

**HAMILTON TOWNSHIP BOARD OF TRUSTEES  
WARREN COUNTY OHIO**

RESOLUTION: NUMBER 14-0903 DATED SEPTEMBER 3, 2014

A RESOLUTION APPROVING THE TEXT AMENDMENT UPDATES, REVISIONS AND CHANGES TO THE HAMILTON TOWNSHIP ZONING CODE AS SHOWN IN THE FEBRUARY, 2014 DRAFT COPY AND ATTACHED TO THIS RESOLUTION AS "EXHIBIT A" AND FURTHER AMENDED BY "EXHIBIT B" DATED SEPTEMBER 3, 2014.

WHEREAS, Public hearings were conducted on August 12, 2013 and September 9, 2013 by the Hamilton Township Zoning Commission and on December 9, 2013 by the Warren County Regional Planning Commission, and on February 10, 2014 by the Hamilton Township Zoning Commission and on April 2, 2014 and September 3, 2014 by the Hamilton Township Trustees at which time Resolution 14-0903 was approved.

WHEREAS, after hearing all persons desiring to be heard and with respect to the above referenced zoning amendment, and upon closing of the hearing on the 3<sup>rd</sup> day of September, 2014 and upon consideration and the recommendations of the Warren County Regional Planning Commission and the recommendations of the Hamilton Township Zoning Commission,

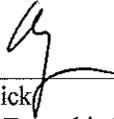
THEREFORE BE IT RESOLVED, that the Hamilton Township Board of Trustees does approve the text amendment updates, revision and changes to the Hamilton Township Zoning Code as shown in Attachment "Exhibit A" dated "February 2014" and "Exhibit B" dated September 3<sup>rd</sup>, 2014. The Trustees made further changes to Section 3.6.2, Section C, Subsection 4 of the Site Plan Review and changing the wording from Public Hearing to Public Meeting; Also, with an additional change to Section 4.8.2.b.7, Subsection C, Subsection iii omitting the word retention; Also, a parenthetical phrase changing OEPA to the State of Ohio or the Federal Government.

Kurt Weber moved for the adoption of the foregoing resolution, being seconded by Gene Duvelius.

Upon the call of role the vote resulted as:

Mr. Duvelius---Yes  
Mr. Wallace---Yes  
Mr. Weber---Yes

Resolution 14-0903 was approved this 3<sup>rd</sup> Day of September, 2014.

  
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Ray Warrick  
Hamilton Township Fiscal Officer

# EXHIBIT B

September 3, 2014

## 4. Section 4.5 Zoning District Purpose Statements

- *The currently adopted zoning code does not have Purpose Statements that define the intent for each of the zoning districts. The term “high quality” was included in an effort to generally describe the township’s desire to have “quality” housing and neighborhoods. MDC believes the term can be removed if the township finds the term overly vague.*

## 7. Section 4.8.2.A.7.(c).(iii). Regulations for Required Open Space – Active Open Space –

*MDC’s research indicates that wetland permitting can be through the State of Ohio or the federal government/United States Army Corps of Engineers. MDC concurs that retention ponds should be allowed to be counted as open space in this context. MDC recommends the following modification:*

- o **Land that is unusable or presents maintenance difficulties including, but not limited to, steep slopes over 40 percent grade, wetlands (as defined by OEPA the State of Ohio or the federal government), retention/detention ponds primarily used for stormwater management, areas within the 100 year flood plain, and other areas deemed unusable by the board of township trustees .**

## 16. Section 8.3.1. Landscaping Plan Requirements –*The provisions in this section generally reflect the currently adopted project area from Section 32.4. MDC recommends the following change:*

- o **“Landscaping plans shall be prepared by and/or certified by a design professional practicing landscape architect certified within the State of Ohio**

## 17. Section 8.3.2.E. Approval of Landscape Plan –*MDC recommends the following change:*

- o **“The township may seek professional advice from a landscape architect or licensed nurseryman other qualified professional in the review of the submitted plans.”**

## 19. Table 8-3 Minimum Interior Site Landscaping Requirements –

*The provisions in Table 8-3 reflect the currently adopted standards from Section 32.6 A.3. Based on early policy decisions from the township, it was determined that substantial changes were not desirable to the existing landscape regulations.*

*The existing provisions in Section 32.6 A.3. reference “living area or occupied area for all structures” and “building coverage”. MDC recommends replacing “floor area” with “ground floor area”.*

## 24. Section 9.2.3 and 9.2.4 Signs – Applicability –*MDC recommends the following change to Section 9.2.3 and no change to 9.2.4:*

- “No zoning certificate is required for the maintenance of a sign or for a change of copy on painted, printed or changeable copy signs.”

25. Section 9.4.4 A. and B. Sign Height *MDC recommends the following change to Section 9.4.4 A and B.:*

- “A. The height of a sign shall be computed as the distance from the average natural grade at the base of the sign or support structure to the top of the highest attached component of the sign.”
- “B. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the average natural grade, where the sign is to be located, prior to the addition of the sign.”

27. Section 9.9.4 F. Temporary Signs for Development/Construction –*MDC recommends removing Section 9.9.4 F.*