



HAMILTON TOWNSHIP

HAMILTON TOWNSHIP ADMINISTRATION

Darryl Cordrey – *Trustee, Chair*

Joe Rozzi – *Trustee*

Mark Sousa – *Trustee*

Kurt Weber - *Fiscal Officer*

7780 South State Route 48
Maineville, Ohio 45039
Phone: (513) 683-8520

Township Administrator

Brent Centers
(513) 239-2372

Police Department

Scott Hughes – Police Chief
Phone: (513) 683-0538

Fire and Emergency Services

Brian Reese – Fire Chief
7684 South State Route 48
Maineville, Ohio 45039
Phone: (513) 683-1622

Public Works

Kenny Hickey – Director
Phone: (513) 683-5360

Assist. Fiscal Officer

Ellen Horman
Phone: (513) 239-2379

Human Resources

Kellie Krieger
Phone: (513) 239-2384

Economic Development and Zoning

Alex Kraemer
Phone: (513) 239-2376

Community Development Coordinator

Nicole Earley
(513) 683-5320

TRUSTEE MEETING AGENDA 9/1/2021

6:30 PM

- Roll Call
- Pledge of Allegiance
- Approve of the Clerk's Journal and Accept the tapes as the Official Minutes of the August 18, 2021 Township Trustee Meeting
- Bills before the Board

Public Comments

Human Resources

Public Hearing

- Resolution 21-0901A: Approving PUD Stage 2 & 3 plans for Village on the Green, Area J

New Business

- Motion: Adopting a *Hamilton Township Parking Code* and codifying said code into Chapter 4: *Zoning Districts and Use Regulations* in the Hamilton Township Zoning Code

Administrator's Report

Fiscal Officer's Report

Trustee Comments

Adjournment

The agenda is to give an idea of the various discussions before the Board. The time and order of Agenda items is subject to change in order to maintain efficiency and timeliness of the meetings. Citizens may address the Board under the Public Comment section of the agenda.

The following guidelines protect your rights as well as those of others:

1. *Speakers must state their name and full address for the record.*
2. *The Board Chair will recognize each speaker, and only one person may speak at a time.*
3. *Speakers will address any and all comments to the Board of Trustees and Fiscal Officer. The Board may request further information from staff at their discretion.*
4. *Anyone who willfully disrupts a Board meeting may be barred from speaking further, or may be removed from the meeting and detained by officers of the Hamilton Township Police Department. (ORC 505.09; ORC 2917.12)*

Hamilton Township Trustee Meeting

August 18, 2021

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:35 p.m. Mr. Cordrey, Mr. Rozzi and Mr. Sousa were present.

The *Pledge of Allegiance* was recited by all.

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the August 4, 2021, Trustee Meeting.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the bills as presented to the Board.

Roll call as follows:

Joe Rozzi	Yes
Mark Sousa	Yes
Darryl Cordrey	Yes

Public Comments

Mr. Cordrey opened the floor to public comments at 6:36 pm.

No comments were made; therefore Mr. Cordrey closed the floor to public comments at 6:37 pm.

Human Resources

Human Resources Manager, Ms. Kellie Krieger, requested a motion to update the active Hamilton Township Employee Roster with the following changes: Hire Mr. Brandon Voris as a Service Worker and Mr. Ronald Peak as a Mechanic II pending successful completion of the hiring process.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the above-mentioned roster update.

Roll call as follows:

Mark Sousa	Yes
Darryl Cordrey	Yes

Joe Rozzi Yes

Next, Ms. Krieger requested a motion to approve the following cemetery deed with the Maineville Addition; Ms. Carol Shearer is purchasing lot 49, graves 7 & 8, deed #: 2021-11.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the above-mentioned cemetery deed.

Roll call as follows: Darryl Cordrey Yes
 Joe Rozzi Yes
 Mark Sousa Yes

Public Hearing

Mr. Cordrey made a motion to open the public hearing at 6:38 pm, followed by a second from Mr. Rozzi.

Roll call as follows: Joe Rozzi Yes
 Mark Sousa Yes
 Darryl Cordrey Yes

Law Director, Mr. Ben Yoder swore in all persons wishing to give testimony for cases included within this public hearing this evening.

Mr. Kraemer began his presentation for the Girl Scouts of Western Ohio Site Plan Review. The legal notice was published in the August 8th publication of *The Pulse Journal of Warren County*. The owner of the property is the Girl Scouts of Western Ohio; the applicant is Bambeck and Vest Associates Incorporated. The spokesperson tonight is Travis Jackson. The address in question for this property is 8551 Butterworth Road, Maineville, OH 45039. The applicant is proposing to construct a 3,647 square foot, one story building which they are calling the Program Shelter. It will have office space, open office space, first aid, storage, supplies, utilities, and restroom facilities. This structure will aid in facilitating the camps at the current 133+ acre site. The majority of the space is the shelter open air shelter space. The plan does not have any additional parking required as there will only be a drop-off and pick-up required. The zoning for this property is R-1 single family residential. Surrounding properties are also zoned R-1 single family. Staff recommends getting confirmation from the Warren County Soil and Water Conservation District on if an Earth Disturbing Permit is required. Staff is recommending approval of the site plan for the Girl Scouts of Western Ohio with the following conditions: compliance with all regulations within the Hamilton Township Zoning Code and meet the requirements of all Warren County partner organizations.

Mr. Cordrey invited the applicant to speak.

Mr. Blake Wayman representing the Girl Scouts stated that this is a supplemental structure to continue their programs. This is the first of three possible shelters throughout Warren County for this organization.

Mr. Sousa asked what the timeline is.

Mr. Travis Jackson with Bambeck and Vest Associates stated that with the permitting processes, they are looking at early November.

Mr. Cordrey invited those wishing to speak in favor or opposition of this development to speak.

No one approached the podium therefore Mr. Cordrey closed the floor to public comments at 6:46 pm to begin public deliberations.

Mr. Cordrey mentioned that this is pretty cut and dry.

Mr. Sousa asked if there are any safety concerns with adding this additional structure. Both Chief's replied with a no.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the site plan as presented for the Girl Scouts of Western Ohio at 8551 Butterworth Road, Maineville, OH 45039.

Roll call as follows:	Mark Sousa	Yes
	Joe Rozzi	Yes
	Darryl Cordrey	Yes

Mr. Cordrey closed the public hearing at 6:48 pm.

Work Session

Mr. Centers explained that we are having this work session this evening for a large list of items. Some of them are follow-ups to topics discussed at the Retreat and some are other pending items that were brought up at different meetings. This is really just an updated but a few items we do need direction on.

-Parking Resolution: Deliberation for this took place at the April Trustee meetings; the draft resolution will be coming to the Board at the September 1st meeting.

-Fire Station 77 Bay Floors: We discussed this at the Retreat; the way the minutes reflect, all of Staff's conversation went from discussing the bay floors to long term planning and the potential to move Public Works down to that building, so we never got a solid direction. We wanted to

rediscuss this tonight and knowing that the Board wanted to look into it, we got 3 bids for the project; at that time the lowest and best bid was with Towne Construction Services for \$42,911.88. We contacted them again and with the inflation costs of this year, they came back with an estimate of \$46,974.84. This is arguably the lowest and best quote that we have; if the Board would like to move forward, we also need to know which budget it would come out of. We discussed that it would come out of the General Fund as Mr. Weber mentioned that we had a hefty unencumbered (carryover). We have approximately 1.75 million in reserves (11.4 months) in the General Fund. The Fire Department has 12.2 months or \$2.2 million. If they needed to use their reserves, it would eat away quicker than the General Fund, but we wanted a true direction.

Mr. Cordrey commented on the existing floor conditions and how it is unevenly wearing on the trucks. He believes long term we could use this building for other purposes, so he is fine with the money coming from the general fund.

Mr. Rozzi asked how long this problem has existed?

Mr. Hickey believes that they reinstalled drains and changed the floor to slope around seven years ago.

Chief Reese explained that we rotate the trucks every six months. With the new engine carrying more water, it is a little heavier. They may have to rotate more frequently.

Mr. Rozzi is in favor of doing this as well. Long term this building will serve us for quit a few years. He is okay with money coming from the general fund.

Mr. Sousa feels the same way. He asked if we have done our due diligence with the quality from this vendor?

Mr. Hickey stated that this company has done base repairs, concrete work, and curb work for us. To maintain the drain line, there will be a minor slope still but nothing like the condition of the current floors.

Mr. Weber commented that there are adequate funds for this project to come out of the general fund.

-Economic Development Fund: Mr. Centers mentioned that this was discussed at the Retreat as well and the Board expressed entertaining this but there were no specifics given. The proposal would be a \$50,000 initial investment into a newly created line, with a \$25,000 annual investment into that Economic Development Fund. These monies would only be used at the discretion of the Board so nothing that would be subjected to staff. The real goal would be to not use it every year, but to grow a nice fund to give an incentive if we do need that in the future.

Mr. Cordrey asked Mr. Kraemer if he has seen this used in the past and if so, how does he envision this for the Township and how this could be a benefit as we continue to grow and push Economic Development.

Mr. Kraemer mentioned that he has seen this used in the past at his previous employer. It was mainly used for infrastructure related improvements. A few examples would be creating a turn lane, any repaving needed, creation of sidewalks, landscaping, lighting features, any major renovations, or upgrades to existing structures, maybe some utility work. Things that are clearly visible that the community will benefit from. This could be a way to fill a gap where no TIF, CRA or JEDD exists.

Mr. Cordrey asked for clarification that this is not to fund an entire development, correct?

Mr. Kraemer replied that is correct. This is only to aid in certain development if and when needed.

Mr. Sousa asked why we would not apply this to another tax incentive area such as a TIF or JEDD?

Mr. Yoder commented that there is nothing legally prohibiting that would keep us from incentivizing other tax incentive areas, this is policy preference.

Mr. Sousa commented on allowing this in a TIF area where maybe we want sidewalks, but the developer says no. He would like to see us have as much flexibility as possible for something like this. He is largely in support of this.

Mr. Weber stated that there are obviously advantages from a Township perspective. This can fit in the budget.

Mr. Rozzi asked for examples where this has been used before.

Mr. Kraemer discussed that \$50-60k was used to repave a large parking lot, put in some parking islands, construct better curbing and then they added some sidewalks along Route 4. This incentivized the owner to do the actual rehabbing of the retail strip center with updated paint, windows, etc. Infrastructure is the focus to use these funds.

Mr. Rozzi likes the idea of this. He is unsure about opening it up to areas that are already incentivized like a TIF or JEDD.

Mr. Cordrey thinks that having a TIF or a JEDD should already be incentive enough for areas involved in that. He does like that we can put money in, but we don't have to spend it. He would

like to see more detail, but he is big proponent since we are pushing more Economic Development.

Mr. Kraemer reminded that every utilization of these funds would have to go before the Board.

Mr. Cordrey would like to see a proposal first that includes examples as to why we would or would not include TIF or JEDD areas.

Mr. Sousa would hate for us to take it off the table and then a developer say that they do not wish to add touches/spend money on other components that would benefit the Township.

Mr. Rozzi expressed that there are other areas of the Township that can be developed besides the main service corridor. Maybe we could limit the tax incentive areas but not take them off the table completely.

Mr. Cordrey is comfortable with Mr. Rozzi's idea.

Mr. Sousa asked if they could include a component that this would be reviewed every so often?

Mr. Yoder explained that future Boards can modify policies at any time.

Mr. Cordrey asked if we can put specific wording that everything with this fund must come before the Board for spending?

Mr. Centers stated that the direction given will come back in a Resolution so that will be part of it. He then clarified that the direction he has is to open the fund; We will do an initial investment of \$50,000 in the 2022 budget that way we can budget for it this year instead of reappropriating, and then we will add a \$25,000 annual investment each year, and we will remove the Economic Development incentivized areas already from the Resolution.

The Board agreed.

-Assistant Mechanic Position in the Public Works Department: This has not been discussed yet. We have been through 2 mechanics in the last three years. Hiring this most recent Mechanic, who was just on-rolled pending background tonight, we had to put the position out several times as it is difficult to hire right now. The turnover and the workload have continued to build up, so we are asking for a new position.

Mr. Hickey explained that we previously had a service worker that would help out in our Mechanic's shop on Monday's, Wednesday's, and Fridays to offset the mechanic that we had because of the demand that we have. The number of vehicles and equipment that we have, is overwhelming for one mechanic trying to keep things up to par with routine maintenance and

other issues that arise. Instead of bringing someone in for just three days, we would like to have someone full time. We do have the workload to justify a full-time position and it would allow the main mechanic to complete some PM work that would need to be done as well.

Mr. Centers explained that it would also relieve the service worker back to the road which is desperately needed.

Mr. Rozzi asked how many pieces of equipment do we have right now?

Mr. Hickey stated that we are at 140. We use the mowers almost every day in the spring and summer. We let them get to around 120 hours before servicing. Oil in cruisers is changed roughly every 5k miles and we are hitting that every 2 months.

Mr. Centers added that we are sending routine maintenance such as brakes and oil changes out because its so overwhelming.

Mr. Rozzi asked what type of documentation goes along with servicing?

Mr. Hickey stated that we do all full service and do a 130-point inspection. We put all notes and dates into our PubWorks program. The benefit of keeping our equipment in house is that the same person is doing the work each time. When it goes to a dealership, a different person could work on it each time, and each person may do things differently.

Mr. Cordrey asked if we will have better success with this job description versus what we have looked at hiring for in the past?

Mr. Hickey explained that our last interview for Mechanic II, brought 2 additional candidates that he would like to pursue if the Board approves this tonight. They did not meet the criteria for the Mechanic II position, but they would be qualifying for the Assistant Mechanic position.

Mr. Sousa expressed concern that the individuals that we had in this role before did not follow through with their certifications and unfortunately that has left Mr. Hickey who is already our Public Works Director and our Assistant Administrator, to pick up the work. He asked if Mr. Hickey's budget can sustain this addition?

Mr. Hickey responded that it can. It holds within the 5-year projection that they did and possibly longer. This individual will be used for snow removal and call-ins as well as mowing. This person would also be trained to take over as the Mechanic II down the road.

Mr. Cordrey thinks it is a good idea as we continue to grow the Township.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve of the Mechanic I position for the Public Works Department.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

-Mounts Park: Mr. Centers explained that the EPA Mitigation timeline is on track. The most recent development is that the Ohio EPA has reviewed our landfill restoration plan; they made some edits and then reviewed it again before deciding to make it a stream mitigation plan and included an additional permit application. Essentially it has been approved but since they have added an additional permit it needs another review.

Mr. Cordrey asked if we expect any delays in the park opening next spring?

Mr. Centers stated that there will still be construction, but we do not expect any delays to open in April 2022. As of next year, we will be opening the park year-round and then we will only have to do two closures throughout the season for one week in the spring and one week in the fall for general maintenance and safety measures. He reiterated that OrdDesign LLC is on track with the timeline that was presented to the Board at the Retreat.

Next, Mr. Centers brought up the Police Firing Range. It was successfully removed from the park. They have been using an offsite, indoor firing range; with that they have not been able to do all of the training that they used to be able to do with the outdoor space. With the most recent critical incident in the Township, it was brought up how important that outdoor training really is, so we are requesting to reinstate the firing range. Nothing needs to be done to get this up and going again. They would coordinate with the Public Works Department to use the park for training during the two weeks that we would have it shut down for maintenance. In the past, other agencies used this range; that would not be the case this time around. The goal is to get our officers qualified with their trainings.

Mr. Cordrey would like to have a solid cleanup plan in place with the lead and any cars or other objects that they use for training.

Mr. Rozzi likes the idea that we are doing inhouse training.

Mr. Sousa also likes it. He would like staff to explore options to get the firing range out of the park altogether. He mentioned a general first responders training site for both the Police and Fire Departments.

Discussion took place about what an alternative site would look like for a combined training facility.

Next was a discussion about Mounts Park Projects mentioned at the Retreat. So we are looking at mile markers for the trails, memorial trees, placards and benches.

Mr. Hickey brought up the mile markers for the ¼ mile trail; since it is not a long trail, he mentioned maybe getting trailhead markers to distinguish the three different trail styles. The cost of those would be approximately \$310 and would be composite with the Hamilton Township logo and anything else that the Board would like to include on them. We are working with Bill from Greenfield Plant Farm for the trees; he is wanting to do some donations/selling at discounted rates as well. The placards and tree combo would be approximately \$500. The memorial benches would cost \$698-\$1140 plus the hardware.

Mr. Sousa commented that his idea of the memorial garden was to dedicate an area of the park where they could identify sites with small bushes, perennials or even trees that would not be a taxpayers funded through the Township but more of a family or someone memorializing a loved one with getting a bench, tree, plant, or stone. He would like to have a true garden area whether it be near the lake or a trail or whatever.

Mr. Centers stated that we budgeted money knowing that the Board wanted to invest in Mounts Park so we need to know how they would like to spend that money. The trail markers would probably make the most sense so that we do not put money into mile markers on a ¼ mile trail.

Discussion took place about doing a trail head or trail marker to identify vegetation unique to the park, or historical markings with Mounts information and how the park was saved.

The sunflower field goal was to have a professional company take over and mark the field. After the retreat, we reached out to the first company in April, and they gave a response that they would look into doing it. On July 5th, we received notification that they said it was too late for them to do it which is why we asked them in April. We then went to a different local company, and they responded that they would look into it also. A few days later they committed to it so the Public Works Department spent a time prepping the field and then on August 3rd that company backed out as well saying that it was too late. We researched it and found that even with a short timeframe of a seed that blooms in 50 days, it had gotten too late to plant anything. Ward Thornton has now contracted with us and they have a marking on their calendar that we will do a spring planting and it will bloom approximately 110 days later for a fall timeline.

Mr. Cordrey expressed his frustration with this. He asked if we are confident that we will not run into this again?

Mr. Centers responded that we will not as Ward Thornton has this on their calendar to work with us.

Mr. Rozzi would like to see opportunities for volunteers with this project in the future.

A lengthy discussion on the Mounts Park Baseball Fields was next on the agenda. Ohio Power currently has the contract with Hamilton Township. We have reached out to them four times in writing, 3-4 times with phone calls, in person conversations and we have yet to receiving anything until tonight at 5:00 pm because they knew we were bringing this before the Board, in relation to any payment or finance report which they were required to provide monthly per the contract. Their contract goes until December 31, 2021; it was only a one-year contract, but the assumption was, following the Retreat, that we would take it over or do another one-year contract.

Mr. Sousa expressed his frustration that they blew us off until they felt things were going south. He feels as though they did us a disservice so he would like to terminate the agreement.

Mr. Cordrey would like to see the financials first. This is a youth league, and his opinion is that they are not in this to make a lot of money. He does not want to automatically terminate until everything can be reviewed.

Mr. Centers stated that we were not expecting them to make a large amount of money. Staff's frustration is that they were supposed to provide us reports and they did not. What they ended up providing is fine. Its when they provided it, that is not.

Mr. Rozzi doesn't want to terminate this agreement, but he suggested to not renew this current contract and maybe start to pursue a different one-year contract.

Mr. Sousa would like to look at outside parties and he has no interest in working with Ohio Power. He would like for the Board to have another work session to discuss a long-term field and overall park plan. He is not keen to the idea of putting money into them with little to no return.

Differing opinions were given on the long-term vision for these baseball fields down at Mounts Park.

Mr. Sousa asked if it is fair or reasonable to seek parties to use it for one more year like we did this past year, so that the fields stay usable? He would like to sit down within the next 12 months and really get a firm direction on how this Township should move forward for this park.

Mr. Cordrey mentioned to bid the contract out again, but he would like to give Ohio Power a chance. He would also like a work session to discuss the long-term plan.

Mr. Centers reviewed his understanding for a direction; put out a bid for a one-year contract and discuss a long-term plan at the next retreat?

The Board agreed to that.

-General Updates: Mr. Centers wanted to bring these next items as updates.

The pillars and the boards have been installed for Storybook Stroll at Testerman; we are just waiting for the pages from the actual book. This should be walkable by the end of this month.

Ms. Krieger has been working with the Wreaths Across America Organization for a few months to try to get wreaths put on every Veteran's headstone for the Holiday season. The public works crew and physically counted every Veteran headstone in our cemeteries. It will take some time, but this will be a nice gesture. There will be 132 wreaths in the Maineville Cemetery, 54 wreaths in Hopkinsville and 87 wreaths in Murdoch Cemetery. On December 18th we will have a ceremony to commemorate our Veteran's and place those wreaths.

The Resolution for the Temporary Signs in the Right of Way has been kicked around by this Board. Our Zoning Commission formally initiated the amendment to our Zoning Code last Monday. Now it will go to the Regional Planning Commission for their comments, then will come back to our Zoning Commission to make a recommendation to this Board for approval. We will do a dual public notice and will be brought to the September 15th meeting.

Touch-A-Truck will be held on September 18th from 10am – 2pm at Fellowship Baptist Church.

The County Engineer's held an open house here on Tuesday August 10th in reference to the State Route 48 widening project. It was very well received. We appreciate the staff that participated.

Mr. Weber commented on this open house and stated that attendance is usually dependent on the corridor. This one is already commercial so not as many residents are directly affected along this route for the construction. This will be worked on in 2023 and 2024. There are a lot of other projects coming in the next few years; the King Ave. bridge in 2022 and 2023. These are all good projects with a lot of federal money spent in the general Hamilton Township area.

Mr. Sousa asked for any new renderings.

Mr. Weber stated that there are some available on the Warren County Engineers website.

The digital signs and cemetery sign construction has begun. The foundations have been set and the signs should be set at the beginning of next week.

The American Rescue Plan Act funds (ARPA) have been applied for and approved. Funds will be distributed in two payments of \$1,243,552.20. Our first payment should be here within the next ten days. We will bring a list of full fund uses.

Mr. Sousa touched on the ARPA funds stating that this is not money from the County; it is money received from the State.

The 2022 budget will be very similar to the pre-liminary budget that was approved. We do not have any major capitals that are pending; that could change. We will bring the first draft to the Board on October 6th for review and input. The second meeting in October we will be moving completely due to absences of the Board, so we do not want to vote on the budget on a non-regularly scheduled meeting. It will be voted on at the first November meeting.

Administrator's Report

Mr. Centers reminded everyone that Maineville Road will be closed August 23rd-27th.

Fiscal Officers Report

Mr. Weber stated that this is the Fiscal report for the month of July. We are 58% thru the year. We have received 59% of our anticipated revenue which equals a little over \$7.3 million. Our expenditures are at 52% for the year so far. We have a cash balance of \$13.7 million.

Trustee Comments

Mr. Rozzi commented that this was a productive night. All in all, we're in good shape.

Mr. Sousa mentioned that the ARPA funds are impactful for the Township.

Mr. Cordrey stated that this was a good meeting. He reminded everyone of the Carboard Boat Regatta this weekend, 8/21/21 from 10am – 3pm. He welcomed Kings School students that started back to school. He also mentioned our census numbers and we are marked at just over 27k residents.

Adjournment

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 8:24 pm.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

LEGISLATIVE COVER MEMORANDUM

Introduction: September 1, 2021

Effective Date: Next available date

Agenda Item: **Resolution 21-0901A**
A Resolution approving PUD stage 2 & 3 plans for “Village on the Green, Area J” containing 10.88 acres of real property located at parcel 17283000150 1147 Stephens Road, Hamilton Township, Warren County, Ohio 45152

Submitted By: Alex Kraemer

Scope / Description: Staff overview by Alex Kraemer during presentation of legislation.

Budget Impact: \$0

Vote Required for Passage: 2 of 3

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on September 1, 2021, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey – Trustee, *Board Chair*
Joseph P. Rozzi – Trustee
Mark Sousa - Trustee

Mr. _____ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 21-0901A**

A RESOLUTION APPROVING PUD STAGE 2 & 3 PLANS FOR “VILLAGE ON THE GREEN, AREA J” CONTAINING 10.88 ACRES OF REAL PROPERTY LOCATED AT PARCEL 17283000150 1147 STEPHENS ROAD, HAMILTON TOWNSHIP, WARREN COUNTY, OHIO 45152

WHEREAS, VILLAGE ON THE GREEN, LTD (the “Owner”) is the owner of approximately 10.88 acres of land located at parcel 17283000150 1147 Stephens Road, Maineville, OH 45039 (the “Property”);

WHEREAS, on July 22, 2021 the Warren County Regional Planning Commission (“WCRPC”) and on August 9, 2021 the Hamilton Township Zoning Commission each held public meetings and individually recommended approval with conditions for the PUD Stage 2 & 3 plan;

WHEREAS, the PUD Stage 1 Preliminary Plan for Parcel J, as part of the whole Village on the Green development, has been previously approved by the Warren County Regional Planning Commission, Hamilton Township Zoning Commission and the Hamilton Township Trustees;

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

SECTION 1. The Board of Township Trustees of Hamilton Township finds that the PUD Stage 2 & 3 Site Plan presented at the September 1, 2021 meeting of the Board by the Owner is a viable plan for the development of the subdivision and grants approval based on these following conditions:

1. Compliance with the 10 recommendations from the Warren County Regional Planning Commission and Hamilton Township Zoning Commission:

- a. All plans and proposals of the applicant shall be made conditions of approval unless modified by one of the following conditions.
- b. Compliance with the Warren County Subdivision Regulations, Hamilton Township Zoning Code, PUD Standards, and the PUD Stage 1 approval conditions.
- c. The road Right-of-Way design shall receive approval from the Warren County Engineer's Office prior to Preliminary Plan submission.
- d. Sidewalks shall be on both sides of the street in accordance with Section 416: Sidewalks in the Warren County Subdivision Regulations.
- e. Street lighting shall comply with Section 417: Streets and Walkway Lighting in the Warren County Subdivision Regulations.
- f. Review and approval of the stormwater management plan by the Warren County Engineer's Office.
- g. Submission of a traffic impact analysis if deemed necessary by the Warren County Engineer's Office. Any road improvements deemed necessary shall be installed by the developer.
- h. Compliance with the requirements of the Warren County Soil & Water Conservation District (SWCD). An earth disturbing permit shall be submitted to SWCD before construction.
- i. Final Plat approval is contingent upon the platting and completion of Eagle Boulevard to the property line of the Village on the Green site.
- j. A homeowner's association shall be established to maintain the open space, landscaping, cluster mailbox units, and entryway signs.

2. Compliance with any other Warren County partner organization conditions.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joseph Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 1st day of September, 2021.

Attest:

Kurt E. Weber, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Kurt Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Township Trustees of Hamilton Township, County of Warren, Ohio, at its regular meeting on September 1, 2021.

Date: _____

Kurt E. Weber, *Fiscal Officer*

The HAMILTON TOWNSHIP TRUSTEES

Public Hearing Staff Report: PUD Stage 2 & 3 Site Plan

Village on the Green, Area J

September 1, 2021 at 7:00 PM

Owner: Village on the Green LTD

Applicant: McGill Smith Punshon (MSP)

Spokesperson: Jim Watson (MSP)

Location: Parcel J, Village on the Green: 1147 Stephens Road, Maineville, OH 45039

Size: 10.88 acres

Zoning: R-3 PUD Multi-Family Residence Zone

Request: PUD Stage 2 & 3 Site Plan approval for a residential development

History/Description: The applicant is proposing a plan for Area J of the Village on the Green Subdivision. This was previously shown as future development with standards approved at PUD Stage 1 for this area. The plan illustrates 27 single-family homes on 10.88 acres, resulting in 2.78 units per acre (gross density). They are showing 2.22 acres of open space (20% for 2 storm water detention facilities). The median lot area is 9,469 square feet with range from 8,160 square feet to 33,394 square feet. Minimum Lot widths are 60 feet and minimum front yard setbacks are 40 feet. These setbacks and lots sizes are consistent with lot sizes and setbacks found in the adjoining Eagle's Pointe subdivision.

Pursuant to the conference call between the applicant, staff and Regional Planning staff on May 25, the applicant has revised the Stage 2 plan to address issues raised during that call. Lot widths have increased from 50 feet to 60 feet and front yard setbacks have increased from 30 feet to 40 feet. These changes appear to bring the plan into full compliance with the conditions set forth in 1995 in the Hamilton Township Trustees *Resolution 95-1026*.

The site will be accessed through Eagle's Pointe subdivision via Eagle Boulevard, which is presently under construction. Water, sanitary sewer, gas, electric, telephone and cable television service will extend from Eagle's Pointe subdivision. Street lighting is proposed, assuming the availability of a lighting district. Sidewalks are proposed along both sides of all streets. One street tree per lot is planned with the trees located in lot areas rather than within the public right-of-way.

A landscaped open space strip at the entrance will include an entry monument, a central mailbox facility with parking, and a gazebo. The open space and entry features will be owned and maintained by a homeowners' association specific to Section 14. Given the topographic separation from the existing Village on the Green project, Section 14 will have a separate homeowners' association. At present, a homebuilder is not under contract for the Section 14 lots. As such, we cannot offer representative elevation or floor plans for Section 14.

Warren County Regional Planning Commission recommended approval of the plan, with conditions, on July 22nd, 2021.

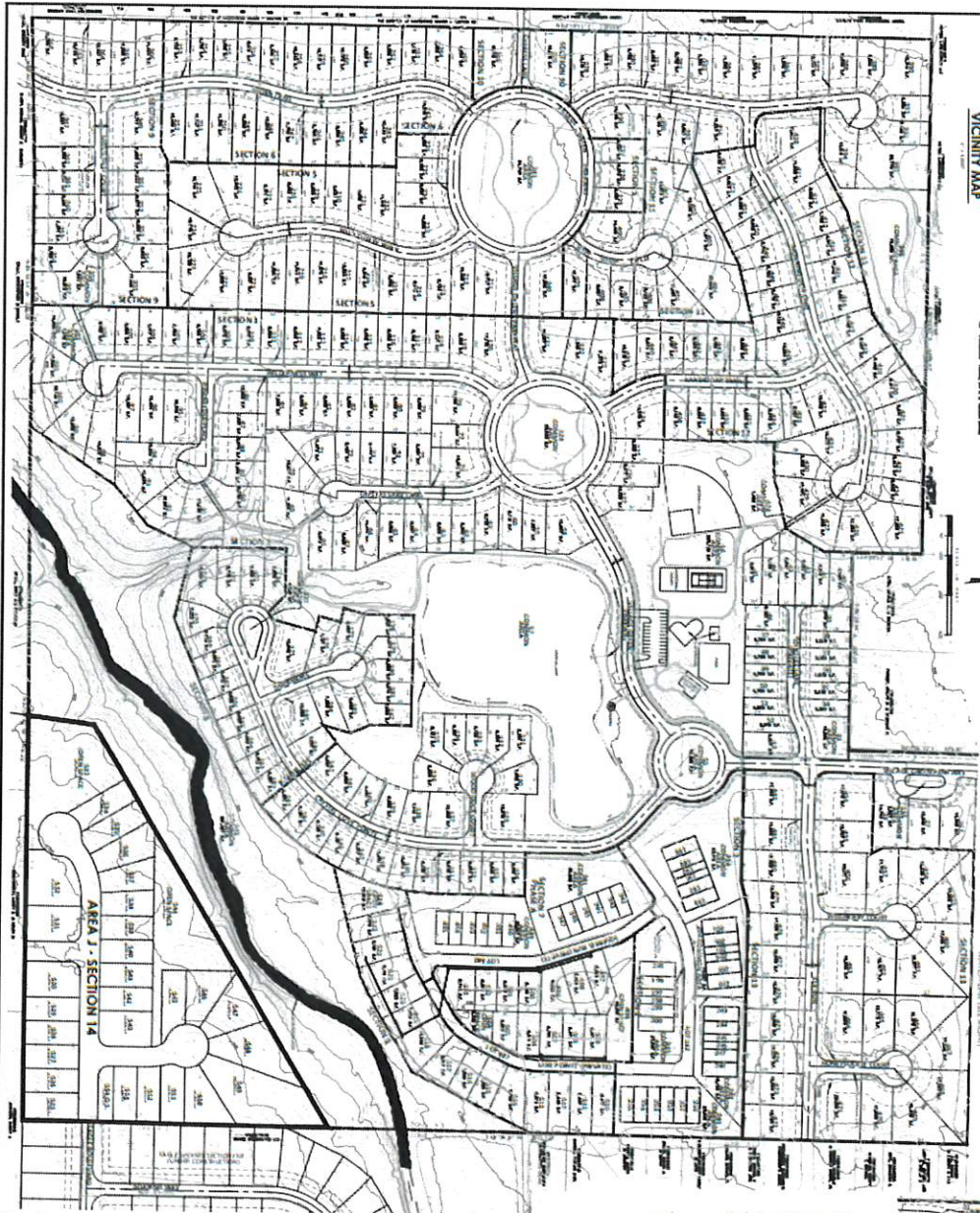
Zoning Commission Recommendation – APPROVAL subject to the following conditions:

- **Compliance with the Hamilton Township Zoning Code, except for the modifications in the Villages of Hopewell Planned Unit Development Standards and Policies set forth in Resolution #96-414.**
- **Compliance with the 10 recommendations from Warren County Regional Planning Commission (RPC) (conditions are listed below).**
 - 1) All plans and proposals of the applicant shall be made conditions of approval unless modified by one of the following conditions.
 - 2) Compliance with the Warren County Subdivision Regulations, Hamilton Township Zoning Code, PUD Standards, and the PUD Stage 1 approval conditions.
 - 3) The road Right-Of-Way design shall receive approval from the Warren County Engineer's Office prior to Preliminary Plan submission.
 - 4) Sidewalks shall be on both sides of the street in accordance with Section: 416 Sidewalks of the Subdivision Regulations.
 - 5) Streetlighting shall comply with Section 417: Streets and Walkway Lighting in the Warren County Subdivision regulations.
 - 6) Review and approval of the stormwater management plan by the Warren County Engineer's Office.
 - 7) Submission of a traffic impact analysis if deemed necessary by the Warren County Engineer's Office. Any road improvements deemed necessary shall be installed by the developer.
 - 8) Compliance with the requirements of the Warren County Soil & Water Conservation District (SWCD). An earth disturbing permit shall be submitted to the SWCD before construction.
 - 9) Final Plat approval is contingent upon the platting and completion of Eagle Boulevard to the property line of the Village on the Green site.
 - 10) A Homeowners association shall be established to maintain the open space, landscaping, cluster mailbox units, and entryway signs.
- **Compliance with all Warren County Partner Organizations' Conditions.**

Site Aerial:



Village on the Green Full Plan:



UPSTREAM DRAINAGE AREA 1350 ACRES

WATERSHED MAP

OWNER / APPLICANT / DEVELOPER
 VILLAGE ON THE GREEN, LTD
 2753 MIDLAND AVE. SUITE 200
 CHICAGO, IL 60647
 (616) 407-1199

SECTION	AREA	ACRES	PERCENT	TOTAL
1	1.00	1.00	0.07	1.00
2	1.00	1.00	0.07	1.00
3	1.00	1.00	0.07	1.00
4	1.00	1.00	0.07	1.00
5	1.00	1.00	0.07	1.00
6	1.00	1.00	0.07	1.00
7	1.00	1.00	0.07	1.00
8	1.00	1.00	0.07	1.00
9	1.00	1.00	0.07	1.00
10	1.00	1.00	0.07	1.00
11	1.00	1.00	0.07	1.00
12	1.00	1.00	0.07	1.00
13	1.00	1.00	0.07	1.00
14	1.00	1.00	0.07	1.00
TOTAL	14.00	14.00	1.00	14.00

VILLAGE ON THE GREEN
 ON THE GREEN
 AREA J - SECTION 14

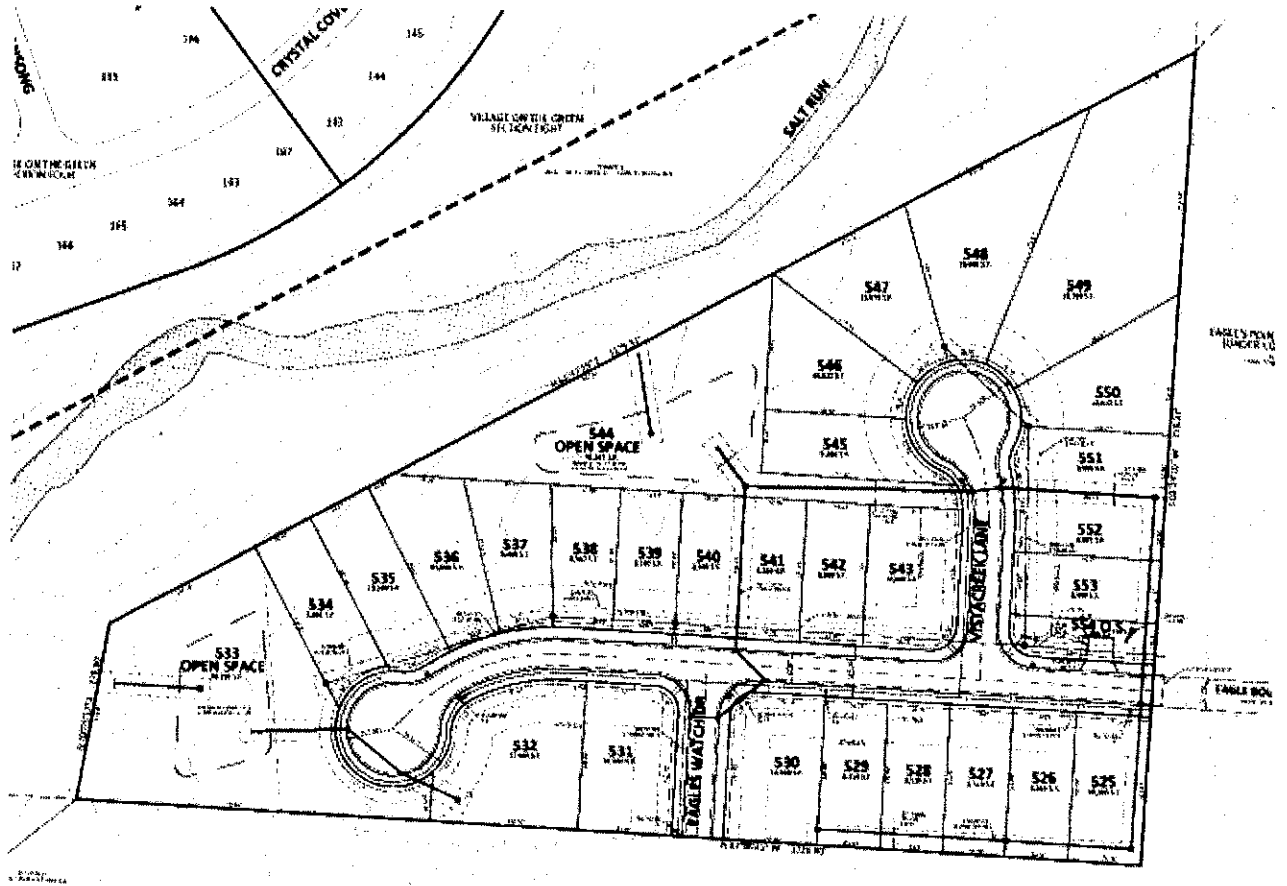
STAGE 2 & 3 PLAN

MSP

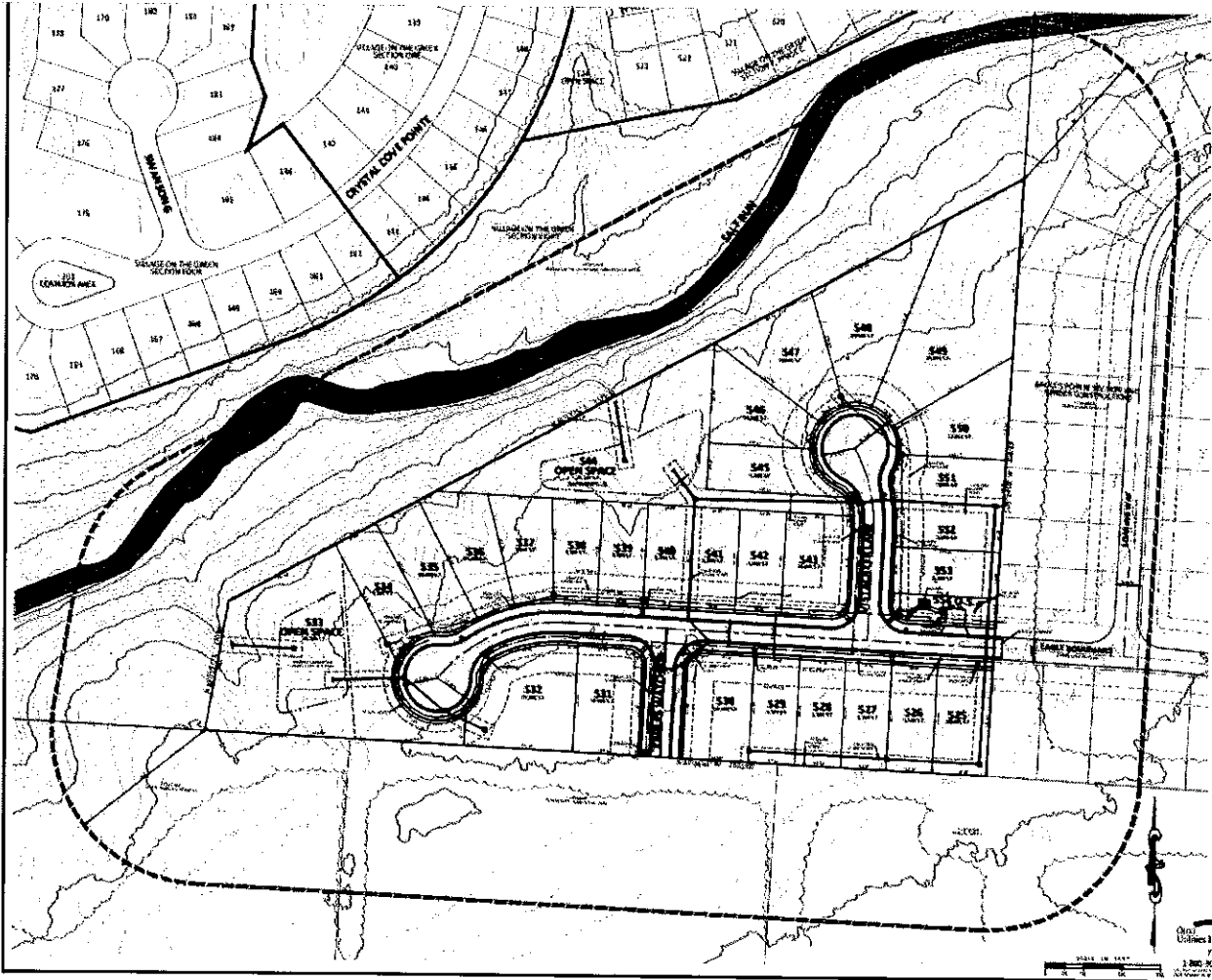
1,400' 00" 2734'

Site Plan:

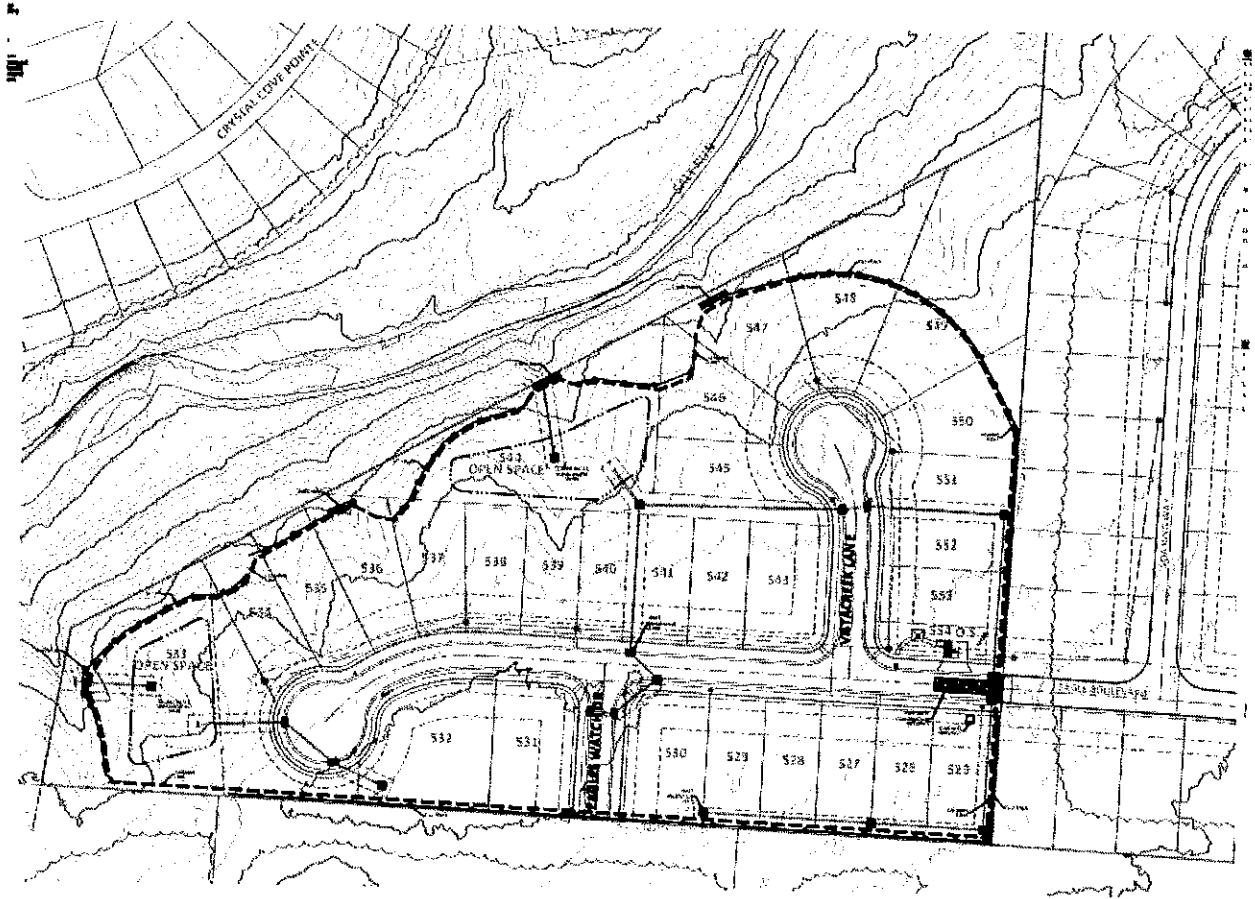
SITE PLAN



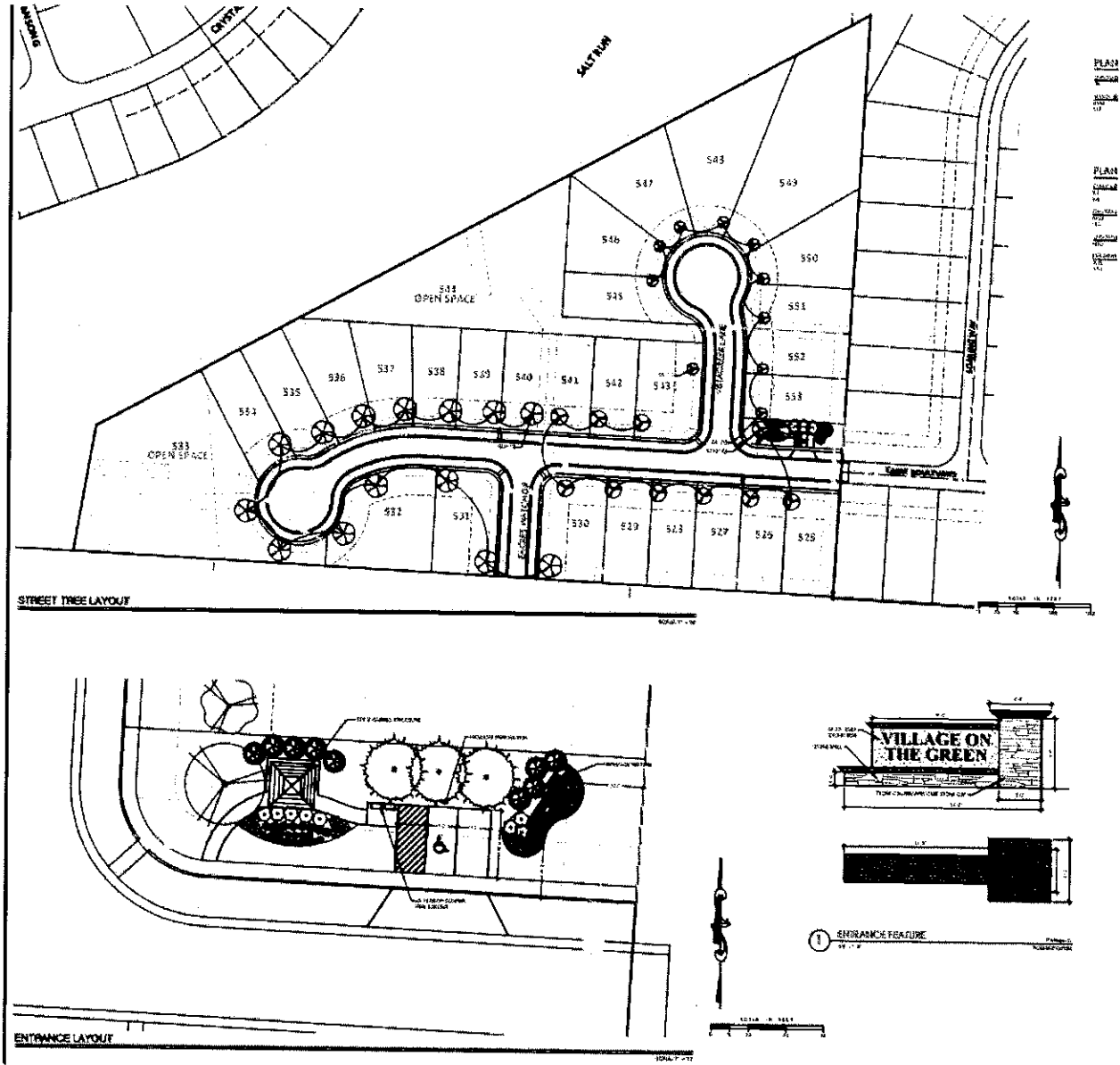
Site Plan (cont.):



Erosion Control Plan:



Landscape Plan:



PUD Plan Review Criteria:

From *Hamilton Township Zoning Code: 5. 5. 6. D:*

D. Review Criteria for PUD Final Site Plan

The following criteria shall be used in decisions regarding all phases of PUD final site plans:

- (1) The PUD final site plan shall substantially conform to the approved PUD preliminary site plan, including any revisions or conditions of approval by the board of township trustees.
- (2) All necessary legal documentation relating to the incorporation of a home owners or property owners association for residential PUDs, or other similar associations for nonresidential PUDs, and copies of any restrictive covenants or agreements that are to be recorded, have been submitted and approved as part of the PUD final site plan. Such legal documentation shall demonstrate how the common open space will be maintained over the life of the development.

Partner Organization Comments:

Warren County Engineer's Office Conditions

- Staff is not aware of any conditions at this time

Warren County Soil & Water Conservation District

- Staff is not aware of any conditions at this time; however, an Earth Disturbing Permit will be required.

Warren County Water & Sewer Department

- Staff is not aware of any comments at this time

LEGISLATIVE COVER MEMORANDUM

Introduction: September 1, 2021

Effective Date: Next available date

Agenda Item: **Motion**
Adopting a Hamilton Township Parking Code and codifying said code into Chapter 4: Zoning Districts and Use Regulations in the Hamilton Township Zoning Code

Submitted By: Brent Centers

Scope / Description: Detailed description by Hamilton Township Law Director at presentation of legislation.

Supporting documentation:

1. Hamilton Township Zoning Code – Chapter 4 (current)
2. O.R.C. 4511.68 Parking prohibitions
3. O.R.C. 4521.02 Local option to create noncriminal traffic violations; enforcement
4. O.R.C. 505.17 Noise control, regulation for vehicle parking; snow emergency authorization; vehicle in violation may be stored; disposition of fines

Budget Impact: \$0

Vote Required for Passage: 2 of 3

HAMILTON TOWNSHIP PARKING CODE

Chapter 1. General Provisions

1.1. Title

This parking code shall be known and be may be cited as the “Hamilton Township, Warren County, Ohio Residential Parking Code”, and may be referred to herein as the “Parking Code” or the “Code”.

1.2 Purpose

This Code is enacted pursuant to Hamilton Township’s authority under the Ohio Revised Code, including but not limited to R.C. 505.17, to regulate the parking of vehicles and placement of storage containers in and around the public right-of-way in the unincorporated territory of the Township. The purpose of this Code is to promote the public health, safety, morals, comfort, prosperity and general welfare.

1.3 Jurisdiction

The provisions of the Parking Code shall apply to all public rights-of-way located within the unincorporated areas of Hamilton Township, Warren County, Ohio.

1.4 Interpretation and Conflicts

1.4.1 Unless otherwise set forth herein, terms used within this Code shall be defined in accordance with the definitions assigned to the same terms in the Hamilton Township Zoning Code, and the same principles of interpretation applicable to the Zoning Code shall be similarly applicable to the Parking Code.

1.4.2 This Code is intended to be consistent and harmonious with other applicable laws, including but not limited to the provisions of the Ohio Revised Code, the Township Zoning Code and the resolutions of the Hamilton Township Board of Trustees.

1.4.3 If any provision of the Parking Code is inconsistent with another provision herein or any provision set forth in the Township Zoning Code, the more restrictive provision shall govern. To the extent possible, all provisions of this Code shall be interpreted in a manner compliant with the Ohio Revised Code.

1.5 Relationship with Private-Party Agreements

1.5.1 This Parking Code is not intended to interfere with or abrogate any third-party private agreements, including but not limited to easements, covenants or other legal agreements between third parties. However, wherever this Code imposes a greater restriction than those imposed by a third-party private agreement upon the parking of vehicles, placement of

storage containers or other use of the public rights-of-way, the provisions of this Code shall govern.

- 1.5.2 In no case shall the Township be obligated to enforce the provisions of any easements, covenants or agreements between private parties, nor shall the Township be held liable for any violation of any easements, covenants or agreements between private parties, by virtue of this Parking Code or otherwise.

Chapter 2 General Street Parking Regulations

- 2.1 Vehicle parking shall be limited to the non-fire hydrant side of any right-of-way that is less than twenty-four (24) feet wide.
- 2.2 Vehicle parking is prohibited within one hundred (100) feet from any point of ingress or egress of a Township fire or police station.
- 2.3 Vehicle parking is prohibited within ten (10) feet of any fire hydrant.
- 2.4 No vehicle shall be parked in any public right-of-way for a period longer than seventy-two (72) consecutive hours without the express permission of the Hamilton Township Police Chief.
- 2.5 Vehicle parking is prohibited within twenty (20) feet of any roundabout or other similar traffic control terminus.
- 2.6 No dumpster, trailer, storage container or other portable container shall be placed in the right-of-way for any length of time except with the express permission of the Township, as evidenced by a zoning certificate lawfully issued in accordance with the Township Zoning Code.
- 2.7 The parking of any vehicle or placement of any dumpster, trailer, storage container or other portable container shall be prohibited in any area designated as a fire lane.

Chapter 3 Residential Street Parking Regulations

- 3.1 No vehicle shall be parked on any portion of the right-of-way abutting private property for a period longer than seventy-two (72) consecutive hours without the abutting property owner's express consent to such parking.
- 3.2 Vehicle parking is prohibited in the cul-de-sac portion of any right-of-way.

Chapter 4 Snow Emergencies

4.1 Declared Snow Emergencies

- 4.1.1 The provisions of Chapter 4 of this Code shall apply during any snow emergency declared by the Township. For the purposes of this Code, a "Snow Emergency" is hereby defined as the period of time during which two (2) or more inches of snow or ice has accumulated, or is expected to accumulate, within the unincorporated area of Hamilton Township, such that the Township has determined road conditions within its unincorporated territory have become, or are likely to become, hazardous for vehicular travel.
- 4.1.2 The Hamilton Township Administrator, or his designee in the Administrator's absence, is hereby authorized to declare a Snow Emergency within the Township's unincorporated territory. The Hamilton Township Administrator, or his designee in the Administrator's absence, is hereby further authorized to cancel a declared Snow Emergency within the Township's unincorporated territory upon the Administrator's conclusion that road conditions have improved and are no longer hazardous for vehicular travel.
- 4.1.3 An order declaring a Snow Emergency shall become effective two (2) hours after it has been announced by the Township to the local news media. The Snow Emergency shall continue in full force and effect until the same is canceled by the Township upon announcement of such cancellation to the local news media.

4.2 Parking During Declared Snow Emergencies

- 4.2.1 Parking of all vehicles shall be prohibited during a Snow Emergency in any right-of-way within the unincorporated territory of Hamilton Township on which traffic control devices compliant with R.C. 4511.09 are displayed.
- 4.2.2 To the extent possible, all dumpsters, trailers, storage containers and other portable containers shall be immediately removed from the right-of-way upon the announcement of a Snow Emergency, and the same shall not be returned to the right-of-way until the cancellation of the Snow Emergency.
- 4.2.3 No vehicle shall be parked, or any dumpster, trailer, storage container or other portable container placed, in or around the right-of-way while a Snow Emergency is in effect in a manner which impedes or obstructs the Township's provision of emergency or weather-related services.

Chapter 5 Enforcement and Penalties

5.1 Enforcement Action

- 5.1.1 Each and every officer of the Hamilton Township Police Department shall be empowered to enforce this Code and shall be considered an "Enforcing Officer" for the purposes of this Code. Enforcing Officers are authorized to take any and all enforcement action necessary to carry out the spirit and intent of this Code, including but not limited to issuing orders and citations to prevent and stop violations of the Code.

5.1.2 Whenever an Enforcing Officer determines that a violation of this Code has occurred, the Enforcing Officer may issue a citation to the owner of the offending vehicle or object, and/or any other person responsible for such violation, ordering the violation be remedied. For the purposes of this Code, a "person" shall be deemed to include any individual, firm, corporation or other entity.

5.1.3 A "Citation" for any violation of this Code shall:

- A.** Be in writing;
- B.** Identify the Code violation;
- C.** Include a brief statement as to why the Citation is being issued;
- D.** State the applicable penalty and fine for such violation; and
- E.** State the date, time and manner on and in which the person may pay the applicable fine or otherwise answer the Citation.

5.1.4 Service of a Citation shall be as follows:

- A.** By personal delivery to, or by leaving the Citation at the usual place of residence of, the owner of the offending vehicle or object, and/or any other person responsible for such violation;
- B.** By certified mail, return receipt requested, addressed to the owner of the offending vehicle or object, and/or any other person responsible for such violation (service to be deemed complete upon mailing); or
- C.** By posting a copy of the Citation in a conspicuous place on the offending vehicle or object.

5.1.5 Nothing herein restricts or prohibits an Enforcing Officer from issuing a warning with respect to any violation of this Code, in the Enforcing Officer's discretion. The warning shall state the time within which the violation must be remedied in order to avoid a Citation for the violation.

5.2 Penalties and Fines

5.2.1 Any person who violates any provision of this Code, or otherwise fails to obey any lawful order of an Enforcing Officer issued pursuant hereto, shall be deemed guilty of a minor misdemeanor.

5.2.2 Any person who violates any provision of this Code shall be subject to a fine in the amount of:

- A. \$135 if the violation pertains to unauthorized parking in a fire lane; or
- B. \$120 for any other violation of this Code.

5.2.3 Nothing in this Code shall be interpreted as limiting Hamilton Township's available remedies with respect to a Code violation. Hamilton Township's election to pursue a particular remedy shall not preclude the Township from pursuing a different or additional remedy or action to enjoin, restrain, correct, abate or remedy a violation of this Code.

5.3 Towing and Impoundment of Offending Vehicles

5.3.1 An Enforcing Officer shall be authorized to order the towing and storage of any vehicle parked in a manner which violates any provision of this Code. The vehicle shall be towed and impounded by a person of Hamilton Township's choosing.

5.3.2 The owner of a vehicle towed and/or impounded pursuant to this Code shall be responsible for all costs and expenses associated with the tow and impoundment.

5.3.3 A vehicle impounded pursuant to this Code shall be released to its lawful owner upon the owner's presentation of documents establishing his lawful ownership of the vehicle, and full payment of all costs and expenses associated with the vehicle's tow and impoundment. Proof of ownership of a vehicle may be shown by the presentation of a certificate of title to the vehicle.

5.3.4 Neither Hamilton Township nor any of its officials, officers, employees, representatives, agents or contractors shall be responsible for any damage or injury to any vehicle towed and/or impounded pursuant to this Code.

4.10.2. Permitted Temporary Uses and Structures

Table 4-7: Temporary Uses and Structures summarizes allowed temporary uses and structures and any general or specific standards that apply. Temporary uses or structures not listed in the table are prohibited.

TABLE 4-7: TEMPORARY USES AND STRUCTURES

TEMPORARY USE OR STRUCTURE	ALLOWABLE DURATION (PER SITE)	ZONING CERTIFICATE REQUIRED	ADDITIONAL REQUIREMENTS
Construction Dumpster	For construction use – Until issuance of a certificate of occupancy by the building department. For use during temporary cleaning, clearing, or renovations - 60 days per calendar year	No	See 4.10.3.B
Construction Office or Trailer	Until issuance of a certificate of occupancy by the building department	Yes	See 4.10.3.C
Gravel Surface Parking Lots	Until issuance of a certificate of occupancy by the building department	No	
Real Estate Sales/Model Homes	While lots are for sale	Yes	See 4.10.3.D
Seasonal Agricultural Sales	120 days per calendar year	Yes	See 4.10.3.E
Temporary Housing During Construction	See 4.10.3.F	Yes	See 4.10.3.F
Temporary Special Events	See 4.10.3.G	Yes	See 4.10.3.G
Temporary Storage During Construction	See 4.10.3.H	Yes	See 4.10.3.H
Temporary Storage in a Portable Container	Maximum of 14 consecutive days	Yes	See 4.10.3.I
Temporary Structure for Public or Institutional Uses	3 years	Yes	See 4.10.3.J

4.10.3. Temporary Use and Structure Standards

A. General Standards

- (1) All temporary uses or structures shall be reviewed in accordance with this section and all other applicable sections of this zoning code.
- (2) All temporary uses or structures shall:
 - (a) Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
 - (b) Be compatible with the principal uses taking place on the site;
 - (c) Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
 - (d) Not include permanent alterations to the site;

- (e) Not maintain temporary signs associated with the use or structure after the activity ends;
- (f) Not violate the applicable conditions of approval that apply to a site or use on the site;
- (g) Not interfere with the normal operations of any permanent use located on the property; and
- (h) Contain sufficient land area to allow the temporary use, structure, or special event to occur, as well as adequate land to accommodate the parking and traffic movement.

B. Construction Dumpsters

Temporary trash receptacles or dumpsters shall be located outside public rights-of-way and shall comply with the following standards:

- (1) Not be located within a floodplain or otherwise obstruct drainage flow; and
- (2) Not be placed within five feet of a fire hydrant or within a required landscaping area that has already been constructed.

C. Construction Office or Trailer

One trailer used as a temporary construction office within a subdivision or nonresidential development which is being developed provided:

- (1) The subdivision shall be at least five acres. No minimum is established for nonresidential construction sites.
- (2) A zoning certificate has been issued for the placement of the trailer within the subdivision or development site.
- (3) The trailer is incidental to and located within the subdivision or site that is subject to development.
- (4) The placement of the trailer shall conform to all setback requirements for the district in which it is located. In no case shall the trailer be located in the public right-of-way or in proposed or completed roadways.
- (5) Only one such trailer shall be permitted for each phase of development of the subdivision or nonresidential development.
- (6) The trailer shall have a parking area with a minimum of one parking space and one additional parking space for each employee within the trailer.
- (7) The parking area will be surfaced with gravel and the entrance/exit to the parking area shall be paved. This requirement may be waived by the zoning inspector for good cause shown.
- (8) All doors and entries to the trailer shall be secured and lighted as required by the zoning inspector.
- (9) Sales activity shall not be conducted at or within the trailer but only such activities as may be related to the development of the subdivision or nonresidential site shall be permitted.

- (10) A sketch plan shall be submitted to the zoning inspector showing the dimensions of the lot or other land upon which the trailer is located and showing compliance with other location requirements of this subsection.
- (11) The trailer shall be removed when 75 percent of the lots within the phase of development have been developed.
- (12) A deposit is made with Hamilton Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the trailer.

D. Real Estate Sales Office

One temporary sales office or trailer is permitted in a residential district provided:

- (1) The subdivision shall consist of at least five acres.
- (2) A zoning certificate has been issued for the placement of the trailer within the subdivision.
- (3) The trailer is incidental to and located within the subdivision subject to development.
- (4) The trailer may not be placed within the subdivision until an application for construction of a model home within the subdivision has been issued. In no case shall the trailer be located in the public right-of-way, or in proposed or completed roadways. The trailer shall be removed upon completion of the model home.
- (5) Placement of the trailer shall conform to all the setback requirements for the district, which it is located.
- (6) Only one such trailer shall be permitted in a subdivision.
- (7) The trailer shall have a parking area with a minimum of four parking spaces and one additional parking space for each employee who works within the trailer.
- (8) The entrance to the parking area shall be from an interior street within the subdivision.
- (9) The parking area will be surfaced with gravel and the entrance/exit to the parking area shall be paved. This requirement may be waived by the zoning inspector for good cause shown.
- (10) All doors and entries to the trailer shall be secured and lighted as required by the zoning inspector.
- (11) Only one wall sign which is attached to the trailer shall be permitted. The sign shall not exceed 32 square feet in size.
- (12) A sketch plan is submitted to the zoning inspector setting forth the dimensions of the lot or other land within the subdivision upon which the trailer is placed and in compliance with the location requirements of this subsection.
- (13) A deposit is made with Hamilton Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the trailer.

E. Seasonal Agricultural Sales

Seasonal agricultural sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, may be permitted in accordance with the following standards:

(1) Location

- (a)** The property contains an area not actively used that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking space availability.
- (b)** The display or storage of goods for sale shall not occur within the public right-of-way, or within 200 feet of a dwelling.

(2) Range of Goods Limited

The range of goods or products available for sale shall be limited to non-processed products obtained primarily through farming or agricultural activities, including, but not necessarily limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, and firewood; bees and beekeeping products; seafood; and dairy products.

(3) Hours of Operation

The hours of operation of the seasonal sale of agricultural products shall be from 7:30 a.m. to 10:00 p.m., or the same hours of operation as a principal use on the same lot, whichever is more restrictive.

F. Temporary Housing During Construction

A zoning certificate shall be issued for temporary housing on the lot on which a building is being erected provided:

- (1)** A building permit has been issued for construction of a residence on the same lot or tract of ground, and that actual construction has commenced before the temporary housing is placed on the property.
- (2)** The temporary housing shall be located behind the residence site.
- (3)** Before occupying the temporary housing it shall be connected to the sewage disposal system required for the residence under construction.
- (4)** The electrical service for the temporary housing shall meet the requirements of the applicable building codes.
- (5)** The temporary housing shall be securely anchored to the ground.
- (6)** A safe and substantial set of entrance steps of steel, wood or concrete shall be installed.
- (7)** A deposit is made with Hamilton Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the temporary housing is permanently removed. Should the temporary housing not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the trailer.
- (8)** The temporary housing may be occupied for a period of six months and an additional six month period if the zoning inspector and the Warren County building inspector are

satisfied that work is progressing and additional time is required for completion of the residence. Occupancy of the temporary housing will not be permitted for longer than one year.

- (9) The temporary housing must be vacated and its sewer and electrical connection removed within 30 days after the residence is approved for occupancy or at the end of one year, whichever occurs first, at which time the temporary housing shall either be removed from the premises, or located on the premises in accordance with [Section 7.9 Parking of Recreational and Commercial Vehicles](#).

G. Temporary Special Events

- (1) A zoning certificate for temporary special events such as festivals, circuses, concerts, and similar uses shall only be required if tents or structures are required on the applicable lot where the event will occur.
- (2) The zoning certificate shall be valid for no more than two weeks provided the event meets the following conditions:
 - (a) For a lot that is zoned residentially or that is within 500 feet of a residential zoning district, there shall be a limit of two temporary special events per lot, per calendar year.
 - (b) The applicant receives other applicable permits from the Warren County Building Department and the Hamilton Township Fire and Rescue Department.
 - (c) The plans receive approval by the Hamilton Township Police Department for the purposes of protecting the public safety.
- (3) Temporary tents for outdoor sales may be permitted for a 14-day period once every 90 days.
- (4) Buildings and structures for circuses, carnivals, or similar transient enterprises shall be located a minimum of 500 feet from any residential district.

H. Temporary Storage During Construction

One trailer used as a temporary storage of tools and materials used for construction is permitted on a lot on which a building is being constructed provided:

- (1) A building permit has been issued for the construction of a residence on the same lot or tract of land upon which the trailer is situated and actual construction has commenced.
- (2) A zoning certificate has been issued for the placement of the trailer on the lot or other tract of ground.
- (3) The placement of the trailer shall comply with the front and side yard setback requirements for the district within which it is placed.
- (4) A sketch plan is submitted to the zoning inspector showing the dimensions of the property upon which the trailer is to be placed with front, side and rear lot dimensions and showing compliance with the location requirements of this subsection.
- (5) The trailer may remain for a period of one year from the date of issuance of the zoning certificate. Upon application to the zoning inspector, the trailer may remain an additional period of six months provided that the construction of the residence is progressing and additional time is required for completion of the residence.

- (6) A deposit is made with Hamilton Township in an amount set forth upon the Hamilton Township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the required time period set, then the township may apply the deposit to defray the cost of removing the trailer.

I. Temporary Storage in a Portable Shipping Container

Storage containers that are loaded with materials and placed on a property for the purpose of temporarily storing materials are permitted with the following regulations:

- (1) Portable storage containers shall be kept in the driveway of the property at the furthest accessible point from the street. The location of the portable storage container on a driveway shall not obstruct visibility nor block the sidewalk. If no driveway is present, approval from the zoning inspector for the placement of the portable storage container prior to its delivery is required.
- (2) Only one portable storage container shall be placed at any residential property at one time.
- (3) The zoning inspector, upon good cause shown, may approve a one-time extension of the zoning certificate for an additional 14 days. Portable storage containers shall not be located on any parcel for a period exceeding 28 days per calendar year.

J. Temporary Structures for Public or Institutional Uses

Temporary structures serving public or institutional uses shall comply with the following standards:

(1) Location

- (a) The use shall be located to the side or rear of the principal structure(s) and at least five feet from any other structure.
- (b) The use shall not be permitted within required off-street parking spaces, required open space areas, or required landscaping areas.

(2) Standards

- (a) Under skirting or other materials shall be used to prevent unauthorized access underneath the structure.
- (b) Parking shall be provided for the temporary structure in conformance with [Section 7.4 Off-Street Parking Regulations](#).

(3) Approval and Duration

This use is permitted if approved by the zoning inspector, and may remain on the site for no more than three years. This period may be renewed for two additional years, for good cause shown, upon approval of a written request, submitted to the zoning inspector at least 30 days prior to the expiration of the zoning certificate. In no event, however, shall such extensions allow the temporary structure to remain on the site for more than five years.

Baldwin's Ohio Revised Code Annotated
Title XLV. Motor Vehicles--Aeronautics--Watercraft
Chapter 4511. Traffic Laws--Operation of Motor Vehicles (Refs & Annos)
Parking

R.C. § 4511.68

4511.68 Parking prohibitions

Effective: April 15, 2021

[Currentness](#)

(A) No person shall stand or park a trackless trolley or vehicle, except when necessary to avoid conflict with other traffic or to comply with [sections 4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code](#), or while obeying the directions of a police officer or a traffic control device, in any of the following places:

- (1) On a sidewalk, except as provided in division (B) of this section;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within ten feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within twenty feet of a crosswalk at an intersection;
- (7) Within thirty feet of, and upon the approach to, any flashing beacon, stop sign, or traffic control device;
- (8) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic control device;
- (9) Within fifty feet of the nearest rail of a railroad crossing;
- (10) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet of the entrance when it is properly posted with signs;
- (11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;

(12) Alongside any vehicle stopped or parked at the edge or curb of a street;

(13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel;

(14) At any place where signs prohibit stopping;

(15) Within one foot of another parked vehicle;

(16) On the roadway portion of a freeway, expressway, or thruway.

(B) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than one hundred fifty cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of [section 4511.711 of the Revised Code](#).

(C) Except as otherwise provided in this division, whoever violates division (A) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.


CREDIT(S)

(2020 H 295, eff. 4-15-21; 2018 H 250, eff. 3-8-19; 2014 S 194, eff. 6-2-14; 2002 S 123, eff. 1-1-04; 130 v S 70, eff. 8-5-63; 1953 H 1; GC 6307-66)

Notes of Decisions (14)

R.C. § 4511.68, OH ST § 4511.68

Current through Files 29, 30 (immediately effective Revised Code sections only), and 31 to 47 of the 134th General Assembly (2021-2022).

 KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

Baldwin's Ohio Revised Code Annotated
Title XLV. Motor Vehicles--Aeronautics--Watercraft
Chapter 4521. Local, Noncriminal Parking Infractions (Refs & Annos)

R.C. § 4521.02

4521.02 Local option to create noncriminal traffic violations; enforcement

Currentness

(A) A local authority that enacts any ordinance, resolution, or regulation that regulates the standing or parking of vehicles and that is authorized pursuant to section 505.17 or 4511.07 of the Revised Code also by ordinance, resolution, or regulation may specify that a violation of the regulatory ordinance, resolution, or regulation shall not be considered a criminal offense for any purpose, that a person who commits the violation shall not be arrested as a result of the commission of the violation, and that the violation shall be handled pursuant to this chapter. If such a specification is made, the local authority also by ordinance, resolution, or regulation shall adopt a fine for a violation of the regulatory ordinance, resolution, or regulation and prescribe an additional penalty or penalties for failure to answer any charges of the violation in a timely manner. In no case shall any fine adopted or additional penalty prescribed pursuant to this division exceed the fine established by the municipal or county court having territorial jurisdiction over the entire or a majority of the political subdivision of the local authority, in its schedule of fines established pursuant to Traffic Rule 13(C), for a substantively comparable violation. Except as provided in this division, in no case shall any fine adopted or additional penalty prescribed pursuant to this division exceed one hundred dollars, plus costs and other administrative charges, per violation.

If a local authority chooses to adopt a specific fine for a violation of an ordinance, resolution, or regulation that regulates the standing or parking of a vehicle in a disability parking space, the fine the local authority establishes for such offense shall be an amount not less than two hundred fifty dollars but not more than five hundred dollars.

(B) A local authority that enacts an ordinance, resolution, or regulation pursuant to division (A) of this section also may enact an ordinance, resolution, or regulation that provides for the impoundment or immobilization of vehicles found standing or parked in violation of the regulatory ordinance, resolution, or regulation and the release of the vehicles to their owners. In no case shall an ordinance, resolution, or regulation require the owner of the vehicle to post bond or deposit cash in excess of one thousand dollars in order to obtain release of the vehicle.

(C) A local authority that enacts any ordinance, resolution, or regulation pursuant to division (A) of this section also shall enact an ordinance, resolution, or regulation that specifies the time within which a person who is issued a parking ticket must answer in relation to the parking infraction charged in the ticket.

CREDIT(S)

(2004 H 30, eff. 3-23-05; 1983 H 31, eff. 5-4-83; 1982 H 707)

Notes of Decisions (5)

R.C. § 4521.02, OH ST § 4521.02

Current through Files 29, 30 (immediately effective Revised Code sections only), and 31 to 47 of the 134th General Assembly (2021-2022).

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Baldwin's Ohio Revised Code Annotated
Title V. Townships
Chapter 505. Trustees (Refs & Annos)
Organization, Powers, and Duties (Refs & Annos)

R.C. § 505.17

505.17 Noise control; regulations for vehicle parking; snow-emergency authorization; vehicle in violation may be stored; disposition of fines

Effective: September 29, 2011

[Currentness](#)

(A) Except in a township or portion of a township that is within the limits of a municipal corporation, the board of township trustees may make regulations and orders as are necessary to control passenger car, motorcycle, and internal combustion engine noise, as permitted under [section 4513.221 of the Revised Code](#), and all vehicle parking in the township. This authorization includes, among other powers, the power to regulate parking on established roadways proximate to buildings on private property as necessary to provide access to the property by public safety vehicles and equipment, if the property is used for commercial purposes, the public is permitted to use the parking area, and accommodation for more than ten motor vehicles is provided, and the power to authorize the issuance of orders limiting or prohibiting parking on any township street or highway during a snow emergency declared pursuant to a snow-emergency authorization adopted under this division. All such regulations and orders shall be subject to the limitations, restrictions, and exceptions in [sections 4511.01 to 4511.76](#) and [4513.02 to 4513.37 of the Revised Code](#).

A board of township trustees may adopt a general snow-emergency authorization, which becomes effective under division (B) (1) of this section, allowing the president of the board or some other person specified in the authorization to issue an order declaring a snow emergency and limiting or prohibiting parking on any township street or highway during the snow emergency. Any such order becomes effective under division (B)(2) of this section. Each general snow-emergency authorization adopted under this division shall specify the weather conditions under which a snow emergency may be declared in that township.

(B)(1) All regulations and orders, including any snow-emergency authorization established by the board under this section, except for an order declaring a snow emergency as provided in division (B)(2) of this section, shall be posted by the township fiscal officer in five conspicuous public places in the township for thirty days before becoming effective, and shall be published in a newspaper of general circulation in the township for three consecutive weeks or as provided in [section 7.16 of the Revised Code](#). In addition to these requirements, no general snow-emergency authorization shall become effective until permanent signs giving notice that parking is limited or prohibited during a snow emergency are properly posted, in accordance with any applicable standards adopted by the department of transportation, along streets or highways specified in the authorization.

(2) Pursuant to the adoption of a snow-emergency authorization under this section, an order declaring a snow emergency becomes effective two hours after the president of the board or the other person specified in the general snow-emergency authorization makes an announcement of a snow emergency to the local news media. The president or other specified person shall request the local news media to announce that a snow emergency has been declared, the time the declaration will go into effect, and whether the snow emergency will remain in effect for a specified period of time or indefinitely until canceled by a subsequent announcement to the local news media by the president or other specified person.

(C) Such regulations and orders may be enforced where traffic control devices conforming to [section 4511.09 of the Revised Code](#) are prominently displayed. Parking regulations authorized by this section do not apply to any state highway unless the parking regulations are approved by the director of transportation.

(D) A board of township trustees or its designated agent may order into storage any vehicle parked in violation of a township parking regulation or order, if the violation is not one that is required to be handled pursuant to Chapter 4521. of the Revised Code. The owner or any lienholder of a vehicle ordered into storage may claim the vehicle upon presentation of proof of ownership, which may be evidenced by a certificate of title to the vehicle, and payment of all expenses, charges, and fines incurred as a result of the parking violation and removal and storage of the vehicle.

(E) Whoever violates any regulation or order adopted pursuant to this section is guilty of a minor misdemeanor, unless the township has enacted a regulation pursuant to [division \(A\) of section 4521.02 of the Revised Code](#), that specifies that the violation shall not be considered a criminal offense and shall be handled pursuant to Chapter 4521. of the Revised Code. Fines levied and collected under this section shall be paid into the township general revenue fund.

CREDIT(S)

(2011 H 153, eff. 9-29-11; 2005 S 107, eff. 12-20-05; 1988 H 113, eff. 6-20-88; 1986 H 131; 1982 H 707; 1980 S 257; 1973 H 300, H 200; 1953 H 1; GC 3287)

Notes of Decisions (7)

R.C. § 505.17, OH ST § 505.17

Current through Files 29, 30 (immediately effective Revised Code sections only), and 31 to 47 of the 134th General Assembly (2021-2022).