

RECORD OF RESOLUTION

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6301

Resolution No. 4669

Passed February 9, 2015

CLEARCREEK TOWNSHIP WARREN COUNTY, OHIO

A RESOLUTION TO ~~(APPROVE/DENY)~~ EXHIBIT 2014-2, AN AMENDMENT THAT REFINES STANDARDS FOR CHAPTER 3 DEFINITIONS, CHAPTER 8.5 OFFICE "O", CHAPTER 9 NEIGHBORHOOD BUSINESS ZONE "B-1", CHAPTER 10 GENERAL BUSINESS ZONE "B-2", CHAPTER 11 LIGHT INDUSTRY ZONE "M-1" AND CHAPTER 16 PARKING AND LOADING FOR THE CLEARCREEK TOWNSHIP, WARREN COUNTY, OHIO, ZONING CODE

WHEREAS, all public hearings, public notices, and the recommendation of the Warren County Regional Planning Commission for the Zoning Resolution amendment have been conducted and made pursuant to the Clearcreek Township Zoning Resolution and Section 519.12 of the Ohio Revised Code; and,

WHEREAS the proposed Text Amendment with modifications was APPROVED by the Zoning Commission after the conclusion of their public hearing; and,

NOW THEREFORE BE IT RESOLVED by the Board of Clearcreek Township Trustees that the said amendment that refines standards for Chapters 3, 8.5, 9, 10, 11 and 16 in the Zoning Resolution be approved. Exhibit "2014-2" is attached and deemed a part of this Resolution as if fully rewritten herein.

Mr. Gabbard moved to adopt the foregoing Resolution. Mr. Muterspaw seconded the motion and upon the call of the roll the following vote resulted:

Mr. Wade	- yea
Mr. Gabbard	- yea
Mr. Muterspaw	- yea

Resolution adopted at a regular public meeting conducted February 9, 2015.

THE BOARD OF CLEARCREEK TOWNSHIP TRUSTEES

Ed Wade
SA Muterspaw
[Signature]

26-BZA-003 Exhibit 4A

CHAPTER 3

DEFINITIONS

- ADD SEC. 3.125** **BARS AND TAVERN** SHALL MEAN AN ESTABLISHMENT PROVIDED OR DISPENSING, FOR ON-SITE CONSUMPTION, ANY FERMENTED MALT BEVERAGE, MALT BEVERAGE, SPECIAL MALT, VINOUS, OR SPIRITUOUS LIQUORS. THE SALE OF FOOD PRODUCTS INCLUDING, BUT NOT LIMITED TO, SANDWICHES AND LIGHT SNACKS MAY BE A SECONDARY USE TO THE SERVICE OF THE AFOREMENTIONED DRINKS.
- ADD SEC. 3.151** **BOTTLER, ALCOHOL:** BREWERY/DISTILLERY IN WHICH THE PRODUCTION IS GREATER THAN OR EQUAL TO 10,000 GALLONS OF BEER OR SPIRITUOUS LIQUOR PER YEAR. THIS FACILITY PRODUCES AND PACKAGES FOR DISTRIBUTION, RETAIL AND/OR WHOLESALE, ON OR OFF PREMISE. THIS TERM SHALL NOT INCLUDE A "BREW PUB."
- ADD SEC. 3.1511** **BREWERY:** AN ESTABLISHMENT THAT MANUFACTURES BEER.
- ADD SEC. 3.1512** **BREW PUB:** A SIT-DOWN OR OUTDOOR DINING RESTAURANT, THAT INCLUDES A BREWERY/DISTILLERY IN WHICH THE PRODUCTION IS LESS THAN 10,000 GALLONS OF BEER OR SPIRITUOUS LIQUOR PER YEAR.
- ADD SEC. 3.231** **DISTILLERY:** AN ESTABLISHMENT THAT MASHES, FERMENTS, DISTILLS AND AGES SPIRITUOUS LIQUOR.
- DELETE SEC. 3.24** ~~**Drive-In Restaurant:** Any establishment where food, and/or beverages are sold to customers for consumption in an automobile parked upon the premises.~~
- ADD SEC. 3.24** **DRIVE-THROUGH FACILITY** SHALL MEAN AN ESTABLISHMENT THAT ENCOURAGES OR PERMITS CUSTOMERS TO RECEIVE SERVICES, OR OBTAIN GOODS WHILE REMAINING IN THEIR MOTOR VEHICLES. THIS SHALL NOT INCLUDE DRIVE-IN FACILITIES INCLUDING, BUT NOT LIMITED TO, DRIVE-IN THEATERS AND OTHER DRIVE-IN ESTABLISHMENTS, WHERE THE GOODS ARE CONSUMED IN MOTOR VEHICLES, ON THE PREMISES.

ADD SEC. 3.6411 RESTAURANT, DRIVE-IN: ANY STRUCTURE WHICH IS LAID OUT, EQUIPPED MAINTAINED, ADVERTISED TO THE PUBLIC AS A PLACE WHERE FOOD OR BEVERAGES ARE SERVED FOR A CONSIDERATION TO CUSTOMERS IN MOTOR VEHICLES.

ADD SEC. 3.6412 RESTAURANT, FAST-FOOD: AN ESTABLISHMENT WHOSE PRINCIPAL BUSINESS IS THE SALE OF PRE-PREPARED OR RAPIDLY PREPARED FOOD DIRECTLY TO THE CUSTOMER IN A READY-TO-CONSUME STATE FOR CONSUMPTION EITHER WITHIN THE RESTAURANT BUILDING OR OFF PREMISES.

ADD SEC. 3.6413 RESTAURANT, SIT-DOWN: ANY STRUCTURE WHICH IS MAINTAINED, ADVERTISED TO THE PUBLIC AS A PLACE WHERE FOOD IS SERVED IN NON-DISPOSABLE CONTAINERS FOR A CONSIDERATION, TO BE CONSUMED INSIDE THE STRUCTURE.

ADD SEC. 3.6414 RESTAURANT, OUTDOOR DINING: AN ESTABLISHMENT WHICH IS MAINTAINED, ADVERTISED TO THE PUBLIC AS A PLACE WHERE FOOD IS SERVED IN NON-DISPOSABLE CONTAINERS FOR A CONSIDERATION, TO BE CONSUMED OUTSIDE THE STRUCTURE.

CHAPTER 8.5

OFFICE ZONE "O" REGULATIONS

ADD SEC. 8.525 CONDITIONAL USES: THE FOLLOWING USES REQUIRE A CONDITIONAL USE PERMIT (CUP) PURSUANT TO **SECTION 21.01(F)** OF THIS RESOLUTION.

A. DRIVE THROUGH FACILITY.

CHAPTER 9

NEIGHBORHOOD BUSINESS ZONE "B-1" REGULATIONS

AMEND SEC. 9.02 Permitted Uses: A building or a lot shall be used only for the following purposes, provided the lot and whatever structures used for human occupancy thereon are either connected to a central sewage system that will be upon the start of operation turned over to the appropriate county department for maintenance and operation or utilize an on site disposal system approved by the Ohio Environmental Protection Agency.

- A. Any non-residential use permitted in zones "R-1", "R-2" and "R-3".
- B. Standards for districts zones for retail business known as Zone "B-1" Neighborhood Business District. Principal permitted uses within a minor "B-1" district which is entirely surrounded by "R" districts:
 - 1. Any local retail business or service establishment such as grocer, fruit or vegetable store, meat market, drugstore, shoe repair shop, hardware store, barber shop, clothes cleaning and laundry pick-up station, business or professional office or the like, supplying commodities or performing services primarily for residences of the neighborhood.
 - 2. ~~Drive-In restaurants, restaurants, soda fountains (not including dancing), dining rooms, inns.~~ SIT-DOWN RESTAURANT, FAST FOOD RESTAURANT, OUTDOOR DINING RESTAURANT.
 - 3. Automobile service stations (filling stations). Minor repair and storage garages, parking lots for passenger vehicles.
 - 4. Bakery
 - 5. ~~Cafe or bar~~
 - 6. 5. Funeral homes
 - 7. 6. Antique Business
 - 8. 7. Second hand store - inside display only
- C. Signage in accordance with Chapter 28.

ADD SEC. 9.025 CONDITIONAL USES: THE FOLLOWING USES REQUIRE A CONDITIONAL USE PERMIT (CUP) PURSUANT TO **SECTION 21.01(F)** OF THIS RESOLUTION.

- A. DRIVE THROUGH FACILITY

CHAPTER 10

GENERAL BUSINESS ZONE "B-2" REGULATIONS

AMEND SEC. 10.02 Permitted uses: A building or a lot shall be used only for the following purposes, provided the lot and whatever structures used for human occupancy thereon are either connected to a central sewage system that will be upon the start of operation turned over to the appropriate county department for maintenance and operation or utilize an on site disposal system approved by the Ohio Environmental Protection Agency.

- A. Any non-residential use permitted in any residence zone or Neighborhood Business Zone "B-1".
- B. General automobile repair, provided all vehicles and vehicle parts are kept inside a completely enclosed building, or the vehicles are located in an

impound lot. An impound lot is permitted on part of a property, which is completely contained within an area which is surrounded by a solid fence or wall. The fence or wall shall be a minimum of six feet in height. The location of this fence or wall shall take the topography of the site into consideration to maximize the screening effect to other properties and/or the public right-of-way. The uses permitted in a junkyard shall be prohibited in an impound lot.

- C. Warehouse, farm implement and auto sales, animal hospital, vet clinic, laundries, plumbing and heating, printing shop, lumber yard and building materials, paint shop, carpenter shop, sheet metal, wholesale business and bakery. All machinery shall be enclosed within a building. Commercial and vet clinic kennels provided all animals are kept inside buildings with outside walls and roof equivalent in sound reduction to an eight (8) inch concrete block wall.
- D. BAR, BREWPUB, DRIVE-IN RESTAURANT. ~~Drive-in restaurant and restaurants that provide dancing or entertainment, provided that juke boxes and loudspeakers shall be permitted only for the occupants of the building and do not create a nuisance or disturb the peace. All buildings used for the purpose set forth in Section 10.02D shall be one hundred (100) feet from any residence zone.~~
- E. Hotels and motels, theaters and drive-in movie theaters: for a drive-in theater the screen shall be so located as not to be visible from the road or street and shall be set back at a distance of not less than two hundred (200) feet from the established right-of-way of any highway and a distance of at least two hundred (200) feet from the property line and loudspeakers shall be permitted only for the occupants of the theater and if they do not create a nuisance or disturb the peace.
- F. Commercial baseball fields, golf, tennis, skeet, trapshoot, commercial fishing lakes, bowling alleys, swimming pools, skating rinks or similar recreational uses and facilities: Buildings, pools and other enclosures shall be one hundred (100) feet from any Residence Zone.
- G. Any other business use which is of a general character of the classes of business permitted above, as determined by the Clearcreek Township Zoning Inspector.
- H. Those businesses expressly prohibited in Zone "M-1" and "M-2" are prohibited in Zone "B-2".
- I. Signage in accordance with Chapter 28.

ADD SEC. 10.025 CONDITIONAL USES: THE FOLLOWING USES REQUIRE A CONDITIONAL USE PERMIT (CUP) PURSUANT TO **SECTION 21.01(F)** OF THIS RESOLUTION.

A. DRIVE THROUGH FACILITY

CHAPTER 11

LIGHT INDUSTRY ZONE "M-1" REGULATIONS

AMEND SEC. 11.02 Permitted uses: A building or a lot shall be used only for the following purposes, provided the lot and whatever structures used for human occupancy thereon are either connected to a central sewage system that will be upon the start of operation turned over to the appropriate county department for maintenance and operation or utilize an on site disposal system approved by the Ohio Environmental Protection Agency.

- A. Creamery, bottling, ALCOHOL BOTTLER, ice manufacturing and cold storage plant.
- B. The manufacturing, compounding, processing, packaging or treatment of cosmetics, pharmaceuticals and food products, except fish and meat products, sauerkraut, vinegar, yeast and the rendering or refining of fats and oils.
- C. The manufacturing, compounding, assembling or treatment of articles or merchandise from previously prepared materials such as bone, cloth, cork, fiber, leather, paper, plastic, metals or stone, tobacco, wax, yarns and wool.
- D. Manufacturing of musical instruments, novelties, molded rubber products and molded plastic, but excluding production of plastic compounds.
- E. The manufacturing or assembly of electrical appliances, instruments and devices.
- F. Manufacturing of pottery or other similar ceramic products, using only previously pulverized clay and kilns fired by electricity or gas.
- G. Laboratories - experimental, film or testing.
- H. The manufacturing and repair of electric signs, advertising structures, light sheet metal products, including heating and ventilating equipment.
- I. Blacksmith, welding or other metal fabricating shop excluding punch presses over fifty (50) tons rated capacity, drop hammers and the like.

- J. Foundry casting of lightweight, non-ferrous metals or electric foundry not causing noxious fumes or odors.
- K. Enameling, lacquering or japaning.
- L. Crematory, if located not less than two hundred twenty (220) feet from any residence zone.
- M. Concrete mixing, concrete products manufacturing.
- N. Sawmill and planing mill.
- O. Manufacturing of wood products not involving chemical treatment.
- P. Circus, race tracks and courses for the conduct of seasonal or periodic racing meets of aircraft, horses, dogs, automobiles, motorcycles, go-carts, drag strips and the, provided structure or buildings for same shall be at least five hundred (500) feet from any residence zone.
- Q. Inflammable liquids, underground storage only, not to exceed twenty five thousand (25,000) gallons, if located not less than two hundred (200) feet from any residence zone.
- R. Truck depots
- S. Any other similar use.
- T. Signage in accordance with Chapter 28.

CHAPTER 16

PARKING AND LOADING REGULATIONS

ADD SEC. 16.07 DRIVE THROUGH FACILITY

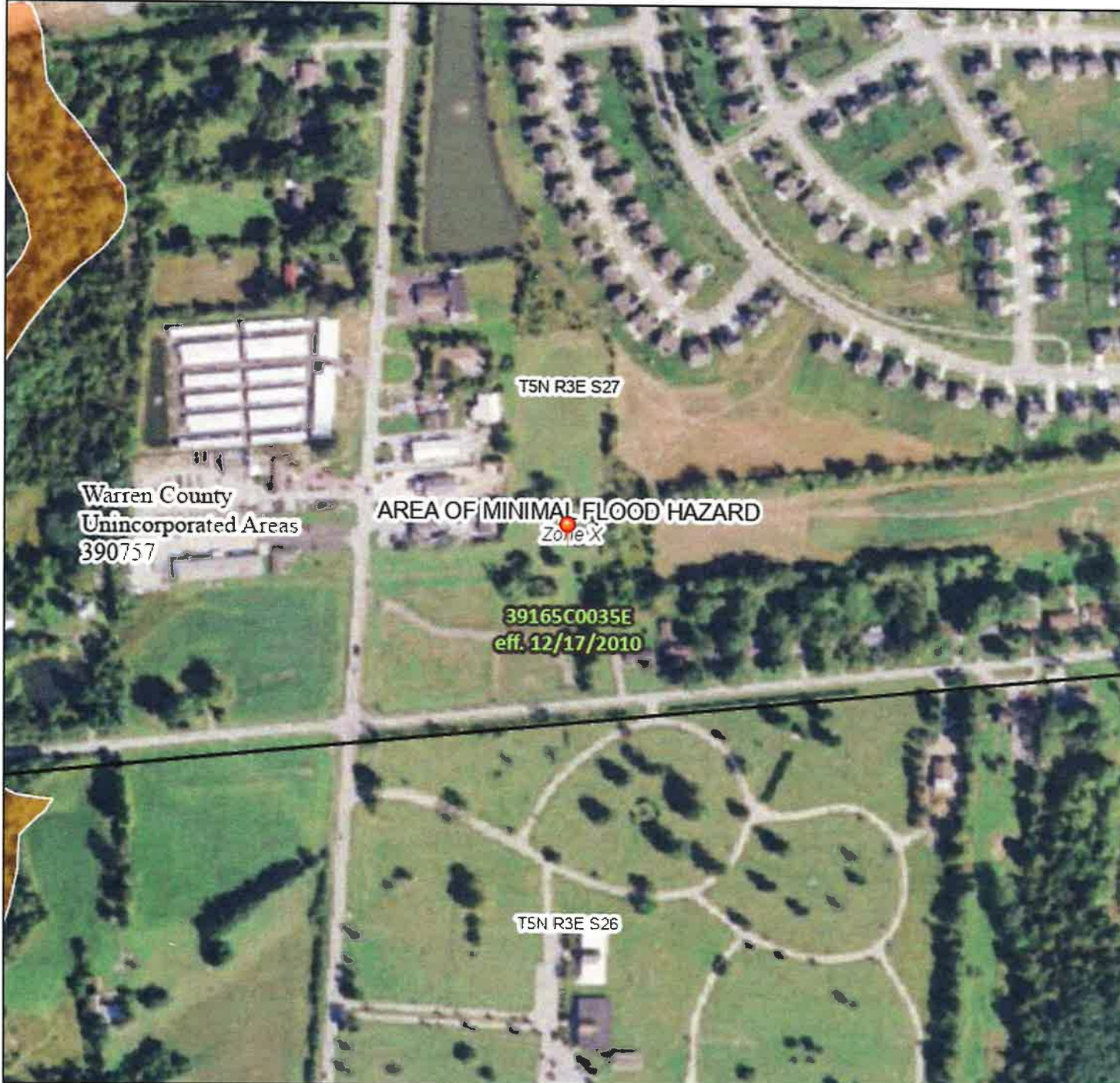
- A. A DRIVE THROUGH FACILITY SHALL BE DESIGNED AND LOCATED TO MINIMIZE VISUAL, TRAFFIC AND NOISE IMPACTS TO ADJOINING PROPERTIES. IN ADDITION TO THE APPLICABLE PROVISIONS OF THIS CHAPTER, THIS USE SHALL BE REGULATED AS A CONDITIONAL USE.
- B. ALL DRIVE THROUGH FACILITIES (TELLER MACHINES, SERVICE WINDOWS, PICKUP WINDOWS, KIOSKS, DROP BOXES OR SIMILAR FACILITIES):
 - 1. THE FRONT OF THE BUILDING SHALL BE ORIENTED TO THE STREET.

2. AUDIBLE COMMUNICATION DEVICES SHALL BE A MINIMUM OF 100 FEET FROM A RESIDENTIALLY ZONED PROPERTY LINE AND/OR A SUITABLE ACOUSTICAL BARRIER SHALL BE INSTALLED.
- C. STACKING SPACES:
1. MINIMUM REQUIRED:
 - i. RESTAURANTS SHALL HAVE A MINIMUM OF 8 STACKING SPACES PER LANE, MEASURED FROM THE PICKUP WINDOW.
 - ii. NON-RESTAURANTS SHALL HAVE A MINIMUM OF 4 STACKING SPACES PER LANE MEASURED FROM THE TELLER OR PICKUP WINDOW.
 2. SIZE OF STACKING SPACES SHALL BE A MINIMUM OF 180 SQ. FT.
 3. STACKING SPACES SHALL NOT IMPEDE ON OR OFF SITE TRAFFIC MOVEMENTS OR MOVEMENTS IN OR OUT OF OFF STREET PARKING SPACES.
 4. STACKING SPACES SHALL BE SEPARATED FROM OTHER INTERNAL DRIVEWAYS BY SURFACE MARKING OR RAISED MEDIANS.
 5. STACKING SPACES SHALL BE DESIGNED SO THAT VEHICLES DO NOT OBSTRUCT A DRIVEWAY, FIRE ACCESS LANE, WALK WAY OR PUBLIC ROAD RIGHT-OF-WAY.
 6. STACKING SPACE REQUIREMENTS SHALL BE IN ADDITION TO THE OFF STREET PARKING SPACE REQUIREMENTS.

National Flood Hazard Layer FIRMette



84°10'2"W 39°34'25"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

84°9'25"W 39°33'57"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes, Zone X
		Area with Flood Risk due to Levee Zone X
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
MAP PANELS		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/14/2026 at 1:03 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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26-BZA-003 Exhibit 5