

RESOLUTION # 15-06

Case No. LUPA 2003-02

**North Central Sector Riverfront Amendments**

*Approval of multiple Land Use Plan Amendment for amendments including Rural Residential, Planned Mixed Use Employment Public, Semi-Public and Institutional Space and Green Space and Agriculture*

**WHEREAS**, Colerain Township Land Use Advisory Board and the Colerain Township Trustees, filed Case No. Colerain LUPA 2003-02, an application for multiple Land Use Plan Amendments to the Colerain Township Land Use Plan, approving the North Central Sector Riverfront Amendments. Amendments include Rural Residential, Planned Mixed Use Employment, Public, Semi-Public and Institutional Space and Green Space and Agriculture, for the parcels included in the;

**Riverfront Amendments to North Central Sector:** The area generally located and bounded by and east The Great Miami River, south of U.S. 27 (Colerain Avenue), west of E. Miami River Road and northeast of Dravo Park (parcel 510-0410-0033 ).

*Please refer to the attached map.*

**WHEREAS**, the Colerain Township Zoning Commission held a public hearing on February 21, 2006 and recommended approval of the proposed land use amendment; and

**WHEREAS**, on March 14, 2006 Colerain Township Board of Trustees held a public hearing on said land use amendment and reviewed all pertinent documents and received public comment; and

**WHEREAS**, the Colerain Township Board of Trustees approved the land use amendments with revisions to part of parcels 510-280-01, 04, 11, 29, 71, 73, 77, 78, 79, 81, 83, expanding Site 30 with the following specific amendments as described in Appendix A and Table A.

**WHEREAS**, the Colerain Township Board of Trustees approved the following specific amendments as described in Appendix A and Table A.

**WHEREAS**, the Colerain Township list of land use categories are described as follows in Appendix B.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees approves the recommendation by the Colerain Township Zoning Commission that the application for the land use plan amendment be approved, and the Board of Trustees does hereby adopt the said land use amendment, with the modifications contained in this Resolution, for the reason that the land use amendment is in the best interest of the Township and the public, and is in keeping with good land use planning.

**BE IT FURTHER RESOLVED** that the plan be subject to the regulations and declarations of Colerain Township Land Use Categories of Recommendation for Rural Residential, Planned Mixed Use Employment, Public, Semi-Public and Institutional Space, and Green Space, and Colerain Township Land Use Plan Strategies, and subject further to the aforementioned conditions listed in the approved motions above.

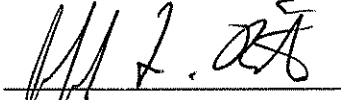
**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution and map be directed by the Fiscal Officer of Colerain Township to the Colerain Township Land Use Advisory Board, the Colerain Township Zoning Commission, the Colerain Township Board of Trustees, the office of the Colerain Township Land Use Planner, the

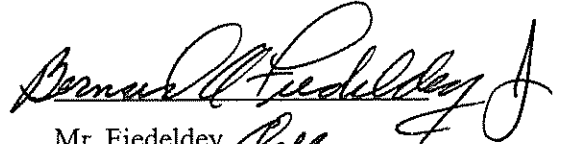
office of the Colerain Township Legal Counsel, and the Hamilton County Regional Planning Commission.

CERTIFICATE OF ADOPTION

This resolution was adopted at a regularly scheduled meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 28<sup>th</sup> day of March, 2006 and shall become effective at the earliest time permitted by law.

\_\_\_\_\_  
Mr. Corman \_\_\_\_\_

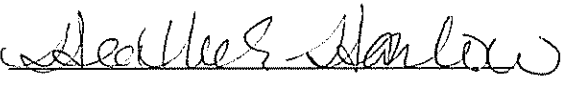
  
\_\_\_\_\_  
Mr. Ritter AYE

  
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Mr. Fiedeldey AYE

CERTIFICATE OF FISCAL OFFICER

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 28<sup>th</sup> day of March, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 28<sup>th</sup> day of March, 2006.

  
\_\_\_\_\_  
Heather Harlow, Fiscal Officer  
Board of Township Trustees  
Colerain Township, Ohio

## APPENDIX A

- A. **Riverfront Amendments to North Central Sector:** The area generally located and bounded by and east The Great Miami River, south of U.S. 27 (Colerain Avenue), west of E. Miami River Road and northeast of Dravo Park (parcel 510-0410-0033 ).

*\*\* All sites affected by the floodplain as identified on the official 2004 FEMA flood boundary map for Hamilton County, Ohio, are subject to the additional rules and regulations of the following governmental agencies, including but not limited to FEMA, Ohio EPA, Ohio Department of Natural Resources, Army Corps. of Engineers, and the Hamilton County Public Works Department.*

1.) **Site 2 & Expanded Site 30**

Motion to amend part of Site 2, in which the floodway, as identified on the official 2004 FEMA flood boundary map for Hamilton County, Ohio, shall serve as the boundary for the Green Space Classification. The rationale for the change is to encourage uses that retain the natural resources, riverbank, aquifer, and rural character of the area as stated in Strategy 5 and Strategy 11 of the Colerain Township's Land Use Plan Strategies. The above-mentioned green space site will hereon be referred to as Site 2.

That, the remainder of Site 2, which is not located in the above referenced floodway, shall be amended from Green Space "GS" to Planned Mixed Use Employment Area "PMUE". The rationale for the change is to prepare for potential development as a result of highway construction, that future development should encourage uses that retain the rural character of the area and as stated in Strategy 13, and Strategy 14 of the Colerain Township's Land Use Plan Strategies. The above mentioned parcels will hereon be referred to as Site 30.

2.) **Site 7 & New Site #27**

Motion to amend part of Site 7, in which the floodway, as identified on the official 2004 FEMA flood boundary map for Hamilton County, Ohio, shall serve as the boundary for the Green Space Classification. The rationale for the change is to encourage uses that retain the natural resources, riverbank, aquifer, and rural character of the area as stated in Strategy 5 and Strategy 11 of the Colerain Township's Land Use Plan Strategies. The above-mentioned green space site will hereon be referred to as Site 7.

That, the remainder of Site 7, which is not located in the above referenced floodway, will remain as Green Space "GS". The following parcels shall be permitted to continue to operate under the Green Space "GS" classification. Southwestern Ohio Water Company owned parcels; existing or hereafter acquired parcels in the Site 7 area, west of East Miami River Road, shall be permitted to maintain existing uses, and to upgrade and/or expand water extraction and transportation of water operations. In addition, the Procter and Gamble parking facility west of East Miami River Road shall be permitted to serve the Procter and Gamble facility. The rational is to maintain existing uses that are consistent with the area's character and as stated in Strategy 5 of the Colerain Township Land Use Plan Strategies.

Furthermore, the Colerain Township owned parcels, specifically Heritage Park; existing or hereafter acquired parcels in the Site 7 area, shall be permitted to serve the community as public properties for active parks, playgrounds, community centers, and buildings with such supporting uses and will be identified as Public, Semi-Public, Institutional Space "PSI" and hereon referred to as Site 27.

3.) **Southern Ohio Dog & Game**

Motion to amend part of Site 60, in which the floodway, as identified on the official 2004 FEMA flood boundary map for Hamilton County, Ohio, shall serve as the boundary for the Green Space Classification. The rationale for the change is to encourage uses that retain the natural resources, riverbank, aquifer and rural character of the area as stated in Strategy 5 and Strategy 11 of the Colerain Township's Land Use Plan Strategies.

That, part of Site 60, specifically parcels 510-0310-0009 and 510-0310-0007, which are not located in the above referenced floodway, be amended from Green Space "GS" to Public, Semi-Public, Institutional Space "PSI". The rationale for the change is that the current use of the site is for a public facility and as stated, in variation, of Strategy 15 of the Colerain Township's Land Use Plan Strategies. The above mentioned parcels will hereon be consolidated with and referred to as Site 45.

That, the remainder of Site 60, which is not located in the above referenced floodway, shall be amended from Green Space "GS" to Rural Residential "RR". The rationale for the change is that future development should encourage uses that retain the rural character of the area as stated in Strategy 1, Strategy 11, and Strategy 12 of the Colerain Township's Land Use Plan Strategies. The above mentioned parcels will hereon be consolidated with and referred to as Site 1(a), with all other rural residential classifications.

*Please refer to the attached map.*

## APPENDIX B

### CATEGORIES OF RECOMMENDED LAND USE

- A. **Rural Residence** - Low density detached housing and related compatible uses generally associated with rural environment and/or agricultural uses. *Typically active farms, farmsteads, or sparsely developed areas with detached housing in rural settings that seek to preserve natural conditions such as woodlands, steep slopes, or geological conditions that are most suitable for farming or scattered-site housing, but not for more intensive uses.*
- B. **Planned Mixed Use Employment Area** - Developments containing some combination of office, retail, light industrial or compatible uses developed with a consistent theme and containing architectural, landscape, streetscape, and signage standards. *Typically a campus-style planned development with multiple uses that are created in separate buildings or within single buildings, sharing a common image and circulation system.*
- C. **Public - Semi Public and Institutional** - Active parks, playgrounds, community centers, schools, churches, country clubs, sports clubs, golf courses, hospitals, and educational, philanthropic, religious or charitable institutions, public properties and buildings with similar uses. *Typically community or not-for-profit uses.*
- D. **Green Space and Agriculture** - Passive activities, agriculture and related uses - often in flood plain areas - that retain the natural features of the environment. *Typically forests, prairie land, meadows or wildlife reservations farms and farm activities, and cemeteries.*

## APPENDIX C

### COLERAIN TOWNSHIP LAND USE PLAN STRATEGIES

#### **Strategy 1:**

Conserve and retain existing single-family homes, and retain the rural character, while recognizing future alternatives.

##### **Purpose/Rationale:**

Single family areas, that are part of larger subdivisions or neighborhoods reflect stability and single family character that should be retained. Conservation of these areas will significantly add to the long term residential needs of the township. The township's objective is to retain and strengthen residential neighborhoods within environments that are healthy, safe, convenient, and attractive. But recognizing the continuing and expanding impacts of surrounding development, the feasibility of development of such single family/residential uses must also be reexamined closely for each five year review period or as necessary.

#### **Strategy 2:**

Provide for innovative low density housing by encouraging new residential development and redevelopment.

##### **Purpose/Rationale:**

Traditional single family subdivisions may not prove to be desirable due to topography or other site constraints. Therefore, innovative low density housing in the form of clusters, zero lot-lines, etc. would provide expanded development opportunities consistent with existing residential densities.

#### **Strategy 3:**

Provide for redevelopment of residential areas that hold potential for residential or low intensity/density office or mixed use development.

##### **Purpose/Rationale:**

Due in part to lot size, age of housing stock and to provide redevelopment opportunities that reflect the neighborhood character, such areas should be identified for mixed use opportunities.

#### **Strategy 4:**

Provide for concentration of neighborhood retail uses at locations that provide accessibility and convenience to the surrounding neighborhood.

##### **Purpose/Rationale:**

Existing retail areas that provide convenience type shopping facilities should be protected and encouraged to expand within the areas identified in the plan.

#### **Strategy 5:**

Provide for protection of and maintain existing uses that are consistent with the area's character.

##### **Purpose/Rationale:**

Many land uses present in the planning area are appropriate and as such should be protected and afforded the opportunity to upgrade and/or expand.

#### **Strategy 6:**

Maintain road safety and capacity; and mitigate traffic problems by limiting the number of curb cuts, and encouraging internal circulation between parcels.

##### **Purpose/Rationale:**

By consolidating the number of curb cuts and providing internal connection of parcels, circulation can be improved. Cross access easements and restricted left turn might be required for new or redeveloped sites.

### **Strategy 7:**

Promote light industrial and/or office development for areas which have amenities that are necessary for the success of such development. These amenities may be in the form of proximity to major thoroughfares, and adjacency to uses of higher intensities such as Heavy Industry or Retail uses, or if such areas cannot be redeveloped for residential purposes. Redevelopment should be encouraged thorough development units for optimum functioning and impact on the area.

#### **Purpose/Rationale:**

Because of the presence of commercial, office, or warehouse uses already located in or around the area, opportunities may exist for creating an increased tax base along with optimal utilization of land. Redevelopment could enhance community identity and provide community services and facilities which are easily accessible to the expressway and the majority of the township's population as well as the surrounding region. This type of development also provides needed commercial office services to adjacent industrial areas, improving business climate, community image and property value. Development should occur in an orderly fashion, such as the consolidation of smaller parcels should be created prior to development so to prevent the leap-frog effect and to provide minimal disruption to remaining homes. This can best be accomplished within the framework of "Development Units" submitted as part of a planned unit development to ensure coordination of access, parking, landscaping, lighting, an signage.

### **Strategy 8:**

Encourage Office and mixed use development to the south of Struble Road along Colerain Avenue.

#### **Purpose/Rationale:**

With its close proximity to major thoroughfares, this area can provide a viable tax base by encouraging office and mixed use developments. They would provide a desirable transition between existing single family and retail/industrial uses. These uses should also be more compatible with the existing residential uses and would not sponsor aesthetic and traffic problems like retail uses do.

### **Strategy 9:**

Encourage highway commercial development in close proximity to major thoroughfares, where residential development is inappropriate.

#### **Propose/Rationale:**

Support the objective of terminating adverse effects from the expansion of commercial strip on nearby desirable single family residential uses. The office use will serve as a better buffer to the single family residences. The depth of lots are inappropriate for retail activity.

### **Strategy 10:**

Concentrate moderate intensity mixed uses (neighborhood retail, multi-family, mixed office/residence) in proximity with higher intensity uses, as well as easy access to thoroughfares.

#### **Purpose/Rationale:**

Such an area will not be conducive to low intensity residential development, and highways will provide a natural buffer in preserving existing single family development in surrounding areas.

### **Strategy 11:**

Provide for conservation of natural features.

#### **Purpose/Rationale:**

This will provide for provision of open space and green space, as well as preservation of salient natural features. Topography, waterways, soils, and thick vegetation many make property difficult to develop without adversely affecting and altering the natural settings. Conservation of green space could also act as a buffer adjacent non-compatible uses.

**Strategy 12:**

Promote development on large tracts of land, so that it is sensitive to the topography and natural slopes and vegetation.

**Purpose/Rationale:**

Areas with slopes between 15% and 20% which are developable, should be considerate of existing natural features and should be sensitive to slopes and topography. Clustering at the underlying density is encouraged, and development should be located on ridge tops without adversely affecting and altering the natural settings.

**Strategy 13:**

Require the design of new commercial (or non-residential) uses in a manner that will control access and limit impact on residential areas and will be compatible with existing residential uses and adopted plans. Ensure that the site and building design of new non-residential development is sensitive to existing and planned adjacent uses.

**Purpose/Rationale:**

Often times, the design and layout of a new non-residential use is not compatible with existing or proposed residential uses around it, and this can have severe negative impact, which can lead to deterioration of established neighborhoods. Landscaping, screening, coordinating access, and locating ingress-egress according to adopted plans are some means of making a development more compatible.

**Strategy 14:**

Large site with development potential.

**Purpose/Rationale:**

Large site is suitable for office use, as well as commercial development, such as a hotel. This strategy is recommended with the condition that the area defined by the natural drainage swale, serve as a physical buffer and unbuildable area to protect adjacent residential properties.

**Strategy 15:**

Site is owned by or is currently under development for a public institution and/or religious institution.

**Purpose/Rationale:**

Because most public institutions and religious institutions are permitted in any zone district, the current development warrants a change to public-semi-public land use which will make the Land Use Map consistent.

**Strategy 16:**

Promote 'planned' developments with a consistent theme and containing architectural, landscape, streetscape, and signage standards.

**Purpose/Rationale:**

Site is suitable for office, retail, light industrial or some combination of compatible uses developed with a consistent theme and containing architectural, landscape, streetscape, and signage standards. Typically a campus-style planned development with multiple uses that are created in separate buildings or within single buildings, sharing a common image and circulation system. Outdoor storage is prohibited, additional buffer requirements can be recommended in addition to recommendations for any design standards in regards to signage, building type and architectural details.

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**Additional rationales used for justification of any recommended changes:** (added 05.06.2003)

- a.) Existing land use or zoning district allows uses and intensity that would be incompatible with limited lot size or other site constraints,
- b.) Existing land use or zoning district allows uses and intensity that would be incompatible with and detrimental to adjacent and nearby uses,
- c.) Existing land use or zoning district allows uses and intensity that, by itself or through cumulative



- effects, would be inconsistent with or undermine critical elements of the Land Use Plan,
- d.) Existing land use or zoning district creates undesirable potential for inappropriate redevelopment (on-site) to more intensive uses since the district is more permissive than required for existing other appropriate and reasonable uses,
  - e.) Existing land use or zoning district creates undesirable land use patterns since the district, being excessively restrictive, would not enable appropriate development alternatives,
  - f.) Existing land use or zoning district creates undesirable potential for inappropriate zone amendments (off-site) for higher intensity development since the district is excessively permissive compared to adjacent zoning,
  - g.) Existing land use or zoning district lacks standards or incentive for achieving adequate development coordination with adjacent interrelated sites,
  - h.) Existing land use or zoning district lacks standards for allowing reasonable alternative land uses and achieving transitional uses that will effectively terminate the spread of higher intensity uses and conserve adjacent desirable land uses,
  - i.) Existing zoning district is generally appropriate,
  - j.) Existing land use or intensity is generally appropriate,
  - k.) Existing land use or intensity is generally inappropriate.
  - l.) That, major changes of an economic, physical, or social nature have occurred within the planning area which were not anticipated in the adopted plan, which have substantially altered the basic character of the area, or
  - m.) That, new information not available when the plan was adopted substantially altered the basis or rationale for a portion of the plan, or
  - n.) That, major changes have occurred outside of the planning area, which have rendered parts of the plan unrealistic or unattainable, or
  - o.) That, detailed sub-area plans have revealed the need for a plan amendment, or
  - p.) That, the plan or part thereof was inappropriate or improper when adopted and that a sufficient basis exists for admission of a mistake or need for change in adopted plans or policies.

**Table A - Summary of Findings**

<b>TABLE A</b>	<b>SUMMARY OF FINDINGS</b>			
<b>Site Number</b>	<b>Current Land Use</b>	<b>Proposed Land Use</b>	<b>Zoning</b>	<b>Strategy</b>
Site 2	GS	GS & Site 30	H	Refer to Attachment 1
Site 7	GS	GS & RR	H	Refer to Attachment 1
New Site 27	GS	GS & PSI	H	Refer to Attachment 1
Expanded Site 30	GS	PMUE	H & AA	Refer to Attachment 1
Expanded Site 45	GS	PSI	AA & H	Refer to Attachment 1
Site 60	GS	GR & RR	AA & H	Refer to Attachment 1