owned and shared areas and facilities.
- S. **Construction and Demolition Debris.** See ORC Section 3714.01.
- T. **Construction and Demolition Debris Facility.** See ORC Section 3714.01.
- U. **Contractor Services & Supply.** Establishments or places of business primarily engaged in retail or wholesale sale of materials used in the construction of Buildings or other Structures. This term excludes Automotive Service establishments.

7.1.4 "D" Terms.

- A. **Day Care Facility.** A facility operated to provide care, protection, and guidance to individuals for a period of less than 24 consecutive hours. This term includes nursery schools, preschools, adult day care centers, child day care centers, or other similar uses. This term does not include public or private Educational Facilities or any facility offering care to individuals for a full 24- hour period.
- B. **DBH.** Diameter-at-breast-height; a measurement of the caliper of a tree trunk at the 4.5 feet above grade level at the base of the tree.
- C. **Decibel (dbA).** The measurement of a sound pressure relative to the logarithmic conversion of the sound pressure reference level, which is often set as 0 dbA (A-weighted). The quietest sound that the average person can hear is near 0 dbA (A-weighted). The loudest sound that the average person can hear without pain is near 120 dbA (A-weighted).
- D. **Density.** The quotient of the total number of Dwelling Units divided by total area of the site. Gross density shall be the quotient of the total number of dwelling units divided by the gross area of a site (including rights-of-way, easements, etc.). Net density shall be the total number of dwelling units divided by the total area of the site excluding any areas used for easements and/or rights-of-way.
- E. **Development.** Any human-caused change to improved or unimproved land, including but not limited to the construction of Buildings or other Structures, mining, dredging, filing, grading, paving, excavation, or drilling.
- F. **Distillery.** A facility for distilling spirits and liquor, including wine, for sale and distribution on- premises and/or off-site, that produces more than 50,000 proof gallons annually and that may include restaurant/bar space, tasting space, or retail space.

- G. **Distribution Facility.** A facility where goods are received and/or stored for delivery to the customer or user at off-site locations.
- H. **District.** See Zoning District.
- I. **Domestic Animal.** An animal that is tame or domesticated and not normally found in the wild state. This term excludes hybrids of animals normally found in the wild state.
- J. **Drive-Through Facility.** An establishment that encourages or permits customers to receive services or obtain goods while remaining in their Vehicles.
- K. **Driveway.** A private way, other than a Street or Alley, which provides access to one Lot of Record for the use of Vehicles and pedestrians.
- L. **Dwelling.** A building or portion thereof used exclusively for residential purposes, including one- unit, two-unit, and multi-unit dwellings. This term excludes Hotels and Motels, tents, Recreational Vehicles, cabins, or boarding or lodging houses. This term includes the following defined categories:
 - (1) Dwelling: Multi-Unit. A Building or portion thereof designed for or used exclusively for residential purposes with three or more separate housekeeping units. This term includes apartment buildings, Condominiums, elderly housing, and buildings where three or more Dwelling Units are attached by common walls or floors within a single Structure.
 - (2) Dwelling: One Unit. A Building designed for or used exclusively for residential purposes with only one Dwelling Unit.
 - (3) Dwelling: Two Unit. A Building or portion thereof design for or used exclusively for residential purposes with two separate housekeeping units.
- M. **Dwelling Unit.** A single unit of one or more rooms providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation. This term includes Modular Industrialized Units. This term excludes Manufactured Homes that are not permanently sited, Mobile Homes, tents, camping equipment, cabins, Hotels and Motels, Recreational Vehicles, or other temporary or transient structures or facilities.

7.1.5 "E" Terms.

- A. **Educational Facility: Higher Learning.** Buildings or Structures other than Music, Art, or Photographic Studios or Classrooms used to teach students at a level beyond primary schools, elementary schools, middle schools, and high schools. This term includes, but is not limited to, colleges, vocational schools, universities, training centers, and other similar uses. This term does not include Non-Higher-Learning Educational Facilities.
- B. **Educational Facility: Non-Higher Learning.** Buildings or Structures other than Music, Art, or Photographic Studios or Classrooms used to teach students. This term includes primary schools, elementary schools, middle schools, or high schools. This term does not include Higher-Learning Education Facilities.

- C. **Electric Vehicle Charging Stations.** The retail usage of charging stations for battery-powered vehicles.
- D. **Entry Drive.** The part of an access drive or Driveway leading to a vehicular use area.
- E. **EPA.** The Environmental Protection Agency, including the Ohio EPA.
- F. **Erosion.** The wearing away of the land surface by the action of wind, water, gravity, or other natural processes.
- G. **Essential Service or Utility.** Services provided by public and private utilities necessary for the exercise of the Principal Use or service of the Principal Building. These services include underground, surface, and overhead gas, electrical, steam, water, sanitary sewage, stormwater drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants. This term does not include Buildings.
- H. **Event Venue.** A facility or building available for lease by private parties that may include kitchen facilities for the preparation or catering of food, the sale of alcoholic beverages for on-premises consumption during scheduled events not open to the public, and/or outdoor gardens, decks, or reception facilities.
- I. **Evergreen Tree.** A tree that remains green throughout the year with an expected height of at least 40 feet.
- J. **Evergreen Shrub.** A shrub that remains green throughout the year.
- K. **Excavation.** The process of altering the Grade level by cutting, filling, or moving the earth. This term includes any activities by which soil or rock is cut, dug, quarried, uncovered, removed, displaced, or relocated.
- L. **Excavation, Preliminary.** Earth-moving activities that do not exceed either (a) 5 feet in vertical depth at its deepest point or (b) a total of one-half acre of work area.
- M. **Exotic Wildlife.** Indigenous or non-indigenous wildlife including but not limited to lions, tigers, ocelots, jaguars, leopards, mountain lions, cheetahs, lynx, bobcats, jaguarondi, bears, hyenas, wolves, coyotes, poisonous arachnids, and life-threatening and/or poisonous reptiles such as crocodilians and snakes.

7.1.6 "F" Terms.

- A. **FAA.** The Federal Aviation Administration of the United States Department of Transportation.
- B. **Fabrication Retail.** A retail establishment where goods are designed, fabricated, or customized on-site using hand tools or small-scale equipment, with on-site retail sales to the public as the principal activity. Examples include small-batch food production, apparel/printing, jewelry, ceramics, woodworking, cabinets, countertops, electronics, and 3-D printing or similar. All operations occur within a fully enclosed building with no detectable noise, odor, smoke, vibration, or glare at the lot line. This use does not include general

manufacturing, outdoor storage, or activities involving hazardous materials (see Industrial Uses).

- C. **Fence.** An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas. This definition is separate from Buildings. This definition includes the following categories:
 - (1) Fence: Non-Privacy. A fence that is at least 50% open.
 - (2) Fence: Privacy. A fence that is less than 50% open.
- D. **Fill or Filling.** Any artificial or mechanical act by which earth, sand, gravel, rock, or other material is placed, pushed, dumped, pulled, transported, or moved to a new location above the Grade level surface of the ground or on top of the stripped surface. This term includes the material used to make a fill and this term includes the difference in elevation between a point on the original ground and a designated point of higher altitude on the filled grade.
- E. **Financial Institution.** Establishments engaged in deposit banking. This term includes, but is not limited to, commercial banks, loan or mortgage companies, stockbrokers, savings institutions, credit unions, and other similar establishments. This term excludes Alternative Financial Services.
- F. **Fireworks Manufacturing.** The manufacturing of any composition or device prepared for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, except ordinary matches and except as provided in section 3743.80 of the Revised Code; and shall include “1.3G fireworks”; “1.4G fireworks” as defined within R.C. §3743.01. The term ‘Fireworks’ shall not include “Novelties and trick noisemakers” or “Fountain device” as defined within R.C. §3743.01.
- G. **Fireworks Retail Sales.** The retail sale of any composition or device prepared for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, except ordinary matches and except as provided in §3743.80 of the Revised Code; and shall include “1.4G fireworks” as defined within R.B. §3743.01. The term ‘Fireworks’ shall not include “Novelties and trick noisemakers” or “Fountain device” as defined within R.B. §3743.01. The sale of “1.3G fireworks” shall be prohibited.
- H. **Flag.** Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.
- I. **Floodplain Management.** The following terms used in this Resolution are defined as set forth in the regulations governing the National Flood Insurance Program (44 CFR Section 59.1). In case of conflict, the definitions with 44 CFR Section 59.1 shall apply.
 - (1) Base Flood. The flood having a 1% chance of being equaled or exceeded in any given year.
 - (2) Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or the unusual and rapid accumulations or runoff of surface waters from any source.

- (3) Floodplain. The land area susceptible to inundation by water as a result of a flood and for the purposes of this Resolution shall mean the 100-year and 500-year floodplain as determined by the Federal Emergency Management Agency.
- (4) Floodway, Regulatory. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- (5) Floodway Fringe. Those portions of the Floodplain, other than the Floodway, which can be filled or otherwise obstructed without causing substantially higher flood levels or flow velocities.
- (6) Zone A. An area inundated by 100-year flooding, for which no base flood elevation has been established.
- (7) Zone AE. An area inundated by 100-year flooding, for which the base flood elevation has been established.
- (8) Zone AH. An area inundated by 100-year flooding (usually in an area of ponding), for which the base flood elevations have been determined. The flood depths range from one to three feet.
- (9) Zone AO. An area inundated by 100-year flooding (usually sheet flow on sloping terrain), for which average depths have been determined; flood depths range from one to three feet.
- J. **Floor Area, Gross.** The sum of the horizontal areas of each floor of the Building measured from the exterior walls or from the center of party line walls, including the floor area of accessory buildings and structures.
- K. **Floor Area, Net.** The sum of the horizontal areas of each floor of the Building, measured from the exterior walls or from the center of party line walls, including the floor area of accessory buildings and structures but excluding areas used exclusively for the parking of motor vehicles or for building or equipment access, such as stairs, elevator shafts, and maintenance crawl spaces or areas occupied by mechanical equipment.
- L. **Footcandle.** A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one standard candle.
- M. **Frontage, Building or Building Frontage.** shall mean the length of an enclosed Building facing a public or private Street. See Figure 4.8.1-B: Façade Identification.
- N. **Frontage, Street or Street Frontage.** The linear length of a lot line that runs along a Street. See Figure 4.8.1-B: Façade Identification. See also, Lot Frontage.
- O. **Funeral & Memorial Service.** A Building or part thereof used for human funeral services, and that may include space for the embalming and other services used in the preparation of the dead for burial; the storage of caskets, funeral urns, funeral vehicles, and other related supplies; facilities for cremation, chapels, and other related uses.

7.1.7 "G" Terms

- A. **Garage.** A structure attached or enclosed as part of the Principal Building or an Accessory Building primarily used for the enclosed storage or shelter of motor vehicles..
- B. **Government & Public Use.** A Building or land used and/or controlled exclusively for governmental or public purposes by any department or branch of government including township, state, county, or other recognized public entity. Such use may include, but is not limited to, township offices, public works, libraries, post offices, and other uses not defined separately within this Article. Government and public use shall not include Educational Facilities or Higher-Learning Educational Facilities as defined elsewhere in this Article.
- C. **Grade or Grade Level.** The average elevation of ground relative to a fixed point on land. For the purposes of this definition, any wall approximately parallel to and not more than five feet from a street line shall be considered as adjoining the street.
 - (1) Grade level for single street frontage. For Buildings having walls adjoining only one street, Grade Level is the elevation of the sidewalk or ground at the center of the wall adjoining the street.
 - (2) Grade level for multiple streets. For Buildings having walls adjoining more than one street, Grade Level is the average elevation of the ground at the centers of all walls adjoining the streets.
 - (3) Grade level for no street frontage. For Buildings having no wall adjoining the street, Grade Level is the average level of the finished surface of the ground adjacent to the exterior walls of the building.
 - (4) Slope. See also Slope and Slope, Natural.
- D. **Grass.** A species of perennial grass grown as permanent lawns or for landscape purposes, as distinguished from those species grown for agricultural or commercial seed purposes.
- E. **Greenhouse.** A glass or translucent enclosure used for the cultivation and protection of plants.
- F. **Ground Cover.** A plant growing less than two feet in height at maturity that is grown for ornamental purposes as an alternative to Grasses. On Slopes, ground cover can control erosion while eliminating the maintenance of mowing on hillsides.
- G. **Group Home for Children.** See Halfway Houses or Community Residential Centers.
- H. **Guy Cable.** Any cable or wire that extends from a Small Wind Energy Conversion System or other utility device or communication facility for the purpose of supporting the system structure.

7.1.8 "H" Terms.

- A. **Health & Fitness Venue.** An establishment where the principal activity is individual or class-based physical exercise or wellness activities, including but not limited to health clubs, gyms, yoga, dance, Pilates, and martial arts studios. Accessory uses may include locker rooms, saunas, and the sale of related merchandise or refreshments. This use does not

include medical diagnosis or treatment (see Medical Office or Clinic) or spectator sports arenas.

- B. **High Water Mark, Normal or Ordinary.** That mark on the Great Miami River that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in ordinary years, as to mark upon the soil a character distinct from that of the abutting upland.
- C. **Highway.** An officially designated state or federal numbered highway or other road designated as a major street on the current Hamilton County Thoroughfare Plan.
- D. **Hillside.** See definition of "Slope."
- E. **Hobby Breeder.** One who breeds occasional litters of dogs, cats, or other household pets for recreation and the primary purpose of, but not limited to, improving the physical and mental soundness of the breed and who may prove their breeding program by exhibiting in conformation, hunting, performance, or other tests.
- F. **Home Occupation.** An occupation or profession for financial gain or profit which is incidental to and carried on entirely within a dwelling unit located on a lot by resident occupants of the dwelling unit and which occupation is clearly incidental to and accessory to the residential use of the property.
- G. **Home, Adult Family.** See Adult Family Home. Home, Adult Group. See Adult Group Home.
- H. **Hospital.** A facility providing physical or mental health services, inpatient or over-night accommodations, and medical or surgical care for the sick or injured. Such a facility may include Clinics.
- I. **Hotel or Motel.** A building in which lodging, with or without meals, is offered for compensation and in which there are more than five sleeping rooms.
- J. **Household Pets.** See Domestic Animal.
- K. **Housekeeping Unit.** One or more persons occupying a dwelling unit, living as a single group, and doing their own cooking on the premises. This definition excludes individuals or groups who are occupying a Bed and Breakfast Establishment, or a Hotel or Motel.

7.1.9 "I" Terms.

- A. **Impervious Surface.** Any hard surfaced, constructed area that does not readily absorb or retain water, including but not limited to Buildings, roofs, Parking Areas, Driveways, sidewalks, and pavement.
- B. **Indoor Recreational Facility.** Public or private recreational facilities located completely within an enclosed building.
- C. **Industrial Use.** This includes the following defined categories:
 - (1) **Industrial: Heavy.** Uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials; in the storage of flammable, explosive, or hazardous materials; in manufacturing processes that utilize flammable, explosive, or hazardous materials; or in manufacturing processes that

potentially involve hazardous conditions. This definition shall also include those uses engaged in the operation, parking, and maintenance of vehicles in the service of cleaning of equipment or work processes involving solvents, recycling establishments, truck terminals, public works yards, and container storage.

- (2) **Industrial: Light.** The manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, and/or vibrations are not noticeable from the adjacent properties. This definition includes dry cleaning establishments. This definition excludes any uses that qualify as Heavy Industrial Use.

- D. **Industrialized Unit (Modular).** A Building unit or assembly of closed construction fabricated in an off-site facility that is substantially self-sufficient as a unit or as a part of a greater structure and that requires transportation to the site of intended use. This definition includes units installed on site as independent units, as a part of a group of units, or incorporated with standard construction methods to form a completed structural entity.
- E. **Institutional Housing.** Housing for the elderly or infirm in which three or more unrelated individuals may live on a short-term or long-term basis and where both food and care are provided for compensation. This definition includes, but is not limited to, elderly housing, nursing homes, assisted living facilities, and hospices. Institutional housing shall not include Hospitals, medical offices/clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

7.1.10 "J" Terms.

7.1.11 "K" Terms.

- A. **kennel: Commercial.** A facility for boarding, breeding, raising, grooming, selling, training or other animal husbandry activities for dogs, cats, or other animals for financial or other compensation.
- B. **kennel: Private.** The home and premises of a Hobby Breeder.

7.1.12 "L" Terms.

- A. **Laboratory.** A Building or part thereof in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products except as incidental to the main purpose of the laboratory.
- B. **Landominium.** A development where an individual Dwelling Unit and the land it sits on is owned privately but where the landscaping and lawn is maintained by a homeowners' or other community association.
- C. **Landscaping.** The improvement of a lot, parcel, tract of land, or portion thereof, with grass, shrubs, and trees. Landscaping may include pedestrian walks, flower beds, trees, shrubs, and ornamental objects such as fountains, statuary, and other similar natural and artificial objects.
- D. **Land Use.** The utilization of land for trade, industry, residence, recreation, or any other purpose including, but not limited to, all related land development activities necessary for

- the preparation of a site such as excavation, filling, grading, or Building construction for the aforementioned uses.
- E. **Light, Cutoff.** An artificial outdoor light source designed to ensure that no light is directly emitted above a horizontal line parallel to the ground as regulated and illustrated in Section 4.5 – Outdoor Lighting.
 - F. **Light, Non-Cutoff.** shall mean an artificial outdoor light source designed to allow light to be directly emitted above a horizontal line parallel to the ground as regulated and illustrated in Section 4.5 – Outdoor Lighting.
 - G. **Lighting, Outdoor.** Any source of light that is installed or mounted outside of an enclosed Building or Structure, but not including streetlights installed or maintained along public streets by a government agency or public utility.
 - H. **Little Free Library.** See Neighborhood Literature Redistribution Container.
 - I. **Live-Work Unit.** A dwelling unit that includes both residential living area and integrated workspace for a business, profession, or occupation conducted by a resident of the unit, where the work component is incidental and subordinate to the residential use and does not alter the residential character of the property.
 - J. **Livestock.** Generally accepted outdoor farm animals including, but not limited to, cows, goats, horses, pigs, barnyard fowl, and similar animals. This definition shall not include dogs, cats, and other household pets.
 - K. **Loading Area/Dock.** An off-street space or berth for the loading or unloading of freight carriers on the same lot as the structure they serve.
 - L. **Lot.** A parcel of land that is or may be occupied by a use permitted in this Resolution.
 - (1) **Lot: Corner.** A Lot abutting two or more Streets at their intersection or abutting two parts of the same street and forming an interior angle of less than 135 degrees between two Lot Lines abutting such street or streets. See Figure 4.2.4-A: Lot Types and Measurements.
 - (2) **Lot: Double Frontage.** A Lot having a frontage on two non-intersecting streets, as distinguished from a Corner Lot. See Figure 4.2.4-B: Lot Types and Measurements.
 - (3) **Lot: Panhandle.** A Lot that is not fronting or abutting a public Street and where access to the public street is limited to a narrow strip of land.
 - M. **Lot Area.** The total area within the Lot Lines of a Lot, excluding any Street right-of-way or other legal public dedication.
 - N. **Lot Coverage.** That portion of a Lot that is covered by the Principal Building, Accessory Buildings, Structures, and surfaces that prevent the passage or absorption of stormwater including paving and Driveways.
 - O. **Lot Depth.** The mean horizontal distance between the Front Lot Line and the Rear Lot Line.
 - P. **Lot Frontage.** The dimension of a Lot abutting a public Street as measured along the street right-of-way line. See also Street Frontage.

- Q. **Lot Lines.** The property lines bounding the Lot.
- (1) **Lot Line: Front.** The lot line that is coterminous with the Street right-of-way. A front lot line is generally parallel to or less than 45 degrees to the rear lot line. The front lot line is generally opposite the Rear Lot Line. A Corner Lot or Double-Frontage Lot has more than one front lot line.
 - (2) **Lot Line: Rear.** An internal lot line opposite a Front Lot Line. A rear lot line is generally parallel to or less than 45 degrees to the front street right-of-way line. A Double-Frontage Lot does not have a rear lot line.
 - (3) **Lot Line: Side.** An internal lot line that is neither a Front Lot Line nor a Rear Lot Line. Side lot lines generally extend perpendicular or greater than 45 degrees from front lot lines or rear lot lines.
- R. **Lot of Record.** Any Lot which has been recorded in the office of the Recorder of Hamilton County; or a parcel of land, the deed to which was of record on or prior to the effective date of this Resolution. For the purpose of this Resolution, any preliminary plan of a subdivision that has been approved by official action of the Regional Planning Commission of Hamilton County or a Planning Commission of a municipality thereof, on or after January 1, 1945, shall have the same status as if the subdivision plan was officially recorded in the office of the Recorder of Hamilton County.
- S. **Lot Width.** The linear distance of the Street Frontage as measured at the required setback from the Street.
- T. **Luminaire.** A complete lighting unit consisting of one or more lamps together with the components designed to distribute the light, to position and protect the lamps, and to connect the lamps to the electrical power supply; also called the lighting fixture. This definition shall not include any poles used to support the luminaire.

7.1.13 "M" Terms.

- A. **Manufactured Home.** A non-self-propelled building unit or assembly of closed construction fabricated in an off-site facility that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development (HUD) pursuant to the "Manufactured Housing Construction and Safety Standards of 1974," and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards. A manufactured home is transportable in one or more sections, which, in traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, has a gross floor area of 320 square feet or more, and which is built on a permanent chassis, designed to be used as a dwelling with or without permanent foundation when connected to required utilities. See also: Permanently Sited Manufactured Home.
- B. **Massage Parlor.** A sexually oriented business engaged in massages, alcohol rubs, electric or magnetic treatments, or any other treatment or manipulation of the human body which occurs as part of or in connection with sexual activities set forth in ORC Section 2907.01.(C),

or where any person providing such treatment, manipulation, or service related thereto exposes their specified anatomical areas as set forth in ORC Section 2907.01.(H). This definition excludes Massage Therapy, as defined herein.

- C. **Massage Therapy.** The practice of massage in any licensed Hospital or Personal Wellness Service by a licensed chiropractor, massage therapist, or osteopath; by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath; or by trainers for any amateur, semiprofessional, or professional athlete or athletic team or school athletic program. Massage therapy is the scientific manipulation of the soft tissues of the body for the purpose of normalizing those tissues and consists of manual techniques that include applying fixed or movable pressure, holding, and/or causing movement of or to the body.
- D. **Maximum Extent Feasible.** The implementation of all feasible and prudent alternatives to comply with a regulation or minimize potential harm or adverse impacts.
- E. **Medical Office or Clinic.** A facility where licensed health-care professionals provide outpatient medical, dental, optical, mental-health, or similar services. Accessory uses may include diagnostic testing, imaging, laboratories, and the sale of medical supplies related to patient care. No overnight inpatient care is permitted (see Hospital).
- F. **Meteorological Tower.** A facility consisting of a tower and related wind-measuring devices that is used solely to measure winds prior to construction of a Small Wind Energy Conversion System.
- G. **Micro Antenna.** Micro antennas are defined as antennas and transmission facilities only, with no supporting structures other than brackets. Micro antennas shall be those antennas that are equal to or less than five feet in height and with an area of not more than 580 square inches.
- H. **Micro-Brewery.** An establishment that is primarily used to produce beer and ale and that includes restaurant/bar space, tasting space, and/or retail space. The brewing operation processes the ingredients to make beer and ale by mashing, cooking and fermenting. The brewing operation does not include the production of any alcoholic beverage other than beer or ale. Micro-breweries are those establishments that produce 10,000 barrels or less of beer and/or ale per year.
- I. **Micro-Distillery.** An establishment that is primarily used to produce spirits and liquor, including wine, in small quantities of a maximum of 52,000 cases or a maximum of 50,000 proof gallons annually and that includes restaurant/bar space, tasting space, or retail space.
- J. **Mineral Extraction.** Any artificial or mechanical act by which earth, sand, rock, or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or moved and shall include the conditions resulting therefrom..
- K. **Mixed-Use Development.** The development of a Lot, Building, or Structure with two or more different uses such as, but not limited to, residential, office, retail, public, or institutional uses.

- L. **Mobile Food Vendor.** A commercial operation that utilizes a licensed, motorized Mobile Food Vendor Unit or concession trailer for the sale of cooked and/or prepared food and beverage items that are sold to the general public for on-site or off-site consumption.
- M. **Mobile Food Vendor Unit.** Any apparatus or equipment that is used to cook, prepare, or serve food that routinely changes, or is equipped to routinely change, location and is operated from a moveable vehicle or apparatus, including but not limited to motorized vehicles, trailers, and hand propelled carts.
- N. **Mobile Home.** A non-self-propelled building unit or assembly of closed construction that is fabricated in an off-site facility, built on a permanent movable chassis which is eight feet or more in width and 35 feet in length, has a gross floor area of 320 square feet or more when erected on site, is transportable in one or more sections, and does not qualify as a Manufactured Home or Industrialized Unit.
- O. **Modular Industrialized Unit.** See Industrialized Unit (Modular).
- P. **Money Transfer Business.** An establishment other than a bank, financial institution, or grocery store that engages in or facilitates the transmission of funds to or from a location outside the United States and its territories for a fee.

7.1.14 "N" Terms.

- A. **Nature Park & Conservation Area.** Any park or recreational facility where there is no grading of the land, construction of facilities, lighting, or development of ball fields with the exception that passive parks, recreational facilities, and conservation areas may include the development of trails and sidewalks. This definition includes canoe ramps.
- B. **Neighborhood Literature Redistribution Container.** Any donation container less than two feet in length, two feet in width, and two feet in height (or any combination thereof which is less than eight cubic feet in total volume) exclusive of a support on which it is mounted that allows for the deposit and free withdrawal of books, magazines, or other similar reading material.
- C. **Nursery.** A place where plants, including flowers, shrubs, trees, and sometimes seeds, are grown and sold.

7.1.15 "O" Terms.

- A. **ORC.** The Ohio Revised Code.
- B. **Ornamental Shrub.** A deciduous shrub with visual appeal through flowers, fruit, leaf color, or fall colors.
- C. **Ornamental Tree.** A small- or medium-sized tree with an expected height of 20 feet at maturity that is planted for aesthetic purposes such as colorful flowers, interesting bark, or fall foliage.
- D. **Outdoor Sales.** An outdoor arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the

purpose of advertising or identifying a business, product, or service. For the purposes of this Resolution, this definition includes outdoor cafes and outdoor food service areas.

- E. **Outdoor Storage.** The keeping of any goods, materials, merchandise, or vehicles outside of a structure or building for more than 48 consecutive hours. Outdoor storage shall not include Vehicles parked in Parking Spaces, tool rental establishments, greenhouses, or other uses where the sale of the merchandise is the primary use of the property pursuant to Article 3 of this Resolution.
- F. **Outdoor Wood Furnace.** Any equipment, device, appliance, apparatus, or any part thereof, that is installed, affixed, or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. An outdoor wood furnace may also be referred to as an outdoor wood boiler or outdoor wood hydronic heater.
- G. **Outdoor Wood Furnace Chimney.** Any flue or stack that carries off exhaust from an Outdoor Wood Furnace firebox or burn chamber.

7.1.16 "P" Terms.

- A. **Parcel.** See Lot.
- B. **Parking Aisle.** The Driveway or access drive by which a Vehicle enters or departs a Parking Space.
- C. **Parking Area.** The entire paved area that encompasses all Parking Spaces and the access drives that provide access to those spaces. This definition does not include entry drives or Driveways with no direct access to a parking space.
- D. **Parking Space.** A graded and surfaced area of not less than 171 square feet in an area either enclosed or open for the parking of a motor Vehicle, having adequate ingress and egress to a public Street, Alley, or Parking Aisle.
- E. **Passive Park, Recreational Facility, or Conservation Area.** Any park or recreational facility where there is no grading of the land, construction of facilities, lighting, or development of ball fields with the exception that passive parks, recreational facilities, and conservation areas may include the development of trails and sidewalks. This definition includes canoe ramps.
- F. **Pawn Business.** An establishment that makes or facilitates short-term loans collateralized by tangible personal property such as jewelry, consumer electronics, tools, musical instruments, or firearms.
- G. **Payday Advance or Loan Business.** An establishment that makes or facilitates consumer loans, usually backed by postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term or until an applicant's next payday, and then cashed unless the customer repays the loan to reclaim such person's check.
- H. **Permanently Sited Manufactured Home.** A Manufactured Home that meets the following criteria:

- (1) Permanent installation. The structure is affixed to a permanent foundation and is connected to appropriate facilities.
- (2) Minimum size. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area, excluding garages, porches, or attachments, of at least 900 square feet.
- (3) Date of manufacture. The structure was manufactured after January 1, 1995.
- (4) Prohibited location. The structure is not located in a manufactured home park.
- I. **Personal Service.** Establishments that are primarily engaged in providing services generally involving the care of the person or person's possessions. Personal services may include, but are not limited to, laundry and dry-cleaning services, barber shops, beauty salons, health and fitness studios, music schools, informational and instructional services, tanning salons, and portrait studios.
- J. **Pet Services and Daycare.** A facility primarily engaged in grooming, training, and supervised daytime care of domesticated household animals. Retail sale of pet supplies may be incidental. Overnight boarding, breeding, or animal sales are not permitted under this use (see Commercial Kennel and Retail, as applicable). All animal activities must occur within a fully enclosed building, except for any accessory, fully fenced outdoor exercise area.
- K. **Private Drive.** A shared means of Vehicular ingress and egress located within an easement of access serving Panhandle Lots, not dedicated to the County by recorded instrument, and maintained by the party or parties using such private drive for private access.
- L. **Private Recreational Facility.** A location or establishment, typically owned or operated by individuals, clubs, or organizations, which provides access to recreational activities and amenities exclusively for its members or guests. Such facilities may include sports clubs, gyms, golf courses, swimming pools, and similar venues offered for private enjoyment and not open to the general public.
- M. **Professional or Business Office.** Establishments providing executive, management, administrative, or professional services including, but not limited to, real estate, architecture, legal, travel, medical, dental, employment, advertising, design, engineering, accounting, and similar uses. This definition includes Clinics.

7.1.17 "Q" Terms.

7.1.18 "R" Terms.

- A. **Radio Antennas.** A device designed to transmit or receive radio frequency signals. Antennas include the following defined categories:
 - (1) Radio Antenna: Commercial. Antennas other than Noncommercial (Amateur) Radio Antennas that are used by businesses or organizations providing communication services. Such businesses and organizations may include, but are not limited to, television stations and radio stations.

- (2) **Radio Antenna: Non-Commercial.** Antennas used by individuals or amateur radio operators for private recreation, non-profit exchanges of information, and emergency communication. Such antennas may transmit information and/or be established as receive-only antennas.
- B. **Rated Nameplate Capacity.** The maximum rated output of electric power production equipment for a Small Wind Energy Conversion System. This output is typically specified by the manufacturer with a “nameplate” on the equipment.
- C. **Recreational Vehicle.** See Vehicle, Recreational.
- D. **Religious Place of Worship.** A use of land and/or buildings that provides organized religious worship and related incidental activities.
- E. **Residential Facility.** A home or facility in which an individual with a developmental disability resides, as defined and regulated in Section 5123.19 of the ORC.
 - (1) **Residential Facility: Large.** A Residential Facility where there is supervision in a family setting of nine to 16 persons.
 - (2) **Residential Facility: Small.** A Residential Facility where there is supervision in a family setting of six to eight persons. See also Adult Family Home and Adult Group Home.
- F. **Restaurant.** An establishment whose principal business is the selling of food and beverages to the customer in a ready to consume state in individual servings.
- G. **Retail.** An establishment primarily engaged in the sale or rental of goods, products, or materials directly to the general public for personal or household consumption, and where any on-site fabrication, assembly, or repair is clearly incidental to the principal retail use. Examples include, but are not limited to, bookstores, antique shops, convenience stores, bakeries, grocery stores, and similar consumer-oriented outlets. This definition excludes retail activities that are separately and specifically defined within this Resolution, such as Tobacco or Vapor Retail, Cannabis Dispensary, Tattoo Studio, or Fabrication Retail.
- H. **Riding Stable.** A facility where horses are boarded and cared for; where instruction in riding, jumping, and showing is offered; and/or where horses may be hired for riding.
- I. **Roadside Stand.** The use of any land or a Structure for the sale of produce in accordance with the provisions of Article 3 of this Resolution.
- J. **Rotor Diameter.** The length as measured across the center of the full spin of the rotors of a

7.1.19 "S" Terms.

- A. **Sanitary Landfill Facility.** A facility as defined and regulated in ORC Section 3734. This definition shall include a solid waste disposal facility with a “Permit to Install” issued by the Ohio Environmental Protection Agency.
- B. **Satellite Dish Antenna.** A specialized antenna consisting of a concave dish-shaped reflector designed to receive or transmit signals from or to communication satellites in orbit, typically to enable the transmission of data, television signals, or internet connectivity.

- C. **Screen or Landscape Screen.** A method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements such as plants, berms, fences, walls, or any appropriate combination thereof.
- D. **Seasonal Use.** A use dependent on a particular season of the year.
- E. **Self-Storage Facility.** A Building or group of buildings in a controlled access compound that contains equal or varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of residential or commercial customer's goods or wares. Such facilities do not include sales, service, or storage of hazardous materials.
- F. **Service Commercial.** Establishments that primarily engage in rendering services to businesses including but not limited to printers, equipment rental, protective services, mailing, photo finishing, and other similar uses.
- G. **Short-Term Rentals.** A residential dwelling unit, or part a residential dwelling unit, with fewer than five rooms which may or may not allow access to all rooms of the unit with a universal key or key card, that is catered and marketed to public consumers for a predetermined rental fee on a hosting website, application, or other online source, where the owner of the property shall not be present during the guests stay and meals are not prepared and served by the owner. Such units are advertised and rented out typically for a period of seven to fourteen days, but no more than thirty consecutive days.
- H. **Setback.** The distance (measured in feet) a Principal Building or Accessory Building or any other structure must be from the front, side and rear property lines. Setbacks apply to new buildings, as well as additions or remodels that change the footprint of the building.
- I. **Sign.** Any medium including its Structure, words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity, idea, or product and which is visible from any public Street or highway.
 - (1) **Sign: Awning or Canopy.** A surface sign integrated into or applied to an awning or canopy that is attached to and supported by a building façade and extends over a door, window, or pedestrian area. The sign area shall be limited to the awning valance or other designated display surface.
 - (2) **Sign: Banner.** A sign that is made of or printed on flexible material like fabric or vinyl and designed to be quickly installed or easily removed, upon which copy is written and which is mounted to the ground, supported between poles or sticks, fastened to buildings or other structures, or to the wall of a building or structure, that is erected on a temporary basis and removed when the time period has expired.
 - (3) **Sign: Base.** The part of a sign that is attached to the ground.
 - (4) **Sign: Blade.** A low-profile sign attached to and projecting outward from a building face or wall, generally at a right angle to the building. This term includes a sign that is located entirely or partially in the public right-of-way, as well as a sign that is located

- entirely on private property, and shall maintain a minimum clearance of eight (8) feet above grade.
- (5) Sign: Brightness. The luminance of an illuminated sign measured in nits (candelas per square meter) at the sign face using a calibrated luminance meter and standard industry practice.
 - (6) Sign: Cabinet. An enclosed sign structure or housing that contains one or more sign faces and may include internal illumination, within which lighting components and wiring are concealed.
 - (7) Sign: Cabinet-Style Box. A sign constructed as an enclosed cabinet or box with one or more translucent faces where the cabinet itself forms the primary sign body.
 - (8) Sign: Channel Letters. Three-dimensional individually cut letters or figures, whether or not illuminated, affixed to a structure.
 - (9) Sign: Changeable Copy Board. A portion of a sign designed so that letters, numerals, symbols, or graphics may be changed or replaced manually, mechanically, or electronically without replacing the entire sign structure.
 - (10) Sign: Clear-Vision Area. An area of unobstructed visibility required to maintain safe sight distance for vehicular and pedestrian traffic, within which signs, landscaping, structures, or other visual obstructions are limited or prohibited.
 - (11) Sign: Consecutive Days. Calendar days counted without interruption, including weekends and holidays.
 - (12) Sign: Copy. Any graphic, word, numeral, symbol, insignia, text, sample, model, device, or combination thereof that is primarily intended to advertise, identify, or notify.
 - (13) Sign: Curb Cut. A low-profile, ground-mounted directional sign located near a driveway or access point to guide vehicular or pedestrian movement.
 - (14) Sign: Decorative Element. A built feature that is part of or attached to a sign structure, including frames, surrounds, piers, columns, decorative towers, capstones, cornices, and similar features. Decorative elements shall be included in the measurement of sign height, setback, and sign area where they form part of the sign structure or sign face boundary. Also known as “Architectural Element.”
 - (15) Sign: Directional. A sign located on a site and designed, sized, and placed to support internal vehicular or pedestrian circulation, including access drives, parking areas, and internal pathways, and which is subordinate in scale and placement to identification signage on the same site.
 - (16) Sign: Drive-Thru and Drive-In Menu. A sign installed in conjunction with a drive-thru or drive-in facility, located to be readable by occupants of vehicles using such facilities, and mounted on a freestanding structure or building surface as part of the site’s circulation and service layout.
 - (17) Sign: Electronic. A sign that displays images, text, or graphics using electronic, digital, or programmable technology.

- (18) Sign: Face. The area or display surface within a sign that is used for the message. Also known as “Area.”
- (19) Sign: Face Change. The replacement or revision of the logos, wording, and symbols included on the front of a sign by means of replacing the physical material, by repainting over the physical material, or by implementation of a similar process. This term includes a change of business name, change in colors, copy, graphics, or visual image that does not require the installation of a new or modified sign board or cabinet. This term does not include reader boards or Changeable Copy Signs.
- (20) Sign: Gateway. A ground-mounted monument-style sign located at the entrance to a Township, planned district, subdivision, development, or industrial park and intended to identify the area or development as a whole.
- (21) Sign: Government or Legally Required. Signs installed by or required under authority of a governmental entity or applicable law.
- (22) Sign: Height. The vertical distance measured from the lowest adjacent grade to the highest point of the sign or sign structure.
- (23) Sign: Human. A sign consisting of a display, panel, or device carried, worn, or physically supported by a person, including signs mounted to clothing, equipment, or handheld supports.
- (24) Sign: Identification. A permanent on-premises sign located on the same lot or development as the use, tenant, or development it is associated with, including single identification signs, joint identification signs, and gateway signs.
- (25) Sign: Illumination. Any artificial means of lighting a sign that makes the sign face or copy visible, including illumination provided by light sources located outside the sign face (external illumination), illumination produced by light sources contained within a sign cabinet, channel letters, or enclosed sign elements (internal illumination), and illumination where the light source is concealed and the sign is visible by reflected light (indirect illumination).
- (26) Sign: Incidental. A small, secondary sign customarily associated with a permitted use, limited in size and placement, and not designed or located to function as the primary identification or dominant signage on a site.
- (27) Sign: Inflatable. Any balloon or object enlarged or inflated which floats, is tethered in the air, is activated by air or moving gas, or is located on the ground or on a building with or without copy or other graphics.
- (28) Sign: Joint Identification. A ground-mounted sign that provides collective identification for multiple tenants or uses within a single development. Also known as “Multi-Tenant Signs.”
- (29) Sign: Landscaped Area. The area surrounding the base of a ground sign that must be maintained with ground cover or landscaping. For signage mounted to a pole or poles, the landscaped radius shall include the area beneath the signage.

- (30) Sign: Lineal Feet of Building Frontage. The total horizontal length, measured in feet, of a building façade that directly faces and is visible from a public right-of-way. For corner buildings, frontage along more than one street-facing façade may be aggregated, provided each façade faces a public right-of-way. Building frontage shall not include façades facing internal drives, parking areas, or service courts.
- (31) Sign: Lineal Feet of Lot Frontage. The total horizontal length, measured in feet, of a lot boundary that directly abuts a public right-of-way. For corner or through lots, uninterrupted frontage along more than one public right-of-way may be aggregated. Frontage shall be considered uninterrupted only where the lot boundary is not separated by another lot, outlot, or pad site under separate ownership or control. Frontage along private drives or internal circulation roads shall not be included.
- (32) Sign: Long-Range Visibility. Physical design characteristics intended primarily to make a sign legible from extended distances beyond the immediate site context.
- (33) Sign: Master Sign Plan. A plan submitted by a property owner and maintained by the Township that documents all legal signs that exist on a lot, parcel, or within a development.
- (34) Sign: Monument. A ground-mounted sign supported by a continuous, solid base that is permanently affixed to the ground and constructed of masonry, stone, concrete, or comparable durable materials, where the sign face is integrated into the base and not elevated on exposed poles or pylons.
- (35) Sign: Motion. A sign where the sign, sign structure, or any part of the sign or sign structure physically moves or rotates by mechanical means, including search lights, pennants, streamers, and spinners.
- (36) Sign: Normal Grade. The finished ground elevation adjacent to a sign at the time of installation, excluding any grade changes made solely to increase sign height.
- (37) Sign: Off-Premises. A freestanding sign located on a parcel other than the parcel on which the primary use, activity, or development associated with the sign is located. Such signs function as a principal or accessory use of the parcel on which they are installed and are typically supported by a freestanding sign structure. Also known as “Billboards.”
- (38) Sign: Per Side Per Sign Structure. Tables that show a maximum number of square feet allowed “per side per sign” allow the number of square feet shown on each side of each sign. The totals shall not be aggregated to allow a total square footage split between signs and sides of signs.
- (39) Sign: Pole or Pylon. A freestanding sign elevated on one or more poles or pylons such that the primary sign face is raised substantially above ground level.
- (40) Sign: Portable. An on-premises sign which is self-supporting, designed to be movable, and not structurally attached to the ground, a building, a structure, or another sign.

- (41) Sign: Primary Façade. The portion of a frontage that serves as the main access point to a building or building unit, which is used to calculate the approvable surface area of wall signage.
- (42) Sign: Public Right-of-Way. Land dedicated, deeded, or otherwise reserved for public use for streets, sidewalks, alleys, or utilities, including the full width of such area regardless of whether it is improved or maintained.
- (43) Sign: Roof. A sign erected upon, against, or directly above a roof, or on top of or above the parapet of a building.
- (44) Sign: Secondary Façade. Any building façade that does not qualify as the Primary Façade.
- (45) Sign: Setback. The distance in feet from the applicable lot line, or other stated point of measurement, to the closest point on the sign structure.
- (46) Sign: Structure. All components of a sign (other than the sign face copy), including supports, framework, cabinet, decorative elements, and any structural elements used to support or anchor the sign.
- (47) Sign: Single Identification. A low-profile, ground-mounted sign placed on top of a base that advertises one business or storefront only.
- (48) Sign: Snipe. A sign applied to trees, utility poles, supporting structures for governmental signs, bus shelters, benches, trash receptacles, newspaper vending machines or boxes, or any other portable or temporary support device.
- (49) Sign: Surface. A sign mounted flat against or hung from a building façade and which shall not project above the roofline.
- (50) Sign: Temporary. A sign that is not permanently affixed to the ground or a structure, or that is erected for a limited duration as established by this Resolution, and which is removed upon expiration of the authorized time period.
- (51) Sign: Tenant Space. A distinct, leasable portion of a building or site occupied or intended to be occupied by a single business, tenant, or use, and having independent frontage, access, or operational identity.
- (52) Sign: Wall. A surface sign mounted flat against and supported by the exterior wall of a building, where the sign face is parallel to the building façade and does not project above the roofline.
- (53) Sign: Wayfinding. A low-profile, ground-mounted sign used to guide the safe movement of vehicular and pedestrian traffic through the lot of a business or industrial use.
- (54) Sign: Window. A metal leaf, vinyl, painted, etched, cut, or sandblasted lettering sign that is applied directly to the interior surface of the glass or door, or a sign located near a window within a building for the purpose of being visible to and read from the outside of the building.

- J. **Site.** Any Lot or parcel of land or contiguous combination thereof, upon which excavation or filling is, has been, or will be performed.
- K. **Slope.** An inclined ground surface, the inclination of which is measured by determining the ratio of vertical rise to horizontal distance.
- L. **Slope, Natural.** The Slope of the land surface as it exists prior to any clearing, grading, excavation, cuts, or fills.
- M. **Small Cellular Telecommunications Facility.** Cellular Telecommunications Towers between eight and 30 feet in height, including Distributed Antenna Systems (DAS) and small cells sites, communication nodes, antennas, fiberoptic cables, radio transceivers, and any additional equipment associated with transmission, which are typically used to supplement the service of, and reduce the need for additional, larger telecommunications towers.
- N. **Small Wind Energy Conversion System.** A wind energy conversion system consisting of a wind turbine, tower, and associated control or conversion electronics that generates power for an individual property for the purpose of reducing on-site energy consumption with a Rated Nameplate Capacity of 100kW or less. This definition includes, but is not limited to, storage, electrical collection and supply equipment, and transformers. Excess electrical power generated, and not presently needed for on-site use, may be utilized by the utility company. SWECS shall include Horizontal Axis Wind Turbines (HAWTs), Vertical Axis Wind Turbines (VAWTs), and Blade Tip Power System Turbines (BTPSs).
- O. **Solar Panels.** A solar photovoltaic panel or solar hot air or water panel collector device (and associated equipment) that relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat. This includes the following defined categories:
 - (1) Solar Panels: Ground-Mounted. Solar panels that are not mounted onto a building and are anchored (with supporting features such as framework) directly into the ground.
 - (2) Solar Panels: Roof-Mounted. Solar panels that are mounted directly onto and cover a portion of the roof of a Building.
- P. **Solid Waste.** See ORC Section 3734.
- Q. **Solid Waste Disposal Facility.** Any site, location, tract of land, installation, or Building used for incineration, composting, sanitary landfilling, transferring, or other methods of disposal of solid wastes; for collection, storage, or processing of the solid wastes if the solid wastes consist of scrap tires; for the treatment of infectious wastes; or for the storage, treatment, or disposal of hazardous waste.
- R. **Solid Waste Transfer Facility.** See ORC Section 3734.
- S. **Stacking Space.** A lane or area that is specifically designated for Vehicles to “stack” in while utilizing drive-up services or Drive-Through Facilities at uses that may include, but are not limited to, car washes, Restaurants, and Financial Institutions.

- T. **Story.** That portion of a Building, other than a Cellar as defined herein, included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, then the space between the floor and the ceiling next above it. For the purposes of measurement, one story shall not exceed 12 feet in height.
- U. **Story, Half.** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than 3 feet above the top floor level, and in which space not more than 2/3 of the floor area is finished for human occupation.
- V. **Street.** All property dedicated or intended or used, whether public or private, for Vehicular and pedestrian movement, including Streets, highways, freeways, or other motorway rights-of-way, and, except where limited or controlled access, affording the principal means of access to abutting property.
 - (1) **Street: Private.** A shared means of Vehicular ingress and egress located within an easement of access serving as frontage for Lots in a residential development where the Street is not dedicated to the County by a recorded instrument and that is maintained by the party or parties using such private street for private access.
 - (2) **Street: Public.** A publicly dedicated or owned right-of-way constructed to Hamilton County Engineer standards, intended or used for Vehicular and pedestrian movement, and, except where limited or controlled access, affording the principal means of access to abutting properties.
- W. **Street Line.** The dividing line between a Lot, tract, or parcel of land and the contiguous right-of-way.
- X. **Structure.** Anything constructed or erected, the use of which requires location on the ground or attached to something having a permanent location on the ground.
- Y. **Structure, Nonconforming.** Any structure lawfully existing on the effective date of this Resolution that does not comply with all current applicable standards and regulations of this Resolution or any amendments thereto.
- Z. **Structural Alterations.** Any change in the supporting members of a Building, such as bearing walls or partitions, columns, beams or girders, or any increase or decrease in the occupiable volume of a building.
- AA. **Swimming Pool, Lake, or Bathhouse.** A facility or building that provides amenities and services related to swimming and bathing. Swimming pools typically include constructed, water-filled structures designed for swimming, recreational use, and aquatic activities. Lakes typically include natural or constructed bodies of water, often used for swimming, boating, and other water-based activities. Bathhouses typically include buildings or structures located near pools and lakes designed with changing rooms, showers, and restrooms.

7.1.20 "T" Terms.

- A. **Tattoo Studio.** A facility where tattooing, permanent cosmetics, and/or body piercing are performed by trained, licensed practitioners. Accessory retail sale of after-care products and

jewelry may be included. Procedures must occur within a fully enclosed building in compliance with applicable health codes. This use does not include adult entertainment.

- B. **Telecommunications Tower.** Any free-standing Structure or any structure to be attached to a Building or other structure that meets all of the following criteria. Telecommunications towers may also be called “wireless telecommunications facilities,” “telecommunications site,” and “personal wireless facility.”
 - (1) Date of construction. The freestanding or attached structure is proposed to be constructed on or after October 31, 1996.
 - (2) Public utility use. The freestanding or attached structure is proposed to be owned or principally used by a public utility engaged in the provision of telecommunications services.
 - (3) Residential zoning applicability. The freestanding or attached structure is proposed to be in an unincorporated area of a township, in an area zoned for residential use.
 - (4) Freestanding height threshold. The freestanding structure is proposed to top at a height that is greater than either the maximum allowable height of residential structures within the zoned area as set forth in the applicable zoning regulations, or the maximum allowable height of such a freestanding structure as set forth in any applicable zoning regulations in effect immediately prior to October 31, 1996, or as those regulations subsequently are amended.
 - (5) Attached height threshold. The attached structure is proposed to top at a height that is greater than either the height of the building or other structure to which it is to be attached, or the maximum allowable height of such an attached structure as set forth in any applicable zoning regulations in effect immediately prior to October 31, 1996, or as those regulations subsequently are amended.
 - (6) Radio frequency equipment. The freestanding or attached structure is proposed to have attached to it radio frequency transmission or reception equipment.
- C. **Temporary Entertainment Building.** A temporary building associated with the operation of festivals, circuses, concerts, and similar limited-duration events and uses.
- D. **Temporary Incidental Construction Building.** Temporary buildings or structures that are necessary for, and incidental to, the construction activities on a given lot and that will be removed from the lot after completion of such construction activities. Such buildings or structures may be occupiable. Such buildings or structures may include enclosed or open-air storage of construction materials.
- E. **Temporary Storage Container.** A portable structure or container that allows for storage of goods or materials on or off-site and that is not permanently affixed to a foundation. Temporary storage containers can include semi-tractor trailers if they are used for storage and not transport.

- F. **Temporary Tent for Outdoor Displays or Sales.** A tent that is erected for a limited amount of time, is not permanently mounted into the ground, is not permanently mounted onto a building, and is used for Outdoor Displays or Sales.
- G. **Theater.** A Building or part thereof that is used to show motion pictures or dramatic, dance, musical, or other live performances.
- H. **Tobacco Retail.** A commercial establishment whose principal business is the sale of tobacco products or tobacco-related paraphernalia to consumers for off-site use. "Tobacco Retail" includes establishments in which the sale of cigarettes, cigars, pipe tobacco, smokeless tobacco, heated tobacco products, rolling papers, or other products defined as "tobacco products" under Ohio Revised Code §5743.01 or any successor statute constitutes a primary or principal business activity, whether alone or in combination with one or more other primary or principal business activities. Tobacco Retail also includes tobacconists that blend or package tobacco on-site. Tobacco Retail does not include: (a) general grocery stores, drug stores, convenience stores, or other multi-goods retailers where tobacco products are incidental to the overall business; or (b) Vapor Retail as defined herein.
- I. **Tower Height.** The total height of a Small Wind Energy Conversion System above finished grade of the fixed portion of the tower, excluding the wind turbine blades.
- J. **Transient Vacation Rentals.** See Short-Term Rentals.
- K. **Type-A Family Day Care Home.** A permanent residence of the provider in which child day care or publicly funded day-care is provided for seven to 12 children at one time or is the permanent residence of the provider in which child day care is provided to four to 12 children at one time if four or more children are under two years of age at one time. In counting children for the purposes of this definition, any children under six years of age who are related to the provider and who are on the premises shall be counted. This definition does not include homes where all of the children being cared for are siblings and the residence is the home of the siblings. This definition does not include any child day camp as defined in ORC Section 5104.01.
- L. **Type-B Family Day Care Home.** A permanent residence of the provider in which child day care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this definition, any children under six years of age who are related to the provider and who are on the premises shall be counted. This definition does not include homes where all of the children being cared for are siblings and the residence is the home of the siblings. This definition does not include any child day camp as defined in ORC Section 5104.01.
- M. **Turbine.** Specific parts of a Small Wind Energy Conversion System including the blades, generator, and tail.

7.1.21 "U" Terms.

- A. **Use.** Any purpose for which a Lot, Building, or other Structure, or a tract of land may be designated, arranged, intended, maintained, or occupied; or any activity, occupation,

business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

- (1) Use: Accessory. A use that is incidental to and customarily found in connection with a Principal Building or Principal Use; is subordinate to and serves a principal building or use; is subordinate in area, extent, or purpose to the principal building or use served; and is located on the same lot as the principal building or use served.
- (2) Use: Nonconforming. Any use lawfully being made of any land, Building, or Structure on the effective date of this Resolution or any amendment thereto rendering such use nonconforming, which does not comply with all the regulations of this Resolution or any amendment thereto.
- (3) Use: Principal. A use that is the primary function of land or building(s) on a Lot.
- (4) Use: Temporary. A Use that may be permitted for a specified period of time.

- B. **Utility Trailer.** Any towed Vehicle, open or enclosed, specifically designed for the purposes of transporting equipment, tools, supplies, materials, or goods of a similar nature that will not permit human habitation for travel, recreation, vacations, or other transient purposes and that is no more than eight feet in length and five feet in width and has no more than one axle. A utility trailer is primarily designed for personal use and not commercial use.

7.1.22 "V" Terms.

- A. **Vacant Building.** A Building that is unoccupied and devoid of permitted human activity.
- B. **Vacant Lot.** A lot that does not contain a Principal Building or that does not contain an actively operating principal use (where such use is not customarily associated with buildings).
- C. **Vapor Retail.** A commercial establishment for which the sale of vapor products, vapor devices, electronic smoking products, or related materials constitutes at least 10% of the sales floor space, and, is a primary or principal business activity, whether alone or in combination with one or more other primary or principal business activities. "Vapor Retail" includes establishments that specialize in, market themselves as, or predominantly offer for sale vapor devices, electronic cigarettes, e-liquids, cartridges, components, accessories, or any product designed to produce or deliver aerosolized or vaporized substances for inhalation, whether or not such products contain nicotine or are derived from tobacco. Vapor Retail does not include general retailers, convenience stores, or other multi-goods establishments where vapor products are incidental to the overall business and do not constitute a primary or principal area of merchandising or customer activity.
- D. **Vehicle.** Any contrivance that is used in the public or private transportation of one or more persons, for goods over public or private property on roadways, or for commercial or agricultural enterprises. This definition includes any contrivance that is designed to be pushed, pulled, or towed by any self-propelled vehicle.
- (1) Vehicle: Recreational. A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven, that may be designed for temporary

living accommodations, and that is used for recreational, camping, and travel use. This definition may include, but is not limited to, truck trailers, truck campers, pop-up tents, boats, jet skis, personal watercraft, snowmobiles, camping trailers, and self-propelled campers.

- (2) **Vehicle: Junk.** A Vehicle as defined in ORC Section 4513.63 and/or the Colerain Township Junk Vehicle Resolution.
- E. **Vendor Market.** A site where individual stalls or spaces are provided for vendors to display, buy, sell, or exchange retail goods.
- F. **Vertical Mixed: Large.** A mixed-use building of greater intensity that contains ground-floor Commercial Use(s) with multiple upper floors of Residential Use located above, within the same structure, and designed as a unified development subject to the height and site development standards of the applicable zoning district.
- G. **Vertical Mixed: Small.** A mixed-use building that contains ground-floor Commercial Use(s) with one (1) or more floors of Residential Use located above, where the uses are contained within the same structure and are designed and operated as a unified development.
- H. **Veterinary Facility.** A facility where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. This Use may include an accessory Commercial Kennel that is limited to short-term boarding and that is incidental to the veterinarian facility.
- I. **Vision Clearance Triangle.** A triangular geographic area extending from right-of-way intersections and/or intersections among driveways, curb cuts, and rights-of-way that must remain clear of obstructions to allow clear views among vehicle operators, bicyclists, and/or pedestrians.

7.1.23 "W" Terms.

- A. **Warehouse.** Structures used for the storage or distribution of goods where there is no sale of items to retailers or the public unless permitted as an Accessory Use.
- B. **Wetlands.** Those areas that are inundated or saturated by surface or ground water at a frequency and duration that are sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. This definition includes swamps, marshes, bogs, and similar areas that are delineated in accordance with the 1987 United States Army Corps of Engineers Wetland Delineation Manual and any other procedures and requirements adopted by the United States Army Corps of Engineers for delineating wetlands.
- C. **Wholesale Commercial Use.** The sale of merchandise to retail and service commercial uses, office uses, institutional uses, or other wholesalers. This definition includes offices of agents or brokers who are buying or selling merchandise. This definition excludes the sale of merchandise to the public.
- D. **Wing Wall.** A wall that does not support a roof and that is secondary in scale to, and projects from, a primary wall.

- E. **Wood Furnace: Outdoor.** A heating system designed to burn wood and/or wood products typically for the purpose of heating an area, a nearby building, or water.

7.1.24 "X" Terms.

7.1.25 "Y" Terms.

- A. **Yard.** An open space unoccupied and unobstructed by any portion of a Structure from the ground upward, except as otherwise provided herein, on the same Lot with a Building. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the nearest portion of the Principal Building shall be used.
- (1) **Yard: Front.** A Yard extending across the front of a Lot between the Side Lot Lines and being the minimum horizontal distance between the Street Line and the Principal Building or any projection thereof, other than the projection of the usual steps or entranceway
 - (2) **Yard: Rear.** A Yard extending across the rear of a Lot between the Side Lot Lines and being the minimum horizontal distance between the Rear Lot Line and the Principal Building or any projection thereof, other than steps, unenclosed balconies, or unenclosed porches.
 - (3) **Yard: Side.** A Yard between the Principal Building and the Side Lot Line of the Lot extending from the Front Yard to the Rear Yard.

7.1.26 "Z" Terms.

- A. **Zoning Administrator.** The Zoning Inspector who has the primary responsibility for administering the duties of the Colerain Township Zoning Commission and other responsibilities as required by this Resolution, as directed by the Board of Trustees, and as defined by the ORC.
- B. **Zoning Commission.** The Colerain Township Zoning Commission.
- C. **Zoning District.** A section or sections of the unincorporated territory of Colerain Township for which regulations governing the Use of Buildings and premises, the height of buildings, development standards, Yards, Lot Areas, and other standards are uniform.

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

Resolution to Approve/Deny Case CZC-25-21, Zoning Resolution Text Amendment for Technical Corrections Q1 2026

Recommend ADOPTION of the Resolution.

Rationale:

The Zoning Commission unanimously recommends approval of CZC-25-21 to provide for technical corrections text amendment to the Colerain Township Zoning Resolution to correct grammar, punctuation, formatting, cross-references, and other minor clerical inconsistencies to ensure that the published version of the Resolution accurately reflects the text and intent of previously adopted amendments. The amendment also incorporates non-substantive formatting improvements, including the addition of summary tables that compile permitted uses and dimensional standards already established elsewhere in the Resolution. In summary, Case CZC-25-21 addresses:

1. Code Accuracy and Maintenance

Periodic technical corrections are necessary to ensure that the Zoning Resolution accurately reflects previously adopted legislative actions. Correcting grammatical issues, formatting inconsistencies, and cross-references helps maintain the integrity of the document and reduces confusion when the code is applied.

2. Improved Readability and Navigation

The addition of summary tables for permitted uses and dimensional standards compiles existing regulatory information into a format that is easier for applicants and property owners to understand. These tables simply organize requirements that already exist elsewhere in the Resolution and do not modify any regulatory standards.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 28th day of April, 2026, 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-25-21,
TECHNICAL CORRECTIONS, Q1 2026**

WHEREAS, pursuant to Ohio Revised Code Section 519.12, the Colerain Township Zoning Commission initiated by motion an amendment to the Zoning Resolution and held a public hearing on March 17, 2026 for Case CZC-25-21 to consider technical corrections text amendment to the Colerain Township Zoning Resolution to correct grammar, punctuation, formatting, cross-references, and other minor clerical inconsistencies to ensure that the published version of the Resolution accurately reflects the text and intent of previously adopted amendments. The amendment also incorporates non-substantive formatting improvements, including the addition of summary tables that compile permitted uses and dimensional standards already established elsewhere in the Resolution; 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 technical corrections to the Colerain Township Zoning Resolution; 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 CZC-25-21 on April 28, 2026, 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 _____, 2026.

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 _____, 2026.

Jeff Baker

Colerain Township Fiscal Officer

Exhibit A

See attachment for the Colerain Township Zoning Resolution Text Amendment

EST 1794

COLERAIN

TOWNSHIP ~ OHIO

Adopted November 22, 1994

ZONING RESOLUTION

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1 General Provisions

1.1 TITLE AND EFFECTIVE DATE

1.1.1 Official Title and References

- A. **Official title.** This Resolution shall be known, and may be cited and referred to as, the “Colerain Township Zoning Resolution,” the “Zoning Resolution,” or this “Resolution,” and all prior versions and amendments thereto are hereby superseded in their entirety.

1.1.2 Effective Date

- A. **Effective date.** This Zoning Resolution became effective on November 22, 1994, and was subsequently comprehensively updated, with the current revision taking effect on October 10, 2024.
- B. **Effective date of amendments.** Any amendments to this Resolution shall be in full force and effect as provided in Section 519.12 of the Ohio Revised Code.
- (1) Amendments: July 24, 2025; August 7, 2025; November 13, 2025; January 8, 2026; March 12, 2026; April 9, 2026

1.2 AUTHORITY, PURPOSE, AND JURISDICTION

1.2.1 Authority

- A. **Ohio Revised Code authority.** This Resolution has been passed under the authority granted to the Township under Section 519.01 et seq. of the Ohio Revised Code.

1.2.2 Purpose Statement

- A. **Development aspects regulated.** Except as otherwise provided in this Section, in the interest of the public health and safety, the Colerain Township Board of Township Trustees may regulate the use and development of land in the unincorporated territory of the Township by resolution, in accordance with a comprehensive plan:
- (1) The location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches;
 - (2) Percentages of lot areas that may be developed;
 - (3) Building setback lines;
 - (4) Sizes of yards, courts, and other open spaces;
 - (5) The density of population;
 - (6) The uses of buildings and other structures, including tents, cabins, and trailer coaches; and
 - (7) The uses of land for trade, industry, residence, recreation, or other purposes.
- B. **Additional aspects regulated.** Except as otherwise provided in this Section, in the interest of the public convenience, comfort, prosperity, or general welfare, the Board of Trustees by landscaping standards and architectural standards excluding exterior building materials in the unincorporated territory of the Township.
- C. **Division of land into districts or zones.** For all these purposes, the Board of Trustees may divide all or any part of the unincorporated territory of the Township into districts or zones of such number, shape, and area as the Board of Trustees determines. All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the regulations in one district or zone may differ from those in other districts or zones.
- D. **Mining activities.** For any activities permitted and regulated under Chapter 1513 (Coal Surface Mining) or 1514 (Other Surface Mining) of the Ohio Revised Code and any related processing activities, the Board of Township Trustees may regulate under the authority conferred by this section only in the interest of public health or safety.

1.2.3 Jurisdiction

- A. **Applicability.** The provisions of this Zoning Resolution shall apply to all land, land development, use of all structures, and uses of land within the unincorporated areas of Colerain Township, Hamilton County, Ohio.

1.3 EFFECT OF THIS ZONING RESOLUTION

1.3.1 Effect on Prior Approvals

A. **Buildings, structures, signs, lots, and uses.**

- (1) All buildings, structures, signs, lots, and uses that were legally established before the effective date of this Resolution may continue to be used, maintained, repaired, and/or operated according to an applicable prior approval.
- (2) Any building, structure, or development for which a building permit was issued prior to the effective date of this Resolution may, at the applicant's option, be completed in conformance with the issued permit and any other applicable permits and conditions, even if such building, structure, or development does not fully comply with provisions of this Resolution. Such building, structure, or development shall be considered a legal nonconforming use upon the issuance of a Certificate of Occupancy from the Hamilton County Department of Building Inspections.
- (3) If previously approved construction or alteration to a building or structure is not completed within the time allowed under the original building permit or any extension granted thereof, then the building, structure, or development may be constructed, completed, or occupied only in compliance with this Resolution.
- (4) Any unexpired preliminary development plan that was approved at a public hearing by the Board of Township Trustees but that has not been reviewed as a final development plan by the Zoning Commission prior to the effective date of this Resolution shall continue to be valid for 2 years after the effective date of this Resolution. After this 2- year period, the approved preliminary development plan shall expire and not be acted upon by the Township. During such a 2-year period, the applicant may submit a final development plan for review to the Zoning Commission. The Zoning Administrator shall submit written recommendations to the Zoning Commission and the applicant prior to the public meeting held by the Zoning Commission where the Zoning Commission shall review the detailed final development plan and determine whether all applicable requirements and the review criteria of Subsection 6.4.2 have been satisfied.
- (5) Changes to properties and development sites that do not have a prior approval after the effective date of this Resolution must comply with all applicable provisions, including changes to properties included within previously approved Planned Districts.

B. **Variances and conditional uses.**

- (1) Variances and conditional uses that were approved before the effective date of this Resolution shall remain in effect notwithstanding the applicable provisions of this Resolution.

- (2) Where the content of previously approved variances and/or conditional uses are permitted by-right after the effective date of this Resolution, such approvals shall be superseded by this Resolution and shall no longer be in effect.

1.3.2 Effect on Pending Applications

- A. **Complete applications.** Complete applications that are duly submitted prior to the effective date of this Resolution shall be reviewed by Colerain Township according to the applicable provisions of the prior Resolution as it existed the day before the effective date of this Resolution.
- B. **Incomplete applications.** Incomplete applications that are submitted prior to the effective date of this Resolution shall be returned to the applicant and shall not be acted upon by Colerain Township. The applicant may immediately resubmit an application according to the applicable provisions of this Resolution.

1.3.3 Effect on Private-Party Agreements

- A. **No effect.** The content of this Resolution is not intended to interfere with or abrogate any easements, covenants, or agreements between parties, provided that wherever this Resolution provides for a greater restriction upon the use of buildings or land, upon the location or height of buildings or structures, or upon requirements for open areas than those that are imposed or required by such easements, covenants, or agreements between parties, the provision of this Resolution shall govern.
- B. **Enforcement of private-party agreements.** In no case shall the Township be obligated to enforce the provisions of any easements, covenants, or agreements between private parties.

1.3.4 Effect on Violations

- A. **Violations continue.** Any violation under previous zoning resolutions that applied to the Township prior to the adoption of this Resolution shall continue to be a violation under this Resolution and is subject to penalties and enforcement under Section 6.6 – Enforcement, Penalties, and Remedies, unless the use, development, construction, or other activity complies with the provisions of this Resolution.

1.3.5 Effect on Nonconformities

- A. **Legal nonconformities continue.** Any legal nonconformity under any previous zoning resolutions of the Township prior to the adoption of this Resolution shall continue to be a legal nonconformity under this Resolution, subject to the provisions of Article 5 – Nonconformities, as long as the situation that resulted in the nonconforming status under the previous resolutions continues to exist.
- B. **Conformance established.** If a legal nonconformity under any previous resolutions that applied to the Township prior to the adoption of this Resolution becomes conforming because of the adoption of this Resolution, then the situation will be considered conforming and shall no longer be subject to the nonconforming use regulations.

1.3.6 Effect on Water Supply and Sewage Disposal Facilities

- A. **Water supply and sewage disposal required.** It shall be unlawful to locate, erect, or construct any building or structure to be used for human habitation without provision of an approved water supply and approved sanitary waste disposal facilities.
- B. **On-site sanitary waste disposal.** On-site sanitary waste disposal may be used only when Hamilton County Public Health approves an application to construct or replace a household sewage treatment system or the Ohio Environmental Protection Agency grants a Wastewater Permit to Install (PTI).
- C. **On-site private water systems.** On-site private water systems (wells and on-site cisterns) may be used only upon approval of Hamilton County Public Health and the Ohio Department of Health.

1.3.7 Effect on Unsafe Buildings

- A. **Unsafe buildings.** Nothing herein shall be construed as preventing the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by the Hamilton County Department of Building Inspections or from complying with the department's lawful requirements.

1.4 INTERPRETATION AND CONSTRUCTION OF LANGUAGE

1.4.1 Interpretation

- A. **Deference to Township Officials.** Deference shall be given to the Township Zoning Administrator, or Township Zoning Commission, and/or Township Board of Zoning Appeals with respect to the interpretation of the Zoning Resolution and/or decisions made as to the Zoning Resolution.
- B. **Resolution as minimum requirements.** For the purposes of interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements for the promotion of public health, safety, convenience, comfort, prosperity, or general welfare.
- C. **Intent.** All provisions, terms, phrases, and expressions contained in this Resolution shall be construed according to this Resolution's stated purpose and intent.
- D. **Lists and examples.** Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples and not be exhaustive lists of all possibilities.
- E. **Public officials and agencies.** All public officials, bodies, and agencies to which references are made in this Resolution are intended to reference such officials, bodies, and agencies of Colerain Township, unless otherwise expressly stated.
- F. **Delegation of authority.** Whenever a provision appears requiring the head of a department or another officer or employee of the Township to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate the responsibility to subordinates, unless the terms of the provision specify otherwise.
- G. **Technical words and phrases.** Technical words and phrases not otherwise defined in this Resolution that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- H. **Mandatory and discretionary terms.** The words "shall" and "must" are always mandatory. The words "may" or "should" are always permissive.
- I. **Conjunctions.** Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:
 - (1) "And" indicates that all connected items, conditions, provisions, or events shall apply; and
 - (2) "Or" indicates that one or more of the connected items, conditions, provisions, or events shall apply.
- J. **Tense and usage.** Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular shall include the plural, and the plural shall include the singular.
- K. **Gender.** The masculine shall include the feminine, and vice versa.
- L. **Defined terms.** For the purpose of this Resolution, words and phrases shall have the meanings set forth in Article 7 – Glossary of Terms.

- M. **Undefined terms.** Words and phrases not otherwise defined in this Resolution shall be construed according to the common and approved usage of US English.

1.4.2 Conflicts with, and References to, Other Laws

- A. **Inconsistency within this Resolution.** When the provisions of this Zoning Resolution are inconsistent with one another or with the provisions found in another adopted resolution, the more restrictive provision shall govern.
- B. **Inconsistency with other laws.** Where this Zoning Resolution imposes a greater restriction than imposed or required by other provision of law or by other rules, regulations, or resolution, the provisions of this Zoning Resolution shall control provided it complies with the Ohio Revised Code.
- C. **References to other regulations, publications, and documents.** Whenever reference is made to a resolution, statute, regulation, or document, that reference shall be construed as referring to the most recent edition of such regulation (as amended), resolution, statute, or document or to the relevant successor document, unless otherwise expressly stated.

1.5 SEVERABILITY AND REPEAL

1.5.1 Severability

- A. **Severability.** Should the courts declare any article, section, or provision of this Zoning Resolution to be unconstitutional or invalid, such decision shall not affect the validity of this Zoning Resolution as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1.5.2 Repeal

- A. **Trustee-initiated repeal.** This Resolution may be repealed following the Board of Township Trustees' adoption of such a resolution upon its own initiative.
- B. **Petition-initiated repeal.** This Resolution may be repealed following the Board of Township Trustees' adoption of a resolution if presented with a petition, similar in all relevant aspects to that prescribed in Section 519.12 of the Ohio Revised Code, signed by a number of qualified electors residing in the unincorporated area of the Township equal to not less than 15% of the total vote cast for all candidates for governor in such area at the most recent general election at which a governor was elected, requesting that the question of whether or not the Zoning Resolution in effect in the Township shall be repealed be submitted to the electors residing in the unincorporated area of the Township at a special election to be held on the day of the next primary or general election. The resolution adopted by the Board of Township Trustees to cause such question to be submitted to the electors shall be certified to the Hamilton County Board of Elections no later than 75 days prior to the day of election at which said question is to be voted upon. In the event a majority of the vote cast on such question in the Township is in favor of repeal of zoning, then such regulations shall no longer be of any effect. Not more than 1 such election shall be held in any 2 consecutive calendar years.

1.6 CALCULATIONS & MEASUREMENTS

1.6.1 Percentages and Fractions

A. Standards for rounding.

- (1) When a measurement results in a fractional number, any fraction less of less than $\frac{1}{2}$ shall be rounded down to the next lower whole number, and any fraction of $\frac{1}{2}$ or greater shall be rounded up to the next higher whole number.
- (2) When a calculation or measurement results in a fractional percentage, any percentage ending between .0 and .5 shall be rounded down to the next lower whole number, and any percentage ending in .5 or greater shall be rounded up to the next higher whole number.

1.6.2 Computation of Time

A. Standards for computing time.

- (1) In computing any period of time prescribed or allowed by this Resolution, the date of the application, act, decision, or event, from which the designated period of time begins shall not be included. The last date of the period of time to be computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which case the period runs until the end of the next day, which is not a Saturday, a Sunday, or a legal holiday.
- (2) When the period of time prescribed is less than 7 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded from the computation (i.e., business days and not calendar days).
- (3) Unless the terms of a specific provision state otherwise (e.g., “business days”), periods of time defined by a number of days shall mean a number of consecutive calendar days including all weekend days, holidays, and other non-business/non-working days.
- (4) When the Township offices are closed to the public for the entire day which constitutes the last day of the period of time or when the offices close before its usual closing time on such day, then such application, act, decision, or event may be performed on the next succeeding day which is not a Saturday, a Sunday, or a legal holiday.

1.6.3 Measurement Methodologies

- A. **Distance measurements.** Unless otherwise expressly stated, all distances specified in this Resolution are to be measured as the length of an imaginary straight line joining those points.
- B. **Light level.** Light level shall be measured in footcandles with a direct reading of a portable light meter at grade level.

- C. **Fence opacity.** Fence opacity shall be measured as the combined surface area of all visible posts and pickets within a representative area divided by the total surface area of the representative area. For example, the opacity of a typical wood picket fence could be measured as the combined surface area of the pickets and posts within a selected 3-foot-by-3-foot area, divided by 9 (the total square footage of the representative area).
- D. **Lots: lot area.**
- (1) The lot area is the total area within the lot lines of a lot, excluding any street right-of-way or other public dedication.
 - (2) Irregular shapes of land, panhandles, and other narrow appendages to lots with less than 50 feet of width at any point shall not be included in the measurement of a lot area or contribute to the minimum lot area requirement of the applicable zoning district, nor shall they contribute to the measurement of any setback for the location of any buildings or structures.
- E. **Lots: street or lot frontage.**
- (1) Street or lot frontage shall be measured as the total length of a lot line that runs along a right-of-way.
 - (2) When a standard is based on the street or lot frontage, the longest street or lot frontage, and not the total street or lot frontage, shall be used.
- F. **Lots: lot coverage.**
- (1) The ratio of lot coverage shall be calculated as the total surface area (when viewed from an aerial perspective) of all principal structures, accessory structures, and impermeable surfaces (including paving and driveways) within a given lot divided by the total surface area of the given lot.
 - (2) Certain building and property elements shall be excluded from lot coverage calculations as provided in Subsection 1.6.6.
- G. **Buildings: building elevation surface area.** Building elevation surface area shall be measured as the total area within a single continuous rectangle or abutting series of rectangles that enclose the outermost limits of a given elevation of a building.
- H. **Buildings: building height in stories.** Where specified in stories, building height shall be measured in number of complete stories above the finished grade for any elevation fronting on a public street including attics, half-stories, mezzanines, at-grade structured parking, but excluding features that are greater than one-half story or completely below grade, such as basements, cellars, crawl spaces, subbasements, and underground parking structures.
- I. **Buildings: building height in feet.** Where specified in feet, building height shall be measured as the vertical distance from grade at the base of the structure to (see Figure 1.6.3-A: Building Height Measurement by Roof Type):
- (1) The highest point of a flat roof;
 - (2) The deck line of a mansard roof; or
 - (3) The mean height between the eaves and ridge on gable, hip, or gambrel roofs.

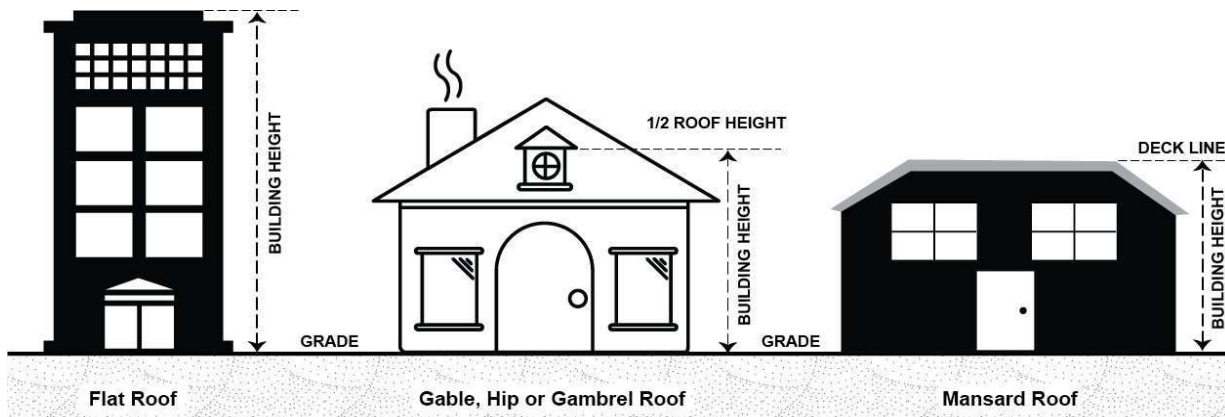


Figure 1.6.3-A. Building Height Measurement by Roof Type

1.6.4 Allowed Height Encroachments

A. **Building and property elements exempted from height calculations.** The following elements of buildings and properties may, where allowed, be erected to any lawful and safe height and shall exempt from height requirements of this Resolution:

- (1) Church spires
- (2) Domes
- (3) Flagpoles
- (4) Aerials
- (5) Antennas
- (6) Wireless telecommunication towers
- (7) Telephone transmitters and towers
- (8) Chimneys
- (9) Cooling Towers
- (10) Elevator bulkheads
- (11) Fire towers
- (12) Belfries
- (13) Monuments
- (14) Stacks
- (15) Derricks
- (16) Conveyors
- (17) Stage towers or scenery lofts
- (18) Tanks or water towers
- (19) Silos and farm buildings
- (20) Necessary mechanical appurtenances

- B. **Modification of maximum height standards.** Public or public service buildings, hospitals (except as otherwise provided), institutions, or educational facilities, when permitted within a given zoning district, may be erected to a height not exceeding 6 stories, and churches and temples may be erected to a height not exceeding 75 feet if the building is set back from each required yard line at least one foot for each foot of additional building height above the height limit otherwise provided in the applicable zoning district in which the building is built.
- C. **Cell towers and wireless telecommunication towers.** The height of cell towers and other wireless telecommunication towers are subject to the applicable use-specific regulations of this Resolution, as provided in Article 3 of this Resolution.
- D. **Use-specified standards.** Standards for allowable heights may be modified by applicable provisions within Article 3 of this Resolution.

1.6.5 Allowed Setback Encroachments

- A. **Unobstructed setbacks required.** Every part of a required yard shall be open to the sky and unobstructed except:
 - (1) As otherwise provided in this section;
 - (2) For accessory buildings in a rear yard;
 - (3) For the ordinary projections of skylights, sills, belt courses, cornices, and ornamental features projecting not to exceed 3 feet in residential zoning districts, and not to exceed 1 foot in all other districts;
 - (4) Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers projecting into a yard not more than 5 feet; and
 - (5) The ordinary projections of chimneys and flues may be permitted by the Hamilton County Building Commissioner when placed so as not to obstruct light and ventilation but not closer than 2 feet to any lot line.
- B. **Terraces, porches, and platforms.**
 - (1) Terraces, uncovered porches, platforms, and ornamental features which do not extend more than 3 feet above the floor level of the ground (first) story may project into a required front or rear yard but shall not be closer to any side lot line than the side yard requirement.
 - (2) An open, unenclosed porch, or paved terrace may project into a front yard for a distance not exceeding 10 feet.
- C. **Modification to minimum front yard setback requirements.** For new construction on a lot in a residential zoning district where the adjacent lots are already developed with buildings and where buildings within 100 feet of the subject lot (and on the same side of the street as the subject lot) are set back less than the minimum required front yard setback, the minimum front yard setback for the new construction on the subject lot shall be not less than the average depths of the front yards of the 2 buildings on each side and within 100 feet of the such lot.

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 for Zoning Commission Case CZC-26-1 & 2, Zoning Map Amendment to 10461 Pippin Rd, and its associated Preliminary Development Plan for Redwood Living Phase 2

Recommend a motion opening the public hearing.

Rationale:

A public hearing is required before consideration of the map amendment by the Trustees.

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Senior Planner & Zoning Administrator
Hearing Date: March 17, 2026

Case Information

Case Title: Redwood Living Phase 2
Application Type: Zoning Map Amendment / Planned District
Applicant: Todd Foley, Redwood Cincinnati Pippin Road OH P1, LLC.
Property Owner: Redwood Cincinnati Pippin Road OH P2, LLC.; Pleasant Run First Baptist Church
Parcel Numbers to Rezone: 510-0033-0024-00, 510-0033-0025-00
Parcel Numbers in PDP / FDP: 510-0033-0024-00, 510-0033-0025-00, 510-0033-0107-00, 510-0033-0108-00
Location: Northwest of the intersection of Pippin Rd. & Struble Rd.
Acreage to Rezone: 3.50 acres
Acreage in PDP / FDP: 10.95 acres
Current Zoning: 510-0033-0024-00, 510-0033-0025-00: SUR - Single Unit Residential
510-0033-0107-00, 510-0033-0108-00: PD - Planned District
Proposed Zoning: All Parcels: PD - Planned District

Proposed Action

To recommend approval of a Zoning Map Amendment to rezone parcels 510-0033-0024-00, 510-0033-0025-00 from SUR - Single Unit Residential to PD - Planned District and approve the associated Preliminary and Final Development Plan of the rezoned parcels and two adjacent parcels already zoned PD - Planned District.

Case Summary & History

The broader Lake Gloria development was previously approved as a Planned Development Residential project following rezoning and Preliminary Development Plan approval in 2020, with a subsequent Final Development Plan approved by the Zoning Commission for Phase 1. That approval established the Redwood Lake Gloria neighborhood and related public improvements along Pippin Road, including sidewalk and buffering requirements. The current request is related to the continued expansion of that same development pattern onto additional property associated with Pleasant Run Baptist Church and adjacent vacant parcels west of the church and south of the existing Redwood development. Although this application is presented as a Zoning Map Amendment with associated Preliminary and Final Development Plan materials, the submitted Final Development Plan should be understood as conceptual and transitional in nature, as a future major modification to CZC-20-7 Lake Gloria will be required to incorporate this area into a single unified Planned District approval with Phase 1.

Site Description

The subject area consists of Pleasant Run Baptist Church and multiple adjacent vacant parcels located along Pippin Road, immediately west of the existing church campus and generally south of the Redwood Lake Gloria Phase 1 development. The broader Lake Gloria area is characterized by a substantial lake, open space, and environmentally sensitive land features that have shaped the design and phasing of prior approvals. The Phase 2 area functions as an expansion area to the existing Redwood neighborhood and is situated within a larger residential context near Northwest High School and the Lake Gloria area, which the Comprehensive Plan identifies as functioning as one of the neighborhood centers in this portion of the Township. As proposed, this area represents an opportunity to extend an already established residential development pattern onto land that is presently either institutional or vacant while maintaining visual openness and preserving key open space relationships around Lake Gloria.

Surrounding Conditions

Direction	Zoning	Land Use
North	PD - Planned District	Dwelling - Multi-Unit (Redwood Phase 1)
South	SUR - Single Unit Residential	Dwelling - One Unit
East	SUR - Single Unit Residential	Dwelling - One Unit / Religious Place of Worship
West	SUR - Single Unit Residential	Dwelling - One Unit

Proposed Development

The applicant, Redwood Cincinnati Pippin Road OH P1, LLC., requests approval to expand the previously approved development by adding approximately 3.3 acres along Pippin Road for construction of 47 new single-story attached residential dwellings that are intended to be similar in character and quality to those approved and constructed in Phase 1. The applicant states that this addition would bring the full development yield of Phase 1 and Phase 2 together to 177 dwellings. Phase 2 would be served by a separate access drive from Pippin Road and would include right-of-way dedication and installation of public sidewalk along the frontage consistent with the improvement pattern established by Phase 1. The narrative further indicates that landscaping, including street trees, foundation plantings, and perimeter buffering, will be provided in a manner complementary to the existing development, and that open space will continue to be maintained along the western, southwestern, and southern portions of Lake Gloria in order to preserve views and visual connection to the lake. Because the applicant intends to later combine both phases through a major modification to the previously approved Lake Gloria case, the Final Development Plan associated with this request should be treated as conceptual and interim, serving primarily to establish the framework for the Phase 2 expansion until a consolidated development plan is submitted for unified review.

Review Criteria

1. The proposal could not feasibly be constructed under a non-Planned district or zone.

Staff finds that the proposed development is appropriately reviewed as a Planned District expansion because it is not simply a conventional subdivision or by-right multifamily project on an isolated tract. Instead, it is an extension of an existing coordinated PD development that relies on integrated site planning, private internal drives, phased implementation, preservation of open space around Lake Gloria, and complementary architectural and landscaping treatment across multiple areas of the larger site. The proposal also involves incorporation of additional land into an already established PD framework, which is more appropriately addressed through the Planned District process than through application of a conventional base district. The Zoning Resolution expressly states that the Planned District is intended to provide flexibility for unique projects that promote the goals of the Comprehensive Plan but cannot be accomplished under a base zoning district.

2. The proposal would meet or exceed at least one of the land use goals, objectives, and/or recommendations of the Comprehensive Plan.

Staff finds that the proposal is strongly supported by the Comprehensive Plan. The Land Use element recommends that within each character area the Township should strive for a mixture of uses and density levels that complement each other and the Township as a whole, and specifically notes that the area surrounding Northwest High School and Lake Gloria functions as one of the only neighborhood centers in Bevis, while also recognizing the importance of continuing to support housing options that allow residents to remain in their community as they age. The proposal expands an already established housing product in a location where the Comprehensive Plan contemplates neighborhood-serving activity, diversified housing opportunities, and context-sensitive development. The proposal also advances the Comprehensive Plan’s recommendation to modernize zoning and use flexible regulatory tools to support development aligned with Township goals.

3. The proposal would support safe walking, bicycling, wheelchair, and other non-vehicular transportation to and between common destinations including residences, employment centers, educational facilities, shopping, and recreation that is provided within or adjacent to the Planned District.

Staff finds that the proposal supports non-vehicular mobility by extending the sidewalk and frontage improvement pattern already required with Phase 1 along Pippin Road. The Comprehensive Plan's mobility element emphasizes the Township's goal of establishing a high-quality, integrated, and connected multi-modal network and specifically identifies safe pedestrian connections as a Township priority. In addition, the Land Use recommendations for this general area support neighborhood-serving patterns and stronger local connections. By continuing sidewalk construction along Pippin Road and building upon an existing residential development pattern near schools, neighborhood activity areas, and community destinations, the proposal advances the Township's long-term mobility and connectivity goals.

4. The proposal would support access to housing for diverse ages, household sizes, and ranges of income, if the proposal includes residential uses.

Staff finds that the proposal supports diversification of the Township's housing stock by expanding a residential product type that is distinct from surrounding detached single-family neighborhoods. The Comprehensive Plan specifically recognizes the value of housing opportunities that allow residents to remain within their community over time and notes the importance of supporting facilities and housing options that serve varying life stages. The Redwood product provides an alternative attached, single-story housing form that broadens local choice and contributes to the Township's overall housing mix without introducing a building form or intensity that is incompatible with the surrounding area. As an extension of an already occupied and functioning residential development, Phase 2 would further strengthen that housing option in an area where additional neighborhood-serving residential diversity is consistent with the Plan.

Staff Findings

Staff finds that the proposed map amendment and associated Planned District development plan represent a logical and supportable continuation of the previously approved Lake Gloria development. Unlike a stand-alone rezoning introducing an unfamiliar use pattern, this request would extend an existing residential development form that has already been approved, constructed, and incorporated into the surrounding area. The applicant's narrative states that Phase 1 has been well received and has successfully provided an alternative housing product while preserving the character of Lake Gloria and adding sidewalk improvements along Pippin Road. Phase 2 is designed to continue that same overall pattern by extending similar single-story attached dwellings, adding a separate access drive, providing additional frontage sidewalk, and maintaining complementary landscaping and buffering.

Staff further finds that the proposal is consistent with multiple themes of the Comprehensive Plan. The Land Use element calls for a mixture of uses and density levels within each character area that complement one another and the Township as a whole, and specifically identifies the area around Northwest High School and Lake Gloria as functioning as one of the key neighborhood centers within this portion of the Township. The Plan also recommends continuing to support opportunities that allow residents to age within their own community. This proposal advances those recommendations by expanding a housing type that differs from the predominant detached single-family product in the area while remaining residential in character and scale. In this respect, the proposal is a continuation of an established and context-sensitive development model.

The proposal also aligns with the Comprehensive Plan's mobility and connectivity objectives. The Plan emphasizes the Township's commitment to safe and efficient pedestrian connections and to a more fully integrated multi-modal system. The continuation of public sidewalk improvements along Pippin Road is therefore a meaningful planning benefit, particularly because the site is located in an area tied to residential neighborhoods, school-related activity, and broader community destinations. Extending sidewalks in conjunction with residential development helps incrementally build the connected infrastructure envisioned by the Plan rather than leaving isolated gaps that limit practical pedestrian movement.

From a design and compatibility standpoint, staff finds that the proposal appropriately builds upon the Phase 1 approval rather than creating a disconnected second project. The applicant proposes architecture, landscaping, buffering, and internal development patterns that are intended to be complementary to the first phase. Equally important, the narrative states that open space will be maintained along the western, southwestern, and southern portions of Lake Gloria so that neighboring residents may continue to retain visual connection to the lake. Preservation of that openness is an important factor in maintaining the character of the site and reducing the perceived intensity of additional development. The continuation of open areas and perimeter buffering helps ensure that the Phase 2 addition remains compatible with nearby residential and institutional properties.

Staff also finds it important to clearly distinguish between what is being approved at this stage and what will still need to occur through subsequent review. Because the applicant intends to pursue a major modification to the previously approved Lake Gloria Planned District so that both phases may ultimately be governed as one coordinated development, the Final

Development Plan attached to this request should be treated as conceptual and transient in nature. Approval of this case should be understood as an interim approval mechanism that allows the expansion area to move forward while preserving the Township's ability to require a later unified submittal that formally integrates Phase 2 into CZC-20-7 Lake Gloria. This is particularly important because several items normally expected for a more complete and enduring final development plan will be addressed in greater detail as part of that future major modification, including lighting, building details, easements and restrictions, parking, signage, and other plan components necessary for a permanent consolidated approval.

Finally, staff finds that the Planned District mechanism remains the appropriate zoning tool for this request. The Zoning Resolution provides that Planned Districts are intended to offer flexibility for unique projects that promote Comprehensive Plan goals and cannot feasibly be accomplished under a base zone. This request involves expansion of an established, phased, coordinated residential project across additional land while preserving open space relationships, continuing public improvements, and maintaining a unified development character. Those are precisely the sorts of circumstances for which the Planned District process is intended. Subject to appropriate conditions requiring agency submittals and a future major modification to formally consolidate this phase with the prior Lake Gloria approval, staff finds that the request is supportable and consistent with the Township's zoning framework and long-range planning objectives.

Staff Recommendation

Staff recommends **APPROVAL** of the requested zoning map amendment and approval of the Planned District Preliminary and Final Development Plan subject to the following conditions:

1. Prior to issuance of a zoning certificate or commencement of site work for Phase 2, the applicant shall submit the following to the appropriate reviewing agencies, where applicable: proposed floodplain drainage and control measures; watershed details for the site and within 200 feet of the site; proposed site drainage including detention/retention and sedimentation control measures; building downspout and storm sewer sizes and locations; existing site contours and proposed grading plan; existing floodplain elevations; a letter confirming conceptual sewer service approval from MSD or OEPA, if applicable; and Hamilton County Public Works and SDS applications.
2. Approval of this case shall be conditioned upon submission of a Major Modification to CZC-20-7 Lake Gloria to incorporate Phase 2 into a single unified Planned District approval with Phase 1. The Major Modification shall include, at minimum: a lighting plan per Section 4.4; building plans showing interior layout and dimensions; exterior elevations showing building materials and screening of mechanical equipment; legal descriptions for easements and site restrictions; a legal property description including book and page numbers, owner names, parcel numbers, and location; Declaration of Condominium, if applicable; a Master Parking Plan per Section 4.5.2; and a Master Signage Plan per Section 4.8.2. Until that modification is approved, the Final Development Plan associated with this case shall be considered conceptual and interim only.
3. The architectural style, materials, and general character of the Phase 2 buildings shall be consistent with the buildings constructed in Phase 1 of the Lake Gloria development.
4. All signage through Phase 1 and Phase 2 of the development shall remain thematically consistent.

Attachments

1. **Appendix A:** Applicant Letter
2. **Appendix B:** Current Site Conditions
3. **Appendix C:** Site Plan / Final Development Plan
4. **Appendix D:** Landscape Plan
5. **Appendix E:** Proposed Zoning Map

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

A handwritten signature in black ink, reading "David Peters". The signature is fluid and cursive, with the first name "David" and last name "Peters" clearly distinguishable.

David Peters, Senior Planner



Justification Letter – Redwood Pippin Road

January 29, 2026

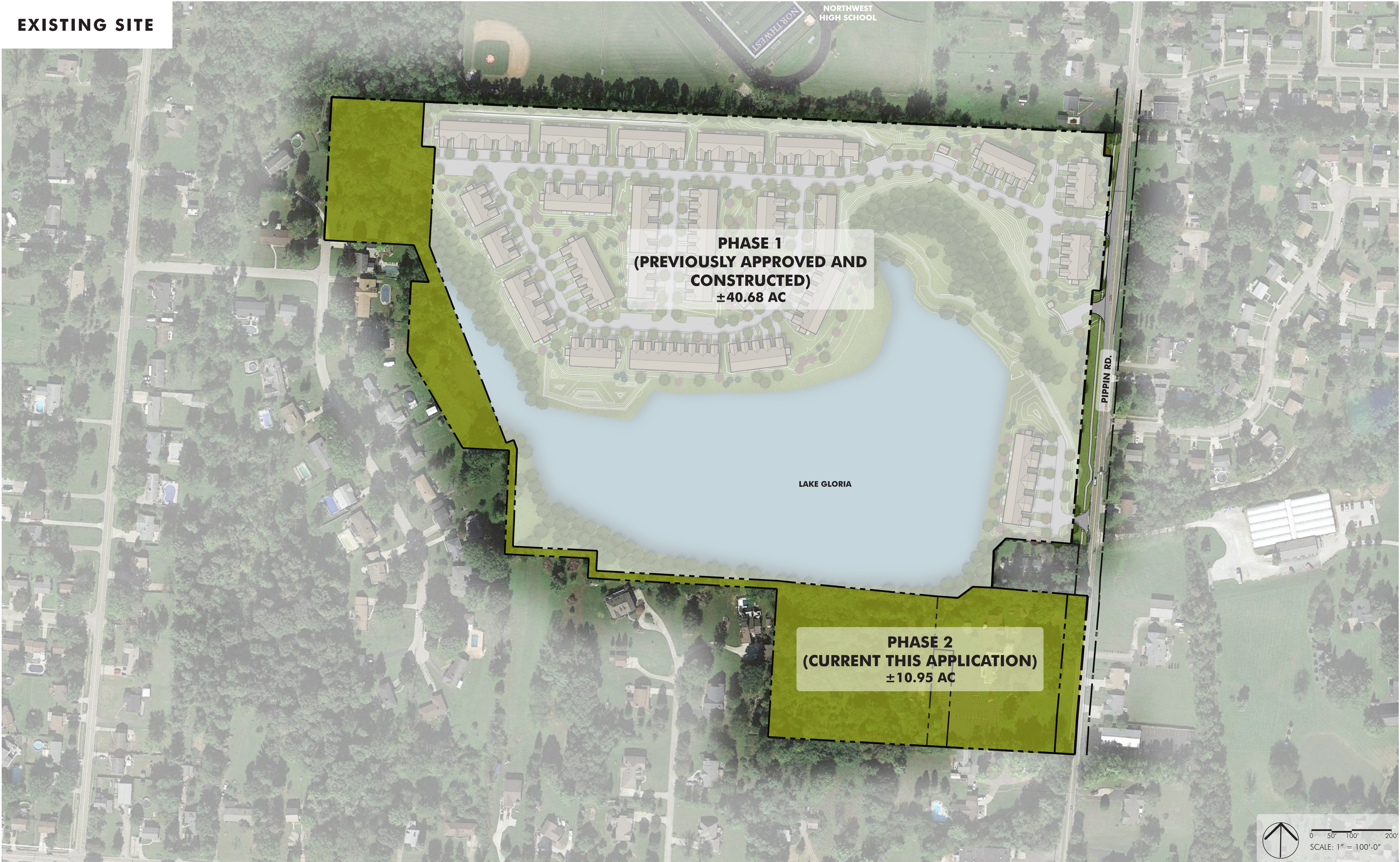
Redwood Cincinnati Pippin Road OH P1 LLC is requesting a major modification to the previously approved PD-R Final Development Plan for its neighborhood located on 10511 Pippin Road in Colerain Township. The proposed request is to update the PD-R to include two new parcels adjacent to Pippin Road (approximately +/-3.3 acres) for the addition of 47 new single story attached residential dwellings similar to those approved and constructed in Phase 1 of the neighborhood. This portion of the PD-R will be identified as Phase 2 and will result in a total of 177 dwellings over the entire project (Phase 1 & 2 combined). The proposed request will provide for a separate access drive off of Pippin Road to service the 47 dwellings and will also provide for required Right of Way dedication and the installation of public sidewalk along the frontage in keeping with Phase 1 requirements.

Landscaping including street trees, foundation plantings and perimeter buffering to adjacent properties will be provided in complimentary design to Phase 1. Internal drives will be privately owned and maintained by Redwood as is the case in Phase 1.

Phase 1 neighborhood has been received very well by the community and has been successful in providing an alternative housing product to the township while at the same time preserving the character of Lake Gloria and providing infrastructure improvements for residents with sidewalks along Pippin Road. This addition of Phase 2 dwellings will allow for Redwood to introduce some new internal dwelling designs while continuing the quality architectural standards experienced in Phase 1 and will continue to extend the sidewalk improvements along Pippin Road which will ultimately benefit the residents of the township.

The proposal will maintain existing open space along the western, southwestern and southern portions of Lake Gloria ensuring that neighboring residents can continue to have the visual connection to Lake Gloria. Redwood is excited to be providing this request to the township.

EXISTING SITE



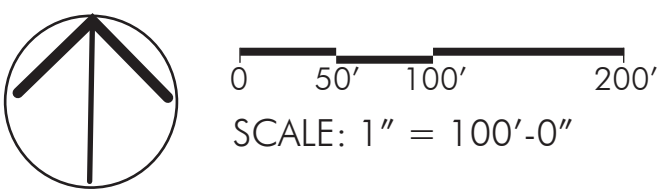
ILLUSTRATIVE SITE PLAN



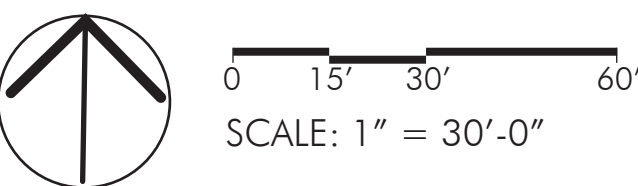
VICINITY MAP
N.T.S.

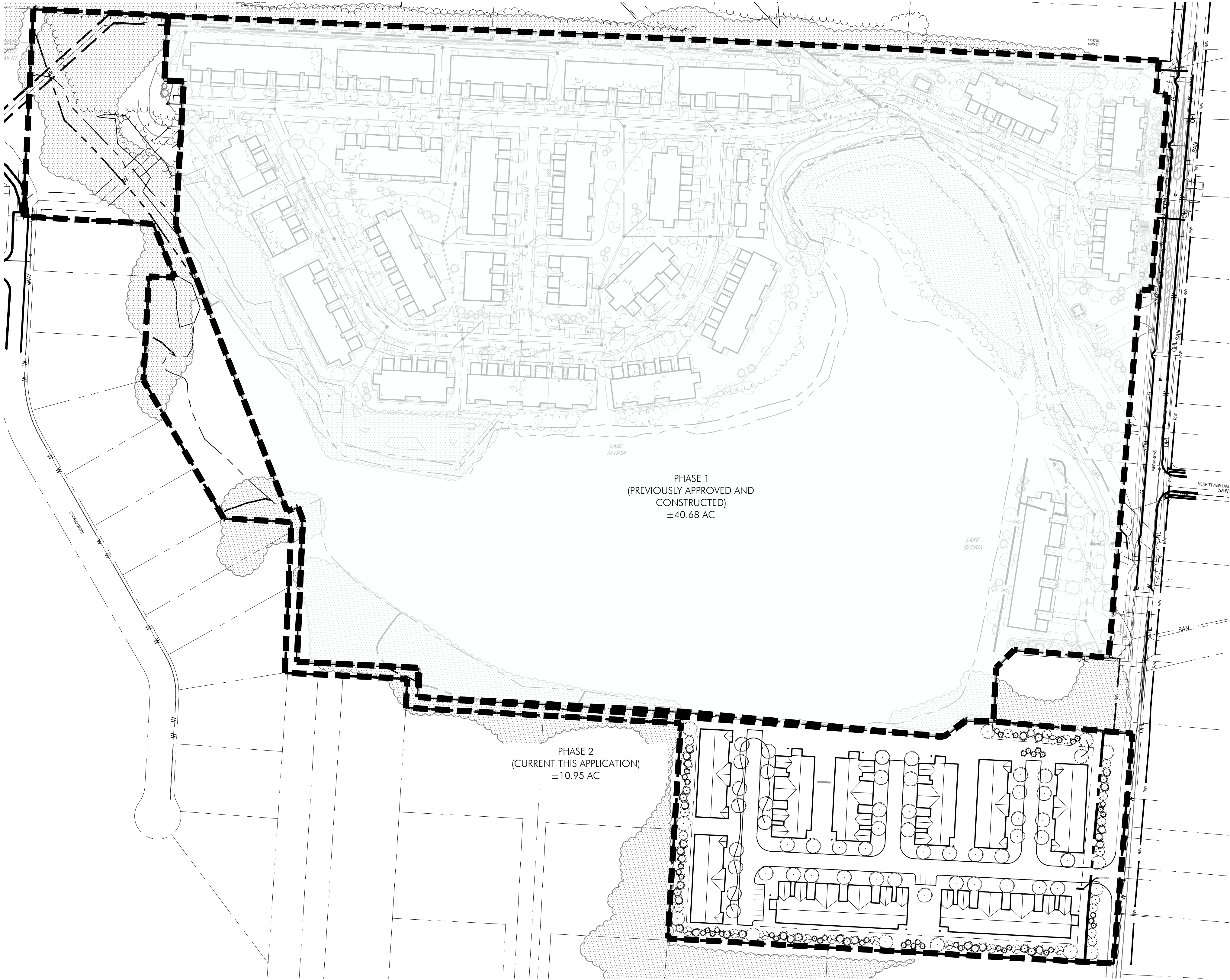
SITE DATA

EXISTING PH2 ZONED:	PD-R & SUR
PROPOSED PH2 ZONED:	PD-R
TOTAL ACREAGE:	± 51.63 AC
PH1:	±40.68 AC
PH2:	±10.95 AC
TOTAL DWELLING UNITS:	177
PH1:	130
PH2:	47
DENSITY:	±3.43 DU/AC
TOTAL: OPEN SPACE:	±32.72 AC (63% OF TOTAL)
PH1:	±27.26 AC (52% OF TOTAL)
PH2:	± 5.46 AC (11% OF TOTAL)
IMPERVIOUS SURFACE RATIO: (PH2 ONLY)	±3.60 AC (38% OF TOTAL)



ILLUSTRATIVE PLAN ENLARGEMENT





Overall Reference Plan
SCALE: 1" = 100'

PLANT INSTALLATION NOTES

- CONTRACTOR SHALL VERIFY WITH THE OWNER AND UTILITY COMPANIES THE LOCATIONS OF THE EXISTING UTILITIES PRIOR TO STARTING WORK. CALL THE OHIO UTILITIES PROTECTION SERVICE AT (800) 362-2764. CONTRACTOR TO REPAIR ALL DAMAGES TO EXISTING UTILITIES, CURBS, PAVEMENTS, ETC. RESULTING FROM LANDSCAPE INSTALLATIONS WHICH OCCUR DURING THE CONSTRUCTION OF THE PROJECT.
- PLANT MATERIAL SHALL BE FURNISHED IN THE QUANTITIES AND/OR SPACING AS SHOWN OR NOTED. IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.
- CONTRACTOR SHALL VERIFY SIZES AND LOCATIONS OF ALL SITE ELEMENTS AND IMMEDIATELY INFORM THE OWNER AND DESIGN CONSULTANT OF ANY DISCREPANCY BETWEEN THE DRAWINGS AND/OR SPECIFICATIONS AND ACTUAL CONDITIONS. NO WORK SHALL BE DONE IN ANY AREA WHERE THERE IS A DISCREPANCY WITHOUT OWNERS APPROVAL.
- CONTACT THE OWNER TO REQUEST ELECTRONIC FILES FOR LAYOUT AND STAKING.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FINISH GRADING IN THE PROJECT REQUIRED TO PROVIDE A PROPER SEED, SOD AND PLANTING BED.
- CONTRACTOR SHALL PROVIDE THE FOLLOWING SOIL AMENDMENTS:
SOIL AMENDMENT: 'COM-TIL' ORGANIC COMPOST FROM OHIO MULCH (OR EQUAL)
3739 HAUCK RD, SHARONVILLE, OH 45241
(614) 645-3152
PERENNIAL BED AREAS: SPREAD 3" OF ORGANIC COMPOST OVER NEW LANDSCAPE AREAS AND INCORPORATE INTO THE TOP 8" OF THE SOIL BY MECHANICAL TILLER.
TREES AND SHRUBS: MIX 30% ORGANIC COMPOST TO 70% EXISTING SOIL FROM PLANT PIT EXCAVATION. IF EXCAVATED SOIL IS NOT SUITABLE, SUPPLEMENT WITH IMPORTED TOPSOIL.

- ALL PLANT MATERIAL TO MEET OR EXCEED AMERICAN STANDARD FOR NURSERY STOCK, 2014 EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF NURSERYMEN.
- ALL PLANT MATERIALS SUBJECT TO INSPECTION PRIOR, DURING AND AFTER INSTALLATION. ANY PLANT NOT MEETING THE REQUIREMENTS WILL BE CAUSE FOR REJECTION BY THE OWNER. ALL REJECTED PLANTS SHALL BE IMMEDIATELY REMOVED AND DISPOSED OF BY THE CONTRACTOR AND THE REPLACEMENT MATERIAL SHALL BE PROVIDED.
- ALL SUBSTITUTIONS AND PLANT CHANGES MUST BE APPROVED BY THE OWNER AND DESIGN CONSULTANT PRIOR TO ANY ACTION TAKEN. TREES SHALL BE PROTECTED AND HANDLED CAREFULLY AT ALL TIMES DURING TRANSPORT & HANDLING TO PREVENT DRYING OF TREE OR ROOT BALL BY WINDS AND TO PREVENT ANY DAMAGE OR BREAKAGE OF THE ROOT BALL. BARK SHALL BE PROTECTED FROM BRUISING OR ABRASION.
- WATER TREES IMMEDIATELY AFTER PLANTING AND CONTINUE TO WATER UNTIL FINAL ACCEPTANCE BY THE OWNER. USE OF 'GATOR BAGS' (OR EQUAL) IN NON-IRRIGATED AREAS IS ACCEPTABLE AND SHOULD BE CHECKED/FILLED WEEKLY.

- PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY OWNER AND DESIGN CONSULTANT BY PRIOR TO PLANT INSTALLATION.
- BED LINE TO BE 18" FROM BASE OF PLANT MATERIAL UNLESS OTHERWISE INDICATED ON THE DRAWINGS.
- ALL SHRUB AND BED AREAS, EXCEPT AT PROJECT ENTRY TO BE MULCHED WITH 3" DEPTH MIN. NO. 34 WASHED RIVERROCK OVER WEED BARRIER FABRIC. DECIDUOUS TREES IN LAWN AREAS SHALL BE MULCHED WITH A 3' DIAMETER TREE RING USING 3" SHREDDED HARDWOOD BARK MULCH. DO NOT MOUND MULCH AROUND TREE ROOT COLLAR. SUBMIT SAMPLE TO OWNER FOR APPROVAL.
- ALL AREAS OUTSIDE OF PLANTING BEDS SHALL BE SODDED AS SHOWN AND NOTED.
- ALL SEEDED AREAS TO BE INSTALLED WITH HYDROSEED MIXTURE PER SEED SUPPLIER AND MANUFACTURERS SPECIFICATIONS.

- ALL SLOPES IN EXCESS OF 3:1 (H:V) TO BE HYDROSEEDED AND MATTED WITH NAG S75 MINIMUM WITH ROLLS ORIENTED DOWN SLOPE AND STAKED TO MANUFACTURERS RECOMMENDATIONS.
- FINISHED TURF (SOD) TO BE FLUSH WITH TOP OF ADJACENT CURB OR WALK. COORDINATE WITH OWNER IN FIELD AS REQUIRED.
- THE CONTRACTOR SHALL GUARANTEE ALL TREES, SHRUBS AND GROUND COVERS FOR A PERIOD OF ONE (1) YEAR FROM DATE OF FINAL ACCEPTANCE. REPLACE MATERIAL WITHIN SEVEN (7) DAYS OF NOTIFICATION OF THE OWNER.
- PERFORM CLEANING DURING INSTALLATION OF LANDSCAPE WORK AND UPON COMPLETION. REMOVE FROM SITE ALL EXCESS LANDSCAPE RELATED MATERIAL, SOIL DEBRIS AND EQUIPMENT. REPAIR DAMAGE RESULTING FROM LANDSCAPING OPERATIONS. SWEEP AND HOSE DOWN PAVED SURFACES AFFECTED BY LANDSCAPING OPERATIONS. ALL HARD SURFACES INCLUDING BUILDINGS, PAVEMENTS, SIGNS, A/C UNITS AND FENCES SHALL HAVE HYDROSEED OVERSPRAY

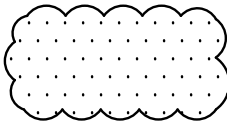
REMOVED BY LANDSCAPE CONTRACTOR AS PART OF THEIR CLEANUP. COORDINATE WITH OWNER AND OTHER CONTRACTORS FOR FINAL CLEANUP PRIOR TO CLEANING.

20. MAINTENANCE: THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE COMPLETED LANDSCAPE AND IRRIGATION SYSTEMS UNTIL THE DATE OF FINAL ACCEPTANCE.

- MOWING - MINIMUM ONCE PER WEEK.
- TRIMMING - SHRUBS, TREES, AND GROUND COVERS MINIMUM TWO TIMES PER YEAR OR AS REQUIRED.
- FERTILIZING - APPLY FERTILIZER AT A RATE EQUAL TO 1 LB. OF ACTUAL NITROGEN/1000 S.F. IN THE SPRING AND FALL TO ALL TURF AND PLANTINGS.
- BED EDGING - EDGE ALL BEDS BY HAND, SPADE AT LEAST TWO TIMES PER YEAR AND TOP-MULCH AS NEEDED WITH NO. 34 RIVER STONE IN FALL AND SPRING.

PLANT LIST:						
QTY.	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COND.	COMMENTS
DECIDUOUS TREES						
7	AC FR	<i>Acer x freemanii 'Armstrong'</i>	Armstrong Maple	2" cal.	B&B	As Shown
37	GL TR	<i>Gleditsia tricanthos f. inermis 'Skycole'</i>	Skyline Honeylocust	2" cal.	B&B	As Shown
10	MA ST	<i>Magnolia stellata</i>	Star Magnolia	6' ht.	B&B	As Shown
12	MA PR	<i>Malus 'Prairiefire'</i>	Prairiefire Crabapple	8' ht.	B&B	As Shown
4	SY RE	<i>Syringa reticulata 'Ivory Silk'</i>	Japanese Tree Lilac	1.5" cal.	B&B	As Shown
7	TA DI	<i>Taxodium distichum</i>	Bald Cypress	2" cal.	B&B	As Shown
12	UL AM	<i>Ulmus americana 'Princeton'</i>	Princeton Elm	2" cal.	B&B	As Shown
EVERGREEN TREES						
24	JU VI	<i>Juniperus virginiana</i>	Eastern Red Cedar	6' ht.	B&B	As Shown
15	PI AB	<i>Picea abies</i>	Norway Spruce	8' ht.	B&B	As Shown
23	PI ST	<i>Pinus strobus</i>	Eastern White Pine	8' ht.	B&B	As Shown
21	TH ST	<i>Thuja standishii x plicata 'Green Giant'</i>	Green Giant Arborvitae	6' ht.	B&B	As Shown
*Plant substitutions may be required depending on plant availability. Any substitutions must be approved by landscape architect						

LEGEND



EXISTING TREES TO REMAIN TO THE BEST EXTEND POSSIBLE



Columbus
100 Northwoods Blvd, Ste A
Columbus, Ohio 43235
p 614.255.3399

PODdesign.net

Project Name
Redwood Pippin Road
Colerain Township, Ohio



Redwood Living
7007 East Pleasant Valley Rd.
Independence, OH 44131

Project Info
Project # 25076
Date 01/26/2026
By GC, GB, TF
Scale As Noted

Revisions

Sheet Title
OVERALL LANDSCAPE PLAN

Sheet #
L1.1

GENERAL NOTES

1. SEE SHEET I1.0 FOR PLANT LIST & GENERAL PLANTING NOTES



Columbus
100 Northwoods Blvd, Ste A
Columbus, Ohio 43235
p 614.255.3399

PODdesign.net

Project Name

**Redwood
Pippin Road**

Colerain Township, Ohio

Prepared For



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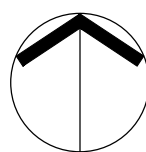
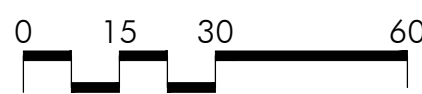
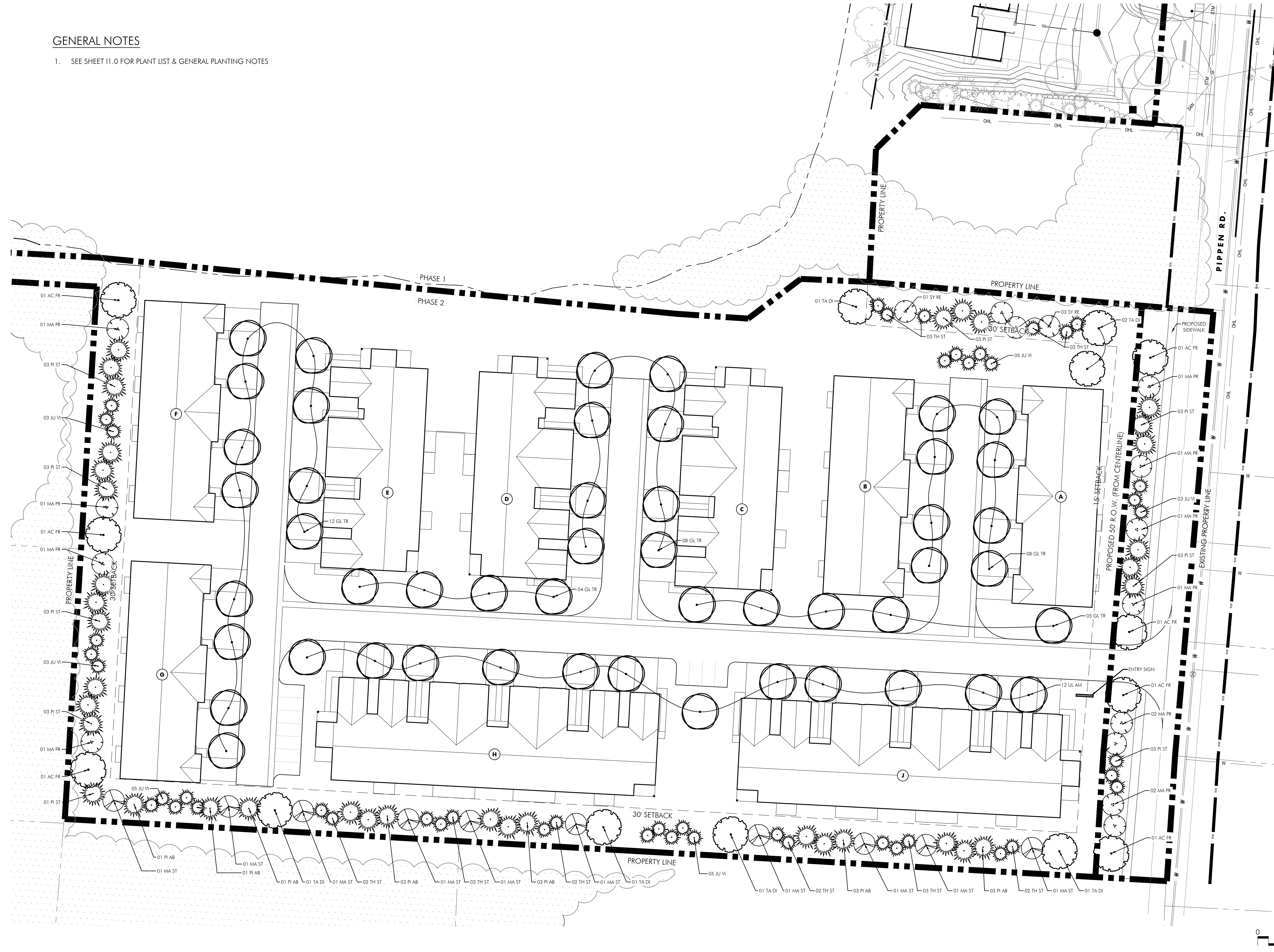
Revisions

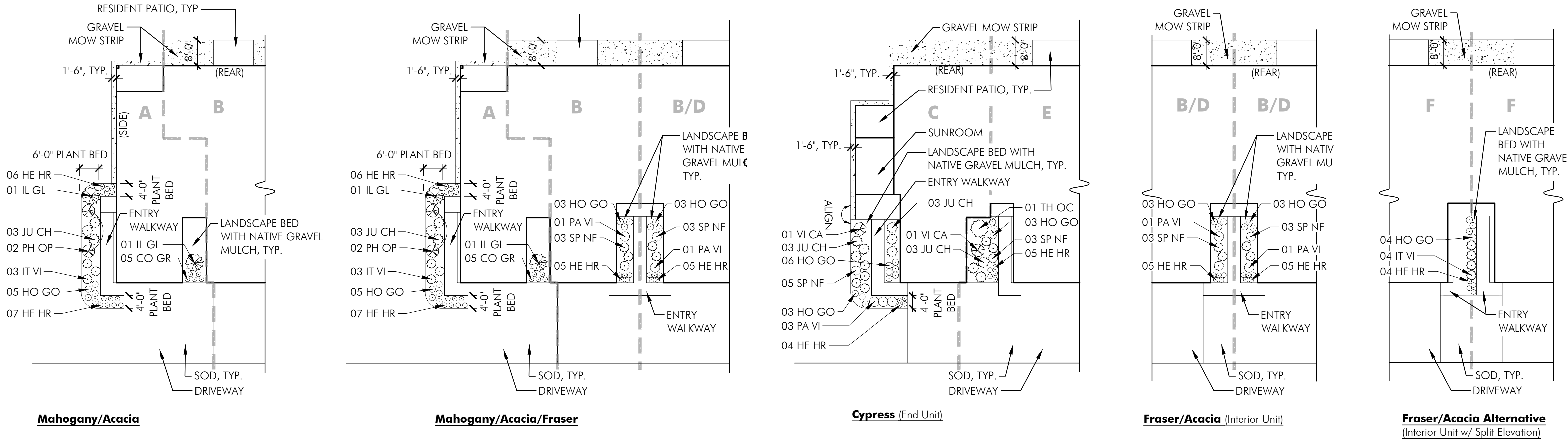
Sheet Title

**PHASE 2
LANDSCAPE
PLAN
ENLARGEMENT**

Sheet #

L1.1





Mahogany/Acacia/Fraser/Cypress Foundation Planting - Buildings: **C, D, & E**
 SCALE: 1" = 20'

PLANT LIST: MAHOGANY/ACACIA/CYPRESS/FRASER/DOGWOOD BUILDING												
QUANTITIES							SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COND.	SPACING
TYPE A (MAHOGANY)	TYPE B (ACACIA)	TYPE C (CYPRESS)	TYPE D (FRASER)	TYPE E (FRASER)	TYPE F (FRASER/ACACIA)		SHRUBS					
2	0	0	0	0	0		IL GL	<i>Illex glabra</i> 'Densa'	Densa Compact Inkberry	18" hgt.	Cont.	As Shown
3	0	6	0	3	0		JU CH	<i>Juniperus chinensis</i> 'Nicks Compact'	Nicks Compact Juniper	18" hgt.	Cont.	As Shown
3	0	0	0	0	2		IT VI	<i>Itea virginiana</i>	Virginia Sweetspire	18" hgt.	Cont.	As Shown
2	0	0	0	0	0		PH OP	<i>Physocarpus opulifolius</i> 'Little Devil'	Little Devil Ninebark	18" hgt.	Cont.	As Shown
0	3	5	3	3	0		SP NF	<i>Spiraea</i> x 'Neon Flash'	Neon Flash Spirea	18" hgt.	Cont.	As Shown
0	0	0	0	1	0		TH OC	<i>Thuja occidentalis</i> 'Woodwardii'	Woodwardii Arborvitae	30" hgt.	Cont.	As Shown
0	0	0	0	0	0		TH PL	<i>Thuja plicata</i> 'Gelderland'	Gelderland Western Arborvitae	4' hgt.	Cont.	As Shown
0	0	1	0	1	0		VI CA	<i>Viburnum carlesii</i> Compactum	Compact Koreanspice Viburnum	30" hgt.	Cont.	As Shown
							PERENNIALS & ORNAMENTAL GRASSES					
5	0	0	0	0	0		CO GR	<i>Coreopsis grandiflora</i>	Tickseed	1 gal.	Cont.	As Shown
0	0	0	0	0	0		HE AM	<i>Heuchera americana</i>	Coral Bell	1 gal.	Cont.	As Shown
13	5	4	5	5	2		HE HR	<i>Hemerocallis</i> 'Happy Returns'	Happy Returns Daylily	1 gal.	Cont.	As Shown
5	3	9	3	3	2		HO GO	<i>Hosta</i> 'Gold Standard'	Gold Standard Hosta	1 gal.	Cont.	As Shown
0	0	0	0	0	0		LI MU	<i>Liriope muscari</i> 'Big Blue'	Big Blue Lilyturf	1 gal.	Cont.	As Shown
0	1	3	1	0	0		PA VI	<i>Panicum virgatum</i> 'Ruby Ribbons'	Ruby Ribbons Switch Grass	1 gal.	Cont.	As Shown
**Plant substitutions may be permitted depending on plant availability. Any substitutions must be approved by Redwood and landscape architect												

Project Name

Redwood
Pippin Road

Colerain Township, Ohio

Prepared For



Redwood Living
7007 East Pleasant Valley Rd.
Independence, OH 44131

Project Info

Project # 25076
Date 01/26/2026
By GC, GB, TF
Scale As Noted

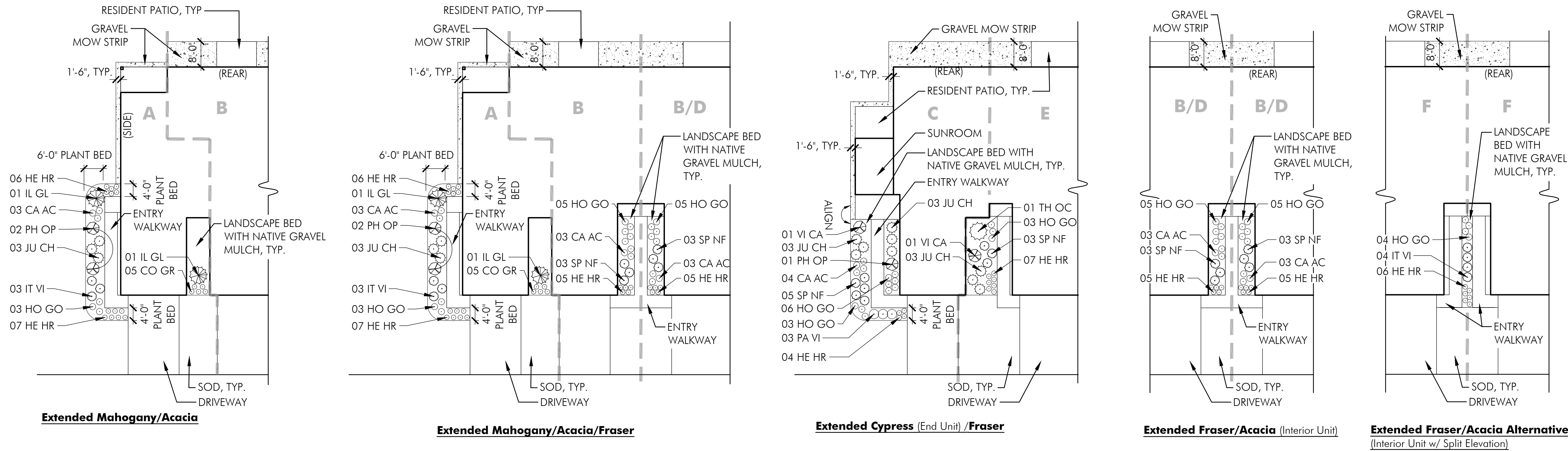
Revisions

Sheet Title

TYPICAL
FOUNDATION
PLANTINGS

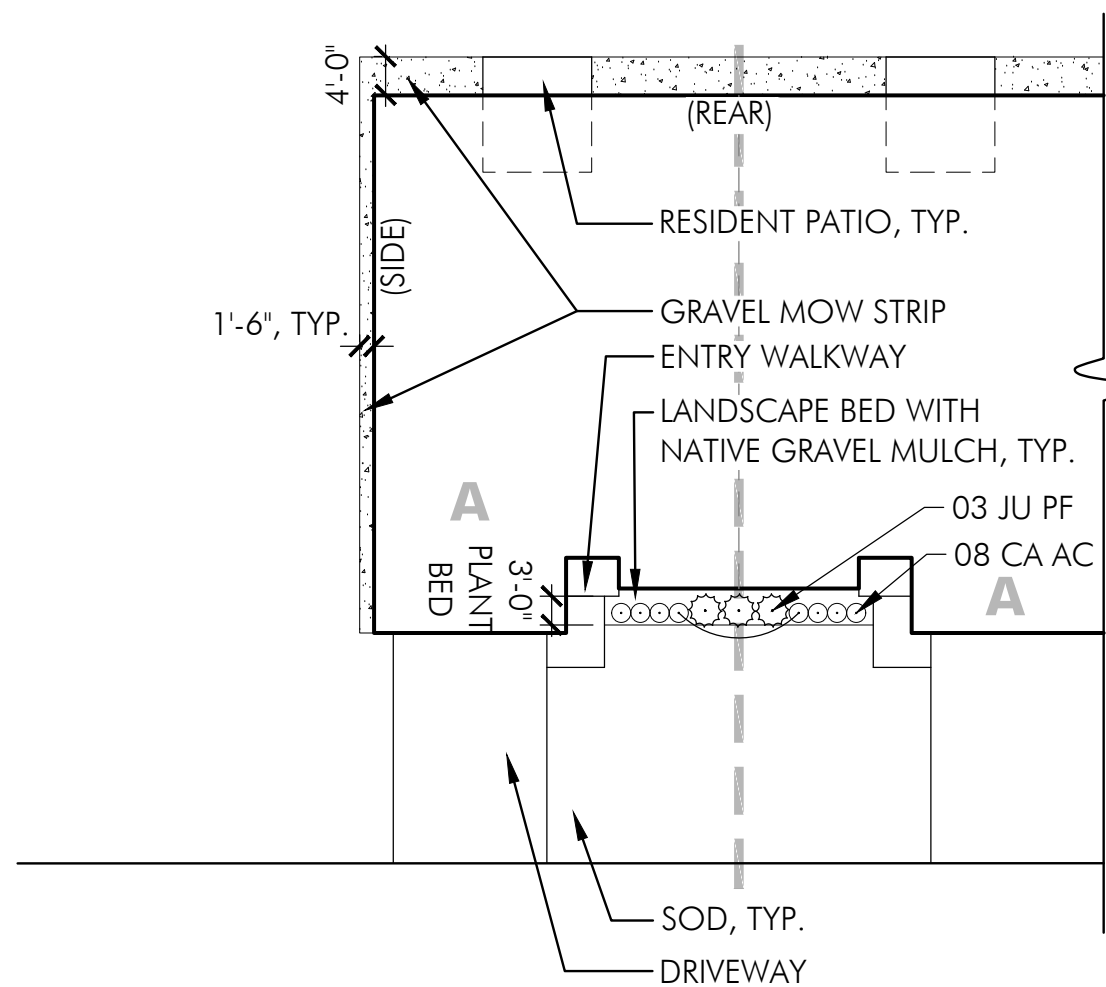
Sheet #

L1.3

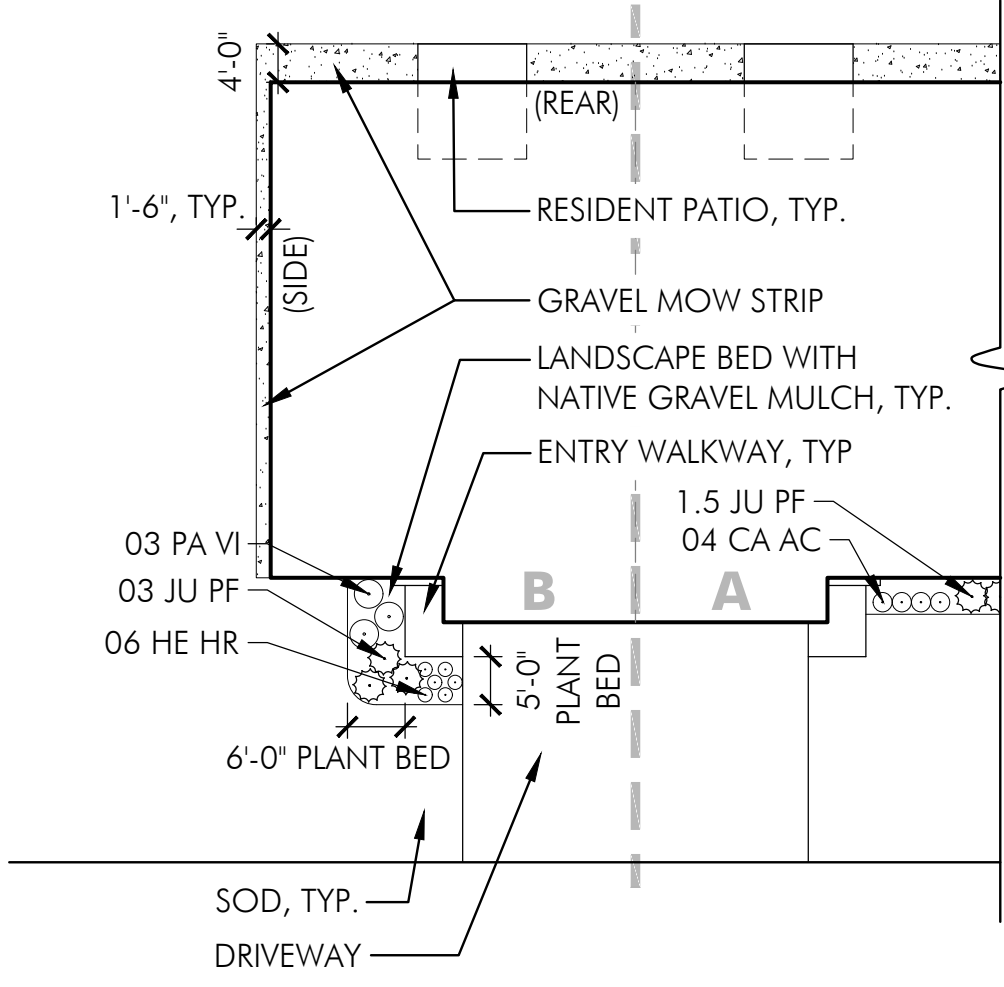


Extended Mahogany/Acacia/Fraser/Cypress Foundation Planting - Buildings: **H & J**
SCALE: 1" = 20'

PLANT LIST: EXTENDED GARAGE MAHOGANY/ACACIA/CYPRESS/FRASER/DOGWOOD BUILDING												
QUANTITIES							SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COND.	SPACING
TYPE A (MAHOGANY)	TYPE B (ACACIA)	TYPE C (CYPRESS)	TYPE D (FRASER)	TYPE E (FRASER)	TYPE F (FRASER/ACACIA)		SHRUBS					
2	0	0	0	0	0		IL GL	<i>Ilex glabra</i> 'Densa'	Densa Compact Inkberry	18" hgt.	Cont.	As Shown
3	0	6	0	3	0		JU CH	<i>Juniperus chinensis</i> 'Nicks Compact'	Nicks Compact Juniper	18" hgt.	Cont.	As Shown
3	0	0	0	0	2		IT VI	<i>Itea virginiana</i>	Virginia Sweetspire	18" hgt.	Cont.	As Shown
2	0	0	0	0	0		PH OP	<i>Physocarpus opulifolius</i> 'Little Devil'	Little Devil Ninebark	18" hgt.	Cont.	As Shown
0	3	5	3	3	0		SP NF	<i>Spiraea</i> x 'Neon Flash'	Neon Flash Spirea	18" hgt.	Cont.	As Shown
0	0	0	0	1	0		TH OC	<i>Thuja occidentalis</i> 'Woodwardii'	Woodwardii Arborvitae	30" hgt.	Cont.	As Shown
0	0	0	0	0	0		TH PL	<i>Thuja plicata</i> 'Gelderland'	Gelderland Western Arborvitae	4' hgt.	Cont.	As Shown
0	0	1	0	1	0		VI CA	<i>Viburnum carlesii</i> Compactum	Compact Koreanspice Viburnum	30" hgt.	Cont.	As Shown
							PERENNIALS & ORNAMENTAL GRASSES					
3	0	0	4	3	0		CA AC	<i>Calamagrostis</i> x <i>acutiflora</i> 'Karl Foerster'	Karl Foerster Feather Reed Grass	2 gal.	Cont.	As Shown
5	0	0	0	0	0		CO GR	<i>Coreopsis grandiflora</i>	Tickseed	1 gal.	Cont.	As Shown
0	0	0	0	0	0		HE AM	<i>Heuchera americana</i>	Coral Bell	1 gal.	Cont.	As Shown
13	5	4	5	5	2		HE HR	<i>Hemerocallis</i> 'Happy Returns'	Happy Returns Daylily	1 gal.	Cont.	As Shown
5	3	9	3	3	2		HO GO	<i>Hosta</i> 'Gold Standard'	Gold Standard Hosta	1 gal.	Cont.	As Shown
0	0	0	0	0	0		LI MU	<i>Liriope muscari</i> 'Big Blue'	Big Blue Lilyturf	1 gal.	Cont.	As Shown
0	1	3	1	0	0		PA VI	<i>Panicum virgatum</i> 'Ruby Ribbons'	Ruby Ribbons Switch Grass	1 gal.	Cont.	As Shown
**Plant substitutions may be permitted depending on plant availability. Any substitutions must be approved by Redwood and landscape architect												



Even # of Units in Building



Odd # of Units in Building

Walnut Foundation Planting - Buildings: A, B, F & G

SCALE: 1" = 20'

0

10

20

40

PLANT LIST: WALNUT BUILDING						
QUANTITIES		SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COND.
TYPE A	TYPE B	SHRUBS				
1.5	0	JU PF	<i>Juniperus x pfitzeriana</i> 'Old Gold'	Old Gold Juniper	#3	Cont.
PERENNIALS & ORNAMENTAL GRASSES						
4	0	CA AC	<i>Calamagrostis x acutiflora</i> 'Karl Foerster'	Karl Foerster Feather Reed Grass	2 gal.	Cont.
0	6	HE HR	<i>Hemerocallis</i> 'Happy Returns'	Happy Returns Daylily	1 gal.	Cont.
0	3	PA VI	<i>Panicum virgatum</i> 'Ruby Ribbons'	Ruby Ribbons Switch Grass	1 gal.	Cont.
**Plant substitutions may be permitted depending on plant availability. Any substitutions must be approved by Redwood and landscape architect						



Columbus
100 Northwoods Blvd, Ste A
Columbus, Ohio 43235
p 614.255.3399

PODdesign.net

Project Name
Redwood Pippin Road
Colerain Township, Ohio



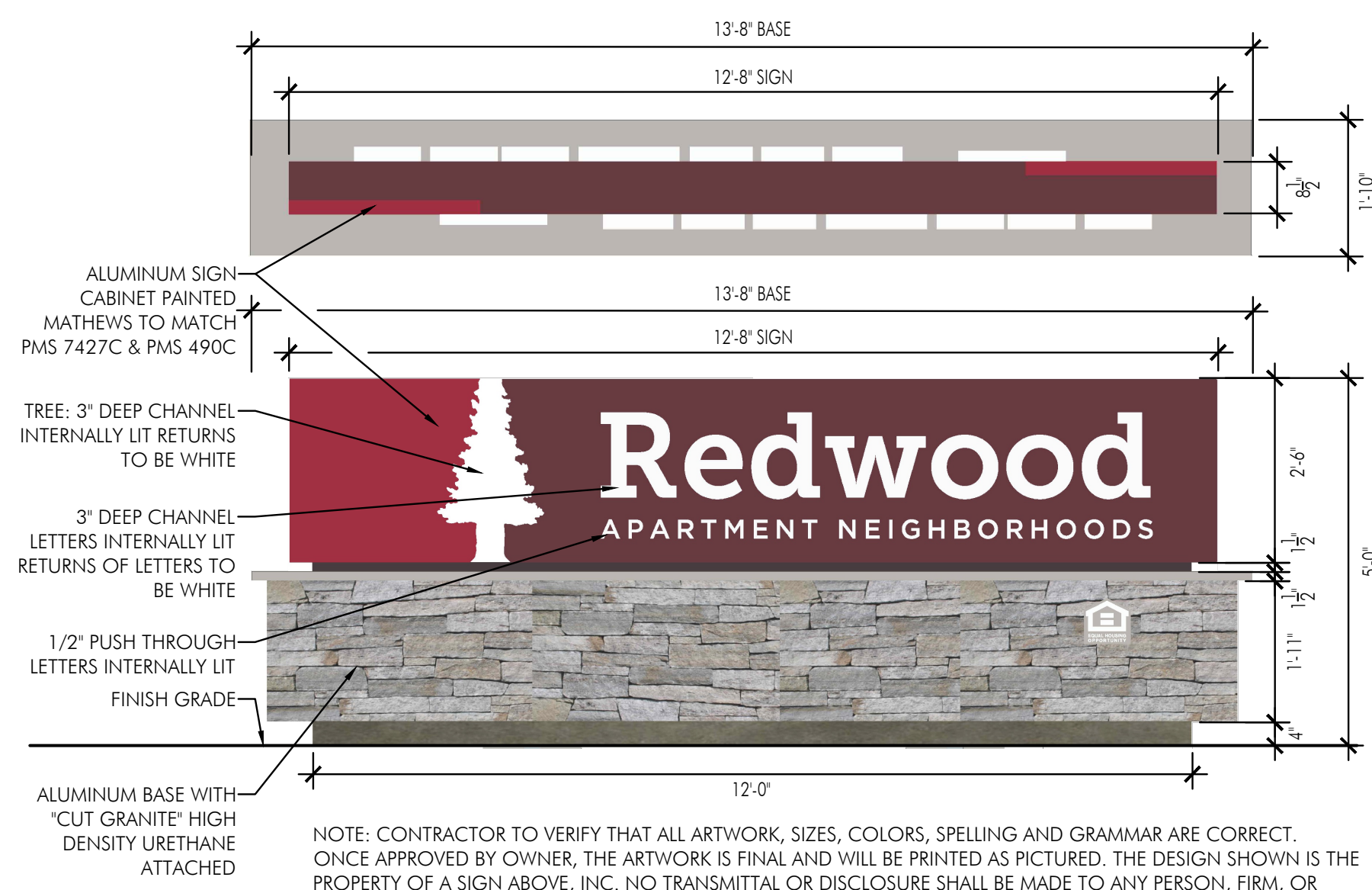
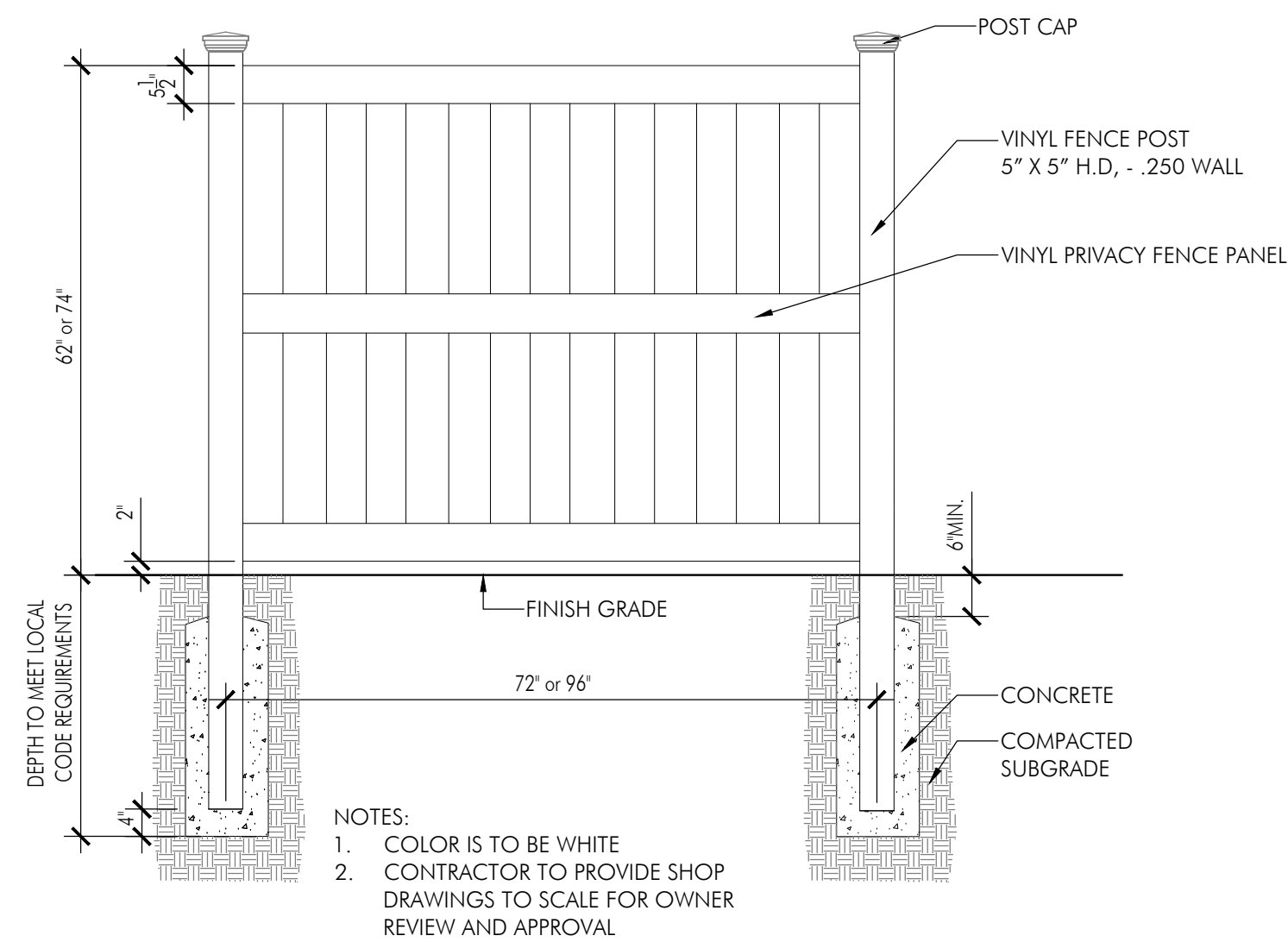
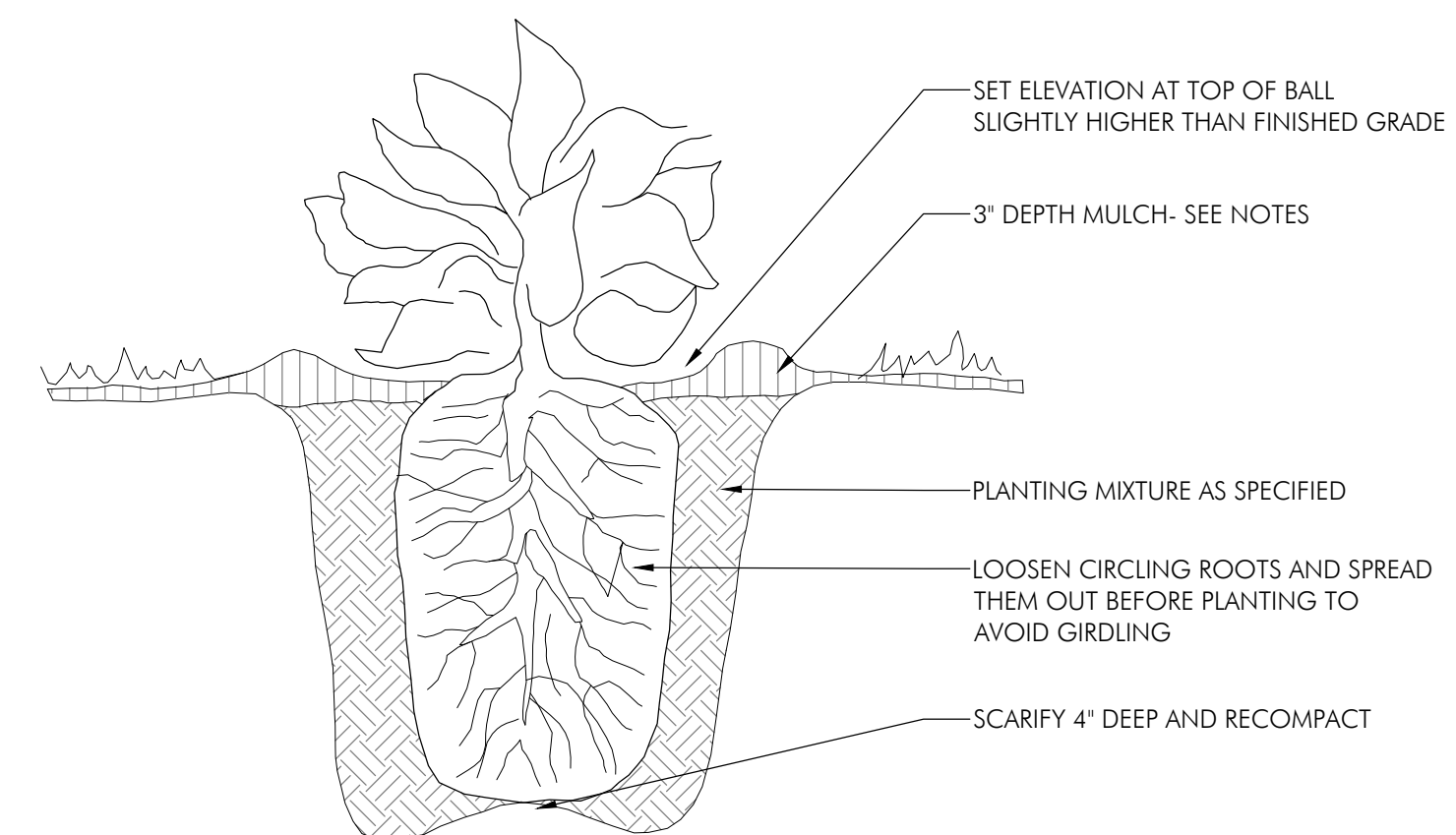
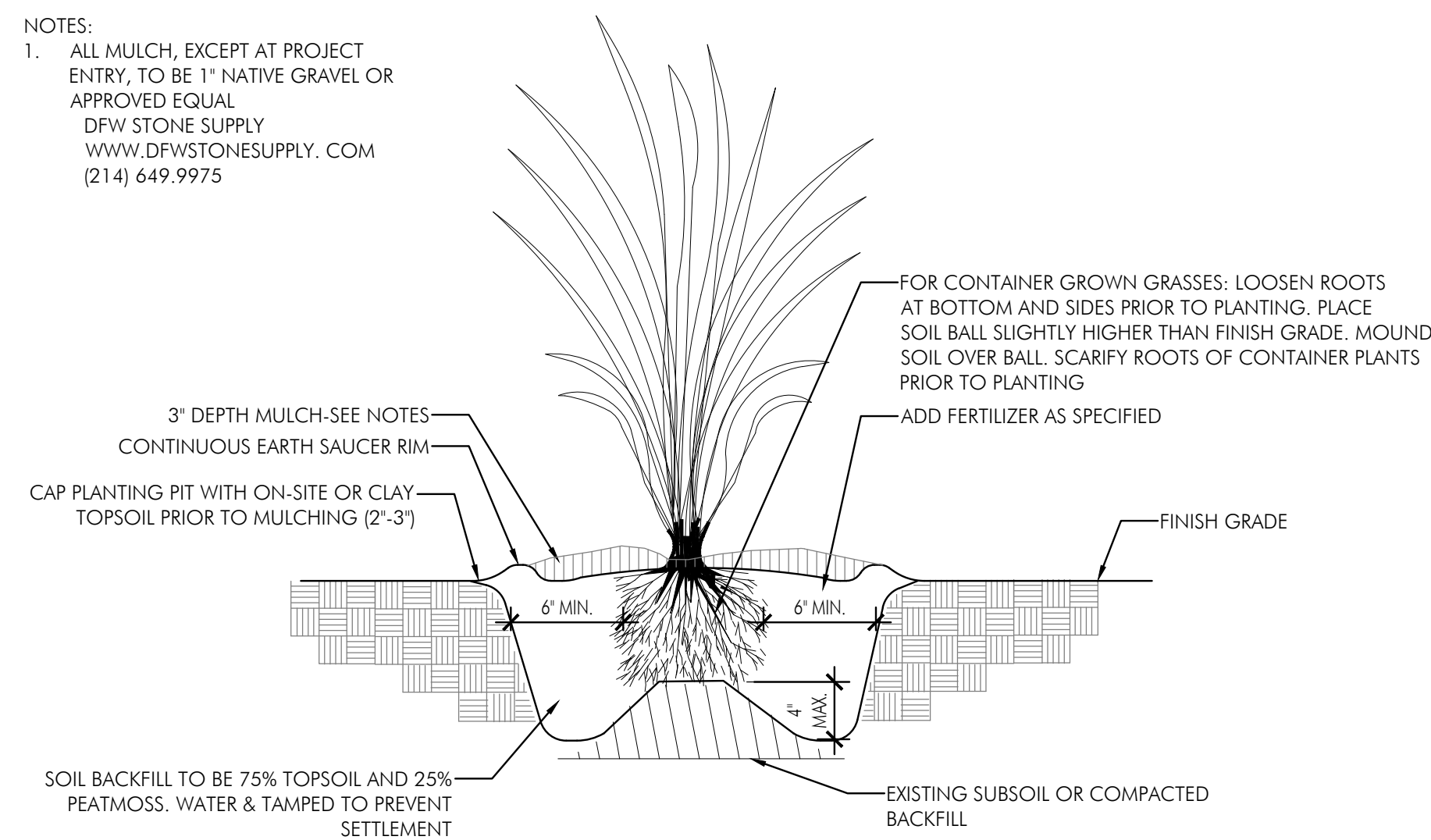
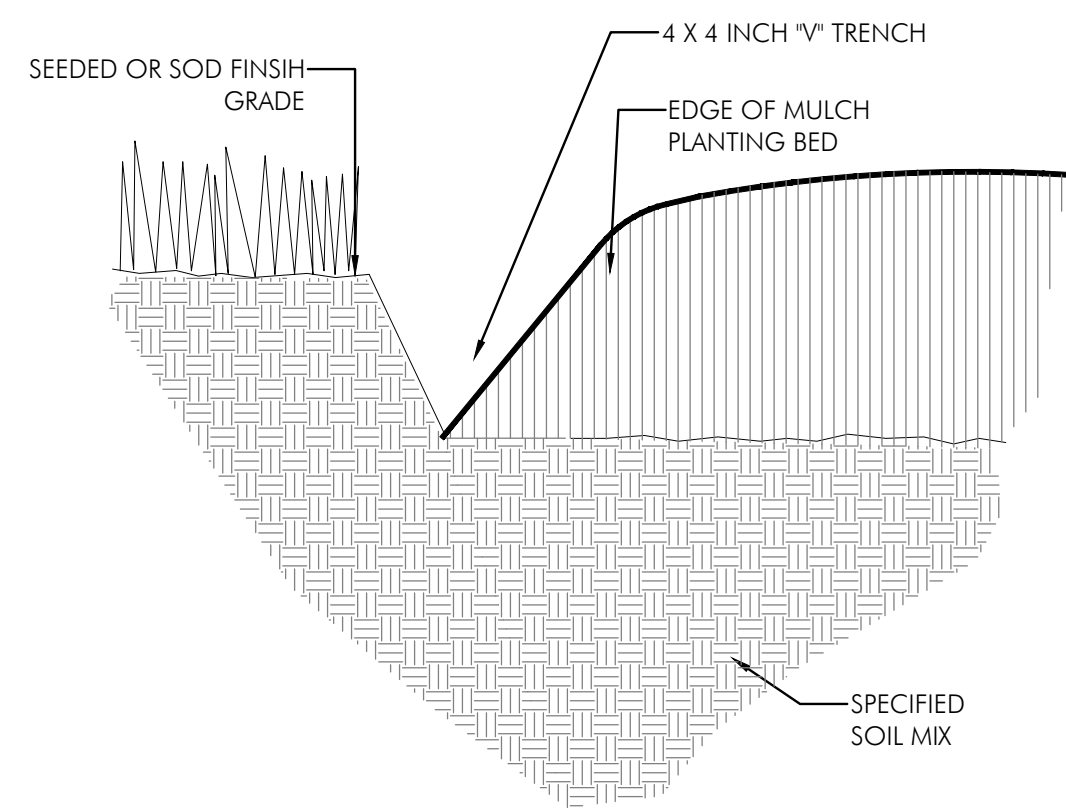
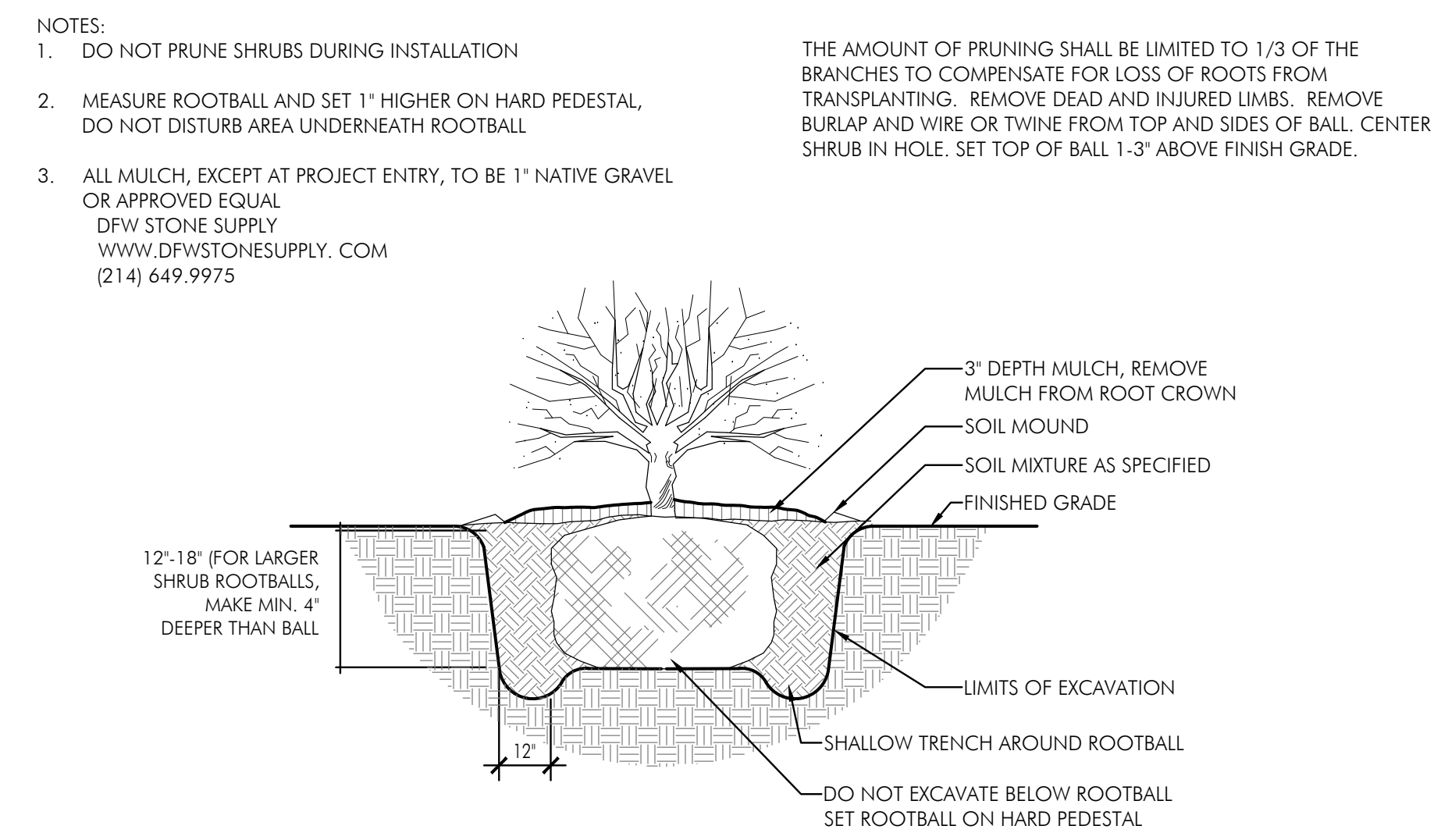
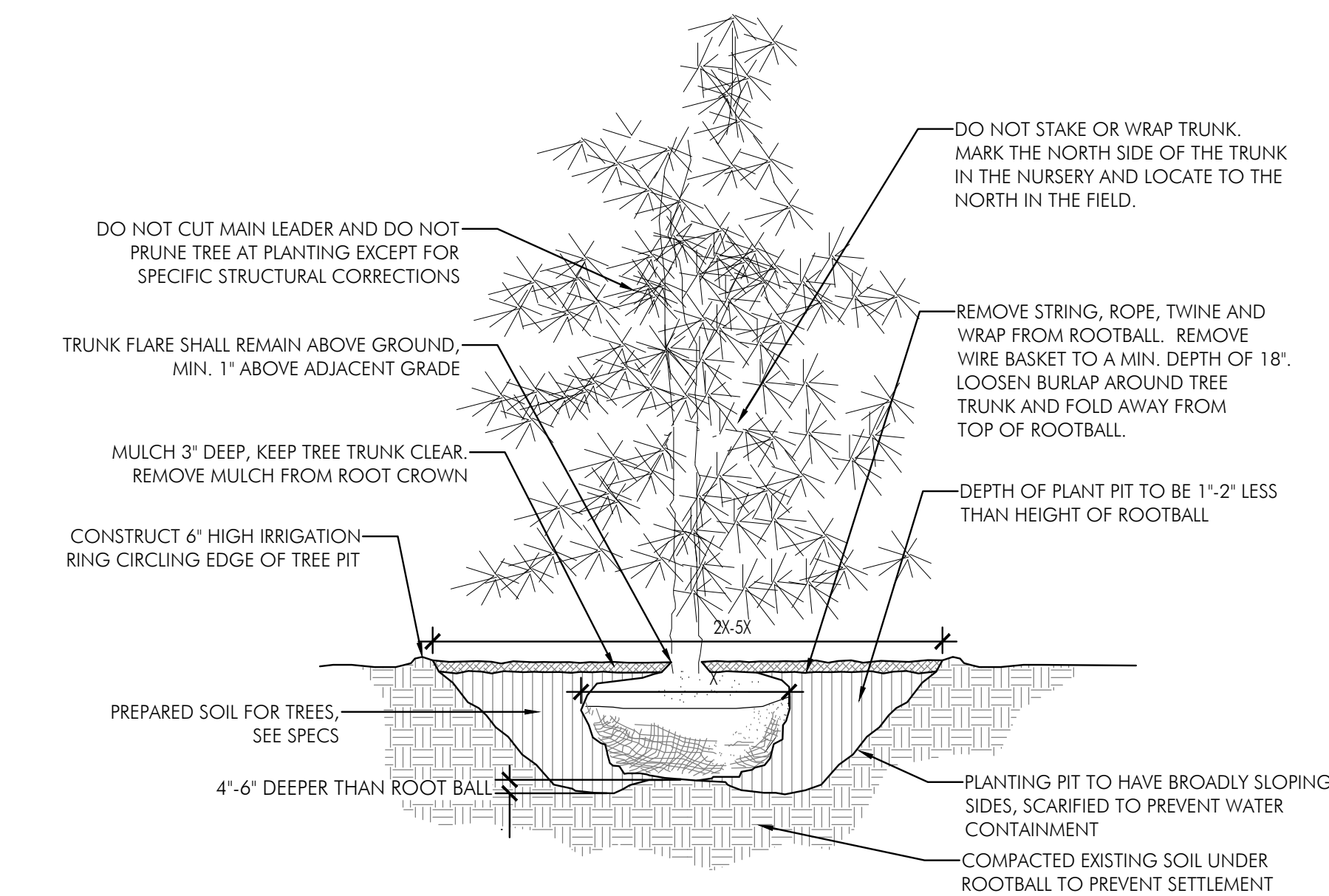
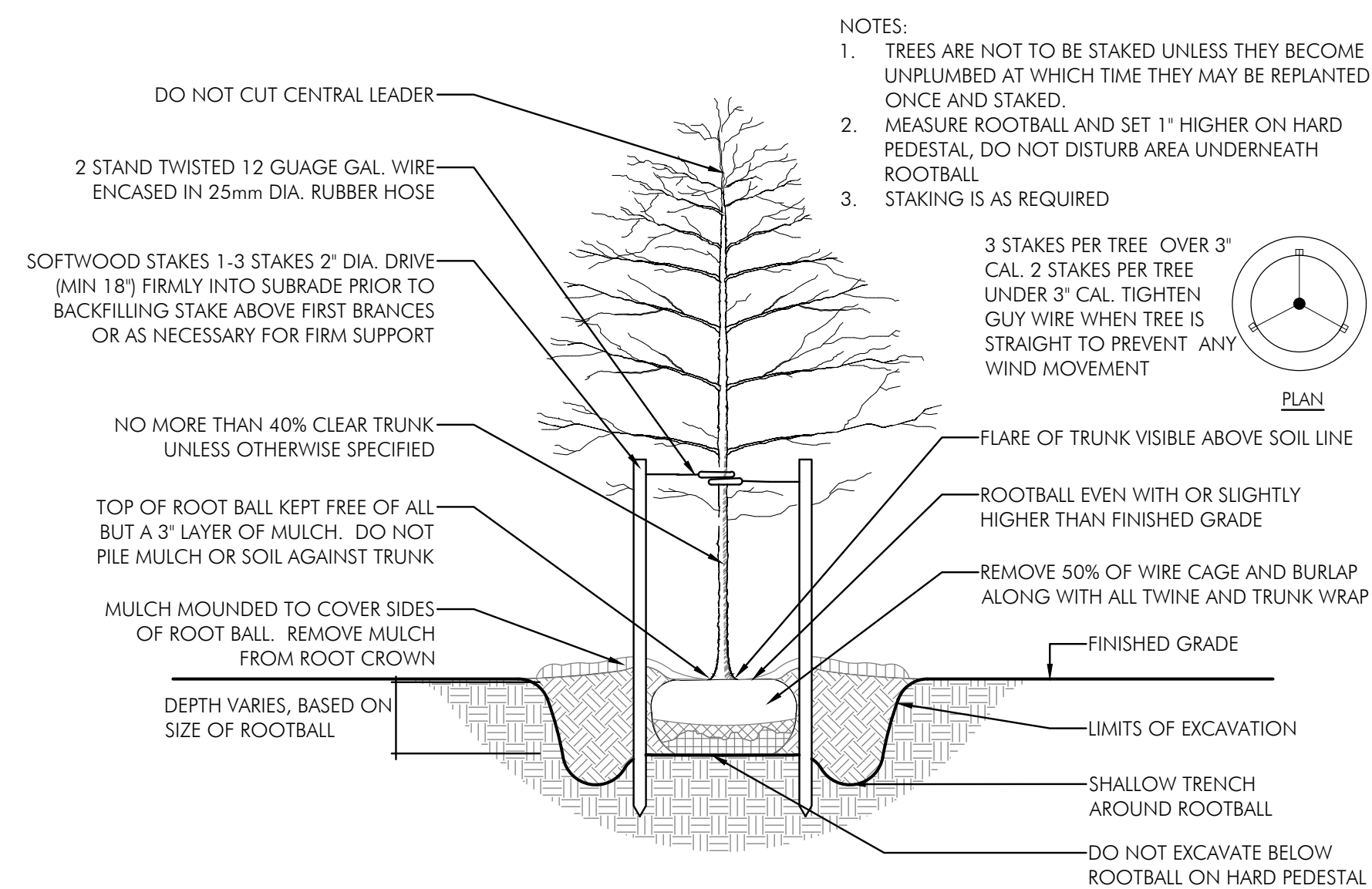
Redwood Living
7007 East Pleasant Valley Rd.
Independence, OH 44131

Project Info	
Project #	25076
Date	01/26/2026
By	GC, GB, TF
Scale	As Noted

Revisions

Sheet Title
TYPICAL FOUNDATION PLANTINGS

Sheet #
L1.4



Columbus

100 Northwoods Blvd, Ste A
Columbus, Ohio 43235
p 614.255.3399

PODdesign.net

Project Name

Redwood Pippin Road

Colerain Township, Ohio

Prepared For



Redwood Living
7007 East Pleasant Valley Rd.
Independence, OH 44131

Project Info

Project # 25076
Date 01/26/2026
By GC, GB, TF
Scale As Noted

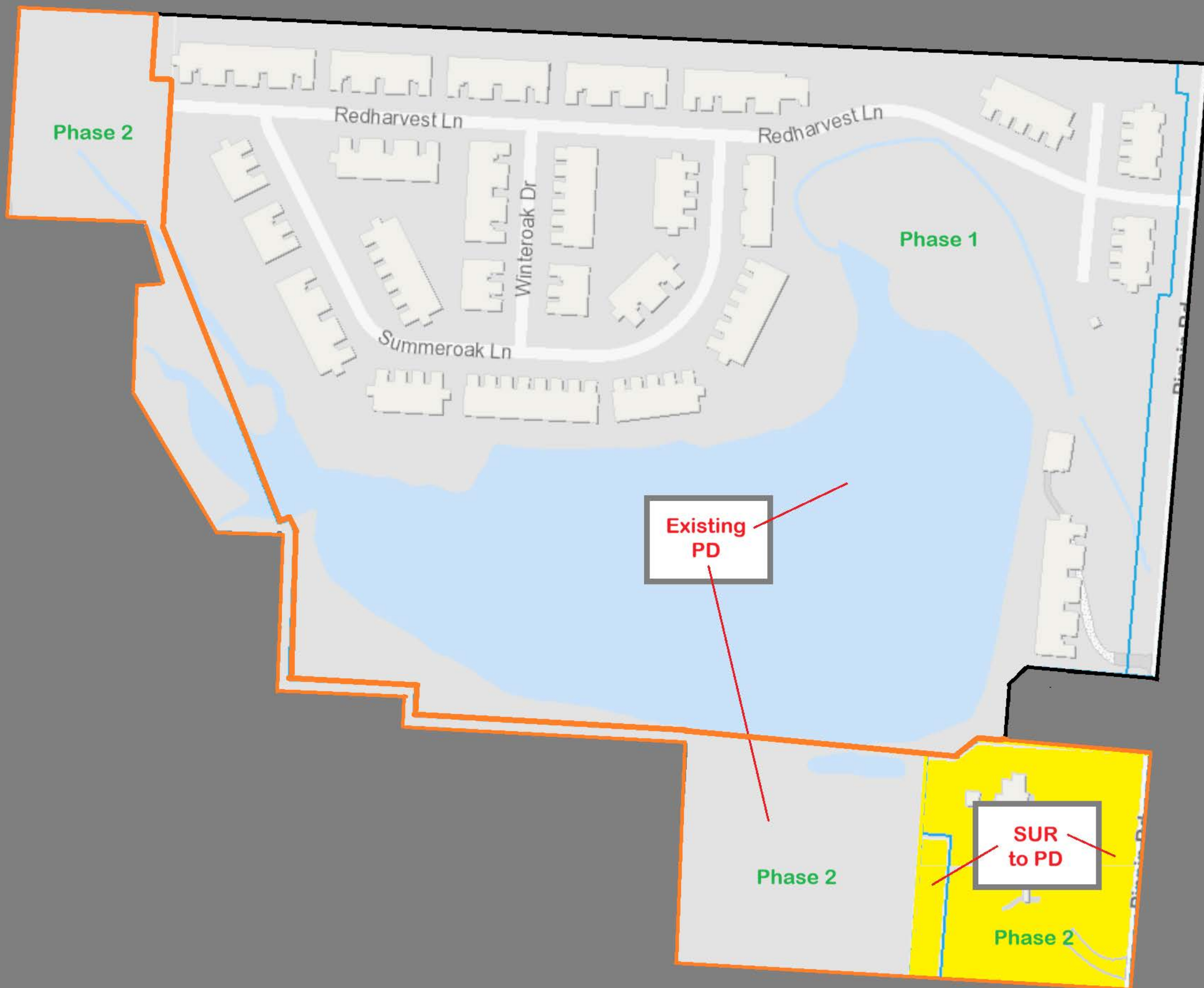
Revisions

Sheet Title

SITE DETAILS

Sheet #

SD1.0



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

Resolution to Approve/Deny Case CZC-26-1 & 2, Zoning Map Amendment to 10461 Pippin Rd, and its associated Preliminary Development Plan for Redwood Living Phase 2

Recommend ADOPTION of the Resolution.

Rationale:

The Zoning Commission unanimously recommends approval of CZC-25-21 to amend the zoning map and its associated Preliminary Development Plan for Redwood Living Phase 2. This will result in the creation of 47 new units to complement the previously constructed 130 units in Phase 1.

Although this application is presented as a Zoning Map Amendment with associated Preliminary and Final Development Plan materials, the submitted Final Development Plan should be understood as conceptual and transitional in nature, as a future major modification to CZC-20-7 Lake Gloria will be required to incorporate this area into a single unified Planned District approval with Phase 1. The applicant intends to later combine both phases through a major modification to the previously approved Lake Gloria case and the Final Development Plan associated with this request should be treated as conceptual and interim, serving primarily to establish the framework for the Phase 2 expansion until a consolidated development plan is submitted for unified review.

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

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

Resolution Declaring a Junk Motor Vehicle - 3095 Lapland Dr. - 1 of 2
Recommend ADOPTION of the Resolution.

Rationale:

The following vehicle at 3095 Lapland Dr. Cincinnati, OH 45239 is determined by staff to be a junk motor vehicle:

1. (OHIO) JVS9391, 2016, White, Dodge, Ram

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 _____, 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 VEHICLE LOCATED AT 3095 Lapland Dr. Cincinnati, OH 45239– Parcel ID 510-0070-0108-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **3095 Lapland Dr. Cincinnati, OH 45239– Parcel ID 510-0070-0108-00**

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

1. The Board declares the junk motor vehicle located at **3095 Lapland Dr. Cincinnati, OH 45239– Parcel ID 510-0070-0108-00** to be inoperable, extensively damages, and at least three model years old:

A. **(OHIO) JVS9391, 2016, White, Dodge, Ram**

2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.

3. The written notice shall contain the following information:
 - a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
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 meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
7. 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.
8. 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: Ms. Ulrich _____, Mr. Unger _____ and 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: Police
Department Director: Ed Cordie, Police Chief

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

Resolution Declaring a Junk Motor Vehicles - 3652 Riehle Rd. - 2 of 2

Recommend ADOPTION of the Resolution.

Rationale:

The following vehicles at 3652 Riehle Rd. Cincinnati, OH 45239– Parcel ID 510-0080-0059-00 have been determined to be inoperable, extensively damaged, and at least three model years old:

1. (NO TAG) 2002, Yellow, Ford, Focus
2. (OHIO) HEA7774, 2000, Black, Volvo, V70
3. (OHIO) JGV7959, 1998, Black, Lincoln, Navigator

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 _____, 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 VEHICLE LOCATED AT 3652 Riehle Rd. Cincinnati, OH 45239– Parcel ID 510-0080-0059-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **3652 Riehle Rd. Cincinnati, OH 45239– Parcel ID 510-0080-0059-00**

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

1. The Board declares the junk motor vehicle located at **3652 Riehle Rd. Cincinnati, OH 45239– Parcel ID 510-0080-0059-00** to be inoperable, extensively damages, and at least three model years old:
 - A. **(NO TAG) 2002, Yellow, Ford, Focus**
 - B. **(OHIO) HEA7774, 2000, Black, Volvo, V70**
 - C. **(OHIO) JGV7959, 1998, Black, Lincoln, Navigator**
2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its

intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.

3. The written notice shall contain the following information:
 - a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
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 meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
7. 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.
8. 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: Ms. Ulrich _____, Mr. Unger _____ and 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

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 to set a Public Hearing for May 12, 2026 at 6:00 PM for Zoning Commission Case CZC-26-6, Map Amendment to rezone 10299 Colerain Avenue, parcel 510-0182-0014-00, from PD (Planned District) to AMN (Avenue Mixed North).

Recommend ADOPTION of the Motion.

Rationale:

On April 21, 2026 the Zoning Commission held a public hearing for Case CZC-26-6, Map Amendment to rezone 10299 Colerain Avenue, parcel 510-0182-0014-00, from PD (Planned District) to AMN (Avenue Mixed North). The Commission voted 5-0 to recommend approval and is sending the case to the Board of Trustees for a public hearing and final consideration.

ADMINISTRATION

Department: Administration
Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal:

Request for Donation - Fallen Bikers and Riders Foundation

Staff does not recommend funding this event at this time.

Rationale:

Township policy 3.2 (page 185; <https://www.colerain.org/DocumentCenter/View/5415/2025-Merged-Policy-Book---Updated-12-09-2025>) states the below:

“Organizations seeking donations from Colerain Township must submit their request in writing to the Township Administrator. At a minimum, the request shall include a description of the event or cause supported, a description of how the cause or event will support residents of Colerain Township, an explanation of the financial impact, and a summary of the organization’s budget and major sources of funding.

*The Township Administrator, or designee, may request additional documentation to validate the nonprofit status of the organization and to determine if any conflicts of interest exist. In general, the Township will not make donations to political organizations. **All donation requests will be evaluated by the Board of Trustees for final approval.***”

Historically, the Township has limited its participation to events hosted as Partnered Events per policy 4.1. This event is not one of those. Also, this request was not included in the budget and is therefore not recommended for funding.



Donation Request – 2026 Celebration of Life Music Festival

Dear Mr. Weckbach and Members of the Colerain Township Board of Trustees,

On behalf of the Fallen Bikers and Riders Foundation, a registered 501(c)(3) nonprofit organization (EIN: 93-3595015), I am respectfully submitting this request for sponsorship support for our upcoming 2026 Celebration of Life Music Festival.

This event will mark our second annual Celebration of Life Festival in Colerain Township, continuing our mission to honor families who have lost loved ones due to tragic car, motorcycle, bicycle, and pedestrian accidents, while also uplifting our community through youth engagement and music.

Event Description:

The event is scheduled for September 13, 2026, at Walmart Superstore, 10240 Colerain Avenue. Last year's four-hour event brought together over 400 attendees and included marching bands, dance teams, youth performers, and recognition of 17 families. The Colerain Township Fire Department attended, and Walmart supported by feeding performers.

2026 Expansion:

- Honoring over 20 families
- Increased youth participation

- More performances
- Larger expected attendance

Benefit to Residents:

- Emotional support for grieving families
- Positive youth engagement
- Community unity and pride
- Strengthened relationships with local services

Financial Request:

We are requesting \$5000 to support meals for performers, stipends for youth groups, and event logistics.

Organizational Funding:

Funding comes from donations, small grants, and fundraising events. A portion supports families affected by tragic accidents, while the remainder supports community programs like this event.

Closing:

We appreciate your consideration and support in helping us continue this meaningful annual event.

Respectfully,

Dorothy Moore

Founder & Executive Director

Fallen Bikers and Riders Foundation

(513) 773-9213

2026 Celebration of Life Music Festival

Budget Proposal & Narrative

Event Date: September 13, 2026

Location: Walmart Superstore – 10240 Colerain Avenue, Cincinnati, Ohio

Funding Overview

Funding Source	Amount
Colerain Township (Requested)	\$4,000
Walmart (Partnership Support)	\$1,000
Rumpke Donation	\$1,000
Organization Contribution	\$2,500
Private Donations	\$1,500
Total Funding	\$10,000

Expense Breakdown

Expense Category	Amount
Tents & Chairs Rental	\$1,500
Youth Performer Gas Stipends	\$3,000
DJ Services	\$500
Food for Performers	\$1,000
Marketing & Promotions	\$2,000
Family Support Gifts	\$2,000
Total Expenses	\$10,000

Budget Narrative

The 2026 Celebration of Life Music Festival is a community-centered event designed to uplift youth talent while honoring families who have lost loved ones due to tragic accidents. Funds will support tents and seating, transportation stipends for youth performers, DJ services, food for over 550 youth participants, marketing and outreach, and direct financial gifts to 16 impacted families. The total budget is balanced at \$10,000, ensuring responsible and efficient use of all funding sources.

OLD BUSINESS

Department: Administration
Department Director: Tiphany Mays, Assistant Administrator

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

Resolution Adopting Minor Updates to the Generative Artificial Intelligence Software Policy and Employment Process Policy

Recommend ADOPTION of the Resolution.

Rationale:

The minimal updates to these two policies include the following:

- Policy 1.4 - Employment Process Policy: Adding a requirement for current employees who are internal candidates for another position within the organization to utilize a portion of time-off for an internal interview. This allows for the differentiation between when the employee is conducting work vs. an interview which is not part of the employee's essential job duties.
- Policy 3.12 - Generative Artificial Intelligence Software Policy: Adding language about prohibiting the link between Microsoft office applications to any AI platform in order to maintain the security of our systems.

This item was first introduced at the April 14, 2026 Board of Trustees meeting.

3.12 COLERAIN TOWNSHIP

GENERATIVE ARTIFICIAL INTELLIGENCE SOFTWARE POLICY

PURPOSE

This policy outlines guidelines for the use of Generative Artificial Intelligence (AI) software within Colerain Township to ensure transparency, accountability, and the protection of personal information. Please note, this policy is not intended to cover all potential uses of AI as technology changes and emerges over time. As such, employees that utilize AI in the workplace should be aware of any changes in law that may affect their use of AI.

POLICY

1. **Decision-Making Prohibition:** Generative AI tools within Colerain Township shall not be used to make decisions that significantly affect individuals or groups. These tools may be used for research, drafting documents, or generating content, but final decisions must be made by human staff members. Generative AI outputs might be factually inaccurate, and Colerain Township might be exposed to liability if employees rely on those outputs without properly reviewing them. Because of this, it is important to recognize that generative AI may produce decisions that are biased, discriminatory, or otherwise inconsistent with our policies, or that are otherwise in violation of applicable law. All outputs from a Generative AI platform shall be reviewed for accuracy and for bias before the information is included in a final product or is used as an aid in a decision-making process.
2. **Disclosure of AI-Generated Documents:** Whenever documents or content generated by AI are used, modified, or finalized by human staff members, the use of AI must be disclosed. This disclosure includes specifying which parts of the document were initially drafted by AI and detailing the subsequent human edits or modifications.
3. **Protection of Personal Information:** The use or entry of personal information into Generative AI tools is strictly prohibited unless explicit consent is obtained from the individuals concerned or it is necessary for a legally justified purpose. Personal information includes but is not limited to names, addresses, identification numbers, financial data, health records, and any other data that could directly or indirectly identify an individual.
4. **Data Security and Compliance:** All data used by Generative AI tools must be stored securely and in compliance with applicable laws and regulations regarding data protection and privacy.
5. **Monitoring and Compliance:** Compliance with this policy shall be monitored by the Township's Information Technology Director. Regular audits and reviews of AI usage and applications shall be conducted to ensure adherence to these guidelines.
6. **Training and Awareness:** All employees who use or manage Generative AI tools shall receive adequate training on the ethical use of AI, data privacy, and the requirements of this policy. Awareness campaigns

and ongoing education about AI technologies and their implications shall be conducted to ensure informed and responsible use.

7. Accountability: Accountability for compliance with this policy rests with all employees who utilize Generative AI tools, as well as with Department Directors and supervisors who oversee AI projects within their respective areas.

8. Enforcement: Violations of this policy may result in disciplinary action, up to and including termination of employment, depending on the severity and repetition of the offense. Suspected violations should be promptly reported to the employee's immediate supervisor.

9. Prohibition on Third-Party AI Integrations with Microsoft Platforms: Employees are strictly prohibited from connecting, integrating, or authorizing any third-party Generative Artificial Intelligence tools or services with Colerain Township Microsoft platforms, including but not limited to Microsoft 365, Outlook, Teams, SharePoint, OneDrive, or any other Township-managed Microsoft environment, without prior written approval from the Township's Information Technology Director. This includes the use of browser extensions, plug-ins, add-ins, APIs, or any external applications that request access to Township Microsoft accounts or data. Unauthorized integrations may expose Township data to security, privacy, and compliance risks and are strictly forbidden.

CONCLUSION

By adhering to this Generative AI policy, Colerain Township reaffirms its commitment to ethical AI practices, transparency in decision-making, and the protection of individual privacy rights. This policy aims to foster trust and accountability in the use of AI technologies for the benefit of our community and stakeholders.

1.4 COLERAIN TOWNSHIP EMPLOYMENT PROCESS POLICY

PURPOSE

This policy is intended to provide consistent guidelines for all departments to consider when posting for and hiring a new employee. The Township intends to provide all applicants with a fair and equal opportunity for employment and employment will be based on merit.

HIRING PROCEDURES

While outlined in the entirety of this policy, the general practice for hiring a new and/or current employee should be followed to secure the best and most qualified candidate for an open position. For internal applicants who are currently employed by the Township, these standards will remain the same with the addition of item 3.a.

1. Job Description Review. To ensure the position is current with job responsibilities and requirements, the hiring manager must review the job description that is on file and submit any updates to Human Resources. Any updates to the job description must be approved by the Board of Trustees prior to posting and follow the Job Description guidelines below.

2. Job Announcement and Job Posting. Together, Human Resources and the hiring manager will then draft a job announcement and compile a list of job sites that the announcement will be posted in accordance with career web sites and general job posting sites.

3. Candidate Selection and Interviews. During the applicant review process, the hiring manager will inform Human Resources of at least three (3) candidates who qualify for the position to schedule interviews. A member from the Human Resources team **must** be a member of the initial interview team during this process.

a. Internal applicants who are currently employed by the Township are required to use personal or vacation leave for the duration of their interview. This requirement ensures a clear distinction between compensated work time and off-duty interview activities, maintaining appropriate ethical standards.

4. Job Offer. Upon final selection of a candidate, the hiring manager will inform Human Resources of the conditional offer and a conditional offer letter will be sent to the candidate outlining negotiated rate of pay, successful background screen, drug screen, reference check, Board approval, and any other negotiated item that is part of a conditional offer.

5. Hiring Process. Upon acceptance of the conditional offer, the candidate will continue through

the hiring process until all items have been completed as outlined in the conditional offer (including a successful background check, drug screen, reference check, etc.). Once the candidate has passed all items of the conditional offer, they will continue to the next step, On-Boarding.

6. On-Boarding. New employees will be on-boarded through various means with both their hiring manager and Human Resources.

7. Progress Reports. New employees will receive regular progress reports to assist in the successful completion of their 12-month probationary period as outlined below in "Probationary Period".

JOB DESCRIPTIONS

The Township uses job descriptions to aid in staffing, wage and salary administration, and training. These descriptions also help employees and supervisors in discussions about job responsibilities. Department Directors shall prepare job descriptions for new or revised jobs within their Department.

The job description should include a position's regular and occasional duties and responsibilities, essential functions, and minimum qualifications. A job description shall exist for any position found on the Township's Table of Organization and for all position titles held by employees of the Township.

However, job descriptions are not fixed and may change over time. From time to time, employees may be expected to perform duties and handle responsibilities that are not part of their normal job.

Job titles are solely for identification and do not limit the assignment of duties. The goal is to have all employees work together for the best results, without artificial limitations. Employees agree to perform all of the duties associated with their job descriptions.

POSTING OF JOBS AND INITIAL REVIEWS

1. Notice of Vacancy or Availability of Position

- a. Notices of all open positions (with examination information if required) may be published by posting in Department Offices (for current employees and public viewing) and in such other places and through such other media as the Township Administrator deems advisable for such period of time as appropriate. All notices must carry the phrase "An Equal Opportunity Employer."

2. Application for Employment

- a. In order to be considered for employment with Colerain Township, an applicant must submit a signed, formal application, using a form provided by the Township. The Township Administrator or their designee may require applicants to submit additional information. The application forms may require information about education, training, experience, references, work history, and other pertinent information. The Township may require examination or certification by one or more of the following: physical examination,

psychological examination, drug screening, fingerprinting and criminal background check.

3. Disqualification by Application

- a. The Township Administrator or their designee may reject any application which indicates on its face that the applicant does not possess the minimum qualifications required for the position applied for. The Township Administrator or their designee may also reject an application for other causes sufficient to affect the performance requirements of the position or compromise the integrity of the Township, including, but not limited to, unsatisfactory driving record, false statements or omissions on the application or accompanying materials, or deception or fraud during the application process.

4. Competitive Examination

- a. The Township may use a competitive examination as a method to ascertain the merit and fitness of applicants to perform the position's tasks. The examination may be written, oral, physical, or performance testing, or any combination thereof. All examinations shall be geared to evaluate the skills necessary to perform the requirements of the job classification applied for.
- b. All written competitive examinations shall be open to all applicants who meet the minimum standards of the job classifications being tested.
- c. There shall be no questions or inferences in any testing procedure related to race; political or religious opinions, affiliations or service; national origin; ancestry; age; disability; sex, or other protected class.
- d. For those job requirements that require specialized testing, the Department Director may conduct specific testing to ascertain applicants' merit and fitness for the position, provided that the specialized testing has been approved in advance by the Township Administrator, the Township Law Director, or both.
- e. A minimum rating system of all examinations shall be formulated that will provide eligibility lists of candidates meeting previously established criteria. Sound measurement techniques and scoring procedures shall be used in rating the results of examinations and determining the ranking of successful candidates. Successful candidates are those obtaining the minimum predetermined scores on all individual parts of the examination or the examination as a whole.
- f. The Township Administrator or their designee will notify in writing all candidates participating in an examination as to whether they passed or failed the examination. Upon written request, candidates who took an examination shall be entitled to inspect during normal business hours their examination results and the evaluation process used for rating. It should be noted that not all examination results are kept by the Township and may be held with a third party. Under those circumstances, the Township will not have the test results available for inspection.

5. Retention of Application Material

- a. Upon hiring an applicant, the application shall become a part of the individual's personnel file.

- b. The Township will retain applications for individuals not hired in accordance with open records law.
- 6. Eligibility List / Rating of Applicant
 - a. All applicants may be rated according to their fitness to perform the requirements of the job classification for which the list is established. In cases where rating of experience, prior training, and other requirements form part of the examination process, the Township Administrator or their designee shall establish such procedures for the evaluation of all factors that serve to assist in the selection of the best qualified candidate.

REVIEWING OF APPLICANTS

Any applicant that meets the minimum criteria for a position will be reviewed by the Administrator or their designee.

1. Hiring from eligibility lists / rating of applicants shall be made from the list established except in the following cases:
 - a. Filling of vacancies by promotion within the department.
 - b. Filling of vacancies by intra-department transfers.
 - c. Filling of vacancies by part-time or seasonal employees provided all application and hiring procedures have been followed.
2. Hiring of Relatives
 - a. Colerain Township may hire relatives of certain employees if the applicant related to a Township employee meets all selection and hiring standards set forth in this Book and elsewhere, and the applicant fulfills all job qualifications of the position applied for. Colerain Township will not hire a relative in a supervisor-subordinate relationship under any circumstance.
3. Reviewing of Applicants / Interviews
 - a. Department Directors or their designees may interview the top three candidates from the eligibility list, when there is an eligibility list. In cases where the list is fewer than three, those on the list shall be interviewed. Under no circumstances shall the hiring be made without the review of the Department Director.
 - b. Department Directors or their designees shall, at a minimum, obtain and discuss the following information with each applicant interviewed:
 - i. Current position, actual responsibilities, and length of service.
 - ii. Previous positions including duties and responsibilities (job classification will determine employment history required).
 - iii. Justification for any gaps in employment history.
 - iv. The reason(s) for leaving most recent position.
 - v. Reason applicant wants to work for Colerain Township, including knowledge of Colerain Township's operation.
 - vi. Applicant's strengths and weaknesses as they relate to working for Colerain Township.

- vii. Applicant's career and personal goals.
- viii. Other pertinent information the Department Director may require in determining the best candidate for the position.
- c. An interviewer may not, under any circumstance, question an applicant directly or indirectly about the candidate's race, color, sex, age, religion, national origin, ancestry, or disability status.

POST-INTERVIEW JOB OFFER

1. Before making an offer of employment, the Department Director or their designee shall verify, where applicable, the following information about the applicant:
 - a. Complete reference checks by telephone or in writing.
 - b. Driving record as provided by the Ohio Department of Highway Safety, Bureau of Motor Vehicles.
 - c. Confirmation of college or post-secondary degrees or specialized certification with a transcript or review of copies of certifications.
 - d. Use of polygraph or voice stress analyzer test shall only be implemented in those job classifications where clear security risks are involved. These tests shall be administered by licensed polygraph professionals only. If an applicant refuses a polygraph test, the Department Manager must consider such a refusal in light of all other information gathered about the applicant when making the hiring decision.
2. Post-Offer Physical, Psychological Examination and Controlled Substance Testing
 - a. All applicants who are offered employment, except applicants for temporary, part-time, or seasonal positions, are required to have a post-offer physical examination by a qualified physician chosen by the Township. The Township may condition employment on the results of any required post-offer medical examination or test. The purpose of this examination is to confirm that the employee is physically able to perform the essential functions of the position for which they are applying. The Township shall bear the cost of said physical examination.
 - b. The post-offer physical examination will include a test for controlled substances, as set forth in the Township's Drug and Alcohol-Free Workplace policy. If the applicant tests positive for controlled substances, a second confirmatory test will be performed.
 - c. In those job classifications where a psychological evaluation is required to ascertain the fitness of a candidate, such examinations will be arranged and paid for by the Township.
3. Selection of Employees
 - a. The Township Administrator is authorized to hire and fill all vacant positions, except for the Department Director or the Assistant Administrator positions, as determined by the Table of Organization set forth by the Board of Township Trustees.
 - i. Annually, the Board of Trustees will approve an Organizational Chart for the Township that outlines all job classifications in the Township. The Board of Trustees can modify the Organizational Chart at any time by adopted Board motion.

1. The Organizational chart will be accompanied by a complete listing of all job descriptions and pay ranges.
- ii. The Township Administrator will make the Board of Trustees aware of any pending hire to fill a vacant, yet approved position prior to issuance of a formal offer letter.
- b. The Board of Township Trustees will formally approve via motion the hiring and selection of all Department Director, the Assistant Township Administrator, and the Administrator positions.

NEW EMPLOYEES

1. Rate of Pay

- a. Generally, the Township will pay a new employee the minimum rate of pay the Township has established for their classification or job description. This will also apply to internal promotions. The Township Administrator may grant written exceptions, based upon the criteria set forth in this section.
- b. The minimum rate of pay for each classification is based upon the assumption that the new employee meets the minimum requirements stated in the job description standards or classification specifications. If in the rare circumstance the Township hires a new employee who does not fully meet each minimum requirement for a classification or job description, the Township will pay the employee at a rate below the minimum rate of pay for the job classification or job description.
 - i. If a new employee's education, work experience, or other qualifications exceeds the minimum requirements for the classification to which the employee is assigned, the Township Administrator may hire the employee at a rate of pay above the minimum rate of pay for the classification or job description, provided the employee's skills and work experiences will benefit the Township.

2. Probationary Period

- a. The Probationary Period is in effect for each new employee, an employee who transfers into a new position voluntarily, or newly promoted employees for a probationary period of twelve (12) months.
 - i. All employees hired with a probationary period will be provided with regular progress reports after 60- 120- and 180-days after employment or promotion. The progress report is designed to provide regular feedback on the employee's performance and management expectations during the probationary period.
 - ii. After the first three progress reports are completed, immediate supervisors for probationary employees will prepare an annual evaluation PRIOR to the completion of their probationary period by utilizing the departmental or Township "Annual" personnel evaluation form.
- b. Upon satisfactory completion of the probationary period, an employee shall automatically attain regular "full-time" status.
- c. Should the annual evaluation process determine that the probationary employee is performing at an "unsatisfactory" level, the respective Department Director/Administrator will decide whether the probationary period provided an appropriate amount of time to thoroughly evaluate the employee's performance.

- i. The Department Director/Administrator may extend an employee's probationary period for up to an additional 12 months by notifying the employee in writing.
 - 1. Any employee who has their probationary period extended for any length of time will receive a "Performance Improvement Plan."
- ii. The Department Director/Administrator may recommend that the employee be separated from employment.
- iii. Any probationary employee may be separated from employment on or before the completion of their probationary period.

3. Orientation

- a. Colerain Township is responsible for the orientation of new employees, which includes reviewing in detail during the first week of employment the following information with employees:
 - i. General and department-specific Personnel Policies and SOPs;
 - ii. General and department-specific Safety Policies, including the requirement to complete the specific and applicable FEMA courses: such as ICS 100, ICS 200, ICS 700, and ICS 800;
 - iii. Employee Benefits;
 - iv. Disciplinary Actions;
 - v. The Township's version of "IT 101" that will cover basic cybersecurity issues;

Special duties requiring additional explanation. Following the explanation, the employee shall sign a statement of understanding, which shall be placed in the employee's personnel file.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio,
met in regular session at _____ p.m., on the ____ day of _____, 2026, 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. _____

**RESOLUTION TO AMEND THE GENERATIVE ARTIFICIAL INTELLIGENCE AND
EMPLOYMENT PROCESS POLICIES**

WHEREAS, the Board of Trustees sets the policy direction for Colerain Township
employees and residents; and;

WHEREAS, Administration and all departments intend on following the direction set by
the Trustees; and;

WHEREAS, the attached policies has been updated to establish guidelines for the
Generative Artificial Intelligence and Employment Process policies; and;

WHEREAS, this policy will supersede all previous versions of any previously adopted
Policy.

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

1. The attached Generative Artificial Intelligence and Employment Process policies be formally
adopted by the Board of Trustees; 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 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
3. 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: Ms. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this _____ day of _____, 2026.

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 _____, 2026.

Jeff Baker
Colerain Township Fiscal Officer

CONSENT ITEMS

Department: Administration
Department Director: Tiphane Mays, Assistant Administrator

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

Contract - Employee Navigator - Human Resources Software - \$3/employee per Month - No Exp
Recommend approval of all consent items.

Rationale:

The current contract with Arcoro for HR software expires on May 31st. Employee navigator will be the replacement for a fraction of the cost of Arcoro and better functionality.

BENEFITS SYSTEMS CONTRACT SUMMARY

I. Client Information

Formal Name of Client:	Colerain Township
Contract Effective Date:	07/01/2026
Agent of Record	McGohan Brabender
Start of Term:	07/01/2026
End of Term:	06/30/2027

II. Outline of Fees

Standard Pricing: \$3.00 per employee per month

Funding Method: Group Funded

III. Summary & Provisions

This document is intended to summarize the contract relationship between The Cason Group and the organization ("Client") regarding benefit systems. This relationship is further defined by a separate Terms and Conditions for Benefits Systems ("Terms and Conditions"), which is incorporated [here](#). The services and fees listed above are in force for the listed Term based on certain understandings between The Cason Group, the Client, and the Agent of Record / Referrer ("Agent"). If, during the current Term or any subsequent Term, there is a change to the Agent, lines of service, or specific carriers, The Cason Group reserves the right to reassess and modify applicable fees in advance of the scheduled renewal. Any change in fee would be made only with sufficient notice as described in the Terms and Conditions.

Details regarding invoicing and payment are included in the Terms and Conditions. It is the ultimate responsibility of the Client that all fees are paid. The Cason Group will recognize an alternate payment arrangement where applicable (as reflected in "Current Funding Method" above), including payment or coverage of the fee by the Agent or a carrier partner of The Cason Group, Client, or Agent. However, should any aspect of such a relationship change during the course of the Term, responsibility for payment of fees is on the Client. The Cason Group will at all times seek to pursue payment from the Agent or carrier as applicable, but the fee is guaranteed by the Client. Regardless of payment arrangement, if payment is not made by the due date and any applicable deadline communicated, services may be terminated, including access to a benefits system platform where applicable.

As specified in the Terms and Conditions, use of The Cason Group's benefit systems includes use of a specific enrollment and eligibility platform that is governed by the platform provider in accordance with a contract in force between either the Client,

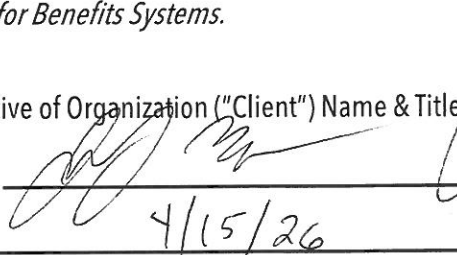
the Agent, or The Cason Group. The Cason Group has significant experience using, building, and customizing platforms for Clients building on the existing enrollment and eligibility system. However, The Cason Group does not have control over the system or its functionality. At all times, The Cason Group will ensure its best efforts to utilize and manage the system consistent with any applicable agreements in place.

I have read and understand this Contract Summary. I acknowledge these provisions as well as incorporation of the Terms and Conditions for Benefits Systems.

Representative of Organization ("Client") Name & Title: _____

Signature: _____

Date: _____

 Jeff Weckbach - Admin.
4/15/26

CONSENT ITEMS

Department: Administration
Department Director: Tiphane Mays, Assistant Administrator

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

Contract - Choice One Engineering - MTIF Grant Application Assistance - \$1,400 - No Exp
Recommend approval of all consent items.

Rationale:

The MTIF Grant application process relies heavily on engineering data including cost estimates and design information. This contract will assist the Township with submitting the most accurate and complete application for consideration.



Date

April 14, 2026

Attention

Tiphany Mays
Assistant Township Administrator
tmays@colerain.org

Address

Colerain Township
4200 Springdale Rd
Colerain Township, OH 45251

Subject

Agreement for Professional Services
2026 MTIF Application Assistance
HAM-COL-2605

Dear Ms. Mays:

Choice One Engineering Corporation appreciates the opportunity to provide services for the 2026 MTIF Application Assistance.

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

A handwritten signature in blue ink, appearing to be "J. M.", is written over a horizontal line.

Authorized Signature

4/14/26

Date

Choice One Engineering Corporation

A handwritten signature in blue ink, appearing to be "Bradley A. Warnock", is written over a horizontal line.

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

4/14/26

Date

W. Central Ohio/E. Indiana

2633 Campbell Rd.
Sidney, OH 45365
937.497.0200 Phone

S. Ohio/N. Kentucky

6279 Tri-Ridge Blvd., Suite 100
Loveland, OH 45140
513.239.8554 Phone

WWW.CHOICEONEENGINEERING.COM



Scope of Services

Project Snapshot

Choice One intends to assist Colerain Township with a funding application for the Southwest Ohio Regional Transit Authority (SORTA) Metro Transit Infrastructure Fund (MTIF) Round 6. The application will be for additional funds to aid the Township during the construction of the Springdale Road Sidewalk Phase 2 project (PID120861).

Project Details

- Choice One will compile the application and supporting data for the project, including the following documents:
 - Formal application from SORTA website
 - Concept plan and vicinity map
 - Cost estimate including useful life statement
 - Traffic certification (based on ODOT TIMS info)
 - Traffic counts will not be performed
 - Project Photos
 - Crash data
- The following documents will be prepared by Choice One and will need processed by the Client for the project:
 - Certification of funds
 - Authorizing legislation (Trustees resolution)
- Choice One will compile the application and drop off the physical copy and flash drive prior to the May 30th deadline.
- Construction plans, topographic survey, and grant administration are not included in this scope of work.

Project Services

1. **Grant Assistance**
 - a. Use ODOT's traffic data on Springdale Road to estimate number of users for the project.
 - b. Revise preliminary construction estimate for the project.
 - c. Complete SORTA funding application for the project.
 - d. Go over the application with the Township prior to submitting.

Additional Services

We have the skill, experience, and knowledge to provide additional services as listed below. Additional services will be approved by the Client prior to commencement and will be performed on an hourly basis according to our current Standard Hourly Rate Schedule or a mutually negotiated lump sum fee.

1. Construction Plans
2. Storm Sewer Design
3. Traffic Signal Design
4. Traffic Impact Studies
5. Traffic Data Collection
6. Detailed Maintenance of Traffic Plans
7. Landscape Architecture
8. Topographic Survey
9. Easement and Right-of-Way Plats or Descriptions
10. Construction Bidding Procedures

Client Responsibilities

- Payment of all agency-related fees.
- Resolution of Support from Township Trustees.
- Fiscal Officer Certification Letter.
- Provide timely decisions to keep work on schedule.

Compensation & Schedule

Compensation

Lump Sum Fee Schedule	
Grant Assistance	\$1,400.00
Total	\$1,400.00

Schedule

Choice One will have the grant application prepared and ready to submit by the May 30th deadline, assuming authorization is complete by April 24th, 2026.

Choice One Engineering Corporation
Standard Terms & Conditions

4/17/2015

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.

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 - Police Cadet - Police Department - Matthew T. Rutz - \$27.50

Recommend approval of all consent items.

Rationale:

The position of Police Officer was posted, applications were received and interviews conducted. A conditional offer of employment was extended to the following individual: Matthew T. Rutz.

Matt comes to the Police Department as a new hire who is currently expected to attend Butler Tech Police Academy in May 2026. Matt will start with the Police Department as a Police Recruit. He will hold this role of Police Recruit until completion of the required OPOTA courses and the final state test.

The wage for this job is \$27.50 per hour for 40 hours per week. Contingent upon Board approval, he would be eligible to begin work after April 14, 2026.

Upon passing the state of Ohio OPOTA test, Matt will assume the role of a Police Officer. The 2026 wage for this job is \$38.10 per hour for 40 hours per week.

CONSENT ITEMS

Department: Fire
Department Director: Allen Walls, Fire Chief

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

New Hire - Seasonal Fire Hydrant Maintenance Worker I - Department of Fire and EMS - \$17.37 - Brian Schneider
Recommend approval of all consent items.

Rationale:

The position of Seasonal Fire Hydrant Maintenance Worker was posted, applications were received, and interviews were conducted. A conditional offer of employment was extended to the following individual:

- Brian Schneider

The wage for this job is \$17.37 per hour, and the applicant will work less than 30 hours per week. Contingent upon Board approval, they would be eligible to begin work on April 20, 2026.

NEW HIRE AUTHORIZATION

TO BE COMPLETED BY HUMAN RESOURCES

☐ New position

☐ Reconfiguration of position

☒ Replacement existing vacancy

Date of Trustee Approval: 4/14/2026 or 4/28/2026

Job Code: ¹¹⁶

Position Number:

Status: ☐ Full Time

☐ Permanent

☐ FLSA Exempt

☐ CBA Position

☒ Part Time

☒ Temporary/Seasonal

☒ FLSA Non-Exempt

☒ Non-CBA Position

TO BE COMPLETED BY HIRING DEPARTMENT HEAD

Employee name: ^{Brian Schneider}

Hourly rate: \$^{17.37}

Employee Supervisor: ^{David Strittholt}

Min/Max hours/week:

Proposed start date: ^{4/20/26}

Eligibility Date: ^{4/20/2026}

Tentative schedule of hours: M-F varies

Does this position supervise staff? ☐ Yes

☒ No

Comments:

Department Head Name: ^{Will Mueller}

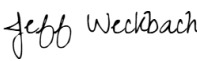
Signature: 
Signer ID: TBE2Y1S416...

Date: ^{04/20/2026 PDT}

TO BE COMPLETED BY THE TOWNSHIP ADMINISTRATOR

The Colerain Township Administrator conditionally approves this hire. This hire shall be fully effective after approval by the Board of Trustees at the next possible Trustee meeting. The employee will be required to serve a probationary period, as defined by the Township Policy Manual or Collective Bargaining Agreement.

For hiring purposes, the employee's first eligible start date, pending completion of all necessary background checks, physical, and drug tests is: ^{4/20/2026}

Administrator's Signature: 
Signer ID: UCNZGVVK15...

Date: ^{04/20/2026 PDT}

JOB POSTING INFORMATION – TO BE COMPLETED BY HUMAN RESOURCES

The Position was posted on the following locations:

- ☒ Township Website
- ☐ Internal Bulletin Board
- ☐ Social media
 - ☐ Facebook
 - ☐ LinkedIn
 - ☐ Twitter
 - ☐ Other
- ☐ Newspapers
- ☒ Other job boards

Hiring Process Timeline:

Date of initial posting: 2/26/2026

Date posting closed: ongoing

Interview Committee: Strittholt

Interview dates: ongoing

Number of applications: 7

Number of candidates interviewed: 3