

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0001

Adopted Date January 02, 2024

APPOINT DAVID G. YOUNG AS PRESIDENT AND TOM GROSSMANN AS VICE
PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS

BE IT RESOLVED, to appoint David G. Young as President and Tom Grossmann as Vice
President of the Board of County Commissioners.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mrs. Jones.
Upon call of the roll, the following vote resulted:

Mr. Young – yea
Mrs. Jones – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/kp

cc: Commissioners' file
Department Heads and Agencies
Bruce McGary

Resolution

Number 24-0002

Adopted Date January 02, 2024

ESTABLISH MEETING DAYS AND TIMES FOR THE WARREN COUNTY BOARD OF COMMISSIONERS

BE IT RESOLVED, to establish Tuesday at 9:00 A.M. and the 2nd and 4th Thursday at 5:00 P.M. as the regular session meetings of the Board of County Commissioners, Warren County, Ohio; and


BE IT FURTHER RESOLVED, that regularly scheduled meetings on 2nd and 4th Thursday will only be held "as necessary" and are subject to cancellation; and

M. moved for adoption of the foregoing resolution being seconded by M. Upon call of the roll, the following vote resulted:

Mr. Young- yea
Mrs. Jones- yea
Mr. Grossman- yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

kp/

cc: Commissioners' file
Press

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0003

Adopted Date January 02, 2024

**RESOLUTION TO DESIGNATE THE OFFICIAL REPRESENTATIVE AND ALTERNATE
FOR THE PURPOSE OF VOTING AT THE ANNUAL MEETING OF THE COUNTY
COMMISSIONERS' ASSOCIATION OF OHIO IN 2024**

WHEREAS, Article IV, Section 6, of the Code of Regulations of the County Commissioners' Association of Ohio requires each member county to, for the purpose of voting at any annual or special meeting of the Association, designate an Official Representative and Alternate; and

WHEREAS, the designation of the Official Representative and Alternate for a county organized under the statutory form of county government shall be by resolution of the board of county commissioners; and

WHEREAS, in designating the Official Representative and Alternate only a member of the board of county commissioners is eligible to be designated as the Official Representative and Alternate;

NOW THEREFORE BE IT RESOLVED that Shannon Jones is designated as the Official Voting Representative of Warren County; and

BE IT FURTHER RESOLVED that Tom Grossmann, Vice President of the Board, is designated as the Alternate Voting Representative of Warren County.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – yea
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/kl

cc: CCAO (file)
Appointments file
Laura Lander

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0004

Adopted Date January 02, 2024

APPROVE APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES

BE IT RESOLVED, to approve the following appointments or reappointments:

WARREN COUNTY AIRPORT AUTHORITY

Robert Barnes
Mason, Ohio

Reappointment to expire December 31, 2025

Nick Sargent
Lebanon, Ohio

Reappointment to expire December 31, 2025

Kenneth C. Ross
Maineville, Ohio

Reappointment to expire December 31, 2025

Brian Trapp
Oregonia, Ohio

Reappointment to expire December 31, 2025

Mark Beatty
Oregonia, Ohio

Reappointment to expire December 31, 2025

Doug Koenig
Lebanon, Ohio

Reappointment to expire December 31, 2025

Jack DeBrunner
Cincinnati, Ohio

Reappointment to expire December 31, 2025

Mark Neubauer
Lebanon, Ohio

Reappointment to expire December 31, 2025

Greg Ciliberti
Loveland, Ohio

Reappointment to expire December 31, 2025

CHILD ABUSE AND NEGLECT PREVENTION REGIONAL ADVISORY BOARD

Amber Pleasant
Warren County Children Services

Appointment to expire March 7, 2025

Tricia Reyes
Dayton Childrens Hospital

Appointment to expire March 7, 2025

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Chief Jeff Mitchell (Alternate)
Lebanon Police Department

Reappointment to expire December 31, 2026

ENTERPRISE ZONE MANAGER

Candace Miller (to replace Martin Russell)
Warren County Economic Development

Term – Indefinite

FAMILY SERVICES PLANNING COMMITTEE

Susan Walther (replace Tiffany Zindel)
Deputy County Administrator

Term – Indefinite

Josh Hisle (replace Matt Fetty)
OhioMeansJobs

Term – Indefinite

Kevin Stevens (replace Kathy MacNeil)
Warren County Educational Service Center

Term – Indefinite

Darrico Murray (replace Amy Fomshell)
Safe on Main

Term – Indefinite

FLOOD DAMAGE PREVENTION VARIANCE BOARD

J. Timothy King
Mason, Ohio

Reappointment to expire December 31, 2030

William Schroeder
Maineville, Ohio

Reappointment to expire December 31, 2030

Dirk Morgan
Morrow, Ohio

Reappointment to expire December 31, 2030

OHIO PUBLIC WORKS COMMISSION (ISSUE 2) INTEGRATING COMMITTEE

Duncan McDonel
(to fill unexpired term of Sharon Coffman as alternate)
Warren County Regional Planning

Appointment to expire May 31, 2024

RECORDS COMMISSION & MICROFILM BOARD

Martin Russell (County Administrator)
(to replace Tiffany Zindel as alternate to Shannon Jones)

Term – Indefinite

REGIONAL PLANNING COMMISSION

Commissioner Tom Grossmann	Reappointment to expire December 31, 2024
Commissioner Shannon Jones	Reappointment to expire December 31, 2024
Martin Russell County Administrator	Alternate to above members
Susan Walther Deputy County Administrator	Alternate to above members

REHAB BOARD

Barney Wright	Reappointment to expire December 31, 2024
Matt Nolan	Reappointment to expire December 31, 2024
Gary Hubbs	Reappointment to expire December 31, 2024
Chris Brausch	Reappointment to expire December 31, 2024
Kurt Weber	Reappointment to expire December 31, 2024
Jim Aumann	Reappointment to expire December 31, 2024
Martin Russell	Appointment to expire December 31, 2024

RURAL ZONING BOARD OF APPEALS

Louis Hornberger Pleasant Plain, Ohio	Reappointment to expire December 31, 2028
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RURAL ZONING COMMISSION

Jeremy Magrum (replace Fred Grimm) Lebanon, Ohio	Appointment to expire December 31, 2028
Dan Jenkins (to fill unexpired term of James Gibbs) Lebanon, Ohio	Appointment to expire December 31, 2025

TAX INCENTIVE REVIEW COUNCILS

(Carlisle, Franklin, Lebanon, Mason, South Lebanon, Springboro, Waynesville, Deerfield Township, Hamilton Township)

Matt Schnipke (replace Tiffany Zindel) Warren County Economic Development	Term – Indefinite
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TRANSPORTATION IMPROVEMENT DISTRICT

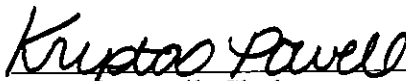
Martin Russell (to fill unexpired term of Tiffany Zindel) Appointment to expire December 31, 2024
Warren County Administrator

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann.
Upon call of the roll, the following vote resulted:

Mr. Young – yea
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

lkl/

cc: Appointments File
Appointees
Airport (file)
Information Technology (file)
Elderly Services (file)
Human Services (file)
Emergency Services (file)
Economic Development (file)
Soil & Water (file)
L. Lander
RPC (file)
OGA (file)
Children Services (file)
Engineer (file)
Developmental Disabilities (file)
Educational Service Center (file)
Records Center (file)
RZC (file)

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0005

Adopted Date January 02, 2024

ADMINISTER DISCIPLINARY ACTION AGAINST KELLY FIEBIG, EMERGENCY COMMUNICATIONS OPERATOR WITHIN THE WARREN COUNTY EMERGENCY SERVICES DEPARTMENT

WHEREAS, Ms. Fiebig, Emergency Communications Operator, was charged with Group I offense #15, failure to observe departmental rules, in accordance with the Warren County Personnel Policy Manual; and

WHEREAS, the Operations Manager requested a pre-disciplinary conference for the above violation regarding Ms. Fiebig as she has prior active discipline in the past two years; and

WHEREAS, Ms. Fiebig was given notification of a pre-disciplinary conference on December 18, 2023; and

WHEREAS, Ms. Fiebig waived her right to a pre-disciplinary conference on December 18, 2023; and

WHEREAS, it is the recommendation of the Operations Manager that Ms. Fiebig serve a one (1) day suspension to follow progressive discipline as Ms. Fiebig has prior active discipline within the past two years; and

NOW THEREFORE BE IT RESOLVED, that Kelly Fiebig, Emergency Communications Operator, within the Warren County Emergency Services Department, be disciplined for violating the Warren County Personnel Policy Manual as herein before discussed, the penalty for which shall consist of a one (1) day suspension to be served January 10, 2024; and

BE IT FURTHER RESOLVED, this action shall become a part of Ms. Fiebig's personnel file.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Emergency Services (file)
K. Fiebig's Personnel File
OMB (Sue Spencer)

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0006

Adopted Date January 02, 2024

APPROVE RECLASSIFICATION OF ALLYSON MCKENZIE FROM THE POSITION OF CUSTODIAL WORKER I TO THE POSITION OF CUSTODIAL WORKER II

WHEREAS, the Director of Facilities Management has indicated that Ms. McKenzie performs the essential functions of a Custodial Worker II and desires to reclassify her said to position; and


NOW THEREFORE BE IT RESOLVED, to reclassify Allyson McKenzie to the position of Custodial Worker II, non-exempt, pay range #9, \$18.08 per hour, effective pay period beginning December 30, 2023.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Facilities Management (file)
A. McKenzie's Personnel file
OMB – Sue Spencer

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0007

Adopted Date January 02, 2024

HIRE NICOLE TORRES AS ELIGIBILITY REFERRAL SPECIALIST II, WITHIN THE WARREN COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, HUMAN SERVICES DIVISION

BE IT RESOLVED, to hire Nicole Torres within the Warren County Department of Job and Family Services, Human Services Division, classified, full-time permanent, non-exempt status (40 hours per week), Pay Grade #12, \$19.45 per hour, under the Warren County Job and Family Services compensation plan, effective January 8, 2024, subject a negative drug screen, background check, and a 365-day probationary period.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

H/R

cc: Human Services (file)
N. Torres' Personnel file
OMB – Sue Spencer

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0008

Adopted Date January 02, 2024

HIRE AMBER GREGORY AS ELIGIBILITY REFERRAL SPECIALIST II, WITHIN THE WARREN COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, HUMAN SERVICES DIVISION

BE IT RESOLVED, to hire Amber Gregory within the Warren County Department of Job and Family Services, Human Services Division, classified, full-time permanent, non-exempt status (40 hours per week), Pay Grade #12, \$19.45 per hour, under the Warren County Job and Family Services compensation plan, effective January 8, 2024, subject a negative drug screen, background check, and a 365-day probationary period.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

H/R

cc: Human Services (file)
A. Gregory's Personnel file
OMB – Sue Spencer

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0009

Adopted Date January 02, 2024

ACCEPT RESIGNATION OF CARA HARRISON, COMPLIANCE CASEWORKER II, WITHIN THE WARREN COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, CHILDREN SERVICES DIVISION, EFFECTIVE JANUARY 19, 2024

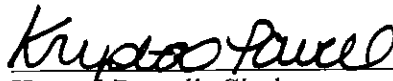
BE IT RESOLVED, to accept the resignation, of Cara Harrison, Compliance Caseworker II, within the Warren County Department of Job and Family Services, Children Services Division, effective January 19, 2024.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Children Services (file)
C. Harrison's Personnel File
OMB – Sue Spencer
Tammy Whitaker

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0010

Adopted Date January 02, 2024

ACCEPT RESIGNATION OF NATIA HILL, START CASEWORKER II, WITHIN THE WARREN COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, CHILDREN SERVICES DIVISION, EFFECTIVE JANUARY 5, 2024

BE IT RESOLVED, to accept the resignation, of Natia Hill, Start Caseworker II, within the Warren County Department of Job and Family Services, Children Services Division, effective January 5, 2024.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Children Services (file)
Natia Hill's Personnel File
OMB – Sue Spencer
Tammy Whitaker

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0011

Adopted Date January 02, 2024

ACCEPT RESIGNATION OF ASHLEIGH GILLESPIE, EMERGENCY COMMUNICATIONS OPERATOR, WITHIN THE WARREN COUNTY EMERGENCY SERVICES DEPARTMENT EFFECTIVE JANUARY 1, 2024

BE IT RESOLVED, to accept the resignation of Ashleigh Gillespie, Emergency Communications Operator, within the Warren County Emergency Services Department, effective January 1, 2024.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones -- yea
Mr. Young -- yea
Mr. Grossmann -- yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Emergency Services (file)
A. Gillespie's Personnel File
OMB -- Sue Spencer
Tammy Whitaker

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0012

Adopted Date January 02, 2024

ACCEPT RESIGNATION OF IRINA AVDEEVA ELIGIBILITY REFERRAL SPECIALIST II WITHIN THE WARREN COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, HUMAN SERVICES DIVISION, EFFECTIVE DECEMBER 29, 2023

BE IT RESOLVED, to accept the resignation of Irina Avdeeva, Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division, effective December 29, 2023.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Human Services (file)
I. Avdeeva's Personnel File
OMB – Sue Spencer
Tammy Whitaker

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0013

Adopted Date January 02, 2024

ACCEPT RESIGNATION OF MISTY MULLETT, ELIGIBILITY REFERRAL SPECIALIST II WITHIN THE WARREN COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, HUMAN SERVICES DIVISION, EFFECTIVE DECEMBER 29, 2023

BE IT RESOLVED, to accept the resignation of Misty Mullett, Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division, effective December 29, 2023.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Human Services (file)
M. Mullett's Personnel File
OMB – Sue Spencer
Tammy Whitaker

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0014

Adopted Date January 02, 2024

APPROVE END OF 365-DAY PROBATIONARY PERIOD AND APPROVE A PAY INCREASE FOR DAVID RENTZ WITHIN THE WARREN COUNTY WATER AND SEWER DEPARTMENT

WHEREAS, David Rentz, Wastewater Treatment Plant Technician within the Warren County Water and Sewer Department, has successfully completed a 365-day probationary period; and

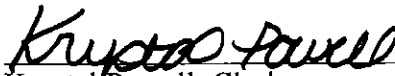
NOW THEREFORE BE IT RESOLVED, to approve David Rentz's completion of 365-day probationary period and to approve a pay increase to end of probationary rate of \$22.51 per hour effective pay period beginning December 30, 2023.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Water and Sewer (file)
D. Rentz's Personnel File
OMB – Sue Spencer

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0015

Adopted Date January 02, 2024

APPROVE AN EXTENSION FOR THE REQUIREMENT OF TAYLER BISHOP TO OBTAIN AN OHIO EPA CLASS IV WASTEWATER CERTIFICATION WITHIN THE WATER AND SEWER DEPARTMENT

WHEREAS, pursuant to resolution number 21-0940 adopted July 20, 2021, the Board approved a requirement for Mr. Bishop to obtain an Ohio EPA Class IV Wastewater Certification by the end of the December 2023; and

WHEREAS, the Sanitary Engineer of the Water and Sewer Department has requested to extend the requirement by an additional eighteen (18) months, as the wastewater division has required additional attention due to staffing issues and operational requirements preventing Mr. Bishop the adequate time needed to complete the requirements for the class IV certification; and

NOW THEREFORE BE IT RESOLVED, to approve an extension of an additional eighteen (18) months for the requirement of Tayler Bishop to obtain an Ohio EPA Class IV Wastewater Certification.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

H/R

cc: T. Bishop's Personnel file
Water/Sewer (file)
OMB – Sue Spencer

Resolution

Number 24-0016

Adopted Date January 02, 2024

SET PUBLIC HEARING FOR REZONING APPLICATION OF MARK AND CONNIE BURTON, ROYCE MACHINE (CASE #2023-08), TO REZONE APPROXIMATELY 2.165 ACRES FROM GENERAL INDUSTRIAL MANUFACTURING ZONE "I2" TO GENERAL INDUSTRIAL MANUFACTURING ZONE "I2" AS A PLANNED UNIT DEVELOPMENT IN UNION TOWNSHIP

BE IT RESOLVED, to set a public hearing for the rezoning application of Mark and Connie Burton, Royce Machine, owner of record (Case #2023-08), to rezone approximately 2.165 acres (Parcel Number 133331000100) located at 2358 Lebanon Road in Union Township from General Industrial Manufacturing Zone "I2" to General Industrial Manufacturing Zone "I2" as a Planned Unit Development to allow for an addition to the single-family residence; said public hearing to be held January 23, 2024, at 9:00 a.m. in the County Commissioners Meeting Room; and


BE IT FURTHER RESOLVED, to advertise notice thereof in a newspaper of general circulation, at least ten (10) days prior to hearing.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/kp

cc:

RPC
RZC
Rezoning file
Applicant
Township Trustees

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0017

Adopted Date January 02, 2024

SET PUBLIC HEARING TO CONSIDER MODIFICATIONS TO THE RULES AND REGULATIONS OF THE WATER AND SEWER DEPARTMENT RELATIVE TO INCREASES TO WATER AND SEWER RATES, FEES, AND CHARGES

WHEREAS, this Board has been requested by the Warren County Sanitary Engineer to consider modifications to the Rules and Regulations of the Water and Sewer Department relative to increases in the water and sewer user fees for 2024, 2025, and 2026 and changes to the water tap fees, sewer connection fees, and other fees and charges; and

WHEREAS, this Board has considered the request and determined to set the matter for public hearing; and

NOW THEREFORE BE IT RESOLVED, to set the public hearing to consider modifications to the Rules and Regulations of the Water and Sewer Department relative to increases to the water and sewer rates, fees and charges; said public hearing to be Tuesday, January 30, 2024 at 9:05 a.m.; and

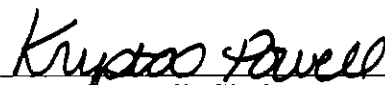
BE IT FURTHER RESOLVED, to direct the Clerk to advertise the date and time of said public hearing in Journal-News two (2) consecutive weeks at least ten (10) days prior to the public hearing.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/cgb

cc: Water/Sewer (file)
Public Hearing file

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0018

Adopted Date January 02, 2024

APPROVE AND AUTHORIZE THE SUBMISSION OF A CHEMICAL EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW FUND GRANT APPLICATION ON BEHALF OF THE WARREN COUNTY DEPARTMENT OF EMERGENCY SERVICES

WHEREAS, Warren County Emergency Services desires to apply for a grant for the purpose of Local Emergency Planning Committee Funding; and

WHEREAS, there are no match funds required; and

NOW THEREFORE BE IT RESOLVED, to approve and authorize the submission of a Chemical Emergency Planning and Community Right-To-Know Fund Grant to the State Emergency Response Commission/Ohio Environmental Protection Agency on behalf of the Warren County Department of Emergency Services; and

BE IT FURTHER RESOLVED, in the event funding is not available from the District, the Warren County Board of County Commissioners has no further obligation to fund this program.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: c/a—Ohio State Emergency Response Commission
Emergency Services (file)
OGA



**State Emergency
Response
Commission**

"Working to improve statewide preparedness and response to chemical emergencies and to improve public awareness of potential chemical hazards."

Chemical Emergency Planning and Community Right-to-Know Fund Grant Application

Completed grant application packet must be submitted to:

State Emergency Response Commission
Ohio EPA Right-to-Know Program
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049
Attn: Grant Program

Phone: (614) 644-2260
Fax: (614) 644-3681
Email: Jeffrey.beattie@epa.ohio.gov

<https://epa.ohio.gov/serc>

Grant Application Deadline:	
LEPCs and Fire Departments:	February 1, 2024
State Agencies:	April 1, 2024

The total grant packet shall consist of information requested in questions in this grant application and a signed resolution "certifying" the LEPC grant application. Fire departments must coordinate and file their grant application form(s) through their LEPC. Applications postmarked after these dates shall be reduced by one percent by day of their calculated award. Applications postmarked more than 30 days after February 1 will not be considered for funding for the state grant funding year in accordance with OAC 3750-50-10(E)

Local Emergency Planning Committee
LEPC Grant Application
(Due February 1, 2024)

Approved October 14, 2015

General Information	
County/Counties	Warren
LEPC Name	Warren County LEPC
Tax Identification Number	31-6000-58
Authorized Grant Applicant	Melissa Bour
<i>The Authorized Applicant is the LEPC member authorized to apply for and manage the grant and the grant account. (In most cases this will be the LEPC Chairperson.)</i>	
Authorized Applicant Telephone	(513) 695 - 1315
Designated Contact Person	Frances Ficke
<i>The designated contact person can be the Authorized Applicant or another designated member of the LEPC such as the Information Coordinator or LEPC Secretary.</i>	
Designated Contact Telephone	(513) 695 - 1314
Email	Frances.ficke@wcoh.net
Make Grant Check Payable to	Warren County LEPC
Send check or electronic transfer or voucher to	520 Justice Drive, Lebanon OH 45036
Membership	
<input checked="" type="checkbox"/> Current LEPC membership list is attached	
Grant Eligibility	
In determining a grant award to an LEPC, the State Emergency Response Commission shall consider the following:	
Has the LEPC prepared and submitted to the SERC emergency response and preparedness plan under ORC 3750.04(A) during the last grant period? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Indicate date of the last plan submission	9 / 28 / 2023
Indicate if plan was submitted as a no change	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If the plan was a no change, indicate if this was the 1 st , 2 nd , or 3 rd no change	<input type="checkbox"/> 1 st <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd
Indicate the last date of the hazard analysis update	09 / 28 / 2023
Indicate the percentage of EHS facilities for which the hazard analysis was reviewed and updated as needed in the previous grant period	100%
If the hazard analysis has not been updated in five years, please indicate why	
Has the LEPC conducted its annual exercise or actual incident response which was credited as an exercise? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Grant Distribution Information		
1	Total number of facilities in LEPC reporting one or more Hazardous Substances (include only those facilities that did not report an EHS) <i>Date of last review of number of Hazardous Substances reporting facilities</i>	74 09 / 28 / 2023
2	Total number of facilities in LEPC reporting one or more Extremely Hazardous Substances (EHS) <i>Date of last review of number of EHS reporting facilities</i>	98 09 / 28 / 2023
3	Estimated volume of hazardous substances and EHS transported through LEPC (average daily max/year) <i>Date of last review of estimated volume of hazardous substances or of EHS transported in LEPC</i> A. Hazardous Substances Range in pounds <input type="checkbox"/> 0-10,000 <input checked="" type="checkbox"/> 10,001-100,000 <input type="checkbox"/> 100,001-1,000,000 <input type="checkbox"/> > 1,000,000 B. EHS Range in pounds <input type="checkbox"/> 0-10,000 <input checked="" type="checkbox"/> 10,001-100,000 <input type="checkbox"/> 100,001-1,000,000 <input type="checkbox"/> > 1,000,000	09 / 28 / 2023
4	Estimated amounts of extremely hazardous substances produced, used, or stored in the district	Range in pounds <input type="checkbox"/> 0-10,000 <input checked="" type="checkbox"/> 10,001-100,000 <input type="checkbox"/> 100,001-1,000,000 <input type="checkbox"/> > 1,000,000
5	Population within the district or under the jurisdiction of the fire department that resides in close proximity to facilities that are subject to ORC 3750 and to principal routes for the transportation of hazardous materials identified or listed by regulations adopted under the "Hazardous Materials Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended. (An LEPC can use the population of the county for this estimate)	242, 337
6	Please demonstrate how this grant will enhance the ability of the recipient or, in the case of the commission, the state to prepare for and respond to releases of hazardous substances and extremely hazardous substances. The grant will allow Warren County LEPC to hold their regular LEPC meetings and assist in the development of plans, hazard analysis, and training relating to the response and mitigation of hazardous materials incident(s). It will also help the Warren County LEPC to design and execute the annual LEPC exercise. The Warren County LEPC will maintain a database with information regarding type, quantity, and location of chemicals used and transported through the county. Also, the LEPC will inform the community and first responders of dangerous substances which they may encounter. The LEPC will be conducting Tier II facility site visits to develop relationships and enhance safety standards with those facilities. Without the LEPC Grant funding, the site visit program, appropriate training, software costs, and committee functions would not be able to be sustained.	

Performance of Baseline Requirements

Please indicate whether the LEPC commits to perform the following activities within the grant period, using the grant funds:

		Yes	No
1	Maintain an LEPC membership in accordance with ORC 3750.03(B) and submit any changes to the membership to the SERC for approval.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Appoint a chairman and vice-chairman and a secretary to keep a record of its proceedings in accordance with ORC 3750.03(D)(1).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Adopt bylaws for the conduct of its business in accordance with ORC 3750.03(D)(2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Appoint an information coordinator who shall be responsible for maintaining the committee's files of information received and for receiving and fulfilling requests from the public for that information in accordance with ORC 3750.03(D)(3).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Appoint a community emergency coordinator who shall be responsible for coordinating the development and implementation of the chemical emergency response and preparedness plan of the district and for receiving verbal and follow-up written notices of releases of hazardous substances and extremely hazardous substances, in accordance with ORC 3750.03(D)(4).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Obtain anything to be purchased, leased, or constructed in accordance with the provisions of 307.86 to 307.92 of the Revised Code applicable to boards of county commissioners, in accordance with ORC 3750.03(D)(5).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Establish and carry out a program to monitor regulated facilities within the district and to conduct compliance and enforcement activities to ensure that the facilities have submitted the information required by ORC 3750.05, 3750.07 and 3750.08 in accordance with ORC 3750.03(D)(6).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	Submit the annual compliance report by October 1 in accordance with ORC 3750.03(D)(6).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	Credit the LEPC grant monies to a special emergency planning fund in the treasury of the county in accordance with ORC 3750.03(F).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Prepare and submit an emergency response and preparedness plan to the SERC by no later than October 17 for review and concurrence in accordance with ORC 3750.04.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Conduct an annual exercise as required by ORC 3750.04(C).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Additional Core LEPC Activities Recommended by the SERC

Please indicate whether the LEPC commits to perform the following activities within the grant period, using the grant funds:

		Yes	No
	Meet at least once during the grant period?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Provide meeting minutes to Ohio EPA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Prepare and submit the financial status report by July 31 for previous SFY	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For any "No" answers, please explain below (attach additional sheets as required)

Training which the LEPC plans to sponsor or support during the grant period				
Title of Training	Anticipated Number Trained	Anticipated Cost	Will grant funds be used to support this training?	
			YES	NO
LEPC Annual Exercise	30	\$ 800	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	<input type="checkbox"/>	<input type="checkbox"/>
		\$	<input type="checkbox"/>	<input type="checkbox"/>

Compliance with Grant Limitations and Assurances

Chapter 3750 of Ohio Revised Code restricts the use of the grant funds and identifies uses which are prohibited. Please confirm that the grant funds will not be used for purposes identified as restricted by Chapter 3750. Please note that if the funds are passed through by contract with the LEPC to another agency, these activities cannot be part of the contract with the sub-contractor, and the sub-contractor cannot use the SERC grant funds to perform these activities.

LEPC Grant Activities Restricted by Ohio Law		Agree (Check box)
1	Grant funds will not be used to acquire first response equipment, except as otherwise provided in Division (D)(4) of Section 3750.14. Division D(4) states: <i>After a committee determines that the initial training needs for emergency management personnel within its emergency planning district set forth in the committee's plan or most recent review of its plan under section 3750.04 of the Revised Code have been met, a committee may make grants from the moneys it receives under this section to fire departments located within the district for the purchase of first response equipment.</i>	<input checked="" type="checkbox"/>
2	Grant funds will not be used to defray costs for copying and mailing hazardous chemical lists, material safety data sheets, or emergency and hazardous chemical inventory forms submitted under this chapter for distribution to the public.	<input checked="" type="checkbox"/>
3	Grant funds will not be used to reimburse any person for expenditures incurred for emergency response and cleanup of a release of a hazardous substance, an extremely hazardous substance, and/or oil.	<input checked="" type="checkbox"/>
4	Grant funds will not be used to perform any assessment of damages to natural resources resulting from a release of oil, a hazardous substance or an extremely hazardous substance.	<input checked="" type="checkbox"/>

Assurances		
In executing this agreement, the grant recipient will be committing to comply with the regulations, policies, guidelines, and requirements as they relate to the application acceptance and use of emergency planning grant funds. Also the grant recipient commits with respect to the grant that:		Agree (Check box)
1	The applicant possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.	<input checked="" type="checkbox"/>
2	The applicant agrees that (a) funds granted as a result of this request are to be expended for the purposes set forth in this application and in accordance with all applicable laws, regulations, policies and procedures of the State of Ohio; and (b) funds awarded by the State Emergency Response Commission may be terminated at any time for violation of any terms and requirements of this agreement.	<input checked="" type="checkbox"/>
3	The applicant will give SERC through any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant. This provision shall also apply in the event of termination of this agreement.	<input checked="" type="checkbox"/>
4	The applicant will maintain such records as required by state and federal law. The minimum acceptable financial records consist of: a) documentation of employee time; b) documentation of all materials, supplies and travel expenses; c) inventory records and supporting documentation for allowable equipment purchased to carry out the program scope; d) rational supporting allocation of space charges (e.g., rent); e) any other records which support charges to program funds. The Applicant must maintain sufficient segregation of program accounting records from other programs and/or projects.	<input checked="" type="checkbox"/>
5	The applicant will at all times comply with and observe all federal and state laws, local laws, ordinances, and regulations which are in effect during the period of this grant and which in any manner affect the work or its conduct. In accordance with ORC 3750.02(F), the local emergency planning committee of an emergency planning district lying wholly within the boundaries of a county shall be considered a county board and shall receive the services of the auditor and prosecuting attorney of the county in the same manner as other county boards. As a county board, the LEPC must follow all policies established by the county auditor. The LEPC must also follow the LEPC funding policy, adopted by the SERC on December 12, 2007.	<input checked="" type="checkbox"/>
6	The SERC grant will be deposited into a special emergency planning fund in the treasury of the county in accordance with ORC 3750.03 (F) which states: "Moneys received by the committee of a district lying wholly within the boundaries of a county shall be credited to a special emergency planning fund in the treasury of the county. The fund shall be administered by the committee of the district, and moneys credited to the fund shall be expended only for the purposes of carrying out the powers and duties of the committee under this chapter and rules adopted and orders issued under it."	<input checked="" type="checkbox"/>
7	The applicant will conform with applicable county policies regarding the use of cellular phones, and applicable restrictions regarding the acquisition and disposal of assets (items valued at more than \$300 or amount specified by county policy).	<input checked="" type="checkbox"/>
8	Contracts for personal services shall be in conformance with state and local laws and regulations.	<input checked="" type="checkbox"/>
9	The applicant will comply with State Equal Employment Opportunity and hiring practices	<input checked="" type="checkbox"/>
10	The applicant will comply with public records laws and open meeting laws, including but not limited to the public records requirements in the Emergency Planning and Community Right-to-Know Act and ORC 3750.	<input checked="" type="checkbox"/>

I hereby certify that the information as provided, to the best of my knowledge, is true, accurate and complete in support of the duties assigned to the Warren County LEPC under Chapter 3750 of the Ohio Revised Code.

Melissa Bour

12 / 14 / 2023

LEPC Authorized Signature

Date

Melissa Bour

(513) 695 - 1315

Typed/Printed Name

Telephone Number

LEPC Budget Request

Warren

County LEPC

Budget Categories

Grant Request

Personnel/Fringe	\$ 33,280
Contracted Services*	\$
Supplies	\$
Training	\$
Travel	\$
Exercise	\$ 800
Total LEPC Planning Budget Grant Request	\$

- **Contracted Services:** Includes personal and/or public service contracts
- **Supplies:** includes office supplies, telephone/communications, printing, postage, etc.
- **Travel:** includes mileage and lodging

Fire Department Grant:	Training	\$
	Response	
	Equipment	\$
Total LEPC Planning Budget Grant Request		\$ 34,080

*Attach copy of the contract for services

APPROVED AS TO FORM

[Signature]
Delek B. Faulkner
 Asst. Prosecuting Attorney



WARREN COUNTY DEPARTMENT OF EMERGENCY SERVICES
520 JUSTICE DRIVE
LEBANON, OHIO 45036



REPLY TO
ATTENTION OF: Frances Ficke

December 14, 2023

MEMORANDUM FOR RECORD

SUBJECT: SERC Grant 2024

Warren County is working hard to enhance the SERC Program to benefit the people of the community and our neighboring communities in the state of Ohio. The Warren County Department of Emergency Services employs a Local Emergency Planning Committee Information Coordinator to execute the Emergency Planning and Community Right-to-know Act, authorized by Ohio Revised Code, Section 3750.14. In serving the SERC, this position has worked to update the electronic files that the county holds in the CAMEO and E-Plan databases. The LEPC will hold their regular meetings in March and September, update Cameo, E-Plan, and update the maps in Marplot to plot all the hazardous and extremely hazardous Tier II Facilities along with several key points of interest, onto the map. The Warren County LEPC works closely with Warren County Telecommunications Department to offer these electronic resources to the surrounding jurisdictions in the County.

In 2024, the LEPC will continue our dedication to maintaining an accurate file system and database resource of the facilities in the county. To help with this process, Warren County is continuing to use the E-Plan filing system. In 2023, the LEPC completed the Hazardous Material Annex to the County's Emergency Operations Plan update and the plan was adopted by SERC on December 13, 2023. The LEPC is also creating a site visit program to further improve relationships with stakeholders and the safety of our citizens.

Warren County LEPC will perform their Tabletop Exercise on March 13, 2024, to test the capabilities of the community response system. The LEPC is also working with the various jurisdictions to update Warren County's Emergency Operations Plan. With the new year, brings new opportunities to the Warren County LEPC to further enhance communications and resource sharing to achieve common goals and keep our community safe.

Point of contact for this memorandum is the undersigned at frances.ficke@wcoh.net or (513) 695-1314.

Frances Ficke
Frances Ficke
LEPC Chairman
Warren County LEPC

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0019

Adopted Date January 02, 2024

AUTHORIZE WARREN COUNTY SHERIFF TO SIGN ADDENDUM TO CONTRACT FOR POLICE PROTECTION WITH THE BOARD OF TOWNSHIP TRUSTEES OF DEERFIELD TOWNSHIP, ON BEHALF OF THE WARREN COUNTY SHERIFF'S OFFICE

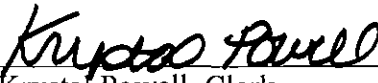
BE IT RESOLVED, to authorize the Warren County Sheriff to sign addendum to contract for police protection with the Board of Township Trustees of Deerfield Township, on behalf of the Warren County Sheriff's Office as attached hereto and made a part hereof.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: c/a—Deerfield Township
Sheriff (file)

ATTACHMENT A
2024 PAYROLL ADDENDUM

Police protection contract between the Sheriff of Warren County, Ohio and the Deerfield Township, Warren County, Ohio.

In conjunction with the terms and conditions of the above referenced contract relative to the number of and the compensation for the services of Deputy Sheriff, and the following schedule of payments, shall be implemented commencing as of January 1, 2024 and continuing through midnight on December 31, 2024.

Salaries (5102)				\$ 2,635,621.16
Overtime (5114)				\$ 312,000.00
PERS (5811)	18.10%	\$	2,947,621.16	\$ 533,519.43
Benefits (5820)				\$ 309,549.40
Single	10	\$	599.26	\$71,911.20
Employee + Spouse	1	\$	1,344.67	\$16,136.04
Employee + Child	5	\$	1,068.69	\$64,121.40
Family	7	\$	1,758.64	\$147,725.76
Couple	1	\$	584.82	\$7,017.84
Waive	1	\$	102.76	\$1,233.12
Single / Kings SRO	1	\$	599.26	\$ 1,198.52
Waived / Kings SRO	1	\$	102.76	\$ 205.52
Worker's Comp (5830)	2%	\$	2,947,621.16	\$ 58,952.42
Medicare (5871)	1.45%	\$	2,947,621.16	\$ 42,740.51
Total				\$ 3,892,382.92

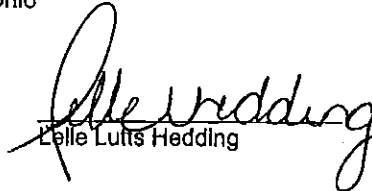
These totals may fluctuate with changes of personnel and be documented in the biweekly payroll record.

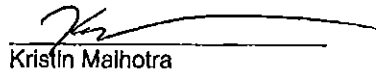
1ST QUARTER INVOICE: \$973,095.73
 2ND QUARTER INVOICE: \$973,095.73
 3RD QUARTER INVOICE: \$973,095.73
 4TH QUARTER INVOICE: \$973,095.73

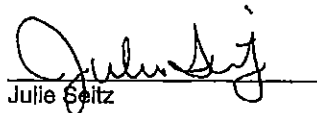
All other conditions and terms shall remain in effect.

In witness where of, the parties have hereunto set their hands on this 5TH day of December, 2023, at Deerfield Twp., Ohio

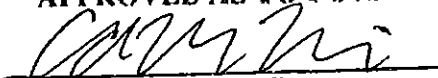

Larry L. Sims


Belle Luits Hedding


Kristin Malhotra


Julie Seitz

APPROVED AS TO FORM


Adam M. Nice
Asst. Prosecuting Attorney

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0020

Adopted Date January 02, 2024

AUTHORIZE ACCEPTANCE OF QUOTE FROM TRI COUNTY TOWER ON BEHALF OF WARREN COUNTY TELECOMMUNICATIONS

WHEREAS, TRI COUNTY TOWER will provide Tower Site Sweep Replacement Labor and Equipment on all eight (8) Tower sites as per Quote #14462 for Warren County Telecommunications Department and

NOW THEREFORE BE IT RESOLVED, to accept quote between Tri County Tower and Warren County Telecommunications Department for Tower Sweep Replacement as attached hereto and a part hereof.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: c/a- Tri County Tower
Telecom (file)



Tri County Tower

8900 Mahoning Avenue
North Jackson, Ohio 44451

TCT Proposal

Job # 14462

December 15, 2023

Page # 1

CLIENT:

Warren County Ohio(Tele Dept)
804 E SR22 & 3
South Lebanon OH 45152

Phase/Description	Amount
14462 Warren County TTA Swap Sweep 1 WARCO TTA Replacement 1 Site Work Labor, Equipment, Supervision, and Insurance for: TCT to Mobilize to/from Warren County Sites. Warren County is supplying all necessary materials for all (8) eight sites. TCT will install new TTA equipment on all eight (8) sites. This proposal is contingent on all supplied materials organized by site. This proposal is contingent on WarCo supplying access to each site. TCT will sweep lines to ensure the integrity of them. TCT will will inform WarCo of any issues and/or any lines needing replacement. Any additional materials needed will be billed on a time and materials basis, with the approval of Warco.	22,500.00
2 Hatfield Antenna Replacement Labor, Equipment, Supervision, and Insurance for: TCT to Mobilize to/from Warren County Site (Hatfield); Warren County is supplying all materials for Hatfield Antenna swap. TCT will install two new antennas and sweep lines to ensure the integrity of the lines.	2,600.00

- Please Review, Updated 11/2023
- Proposal is based on access with two-wheel drive vehicle unless noted above.
 - Tri County Tower LLC (TCT) reserves the right to cancel the work day due to inclement weather.
 - Quoted labor pricing is good for thirty (30) days, from day of quote. Material pricing is based on day of quote.
 - Final Material pricing will be adjusted and locked in upon receipt of a purchase order.
 - This proposal is based on information supplied by the client, post change orders may be required if unforeseen changes or modifications of the scope of work.
 - TCT is not responsible for any delays beyond our control, including but not limited to acts of God, weather conditions, strikes, lockouts, unsuitable or unsafe site conditions or delays caused by others at jobsite. In the event our work is delayed through no fault of our own, the client is responsible for additional costs.
 - Payment due in full, net 30 days from date of invoice - cash or check. We accept all major credit cards if paid within ten days of invoice date.
- PREPARED BY: Grant Brown / office (330)538-9878 /mobile: (330) 717-1636/ fax (330)538-9879 / e-mail: gbrown@tricitytower.com



Tri County Tower

8900 Mahoning Avenue
North Jackson, Ohio 44451

TCT Proposal

Job # 14462

December 15, 2023

Page # 2

CLIENT:

Warren County Ohio(Tele Dept)
804 E SR22 & 3
South Lebanon OH 45152

Phase/Description	Amount
Any additional materials needed will be billed on a time and materials basis, with the approval of Warco.	
This proposal is contingent on being able to swap out the antennas and the TTA at the same time.	
Phase Total:	<u>25,100.00</u>
Grand Total:	<u>25,100.00</u>

Notes:

Additional labor or materials necessary above and beyond the customer provided scope of work (SOW) will be billed on a "Time and Materials" basis at the current rate. If the Tower is deemed "Unsafe to Climb" for any reason by TCT qualified climber, charges will be for mobilization and time on site only

- Proposal is based on access with two-wheel drive vehicle unless noted above.
- Tri County Tower LLC (TCT) reserves the right to cancel the work day due to inclement weather.
- Quoted labor pricing is good for thirty (30) days, from day of quote. Material pricing is based on day of quote.
- Final Material pricing will be adjusted and locked in upon receipt of a purchase order.
- This proposal is based on information supplied by the client, post change orders may be required if unforeseen changes or modifications of the scope of work.
- TCT is not responsible for any delays beyond our control, including but not limited to acts of God, weather conditions, strikes, lockouts, unsuitable or unsafe site conditions or delays caused by others at jobsite. In the event our work is delayed through no fault of our own, the client is responsible for additional costs.
- Payment due in full, net 30 days from date of invoice - cash or check. We accept all major credit cards if paid within ten days of invoice date.

Please Review, Updated 11/2023

PREPARED BY: Grant Brown / office (330)538-9878 / mobile: (330) 717-1636/ fax (330)538-9879 / e-mail: gbrown@tricitytower.com

TCT Proposal
Continued

12/15/23
Page # 3 of 3

Job Number
14462

Job Name
Warren County TTA Swap Sweep

CLIENT:

Warren County Ohio(Tele Dept)
804 E SR22 & 3
South Lebanon OH 45152

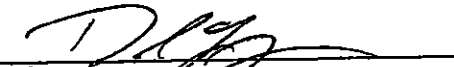
Be aware and know Tri County Tower.LLC is not responsible to obtain or handle any construction or zoning permitting that may be required for this project.
Unless specifically noted in this proposal / quote.

We also make known that Tri County Tower.LLC is not responsible to obtain any engineered drawings that may be required by local, state or federal authorities regarding tower loading requirements or modification analysis in connection with this project.
Unless specifically noted in this proposal / quote.

Please acknowledge that you have read and understand the above by signing and printing your name along with the date of signature.

By signing and supplying a purchase order for this project will authorize TCT.LLC to lock in material pricing as well as authorization to order the material.

Client's purchase order number: _____

Authorized Signature:  _____

Printed Name: David G. Young _____

Date: 1.2.2024

Please return to your TCT.LLC contact and confirm receipt.

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0021

Adopted Date January 02, 2024

ACKNOWLEDGE APPROVAL OF FINANCIAL TRANSACTIONS

WHEREAS, pursuant to Resolutions #10-0948 and #16-1936, this Board authorized approval of necessary financial documents in their absence by the County Administrator, Deputy County Administrator, or Clerk of Commissioners; and

WHEREAS, it is necessary to approve various financial transactions in order to make timely payments; and

NOW THEREFORE BE IT RESOLVED, to acknowledge approval of financial transactions as attached hereto and made a part hereof.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/lkl

cc: Auditor
Supplemental App. file
Appropriation Adj. file
OGA (file)
Board of Elections (file)
OMB (file)

APPROVE APPROPRIATION ADJUSTMENTS WITHIN BOARD OF ELECTIONS FUND
#11011300

BE IT RESOLVED, to approve the following appropriation adjustments:

\$800.00 from #11011300-5111 (Part Time Employees)
 into #11011300-5102 (Regular Salaries)

M. moved for adoption of the foregoing resolution, being seconded by M. Upon call of the roll, the following vote resulted:

M
M
M

Resolution adopted this day of December 2023.

BOARD OF COUNTY COMMISSIONERS

Tina Osborne, Clerk

cc: Auditor _____
Appropriation Adj. file
Board of Elections (file)
OMB

Jnl # 763

A Zindel
To be ratified 1-2-24

APPROVE APPROPRIATION ADJUSTMENT WITHIN GRANTS ADMINISTRATION
FUND #2265

BE IT RESOLVED, in order to process vouchers, it is necessary to approve the following
appropriation adjustment:

\$20.00 from #22653410-5210 (Materials & Supplies)
 into #22653410-5871 (Medicare)

M moved for adoption of the foregoing resolution being seconded by M. Upon call of the roll, the
following vote resulted:

M
M
M

Resolution adopted this 21st day of December 2023.

BOARD OF COUNTY COMMISSIONERS

Tina Osborne, Clerk

/sm

cc: Auditor _____
Appropriation Adj. file
OGA (file)

Jn 1#762

*P Zindel
to be ratified
1-2-24*

APPROVE A SUPPLEMENTAL APPROPRIATION INTO HEALTH INSURANCE FUND #6632

BE IT RESOLVED, to approve the following supplemental appropriation:

\$ 37,252.00 into #66320100-5932 (Health Ins – Medical/Rx Claims)

M moved for adoption of the foregoing resolution being seconded by M. Upon call of the roll, the following vote resulted:

- M
- M
- M

Resolution adopted this __ day of January 2024.

BOARD OF COUNTY COMMISSIONERS

Krystal Powell, Clerk

/js

cc: Auditor _____
Supplemental App. File
OMB (file)

Jnl #904

to be notified 1/2/24
Commissioner's meeting.
Susan Wall

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0022

Adopted Date January 02, 2024

ACKNOWLEDGE PAYMENT OF BILLS

BE IT RESOLVED, to acknowledge payment of bills from 12/19/23, 12/21/23, and 12/28/23 as attached hereto and made a part hereof.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/kp

cc: Auditor

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0023

Adopted Date January 02, 2024

APPROVE VARIOUS RECORD PLATS

BE IT RESOLVED, upon recommendation of the Warren County Regional Planning Commission, to approve the following Record Plats:

- Foster's Court Subdivision Section B Replat -- Hamilton Township

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Plat File
RPC

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0024

Adopted Date January 02, 2024

APPROVE REQUISITIONS AND AUTHORIZE COUNTY ADMINISTRATOR TO SIGN DOCUMENTS RELATIVE THERETO

BE IT RESOLVED, to approve requisitions as listed in the attached document and authorize Martin Russell, County Administrator, to sign on behalf of this Board of County Commissioners.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. Jones – yea
Mr. Young – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/kp

cc:

Commissioners' file

REQUISITIONS

Department	Vendor Name	Description	Amount
WAT	REQ BLANKET VENDOR	WAT VEHICLE CAPITAL OUTLAY BLA	\$ 5,000.00 *vehicle capital improvement
CSV	FLEXPRINT INTERMEDIATE LLC	CSV NEW COPIERS	\$ 12,345.00 *capital purchase
WAT	REQ BLANKET VENDOR	SEW VEHICLE CAPITAL OUTLAY	\$ 5,000.00 *vehicle capital improvement

1/2/2024 APPROVED:



Martin Russell, County Administrator

Resolution

Number 24-0025

Adopted Date January 02, 2024

APPROVE AND ENTER INTO AMENDMENT NO. 8 TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THIS BOARD AND THE WARREN COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, DESIGNATING ADDITIONAL PROJECTS AND A CHANGE IN FUNDING AMOUNTS FOR PROJECTS

WHEREAS, the Warren County Board of Commissioners has created the Warren County Transportation Improvement District (the "WCTID") in an effort to further enhance and promote transportation improvements and capital improvements within Warren County (the "County") and the region, and to participate in a cooperative county-wide coalition to take advantage of the opportunities and benefits made available only through a TID to plan, construct and improve highways, roads, bridges, interchanges and accompanying capital improvements and development throughout the County and its surrounding counties, such as Hamilton County specifically regarding the I-71/Fields Ertel area improvements; and

WHEREAS, the WCTID is authorized by ORC Chapter 5540 (1) to finance, construct, maintain, repair and operate street, highway, and other transportation projects; and (2) to construct, reconstruct, improve, alter, and repair roads, highways, public places, buildings, and other infrastructure, and to implement and effect a regional approach to transportation improvements; and

WHEREAS, the transportation projects undertaken by the WCTID pursuant to ORC Chapter 5540 are essential and will contribute to the improvement of the prosperity, health, safety, and welfare of the people of the County, and local political subdivisions within the County, including, but not limited to, the Cities of Mason and Springboro (the "Cities") and Deerfield Township (the "Township"), and of the State and are essential governmental functions; and the exercise by the WCTID of the authority granted by ORC Chapter 5540 is necessary for the prosperity, health, safety, and welfare of the County and the State and their people and is consistent with and will promote industry, commerce, distribution, and research activity in the County and the State; and

WHEREAS, the County and the WCTID, to further develop, facilitate, enhance, fund and promote transportation improvements within the County, the Cities and the Township and the region, through intergovernmental cooperation and coordination by the WCTID and to advance the WCTID Program of Projects, entered into an intergovernmental agreement, referred to as "Intergovernmental Agreement 2011-01", per Resolution No. 11-1228, and as further amended February 2, 2016, per the COUNTY's Resolution No. 16-0138 (hereinafter referred to as "Amendment No. 1"), and further amended per COUNTY'S Resolution No. 16-1689 (hereinafter referred to as "Amendment No. 2"), and further amended per COUNTY'S Resolution No. 17-1176 (hereinafter referred to as "Amendment No. 3"), and as further amended per COUNTY's Resolution 17-1499 (hereinafter referred to as "Amendment No. 4), and further amended per COUNTY's Resolution 19-1682 (hereinafter referred to as "Amendment No. 5), and further amended per COUNTY's Resolution No. 21-0227 (hereinafter referred to as

RESOLUTION #24-0025
JANUARY 02, 2024
PAGE 2

Amendment No.6), and further amended per COUNTY's Resolution No. 22-1825 (hereinafter referred to as Amendment No. 7); and

WHEREAS, the County and the WCTID, in furtherance of these goals, intend, pursuant to Section 1.02 (a) of the Agreement, to confirm, approve and ratify the updated and amended Exhibit A *Warren County TID Program List - December 2023* showing new projects named SR 63 Widening – East of SR 741/West of Parkside Development; SR 63 Widening – between Neil Armstrong Way and McClure Road; Socialville-Fosters Road and Western Row Road Roundabout; and Northern Warren County Transportation Study and Exhibit B "*Warren County TID Pledged Revenue Summary – December 2023*", attached hereto and referred to as "Exhibit A" and "Exhibit B" to the Agreement; and

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners does hereby agree, approve, ratify and further authorize the President or Vice-President of the Board to execute Amendment No. 8 to the Intergovernmental Agreement between this Board and the Warren County TID, a copy of which is attached hereto and made part hereof.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mrs. Jones. Upon call of the roll, the following vote resulted:

Mr. Young – yea
Mrs. Jones – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: c/a—Warren County Transportation Improvement District
Warren County TID (file)
Engineer (file)
Matt Nolan, Auditor

AMENDMENT NO. 8

TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN WARREN COUNTY, OHIO AND THE WARREN COUNTY TID RELATING TO UPDATING THE TID PROGRAM LIST AND PLEDGED REVENUE SUMMARY AS OF DECEMBER, 2023

THIS AMENDMENT No. 8 (hereinafter "Amendment No. 8") to the Intergovernmental Agreement (hereinafter the "initial IGA") is entered by and between the BOARD OF COMMISSIONERS OF WARREN COUNTY, OHIO, a county organized and acting under the laws of the State of Ohio (hereinafter the "COUNTY"), acting on behalf of WARREN COUNTY, OHIO, and the BOARD OF TRUSTEES OF THE WARREN COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (hereinafter the "WCTID") organized and operating under Chapter 5540 of the Ohio Rev. Code, acting on behalf of the WARREN COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, and shall be effective immediately upon execution by all the Parties.

WITNESSETH:

WHEREAS, the COUNTY created the WCTID in an effort to further enhance and promote transportation improvements and capital improvements within Warren County, Ohio and the region, and to participate in a cooperative county-wide coalition to take advantage of the opportunities and benefits made available only through a TID to plan, construct and improve highways, roads, bridges, interchanges and accompanying capital improvements and development throughout Warren County and its surrounding counties, such as Hamilton County specifically regarding the I-71/Fields-Ertel area improvements; and,

WHEREAS, the WCTID is authorized by ORC Chapter 5540 (1) to finance, construct, maintain, repair and operate street, highway, and other transportation projects; and (2) to construct, reconstruct, improve, alter, and repair roads, highways, public places, buildings, and other infrastructure, and to implement and effect a regional approach to transportation improvements; and,

WHEREAS, the transportation projects undertaken by the WCTID pursuant to ORC Chapter 5540 are essential and will contribute to the improvement of the prosperity, health, safety, and welfare of the people of Warren County, and local political subdivisions within Warren County, including, but not limited to, the Cities of Mason and Springboro (the "Cities") and Deerfield Township (the "Township"), and of the State and are essential governmental functions; and the exercise by the WCTID of the authority granted by ORC Chapter 5540 is necessary for the prosperity, health, safety, and welfare of Warren County and the State and their people and is consistent with and will promote industry, commerce, distribution, and research activity within Warren County and the State; and,

WHEREAS, the COUNTY and the WCTID, to further develop, facilitate, enhance, fund and promote transportation improvements within Warren County, the Cities and the Township, and the region, through intergovernmental cooperation and coordination by the WCTID, and to advance the WCTID Program of Projects, entered into the initial IGA referred to as

"Intergovernmental Agreement 2011-01," per the COUNTY's Resolution No. 11-1228 dated August 30, 2011, and as further amended;

June 25, 2013, per the COUNTY's Resolution No. 13-0950 ("Amendment");
December 9, 2014, per the COUNTY's Resolution No. 14-1938 ("Amendment");
May 5, 2015, per the COUNTY's Resolution No. 15-0638 ("Amendment");
September 8, 2015, per the COUNTY's Resolution No. 15-1399 ("Amendment");
February 2, 2016, per the COUNTY's Resolution No. 16-0138 ("Amendment");
November 22, 2016, per the COUNTY's Resolution No. 16-1819 ("Amendment No. 2");
August 1, 2017, per the COUNTY's Resolution No. 17-1176 ("Amendment No. 3");
September 26, 2017, per the COUNTY's Resolution No. 17-1499 ("Amendment No. 4");
December 26, 2019, per the COUNTY's Resolution No. 19-1682 ("Amendment No. 5");
February 6, 2021, per the COUNTY's Resolution No. 21-0227 ("Amendment No. 6");
November 29, 2022, per the COUNTY's Resolution No. 22-1825 ("Amendment No. 7");
and,

WHEREAS, the County and the WCTID, in furtherance of these goals, intend, pursuant to Section 1.02 (a) of the Agreement, to approve, confirm, and ratify exhibits "A" and "B" of the Agreement with the attached updated and amended Exhibit A "*Warren County TID Program List – December 2023*", and the attached Exhibit B "*Warren County TID Pledged Revenue Summary – December 2023*"; and,

NOW, THEREFORE, in consideration of the promises and the mutual covenants set forth herein, the COUNTY and WCTID, hereby agree that Exhibits A and B of the IGA and Amendment No. 6, are hereby replaced and amended, as follows:

1. On behalf of the Warren County Engineer, the COUNTY does hereby confirm, approve, and ratify the updated and amended Exhibit A "*Warren County TID Program List – December 2023*", and Exhibit B "*Warren County TID Pledged Revenue Summary – December 2023*"; attached hereto and referred herein as "Exhibit A" and "Exhibit B" to the Agreement.

2. All other terms, provisions and obligations of the initial IGA, shall remain the same and in full force and effect, except as provided for herein. In the event any conflict or dispute arises between the initial IGA, Amendment Numbers 1, 2, 3, 4, 5, 6, 7 and this Amendment No. 8, such conflict or dispute shall be resolved in accordance with the terms and obligations set forth in this Amendment No. 8, no exceptions.

WCTID:

IN EXECUTION WHEREOF, the WARREN COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, has caused this AMENDMENT No. 8 to be executed by Neil F. Tunison, Secretary-Treasurer, on the date stated below, pursuant to Resolution No. 2023-51, adopted by majority vote of the Board of Trustees on December 1, 2023, copies of which are attached hereto.

**WARREN COUNTY TRANSPORTATION
IMPROVEMENT DISTRICT**

SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

DATE: _____

Approved as to form by
Legal Counsel on behalf of
WARREN COUNTY TRANSPORTATION
IMPROVEMENT DISTRICT:

By: Rusty Schuermann, Esq.
DATE: _____

COUNTY:

IN EXECUTION WHEREOF, the BOARD OF COUNTY COMMISSIONERS of Warren County, Ohio has caused this AMENDMENT No. 8 to be executed by _____, its President or Vice-President, on the date stated below, pursuant to Resolution No. _____, dated December _____, 2023, a copy of which is attached hereto.

**BOARD OF COUNTY COMMISSIONERS
OF WARREN COUNTY, OHIO**

SIGNATURE: 

PRINTED NAME: _____

TITLE: _____

DATE: _____

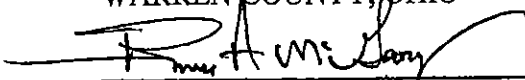
RECOMMENDED BY:

NEIL F. TUNISON,
COUNTY ENGINEER
WARREN COUNTY, OHIO

By: Neil F. Tunison, County Engineer
DATE: _____

APPROVED AS TO FORM
ON BEHALF OF:
BOARD OF COMMISSIONERS
OF WARREN COUNTY, OHIO:

DAVID P. FORNSHELL
PROSECUTING ATTORNEY
WARREN COUNTY, OHIO



By: Bruce A. McGary, Asst. Prosecutor
DATE: 1/2/2024

EXHIBIT A**WARREN COUNTY TID PROGRAM LIST – December 2023**

I-71 Corridor		
SB Entrance Ramp at I-71/Mason-Montgomery Road (PID 104844)	Warren	Completed
I-71 & SR 48 Interchange Phase 1 - WAR-48-9.94 (PID 116865) Phase 2	Warren	Ongoing
I-75 Corridor		
I-75 and SR 73 Interchange Improvements - WAR SR 73 3.66 – (PID 113717)	Warren	Ongoing
SR 63 Corridor		
SR 63 and Gateway Blvd/Union Road Intersections	Warren	Ongoing
SR 63 Widening - Union Road to SR 741 – WAR SR 63 0.83 (PID 112121 fka 105399)	Warren	Ongoing
SR 63 Widening – East of SR 741/West of Parkside Development	Warren	New
SR 63 Widening – between Nell Armstrong Way and McClure Road	Warren	New
SR 48 Corridor		
SR 48 Widening - Willow Pond Blvd to Ridgeview Ln – WAR SR48 7.01 (PID 112909)	Warren	Ongoing
SR 48 Widening – Ridgeview Ln to I-71 Interchange (Incl. Little Miami River Bridge)	Warren	Ongoing
SR 741 Corridor		
SR 741 and Greentree Road Intersection Improvements	Warren	Ongoing
US 22/SR 3 Corridor		
US 22/SR 3 Widening – Little Miami River to Willow Pond Boulevard	Warren	Ongoing
US 22/SR 3 Widening – Willow Pond Boulevard to West Road	Warren	Ongoing
US 22/SR 3 at Old 3C Hwy/Creekwood Drive Intersection Improvement	Warren	Ongoing
Socialville-Fosters Road (CR 32) Corridor		
Ph 2 – Mason Corp Limit to Innovation Way	Warren	On-Hold
Socialville-Fosters Road and Western Row Road Roundabout	Warren	New
Wilkins Boulevard (CR 610) Corridor		
Wilkins Boulevard Widening – Bardes Road to Socialville-Fosters Road	Warren	On-Hold
Wilkins Boulevard Extension	Warren	On-Hold
Wilkins Blvd/Bardes Road/Escort Drive Realignment (Roundabouts)	Warren	Ongoing
Columbia Road (CR 15) Corridor		
Columbia Road Widening from Fields-Ertel to Montgomery Road	Warren	On-hold
Columbia Road and Davis Road Intersection Improvement	Warren	Ongoing
Columbia Road at Mason-Morrow-Millgrove Road Roundabout	Warren	Ongoing
King Avenue Corridor		
King Avenue and King Court Roundabout	Warren	Ongoing
King Avenue – Kings Court to Miami Avenue	Warren	Ongoing
Kings Mill Road Corridor		
Kings Mill Road (CR 31) / Kings Island Drive (CR 110) Improvements 2023	Warren	Ongoing
Fields-Ertel Corridor		
Fields-Ertel Road Widening – Snider Road to Wilkins Boulevard (PID 114606)	Warren	Ongoing
Union Road Corridor		
Union Road and Manchester Road Intersection Improvements	Warren	On-hold
Northwest Warren County		

EXHIBIT A**WARREN COUNTY TID PROGRAM LIST – December 2023**

I-71 Corridor		
SB Entrance Ramp at I-71/Mason-Montgomery Road (PID 104844)	Warren	Completed
I-71 & SR 48 Interchange Phase 1 - WAR-48-9.94 (PID 116865) Phase 2	Warren	Ongoing
I-75 Corridor		
I-75 and SR 73 Interchange Improvements - WAR SR 73 3.66 – (PID 113717)	Warren	Ongoing
SR 63 Corridor		
SR 63 and Gateway Blvd/Union Road Intersections	Warren	Ongoing
SR 63 Widening - Union Road to SR 741 – WAR SR 63 0.83 (PID 112121 fka 105399)	Warren	Ongoing
SR 63 Widening – East of SR 741/West of Parkside Development	Warren	New
SR 63 Widening – between Neil Armstrong Way and McClure Road	Warren	New
SR 48 Corridor		
SR 48 Widening - Willow Pond Blvd to Ridgeview Ln – WAR SR48 7.01 (PID 112909)	Warren	Ongoing
SR 48 Widening – Ridgeview Ln to I-71 Interchange (Incl. Little Miami River Bridge)	Warren	Ongoing
SR 741 Corridor		
SR 741 and Greentree Road Intersection Improvements	Warren	Ongoing
US 22/SR 3 Corridor		
US 22/SR 3 Widening – Little Miami River to Willow Pond Boulevard	Warren	Ongoing
US 22/SR 3 Widening – Willow Pond Boulevard to West Road	Warren	Ongoing
US 22/SR 3 at Old 3C Hwy/Creekwood Drive Intersection Improvement	Warren	Ongoing
Socialville-Fosters Road (CR 32) Corridor		
Ph 2 – Mason Corp Limit to Innovation Way	Warren	On-Hold
Socialville-Fosters Road and Western Row Road Roundabout	Warren	New
Wilkins Boulevard (CR610) Corridor		
Wilkins Boulevard Widening – Bardes Road to Socialville-Fosters Road	Warren	On-Hold
Wilkins Boulevard Extension	Warren	On-Hold
Wilkins Blvd/Bardes Road/Escort Drive Realignment (Roundabouts)	Warren	Ongoing
Columbia Road (CR 15) Corridor		
Columbia Road Widening from Fields-Ertel to Montgomery Road	Warren	On-hold
Columbia Road and Davis Road Intersection Improvement	Warren	Ongoing
Columbia Road at Mason-Morrow-Millgrove Road Roundabout	Warren	Ongoing
King Avenue Corridor		
King Avenue and King Court Roundabout	Warren	Ongoing
King Avenue – Kings Court to Miami Avenue	Warren	Ongoing
Kings Mill Road Corridor		
Kings Mill Road (CR 31) / Kings Island Drive (CR 110) Improvements 2023	Warren	Ongoing
Fields-Ertel Corridor		
Fields-Ertel Road Widening – Snider Road to Wilkins Boulevard (PID 114606)	Warren	Ongoing
Union Road Corridor		
Union Road and Manchester Road Intersection Improvements	Warren	On-hold
Northwest Warren County		

Northern Warren County Transportation Study	Warren	New
William Good Boulevard		
Wm Good Boulevard Extension/Schoil Road Improvements	Warren	Ongoing
Channel Maintenance Projects		
Various Locations	Warren	Completed

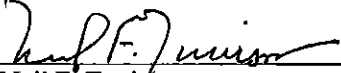
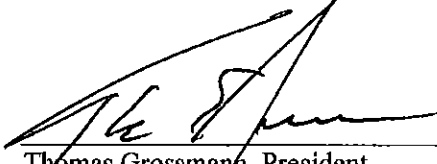


Warren County Transportation Improvement District	Warren County Board of County Commissioners
 <hr/> Neil F. Tunison Secretary-Treasurer	 <hr/> Thomas Grossmann, President
	 <hr/> David G. Young, Vice-President
	 <hr/> Shannon Jones

EXHIBIT B

WARREN COUNTY TID PLEGGED REVENUE SUMMARY - December 2023

COUNTY PLEDGED AMOUNT	
County Fund #4484 (P&G TIF)	
Total To Date	\$38,029,368
County Fund #4451 (Roadway Infrastructure Improvements)	
2011	\$ 1,000,000
2015	\$ 287,865
2020	\$ 7,000,000
2021	\$ 10,000,000
2022	\$ 10,000,000
2023	\$ 10,000,000
2024	\$ 10,000,000**
County Fund #4485 (Racino TIF)	
2013	\$ 750,000*
2016	\$ 3,100,000*
2017	\$ 150,000*
County Engineer Fund #2202	
2016	\$ 925,231
2017	\$ 600,000
2019	\$ 150,000
2023	\$ 100,000**
County Fund #7757 (Mercy Health Pass-Thru)	
2023	\$ 7,500,000**

*Any portion of the County Pledged Amount fom County Fund #4485 (Racino TIF Fund) shall be allocated only to those TID Projects and purposes that are eligible for the use of Racino Tax Increment Financing Revenues established by Resolution Numbers 12-1391 and 12-1604 and related actions and agreements on file with the County.

**Any funds held in the County Fund #7757 (Mercy Health Pass-Thru Fund) shall be allocated only to those project costs incurred by the TID for the Kings Mills Road/ Kings Island Drive 2023 Improvements Project. In the event of a timing issue, in receiving funds from County Fund #7757 for said improvements, funds from County Fund #4451 may be cash advanced to cover project costs. The cash advance shall be immediately repaid upon receipt of the funds from County Fund #7757.

**THE WARREN COUNTY
TRANSPORTATION
IMPROVEMENT DISTRICT**

By: Neil F. Tunison
Neil F. Tunison, Secretary-Treasurer

**THE BOARD OF COUNTY
COMMISSIONERS OF WARREN
COUNTY, OHIO**

By: Thomas Grossman
Thomas Grossman, Commissioner

By: David G. Young
David G. Young, Commissioner

By: Shannon Jones
Shannon Jones, Commissioner

BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO

Resolution

Number 24-0026

Adopted Date January 02, 2024

APPROVING TEXT AMENDMENTS TO THE WARREN COUNTY RURAL ZONING CODE

WHEREAS, this Board adopted Resolution No. 23-1264 setting a public hearing to consider proposed text amendments to the Warren County Rural Zoning Code that were initiated by the Warren County Rural Zoning Commission as Case No. 2023-06; and,

WHEREAS, this Board met this 2nd day of January 2024, and conducted the public hearing to consider the proposed text amendments in Case #2023-06; and

WHEREAS, during the public hearing, Hadil Lababidi of the Warren County RPC Staff presented a Power Point and answered questions from the Board; the Chief Zoning Official Michelle Tegtmeier, RPC Executive Director Stan Williams, and Assistant Prosecutor Bruce McGary also answered questions from the Board, and the Board considered the written recommendations of the Warren County Regional Planning Commission Executive Committee and the Warren County Rural Zoning Commission. No one was present to speak in favor of or in opposition to the proposed text amendments; and

WHEREAS, the Board was not in favor of amending Section 3.309 deviating from the current Code provision granting the Zoning Inspector's discretion to allow non-residential parking at a rate of up to twenty percent (20%) above or below the required amount as specified in the Table 3.307.1; otherwise, the Board was in favor of all the other proposed text amendments.

NOW THEREFORE BE IT RESOLVED, to approve the zoning text amendments to the Warren County Rural Zoning Code as attached hereto and made a part hereof.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mrs. Jones. Upon call of the roll, the following vote resulted:

Mr. Young – yea
Mrs. Jones – yea
Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

/kp

cc: RZC (file)
RPC
Text Amendment file
Bruce McGary
Township Trustees

ZONING CODE TEXT AMENDMENTS 2023

ARTICLE 1 ZONING RESOLUTION AUTHORITY, ADMINISTRATION, AND ENFORCEMENT

CHAPTER 2: ZONING ADMINISTRATION

SEC 1.201 ZONING OFFICIALS, RESPONSIBILITIES, AND OPERATIONS: Per Ohio Revised Code (ORC) Chapter 303, or as amended, the administration and enforcement of this Zoning Code is vested in the Board of County Commissioners to be carried out by the duly-authorized representatives whom it appoints to do so. Accordingly, the Warren County Zoning officials and their respective duties, responsibilities, operations, and actions are specified in the rest of this Chapter.

SEC. 1.202 SUMMARY TABLE OF REVIEW BODIES

A. Table 1.02 (Summary Table of Review Bodies) summarizes the review and decision-making responsibilities of the entities that have roles in the procedures set forth in Article 1. Other duties and responsibilities of the entities are set forth in subsequent sections of this article.

TABLE 1.202: SUMMARY TABLE OF REVIEW BODIES						
HA = ADMINISTRATIVE HEARING HL = LEGISLATIVE HEARING HQ = QUASI-JUDICIAL HEARING R = REVIEW			REC = RECOMMENDATION D = DECISION (RESPONSIBLE FOR FINAL DECISION) P = PRE-SUBMITTAL CONSULTATION			
Procedure	Section	Warren County Board of Commissioners	Zoning Commission	Board of Zoning Appeals (BZA)	Regional Planning Commission (WCRPC)	Zoning Inspector
Zoning Resolution Text or Map Amendment	1.304	HL-D	HA-R		P-R-REC RPC Staff & Executive Committee	P-R
Planned Unit Development – Stage 1	1.305	HL-D	HA-R		P-R-REC RPC Staff & Executive Committee	P-R
Planned Unit Development – Stage 2	1.305	HA-D			P-R-REC RPC Staff & Executive Committee	P-R
Site Plan Review	1.303	HQ-D			R-REC RPC Staff	P-R
Site Plan Review with Conditional Use	1.303			HQ-D	R-REC RPC Staff	P-R
Conditional Use	1.306			HQ-D	R-REC RPC Staff	P-R
Appeals	1.310			HQ-D		

Variance	1.307			HQ-D		P-R
Zoning Permit	1.302					R-D

B. Even though not referenced in this article, other boards, commissions, government agencies, and nongovernment agencies may be asked by the zoning inspector, the Warren County Zoning Commission, the Warren County Board of Zoning Appeals, or the Warren County Board of Commissioners, to review some applications, including, but not limited to, map amendments (rezoning), text amendments, appeals, variances, conditional uses, and planned unit developments.

SEC 1.2023 BOARD OF COUNTY COMMISSIONERS (BOCC)

1.2023.1 Duties and Responsibilities: The duties and responsibilities of the BOCC involved in matters of zoning are as follows:

- (A) Initiate, review, and act to adopt, reject or modify, in whole or in part, any proposed amendment(s) to the Zoning Code, pursuant to and consistent with the provisions specified in Article I, Chapter 1 of this Code, in accordance with its authority specified in ORC Chapter 303, as amended.
- (B) Appoint: a Zoning Inspector, Zoning Clerk, and any assistant as determined necessary; respective members and alternates of the Rural Zoning Commission (RZC); and the Board of Zoning Appeals (BZA) as prescribed in this Code per ORC Chapter 303, or as amended, and maintain accordingly.
- (C) Act to approve, deny, or modify the recommendations respectively made to the BOCC by the Warren County Regional Planning Commission (RPC) and the Rural Zoning Commission (RZC) on an amendment initiated for the Zoning Code text or map.
- (D) Review and act to approve, deny, or modify site plan applications submitted per this Code that requires BOCC approval or input in order to be implemented.
- (E) Set submittal fees for zoning permits and other zoning applications as required by this Code.
- (F) Repeal Warren County Zoning per a resolution of its own initiative or if compelled to do so in accordance with ORC Section 303.25, or as amended.

1.2023.2 Operating Rules and Records: All BOCC meetings regarding zoning matters shall be open to the public. The BOCC shall, via its Clerk, keep minutes of its meetings and record of its actions and decisions, which shall all be maintained as public record, available upon request.

1.2023.3 Action For Decision: Formal action of the BOCC is by it passing a resolution, for which the concurring vote of the majority of the Commissioners in attendance of a given meeting at which the resolution is set forth is necessary for its official action of decision on a

zoning matter which it is required to act per this Code in accordance with its authority of involvement in zoning specified in ORC Chapter 303, or as amended.

SEC 1.2034 RURAL ZONING COMMISSION (RZC)

1.2034.1 Duties and Responsibilities: The RZC is responsible for the following duties per this Zoning Code in accordance with ORC Chapter 303, or as amended, and the RZC "Rules for Organization and Operation":

- (A) Submit a zoning plan, consisting of both text and maps prepared by the Warren County Regional Planning Commission (RPC) or other preparer authorized by the Warren County Board of County Commissioners (BOCC), in recommendation to the BOCC for adoption, proposing zoning districts and accompanying regulations regarding the use and development of real estate within the County Zoning jurisdiction, or any proposed additions thereto, as promoting the best interest of the public.
- (B) Initiate and/or review all proposed amendments to this Zoning Code text and map and make recommendation to the BOCC for its decision so regarding per ORC Chapter 303 requirements.
- (C) Review and act in recommendation to the BOCC for decision on each site plan submitted per this Code that requires BOCC approval or input in order to be permitted for implementation.

1.2034.2 Member Appointments, Terms, and Removal: The RZC consists of five (5) members and two (2) alternates. All are appointed by the BOCC, with each being a resident in the unincorporated area of one of the Townships under Warren County Zoning jurisdiction. None can concurrently serve as a member of the Board of Zoning Appeals (BZA), but any may also be a member of the Warren County Regional Planning Commission (RPC). The terms of the members are established and maintained in length and arrangement so that the term of one member expires each year. Any RZC member may be removed for nonperformance of duty, misconduct in service, or other cause brought by the BOCC, upon written charges being filed with the BOCC and heard at a hearing held thereby regarding such charges, provided written notice of the hearing is given to the member so charged at least ten (10) days prior to the hearing, either personally, by registered mail, or by leaving it at the member's usual place of residence. The member sought to be removed shall be given opportunity to be heard and answer the charge(s) for removal. Any member vacancy prior to the end of a prescribed term shall be filled by another member appointed until the end of the term.

1.2034.3 Organization and Operating Rules and Records: The RZC shall organize and adopt the rules for it to operate in keeping with ORC Chapter 303, or as amended, and annually elect the Chair and Vice Chair persons from its members. All RZC meetings are to be held at the call of the RZC Chair, with notification to the rest of the members, the public, and others as necessary made by the Zoning Clerk as instructed by the Zoning Inspector. The Chair, or, if absent, the Vice Chair or acting Chair as otherwise so determined by the RZC, may call an RZC meeting to order. All RZC meetings are open to the public. The RZC shall, via the Zoning Clerk, keep minutes of its proceedings, indicating the vote of each member or if absent or failing to vote, and keep records of its examinations, actions, and public input, which shall all be maintained and available as public record in the Zoning Department office.

1.2034.4 Action In Recommendation: Official action of the RZC in recommendation to the BOCC for decision is by motion adopted by the majority of its members. One or more alternates in attendance of the RZC meeting(s) addressing a particular zoning matter of RZC concern per this Code can be called upon to sit in an official voting member(s) capacity in the event that such member cannot attend any subsequent meeting(s) requiring RZC action on the zoning matter. All information on file regarding RZC processing and action in recommendation to approve, deny, or modify a proposed amendment of the Zoning Code text or map or site plan shall be forwarded by RZC via the Zoning Clerk to the BOCC in accordance with ORC Chapter 303, or as amended.

SEC 1.2045 BOARD OF ZONING APPEALS (BZA)

1.2045.1 Duties & Responsibilities: The BZA is responsible for the following duties per ORC Chapter 303, or as amended, and the BZA "Rules for Organization and Operation":

- (A) Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of ORC Sections 303.01 to 303.25, or as amended, or any resolution adopted pursuant thereto.
- (B) Make a determination in the event the Zoning Inspector is unable to classify a use not listed in the Code per Sec. 1.205.1 (F)
- (C) Approve or deny requests for variance from any dimensional requirement of the Zoning Code.
- (D) Approve or deny issuance of a zoning permit for a conditional use specified in this Code, in accordance with ORC Sections 303.14 or 303.141, as applicable.
- (E) Revoke any variance or conditional use if any approval condition thereof has been violated.
- (F) Approve or deny zoning permit requests for completion, restoration, reconstruction, in whole or in part, extension, or substitution of a nonconforming non-residential use or structure.
- (G) Determine if the event arises, the certain location of a zoning district boundary that is in question or dispute for purposes of regulation in accordance with this Code.

1.2045.2 Member Appointments, Terms and Removal: The BZA consists of five (5) members and two (2) alternates, appointed by the Warren County Board of Commissioners (BOCC), with each being a resident in the unincorporated area of one of the Townships under Warren County Zoning jurisdiction. None of the members can concurrently serve as a member of the Rural Zoning Commission (RZC). The terms of the members are established and maintained in length and arrangement so that the term of one member expires each year. Any BZA member may be removed for nonperformance of duty, misconduct in service, or other cause brought by the BOCC, upon written charges being filed with the BOCC and heard at a hearing held thereby regarding such charges, provided written notice of the hearing is given to the member so charged at least ten (10) days prior to the hearing, either personally, by registered mail, or by leaving it at the member's usual place of residence. The member sought to be removed shall be given opportunity to be heard and answer the charge(s) for removal. Any member vacancy prior to the end of a prescribed term shall be filled by another member appointed until the end of the term.

1.2045.3 Organization and Operating Rules and Records: The BZA shall adopt rules for it to operate pursuant to this Code per ORC Chapter 303, or as amended, and annually elect the Chair and Vice Chair persons from its members. All BZA meetings are to be held at the call of the BZA Chair, with notification to the rest of the members, the public, and others made by the Zoning Clerk as instructed by the Zoning Inspector. The Chair, or, if absent, the Vice Chair or acting Chair as otherwise determined by the BZA, may call a meeting to order, administer oaths, and compel the attendance of witnesses. All BZA meetings are open to the public. The BZA shall, via the Zoning Clerk, keep minutes of its proceedings, indicating the vote of each member or if absent or failing to vote and keep record of its examinations, actions, and public input, which shall all be maintained and available as public record in the Zoning Department office.

1.2045.4 Action For Decision: The BZA must conduct a quasi-judicial hearing on the record prior to rendering its decision on an application for the following:

- (1) ~~an~~ appeals;
- (2) variances;
- (3) revoking an authorized variance or conditional use certificate granted for the extraction of minerals, if any condition of the variance or certificate is violated; and,
- (4) ~~or conditional use certificates; or revoking of an unauthorized variance or conditional use certificate.~~

Upon closing the hearing, the BZA may deliberate its decision off the record in private (a quasi-judicial hearing is not a meeting and is not subject to the Open Meetings Act). Upon completing deliberations, the BZA on the record must pass a motion by a majority vote of a quorum of BZA members present at the hearing whether to approve, deny or approve with conditions an application, however, the 30-day period in which a person with standing may file an administrative appeal of a BZA decision only begins to run upon the date the BZA written decision is mailed to an applicant.

SEC 1.2056 ZONING INSPECTOR: One or more Zoning Inspectors, as designated by the BOCC, along with any assistant(s) as deemed necessary, shall administer and enforce the Zoning Code.

1.2056.1 Duties & Responsibilities: The Zoning Inspector is responsible for the following duties:

- (A) Maintain the Zoning Code text and map, and the record of all amendments thereto.
- (B) Provide information regarding the Zoning Code and all related matters so involving.
- (C) Assist applicants for a zoning permit, site plan review, conditional use, variance, rezoning, or other zoning matter by explaining how to complete required applicable forms and procedures.
- (D) Review proposed subdivision plats and parcel splits submitted for approval to the Warren County RPC, or as otherwise submitted for recording not needing RPC approval, to determine compliance with the requirements of this Code.

- (E) Review zoning permit applications, ensuring compliance with the requirements of this Code, as well as any additional applicable case-specific Resolution conditions, and accordingly, either approve or deny said permit and maintain record thereof.
- (F) Determine, if the event arises, whether a proposed use not listed in this Code shall be a permitted or conditional use, based on being determined similar to one or more other uses in the Zoning Code or shall otherwise be prohibited. Such uses shall be compatible with the purpose of Zoning Code and suggestions of the Comprehensive Plan. In the event the Zoning Inspector is unable to make such a determination, the determination shall be made by the Board of Zoning Appeals in accordance with Sec. 1.204.1 (B).
- (G) Perform periodic inspections of zoning permit sites to confirm that requirements are being met.
- (H) Investigate, confirm, process, and maintain record of all zoning violations as specified in this Code. Issue written order via certified mail to the person(s) responsible for zoning violation(s), to discontinue use of any land, building or structure, and/or to stop work and/or remove any building or structure, in whole or in part, that has been found in violation of any requirement(s) of this Zoning Code, informing them of their right to appeal the order should they might otherwise object or refuse to comply with said order.
- (I) Maintain records of legal nonconforming uses, structures, and lots that existed before the effective date of this Zoning Code and update the record as necessary when applicable conditions or amendments of the zoning regulations eliminate the nonconforming status.
- (J) Forward complete applications submitted in accordance with this Code for zoning cases requiring review and recommendation and/or action in determination of approval, denial or modification to the Warren County RPC, RZC, BZA, and/or the BOCC, as required by this Zoning Code.
- (K) Schedule, provide information for, attend, and oversee RZC and BZA meetings and attend and provide information at meetings of the BOCC involving zoning matters.
- (L) Maintain public records regarding all zoning matters, inclusive of all information submitted and formal decisions made regarding each case, with assistance and instruction of the Zoning Clerk.
- (M) Make grammatical, numerical and section reference corrections to the Warren County Rural Zoning Code without such changes being subject to the review process of Section 1.304 and provided that such changes do not alter the meaning of the code.

(N) Perform other related duties as required to administer and enforce this Zoning Code.

SEC 1.2067 **ZONING CLERK:** One or more Zoning Clerk and any assistant(s) as designated necessary by the BOCC shall assist in the Zoning Inspector, the Rural Zoning Commission (RZC), and Board Of Zoning Appeals (BZA) in performing the below listed duties and responsibilities.

1.2067.1 **Duties & Responsibilities:** The Zoning Clerk is responsible for the following duties:

- (A) Submit all notices of public meetings and public hearings of any kind, as prepared and/or instructed by the Zoning Inspector, for zoning matters required by this Code in accordance with ORC Chapter 303, or as amended, to be acted upon respectively by the RZC, BZA and/or BOCC, for newspaper publication and/or for mailing to all required parties/entities and establishing and maintaining the public record in the respective case file regarding each.
- (B) Record or cause to be recorded, prepare and file the minutes of every RZC and BZA meeting in a manner determined lawfully sufficient for legal purposes required to satisfy ORC Chapter 303, or as amended.
- (C) Perform other zoning administration related duties as so directed by the zoning officials.

ARTICLE 1 ZONING RESOLUTION AUTHORITY, ADMINISTRATION, AND ENFORCEMENT

CHAPTER 3: ZONING ENFORCEMENT

SEC 1.302 ZONING PERMIT APPLICATION:

1.302.1 Applicability: A zoning permit is required for all proposed principal, accessory, and temporary use structures unless otherwise specified within this Code. An application for a zoning permit prepared in satisfaction with the requirements of Section 1.304.2 shall be submitted to and approved by the Zoning Inspector before the owner(s) of property or the agent(s) acting in their behalf commence any change in use or places or begins to erect, construct, reconstruct, enlarge, or alter any building or other structure. Uses/development subject to Section 1.103.7 are exempt. Zoning Code compliance must be determined by the Zoning Inspector prior to issuance of a zoning permit.

1.303.3 Application Requirements: The required application form, fee, and information to accompany the site plan must satisfy the following requirements, unless the Zoning Inspector determines otherwise:

(A) Site Plan Drawing Format and Number of Copies Required:

- (1) The site plan shall be drawn to a scale specified appropriate by the Zoning Inspector. Information must be clear and legibly drawn;
- (2) ~~Eleven (11)~~ Five (5) folded copies of the site plan drawn on sheets no greater than twenty-four (24) inches by thirty-six (36) inches; and,

(C) Public Notification:

- (1) The Zoning Inspector shall post a sign, ~~stating the public process~~ advertising a public hearing and where to get additional information.
- (2) Written notice of the hearing shall be mailed by the Approving Authority, by first class mail, at least ten days before the date of the hearing to all owners of property within five hundred (500) feet from the parcel lines of each property that is the subject of the hearing, to the addresses of the owners appearing on the County Auditor's current tax list. The failure of delivery of the written notice SHALL NOT delay or postpone any such hearing and shall not invalidate any action taken at such hearing.
- (3) The Zoning Inspector shall advertise the public notice in a newspaper of general circulation.

ARTICLE 2 ZONES AND OVERLAY PROVISIONS

CHAPTER 1: ZONES AND OVERLAYS, MAP AND BOUNDARIES

SEC 2.101 ESTABLISHMENT OF ZONING DISTRICTS AND OVERLAYS: In order to carry out the purposes and provisions of this Zoning Resolution, the following zoning districts (zones) and overlays to underlying zones are applied within the Warren County Zoning Townships, as applicable:

RESIDENTIAL ZONES

- RU Rural Residential (5-acre density)
- R1A Single Family Residential (3-acre density)
- R1 Single Family Residential (2-acre density)
- R1B Single-Family Residential (1-acre density)
- R2 Two-Family Residential (1/3-acre density)
- R3 Multi-Family Residential (1/4-acre density)

COMMERCIAL BUSINESS ZONES

- B1 Neighborhood Commercial Businesses Zone
- B2 Community Commercial Businesses Zone
- B3 Regional Commercial Businesses Zone
- B4 Office Research Businesses Zone
- B5 Warehouse Depot Businesses Zone

INDUSTRIAL MANUFACTURING ZONES

- I1 Light Industrial Manufacturing Zone
- I2 General Industrial Manufacturing Zone

OTHER USE SPECIFIC ZONES

- ME Mineral Extraction Zone
- SD Solid Waste Disposal Zone
- ST Solid Waste Transition Zone
- SY Salvage Yard Zone
- AI Agricultural Zone
- PI Public Institutional Zone
- PR Public Recreation Zoning District

MIXED USE DISTRICTS

- MXU-N Mixed Use Neighborhood Zone
- MXU-C Mixed Use Center Zone
- MXU-G Mixed Use Gateway Zone

OVERLAY DISTRICTS

- GP Ground Water Protection Overlay
- SP Stream Protection Overlay
- IHO Interstate Highway Overlay District
- JEDD Interstate 71 & State Route 123 Joint Economic Development District

SEC 2.205 TABLE OF USES BY ZONING DISTRICT

Use Specific Zones shall follow the standards of the zoning district.

LAND USES	ZONING DISTRICTS												Ord. Specific Standards	
	RR-1	RR	RR01	RR2	RR3	RR4	RR5	RR6	RR7	RR8	RR9	RR10		
AGRICULTURAL & RELATED USES														
Agriculture, as defined in ORC Section 303.01	E	E	E	E	E	E	E	E	E	E	E	E	E	N/A
Agriculture (non-exempt)	P	P	P	P	P	P	P	P	P	P	P	P	P	
Agricultural Research Facility	C	C	C	C	C	S	S	S	S	S	S	S	S	3.202
Agricultural Support Services	C	C					C	C	S	S	S	S	S	3.202.1
Commercial Stable (non-exempt)	C	C								S	S	S	S	3.202.2
<u>Agritourism</u>	S	S	S	S	S	S	S	S	S	S	S	S	S	3.202.3
Farm Market & Produce Stand	S	S	S	S	S	S	S	S	S	S	S	S	S	3.202.4
Kennel (non-exempt)	C	C				S	S	S	S	S	S	S	S	3.202.5
Nurseries and Greenhouses (non-exempt)	C	C	C	C	C	S	S	S	S	S	S	S	S	3.202.6
Winery	E	E	E	E	E	E	E	E	E	E	E	E	E	3.202.7
RESIDENTIAL USES														
Single Family Dwellings	P	P	P	P	P									3.203.1
Two Family Dwelling Units				P	P									3.203.1
Multiple Family Dwelling Units					P	P	P	P	P	P				3.203.2
Boarding House					C	C	C							3.203.6
Community-Based Residential Social Service Facilities														

LAND USES	ZONING DISTRICTS												Ordinance Standard
	RU-1	RU-2	RU-3	RU-4	RU-5	RU-6	RU-7	RU-8	RU-9	RU-10	RU-11	RU-12	
Adult Family Homes (ORC Sec. 3722.01)	P	P	P	P	P								3.203.3
Adult Group Homes (ORC Sec. 3722.01)	C	C	C	P	P								3.203.3
Family Day-Care Homes, Type A (ORC Sec. 5104.01)	C	C	C	C	C	P	P	P					3.203.3
Family Day-Care Homes, Type B (ORC Sec. 5104.01)	P	P	P	P	P	P	P	P					3.203.3
Foster Homes (ORC Sec 5103.02)	P	P	P	P	P								3.203.3
Institutional Care Facilities	C	C	C	C	C	C	C						3.203.3
Home Uses													
Home Occupations Class 1	P	P	P	P	P	P	P	P	P	P	P	P	3.203.4
Home Occupations Class 2	C	C	C	C	C	P	P	P	P	P	P	P	3.203.4
Secondary Dwelling Unit (on lots less than 5 acres)	C	C	C	C	C	C	C						3.203.5
Secondary Dwelling Unit (on lots 5 acres or greater)	P	P	P	P	P	P	P						
ACCESSORY USES & STRUCTURES													
Detached Buildings or Other Structures	P	P	P	P	P	P	P	P	P	P	P	P	3.102
Drive Through						P	P	P	P	P	P	P	3.102.4 3.102.5
Family Cemetery	P	P	P										N/A
Solar Energy System Equipment	P	P	P	P	P	P	P	P	P	P	P	P	3.102.9 3.102.10
Wind Energy Conversion System Micro-Wind Turbine	P	P	P	P	P	P	P	P	P	P	P	P	3.102.11 3.102.12
Wind Energy Conversion Systems, Small	C	C					C	C	C	C	C	C	3.209.7(A)
TEMPORARY USES													

LAND USES	ZONING DISTRICTS												Use Specific Standards	
	RU & RIB	RI	RIB	IR2	IR3	II	II2	II3	III	III	II	II		
Construction Related Activities														
Construction or Sales Office Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	3.204.2
Housing During Construction	P	P	P	P	P									3.204.2
On-Demand Storage Containers	P	P	P	P	P	P	P	P	P	P	P	P	P	3.204.3
Model Dwelling Sales Units	P	P	P	P	P									3.204.2

LAND USES	ZONING DISTRICTS												Use Specific Standards	
	RI & RIA	RI	RIB	IR2	IR3	II	II2	II3	III	III	II	II		
Events														
Circuses, Fairs, Carnivals, Revivals, Rodeos and Similar Uses	C	C	C	C	C	S	S	S	S	S	S	S	S	3.204.1
Commercial Event Tents	P	P	P	P	P	P	P	P	P	P	P	P	P	3.204(G)
Yard/Garage Sales, Estate Sales, and Private Auctions	P	P	P	P	P	P	P	P	P	P	P	P	P	3.204.4
Vehicle Parking														
Commercial Vehicle Parking in Residential Districts	P	P	P	P	P									3.102.3(A) 3.104
Recreational Vehicle Parking for Habitation	P	P	P	P	P									3.102.3(B)(2) 3.102.4(B)(2)
Recreational Vehicle Parking in Residential Districts	P	P	P	P	P									3.102.3(B) 3.102.4(B)(1) & (3)
Retail Sales														
Outdoor Plant, Art, Craft Sales						S	S	S						3.204

COMMUNITY FACILITIES & ESSENTIAL SERVICES USES

LAND USES	ZONING DISTRICTS												Use Specific Standard
	RC C N/A	RMF	ROD	R2	R3	DF	DF2	DF3	DF4	DF5	DF6	P	
Community Facilities													
Auditoriums & Performing Arts						S	S	S	S	S			3.205.1
Churches / Places for Worship - Large Facility	C	C	C	C	C	C	C	C	C	C	C	C	3.205.1
Churches / Places for Worship - Small Facility	C	C	S	S	S	S	S	S	S	S	C	C	N/A
Civic Clubs, Civic Halls & Civic Lodges	C	C	C	C	C	S	S	S	S	S	S	S	3.205.3 3.205.3
Libraries, Museums, and Fine Arts Centers	S	S	C	C	C	S	S	S	S				3.205.1
Essential Services													
Campground	C	C											3.206.13
Cemeteries	S	S	S	S	S	S	S	S	S	S			3.205.2
Correctional Facilities													2.406
Fire & Police Station	S	S	S	S	S	S	S	S	S	S	S	S	N/A
Government Offices, including Post Offices	S	S	S	S	S	S	S	S	S	S	S	S	N/A
Health Care, Hospital, Clinic, Rehab Facility	S	S	S	S	S	S	S	S	S	S			3.205.5
Institutional Care, Substance Abuse Rehab Facility	C	C				S	S	S	S	S	S	S	3.203.3
Public Works/Road Maintenance Yards	C	C	C	C	C	C	C	S	S	S	S	S	N/A
Schools Pre-School, Elementary, Non-Elementary	C	C	C	C	C	S	S	S	S	C			3.205.4
Career Center/College, Universities	C	C	C	C	C	C	C	S	S	S	C	C	3.205.4
Other Towers	P	P	P	P	P	P	P	P	P	P	P	P	3.205.6

INDUSTRIES	ZONING DISTRICTS												Use-Specific Standards
	RC	RD	RID	IOZ	RO	DT	DD	DDA	DDC	DDF	DDG	DDH	
Telecommunications Facility Small Cell Towers	P	P	P	P	P	E	E	E	E	E	E	E	3.205.7(2B)
Telecommunications Facility Towers	S	S	S	S	S	E	E	E	E	E	E	E	3.205.7(4A)
Wind Energy Conversion System, Large Wind Farms	C	C									C	C	3.209.7(B)

COMMERCIAL BUSINESS AND SERVICES USES

Automotive Repair, Service, Sales and Rentals

Automobile Body Repair Shop						C	C	C		S	S	S	3.206.2(B)
Automobile Fueling Station						C	S	S	S	S	S	S	3.206.3
Automobile General Repair						C	S	S	S	S	S	S	3.206.2(A)(B)
Automobile Oil Change, Lube, Light Service						C	S	S	S	S	S	S	3.206.2(A)
Automobile Sales							S	S		S	S		3.206.2(A)(C)
Automobile Washing Facility						C	S	S	S	S	S	S	3.206.2(A)(E)
Truck Stop							C	S		S	S	S	3.206.2(A) & 3.206.3

Entertainment and Recreation

Bar, Brewpub, Cocktail Lounge, Night Club						S	S	S	S	S			3.206.4
Casino									S	S	S	S	3.205.8(F) 3.206.16(1')
Commercial Amusement, Indoor						S	S	S	S	S			3.205.9 3.206.15
Commercial Amusement-Outdoor						C	C	C	C	C			3.205.8 3.206.16
Cinema							S	S	S	S			3.206.9
Golf Driving Range or Miniature Golf	C					S	S	S	S	S			3.205.8(D) 3.206.16(D)

LAND USES	ZONING DISTRICTS												Use Specific Standards
	RU UR	RD	RD RD	RD	RD	RD	RD	RD	RD	RD	RD	RD	
Health/Fitness Club, Gym or Spa						C	S	S	S	S			3.205.9 3.205.1(A)
Internet Sweepstakes Establishment													N/A
Race Tracks Racetracks										S	S	S	3.205.8(F) 3.206.16(F)
Sexually Oriented Businesses											C	S	3.206.11
Shooting Range						C	C	C	C	C	C	C	3.205.8
Lodging													
Bed and Breakfast	C	C	C	C	C	S	S	S	S	S			3.206.5
Country Inn	C	C											3.206.8
Hotels / Motels							S	S	S	S			3.206.7
Services													
Animal Hospital or Veterinary Clinic	C	C	C	C	C	S	S	S	S	S	S	S	3.206.1
Barber, Beauty Shop & Personal Care Salon						S	S	S	S	S			3.207.3
Commercial Service Provision	C					S	S	S	S	S	S	S	3.206
Conference-Training Center	C						S	S	S	S			3.206.12
Day Camp, Boarding Camp, Retreat Facility	C	C	C	C	C								3.206.13
Day Care Center	C	C	C	C	C	S	S	S	S	S	C	C	3.206.14 & 3.205.1 (E) (B)
Funeral Parlor, Crematory or Mortuary	C	C	C	C	C	S	S	S					3.206.6
Landscaping Service	C					P	P	P	P	P	P	P	3.206
Laundromat and Dry Cleaner						S	S	S					3.206

LAND USES	ZONING DISTRICTS												USE SPECIAL SUBTOTAL
	RD	TRF	TRFD	TRF2	TRF3	TRF4	TRF5	TRF6	TRF7	TRF8	TRF9	TRF10	
Moving Truck & Trailer Rental						S	S	S		S	S		3.206
Printing or Copying Shop						S	S	S	S				3.206
Recreational Facility – Indoor	C	C	C	C	C	S	S	S	S	S	S	S	3.206.15
Recreational Facility – Outdoor Active	C	C	C	C	C	S	S	S	S	S	S	S	3.206.16
Recreational Facility – Outdoor Passive	S	S	S	S	S	S	S	S	S	S	S	S	3.206.16
Self-Storage Facility							S	S		S	S	S	3.208.3
Tattoo & Body Piercing Parlor							S	S		S			3.206 & 3.207.3
Wedding Facility, Event Center	C	C				S	S	S					3.206.17
Retail													
Convenience Mart-Carry-Out Store					C	C	S	S	S	S	S	S	3.206
Farm Machinery and Small Engine Sales, Rentals & Repairs	C					S	S	S	S	S	S	S	3.206
Garden Center	C					S	S	S	S	S			3.206
Gunsmith & Firearms Dealer						C	C	C	C	C			3.206
Hardware, Home Improvement, Building Materials & Supplies Store							S	S					3.206
Large Scale Retail (Big Box) Stores							C	C		S			3.206.9
Retail Stores - General						S	S	S					3.206
Wholesale Business								C	S	S	S	S	3.206
Restaurant Full Service						S	S	S	S	S			3.206.10

LAND USES	ZONING DISTRICTS												Use-Specific Standards
	RU	RI	RDL	R2	R3	IT	IT2	IB	IB4	IB5	IT	IT2	
Restaurant, Fast-Food						C	S	S	S	S			3.206.10
Retail Small-Scale/Light Manufacturing						S	S	S	S	S	S	S	3.206
Professional Office													
Administrative, Business and Professional Offices						S	S	S	S	S	S	S	3.206
Banks and Financial Institutions						S	S	S	S	S			3.207.4
Office with Warehousing							S	S	S	S	S	S	3.208
Radio, TV or Other Broadcast Studio						S	S	S	S	S	S	S	N/A
Recording Studio						S	S	S	S	S	S	S	3.207.2
INDUSTRIAL MANUFACTURING, RESEARCH AND SUPPLY/SERVICES USES													
Manufacturing													
Acid, Chemicals, Inflammable Liquids or Gases Manufacturing & Storage											C	S	3.208
Animal Rendering Fertilizer or Glue Manufacture												S	3.208
Asphalt or Concrete Batch Plant or Products Manufacturing												S	3.208
Bakery or Candy Making Facility									C	S	S	S	3.208
Building Trusses Manufacture or Wood Milling Facility										C	S	S	3.208
Ceramic, Glass or Similar Product Manufacture											S	S	3.208
Cosmetics Manufacture											S	S	3.208
Electrical Device or Component Manufacture or Assembly											S	S	3.208

LAND USES	ZONING DISTRICTS												Use Specific Standards
	RU	RI	RUI	R2	RO	U1	U2	UB3	U4	U5	U11	U12	
Explosives or Flammable Components Manufacture or Storage												S	3.208
Furniture Making, Wood Products & Upholstering										S	S	S	3.208
Heating /AC /Sheet Metal Manufacturing										S	S	S	3.208
Light Manufacturing										S	S	S	3.208
Metal Casting, Cutting, Dyeing, Milling, Plating, Punching, Rolling, Stamping or Screw Making												S	3.208
Music Instrument Novelty or Toy Manufacture										S	S	S	3.208
Pharmaceuticals Manufacture											S	S	3.208
Plastic & Rubber Products Manufacture											S	S	3.208
Pre-Made Parts & Materials Processing or Assembly									C	C	S	S	3.208
Sheet Metal & Machine Shops										S	S	S	3.208
Signs, Lighting, Outdoor Advertising & Manufacturing									C	S	S	S	3.208
Industrial Food Services Processing													
Creamery, Bottling, Ice Making or Cold Storage Plant										S	S	S	3.208
Food Production, Processing or Packaging Plant										C	S	S	3.208
Slaughterhouse and Stockyards												S	3.208
Industrial Services													
Carpet/Rug Cleaning or Uniform Service Plant										S	S	S	3.208

LANDUSES	ZONING DISTRICTS												REGULATORY STANDARD
	RD	RC	RID	R2	R3	U1	U2	U3	U4	U5	U	U'	
Container / POD Storage Facility										S	S	S	3.208
Enameling, Lacquering, or Japanning												S	3.208
Industrial Printer										S	S	S	3.208
Heating/AC/, Building Exterior Trim & Roofing Repair, Supply or Service Shop							S	S	S	S	S	S	3.208
Mover Storage Facility										S	S	S	3.208.3
Paint Mixing or Spraying Facility											S	S	3.208
Petroleum or Related Products Refining or Distributer Depot											S	S	3.208
Research and Development,							C	C	S	S	S	S	3.208
Truck Terminals and Distribution Facilities										S	S	S	3.208.4
Warehousing/ Depot										S	S	S	3.208.4
Welding Shop						C	C	C	C	S	S	S	3.208

LAND USES	ZONING DISTRICTS						Applicable Use Specific Standards
	II	I2	ME	SD	ST	SY	
Batching Plant (Concrete or Asphalt)			C				3.208.1
Central Processing Facility for Solid Waste Transfer, Materials Resource Recovery and/or Recycling				S	S		3.209.6
Class I Composting Facility				S			3.209.6
Class II Composting Facility				S	S		3.209.6
Class III ** Composting Facility				S	S		3.209.6
Class IV ** Composting Facility	S	S		S	S		3.209.6
Construction and Demolition Debris Disposal Facility		S		S	S		3.209.1
Energy Recycling Plant	S	S					3.209.2
Hazardous Waste Collection Site				S	S		3.209.2
Mineral Extraction and Surface Mining			S				3.209.4
Incinerator for the Burning of Solid Wastes				S			3.209.2
Methane Recovery Facility associated with soil removal				S	S		3.209.2
Sanitary Landfill				S			3.209.6
Solid Waste Disposal Facility				S			3.209.6
Junk & Wrecked Vehicle Salvage Yard Facility						S	2.404
Motor Vehicle Impound Lot	S	S				S	3.209.3
Salvage Motor Vehicle Auction or Pool Facility						C	2.404
Recycling and Salvage Center	S	S				S	3.209.5

2.302.3 Conservation Design Option (CDO): Developments utilizing this option shall undergo the Major or Alternative Subdivision process. CDO is permitted in accordance with the following regulations:

(A) Subject to the following subparagraphs, Conservation Design Option (CDO) need not meet the lot width requirements set forth in Section 2.302.1 (Minimum Frontage and Width) and 2.302.2 (Minimum Area Requirements).

(B) **Minimum Lot Size:**

District	District Density (Units per acre)	Minimum Lot Size (acres)
RU	0.20	1.25
R-1A	0.33	1.25

(C) For projects within the RU zoning district, a minimum of forty percent (40%) of the total project area shall be dedicated as open space. Projects within R1A zoning district shall dedicate a minimum of thirty percent (30%) open space. The Thoroughfare Plan Right-of-Way shall be subtracted from the total project area.

(D) **Density:**

(1) **Base Density:** The base density for a conservation option shall be determined by the following steps:

- (a) Determine gross tract acreage, the Thoroughfare Plan Right-of-Way shall be subtracted from the gross tract acreage;
- (b) Multiply by the zoning district density (Units Per Acre); calculate proportionally if the tract lies in two zoning districts; and,
- (c) Multiply by 1.3 (density bonus).

SEC 2.304 BASE DENSITY/INTENSITY CALCULATIONS: The base density, intensity, and minimum buildable lot area for non-conservation option development shall be determined by the following steps:

For Major Subdivisions and Non-Residential Subdivisions:

- (A) Determine gross tract acreage;
- (B) Subtract the acreage of any rights-of-way purposes for roads, existing utilities, and Thoroughfare Plan Right of Way.
- (C) Subtract the acreage of areas within the following areas at the specified percentage:

- (1) **Floodway:** ~~one hundred percent (100%);~~ One hundred percent (100%) of the floodway shall be preserved or undeveloped;
 - (2) **Flood Fringe:** ~~fifty percent (50%);~~ Fifty percent (50%) of the flood fringe shall be preserved or undeveloped;
 - (a) ~~Fifty percent (50%) of the flood fringe shall be preserved or undeveloped.~~
 - (3) **Wetlands and Ponds:** ~~one hundred percent (100%);~~ One hundred percent (100%) of the wetlands and ponds shall be preserved or undeveloped; and
 - (4) **Slopes of Twenty-Five (25%) Percent or Greater:** ~~of forty-five percent (45%) or greater;~~ Seventy percent (70%) of slopes of twenty-five (25%) percent or greater shall be preserved or undeveloped.
 Slope Percent = (Amount of Rise/Amount of Run) X 100.
- (D) For Residential Development: Multiply by the zoning district density; calculate proportionally if the tract lies in two zoning districts or for mixed use developments; or
 - (E) For Non-Residential Development: Multiply by the zoning district floor area ratio (FAR).

ARTICLE 3 ZONING SUPPLEMENTAL PROVISIONS

CHAPTER 1: GENERAL PROVISIONS

SEC 3.102 ACCESSORY USES, BUILDINGS AND STRUCTURE STANDARDS:

3.102.1 Accessory Use: Accessory uses must:

- (A) Be customarily associated with and incidental, subordinate and secondary to a legally established principal permitted use and be in accordance with all requirements of this Code;
- (B) Be operated on the same lot as the principal use, unless otherwise provided.

3.102.2 Residential Accessory Buildings: Accessory buildings, including garages, shall be permitted as an accessory use to principal use buildings in any residential district in accordance with the following requirements:

- (A) The number of detached accessory buildings per lot, building height, and setbacks shall be permitted as follows:

Table 3.102-1

Lot Size	Number of Accessory Structures Greater Than 200 Sq. Ft.	Total Accessory Structures	Building Height (Feet)	Setback (Feet)
Less than or equal to 2 acres	1	2	18	10
Greater than 2 acres but less than 5 acres	2	3	25	The base setback for accessory structures (10 feet) is increases by 2 feet
Greater than 5 acres	3	4	District Height	for each foot of height over 18 feet.

- (B) Accessory buildings require a permit in compliance with Section 1.301. In addition to the requirements of that Section, the zoning permit application shall include the following:
 - (1) A plot plan of the lot, premises, or parcel that illustrates the location of the proposed accessory building and all other buildings and structures on the property.
 - (2) The approved or future site of the wastewater disposal system, if applicable.
- (C) **Special Height Exceptions:**
 - (1) Where unusual, problematic or special lot circumstances warrant flexibility, a waiver to the standard height requirements for accessory buildings and structures on parcels of two acres or greater is allowed by the Zoning Inspector upon consideration of the following factors:
 - (a) Elevation of the parcel;

- (b) Adequate screening from the public right-of way;
 - (c) The beneficial effect of existing terrain and vegetation;
 - (d) Uses of contiguous parcels;
 - (e) The impact on the privacy of adjacent sites;
 - (f) The aesthetics and compatibility of the accessory structure; and
 - (g) The height in relationship to the height and location of the primary building.
- (2) The Zoning Inspector's determination per subsection (1) above may be appealed in accordance with the Administrative Appeal process pursuant to Section 1.310.2.
- (D) Accessory buildings less than one-hundred fifty (150) feet away from the right of way shall be located in the rear or side yard.
- (E) An accessory structure is not permitted on a lot less than three (3) acres, prior to the establishment of a principal use structure, unless the following requirements have been met:
- (1) A building permit has been issued and the footer approved for the principal use structure;
 - (2) The location of an accessory building is found acceptable in relation to the future principal structure; and
 - (3) The location of the accessory building does not interfere with the central sanitary sewer or the on-site wastewater disposal system as determined by the approving authority.
- (F) An accessory structure is permitted on lots greater than three (3) acres and less than five (5) acres prior to the establishment of the principal structure if the use is for storage of equipment, materials, supplies and vehicles which are necessary for maintaining the property, and complies with the following requirements:
- (1) One (1) accessory building with a maximum size twelve hundred (1200) square feet shall be permitted until the establishment of the principal structure shall occur.
 - (2) Minimum building setback is one hundred and fifty (150) feet from the right-of-way or required front yard setback for panhandle lots.
 - (3) The location of the accessory building does not interfere with the central sanitary sewer or the on-site wastewater disposal system as determined by the approving authority.
- (G) The total footprint of accessory buildings shall not exceed fifty percent (50%) of the footprint of the principal structure on a lot that is less than one (1) acre. On a lot greater than one (1) acre but less than two (2) acres, the total footprint of accessory buildings shall not be greater than the principal building footprint. On a lot that is greater than two

(2) acres but less than five (5) acres, the total footprint of the accessory buildings shall not exceed two (2) times the footprint of the principal building.

- (H) All accessory buildings shall meet the following setback requirements:
 - (1) Accessory buildings shall be set back a minimum of ten (10) feet from rear and side property lines.
 - (2) Accessory buildings shall be set back a minimum of ten (10) feet from a principal building.
- (I) In platted subdivisions, any accessory building used for containing animals shall also be subject to the requirements specified in Section 3.101.
- (J) Accessory buildings must be anchored per the building code or if less than two hundred (200) square feet then must be anchored on all four (4) corners with screw-type or post-in concrete-type of anchor.
- (K) A transportation vehicle without wheels; shipping containers; railroad cars; truck vans, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not permitted to be used as accessory buildings on property zoned residential or on property where the principal use of which is residential.

Notwithstanding the provisions set forth above, the temporary placement of shipping containers on residentially zoned properties, or on properties the primary use of which are residential, for the limited purpose of loading and unloading household contents shall be permitted for thirty (30) days within twelve (12) month period and may be extended by the Zoning Inspector up to thirty (30) additional days.~~shall not be used as an accessory structure.~~

3.102.4 Commercial and Recreational Vehicle Parking in Residential Districts: Parking of commercial and recreational vehicles are limited to the side and rear yards in all residential districts. Such vehicles shall be located on a dust free driveway typical of the neighborhood and, shall comply with the requirements of Section 3.104. Commercial and Recreational Vehicles are subject to the following:

- (A) **Commercial Vehicles:**
 - (1) One (1) commercial vehicle not exceeding eight (8) tons (sixteen thousand/16,000 pounds) gross vehicle weight may be parked in an unenclosed area.
 - (2) One (1) additional vehicle may be parked if placed in an enclosed building operated by a resident of the property and located on a site greater than five (5) acres.
 - (3) One (1) commercial vehicle connected to a trailer not exceeding eight (8) tons (sixteen thousand/16,000 pounds) gross combined vehicle weight may be parked in any unenclosed area.
- (B) **Recreational Vehicles:**

- (1) Recreational vehicles for the purpose of storage on a lot with a primary residential structure and not for purpose of habitation are subject to the following:
 - (a) Permitted in all residential districts
 - (b) A maximum of two (2) recreational vehicles are permitted in the rear and side yards. Any additional recreational vehicles must be stored in an enclosed building. Lots of five (5) acres or more are exempt from this standard provided the vehicles are not visible from the public right-of-way.

- (2) Recreational vehicles for the purpose of habitation are subject to the following:
 - (a) The use is prohibited in all residential districts, except for the purpose of providing temporary visits for a period lasting not more than seven (7) days and exceeding two (2) times in twelve (12) months.
 - (b) May be used in accordance with Section 3.204.2(B) (1-3) Construction Related Activities.
 - (c) Shall not to be connected to any public utilities or on-site septic system.

- (3) Parking or storage of recreational vehicles, boats, utility trailers or similar items is prohibited within the front yard, except for loading and unloading which does not exceed forty-eight (48) hours.

3.103.4 Projections into Required Yards: ~~Concrete or paver~~ Patios, porches, or decks that are under 18 inches in height shall be set back a minimum ten (10) feet from adjacent property lines and do not require a zoning permit.

ARTICLE 3 ZONING SUPPLEMENTAL PROVISIONS

CHAPTER 2: USE SPECIFIC STANDARDS AND REQUIREMENTS

SEC. 3.203 RESIDENTIAL USES STANDARDS AND REQUIREMENTS

3.203.1 Principal Building per Single or Two Families Residential Lot:

Only one principal building/use, residential or non-residential, is permitted per lot. For purposes of this section, outdoor advertising (billboards) shall not be considered a principal building/use.

3.203.2 Multiple-Family:

(A) All Development:

(1) Architectural Details:

- (a) When located adjacent to single-family dwellings and visible from a public right-of way, the design and appearance of multiple-family dwellings must have similar massing, height, roof pitch, and architectural features, including front porches, cornice lines, horizontal lines of windows, and architectural embellishments such as, but not limited to, shutters, dormers, belvederes, etc., to create the appearance of single-family dwellings.
- (b) Walls visible from a public right-of-way shall include windows and architectural features similar to the front façade of the building, including, but not limited to, awnings, cornice work, bay windows, edge detailing, or other decorative finish materials.
- (c) All buildings shall have pitched roofs, which may include functional dormer windows and varying lines.

(2) **Parking:** Parking or storage of recreational vehicles, boats, utility trailers, or similar items is prohibited within the front yard.

(3) **Pedestrian Circulation:** Pathways shall be provided from parking areas, public sidewalks, and recreation areas.

(4) **Maximum Number of Units per Structure:** Twelve (12), excluding mixed use buildings.

(5) **Site Design:** Site designs should create a sense of “community” which may include:

- (a) Buildings sited with front entrances and porches oriented toward streets, drives, and plazas, rather than clustered around parking lots.
- (b) Parking lots located behind buildings or screened from view from internal streets, unless it is deemed appropriate to use a parking lot as a buffer from an arterial street.
- (c) Centrally located plazas, clubhouses, pools, and recreational facilities.

(6) **Building Design:** Buildings shall be designed to the following standards:

- (a) Porches, varied rooflines, varied façade depths, or elements that create variety and interest.
- (b) Windows and projecting wall surfaces that prevent larger blank wall surfaces and provide visibility of the street and other public spaces.
- (c) Garages that are integrated with the building or sited so as to avoid long rows of garage doors.
- (d) Garages shall be oriented so that they do not visually dominate the building façade or the streetscape.

(B) **Conversion of Single-Family to Two-Family and Multi-Family Dwellings:**

- (1) **General:** A residence may not be converted to accommodate an increased number of dwelling units unless it meets the use, density, and development standards of the district. Conversions shall comply with all other relevant Code requirements.
- (2) **Exterior Alterations:** Conversions completed in accordance with these provisions shall not result in any exterior additions to the structure. New building entrances shall be to the rear or side of the structure.
- (3) **Minimum Unit Size:** Six hundred (600) square feet - this standard supersedes the district standard.
- (4) **Off-Street Parking:**
 - (a) Amount Converted residential buildings shall provide at least one (1) off-street parking space per dwelling unit, but no more than three (3) spaces per dwelling unit may be provided.
 - (b) Location: Additional off-street parking spaces shall be located to the rear or side of the structure.

(C) **Upper Story Residential:**

- (1) **Permitted Uses:** Residential uses shall be allowed as a Permitted Use in all commercial zoning districts, provided that they are:
 - (a) In mixed use buildings; and,
 - (b) Located above the ground floor.
- (2) **Intensity:** Upper-story residential units are not factored into the intensity calculations of a site.

3.203.3 **Shipping Containers:**

The use of a shipping container as a principal or accessory residential unit is prohibited.

3.203.34 **Community-Based Residential Social Service Facilities:** This sub-section applies to Adult Group Homes, Family Daycare Types A, and Institutional Care Facilities.

(A) **Adult Group Homes and Institutional Care Facilities:**

- (1) **Submission Requirements:**
 - (a) A statement justifying the need and location of the facility.
 - (b) A map that depicts community facilities and/or services pertinent to the proposed use, e.g. fire stations, parks, libraries, community centers, shopping complexes, or major thoroughfares.
 - (c) A license or a statement documenting the ability to obtain a license prior to the issuance of a certificate of occupancy.
 - (d) An illustration of typical floor plans.
 - (e) A community impact statement that addresses the facility's design, operation and maintenance, compatibility, noise, traffic, and lighting.
 - (f) A detailed plan for services and programs.

(2) **Facility Requirements:**

- (a) **Compatibility:** Exterior alterations and new structures shall be compatible with the residential character of the neighborhood.
- (b) **Off-Street Parking:** One space per every three (3) persons, except for facilities that prohibit clients from operating automobiles.

(3) **Institutional Care Facilities:**

(a) **All Zoning Districts:**

- 1. **Landscaping and Screening:** Buffer Type D along with two (2) shrubs per ten (10) linear feet shall be provided along the side and rear lot lines.
- 2. **Maximum Building Footprint:** Twenty percent (20%) of the gross site area.
- 3. **Minimum Lot Size:** Five (5) acres.

(b) **Residential Zoning Districts:** Institutional Care Facilities are permitted within residential districts if it is demonstrated that:

- 1. Access to the use is provided by a road that is classified as collector or greater in capacity;
- 2. Within the R-1B, R-2, and R-3 districts the buildings are residential in character; and,
- 3. No exterior signage is utilized for accessory commercial uses.

(B) **Family Day-Care Homes, Type A (Seven/7 to Twelve/12 persons):**

- (1) **Hours of Operation:** Maximum of sixteen (16) hours per day and daily operations shall terminate no later than 10:00 p.m.

- (2) Play Area: A fenced and contiguous outdoor play area shall be provided in the rear or side yard and shall be subject to Section 5104.01 of the Ohio Revised Code. Outdoor play areas shall:
 - (a) Be completely enclosed by a fence that is at least three-and-one-half (3 ½) feet in height;
 - (b) Be safely segregated from parking, loading, or service areas; and,
 - (c) Not be operated for outdoor play activities after 8:00 p.m.

3.203.45 Home Uses:

(A) **Home Occupations:** This sub-section allows limited business uses as a home occupation. There are two (2) classifications of home occupations — Class 1 and Class 2. Class 2 allows for greater intensity.

- (1) **All Uses:** A home occupation shall be permitted within the principal dwelling unit, provided that:
 - (a) The use is clearly incidental and subordinate to the principal residential use;
 - (b) The use is compatible with other uses, maintains and preserves the character of the neighborhood, and does not create a nuisance or detract from residential function and tranquility;
 - (c) The use does not produce offensive noise, vibration, smoke, dust, odors, lighting, electrical interference, radioactive emission, environmental pollution, or other nuisances;
 - (d) The use does not exhibit exterior indication of its presence or any variation from residential appearance, except for a sign as permitted per (h);
 - (e) **Display of Goods:** No commercial display of materials, merchandise, goods, or equipment is visible from public rights-of-way or surrounding properties;
 - (f) **Operating Hours:** Client visits and the delivery of merchandise are restricted to no earlier than 8:00 a.m. and no later than 8:00 p.m. daily, except on Sundays, which are restricted from noon to 6:00 p.m.;
 - (g) **Sales:** Only products or services generated by the home occupation shall be offered for sale. In addition, incidental retail sales are allowed in connection with a permitted home business (for example, a beautician may sell hair products to customers). No outdoor display of products for sale is permitted;
 - (h) **Signage:** Signage is limited to one (1) non-illuminated nameplate sign for identification purposes, not greater than four (4) square feet in area, mounted on the front face or driveway lamppost of the dwelling;
 - (i) **Truck Traffic:** The use does not require the delivery or shipment of materials, merchandise, goods, or equipment by other than passenger motor vehicles and small parcel delivery services; and,

- (j) Vehicles: The use does not have more than one vehicle or trailer which is identified by a sign, logo, or emblem of the occupation, business, or activity that is visible from adjoining property or public rights-of-way.

(2) **Class 1:** The following illustrates examples of **permitted uses:**

- | | |
|--|---|
| 1. Accountant | 27. Insurance agent |
| 2. Architect | 28. Journalist |
| 3. Baker | 29. Land developer |
| 4. Barber | 30. Landscape designer |
| 5. Beauticians | 31. Lawyer |
| 6. Builder | 32. Manicurist |
| 7. Caterer | 33. Manufacturer representative |
| 8. Cabinet making | 34. Masseuse |
| 9. Chauffeur | 35. Pedicurist |
| 10. Cleaning service | 36. Pet groomer |
| 11. Construction contractor | 37. Plumber |
| 12. Contract manager | 38. Professional Office |
| 13. Counselor | 39. Psychologist |
| 14. Dentist | 40. Publisher |
| 15. Doctor | 41. Realtor |
| 16. Draftsperson | 42. Repair service for watches and clocks, small appliances, computers, electronic devices, gunsmith, jewelry, etc |
| 17. Editor | 43. Salesperson |
| 18. Electrician | 44. Surveyor |
| 19. Engineer | 45. Telecommuter or telemarketer |
| 20. Florist | 46. Therapist |
| 21. Financial/investment broker | 47. Travel agent |
| 22. Graphic designer | 48. Workshop for a dressmaker, seamstress, tailor, weaver, or other like craft or service, such as for lapidary, jewelry making, welding, pottery, toy-making, and wood-working |
| 23. Gun dealer (no on-site retail sales), | |
| 24. Hair stylist | 49. Writer |
| 25. HVAC installer | |
| 26. Instructor for arts, crafts, cooking, dancing, fitness, music, tutoring, and design including studios and workshops for an artist, sculptor, musician, and photographers, etc. | |

(a) **Development Standards:**

1. Accessory Storage Structure: The storage area dedicated to the home occupation use does not exceed two hundred (200) square feet in gross area.
2. Advertising: The use shall not be advertised in a manner that invites the public to the use.
3. Alteration: No alteration is made to accommodate the home occupation that changes the residential character;

4. Customer Visits: Ten (10) or less per day and not more than two (2) at the same time.
5. Floor Area: The area used for the home occupation does not exceed twenty percent (20%) of the gross floor area within the principal dwelling unit or one room, whichever is greater.
6. Outdoor Storage: The home occupation shall not use outdoor storage or detached structures.
7. Work Force: The home occupation is managed and owned by a person who resides in the dwelling unit and employs only family members living in the unit and one (1) non-resident of the household as on-site employees. There is no limit as to the number of persons employed off-site by the home occupation.

(3) **Class 2:** The following illustrates examples of **permitted uses:**

(a) **Conditional Permitted Uses:**

- | | |
|--------------------------------------|---|
| 1. All Class 1 uses | 11. Machine and/or Mold Making Shop |
| 2. Automotive Repair | 12. Mechanical, Electrical, HVAC, Plumbing Service Contractor |
| 3. Blacksmithing | 13. Mulch and Topsoil Service Contractor |
| 4. Catering | 14. Other similar business as determined by the BZA |
| 5. Cabinet Maker Service | 15. Small Wood Products Maker |
| 6. Construction Contractor | 16. Upholstery Service Shop |
| 7. Excavation Contractor | 17. Tractor Trailer Operator |
| 8. Furniture Maker and Repair | 18. Vending off-site Service and Equipment Provider |
| 9. Landscaping Contractor | 19. Welder Service Shop |
| 10. Lawn and Garden Equipment Repair | 20. Well Drilling Service Contractor |

(b) **Development Standards:**

1. **Business Area:** Permitted within the principal residence and/or an accessory structure.
2. **Lighting:** Subject to the non-residential lighting standards of Article 3, Chapter 5.
3. **Minimum Site Size:** Five (5) acres or as approved by the BZA.
4. **Parking & Loading Spaces:** Off-street parking shall be provided to accommodate the anticipated number of customers and deliveries. Parking and loading spaces shall be screened by evergreen landscaping or a solid fence or wall sufficient in height to block the view of the vehicles in those spaces from surrounding residential zoned or used properties.
5. **Work Force:** The home occupation is owner operated and employs only family members living in the unit and not more than two (2) non-

resident employees on-site. There is no limit as to the number of persons employed off-site.

6. **Accessory Structure Setbacks:** Accessory structures shall be located at least two hundred (200) feet from an offsite principal structure and a minimum of one hundred (100) feet from the property line. The BZA may reduce this requirement if additional screening is proposed.

7. **Tractor Trailer Operator:**

- a. One tractor trailer per occupant with a maximum of three (3);
- b. Limited to one tractor trailer outside of a completely enclosed structure; and,
- c. Requires a Buffer Type D adjacent to surrounding principal structures.

8. **Motor Vehicle and Small Engine Repairs:**

- a. Limited to a total of six (6) motor vehicles at any time;
- b. All repairs shall be conducted indoors;
- c. Motor vehicle painting is prohibited;
- d. All motor vehicles awaiting repairs shall be stored in a completely enclosed structure or within a completely screened area;
- e. Bay doors shall be oriented away from public rights-of-way; and,
- f. Requires a Buffer Type D adjacent to surrounding principal structures.

9. **Retail Sales:** Retail sales will only be permitted on items which are customarily associated with the home occupation as approved by the BZA

(c) **Prohibited Home Occupations:** The following business uses and activities are prohibited as home occupations:

1. Medical and dental clinics and hospitals.
2. Restaurants or any other eating and/or drinking establishment.
3. Undertaking and funeral parlor.
4. Adult Entertainment or Sexually Oriented Businesses.
5. Motor vehicle towing, storage, and salvage business.
6. Veterinarian with boarding and or surgical services.
7. Motor vehicle painting.
8. On site, store front retail as a primary use.

(4) **Permit Issuance and Maintenance:** Home occupations require a zoning permit issued in accordance with requirements of Section 1.301.

3.203.56 **Secondary Dwelling Units:**

(A) **Standards:** A secondary dwelling unit shall only be allowed in accordance with the following provisions:

- (1) The secondary dwelling unit is located entirely within the principal structure or is a detached accessory structure subject to the following provisions. Detached Secondary Dwelling Units shall meet the district setbacks standards for a primary

structure. Detached Accessory Dwelling Units shall be located in the rear or side yard of the primary dwelling unless located greater than 150ft from the road right of way. Detached Accessory Dwelling Units located greater than 150ft from the road right of way are permitted within the front yard of the primary dwelling unit.

- (2) When a secondary dwelling unit is within the principal structure, access points (i.e. all door entrances including garage doors) serving the secondary dwelling unit shall not be located on the front façade of the structure. An exception is made for garage doors which are attached to the principal structure and located adjacent to another garage door serving the primary dwelling unit.
- (3) When a secondary dwelling unit is a standalone structure or an addition to the principal structure, it must be architecturally similar (excluding exterior building materials) to the principal structure.
- (4) The secondary dwelling unit shares the same address and utility bill as the primary dwelling unit.
- (5) Off-street parking is sufficient to accommodate all occupants of both the primary dwelling unit and secondary dwelling unit.
- (6) The secondary dwelling unit's maximum living space shall be fifty (50) percent of the total living space of the primary dwelling unit, but at no time shall exceed fifteen hundred (1,500) square feet of living space.

3.203.6-7 Boarding House: A residential dwelling is permitted to let or sublet up to three (3) sleeping rooms, in conjunction with the two and multiple family residential standards, excluding Section 3.203.2(A)(4).

- (A) **Conditions of Approval:** A boarding house shall only be approved in specific zoning districts as stated in Section 2.205, and in accordance with the following standards.
 - (1) The owner or the manager shall reside on site
 - (2) Sleeping rooms shall not constitute as a "dwelling unit".
 - (3) Sleeping rooms are to be used as a primary residence and are let or sublet for a period of thirty (30) days or more.
 - (4) Sleeping rooms may not have cooking facilities.
 - (5) The structure includes a common entrance, shared utilities, and is limited to one kitchen facility.
 - (6) The shared kitchen is accessible to all occupants.
 - (7) Parking must comply with multi-family standards, as stated in Table 3.307-1.
 - (8) The facility does not accommodate overnight stays by paying transient guests.
 - (9) Meals are not served to the general public.
- (B) **Prohibited Uses:** A boarding house is not to be used as a hotel, motel, inn, dormitory, or convalescent home, nursing home, or group home.
- (C) Individuals living together as a single housing unit does not constitute a boarding house.

3.204.2 Construction-Related Activities:

- (A) **General:** Temporary construction-related activities, including construction and sales office buildings may occur on the same site as the construction activity or a nearby site by obtaining a permit. Such uses shall be removed within thirty (30) days after issuance of the last certificate of occupancy for the development.
- (B) **Residential Construction:** Temporary housing, including but not limited to, a ~~manufactured home~~ Manufactured Home, Not Permanently-Sited, or RV may be permitted in all residential districts in accordance with the following requirements:
 - (1) **Timing of Approval:** The temporary housing unit may not be placed on the property prior to the issuance of a building permit for the permanent residence, the approval of the foundation, the approval of a curb cut, and health department permit.
 - (2) **Renovation and Remodeling:** The temporary housing unit may be occupied on site during renovation or remodeling of the principal structure. Upon completion of the renovation or remodeling, if the temporary housing unit is an RV, the RV may remain on the site, but it shall comply with the storage requirements of Section 3.102.3 within 30 days of the date of the last final inspection. In no case shall the primary residential structure and the temporary housing unit be occupied at the same time. A manufactured home may not be stored on the site upon completion of the renovation or remodeling.
 - (3) **Occupancy Limitations:** The temporary housing unit may be occupied for a period of six (6) months and an additional six (6) month period may be approved by the Warren County Zoning Department if construction progress has occurred. In no case shall the unit be occupied for more than one (1) calendar year.
 - (4) **Deposit:** A refundable deposit in accordance with the provisions of Section 1.310 (Fees) shall be made with the Zoning Inspector. If necessary, the deposit may be used by the County to defray the cost of removing the unit.

3.206.15 Recreation Facility — Indoor: This use shall be:

- (A) At least one hundred (100) feet from any residential property line; and
- (B) The ~~appropriate~~-approving authority shall evaluate noise impact.
- (C) Sound mitigation is required on the interior of the buildings on:
 - (1) lots that are less than (10) acres; and
 - (2) lots that are 10 acres or greater, if determined necessary by the BZA, based on the site's topography and landscaping; building orientation; building location; and the proximity of off-site land uses.

3.206.17 Wedding Facility, Event Center:

- (A) **Site Plan:** The application shall include a detailed site plan, description of all uses, an exhibit map showing the location and distance of the facility to single family and other

housing types and shall comply with the standards set forth under this section. All temporary structures such as tents, stages and dance floors shall abide by all setbacks, and their use area must be identified on the site plan. The application shall also include strategies to mitigate the noise impacts that would be generated by the facility. A parking analysis shall be provided at the time of submittal demonstrating that adequate parking is accounted for in the plans.

- (B) **Minimum Lot Size:**
 - (1) Residential Zoning Districts: Ten (10) acres
 - (2) Commercial Zoning Districts: Two (2) acres
- (C) **Minimum Setbacks from Residential:** All structures, parking lots, and outdoor use areas shall be a minimum of 100 feet from the property lines of all residential zoning districts and uses.
- (D) **Landscaping:** A landscaped buffer is required along the property boundaries adjacent to existing residential uses. The quantity of trees and landscaping required shall be equivalent to a Buffer Type D, and may require additional buffering based on the Approving Authority's evaluation of the design effectiveness of landscaping/structures to screen and mitigate negative visual impacts. The Approving Authority may require additional buffers along property boundaries other than those of existing residential uses.
- (E) **Design:** The use will be designed, constructed, operated and maintained so as to be harmonious and appropriate with the prevailing existing or intended character of the general vicinity.
- (F) **Maximum Occupancy:** The primary event facility shall not exceed 300 persons for conditional use allowance within residential districts. There shall be no maximum occupancy in commercial districts.
- (G) **Event Duration:** The duration of an event shall not exceed 12 hours per day, and the hours of operation shall be set by the Approving Authority.
- (H) **Sounds:** There shall be no outside amplified music or amplified music within temporary structures and tents – except for music performed during a wedding -ceremony within residential districts. This provision does not apply within commercial districts. Sound mitigation is required on the interior of the buildings.
- (I) **Signage and Lighting:** All signage shall comply with Article 3, Chapter 6 and all lighting shall comply with Article 3, Chapter 5 of the Warren County Rural Zoning Code.
- (J) **Operations:** Events may occur entirely within a structure, outside of a structure, or both inside and outside a structure.
- (K) **Fire and EMS:** Adequate ingress and egress and circulation for emergency vehicles, and other factors to ensure public safety, to the satisfaction of the Township Fire Department.
- (L) **Traffic Circulation:** The use shall be conditional upon the approval of the following by the Warren County Engineer's Office:

- (1) Access conforming to the Warren County Engineer's Office access management regulations.
- (2) Site design that ensures the orderly and safe arrival, parking, and departure of all vehicles.
- (3) A traffic impact study, if deemed necessary by the Warren County Engineer's Office.
- (4) Facilities with an occupancy greater than 100 people, are limited to access from an arterial or collector road but may also take access from a local road that is not more than five hundred (500) feet, or one (1) lot away, from an arterial or collector road, subject to the Engineer's Office/ODOT approval.

Table 3.307-1 Required Number of Off-Street Parking Spaces

Use	Minimum Spaces Required
Residential and Residential Based Uses	
Single-and Two-Family Dwellings	2 per dwelling unit, exclusive of garage spaces
Multi-Family Dwellings, One- & Two-Bedroom	1.5 per dwelling unit plus 0.2 per unit for guest space
Multi-Family Dwellings, Three or More Bedrooms	2.0 per dwelling unit plus 0.2 per unit for guest space
Assisted Living Facilities	0.5 per dwelling unit
Family & Group Day Care Homes	1.5 per on-duty caregiver based upon maximum employment shift, plus required spaces for the dwelling.
Institutional Care	1 per 6 residents, plus 1 per on-duty employee based upon maximum employment shift
Civic, Institutional and Government Uses	
Assembly Halls, Churches/ Places of Worship, Auditoriums, Performing Arts Theaters, Halls for Civic Clubs & Membership Organizations	1 per 4 seats in room with greatest seating capacity or 1 per 40 square feet in largest assembly area without fixed seating
Government Offices, Excluding Post Offices	1 per 350 square feet
Hospital, Health Clinics, and Rehabilitation Facilities	2 per bed
Libraries, Museums, and Fine Art Centers	1 per 450 square feet
Post Offices	1 per 150 square feet
Educational Institutions	
High Schools and Colleges	0.4 per school population (students, faculty, and staff)
Schools, Elementary & Secondary	1.5 per teacher, employee and administrator, plus any required spaces for accessory uses, such as assembly halls
Recreational & Entertainment Uses	
Athletic Field	20 spaces per field
Bowling Alley	4 for each alley
Cinemas	1 per 4 seats

Use	Minimum Spaces Required
Commercial Amusement –Indoor	1 for each 5 people allowed within the maximum occupancy load as established by the fire marshal
Commercial Amusement Park –Outdoor	As determined at Site Plan Review
Golf Course	5.0 per hole
Golf Driving Range	1.5 per tee
Health/Fitness Clubs, Gyms and Spas	1 per 300 square feet
Ice or Roller-Skating Rink	1 per 250 square feet
Miniature Golf	2 per hole
Recreation Indoor/Outdoor	As determined at Site Plan Review
Stadium, Sports, Arena, or Racetrack	1 per 12 feet of bench seating or 1 per 8 seats
Swimming Pool, Public	1 per 125 square feet of surface water area
Tennis or Racquet Ball Court	4 per court
Retail, Commercial Business Uses	
Farm Market and Produce Stand	1 per 350 square feet of usable floor area
Furniture and Home Furnishing Store	1 per 800 square feet
Hardware or Home Improvement Store	1 per 550 square feet
Nursery or Garden Center	1 per 300 square feet plus 1 per 1,500 square feet of outdoor sales or display area
Open Air Sales	1 per 250 square feet of indoor floor space plus 1 per 500 square feet of outdoor sales or display area
Restaurant, Bars, Tavern, or Pub	1 per 150 square feet
Retail Stores and Commercial Business & Services	1 per 300 square feet
Video Rental Establishments	1 per 450 square feet
Wedding Facility, Event Center	Parking Analysis as required by Sec 3.206.17(L).
Commercial Services and Personal Service Uses	
Animal Hospital or Veterinary Clinic, Kennels	1 per 450 square feet
Barber, Beauty Shop, and Nail Care	2.5 per service chair or station
Child Care or Adult Day Care Centers	1 per 750 square feet
Funeral Parlor, Crematory or Mortuaries	1 per 75 square feet of parlor or chapel space
Laundromat and Dry Cleaning, Print Shops,	1 per 400 square feet
Self-Storage Facility	1 per 80 storage units
Office Uses	
Administrative, Business, and Professional Offices	1 per 400 square feet
Banking and Financial Institutions	1 per 400 square feet & 3 per Automated Teller Machine
Medical Offices and Clinics, Massage Therapists	1 per 300 square feet
Automotive Sales, Repair and Service Uses	
Automobile Fueling Stations	1 per 350 square feet plus 2 spaces per fuel pump
Automobile General Repair	1 per 250 square feet of office space plus 2 per service bay
Automobile Parts Store	1 per 500 square feet

Use	Minimum Spaces Required
Automobile Sales	1 per 400 square feet of showroom & office space plus 2 per service bay
Automobile and Truck Washing Facility	3 stacking spaces for each wash lane plus 2 drying spaces per lane
Lodging	
Bed and Breakfast	2 for the owner-operator plus 1 per guest room
Hotel, Motel, Country Inn	1.2 per lodging unit, plus 1 per each 150 square feet of banquet, assembly, meeting, or restaurant seating area
Industrial	
Industrial establishment including manufacturing, research and testing laboratories, printing shops, industrial services, wholesale, Warehousing, manufacturing and distribution, and agricultural research.	1 for each employee computed on the basis of the greatest number of persons to be present at any one period during the day or night
Telecommunications Towers and Facilities	1
Adult Uses	
Sexually Oriented Businesses	1 per 300 square feet

SEC 3.309 **DEVIATIONS ADMINISTRATIVE VARIANCES:** The Zoning Inspector may allow non-residential parking at a rate of up to twenty percent (20%) above or below the required amount as specified in the Table 3.307-1, unless otherwise provided, in this Zoning Code, on an individual basis based upon the scale and impacts of the request, for good cause shown. The applicant shall make such request in writing, which shall include documentation from an acceptable industry publication (i.e., Institute of Transportation Engineers, Urban Land Institute, American Planning Association, etc.) or by a study prepared by a professional qualified to document parking requirements. Single family and two-family parking may be increased by the Zoning Inspector.

- (A) In approving deviations ~~administrative variances~~ that reduce the parking requirements established in Table 3.307-1, the Zoning Inspector may, as a condition of approval, require an area to be reserved or set-aside future for parking. Such areas shall be shown be illustrated on the site plan and documented as “reserved parking for future use.”
- (B) The approval of a deviation ~~an administrative variances~~ that increases the parking requirements established in Table 3.307-1 requires, at a minimum one of the following:
 - (1) An additional five percent (5%) of the parking lot landscaping in accordance with Section 3.406 (B) (Landscaping and Screening for Parking and Loading Areas);
 - (2) A continuous pedestrian walkway that links the parking lot area to the main building entrance; or,
 - (3) The implementation of a Low Impact Development (stormwater) technique, post-construction that is not otherwise required by the Ohio Environmental Protection Agency and/or the Warren County Soil and Water Conservation District.
- (C) Additional parking spaces allowed through a deviation ~~an administrative variance~~ shall be constructed of permeable pavers, porous concrete, or semi-permeable surface with proper under-drainage.

ARTICLE 3

CHAPTER 6: SIGNAGE STANDARDS AND REQUIREMENTS

- SEC 3.601** **PURPOSE:** The purpose of this Chapter is to regulate and encourage the orderly development of signs while recognizing the need for adequate business identification, informational and advertising communication, and the value of visual attractiveness. The purpose of this Chapter is intended to:
- (A) Promote and maintain visually attractive residential, retail, commercial, and mixed-use districts free from signage clutter.
 - (B) Complement the scenic and natural beauty of communities and the countryside.
 - (C) Encourage sign design and placement that minimizes distraction and confusion.
 - (D) Establish review procedures to evaluate the appropriateness of signs.
- SEC 3.602** **APPLICABILITY:** Unless expressly exempted, no exterior or window signage shall be erected, constructed, enlarged, expanded, structurally altered, relocated, modified (excluding the sign face of changeable copy and LED signs), or reconstructed unless a zoning permit and building/electrical permit evidencing the compliance of such sign with the provisions of this Chapter have been issued by the Zoning Inspector. Repainting, replacement of parts and preventative maintenance do not require a permit.
- SEC 3.603** **STATE PERMIT:** In addition to the zoning permit required pursuant to this Chapter, a state permit issued by the State Director of Transportation may be required prior to the issuance of any zoning permit for outdoor advertising signs located within six hundred sixty (660) feet of streets that are part of the interstate or primary highway systems.
- SEC 3.604** **APPLICATION REQUIREMENTS:** An application for permit shall be in accordance with Section 1.302 and include the following information:
- (A) Position of the sign in relation to nearby buildings, structures, and property lines.
 - (B) Plans illustrating dimensions, materials, method of construction and attachment or placement.
- SEC 3.605** **REVIEW PROCEDURES:** The zoning permit for a sign is subject to Zoning Inspector approval in accordance with Article 3, Chapter 6. The review of signs submitted in conjunction with a development requiring site plan shall be in accordance with Section 1.303.

SEC 3.606 Signage Types:

Figure 3.606-1: Signage Examples

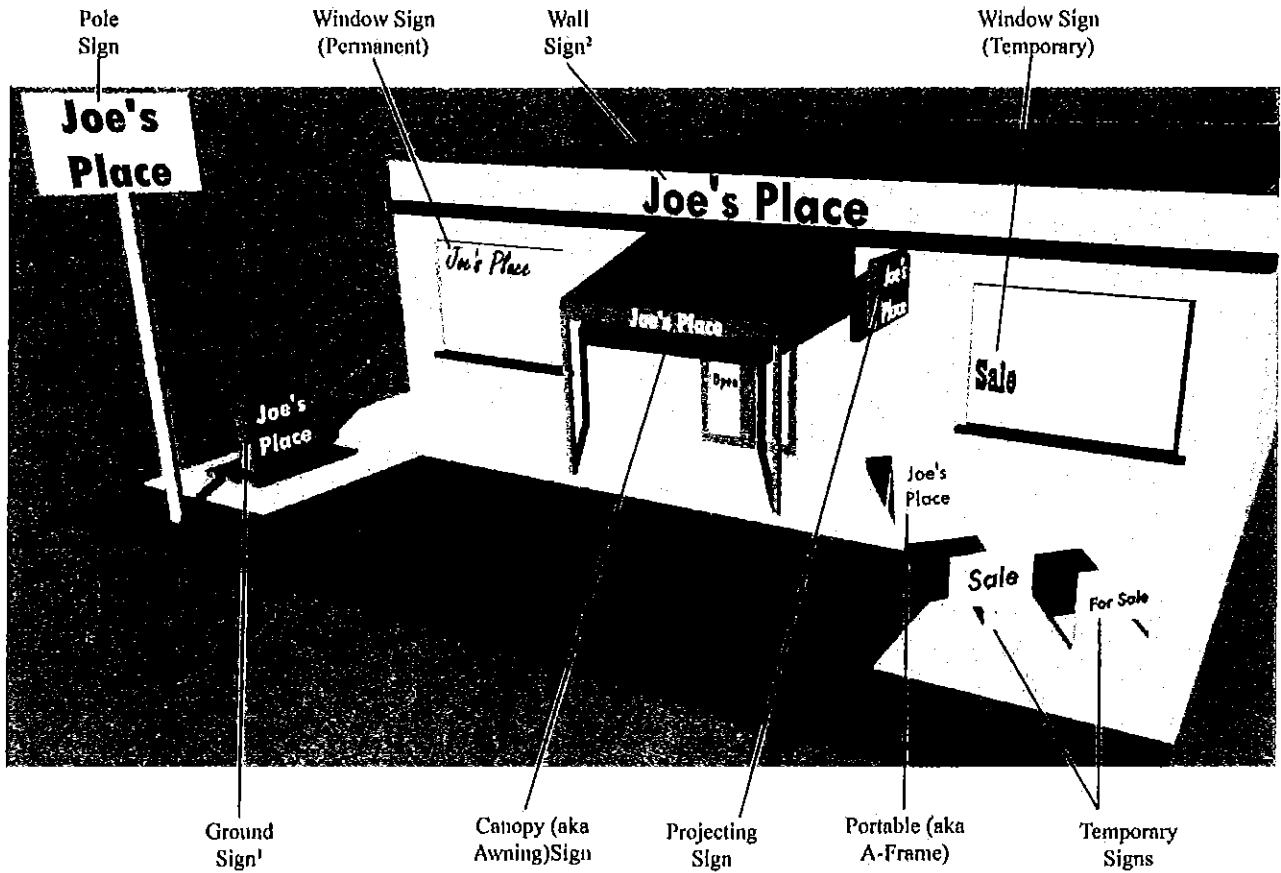


Figure 3.606-2: Examples of Ground Signs

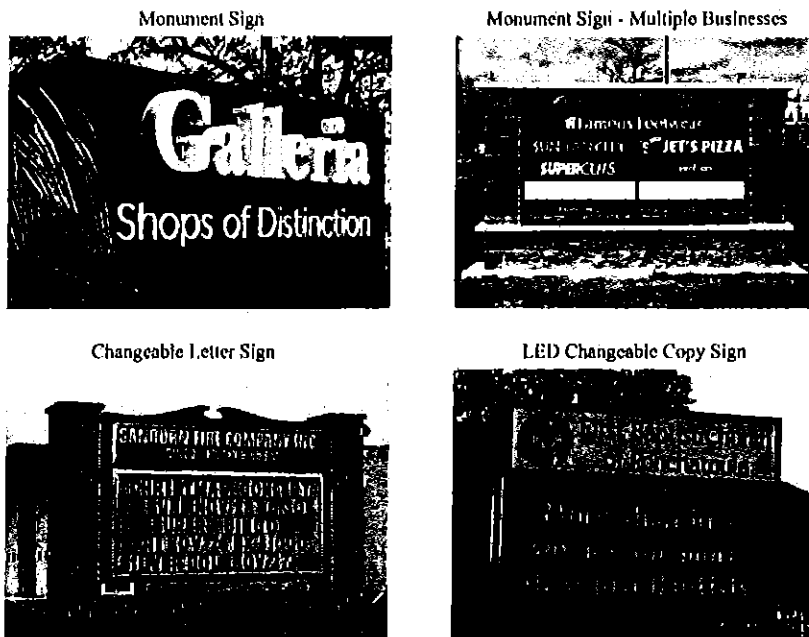


Figure 3.606-3: Example of a Gateway Pole Sign

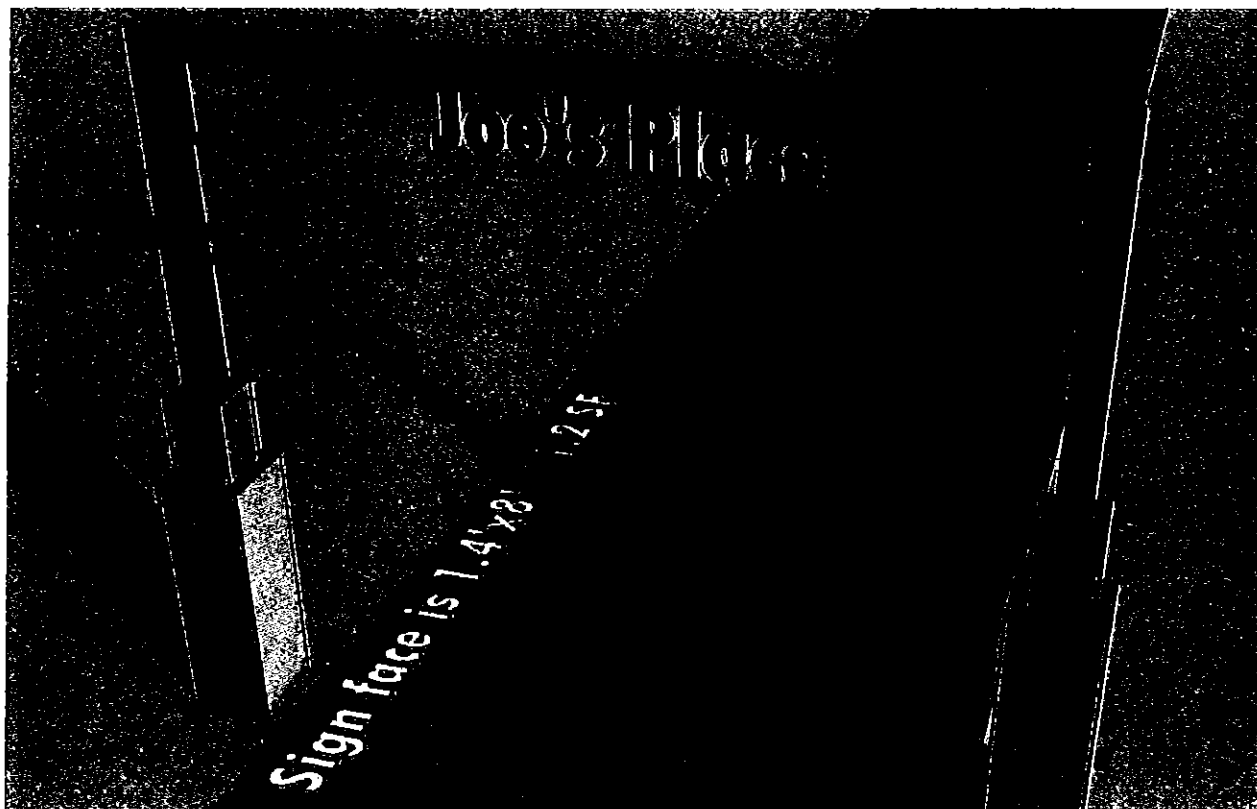
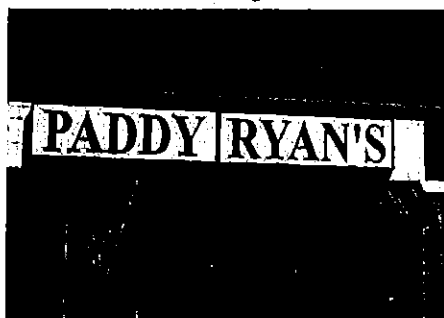


Figure 3.606-4: Examples of Wall Signs

Cabinet Sign



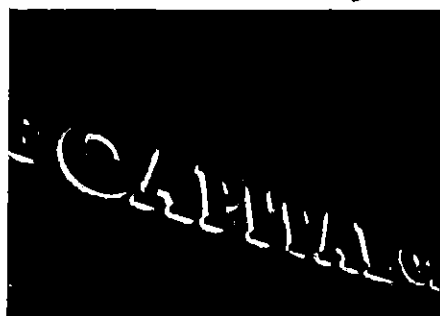
Internally Illuminated Cabinet Sign



Channel Lettering



Reverse Channel Lettering



SEC 3.607 **GENERAL SIGN STANDARDS:** An illuminated sign shall only emit light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign be placed or directed so as to be a visual nuisance or traffic hazard subject to compliance with Article 3, Chapter 5 (Lighting Requirements and Standards).

- (A) Regulation of signs along interstates and primary highways shall conform to the requirements of Ohio Revised Code Chapter 5516 and the regulations adopted herein.
- (B) Signs not specified within this Chapter shall require the Zoning Inspector to make a determination as to whether the sign listed shall be allowed as a permitted sign or otherwise prohibited, based on being similar or not to one or more signs specified elsewhere in this chapter. The Zoning Inspector may convene the Board of Zoning Appeals to make the same determination if he or she believes the sign is not easily categorized with any of the signs specified elsewhere in this chapter.
- (C) No sign shall be placed in such a manner as to obstruct free and clear vision of traffic on public or private property. A determination will be made by the Zoning Inspector, based upon input from the Warren County Engineer and/or the Ohio Department of Transportation (ODOT).
- (D) Signs shall not obstruct windows, doors, fire escapes, balconies, stairways, ladders, vents, or other means of building ingress/egress.

SEC 3.608 **DESIGN STANDARDS:**

- (A) Freestanding and Ground Signs shall be made of solid materials of a permanent nature known and used in the sign construction industry and shall include, but are not limited to, brick, simulated brick material, stone, EIFS, polished or honed finish metals, decorative precast concrete, wood, architectural masonry, steel and/or metal, and glass.
- (B) The structure must be an integral part of the sign display and no exposed structural members will be permitted, unless it contributes to the sign concept.
- (C) The components necessary for operation or fastening of the signage shall not be exposed or visible to the general view, unless it contributes to the sign concept.
- (D) All freestanding signs shall be located in a landscaped or hardscaped setting to provide the desired continuity and street-scene effect of the development. The preferred type of sign shall be a Ground Sign with indirect illumination.
- (E) The source of illumination shall be arranged so as to not reflect onto or cause glare to pedestrians or vehicles.
- (F) All electrical service must be hidden underground with meters or drops screened from the general view.
- (G) Landscaping must screen any exposed light source on the ground.
- (H) No internal or structure illuminated boxed, or cabinet type signs will be allowed. This prohibition shall not preclude channel lettering, reverse channel lettering, or LED signs.
- (I) Plywood, plastic, and unfinished wood are not permitted.
- (J) Vinyl lettering is permitted when used as a substrate material.

SEC 3.609 **SIGN DIMENSIONAL COMPUTATIONS:** The following regulations shall control the computation and measurement of sign area, sign height, window area, and building frontage:

(A) **Determining Sign Area and Dimension:**

- (1) The sign area shall include the display area of the sign, including the frame, but shall not include the structural support unless such structural support is illuminated or determined to constitute an integral part of the sign design. Whether a sign is composed of a sign face or individual letters and other communication elements, the sign area shall be the area of one rectangular shape that encompasses the perimeter of all the elements of the display.

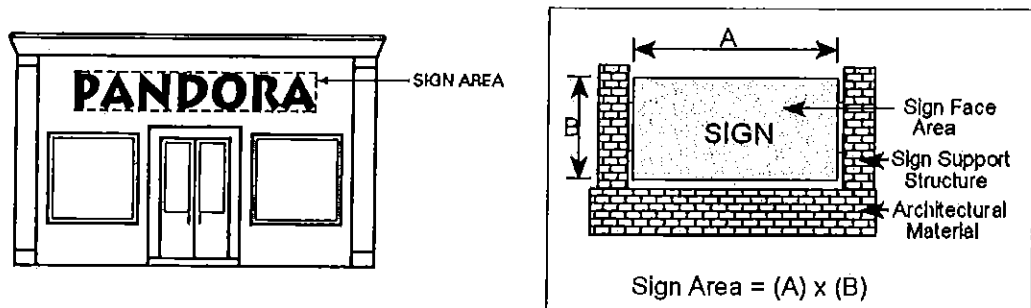


Figure 3.609 -1: Illustration of sign area calculation for a wall sign (left) and a ground sign (right).

- (2) The sign area for a sign with more than one (1) face (multi-faced signs) shall be computed by adding together the area of all sign faces.
- (3) When two (2) identical faces are placed back-to-back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty-four (24) inches apart, the sign area shall be computed by the measurement of one of the faces.

(B) **Determining Sign Height:** The height of a sign shall be measured from the average grade at the base of the sign or support structure to the tallest element of the sign structure. Decorative caps, finials, and similar design elements not exceeding twelve (12) inches in height and located on the top of supporting posts for a ground sign shall not be included in the calculation of sign height.

(C) **Multi-Occupant Buildings:** The portion of a building that is owned or leased by a single occupant and has a public entrance shall be considered a building unit. The primary building frontage for such building unit shall be measured from the centerline of the party walls defining such building unit.

(D) **Determining Sign Setback:** The setback of all ground signs shall be measured from the right-of-way to the nearest point of the sign structure.

SEC 3.610 **PROHIBITED SIGNS:** The following types of signs are specifically prohibited: (A)

All permanent pennants, banners, streamers, and similar-type devices.

(B) Signs or portions of a sign that cycle, revolve, rotate, whirl, spin, or otherwise make use of motion to attract attention.

- (C) Beacons and searchlights, except for temporary events and emergency purposes.
- (D) Signs attached to, painted on, or placed on a motor vehicle, trailer, or other licensed or unlicensed vehicle or conveyance which is located in such a manner to serve exclusively as a permanent, temporary, or portable sign.
- (E) Signs displayed at off-site locations, whether permanent or temporary, except for Section 3.615 (Billboards).
- (F) Promotional balloons suspended from, or affixed to, a structure, vehicle, or ground, flashing neon.
- (G) Roof signs, except roof signs used for identification purposes on agricultural buildings.
- (H) Window signs that occupy more than fifty percent (50%) of the window surface.
- (I) Abandoned Signs. Any temporary sign which has exceeded its time, event, or purpose or any sign which pertains to a use that has been discontinued for a period of thirty (30) days measured in consecutive days is considered abandoned and must be removed.
- (J) No signs shall be attached to or supported by a tree, utility pole, trash receptacle, bench, vending machine, or public shelter or placed in any public right-of-way.
- (K) No sign shall contain words, images, or graphic illustrations of an obscene nature.
- (L) ~~No sign, unless permitted under Section 3.615 Billboards, shall be located on a vacant lot, except for the purpose of advertising the lot for sale or lease, or for such purpose as the notification of present danger or the prohibition of trespassing.~~
- (~~M~~) Audio message delivery signage.
- (~~N~~M) Signs that emit any flames, smoke, fumes, vapor, or any similar substance.
- (N) Illuminated temporary signs.



Figure 3.610 -1: Examples of prohibited sign types.

SEC 3.611 **EXEMPT SIGNS:** Signs erected and maintained pursuant to a government's function, ordinances, or regulation shall be excluded from the regulations of this Section. In addition, the following signs are exempt from the requirements of Section 3.602 Applicability. Exempt signs shall not be illuminated, directly or indirectly, and shall be set back at least ten (10) feet from the street right-of-way line.

- (A) **Temporary Signs:** All temporary signs shall be durable and weather resistant

and are exempt from the requirements of Section 3.602, if compliant with the criteria and the standards below:

- (1) **Temporary Signs within Residential Zoning District:** Temporary signs within residential zoning districts are exempt if they meet the following standards:
 - (1a) Removed within thirty (30) days following: the closing of the sale, rental or lease of the property; termination of the activity/announcement; or completion of construction.
 - (2b) Maximum of one (1) sign per residence or lot.
 - (3c) Maximum sign area: Twelve (12) square feet with a maximum height of four (4) feet in all residential districts.
 - ~~(a) Zoning Districts: R1A, R1, and R1B: Seven (7) square feet with a maximum height of four (4) feet.~~
 - ~~(b) Zoning Districts: R2 and, R3: Twelve (12) square feet with a maximum height of four (4) feet.~~
- (B3) **Temporary Signs within Non-Residential Zoning District:** Temporary signs within non-residential zoning districts are exempt if they meet the following standards:
 - (4a) **Portable "A" frame, in verted "T" Signs, Banners:** These signs shall be used in accordance with the following provisions:
 - (a)1. One sign shall be permitted one (1) per property or business.
 - (b)2. The maximum sign area is twelve (12) square feet.
 - (c)3. Not more than sixty (60) days within a calendar year.
 - (2b) **Other Sign Types:**
 - (a)1. Maximum sign area of twenty-four (24) square feet with a maximum height of six (6) feet.
 - (b)2. Removed within seven (7) days following the termination of the activity, announcement, or event.
 - (c)3. Not more than sixty (60) days within a calendar year.
- (EB) **Street Number:** All principal buildings shall be permitted to display their assigned street number in a manner legible from the street right-of-way, not exceeding four (4) square feet in area.
- (EC) **Professional Name Plates:** Not exceeding two (2) square feet in area, identifying the name of the business or occupants of a building or lot.
- (FD) **Window Signs:** Not exceeding ~~more than~~ fifty percent (50%) of the window surface.

(GE) **Vehicular Directional Signs:** Vehicular directional signs which provide on-site directional assistance within a multi-family or non-residential development in accordance with the following:

- (1) Maximum Area: Six (6) square feet.
- (2) Quantity: One (1) per access point, not to exceed four per parcel. (3)
Maximum Height: Thirty (30) inches.
- (4) Design: No logos or advertising copy.

(HF) **Pedestrian Directional Signs:** Pedestrian directional signs, containing no advertising, may be posted in a multi-family or non-residential development, provided they do not exceed four (4) square feet per side, and cause no visibility problems.

(IG) **Memorial Signs or Tablets:** Memorial signs or tablets not exceeding 4 square feet.

SEC 3.612 SIGNS PERMITTED IN ALL DISTRICTS:

(A) **Gateway Signs:** Architectural features with letters, characters, or graphics may be erected at each entry point, subject to the following:

- (1) One (1) sign is permitted on each side of the entrance.
- (2) Gateway signs shall maintain clear zones for pedestrians and motorists and comply with the following:
 - (a) Maintain a setback of ten (10) feet from public street right-of-way line(s) as determined on the Warren County Thoroughfare Plan;
 - (b) Ten (10) feet from the edge of driveway; and,
 - (c) Five (5) feet from any sidewalk or paved path.
- (3) A maximum height of ten (10) feet from average grade.
- (4) A maximum sign face of twenty-four (24) square feet in residential zones, all other zones subject to Table 3.613-2 Ground Sign Requirements.
- (5) Proof of an established mechanism to ensure the ongoing maintenance of the entire entrance structure and associated landscaping shall be submitted to the Zoning Inspector as part of the sign permit application.

(B) **Changeable Copy Sign:** The use of changeable copy signs shall be permitted subject to the following:

- (1) One changeable copy sign shall be permitted per property.
- (2) Changeable copy signs shall be considered ground signs when determining the number of permitted signs allowed in accordance with the requirements of Table 3.613-1 Sign Quantities). Any portion of the permitted sign may be used as changeable copy.
- (3) The total area of a changeable copy sign shall not exceed twenty (20) square feet.

- (4) Changing of the copy does not require a permit.

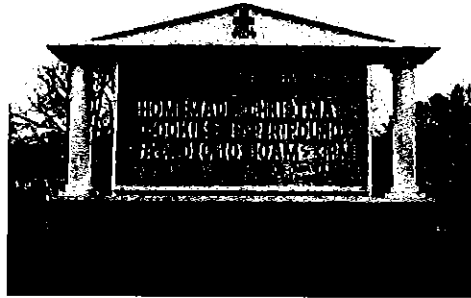


Figure 3.612-1: A sign for an institutional use on a brick base with foundation plantings.

- (C) **Arch Signs:** An arch sign shall be subject to the following standards:
- (1) Maximum height for signage, including any structural elements: 25 ft. A height in excess of 25 ft. may be approved subject to site plan review.
 - (2) Minimum clearance: 14 ft., 4 in.
 - (3) A sign shall be set back a minimum of 2.5 feet from the driveway pavement or lot line. (2.5 feet on both sides)
 - (4) Maximum area of sign face: 2 ft. multiplied by the width of the span of the arch.
 - (5) Maximum number of sign faces: 2
 - (6) Maximum number of poles (structural supports): 2; one on either side of the driveway/roadway.
 - (7) Minimum setback from right-of-way: 10 ft.
 - (8) Permitted materials: see Sec. 3.606 (A)
 - (9) Prohibited materials: See Sec. 3.606 (I)

SEC 3.613 NON-RESIDENTIAL DISTRICT SIGNS:

(A) Quantity:

Table 3.613-1: Sign Quantities

	Wall Signs	Pole, Arch, & Ground (including LED) Signs ²	Canopy/ Awning Signs ²	Projecting Signs	Signature Wall Signs
Single Building with One User	Two One (1) per exterior building wall, including side walls.	One (1) per street frontage	One (1) per building	One (1) per building frontage	One (1) per building greater than 45' in height on one wall that fronts an interstate.
Multi-Tenant Building or Multiple Buildings on one Parcel	One (1) per business for multi-tenant buildings, or one (1) per exterior building wall for buildings with one user	One (1) per street frontage site per multi-tenant building; or one (1) per street frontage per multi-tenant parcel. ³	One (1) per business on ground level	One (1) per business on ground level	None

¹One per street frontage per comprehensively developed collection of buildings. Single building with one user may construct two of the above sign types to the quantity specified.

²A building may have a pole sign or an arch sign or a ground sign as stated in the table above; it may not have some combination of the three types.

³Multi-Tenant Building or Multiple Buildings on One Parcel: Two (2) of the above sign types to the quantity specified. In addition, Multi-Tenant Building or Multi Buildings on One Parcel may include an additional directory sign which may be either a pole sign or a ground sign.

(B) Building Mounted Signs: All building mounted signs shall be located either along the front of the building where the street right-of-way is located, facing a parking lot for the business, or along the side or back of a building where there is visibility from a public access point.

(1) Wall & Signature Wall Signs

~~(a) Sign Area: A wall sign shall be permitted with an area not to exceed one (1) square foot in area for each one linear foot of building frontage to a maximum size of one hundred fifty (150) square feet.~~

~~(b) Signature Wall Signs: Such wall signs shall conform to the following provisions:~~

~~1. Signature wall signs shall not exceed one (1) square foot per lineal foot of building frontage along the interstate highway, with an area not to exceed two hundred (200) square feet.~~

~~2. The top of a signature wall sign shall be located within ten (10) feet of the roof line of a building to which it is attached and shall not extend above the building roof line.~~

(a) Maximum Sign Area:

(1) Wall Sign: One (1) square foot in area for each linear foot of building frontage to a maximum size of one hundred fifty (150) square feet.

- (2) **Signature Wall Sign:** One (1) square foot per lineal foot of building frontage along the interstate highway, with an area not to exceed two hundred (200) square feet.
 - (b) **Location:**
 - (1) **Wall Sign:** Shall not extend above the building roof line. No wall sign shall extend more than 15 inches beyond any building façade, canopy façade, or wall.
 - (2) **Signature Wall Sign:** The top of a signature wall sign shall be located within ten (10) feet of the roof line of a building to which it is attached and shall not extend above the building roof line.
 - (2) **Projecting Sign:** Projecting signs are attached to the primary building. (a) Sign area shall not exceed nine (9) square feet.
 - (b) Signs shall be installed to achieve a minimum vertical clearance of eight (8) feet from the bottom of the sign to the finished grade. (c) Prohibited over a vehicular access way.
 - (3) **Awnings/canopy:** Sign area shall not exceed twenty (20) square feet.
- (C) **Ground Signs:** The following shall apply to all ground signs. (See also 3.612 (A) Gateway Signs):
- (1) **LED Signs:** The use of the LED sign shall be permitted subject to the following:
 - (a) One Changeable copy sign shall be permitted per property.
 - (b) Changeable copy signs shall be considered ground signs when determining the number of permitted signs allowed in accordance with the requirements of Section 3.613(A) (Quantity). The LED display panel may constitute any portion of the permitted signage area.
 - (c) Any portion of the permitted sign may be used as changeable copy. The total area of the sign face, including the LED display panel, shall not exceed twenty (20) square feet.
 - (d) Changing of the copy does not require a permit.
 - (e) The luminosity of the LED board shall be dimmed between dusk and dawn so that the sign shall emit no more than 0.2 foot-candles at all property lines.
 - (f) An electronic changeable message is permitted, provided:
 - 1. That the sign face is stationary and of constant intensity and color at all times when the message is displayed; and,
 - 2. Each message is displayed for at least eight (8) seconds and a change of message is accomplished within one (1) second.
 - (2) **Landscaping:** Ground signs shall be erected in a landscaped setting that has a minimum size equal to, or exceeding, twice the sign face area. The landscaped area shall include four (4) shrubs per ten (10) linear feet of sign width. The exact location of the landscaped area shall be approved by the Zoning Inspector. Shrubs shall be a minimum three (3) gallon pot size with a minimum eighteen (18) inches height and spread.

(23) Dimensional Requirements for Ground Signs:

Table 3.613-2: Ground Sign Requirements

Sign Location	Sign Requirements		
	Maximum Sign Height (Feet)	Maximum Sign Area Per Sign (Sq. Ft.)	Maximum Number of Signs
Signs located in the B-1, B-2, and B-3 Districts	6	48	1
Signs located in the B-4, B-5, or Industrial Districts	8	60	1
Lot is occupied by three (3) or more uses (i.e. shopping center, office building, apartments, etc.) and has an area greater than 50,000 square feet in gross floor area	12	96	1

(D) **Pole Signs:** A permanent pole sign supported by one (1) or more uprights, poles, or braces placed in or upon the ground surface and not attached to any building. Such sign may also be commonly known as a pylon sign.

(1) **Sign Area:** Pole signs shall be permitted with an area not to exceed one hundred fifty (150) square feet.

(2) **Sign Setbacks:** All such signs shall be set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform to Section 3.103.1 Clear Sight Distance Triangle.

(3) **Sign Height:** No such signs or any portion of the structure they may be integral with, shall exceed twenty (20) feet from grade and shall be at least eight (8) feet off the ground.

(4) **Landscaping:** Pole signs shall be erected in a landscaped setting that has a minimum size equal to, or exceeding, twice the sign face area. The landscaped area shall include one (1) tree and two (2) shrubs per ten (10) linear feet of sign width. The exact location of the landscaped area shall be approved by the Zoning Inspector. Trees shall be minimum eight (8) feet high and two (2) inches DBH and shrubs shall be a minimum three (3) gallon pot size with a minimum eighteen (18) inches height and spread.

(E) **Changeable Copy Signs:** Freestanding signs may include changeable copy that is manually changed or an electronic message sign that it does not comprise more than 50% of the total sign area.

SEC 3.614 RESIDENTIAL DISTRICT SIGNS:

(A) **Wall Signs:**

(1) One (1) non-internally illuminated pole or wall sign not exceeding four (4) square feet is permitted.

- (2) For buildings greater than four thousand (4,000) square feet: One non-internally illuminated wall sign not exceeding one (1) square foot of sign surface area for each six (6) feet of building frontage shall be permitted provided the total surface area of wall signs and ground or pole signs as measured collectively, shall not exceed thirty-two (32) square feet.

(B) **Pole Signs:** The following shall apply to all pole signs in residential districts.

Table 3.614-1: Height, size, and quantity of the sign face

Zoning District	Maximum Height (feet)	Maximum Size (sq. ft.)	Maximum Number of Signs
RU, R1A, R1 & R1B	4	9	1
R2 & R3	3	12	1

- (1) **Sign Setbacks:** All such signs shall be set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform to Section 3.103.1 Clear Sight Distance Triangle.
- (2) **Sign Height:** No such signs, or any portion of the structure they may be integral with, shall exceed six (6) feet from grade.

SEC 3.615 BILLBOARDS: An off-premises sign. The primary purpose of which is to display advertising.

- (A) **Site Plan Review:** Subject to site plan approval and permitted along interstate highways in all commercial districts, industrial districts, and/or lands used for agricultural purposes.
- (B) **Prohibited:** Along a national or state scenic byway, as identified by the Ohio Department of Transportation and all non-interstate roads.
- (C) **Sign Area:** No billboard shall exceed three hundred (300) square feet in area per side and no more than two sides.
- (D) **Sign Height:** No billboard structure shall exceed twenty-five (25) feet in height.
- (E) **Sign Location and Setbacks:** All billboards shall comply with the following setbacks:
 - (1) The minimum roadway distance between billboards is two thousand (2,000) feet.
 - (2) All billboards shall be located at least one hundred (100) feet from any property line.
 - (3) All billboards shall be located at least five hundred (500) feet from uses such as residential dwellings, parks, natural preserves, scenic roadways, schools, cemeteries, historic sites or areas, hospitals, retirement homes, or government/institutional buildings.
 - (4) All billboards along interstate highways shall conform to the regulations established in Chapter 5516 of the Ohio Revised Code.

- (5) All billboards shall meet the minimum setback requirements of the zoning district and all properties where such signs are located shall meet the applicable minimum lot area.
- (F) **Proof of Other Regulations Compliance:** Billboards shall comply with all regulations set forth in this Chapter and this Zoning Code. Billboards shall comply with all other local, state and federal permitting procedures.
- (G) **Landscaping:** Billboards shall be erected in a landscaped setting that has a minimum size equal to, or exceeding, twice the sign face area. The landscaped area shall include one (1) tree and two (2) shrubs per ten (10) linear feet of sign width. The exact location of the landscaped area shall be approved by the Zoning Inspector. Trees shall be minimum eight (8) feet high and two (2) inches DBH and shrubs shall be a minimum three (3) gallon pot size with a minimum eighteen (18) inches height and spread. The landscaping requirement shall not apply to billboards located in dense shrubbery or wooded areas where the existing vegetation is four (4) feet in height or taller.
- (H) **Illumination:** The illumination of billboards shall comply with the following:
- (1) Billboards located within one thousand (1,000) feet of a residential district shall not be illuminated.
 - (2) Outdoor advertising signs located in a nonresidential district may be externally illuminated through fixtures located external to the sign face and no internal light sources or light-producing elements in the sign face or message media shall be permitted.
 - (3) Illumination shall be concentrated upon the area of the sign face so as to prevent glare upon the roadway or adjacent properties.
- (I) **Changeable Messages:** An electronic changeable message is permitted, provided:
- (1) That the sign face is stationary and of constant intensity and color at all times when the message is displayed; and,
 - (2) Each message is displayed for at least eight (8) seconds and a change of message is accomplished within one (1) second.

SEC 3.616 **COMPREHENSIVE SIGN PROGRAM:** Intended to integrate the design of proposed signs with the design of the structures, into a unified architectural statement or to define common sign standards for multi-tenant projects shall be required whenever any of the following conditions exist:

- (A) Multiple tenants or use signs are proposed for a new or existing development.
- (B) Multiple tenant or use signs are proposed for a single structure or separate structures that are physically or functionally related.
- (C) A planned shopping center.
- (D) The Zoning Inspector determines that a Comprehensive Sign Program is needed because of special project characteristics.

The comprehensive sign plan shall include the location, size, height, color, lighting and orientation of all proposed signs, in addition to any other information deemed necessary by the Zoning Inspector in conjunction with the required preliminary Site Plan for the development. If the comprehensive sign plan is found to be acceptable, exceptions to the provisions of this Code may be granted, if such exceptions result in an improved relationship between the various parts of the plan. A Comprehensive Sign Program shall comply with the following standards:

- (1) The signs shall enhance the overall development, be in harmony with, (materials, colors, and styles) and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify;
- (2) The overall sign size shall be related to the scale and type of development;
- (3) The program shall accommodate future revisions that may be required because of changes in use or tenants;
- (4) The program shall comply with the standards of this Chapter, except that flexibility is allowed with regard to sign area, number, location, and/or height to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purpose of this Chapter; and,
- (5) Revisions to a Comprehensive Sign Program may be approved by the Zoning Inspector if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new Comprehensive Sign Program.

SEC 3.617 ILLUMINATION AND MAINTENANCE STANDARDS: In addition to the size, type, and location of signs, all signs shall meet the following standards:

- (A) **Illumination:** Unless otherwise limited in this chapter, signs shall be permitted to be illuminated as provided in the following:
 - (1) **Source:** Light sources to illuminate permanent signs may be internal or external. This includes channel lettering, reverse channel lettering, and LED display boards.
 - (2) **Intensity:** Illuminated by devices that has a constant intensity subject to the standards of Article 3, Chapter 5 (Lighting Requirements and Standards)
 - (3) **Location:** Shall not constitute a traffic hazard or nuisance.
 - (4) **Design:** Temporary, moveable, or portable signs shall not be illuminated.
- (B) **Maintenance:** All signs shall be maintained as follows:
 - (1) The property owner, occupant, or other person responsible for the sign shall maintain the sign in a condition suitable for the intended use and shall have a continuing obligation to comply with all building code requirements. The final responsibility for maintenance and compliance rests with the property owner.
 - (2) If the Zoning Inspector finds that any sign is unsafe or a hazard to public safety, notice shall be given in writing by the Zoning Inspector to the property owner.

The property owner shall, within one (1) week of such notification, correct such unsafe condition or remove the sign. In the event of an immediate threat to the public health, safety, or general welfare, the Zoning Inspector is authorized to immediately take corrective action.

- (4) Defective signs (e.g., lighting that is no longer functional; damaged, broken, missing, or exposed parts or pieces; loose or exposed wiring or parts) shall be repaired or removed within thirty (30) days.
- (5) The removal of a sign for maintenance purposes does not require a zoning permit provided that the following conditions are met:
 - (a) No alterations to the sign face, lettering, base, or support.
 - (b) No enlargements of the sign or its structure.
 - (c) The sign is accessory to a legally allowed use.

SEC 3.618 NON-CONFORMING SIGNS AND BILLBOARDS: The purpose of this Section is to provide for the continuation of legally non-conforming signs and to provide reasonable standards for the maintenance, servicing, alteration, and removal of such signs.

- (A) **Continuation:** This Section provides for the continuation of legally non-conforming signs. A legally non-conforming sign is defined as a sign which was legally permitted at the time of adoption of this resolution, but which does not meet the development standards of this Chapter.
- (B) **Maintenance of Non-conforming Sign:** Non-conforming signs shall be maintained in good condition and may continue until such sign is required to be removed as specified in this Chapter.
- (C) **Alteration, Relocation, or Replacement of the Non-conforming Sign:** A non-conforming sign shall not be structurally altered, relocated, or replaced unless it is brought into compliance with the provisions of this Chapter.
- (D) **Reconstruction of Damaged Sign:** If a sign face and/or its support structure are damaged to the extent where the repair cost exceeds fifty percent (50%) of the replacement cost of the sign, the sign shall be removed or brought into compliance with the provisions of this Chapter. If the repair costs do not exceed fifty percent (50%) of the replacement costs of the sign, the Zoning Inspector shall permit the sign to be repaired, provided all repair work is completed within sixty (60) days of the date the damage occurred.
- (E) **Termination:** A non-conforming sign shall immediately lose its legal nonconforming status, and shall be brought into conformance with this Chapter or removed, when any of the following occur:
 - (1) The sign is enlarged, relocated, illuminated, or replaced.
 - (2) The sign is part of a use that has been abandoned for two (2) or more years.

SEC 3.619 REMOVAL OF SIGNS:

- (A) The Zoning Inspector may cause the removal of any sign illegally placed within the right-of-way of any road within the County zoning jurisdiction.

- (B) A sign face identifying a business that no longer exists or products and services no longer being rendered shall be removed from the premises within ninety (90) days from the date of termination of such activities.

ARTICLE 4

CHAPTER 1 DEFINITIONS

SEC 4.101 CONSTRUCTION OF LANGUAGE: For the purposes of this Resolution, terms or words shall be interpreted as follows: Words used in the singular shall include the plural, and the plural the singular; words used in the present tense shall include the future tense; the word "shall" is mandatory and not discretionary; the word "may" is permissive; the phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for"; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; and the word "dwelling" includes the word "residence."

SEC 4.102 TERMS NOT DEFINED: Terms not defined herein shall have their customary meanings as found in the most recent editions of published dictionaries, including the Webster's New World Dictionary and the American Heritage Dictionary.

SEC 4.103 DEFINITIONS: (Presented as follows in alphabetical order).

Access Management: The process and action of providing for, and managing access to, and from land by vehicles typically associated with the use location, while preserving and promoting movement of traffic to be as safe and effective as possible, per the Access Management Regulations of Warren County, Ohio.

Accessory Building: A subordinate building, detached from, but located on, the same property as the principal building, the use of which is incidental to that of the principal building or use.

Accessory Use: A subordinate use to the principal use of the premises.

Adult Arcade: "Adult arcade" means any place to which the public is permitted or invited in which coin-operated, slug-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and in which the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

Adult Bookstore, Adult Novelty or Adult Video Store:

(A) Means a commercial establishment that, for any form of consideration, has as a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its interior business or advertising to, or maintains a substantial section of its sales or display space for the sale or rental of any of the following:

- (i) Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations, that are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas;
- (ii) Instruments, devices, or paraphernalia that are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of self or others.

(B) "Adult bookstore," "adult novelty store," or "adult video store" includes a commercial establishment as defined in section 2907.38 of the Revised Code. An establishment may have other principal business purposes that do not involve the offering for sale, rental, or viewing of materials exhibiting or describing specified sexual activities or specified anatomical areas and still be categorized as an adult bookstore, adult novelty store, or adult video store. The existence of other principal business purposes does not exempt an establishment from being categorized as an adult

bookstore, adult novelty store, or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, such materials that exhibit or describe specified sexual activities or specified anatomical areas.

Adult Cabaret: “Adult cabaret” means a nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, that regularly features any of the following:

- (a) Persons who appear in a state of nudity or semi nudity;
- (b) Live performances that are characterized by the exposure of specified anatomical areas or specified sexual activities;
- (c) Films, motion pictures, video cassettes, slides, or other photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

Adult entertainment: Means the sale, rental, or exhibition, for any form of consideration, of books, films, video cassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified anatomical areas or specified sexual activity.

Adult entertainment establishment: Means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, nude or semi-nude model studio, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to section 4731.15 of the Revised Code, is not an “adult entertainment establishment.”

Adult group home: ORC 3722.01 means a residence or facility that provides accommodations to six (6) to sixteen (16) unrelated adults and provides supervision and personal care services to at least three (3) of the unrelated adults.

Adult Hotel or Motel: A commercial establishment which offers accommodations for any form of consideration, which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions, characterized by the depiction of “specified sexual activities” or “specified anatomical areas”, and which advertises the availability of this sexually-oriented type of material by means of a sign visible from a public right-of-way, or by means of any off-premises advertising, including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or offers a sleeping room for rent for a period of less than ten (10) hours; or allows a tenant or occupant to sub-rent the sleeping room for a time period of less than ten (10) hours.

Adult Motion Picture Theater: Means a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.

Adult Theater: Means a theater, concert hall, auditorium, or similar commercial establishment that, for any form of consideration, regularly features persons who appear in a state of nudity or semi nudity or live performances that are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities.

Affordable (a.k.a. Workforce) Housing: Residential housing determined as critical to local economic sustainability per the Warren County Comprehensive Plan, either for home ownership or rental, which is occupied, reserved or marketed for occupancy by households with a gross household income between eighty percent (80%) and one hundred percent (100%) of the County median gross income, as determined by the U.S. Department of Housing and Urban Development (HUD).

Aggregate Base: Crushed rock capable of passing through a ¾ in (19.05 mm) rock screen.

Agribusiness: Farming and the businesses associated with farming, such as the processing of farm products, the sales, and repair of farm equipment and sale of farm products.

Agricultural, Biotechnical: Agricultural use-related activity which uses bio-technical methods to modify living cells or organisms to produce substances or to perform processes involved in production of agricultural products.

Agricultural Processing: Processing operations for agricultural products, including, but not limited to, meat preparation, feed mills, dairy processing, timber processing, and fruit and vegetable packing, sorting, and grading, as an accessory use.

Agricultural Research Facility: A facility for the investigation, testing and demonstration of agricultural products and processes, including bio-technical agriculture, veterinary, soil, plant, and animal sciences.

Agricultural Structure: A structure used for purposes of agriculture as defined as this code and Ohio Revised Code Section 303.01.

Agriculture: Per Section 303.01 of the Ohio Revised Code, includes: farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and feeding 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; or as amended.

Agriculture Support Services: Uses, which provide support and services to agriculture.

Agritourism: An agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity.

Agritourism Provider: A person who owns, operates, provides, or sponsors an agritourism activity or an employee of such a person who engages in or provides agritourism activities whether or not for a fee.

Airport, Commercial: Any runway, or landing strip, and related facilities/services (e.g., fuel sales, storage, repair services, and aircraft sales) designed or used by any person for the landing and take-off of aircraft by the public for commercial purposes.

Airport, Private: Any runway, or landing strip, and related facilities designed or used by any person for the landing, take-off, and storage of aircraft on their respective property, principally for their own use.

Alteration: Any remodeling of, or addition to, the floor plan of a building or other structure, interior or exterior, which involves a change, or addition to, the supporting members (bearing wall, beams,

columns, girders, etc.). Alteration also applies to the relocation of the building or structure or, in regards to a lot, any change in the recorded boundary and area of a parcel of record.

Amateur Radio Tower: Shall mean any structure designed and constructed primarily for the purpose of supporting one or more antennas, and used by a licensed amateur radio operator for amateur radio reception and transmission, with no commercial activity. The term includes any antenna or antenna array attached to the tower structure.

Animal, Exotic: Exotic animals includes, but is not limited to: Primates (gorillas, orangutans, chimpanzees, gibbons, siamangs, mandrills, drills, baboons, Gelada baboons only); Carnivores (all wolves, all bears, lions, tigers, leopards, jaguars, cheetahs, cougars); Proboscidea (all elephants); Perissodactyla (all rhinoceroses); Artiodactyla (all hippos and African buffalos); Crocodylia (crocodiles and alligators); Serpentes (all poisonous snakes); and Amphibians (all poisonous species).

Animal Wastes:

Excreta, bedding, wash waters, waste feed, and silage drainage from agricultural animals.

Apartment: A unit within a multiple-unit structure with sanitation and cooking facilities intended for use as a residence by a single household.

Appeal to the BZA: An application filed with, and requesting of, relief to be granted by the Board of Zoning Appeals (BZA) from an alleged error in any order, requirement, decision, or determination of any requirement of this Code imposed upon the person filing the appeal by the zoning inspector.

Appeal to a Court of Competent Jurisdiction: Per Chapters 2505 and 2506 of the Ohio Revised Code, a timely notice filed with the Board of Zoning Appeals (BZA) once it has issued a final order, adjudication, or decision that determines the rights, duties, privileges, benefits, or legal rights of the person filing such appeal, and upon exhausting this condition precedent, such matter may be reviewed by the Court of Common Pleas of Warren County, Ohio.

Aquifer: A consolidated or unconsolidated geologic formation or series of formations that are hydraulically interconnected and that have the ability to receive, store or transmit water.

Arcade, Amusement: A commercial facility wherein electronic games are played. Bingo and gambling devices are not included in this definition.

Asbestos: Not defined in ORC – Webster’s defines it as “any of several minerals (as chrysotile) that readily separate into long flexible fibers, that cause asbestosis and have been implicated as causes of certain cancers, and that have been used especially formerly as fireproof insulating materials.”

Assisted Living Facility: Not used in ORC – they do have "Residential Care Facility", which means a home that provides either of the following:

- (a) Accommodations for seventeen (17) or more unrelated individuals and supervision and personal care services for three (3) or more of those individuals who are dependent on the services of others by reason of age or physical or mental impairment;
- (b) Accommodations for three (3) or more unrelated individuals, supervision, and personal care services for at least three (3) of those individuals who are dependent on the services of others by reason of age or physical or mental impairment, and, to at least one of those individuals, any of the skilled nursing care authorized by section 3721.011 [3721.01.1] of the Revised Code.

Area of Land Affected on a Mineral Extraction Site: The area of land which has been excavated, or upon which a spoil bank exists, or both.

Basement: The floor space in a building, finished or unfinished, as living space, which is partially or wholly underground.

Batching Plant: An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, including facilities for the administration or management of business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises, and the storage and maintenance of required equipment, but not including retail sale of stockpiled bulk materials or finished products. (in compliance with the ORC1514.01)

Bed and Breakfast: A business conducted in and by the residents of a single-family dwelling, wherein sleeping rooms are offered for pay to transient guests.

Berm: A man-made, linear earthen mound of at least eighteen (18) inches in height from grade designed to provide, buffering or screening of undesirable views, abate noise trespass, etc. (also see Buffer).

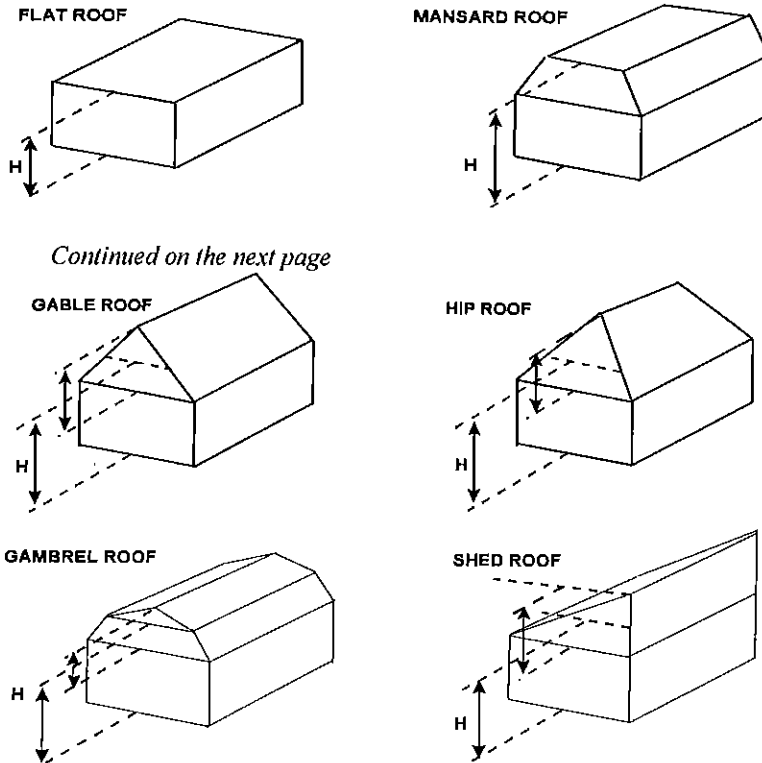
Best Management Practice (BMP): A practice or combination of practices that is determined to be the most effective and practicable including technological, economic, and institutional controls as a means of complying with the applicable standards of Chapter 903 of the Revised Code. BMPs may include structural and non-structural practices, conservation practices, prohibition of practices, schedules of activities, operation and maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage, or leaks, sludge or waste disposal, or drainage from raw material storage. (OAC 901:10-1-01)

Boarding House: A dwelling kept, used, maintained, advertised or held out to the public to be a place where long term [as provided in Section 3.203 (A) (3)] accommodations are provided for compensation for thirty (30) days or more.

Buffer: An area of healthy and viable vegetation or mounded earth, adjoining or surrounding a land use, which is intended to screen and soften the effects from another use.

Building: Any structure consisting of foundations, walls, columns, girders, beams, floors, and roof, or a combination of any number of these parts, with or without other parts or appurtenances. (ORC 3781.06)

Building Height: The tallest vertical distance from the finished grade at the front of the building to: (a) the highest point of a flat roof; (b) the deck line of a mansard roof; (c) the average height between the eaves and ridge of gable, hip, and gambrel roofs; or (d) the average height between high and low points of a shed roof (see illustration).



Continued on the next page

Building Line: (See Setback)

Building, Principal: The main building(s) on a parcel in which the primary use is conducted.

Bulking Agent: Any material added to a composting system to provide structural support, improve aeration, or absorb moisture from the decomposing waste. (O.A.C. 3745-27-01(F)(5)).

Business: Any work, occupation, profession, activity, or buying and selling of commodities and services, commerce, or trade.

Business Activity: Any activity performed, conducted, maintained, or operated by one (1) or more person(s) as their work, occupation, profession, or involving buying and selling of commodities, the provision of services, commerce or trade, or approved home occupation in production and/or selling of goods or provision of service(s) in exchange for some form of consideration.

Business, Place Of: A place where the business activity as defined herein is conducted.

Campground: An area or place (such as a field or grove) used for a camp, camping, or for a camp meeting.

Camping Units: Portable dependent recreational vehicles, tents, sleeping equipment, and similar camping equipment used for travel, recreation, vacation, or business purposes. (O.R.C. 3729.01 (P)).

Caretaker: An individual who is actively involved in on-site maintenance, service, security, or operations of a use. A proprietor may serve as a caretaker.

Caretaker Dwelling: An accessory residential unit occupied by a caretaker.

Cellar: (See Basement.)

Central Processing Facility: A site area location or tract of land on which one (1) or more building(s) or other completely contained installations engineered thereon are used for purposes of a solid waste transfer station, recycling facility, or resource/material recovery facility, but excluding incineration fueled by solid waste or that would burn it as a means for its reduction, disposal, or recovery as an energy resource.

Central Sanitary Sewage System: An operating system of components and facilities for wastewater collection, treatment and disposal, whether public or private, which has been approved by the Board of Warren County Commissioners (BOCC) for location within a sanitary sewer improvement area designated by Resolution of the BOCC for allowance thereof in the Warren County Sewer District or alternatively in an area of the District released by BOCC Resolution to another entity to provide such service, determined solely at the discretion of the BOCC.

Cemetery: A burial ground for earth interments; a mausoleum for crypt entombments; a columbarium for the deposit of cremated remains; and, a scattering ground for the spreading of cremated remains. (O.R.C. 1721.21).

C.E.R.C.L.A.: The Comprehensive Environmental Response Compensation and Liability Act, as amended by the Superfund Amendment and Reauthorization Act, 42, U.S.C. 9601 et seq, as amended.

Channel: The area between definite banks of a natural or artificial stream which confine and convey continuous or periodic flows of surface water, as defined in Ohio Revised Code Section 6105.01.

Churches-Places of Worship, Large: Establishments that exceed ten thousand (10,000) square feet.

Churches-Places of Worship, Small: Establishments that are less than ten thousand (10,000) square feet and do not include a school or commercial daycare.

Cistern: A tank that stores excess rainwater runoff.

Clinic: A building, or portion thereof, the use of which provides medical, dental, or psychiatric services to outpatient clients only.

Club: Building and facilities owned or operated by persons as a non-profit corporation, association, or other organization for social, intellectual, and recreational purposes, for the members and their guests.

Commencement of Permit Activity: Evidence of physical construction and/or change of use on the site for which a zoning permit has been issued.

Commercial Use: A type of nonresidential land use that has one or more of the following characteristics: 1) the use is service-oriented; 2) the use sells retail items; 3) the use sells goods or products on a wholesale basis; or 4) the use has or has the need for open storage areas or warehouses its products. This includes both business establishments that customarily occupy standard retail/office space that require patrons to visit the establishment and off-site businesses that due to equipment and vehicle storage or the processes used, typically require facilities in addition to standard retail/office space.

Commercial Use — Large Scale Retail: Establishments that exceed seventy-five thousand square (75,000) feet in gross floor area.

Commercial Kennel: Any property where a person, partnership, firm, company, or corporation professional engage in the business of breeding dogs for hunting or for sale. (955.02 ORC defines kennel owner)

Commercial Tent: A temporary and portable structure used for non-residential purposes and which meets the Uniform building or Fire Code.

Commercial Support Services: An establishment providing services to business establishments or individual, on a fee or contract basis, including but not limited to advertising services; janitorial; business equipment and furniture sales or rental; protective services; telecommunications; window cleaning; photocopy and mailing service; commercial photography studio; and other such services.

Commercial Vehicle: Means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications: (ORC 4506.01)

- (a) Any combination of vehicles with a combined gross vehicle weight rating of twenty-six thousand and one (26,001) or more, provided the gross vehicle weight rating of the vehicle or vehicles being towed is in excess of ten thousand (10,000) pounds;
- (b) Any single vehicle with a gross vehicle weight rating of twenty-six thousand and one (26,001) or more, or any such vehicle towing a vehicle having a gross vehicle weight rating that is not in excess of ten thousand (10,000) pounds;
- (c) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen (16) or more passengers including the driver;
- (d) Any school bus with a gross vehicle weight rating of less than twenty-six thousand and one (26,001) that is designed to transport fewer than sixteen (16) passengers including the driver;
- (e) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;
- (f) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the Federal Motor Carrier Safety Administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

Community Based Residential Social Service Facilities: Means health and social services provided to persons in their own homes or in community care settings, and includes any of the following:

- (1) Case management;
- (2) Home health care;
- (3) Homemaker services;
- (4) Chore services;
- (5) Respite care;
- (6) Adult day care;
- (7) Home-delivered meals;
- (8) Personal care;
- (9) Physical, occupational, and speech therapy;
- (10) Transportation;
- (11) Any other health and social services provided to persons that allow them to retain their independence in their own homes or in community care settings. (ORC uses 173.14)

Composting: Composting is defined as the decomposition of organic matter that requires controlled conditions and yields temperatures conducive to thermophilic microorganisms, resulting in humus-like organic material. (OAC 3745-27-01 (C) (4)).

Composting Facilities: Any site, location, tract of land, installation or building used for composting as the method for disposing of solid waste and which are classified according to Ohio Administrative Code:

Class I: Solid Waste Composting Facilities: Means a facility where the owner or operator may accept yard waste, agricultural waste, animal waste, food scraps, mixed solid waste, bulking agents, additives, and authorized alternative materials.

Class II: Solid Waste Composting Facilities: Means a facility where the owner or operator may accept yard waste, agricultural waste, animal waste, food scraps, bulking agents, additives, and authorized alternative materials.

Class III: Solid Waste Composting Facilities: Means a facility where the owner or operator may accept yard waste, agricultural waste, animal waste, bulking agents, and additives.

Class IV: Solid Waste Composting Facilities: Means a facility where the owner or operator may accept only yard waste, bulking agents, and additives limited to urea and bacterial or fungal inoculum.

Common Area: Parcel(s) of land, in a certain development, inclusive of facilities and improvements thereon, which are collectively owned and maintained by the owners of the building lots in the same development, for the use, maintenance, and enjoyment by those owners and their guests.

Comprehensive Plan of Warren County, Ohio: A series of component documents (a.k.a. "elements") prepared by the Warren County Regional Planning Commission (RPC) and adopted by the Warren County Regional Planning Commission (RPC) Board of Commissioners, and various other applicable public entities, which establish the goals, objectives, and policies for capital improvements programming, economic development, housing, natural hazards mitigation, land use, parks and open space, sanitary sewer, water, transportation and any other specified subject matters involving or related to use and development of land within Warren County, Ohio.

Conditional Use: A use that is potentially acceptable in a Zoning District, but not necessarily appropriate in all locations.

Conditional Use Permit: A zoning permit issued by the Zoning Inspector for a conditional use approved by the Board of Zoning Appeals (BZA).

Conservation Development: A type of development in which residential lot sizes are reduced below what is required by the zoning district in which located in return for providing permanent open space within the development. (Also see Open Space).

Construction and Demolition Debris: Means those materials resulting from the alteration, construction, destruction, rehabilitation, or repair of any man-made physical structure, including, without limitation, houses, buildings, industrial or commercial facilities, or roadways. This definition does not include materials identified or listed as solid wastes, infectious wastes, or hazardous wastes pursuant to Chapter 3734 of the Ohio Revised Code and rules adopted thereunder; liquids including containerized or bulk liquids; materials from mining operations, non-toxic fly ash, spent non-toxic foundry sand and slag; or reinforced or non-reinforced concrete, asphalt, building or paving brick, or building or paving stone that is stored for a period of less than two (2) years for recycling into a usable construction material. For the purposes of this definition, "material resulting from the alteration, construction, destruction, rehabilitation, or repair of any man-made physical structure" are those

materials that form the structure, and those materials directly affixed to the structure such as brick, concrete, and other masonry materials, stone, glass, wall coverings, plaster, drywall, framing and finishing lumber, roofing materials, plumbing fixtures, heating equipment, electrical wiring and components containing no hazardous fluids or refrigerants, insulation, affixed carpeting, asphaltic substances, metals incidental to any of the above, and weathered railroad ties and utility poles. Materials from construction may also include empty packaging material consisting of, without limitation: wood, corrugated container board, paper, metal, and/or plastic directly resulting from construction material packaging. Material resulting from the alteration, construction, destruction, rehabilitation, or repair does not include materials that are required to be removed before demolition occurs, materials that are not affixed to the structure or that are otherwise contained within the structure such as solid wastes, yard waste, packaging materials not directly incidental to construction, pallets, containers, and drums including caulking tubes, furniture, appliances, tires, batteries, and fuel tanks.

Construction/Demolition Debris Facility: Any site, location, tract of land, installation, or building used for the disposal of material from construction or demolition operations. Material from construction or demolition operations are those items affixed to the structure being constructed or demolished such as brick, concrete, stone, glass, wallboard, framing, finished lumber, roofing materials, plumbing, plumbing fixtures, heating equipment, wiring, and insulation, but excludes materials whose removal has been required prior to demolition.

Contaminant: Any physical, chemical, biological, or radiological substance or matter that has an adverse effect on air, water, or soil.

Convalescent Home: (See Institutional Care Facility, as a type of Community-Based Residential Social Service Facility.)

Correctional Facility: A penal institution publicly or privately operated that houses persons awaiting trial or persons serving a sentence imposed by a court of law.

Country Inns: A business, other than a hotel or bed and breakfast, that offers overnight accommodations in a rural area (RU,R1A), and wherein dining, banquet and other meeting facilities may be operated.

Court a.k.a. Courtyard: An open area of ground on a building use site that is partially or completely surrounded by walls, buildings, or fencing and typically decoratively landscaped, unobstructed to the sky and usually entirely internal and not part of a front, side, or rear yard as elsewhere defined on a building site.

Cross Access: An easement or service drive providing vehicular access between two (2) or more contiguous sites so that the driver does not need to reenter the public street system.

Cul-de-sac Lots: A lot that fronts on or takes access from a cul-de-sac. A lot shall be considered to be a cul-de-sac lot if the lot has more than one half (1/2) of its required frontages on the cul-de-sac.

Cut Off: The point at which all light rays emitted by a lamp, light source, or luminaire are completely eliminated (cut off) at a specific angle above the ground.

Cut Off Angle: The angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source above which no light is emitted.

Cut Off Luminaire: A source of illumination with elements such as shield, reflectors or refractor panels that direct and cut off the light at a cut off angle less than ninety (90) degrees.

Damaged or Diseased Trees: Trees that have: split trunks; broken tops; heart rot; insect or fungus

problems that will lead to imminent death; undercut root systems that put the tree in imminent danger of falling; lean as a result of root failure that puts the tree in imminent danger of falling; or any other condition that puts the tree in imminent danger of being uprooted or falling into or along a watercourse or onto a building or structure.

Day Care: The care, protection, and guidance of one (1) or more children or adults on a regular basis, for periods of less than 24 hours per day, in a place other than their own dwelling unit.

Debris: Trash, litter, refuse or rubbish on any property that is not properly contained for disposal in accordance with applicable regulations, so that such items or materials are open to haphazard transport off-site by wind or water, a potential hazard to public health and safety, or a visual eyesore, barring containment and/or removal. Debris does not include bulking agents used for active composting permitted by zoning nor construction or demolition debris on a site permitted by zoning for disposal.

Density: A unit of measurement designating the number of dwelling units per acre of land, calculated as follows:

Density, Gross: The total number of dwelling units divided by the total acreage of the development site.

Density, Net: The total number of dwelling units divided by the acreage to be developed only for residential use, exclusive of areas for street/road rights-of-way.

Developed Spring: Any spring which has been permanently modified by the addition of pipes or a collection basin to facilitate the collection and use of spring water. [OAC 3745-27-01 (D) (2)]

Direct Market Business: A commercial enterprise in which agricultural products produced on a site are marketed and sold directly to consumers without an intermediate wholesaler or distributor, other than a farm co-op organization. Direct market business may include such use activities as pick-your-own ("PYO") operations and operations in which delivery of products is made directly to consumers, such as "farm share" arrangements under which periodic delivery of farm products is made for a subscription fee.

"Distinguished or characterized by their emphasis upon": means the dominant or principal character and theme of the object described by this phrase. For instance, when the phrase refers to films "that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas," the films so described are those whose dominant or principal character and theme are the exhibition or description of specified sexual activities or specified anatomical areas.

Distribution Facilities/Center: A facility that is used for receipt, temporary storage, and redistribution of goods according to orders as they are received. These establishments also provide a range of services, often referred to as logistics services, and related to the distribution of goods. Logistics services can include labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement.

Drive-Through: A business designed to service customers who stay in their vehicles.

Dual Zoning Option: Consistent with the land use plan element of the most current Warren County Comprehensive Plan, a parcel or parcels on which the existing zoning is opted with an available "secondary" zoning classification option.

Dwelling: Any building or portion thereof designed or intended to be used exclusively for residence purposes, but not including a mobile home or a non-permanently sited manufactured home on any site

outside of a manufactured homes park, nor a tent, cabin, trailer, travel trailer, trailer coach, camper on a truck, or any other type of recreational vehicle.

Dwelling, Multiple-Family: A building or portion thereof designed for or occupied by more than two (2) families.

Dwelling, Single-Family: A building designed for, or occupied exclusively by, one (1) family.

Dwelling, Two-Family: A building designed for, or occupied exclusively by, two (2) families.

Dwelling Unit: A residential use building or portion therein containing one (1) or more rooms used, designed, or intended for occupancy as a single household unit, in providing complete permanent facilities per all applicable Code requirements for living, sleeping, cooking, eating, bathing, washing, and sanitation.

Easement: A particularly described area of exclusive or non-exclusive legal interest in, on, under, over, or through a portion of a parcel of land or appurtenance thereto created by a written instrument whereby the owner of the parcel grants to the owner of a separate parcel of land or appurtenance thereto, or utility, the right to make lawful and beneficial use of the particularly described area.

Ecotourism: Environmentally responsible travel to natural areas, in order to enjoy and appreciate the natural scenery, history, indigenous ecosystems, native plant or animal species, and accompanying cultural features, both past and present that promote conservation, have a low visitor impact, and provide for beneficially active socio-economic involvement of local people. Facilities for an ecotourism enterprise may include recreational outfitters.

Employee: A person who works for another person or entity (the employer) under which the employer has the right to control the details of the employee's work performance.

Escort: A person who, for any form of consideration, agrees or offers to act as a companion, guide or date for another person, or agrees or offers to privately model lingerie or privately performs a striptease for another person.

Escort Agency: A person or business association that for any form of consideration provides or offers an escort(s) for another person.

Essential Services: Public or private utilities, whether at, below, or over the land surface where located, which are necessary for the exercise of the principal use or service of the principal structure on a lot, including, as examples: gas, electric, steam, water, wastewater disposal, stormwater drainage, telecommunications systems, and accessories thereto and other public use facilities, such as fire/EMS and police stations, schools, government administrative buildings, etc., and the like.

Establishment: A place of business, firm, club, or institution.

Excavation: The altering of the topographic elevation and configuration (grade) of a land area.

Family: A person or group of persons occupying a single dwelling unit and living as a single housekeeping unit, as distinguished from a group occupying a hotel or motel as herein defined.

Family Cemetery: A cemetery containing the human remains of persons, at least three-fourths of whom have a common ancestor or who are the spouse or adopted child of that common ancestor.

Family Home and Day Care: (Have two types of Family care home in ORC under 5104.01) (RR) "Type A family day-care home" and "Type A home" mean a permanent residence of the administrator in which child care or publicly funded child care is provided for seven (7) to twelve (12) children at one time or a permanent residence of the administrator in which child care is provided for

four (4) to twelve (12) children at one time if four (4) or more children at one time are under two (2) years of age. In counting children for the purposes of this division, any children under six (6) years of age who are related to a licensee, administrator, or employee and who are on the premises of the type A home shall be counted. "Type A family day-care home" and "type A home" do not include any child day camp.

(SS) "Type B family day-care home" and "Type B home" mean a permanent residence of the provider in which child care is provided for one to six (6) children at one time and in which no more than three (3) children who are under two (2) years of age at one time. In counting children for the purposes of this division, any children under six (6) years of age who are related to the provider and who are on the premises of the type B home shall be counted. "Type B family day-care home" and "type B home" do not include any child day camp.

Farm: Land that is composed of tracts, lots, or parcels totaling not less than ten acres devoted to agricultural production or totaling less than ten acres devoted to agricultural production if the land produces an average yearly gross income of at least twenty-five hundred dollars from agricultural production.

Farm (or farmstead if including a dwelling): Parcel(s) of land and the buildings or other structures thereon which are owned, maintained and operated as a place or group of places as a use establishment or other operation for agriculture as defined in this Code.

Farm-Based Tourism: Activities conducted on a working farm and offered to the public or to invited groups for the purpose of recreation, education, entertainment, hospitality, direct sales or active involvement in a farm operation of the farm and may include the following:

- (a) **Outdoor Recreation:** fishing, wildlife study, horseback riding, sleigh/carriage/ wagon rides, stargazing, hiking, campfires, community gardens.
- (b) **Educational experiences:** cooking classes, wine tasting, school tours, cannery tours, garden/nursery tours, agricultural technical tours, historic agricultural exhibits, food processing, dairy, cider making, gardening and plant identification.
- (c) **Entertainment:** harvest festivals, concerts, barn dances, petting zoo, hunting/working dog trials/training, haunted house, haunted hayride, corn maze, pumpkin carving, egg painting, miniature golf, toddler rides, playground areas, scavenger hunts, craft fair, antique shows, art shows.
- (d) **Hospitality services:** bed and breakfast, retreat center, assembly area, country weddings, party receptions, picnic, family reunions, catering, country store, gift shop, fair food.
- (e) **Direct sales:** u-pick, roadside stand or nursery sales with parking spaces for more than ten (10) vehicles.
- (f) Other uses as determined appropriate by the board of zoning appeals.

Farm Equipment Sales, Rental, and/or Repair Service: An establishment for the sale, rental, and/or repair service of equipment normally or routinely used on farms and gardens, and sales of related parts, tools, and accessories.

Feedlot: An agricultural use facility consisting of any pen, corral, or structure wherein livestock are maintained in close quarters for the purpose of fattening for market, subject to all necessary permitting from the Ohio Environmental Protection Agency (OEPA) for waste treatment and disposal.

Fence: An enclosure or barrier consisting of vegetation or otherwise constructed of boards, masonry, posts, wire, wrought iron, or the like.

Fifth-Wheel Trailer: Means a vehicle that is of such size and weight as to be movable without a special highway permit, that has a gross trailer area of four hundred (400) square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck. [ORC 4501.01(6) (d)]

Fill: Soil, rock, sand, gravel, or a combination with other materials found suitable as fill by the applicable involved authority to make such determination, which exceeds one hundred (100) cubic yards total volume and/or more than four (4) feet in height at its deepest point of placement or dumping on or into ground.

Filling: The placement or dumping of fill on or into ground, excluding such which is not fill for common household gardening, composting and yard care.

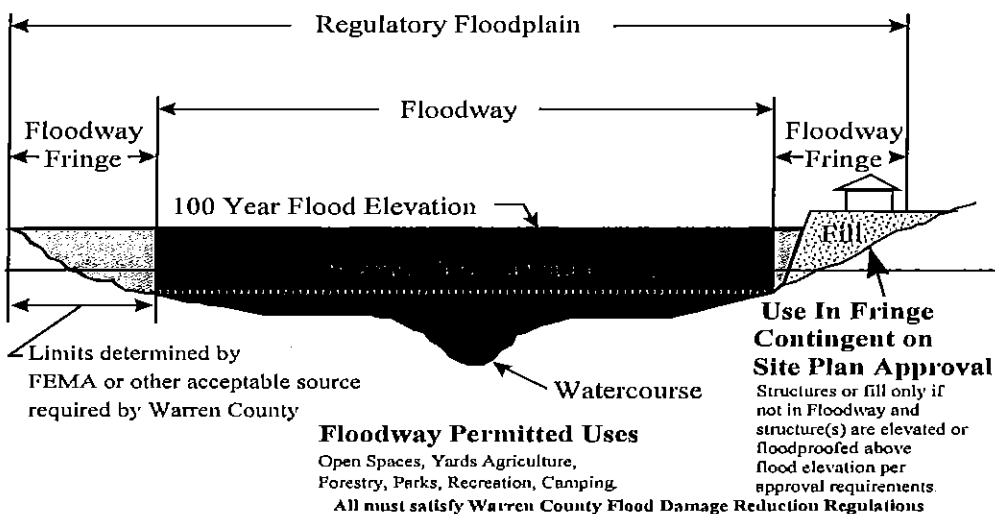
Firewood, Processed: Firewood is raw material that has been processed for use in a fireplace, stove, or other heat generating source, by removing all non-wood or non-combustible material, reduced to a size and length for the said foregoing uses and stacked in an orderly fashion.

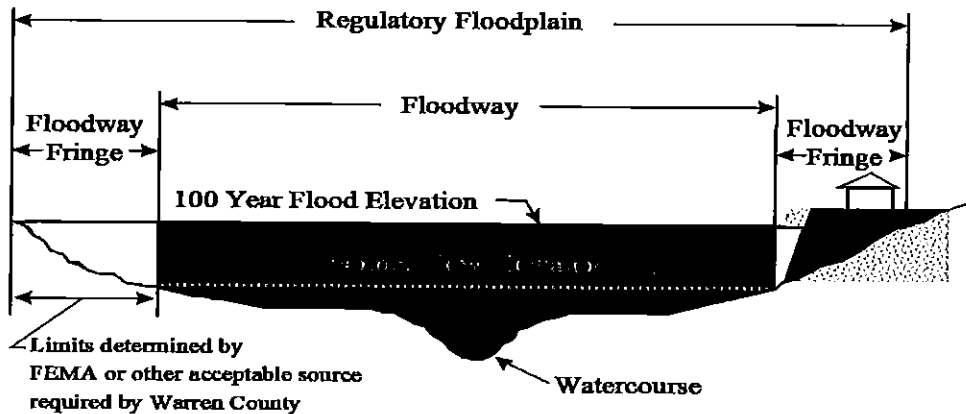
Firewood, Raw Material: Raw material that has not been, but can be, processed into firewood. Examples include, but are not limited to, logs, branches, limbs, pallets, untreated dimensional lumber, and other wood products that have not been painted, stained, chemically treated, or coated.

Fire Lane: A continuous, posted, and/or marked access way on a property for the effective, safe ingress and egress of fire suppression and emergency response vehicles and personnel.

Fixture, Temporary: A fixture which is permitted without any foundation or footing, and which is removed when the designated period, activity, or use per the zoning certification for which the fixture was erected has ceased. Such fixtures include but is not limited to tents, portable bandstands, bleachers, reviewing stands, a manufactured home used in conjunction with construction activities or other fixtures of similar character.

Flood, One Hundred (100) Year: The temporary inundation of normally dry land along a watercourse by a flood that is likely to occur once in a one hundred (100) year period or that has a one percent (1%) chance of occurring in any given year within a one hundred (100) year period (see illustration).





Floodplain, Regulatory: Land under and along a watercourse which is subject to inundation by a one hundred (100) year flood, as determined by the Federal Emergency Management Agency (FEMA) or other source determined acceptable per the Warren County Flood Damage Reduction Regulations (see illustration).

Floodway: Land under and along a watercourse in a regulatory floodplain which is calculated or otherwise observed as required to carry and discharge the flood waters of a one hundred (100) year flood without obstruction, as designated by the Federal Emergency Management Agency (FEMA) or other acceptable source (see illustration).

Floodway Fringe: Land along a floodway in a regulatory floodplain which as calculated or observed serves as a storage area for the flood waters of a one hundred (100) year flood, as designated by the Federal Emergency Management Agency (FEMA) or other acceptable source (see illustration).

Floor Area; Gross: The total gross area of all the floors in a building, as measured from the exterior surface of the exterior walls of the building or from the centerline of common walls separating buildings or units within a building. (Also see Living Space.)

Floor Area Ratio: The mathematical expression determined by dividing the Gross Floor Area of a building or structure, including all accessory buildings, by the area of the lot on which they are located.

Foot-Candle: A unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) candle.

Footprint; Building: The area within the perimeter of a building at ground level.

Foster Home: Ohio Revised Code § 5103.02 means a private residence in which children are received apart from their parents, guardian, or legal custodian, by an individual reimbursed for providing the children non-secure care, supervision, or training twenty-four (24) hours a day. "Foster home" does not include care provided for a child in the home of a person other than the child's parent, guardian, or legal custodian while the parent, guardian, or legal custodian is temporarily away. Family foster homes and specialized foster homes are types of foster homes.

Foundation, Permanent: Permanent masonry, concrete, or a footing or foundation approved by the manufactured homes commission pursuant to chapter 4781 of the Ohio Revised Code, to which a manufactured or mobile home may be affixed. (See O.R.C. § 3781.06)

Garage, Residential: A building or a part of a residence, in which to store vehicles and personal property incidental to the use of the property.

Garage, Non-Residential: A commercial building where vehicles are repaired and/or serviced.

Garage, Parking: A commercial building for the storage of vehicles.

Glare: Light emitted from a luminaire resulting in a spot of intensity great enough to reduce a viewer's ability to see, and in extreme cases such to cause momentary blindness.

Golf Course: A tract of land lay out with at least nine (9) holes for playing the game of golf and improved with tees, greens, fairways, and hazards and that may include a clubhouse and shelter. This does not include miniature golf.

Grade: The finished ground level adjoining the building at all exterior walls.

Grandfathered: (See Non-Conforming, Legal)

Group Home: A residential use, as a type of Community-Based Residential Social Service Facility, which is operated by private citizens or a social service agency and which has a valid license from the appropriate state or local agencies of lawful authority to license the operation to provide room and board, personal care, habilitation services, and supervision in a family setting for more than eight (8) but not more than sixteen (16) persons with developmental disabilities. A developmental disability shall be defined as a disability that originated before the attainment of eighteen (18) years of age and can be expected to continue indefinitely, constitutes a substantial handicap to the person's ability to function normally in society, and is attributable to mental retardation, cerebral palsy, epilepsy, autism, or any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior or requires similar treatment and services.

Hazardous Wastes: Means waste that is regulated by the Ohio Environmental Protection Agency specifically as hazardous waste and/or exhibits one (1) or more characteristics of hazardous waste as defined in Ohio Administrative Code Chapter 3745-51.

In further definition, hazardous waste also means any waste or any combination of wastes in a solid, liquid, semi-solid, or contained gaseous form that, in the determination of the Director of Environmental Protection, because of its quantity, concentration, or physical or chemical characteristics, may:

- (a) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or incapacitating reversible illness; or,
- (b) Pose a substantial present or potential hazard to human health and safety or to the environment when improperly stored, transported, disposed of, or otherwise managed. Hazardous wastes include any substance identified as such under the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 692 et seq.), as amended, and do not include any substance that is subject to the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), as amended.

Heavy Equipment: Refers to heavy-duty vehicles or equipment they may include equipment designed for executing construction tasks or earthwork operations: earth movers; engineering vehicles; large vehicles that require an oversize/overweight permit from the Ohio Department of Motor Vehicles to be transported over public highways; and vehicles that have more than five (5) axles or haul heavy equipment.

Historic Structure: (ORC uses the term historic building under 149.311)"Historic building" means a building, including its structural components, that is located in this state and that is either individually listed on the National Register of Historic Places under 16 U.S.C. 470a, located in a registered historic district, and certified by the state historic preservation officer as being of historic significance to the district, or is individually listed as a historic landmark designated by a local government certified under 16 U.S.C. 470a(c).

Home for Adjustment: A residential facility, as a type of Community-Based Residential Social Service Facility, operated by a court, a social service agency, or private citizens which provides therapy, counseling, and a residential environment for eight (8) or less adolescents or adults for the following purposes: 1) to assist them in recuperating from the effects of drugs or alcohol or, 2) to assist them in adjusting to living with the handicaps or emotional or mental disorder in lieu of or subsequent to confinement within an institution, or 3) to provide housing and a supervised living arrangement in lieu of or subsequent to placement within a correctional institution. The residents of any home for adjustment shall be limited to those individuals who will not pose a threat to life or property within the community, as determined by the responsible court or social service agency, and all homes for adjustment must have a valid license from the appropriate court or agency having the lawful authority to license the operation.

Home Occupation: A non-residential use activity that may be permitted in a residence.

Hotel: A commercial use building or group of buildings, containing any combination of guestrooms in which lodging and boarding is offered to guests for compensation, with access to the units being from interior lobbies, courts or halls.

Household: Is all persons who occupy a dwelling housing unit. (Per U.S. Census Bureau)

Housing Unit: A house, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or if vacant, is intended for occupancy) as a separate living quarters, which are those in which the occupants live and eat separately from any other persons in the dwelling building and which have direct access from the outside of the building or through a common hall. The occupants may be single-family, one person living alone, two or more families living together, or a group of related or unrelated persons who share living arrangements. Persons not living in households are classified as living in group quarters. (Per U.S. Census Bureau)

Impervious Surface: Any material that prevents, impedes, or slows the infiltration or absorption of stormwater into the ground, including building roofs and concrete or asphalt pavement.

Impervious Surface Ratio: A ratio derived by dividing the amount of the site that is covered or hardened so as to prevent or impede the percolation of water into the soil mantle, including but not limited to buildings, swimming pools, roads, and parking areas, by the net area (excluding right-of-way) of the lot. This calculation excludes landscaping, surface water retention/detention facilities and those areas used exclusively for pedestrian circulation or outdoor recreational facilities.

Incinerator: Equipment, machine, device, article, structure, or part thereof, used to burn solid waste.

Industrial: Of, relating to, concerning, or arising from the assembling, fabrication, finishing, manufacturing, packaging, or processing of goods. (See Manufacturing)

Industrial, Light: Manufacturing or assembly that is capable of controlling the external effects of the process, such as odors, vibrations, emissions, or other nuisance characteristics through prevention or mitigation devices and where conduct of operations are within the confines of buildings. The processes carried on, the transportation involved, or the machinery or materials used do not interfere with the amenity of the surrounding area, and products are intended for end users rather than as intermediates for use by other industries.

Industrialized Unit: A building unit or assembly of closed construction, fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure and requires transportation to the site of intended use, including units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed

structural entity, but does not include “manufactured home” or “mobile home” as defined in division (O) of Sec. 4501.01 of the Ohio Revised Code. (See ORC § 3781.06 (C)(3), as amended).

Infiltration Barrier: In situ geologic material, or added earthen material in the form of a recompacted soil liner and/or geotextile, situated under a waste disposal area in order to prevent leachate from infiltrating into underlying soil and groundwater.

Injection Well: A well into which fluids are injected, as classified per 3745-34-04, as amended.

In Situ: Soil and other earthen material that exists in its undisturbed geologic situation or location where it has been allowed to form in place throughout its geologic history of natural development, without having been excavated or otherwise disturbed or influenced by man (see Infiltration Barrier).

Institutional: A use of land and/or buildings located thereon owned and occupied and used exclusively for the benefit of members of a not-for-profit organization or the public.

Institutional Care Facility: Any residential facility, hospital, convalescent, nursing, or rest home, children’s homes, halfway houses, residential treatment camps, and training or correctional schools for children designed or used for more than sixteen (16) persons functioning for purposes of a family care home or a group home, or any residential facility designed or used for more than eight (8) persons under the purposes of a home for adjustment. All institutions shall possess a license from the appropriate state or local agency having the lawful authority to license the operation and may be operated by private citizens, a social service agency, or a governmental authority. This definition excludes correctional facilities. (as defined)

Internet Sweepstakes Establishment: An establishment that promotes the sale of prepaid internet time cards, phone cards or similar device to retail customers in varying amounts for use at its business location which entitle each cardholder to participate in sweepstakes. The sweepstakes system allows a customer to use the phone card, internet time cards or similar device at an internet sweepstakes game terminal to browse the internet or participate in games which reveal sweepstakes entries, prizes, prize values or the like.

Internet Sweepstakes Game Terminal: A computer, machine, game or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, may be operated by the public for use as a contest or game of chance, and which provides the user with a chance to win anything of value.

Invasive, Species: Any plant listed by the ODNR as invasive, whose introduction causes or is likely to cause harm to the economy, environment, or to human health.

Joint Access: A single access point connecting two (2) or more contiguous sites to a public roadway that serves more than one property or developments including those in different ownership.

Junk: One or more objects, articles, or materials where as such items are:

- (a) poorly maintained, deteriorated, damaged, or in a destroyed condition; or,
- (b) careless, haphazard, disorganized placement; or,
- (c) lack of cover from sun and weather exposure.

Junk Vehicle: Any vehicle, whether motorized or otherwise made mobile for purposes of travel on or off roads, through air or on or under water and/or to transport a driver, passengers and/or materials of any kind, and can be described by one (1) or more of the following:

- (a) Inoperable in accordance with manufactured design and/or for safe and/or lawful use;
- (b) Damaged and/or dismantled so as to be unsafe or unlawful to operate and/or could not be restored to safe, lawful operation within seven (7) days;

- (c) Expired registration, if required to be registered; and,
- (d) Uninsured if required to be insured.

Junk Yard (a.k.a. Salvage Yard): A use permitted on all or part of a property that is not completely contained within a building, but which is completely contained within an area which is surrounded by a solid fence or wall and perhaps natural landscaping such that it is not viewable from any other property, and wherein placement: of junk, and/or junk vehicles, inclusive of used, wrecked and/or dismantled; vehicle, appliance, and machine parts; building, electrical, heating, air conditioning, and plumbing fixtures; scrap metal, lumber, concrete blocks, bricks, plastics, rubber, wire, cable, rope or glass are permitted, in accordance with applicable regulations of the zone in which the property is located, for the purpose of being dismantled, handled, wrecked, sorted, salvaged, or reclaimed for restoration or reuse, or to be shipped elsewhere for reuse or disposal. A junk yard is not considered a central processing facility or disposal site for solid waste or construction/demolition debris as otherwise defined by this Code.

Kenel: A structure or premises used for the housing, grooming, breeding, boarding, training, selling or other animal husbandry activities for dogs, cats or other animals for financial or other compensation.

Landscaping: Vegetation, including grass, groundcover, flowers, shrubs, and trees, for the purposes of adornment and soil erosion and sedimentation control of yard or other areas on a site and non-vegetation elements such as logs, rocks, fountains, water features, and contouring of the earth into mounds and depressions.

Land Use Plan: (See Comprehensive Plan of Warren County, Ohio)

Leachate: Liquid that has come in contact with or been released from solid waste or construction/demolition debris.

Legal Non-Conforming: (ORC 303.19) The lawful use of any dwelling, building, or structure and of any land or premises, as existing and lawful at the time of enactment of a zoning resolution or amendment thereto, may be continued, although such use does not conform with the provisions of such resolution or amendment, but if any such non-conforming use is voluntarily discontinued for two years or more, any future use of land shall be in conformity with sections 303.01 to 303.25, inclusive, of the Revised Code. The board of county commissioners shall provide in any zoning resolution for the completion, restoration, reconstruction, extension, or substitution of non-conforming uses upon such reasonable terms as are set forth in the zoning resolution.

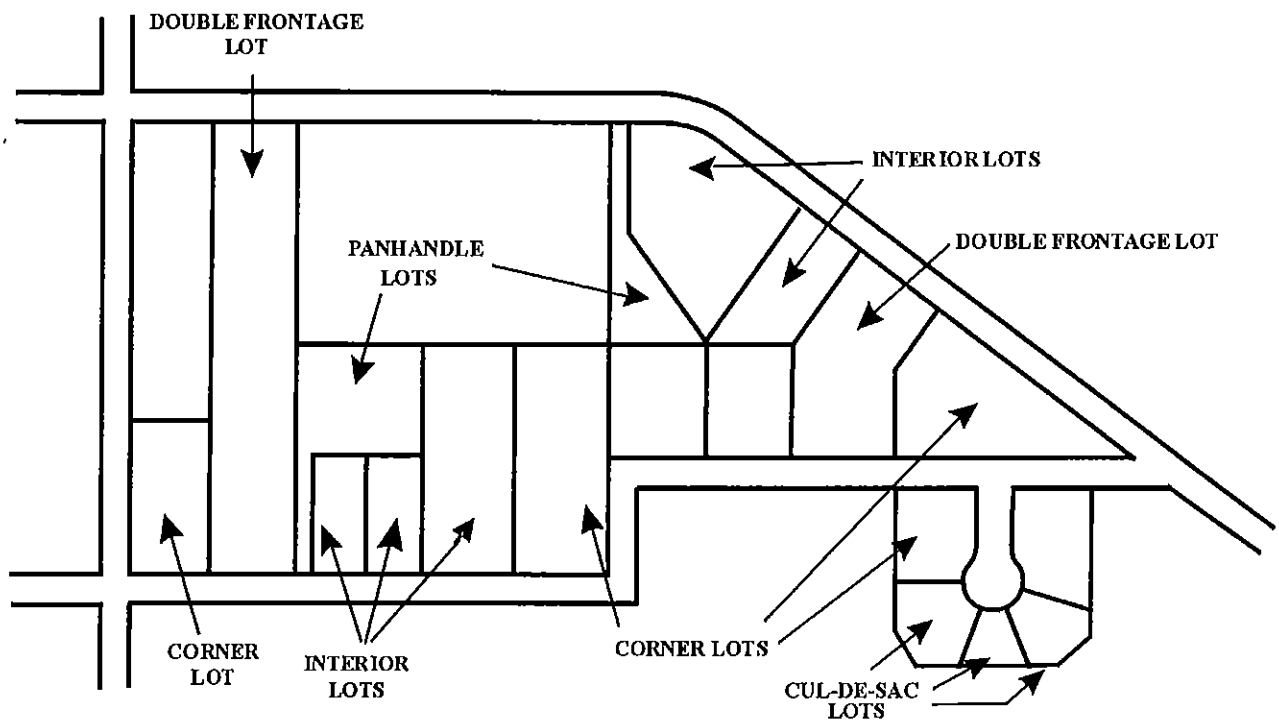
Light Trespass: Light which goes beyond the boundary of the site on which the light source is located.

Limestone Quarry: A mineral extraction site and mining operation where limestone is the principal material excavated for commercial sale or use in another location, but does not include such excavation resulting from the construction of a sanitary landfill.

Living Space: The total of the finished interior floor area for each story in a dwelling unit for the purpose of living, sleeping, cooking, eating, bathing, washing, and sanitation use purposes and does not include an unfinished basement, attic, unenclosed porch, garage, carport, utility room, or storage room. (Also see Floor Area, Gross.)

Loading Space, Off-Street: An unobstructed area within, adjacent to, or on the same site of non-residential use building provided and maintained for the temporary parking of trucks and other commercial delivery vehicles for the purposes of loading and unloading goods, wares, materials, and merchandise.

Lot: A parcel of land of described legal boundary and area, per the types and terms defined as follows; (see illustration).



Lot, Building or Buildable: A lot of record which meets or otherwise satisfies permit requirements of this Code in effect at the time of its creation for construction or placement of one or more buildings and accessory structures (Also see Lot of Record, Legal Non-Conforming and Grandfathered.)

Lot, Corner: A lot bordered by public roads/streets along two (2) or more of its intersecting boundaries.

Lot Coverage: The percentage of a lot's surface covered by structures and pavement, or other impervious material.

Lot Depth: The average distance between the street right-of-way line and the rear lot line or point, measured perpendicular or radial to the street right-of-way line. In the case of panhandle lots such distance shall be measured from the front property line.

Lot, Double Frontage: A lot having frontage along two (2) public roads/streets at opposite ends of the lot.

Lot, Single Frontage: A lot having frontage along one (1) public road/street.

Lot, Panhandle (a.k.a. Flag Lot) as named due to shape: A lot along which the only legal road/street frontage is at one end of a narrow strip of land which extends back from the road/street to the body portion of the lot.

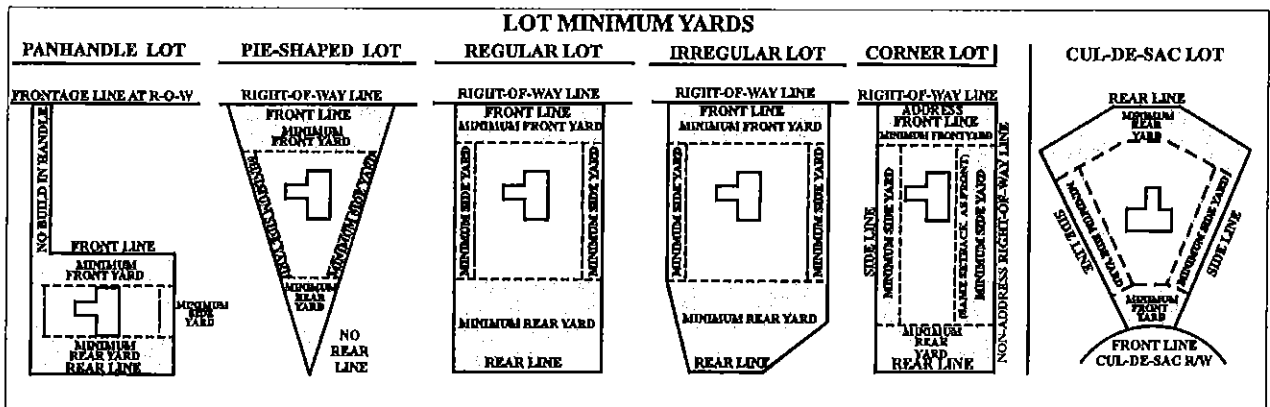
Lot Frontage: Any boundary of a lot in common with the right-of-way (or roadway easement) line of a public road/street that is along that boundary, as established by the County Thoroughfare Plan.

Lot Lines: The intersecting lines which form the legal boundary of the lot, as surveyed or recorded (see illustration).

Lot Line, Front: The boundary line(s) of a lot which, respectively, coincide with the public road/street right-of-way line(s), or the road/street centerline(s) as applicable if there is no right-of-way line. On a panhandle lot, it is the next closest line back from and mostly parallel with the front line at the road/street. All lot lines along streets are front lot lines.

Lot Line, Rear: The boundary line of a lot that is opposite and usually most distant from and often nearly parallel to the front lot line. On corner lots and a pie-shaped lot where the side lot lines come to a point at the rear of the lot, there is no rear line.

Lot Line, Side: The boundary line of a lot, which, respectively, extend between each end of the front and rear boundary lines. Or, front the opposite ends of the front line to intersect each other at the rear-most point of a pie-shaped lot.



Lot, Non-Building or Unbuildable: A lot that does not meet the requirements of the current Zoning Code or the Zoning Code in effect at the time of its creation.

Lot of Record: A lot that met the requirements of the Zoning Code that was in effect at the time of its creation (See also non-conforming).

Lot Width: The distance between the side lot lines, measured at the minimum front building setback line.

Lowest Floor: The lowest floor of the lowest enclosed area in a building, including basement. (Also see Lowest Habitable Floor.)

Lowest Habitable Floor: The elevation of the lowest floor area of a building which is deemed habitable space certified by the Chief Building Official of Warren County, Ohio, being above the minimum elevation required by the Warren County Flood Damage Prevention Regulations if applicable to the building being within one hundred (100) year floodplain. (Also see Lowest Floor.)

Luminaire (aka **Light Fixture**): A complete lighting unit, consisting of a light source and all mechanical, electrical, and decorative parts.

Major Subdivision: The division of a parcel of land that requires the approval of plat by the Regional Planning Commission as authorized by Section 711 of the Ohio Revised Code.

Manufacturing: To bring something into being by forming, shaping, combining, or altering materials. (See Industrial)

Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and

that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards. (ORC 3781.06)

Manufactured Home, Permanently-Sited: Means a manufactured home that meets all of the following criteria:

- (a) The structure is affixed to a permanent foundation and is connected to appropriate facilities;
- (b) The structure, excluding any addition, has a width of at least twenty-two (22) feet at one point, a length of at least twenty-two (22) feet at one point, and a total living area, excluding garages, porches, or attachments, of at least nine hundred (900) square feet;
- (c) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six (6) inch minimum eave overhang, including appropriate guttering;
- (d) The structure was manufactured after January 1, 1995;
- (e) The structure is not located in a manufactured home park as defined by section 3733.01 of the Revised Code.

Massage Parlor: Any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as a part of, or in connection with, “specified sexual activities”, or where any person providing such treatment, manipulation, or service related thereto, exposes his or her “specified anatomical areas”. This definition does not include the practice of massage in a licensed hospital under the auspices of a hospital by a licensed physician, surgeon, chiropractor, 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, semi-professional, or professional athlete, or athletic team, or school athletic program.

Materials/Resource Recovery Facility (MRF): A facility that extracts, removes, or reclaims valuable materials and/or energy from solid wastes or any combination of structures, machinery, or devices utilized to separate, process, modify, convert, treat, or prepare collected solid waste for management other than by disposal so that component materials or substances or recoverable resources may be recovered or used as a new material or energy resource. For purpose of this Zoning Code, an MRF is also further defined to mean an engineered complex constituted by one (1) or more building(s) or completely contained installation(s) consisting of structures, machinery and/or devices that are utilized to separate, process, modify, convert, treat, or prepare incoming solid waste for purpose of extracting, recovering, removing, or reclaiming one (1) or more component material, substance, or resource for reuse.

Micro Wind System: A building-mounted WECS that has a nameplate capacity (manufacturer’s rating) of ten (10) kilowatts or less, and projects no more than fifteen (15) feet above the highest point of the roof. These WECS are designed primarily to reduce on-site consumption of electrical power.

Mineral Extraction Operation: Mineral Extraction Operation shall be defined the same as “operation” or “surface mining operation”. “Operation” or “surface mining operation” means all of the premises, facilities, and equipment used in the process of removing minerals, or minerals and incidental coal, by surface mining from a mining area in the creation of which mining area overburden or minerals, or minerals and incidental coal, are disturbed or removed, such surface mining area being located upon a single tract of land or upon two (2) or more contiguous tracts of land. Separation by a stream or roadway shall not preclude the tracts from being considered contiguous. (ORC 1514.01(F) (1))

Minimum Opening Elevation (MOE): The elevation of the lowest opening through a building foundation wall or the lowest floor of a building at which a door (including a walkout basement), window, window well, or other opening is permitted, as calculated and proposed on a construction grading plan, Zoning/Building Permit plot plan, or recorded subdivision by an engineer registered in the State of Ohio, and verified by the Warren County Engineer. (Also see Lowest Habitable Floor.)

Minor Subdivision or lot Split: A division of a parcel of land that does not involve the approval of a plat by the Regional Planning Commission as authorized by Section 711.131, Ohio Revised Code.

Mobile Home: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty five (35) body feet in length or, when erected on-site, is three hundred twenty (320) or more square feet, is built on a permanent chassis, is transportable in one (1) or more sections, and does not qualify as a manufactured home as defined in division (C)(4) of section 3781.06 of the Revised Code or as an industrialized unit as defined in division (C)(3) of section 3781.06 of the Revised Code. (ORC 4501.01 (O))

Motel: A commercial use of land and the building or group of buildings in which lodging and perhaps boarding is offered to transient guests for compensation, with access to each unit through an exterior door, typically in close proximity to parking (also see Hotel).

Motor Home: (See Recreational Vehicle)

Motor Vehicle: Any self-propelled vehicle designed primarily for transportation of persons or goods along public streets or alleys, or other public ways.

Natural Succession: The gradual and continuous replacement of one kind of plant and animal group by a more complex group that naturally succeeds the previous group. The plants and animals present in the initial group modify the environment through their life activities thereby making it unfavorable for themselves. They are gradually replaced by a different group of plants and animals better adapted to the new environment.

Non-Conforming: The use of any dwelling, building, or structure and of any land or premises that does not meet the current regulations of this zoning code

Non-Conforming, Legal: (See Legal Non-Conforming)

Nude or Seminude Model Studio:

- (a) “Nude or semi-nude model studio” means any place where a person, who regularly appears in a state of nudity or semi-nudity, is provided for money or any other form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.
- (b) A modeling class or studio is not a nude or semi-nude model studio and is not subject to this chapter if it is operated in any of the following ways:
 - (1) By a college or university supported entirely or partly by taxation;
 - (2) By a private college or university that maintains and operates educational programs, the credits for which are transferable to a college or university supported entirely or partly by taxation;
 - (3) In a structure that has no sign visible from the exterior of the structure and no other advertising indicating that a person appearing in a state of nudity or semi-nudity is available for viewing, if in order to participate in a class in the structure, a student must enroll at least three (3) days in advance of the class and if not more than one nude or semi-nude model is on the premises at any one time.

Nudity, nude, state of nudity: (ORC 2907.01) Means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than a full, opaque covering, or of a female breast with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

Nuisance: A condition, activity, or situation (such as a loud noise, foul odor, or intrusive lighting) that interferes with the use or enjoyment of property, especially, a non-transitory condition or persistent activity that either injures the physical condition of adjacent land or interferes with its use or with the enjoyment of easements on the land or of public highways.

Nursery: An agricultural operation, including land, buildings and/or structures for the cultivating, harvesting, storage, and wholesale or retail sale of plants, flowers, shrubbery, or trees grown on-site. Sales of accessory, gardening, or landscaping materials not grown on-site do not qualify as agricultural.

Nursing Home: (See Institutional Care Facility as a type of Community-Based Residential Social Service Facilities)

Official Thoroughfare Plan, Warren County, Ohio: The document establishing the functional classification of the roads/streets which comprise the Warren County thoroughfare network, the width of right-of-way required for the roads/streets in each class, and the projected locations for potential future roads/streets.

Office: A use of land and building(s) for an administrative, professional service, governmental, institutional, or semi-public use activity or operation.

Office/Warehouse: A use of land and building(s) for an administrative office in conjunction with a warehouse business. A showroom is permitted.

Ohio Rapid Assessment Method: A multi-parameter qualitative index established by the Ohio Environmental Protection Agency (OEPA) to evaluate wetland quality and function.

Open Space: All or part of one (1) or more parcels of land, of public or private ownership, existing, improved, and/or set aside, dedicated, designated, or reserved for recreational, resource protection, amenity, and/or buffering use purposes, but not including road/street rights-of-way.

Open Space, Active: Open space designed to be improved and set aside, dedicated, designated or reserved for recreational facilities, including, but not limited to, swimming pools, or fishing ponds, lakes, play equipment for children, ball fields, court games, picnic facilities, alternative pedestrian circulation systems, etc., areas shall be determined to be sufficient in size and shape to be potentially useable. Designated flood plain, stormwater retention basins or ponds and stormwater detention basins greater than three-fourths (3/4) acre in size designed to be utilized for active recreational purposes shall qualify provided a perpetual mechanism has been established for maintaining and ensuring such area; however, in no event shall the following qualify as active open space:

- (a) Areas sloped greater than fifteen (15) percent.
- (b) Completely wooded areas not incorporating pedestrian circulation systems or other active recreational facilities.
- (c) Normally required sidewalks outside open space areas.

Open Space, Common: Is an area or areas within the boundaries of the PUD designed, set aside, and maintained for use by residents of the PUD that is not dedicated as public lands and does not include open space as defined. Common open space includes swimming pool, golf courses, club houses, tennis courts, playing fields, land to accommodate required green infrastructure such as planting strips, street medians/islands, and conventional stormwater management devices.

Open Space, Passive: Open space designed to be essentially unimproved and set aside, dedicated, designated, or reserved for peaceful aesthetic enjoyment.

Open Space, Primary: The following are primary open space areas: The one hundred (100) year floodplain; stream buffer areas; wetlands; habitat for federally listed endangered or threatened species; archeological sites, important historic sites; cemeteries; and burial grounds.

Open Space, Secondary: The following are secondary open space areas and shall be included within the required open space to the maximum extent possible: native forests of at least one contiguous acre; other significant natural features; areas that connect the tract to neighboring open space, trails or greenways; soils with severe limitations for development due to drainage problems; agricultural lands of at least fifteen (15) contiguous acres.

Ordinary High Water Mark: The point on the bank or shore of a stream to which the presence and action of surface water is so continuous as to leave a distinct marking by erosion, destruction, or prevention of woody terrestrial vegetation, a predominance of aquatic vegetation or other easily recognized characteristic. The ordinary high-water mark defines the channel of a stream.

OSHA: The Occupational Safety and Health Act, 29 U.S.C. 651 et seq.

Outdoor Amphitheater: A place, not enclosed in a building, having a stage and seating for performances, concerts, and the like, with the seating for spectators arranged largely within a natural or artificial grade in the land, such as a hillside or depression.

Owner Occupant: The occupant of a residential dwelling owned by the same.

Parcel: A contiguous tract of land in one possession (see Lot).

Parcel, Parent: A parcel which existed as of *January 20, 2012* of this Zoning Code.

Park, Trailer: (See Recreational Vehicle):

Parking Lot: A portion of a parcel of land devoted to unenclosed parking spaces.

Parking Space: An area of a parking lot designated for the parking of a single motor vehicle (see parking lot and parking space, handicapped).

Parking Space, Handicapped: A parking space sized and maintained with permanent signage and markings for use by the handicapped, in conformance with the requirements of the Americans With Disabilities Act (Public Law 101-336), as amended.

Pavement, Permeable: Pavement materials such as pervious concrete, porous asphalt, interlocking concrete pavers, bricks, or similar material (excluding gravel) which allows storm water to percolate through, rather than runoff (see Runoff).

Parking Bay: Two adjacent rows of parking spaces.

Parking Row: A set of parking spaces aligned in a linear fashion within a parking lot.

Park, Trailer: (See Recreational Vehicle)

Personal Service: An establishment primarily engaged in providing individual services generally related to personal needs, such as, but not limited to barber shops, beauty shops, nail salons, day spas, travel agencies, and photographic studios.

Planned Unit Development (PUD): A land area zoned if approved as requested by the owner(s) or designated agent for unified development with flexible restrictions on residential, commercial, industrial, and/or public uses. As defined by (Black's Law Dictionary).

Plat: A map describing a piece of land and its features, such as boundaries with dimensions, lots, roads, and easements. Black's Law Dictionary

Potable Water: Water suitable for human consumption, as defined by SWDA.

Principle Permitted Use: The primary or predominant land use activity for which a building, structure or lot is to be used.

Protected Uses: Any public building owned, leased, or held by the United States, the State of Ohio, Warren County, any city, village, or township, any special district or school district, or any other agency or political subdivision which building is used for government purposes; or land which has been designated for park or recreational activities, including but not limited to: a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian or bicycle paths, open space, wilderness areas, recreation area, or similar land; or quasi-public facility (i.e., any building or improved property customarily open to the public for non-commercial purposes, but which is not under government ownership or control); or religious institution (i.e., any church, synagogue, mosque, temple or building used primarily for religious worship and related religious activities); or residential district or use, as set forth in this Zoning Code; or school (i.e., any public or private educational facility, including, but not limited to, child care facilities, nursery schools, pre-schools, kindergartens, elementary, primary, intermediate, junior, middle, secondary, or high schools, vocational schools, continuation schools, special education schools, junior colleges, colleges and universities, but not including facilities used primarily for another purpose(s) and only incidentally used as a school).

Protected Public Water Supply: A public water system with at least fifteen (15) service connections used by year-round residents whose wells lie over the sole source aquifer.

Public: Anything owned and operated by the federal government, state government, or any political subdivision.

Quasi-Public: A non-governmental use, facility, structure, or service, performed by a non-profit corporation or institution of a religious, cultural, educational, philanthropic, or similar nature.

Raingardens: a shallow depression that is planted with native vegetation that temporarily stores and treats polluted rainwater from rooftops, parking lots, driveways, and walkways before entering nearby watersheds.

RCRA: The Resource Conservation and Recovery Act of 1976.

Re-compacted Soil Liner: Soil and perhaps other earthen material of suitable composition excavated from, or imported to, a land disposal site, deposited or from or imported to a land disposal site, deposited or laid in place in loose lifts where the prescribed waste is to be disposed and compacted per lift until a required depth in thickness and permeability of the liner is achieved, for the purpose of preventing or minimizing leachate infiltration into underlying undisturbed earth and ground water.

Recreation Active: Recreation requiring some constructed facilities and organized activities.

Recreation Camp: The same as in Ohio Revised Code, Sec. 3733.01 (G) or as may be amended in the future, is any tract of land upon which five (5) or more portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the camp. A tract of land that is subdivided for lease or other contract of the individual lots is a recreation camp if five (5) or more portable camping units are placed on it for recreation, vacation, or business purposes. This does not include any tract of land used solely for the storage or display for sale of dependent recreational vehicles (defined in Sec. 3.361) or solely as a temporary park-camp (defined in Sec. 3.353).

Recreation Facility, Commercial: Recreation facilities operated as a business and open to the general public for a fee.

Recreation Facility, Private: Country clubs, riding stables, golf courses, and other private non-commercial recreation areas and facilities, or recreation centers including private swimming pools.

Recreation Facility, Public: Publicly owned or operated recreation facilities.

Recreation Park-Camp; Combined: The same as in Ohio Revised Code, Sec. 3733.01 (H), or as may be amended in the future, is any tract of land upon which a combination of five (5) or more self-contained recreational vehicles or portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities. A tract of land that is subdivided for lease or contract of the individual lots is a combined park-camp if a combination of five (5) or more recreational vehicles or portable camping units are placed on it for recreation, vacation, or business purposes. This definition does not include any tract of land used solely as a temporary park-camp (as defined in Sec. 3.353).

“Recreation park-camp: combined”: does not include any tract of land used solely as a temporary park-camp or solely as a manufactured home park.

Recreation Park-Camp; Temporary: The same as in Ohio Revised Code, Sec. 3733.01 (R), or as may be amended in the future, is any tract of land used for a period not to exceed a total of twenty-one (21) days per calendar year for the purpose of parking five (5) or more recreational vehicles, dependent recreational vehicles, or portable camping units, or any combination thereof, for one (1) or more periods of time that do not exceed seven (7) consecutive days or parts thereof.

Recreation Passive: Recreation that involves existing natural resources and has a minimal impact.

Recreational Vehicle (a.k.a. RV): A vehicular portable structure that:

Is designed for the sole purpose of recreational travel;

Is not used for the purpose of engaging in business for profit;

Is not used for the purpose of engaging in intrastate commerce;

Is not used for the purpose of commerce as defined in 49 C.F.R. 383.5, as amended;

Is not regulated by the public utilities commission pursuant to ORC Chapters 4919., 4921., or 4923; and,

Is classed as one of the following, per Ohio Revised Code (ORC) Sec. 4501.01 (Q).

(1) “Travel Trailer”: A non-self-propelled recreational vehicle that does not exceed an overall length of thirty-five (35) feet, exclusive of bumper and tongue or coupling, and contains less than three hundred twenty (320) square feet of space when erected on site. "Travel Trailer" includes a “tent-type fold-out camping trailer” as defined in Sec. 4517.01 of the Ohio Revised Code, or as may be amended in the future, which means any vehicle intended to be used, when stationary, as a temporary shelter with living and sleeping facilities, and, according to the following listed properties and limitations, has a minimum of twenty-five (25) percent of the fold-out portion of the top and sidewalls combined that must be constructed of canvas, vinyl, or other fabric, and form an integral part of the shelter, and when folded, the unit must not exceed fifteen (15) feet in length (exclusive of bumper and tongue), sixty (60) inches in height (from the point of contact with the ground), eight (8) feet in width, and one (1) ton gross weight at the time of sale.

(2) “Motor Home” is a self-propelled recreational vehicle that is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.

(3) “Truck Camper” is a non-self-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. “Truck camper” does not include

truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.

(4) "Fifth-Wheel Trailer" is a vehicle that is of such size and weight as to be movable without a special highway permit, that has a gross trailer area of four hundred (400) square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.

(5) "Park Trailer" is a vehicle that is commonly known as a park model recreational vehicle, meets the American National Standard Institute standard A119.5 (1988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred (400) square feet or less when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities necessary for the operation of installed features and appliances.

Recreational Vehicle; Dependent: Means a recreational vehicle other than a self-contained recreational vehicle. "Dependent recreational vehicle" includes a park model.

Recreational Vehicle; Self-Contained: Means a recreational vehicle that can operate independent of connections to sewer and water and has plumbing fixtures or appliances all of which are connected to sewage holding tanks located within the vehicle. "Self-contained recreational vehicle" includes a park model.

Recreational Vehicle (a.k.a. RV) Park: Means any tract of land used for parking five (5) or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purposes. "Recreational vehicle park" does not include any tract of land used solely for the storage or display for sale of self-contained recreational vehicles, solely as a temporary park-camp, or solely as a manufactured home park.

Recycling: The process of collecting, sorting, cleansing, treating and reconstituting solid waste that would otherwise be disposed in a solid waste disposal facility and returning reconstituted materials to commerce as commodities for use or exchange, per Ohio Administrative Code Rule 3745-27-01 (WW).

Recycling Facility: An engineered facility or site where recycling is the primary objective of the facility, and:

- (1) The facility accepts only source-separated material and/or mixed recyclables which are currently recoverable using existing technology; or,
- (2) The facility accepts mixed solid waste streams, and recovers for beneficial use not less than 60 percent (60%) of the volume of solid wastes brought to the facility each month (as averaged monthly) for not less than eight (8) months in each calendar year: and disposes of not more than forty percent (40%) of the total volume of solid wastes brought to the facility each month (as averaged monthly) for not less than eight (8) months in each calendar year. Does not include a solid waste disposal facility and does not include a waste tire disposal facility.

Regularly features or regularly shown: Means a consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as a part of the ongoing business of the adult entertainment establishment.(ORC 2907.39)

Regulated Substances:

- (A) Regulated Substances are chemicals or mixtures of chemicals that are health hazards. Materials packaged for personal or household use as food or drink for man or other animals are not Regulated Substances. Regulated Substances include:
- (1) Chemicals which are regulated by SDWA, TSCA, RCRA, OSHA, CERCLA, or other state and/or federal environmental laws and regulations, or for which there is scientific evidence that acute or chronic health effects may result from exposure including carcinogens, toxic and highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, the hematopoietic system, and agents which damage the lungs, skin, eyes or mucous membranes.
 - (2) Mixtures of chemicals which have been tested as a whole and have been determined to be a health hazard.
 - (3) Mixtures of chemicals which have not been tested as a whole but which contain any chemical which has been determined to be a health hazard and which comprises one percent (1%) or greater of the composition on a weight per unit weight basis, and mixtures of chemicals which include a carcinogen if the concentration of the carcinogen in the mixture is one-tenth percent (0.1%) or greater of the composition on a weight per unit weight basis.
 - (4) Ingredients of mixtures prepared within the Aquifer Protection "A-P" Overlay Area in cases where such ingredients are health hazards but comprise less than one-tenth (0.1) of one percent (1%) of the mixture (on a weight per unit weight basis), if carcinogenic; or if less than one percent (1%) of the mixture (on a weight per unit weight basis), if non-carcinogenic.
 - (5) Petroleum and non-solid petroleum derivatives (except non-PCB dielectric fluids).
- B. Determination of whether a material is a Regulated Substance can be made upon review of a Material Safety Data Sheet (MSDS). This should be available from the manufacturer, vendor, or distributor of the product. The most recent United States Environmental Protection Agency, Title III Lists of Lists, is a reference to potential Regulated Substances and is not a comprehensive listing.
- C. Determination and verification of Regulated Substances shall be administered by the Warren County Zoning Inspector or his designee.

Religious Institution: A use of land and buildings located thereon for uses where persons regularly assemble, for religious purposes and related social and educational events, maintained and controlled by a religious body organized to sustain such ceremonies and activities (e.g., rectory, convent, parochial school, meeting hall, offices, outdoor worship facilities, child care).

Replacement Cost: The cost to replace a structure, damaged or destroyed, as determined by a written appraisal from a state certified appraiser.

Residential: A category of use inclusive of the land and building(s) and other structure(s) located thereon as a place utilized for dwelling purposes as specified and regulated in this code.

Restaurant: A business use where food and beverages are sold, prepared, served, consumed, and/or carried out.

Rest Home: (See Institutional Care Facility as a type of Community-Based Residential Social Service Facility)

Retail Small Scale/Light Manufacturing: Means an accessory and associated light manufacturing use conducted in conjunction with the primary retail use. The manufacturing use is conducted within the building in which the retail use is carried out, and the manufactured products are display and are available for sale on-site.

Right-of-Way: Land owned or purchased by or dedicated to the public for use as a public way, most often for purpose of containing a road or street. (see, Road and Street)

Road: A public way consisting one (1) or more paved lanes providing for motor vehicle travel, perhaps parking, and providing frontage and access for abutting properties. (see Street and Thoroughfare)

Runoff: The portion of precipitation in excess of the infiltration capacity of underlying soils to absorb and contain which drains away from, and runs off, the surface of land. (See Impervious Surface)

Sand and Gravel Pit: An excavation resulting from a mining operation where the removal of sand and/or gravel is undertaken for commercial sale or use in another location, but does not include such excavation resulting from construction of a sanitary landfill.

Sandstone Quarry: An excavation resulting from a mining operation where the removal of sandstone is the principal material excavated for commercial sale or use in another location, but does not include such excavation resulting from construction of a sanitary landfill.

Sanitary Land filling: A method of disposing of solid wastes on land in a manner intended to minimize environmental hazards by compacting the solid wastes to the smallest practical volume, and apply cover material daily.

Sanitary Landfill Facility: An engineered facility where the final deposition of solid waste on or into the ground is practiced in accordance with Ohio Administrative Code (OAC) Chapters 3754-27 and 3754-37, including areas of solid waste placement, all groundwater monitoring/control system structures, buildings, explosive gas monitoring/control/extraction system structures, run-on and run-off control structures, sedimentation pond(s), liner systems, leachate management system structures and areas within the three hundred (300) foot radius, from the limits of solid waste placement unless deemed acceptable by the Ohio Environmental Protection Agency (OEPA).

Screening: A method of shielding or obscuring abutting structures or uses by fencing, walls, berms, or densely planted vegetation.

Seat: For the purpose of determining the number of off-street parking spaces for certain uses, the space allocated for seating individuals, measuring not less than twenty four (24) lineal inches across the seating surface of a bench, pew, or space for loose chairs.

Secondary Dwelling Unit: An additional living unit that is associated with a primary dwelling unit, that is either located entirely within the principal structure of the primary dwelling unit or is a detached accessory building, which serves as an additional living unit for sleeping, cooking, and sanitation, and that complies with the standards of Section 3.203.5. Secondary Dwelling Units are not for use and occupancy by tenants.

Semi-nude or State of Semi-nudity: Means a state of dress in which opaque clothing covers not more than the genitals, pubic region, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices. (ORC §§ 503.51 & 2907.39)

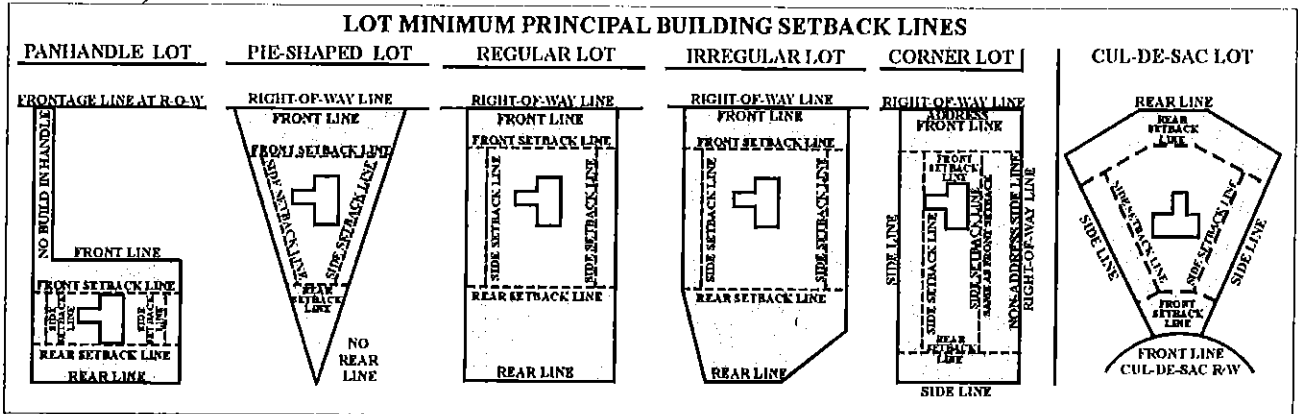
Semi-public: (See Quasi-public)

Setback: The distance which a building or structure is set back inward from a street right-of-way line or parcel boundary line. (See Yards).

Setback Line, Front: The line inward and parallel from the front line of a lot representing the minimum distance which a principal building or structure is set back from that boundary (see illustration).

Setback Line, Rear: The line inward and parallel from a rear boundary line of a lot representing the minimum distance which a principal or accessory building is set back from that boundary (see illustration).

Setback Line, Side: The line(s) inward and parallel from a side boundary line(s) of a lot representing the minimum distance which a principal or accessory building is set back from that boundary (see illustration).



Sexual Encounter Establishment: (ORC §§ 503.51 & 2907.39)

- (a) “Sexual encounter establishment” means a business or commercial establishment that, as one (1) of its principal business purposes, offers for any form of consideration a place where either of the following occur:
 - (1) Two or more persons may congregate, associate, or consort for the purpose of engaging in specified sexual activities.
 - (2) Two or more persons appear nude or semi-nude for the purpose of displaying their nude or semi-nude bodies for their receipt of consideration or compensation in any type or form.
- (b) An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to section 4731.15 of the Revised Code, is not a “sexual encounter establishment.”

Sign: (a.k.a. Signage):

Means any structure, or natural object such as a tree, rock, bush, and the ground itself, or part thereof, or device attached thereto or painted or represented thereon, which shall be used to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter, word, banner, flag, pennant, insignia, device, or representation used as, or which is in the nature of, an announcement. For the purpose of these regulations, direction, or advertisement word “sign” does not include the American flag, the insignia of any government, governmental agency or of any charitable organization.

Sign, Abandoned: A sign which no longer identifies a bona fide business, lessor, service, owner, product, or activity, time of event passed, and where either of the following applies:

- (1) No legal owner can be found; or,
- (2) The property owner has been given a written order to rehabilitate or demolish, and for which work has not commenced and the owner can not demonstrate a diligent and good faith effort to implement actions; or,
- (3) The property taxes are delinquent and the site is not actively offered for sale, lease, or rent

Sign, Billboard: An Off-Premise sign exceed 6feetin height or 48square feet in area of a sign face and is freestanding sign supported by a single monopole structure.

Sign, Changeable Copy: A sign or a portion of a sign with letters, characters, or graphics that are not permanently affixed to the sign structure or face allowing the letters, characters, or graphics to be modified manually.

Sign, Channel Lettering: Fabricated or formed three-dimensional letter that may accommodate a light source or a sign where only the letters/logo is illuminated.

Sign, Channel Lettering-Reverse: A fabricated dimensional letter with opaque face and side walls with an internal light source to the rear of the letters used for “halo” or “silhouette” lighting.

Sign, Gateway: A sign announcing a development.

Sign, Ground: A sign solely supported on and from the ground.

Sign, LED: An LED sign is a sign or a portion of a sign with letters, characters, or graphics displayed on an LED board that may be modified to display a variety of messages.

Sign, Memorial or Memorial Tablet: A sign cut into a masonry or metal surface indicating the name of the structure (not the use of the structure) and/or the year of the structure's erection.

Signs, Non-Conforming: Signs legally existing on the effective date of this code that does not conform to the height, size, and type provisions of this Chapter or the setback standards for the zoning district. For the purposes of this definition the term "sign" shall include the sign face and the structure on which the sign face is attached.

Sign, Off-Premise: A sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

~~**Sign, Roof:** Any sign that is supported on a structure which is located wholly or partly on the roof or above the roof or partly on the roof or above the roof line of any building.~~

Sign, Permanent: All signs that are not temporary signs.

Sign, Pole: A sign solely supported on a pole.

~~**Sign, Roof:** Any sign that is supported on a structure which is located wholly or partly on the roof or above the roof or partly on the roof or above the roof line of any building.~~

Sign, Signature: A sign containing name and/or logo only.

Sign, Structure: The supports, uprights, bracing, or framework of any structure exhibiting a sign, be it single-faced, double-faced, or V-type or otherwise.

Sign, Temporary: A sign that is not designed or intended for display for more than thirty (30) days. Such signs are not permanently attached to a building, structure, or installed in ground. Temporary signs include but are not limited to pennants, banners, streamers, beacons, searchlights, and similar-type devices.

Sign, Wall: A sign painted on, attached to, or erected against an exterior wall of a building or other wall structure, with the display face of the sign parallel to and not more than twelve (12) inches from the wall and which does not project above the roof line or beyond the corner of a building on which mounted.

Sign, Window: A sign that is applied or attached to a window 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

Site: Part or all of one (1) or more lot, parcel, or tract of land used, designed, intended, proposed or planned for specific use and development or a place where something was, is, or is to be located. (See Lot, Parcel and Use.)

Site Plan: A drawing of a property, to scale and with accurate dimensions, depicting the size and location of existing and proposed structures, building setbacks, rights-of-way, easements, walkways, and other such information.

Sleeping Room: A room within a residential dwelling that functions as a separate space used for living and sleeping, but not for cooking and eating purposes.

Slope: The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees regarding the grade of land.

Small Wind Farm: A Wind Energy Conversion System (WECS) with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than five (5) megawatts.

Soil: Natural deposited mineral and organic matter constituting the earth outer surface or as otherwise altered by man.

Solar Energy System: A device on a structure or a lot to collect, store, and use the energy from the sun.

Sole Source Aquifer: The southern portion of the Buried Valley Aquifer System of the Great and Little Miami River Basins of Southwestern Ohio, determined by the U.S. Environmental Protection Agency to be the sole or principal source of drinking water in Warren County, pursuant to Section 1424(a) or (e) of the Safe Drinking Water Act (SDWA) P.L. 95-523, as amended P.L. 96-502, 42 U.S.C. 300(f) et seq).

Solid Wastes: Such unwanted residual solid or semi-solid material as results from industrial, commercial, agricultural and community operations, excluding earth or agricultural and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that would normally be included in demolition debris, non-toxic fly ash, spent non-toxic foundry sand and slag, and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, tires, combustible and non-combustible material, street dirt, and debris. Solid waste does not include any material that is an infectious waste or a hazardous waste.

Semi-solid material does not contain liquids which can be readily released under normal climatic conditions, as determined by Method 909 (Paint Filter Liquids Test) SW-846: "Test Methods for Evaluating Solid Wastes Physical/Chemical Methods".

Per recognition and allowance by the Ohio Environmental Protection Agency, residual waste as included herein is a type of solid waste and which may qualify as to characterization for disposal in certain classes of solid waste disposal facilities in conformance with Ohio Administrative Code Chapter 3745-30.

In accordance with Ohio Revised Code (ORC) Chapter 3734.027, low-level radioactive wastes are not included as a type of waste permissible for disposal at a solid waste disposal facility.

Asbestos waste handling and disposal is acknowledged as a type of waste permissible for disposal at a solid waste disposal facility in accordance with Ohio Administrative Code (OAC) Rules 3745-20-05 through 3745-20-07 inclusively, as amended.

"Infectious wastes" excluded from a solid waste disposal facility permissible by this Zoning Code are as defined in Ohio Administrative Code (OAC) Chapter 3734.01(R) inclusively, and as amended.

"Hazardous wastes" excluded from a solid waste disposal facility permissible by this Zoning Code are as defined in Ohio Administrative Code Chapter 3745-51, and as amended.

Solid Waste Disposal Facility: Any site, location, tract of land, installation, or building used for incineration, composting, sanitary land filling, or other methods of disposal of solid wastes.

Solid Waste Transfer Station: Any site, location, tract of land, installation, or building that is used or intended to be used primarily for the purpose of transferring solid wastes that are generated off the premises of the facility from vehicles or containers into other vehicles or containers for transportation to a solid waste disposal facility.

Specified Anatomical Areas: Used in the Zoning Code for the regulation of Sexually Oriented Businesses means and includes any of the following:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breast below a point immediately above the top of the areola; or,
- (2) Human male genitals in a discernibly turgid state even if completely and opaquely covered.

Specified Criminal Acts: The offenses defined in Ohio Revised Code Chapter 2907, as amended, and similar offenses pursuant to municipal ordinances, township/county resolutions of this or any other state, the statutes and regulations of any other state or of the United States, or tax violations in connection with Sexually Oriented Business.

Specified Sexual Activities: "Specified sexual activities" as used in the Zoning Code for the regulation of Sexually Oriented Businesses means and includes any of the following

- (1) The fondling, intentional touching of human genitals, pubic region, buttocks, anus, or female breast.
- (2) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or,
- (3) Masturbation, actual or simulation; or,
- (4) Human genitals in a state of sexual stimulation, arousal, or tumescence; or
- (5) Excretory functions as part of, or in connection with, any of the activities set forth in subdivisions (1) through (4)

Stable: Building(s) and other structures and the land on which located used, designed, or intended for the boarding of domestic animals, most typically horses, including associated grazing, exercise, training, and show areas.

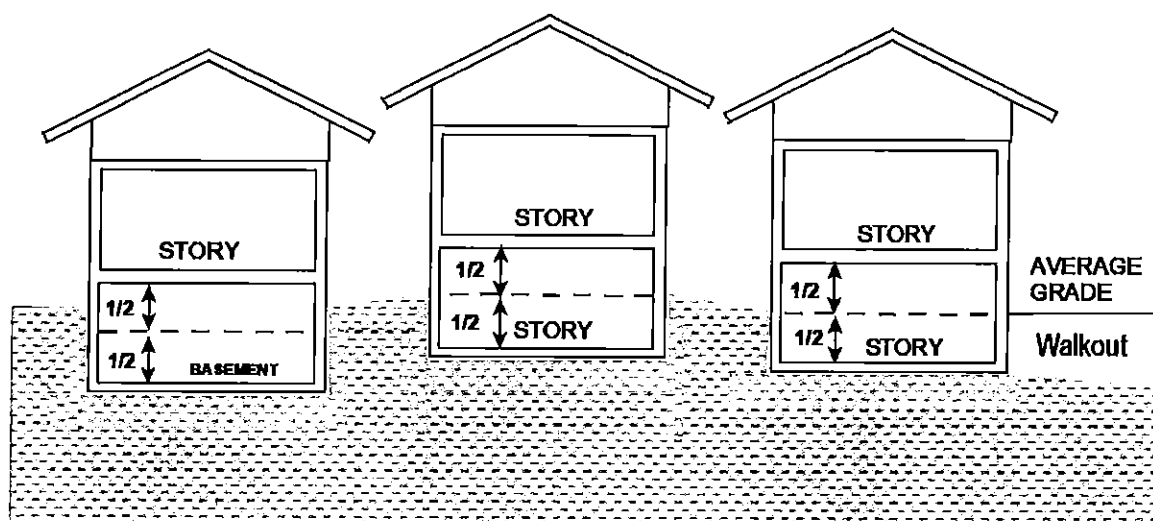
Stormwater Pollution Prevention Plan (SWPPP): The plan which describes all the elements of the

stormwater strategy implemented during and after construction. The plan addresses erosion control and stormwater quality.

Stormwater Quality Treatment: The removal of pollutants from urban run-off and improvement of water quality, accomplished largely by deposition and utilizing the benefits of natural processes.

Story: The space in a building between the surface of one floor, other than a mezzanine, to that of the next floor above it or to the ceiling from the uppermost floor (See Basement).

Story, Half: A habitable space in a building above the highest full story below it and under a sloping roof of the building, if the line of intersection of the roof and wall is three (3) feet or less above its floor. (Also see Habitable Space.)



Stream: A surface watercourse with a well-defined bed and bank, either natural or artificial, which contains and conducts continuous or periodical flowing water in such a way that perennial terrestrial vegetation cannot establish roots within the channel.

Stream Setback: The distance set back from each bank of a stream to protect the stream setback area and stream from structural encroachment, impacts of development and streamside residents from impacts of flooding and land loss through erosion. Stream setbacks contain all land in between them to each side of the stream for which defined and required by the establishment criteria specified in this Section.

Stream Setback Area: A transitional area between flowing water and terrestrial ecosystems, which provides a continuous exchange of nutrients and woody debris between land and water. This area may or may not be periodically influenced by flooding, but often includes floodplain of the stream. Stream setback areas, if appropriately sized and managed, help to stabilize banks, limit erosion, reduce flood-size flows, and/or filter and settle out runoff pollutants, or perform other functions consistent with the purposes of this Section.

Street, Public: A public way same in function as a road, but most often within dedicated public right-of-way flanked by public utilities easements, sidewalks, and bikeways and having curbs and gutters rather than side ditches for pavement drainage. (See Road and Thoroughfare.)

Street, Private: Any road or street that is not publicly owned and maintained and used for access by the occupants of the development, their guest, and the general public.

Structure: Anything constructed or erected for use with location on, within, or attachment to the ground for purposes as regulated by this code., the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground, including, but not limited to trailers or mobile homes, tents, signs, swimming pools, pergolas, kiosks, pilings, piers, and bulkheads, but not including septic tanks and septic systems; and accessory facilities associated with the provision of utilities such as drains, wells, transformers, and telephone poles.

Structure, Temporary: A structure without a foundation or footing, to be removed upon the expiration of the permitting time frame.

Structure, Minor: Any small accessory structure or building such as birdhouses, tool houses, pet houses, play equipment, arbors, fire pits, outdoor cooking and grill islands, outdoor fireplaces, and walls and fences.

Subdivision: The division of a parcel of land, per Ohio Revised Code (ORC) Section 711.001 and the Warren County Subdivision Regulations (Also see Lot, Lot of Record, and Parcel.)

Substantial Enlargement of a Sexually Oriented Business: An increase in the original floor area occupied by a sexually oriented business by more than 15 percent.

Suburban fringe: A transition zone between the city/villages and the rural area that are identified by the following zoning districts “R1-B”, “R2”, and “R3”.

Swimming Pool: A recreational use structure, above or in ground, containing water eighteen (18) inches or greater in depth, for purposes of swimming, wading, or bathing, inclusive of support facilities in relation thereto, such as enclosure fencing.

Telecommunications Facility: A FCC permitted wireless telecommunications facility that exists on or after October 31, 1996.

Telecommunications Facility, Base Station: Transmission equipment and any non-tower structure that facilitates FCC permitted wireless communications.

Telecommunications Facility, Collocation: The installation of additional transmission equipment on an existing tower or other permitted support structure.

Telecommunications Facility, Eligible Facilities Request: A request to modify an existing tower and/or base station that does not cause a substantial change to the physical dimensions of the tower or other support structure or base station, involving:

- (a) Collocating new transmission equipment;
- (b) Removing transmission equipment; or
- (c) Replacing transmission equipment.

Telecommunications Facility, Eligible Support Structure: A tower or other support structure that exists when a modification application is filed with the Warren County Zoning Inspector.

Telecommunications Facility, Equipment: Equipment that facilitates transmission and reception of FCC licensed or authorized wireless communication signals, including, but not limited to, antennas, coaxial or fiber-optic cable, radio transceivers, and regular and backup power supply.

Telecommunications Facility, Site: The area within the boundary of the leased or owned property that underlies and surrounds a telecommunications tower, or other support structure, and base station, and including, but not limited to any access driveway, utility service line, and fall-radius easements related to the facility.

Telecommunications Facility, Small Cell Tower: A tower greater than the zoning district height but under fifty (50) feet, or an existing facility that has been adapted for the location of transmission or related equipment to be used in the provision of Cellular Telecommunications Services. The term Small Cell Tower includes mini cell towers, distributed antenna system towers, micro cell towers, mini cell, or similar systems.

Telecommunications Facility, Substantial Change: Modifications to the physical dimensions of an eligible support structure that qualify according to the criteria specified in Section 3.205.11(N) (2).

Telecommunications Facility, Telecommunications Tower: A tower constructed for, or an existing facility that has been adapted for, the location of transmission or related equipment to be used in the provision of Cellular Telecommunications Services or Personal Communication Services. The use excludes Small Cell Towers.

Telecommunications Facility, Tower: A guy-wired, metal lattice, or monopole structure that is for the sole or primary purpose of supporting FCC permitted antennas and any associated equipment for facilitating wireless communication services.

Thermophilic Stage: A biological stage in the composting process characterized by a high rate of decomposition, large heat generation, and temperatures generally above one hundred (100) degrees Fahrenheit.

Thoroughfare Plan: The main or heavily traveled public roads, streets, or highways, identified by functional classification in the Warren County Official Thoroughfare Plan in being higher than Local in class. (See, Road, Street and Official Thoroughfare Plan).

Time of Travel Boundary: A locus of points from which water takes an equal amount of time to reach a given destination such as a well or wellfield.

Towers: Any free-standing or attached structure to a building or other structure; owned or principally used by a public utility or other person or entity that exceeds twice the permitted height requirement of the district.

Traffic Impact Study: A study which assesses the effects that a particular development's traffic will have on the transportation network. The report includes an analysis of anticipated roadway conditions, traffic circulation patterns and volumes. These studies are used to help evaluate whether the development is appropriate for a site and what type of transportation improvements may be necessary.

Travel Trailer: (See recreational vehicle)

Truck Camper: (See recreational vehicle)

Truck Terminal: A specialized distribution building for redistributing goods from one truck to another as an intermediate transfer point. These facilities are primarily used for staging loads (rather than long-term storage) and possess very little if any storage.

TSCA: The Toxic Substance Control Act, as amended, 15 U.S.C. 2601 et seq.

Underground Storage Tank: One or any combination of tanks, including the underground pipes connected thereto, that are used to contain an accumulation of regulated substances the volume of which, including the volume of the underground pipes connected thereto, is ten per cent or more beneath the surface of the ground. ORC_3737.87(P)

Use: The specific purpose for which land inclusive of the building(s) and other structure(s) thereon and the activities and operations thereof are utilized, designed, arranged, intended, occupied, or maintained.

Use, Temporary: A use permitted for a period of time specified per this code.

Utility Scale Wind Farm: Wind Energy Conversion System (WECS) installations with a total generating capacity over 5 megawatts which are subject to certification by the Ohio Power Siting Board.

Variance: A modification of the strict terms of this Code, if granted by the Board of Zoning Appeals (BZA).

Veterinary Animal Hospital or Clinic: A business use of land and structures thereon as a place used for the medical and surgical care, diagnosis, and treatment of animals, including grooming and boarding accommodations for treatment purposes of observation and recuperation.

Warehouse Depot: A use engaged in storage of manufactured products, supplies, and equipment. This uses is characterized by frequent trucking activity, open storage of material, but does not involve manufacturing, production or selling of the goods they handle.

Wastewater Disposal System, Central: (See Central Sanitary Sewage System)

Wastewater Disposal System, On-Site: A system for the purposes of storing, treating, and disposing of sewage and wastewater generated by the use on the site.

Water Pollution: The unpermitted release of sediment from disturbed areas, solid waste, leachate, or other contaminants into the waters of the state.

Water System, Central: A public system which provides water supply to a development, community, or region.

Water System, On-Site: A well or other similar installation on a site which provides a water supply for the uses on the site.

Waters of the State: All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, which are wholly or partly within, or border upon, the zoning jurisdiction, except those private waters which do not combine or affect a junction with natural surface or underground waters. (ORC 1509.01)

Wedding Facility, Event Center: A building or group of buildings where weddings; retreats; seminars; community events; private parties; and similar events are conducted in exchange for compensation. This use may include, but is not limited to, facilities for food preparation and serving, parking facilities, a caretaker residence, and administrative offices.

Well: A bored, drilled or driven-shaft, or a dug hole whose depth is greater than the largest surface dimension and whose purpose is to reach underground water or oil supplies, or to store or bury fluids below ground.

Wellhead: The physical structure, facility, or device at the land surface from, or through which, groundwater flows or is pumped from subsurface, water-bearing formations.

Well Field: A protected land area specified around a well head.

Wetlands: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, fens, and similar areas, as defined by Soil & Water Conservation.

Wind Energy Conversion System: (WECS) means an aggregation of parts including the base, tower, generator, rotor, blades, supports, guy wires, and accessory equipment such as utility interconnections, battery banks, etc. in such a configuration as necessary to convert the power of wind into mechanical or electrical energy. WECS are also known as wind chargers, windmills, or wind turbines.

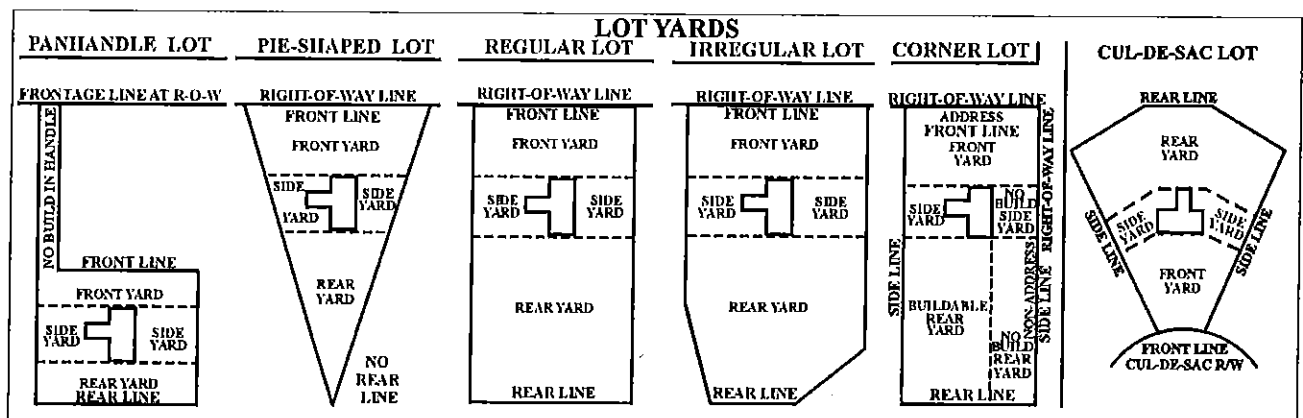
Wind Turbine: A machine that converts the wind's kinetic energy into rotary mechanical energy, which is then used to do work.

Yard: An open space, other than a courtyard, on the lot of a principal building, unoccupied by buildings or structures from the ground to the sky except by trees or shrubbery or as otherwise permitted per this Code. The depth of each required yard is measured between the setback line inward parallel from the lot line (see illustration).

Yard, Front: The yard extending the full width of the lot between the road/street right-of-way line at the front of the lot and the closest point of contact to the principal structure, with the minimum depth thereof measured from the right-of-way line established by the Warren County Official Thoroughfare Plan (see illustration).

Yard, Rear: The yard extending the full width of the lot between the closest distance from the rear lot line or rear-most point on a pie-shaped lot and the first point of contact by a principal structure (see illustration).

Yard, Side: The yard extending from the front yard to the rear yard (except in the case of a corner lot) between the closest point of contact by a principal structure and the nearest side lot line (see illustration) (also see Lot Line, Side).



The right-of-way line is established by the Warren County Official Thoroughfare Plan.

Yard Waste: Leaves, branches, and limbs trimmed or pruned from trees and shrubs, lawn, or other vegetative ground cover, clippings, and garden waste.

Yard Waste Composting Facility: A composting facility receiving only yard wastes, animal wastes incidentally associated therewith, and bulking agents as defined herein.

Zoning District (a.k.a. Zone): An area designation for one of the several zoning classifications defined in this Code which is applied or may be requested for application to part or all of one (1) or more parcels of land, in specifying the permitting provisions, restrictions, and requirements for use of land and structures therein located. (See Zoning Overlay and Planned Unit Development.)

Zoning Inspector: Person(s) appointed by the Board of Warren County Commissioners to administer and enforce the Zoning Code.

Zoning Map, Official: The graphic depiction of the boundaries of the various Zoning Districts and Zoning Overlays which have been respectively applied in a uniform manner to all parcels of property under Warren County Zoning jurisdiction. (See § 2.102 of the Zoning Code.)

Zoning Overlay: A specific zoning area designation applied over the underlying zoning already applicable on part or all of one (1) or more parcel(s) which modifies the zoning regulations(See § 2.101 of the Zoning Code).

Zoning Permit: The official document issued by the Zoning Inspector that certifies that the use, development, and/or structures on a lot or parcel meet all permitting requirements of the Zoning Code.

Zoning Supplemental Regulations: Provisions, restrictions, and conditional requirements specified in the Zoning Code, which may be applicable in addition to the Zoning District and Zoning Overlay regulations.

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0027

Adopted Date January 02, 2024

A RESOLUTION IN SUPPORT OF OHIO GIG LLC'S APPLICATION TO THE OHIO RESIDENTIAL BROADBAND EXPANSION GRANT FOR FUNDING FOR EXTENSION OF BROADBAND TO WARREN COUNTY RESIDENTS.

WHEREAS, the Board of Warren County Commissioners is aware that there are residents without access to reliable broadband; and

WHEREAS, the Board recognizes the critical importance of broadband access for educational, employment and healthcare reasons; and

WHEREAS, Ohio Gig LLC has advised they are proceeding to request grant funding from the Ohio Residential Broadband Expansion Fund to bear the expense of extending broadband service to the homes in Warren County that currently have no internet access; and

WHEREAS, the Board of Warren County Commissioners wishes to confirm its support of this grant application; and

NOW THEREFORE BE IT RESOLVED, to acknowledge and confirm their support for Ohio Gig LLC's grant funding application to the Ohio Residential Broadband Expansion Fund for the purposes of securing the funding necessary to extend broadband to Warren County Residents who currently have no access to internet.

Mr. Grossmann moved for adoption of the foregoing resolution being seconded by Mrs. Jones. Upon call of the roll, the following vote resulted:

Mr. Young – yea

Mrs. Jones – yea

Mr. Grossmann – yea

Resolution adopted this 2nd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Commissioners file
Economic Development (File)