

The Board of Trustees of Colerain Township, County of Hamilton, Ohio, State of Ohio, met in regular session at 6 p.m., on the 9th day of February, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Michael Inderhees, Greg Insko, Jeffrey F. Ritter

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

RESOLUTION NO. 10 -16

**RESOLUTION ADOPTING TEXT AMENDMENTS TO
THE COLERAIN TOWNSHIP ZONING RESOLUTION
REGARDING ALTERNATIVE FINANCIAL SERVICES PROVIDERS**

WHEREAS, a proposed text amendment for Alternative Financial Services Providers was initiated by Motion and transmitted to the Regional Planning Commission; and

WHEREAS, the Regional Planning Commission recommended denial on August 6, 2016; and

WHEREAS, the Colerain Township Zoning Commission recommended approval in a 4 to 1 vote on January 19, 2016; and

WHEREAS, the Board of Trustees held a public hearing on February 9, 2016, and, at the conclusion of the public hearing, voted unanimously to accept the recommendation of the Zoning Commission set out in **Exhibit A**;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that the Board does hereby adopt the Amendment to the Colerain Township Zoning Resolution attached hereto as **Exhibit A**; and

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

1. The text amendment hereby adopted is in furtherance of the health, safety, morals and welfare of the public and the Township; and
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
4. That this Resolution shall be effective at the earliest date allowed by law.

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

Vote Record: Mr. Inderhees Aye, Mr. Insko Aye, Mr. Ritter Aye

ADOPTED this 9th day of February, 2016.

BOARD OF TRUSTEES:

[Signature]
Michael Inderhees, Trustee

[Signature]
Greg Insko, Trustee

[Signature]
Jeffrey F. Ritter, Trustee

Attest:

[Signature]
Heather E. Harlow
Colerain Township Fiscal Officer

Resolution approved as to form:

[Signature]
Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

9th This is to certify that this Resolution was duly passed and filed with the Colerain Fiscal Officer, this day of February, 2016.

[Signature]
Heather E. Harlow
Colerain Township Fiscal Officer

EXHIBIT A

PROPOSED TEXT AMENDMENTS TO ZONING RESOLUTION

Proposed Amendments – underlined and bolded.

8.4.14 Alternative Financial Services Providers Alternative Financial Services Providers may be permitted in the B-1: Neighborhood Business District or in the B-2: General Business District when the applicant can demonstrate compliance with the following conditions:

(A) Any applicant for a zoning certificate which would cause any structure, building or land to be used as an Alternative Financial Services Provider use shall demonstrate that the issuance of the zoning certificate would not increase the number of such Alternative Financial Services Provider establishments operating within the township at that time to be more than one per each ten thousand (10,000) inhabitants residing in the Township according to the most recent decennial census.

(B) Any lot containing an Alternative Financial Services Provider shall be located at least 1,000 feet from any lot containing another Alternative Financial Services Provider

(C) Any lot containing an Alternative Financial Services Provider shall be located at least 200 feet from any lot within a residential zoning district.

8.2 Permitted Uses

Table 8-1 below sets forth the uses permitted within the relevant zoning district. The abbreviation used in the table have the same meaning as the abbreviations in Section 7.2 (Permitted Uses) of this Resolution.

Table 8-1: Business Use Table						
Use P=Permitted Use P* = Permitted with Conditions C= Conditional Use	Zoning Districts					Additional Regulations
	B-1	B-2	B-3	O-1	I-1	Refer to Section:
Agricultural Uses						
<u>Agricultural Uses</u>	P*	P*	P*	P*	P*	Section 7.4.2
Residential Uses						
<u>Institutional Housing</u>		P	P	P		Section 7.4.6
Business Uses						
<u>Alternative Financial Service</u>	P*	P*				<u>Section 8.4.14</u>
<u>Automotive Body Repair</u>		P*	P		P	Section 8.4.1
<u>Automotive Fuel Services</u>	P*	P*			P*	Section 8.4.2
<u>Automotive Sales or Rental</u>		P			P	
<u>Automotive Service</u>		P			P	
<u>Automotive Wrecking, Salvage, or Junk Facilities</u>					C	Shall comply with ORC
<u>Banks or Financial Institutions</u>	P	P	P	P		
<u>Quiet Halls</u>		P	P			
<u>Bars and Taverns</u>	P*	P				Section 8.4.3
<u>Bed and Breakfast Establishments</u>	P	P				Section 7.4.3

16.2.9 Alternative Financial Services Providers shall be defined as check cashing businesses, payday advance or loan businesses, pawn businesses, money transfer businesses or car title loan businesses.

16.2.38 Car Title Loan Business shall mean an establishment that makes or facilitates short term consumer loans that leverage the equity value of a car or other vehicle as collateral. This excludes state or federally-chartered banks, savings and loan associations, or credit unions engaged primarily in the business of making longer term loans and which make loans that leverage the total equity value of a car or vehicle as collateral.

16.2.41 Check Cashing Business shall mean an establishment that provides or facilitates the provision of an amount of money that is equal to the face of the check or the amount specified in the written authorization for an electric transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specified period of time. This definition excludes a state or federally-chartered bank, savings and loan association, credit union, pawnshop, grocery store or gas station.

16.2.141 Money Transfer Business shall mean an establishment, other than a bank or financial institution, or grocery store; that engages in or facilitates the transmission of funds to or from a location outside the United States and its territories for a fee.

16.2.154 Payday Advance or Loan Business shall mean an establishment that makes or facilitates consumer loans, usually backed by postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term or until an applicant's next payday, and then cashed unless the customer repays the loan to reclaim such person's check.

16.2.155 Pawn business shall mean an establishment that makes or facilitates short- term loans collateralized by tangible personal property, such as jewelry, consumer electronics, tools, musical instruments or firearms.