



Union Township

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ZONING COMMISSION AGENDA

Wednesday, April 23rd, 2025

7:00 P.M.

***Location:** *Township Meeting Hall; Union Township Civic Center*

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. ACTION ON MINUTES

E. OLD BUSINESS – NONE TO BE RE-OPENED

F. NEW BUSINESS

1. Item:

Case #1-25-T

Discussion(s) regarding proposed text amendments to the Union Township Zoning Resolution—specifically with respect to Overlay Plan expirations.

Affected Articles:

- Article 13, Focus Area Overlay Districts
 - Section 1311

2. Item:

Case #2-25-T

Discussion(s) regarding proposed text amendments to the Union Township Zoning Resolution—specifically with respect to Accessory Structures.

Affected Articles:

- Article 6, Establishment of Districts
 - Section 602 (*Figure 1*)



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3. Item:

Case #3-25-T

Discussion(s) regarding proposed text amendments to the Union Township Zoning Resolution—specifically with respect to Lighting Standards.

Affected Articles:

- Article 5, Supplementary District Regulations
 - Sections 540 through 548

4. Item:

Case #4-25-T

Discussion(s) regarding proposed text amendments to the Union Township Zoning Resolution—specifically with respect to signage height.

Affected Articles:

- Article 9, Signs
 - Section 907

G. ADMINISTRATIVE

- Discussion regarding prioritization, next series of proposed ordinance / text amendment changes



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APRIL 23RD, 2025

ZONING COMMISSION MEETING

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Text that is ~~stricken~~ is proposed to be removed or replaced.*

RE: OVERLAY EXPIRATION

ISSUE IDENTIFICATION: CASE 1-25-T

Based on recurring issues in association with the approval of Overlay Cases being significantly delayed, or in some cases, withdrawn by developers, the Planning & Zoning staff has prepared the proposed amendments to Article 13 of the Union Township Zoning Resolution.

Staff Report:

Please refer to ***PROPOSED, NEW*** Section 1311 (Article 13) of the Zoning Resolution:

OPTION 1

1311. Expiration of an Approved “Overlay” District Plan.

- 1. Any approved “Overlay” District Plan for which development is not completed within three (3) years of the date of the Board of Trustees’ approval shall expire. No development shall occur or continue except that which is in conformity with all of the regulations in accordance with Article 6 of this Resolution specified for the zoning district in which it is located, unless otherwise exempted pursuant to this Resolution.**
- 2. For property developed in accordance with an approved “Overlay” District Plan, the plan shall remain forever in effect until a new plan is approved for the property, or the property is otherwise rezoned. The plan along with these modified regulations shall govern the use of the property.**
- 3. For property partially developed in accordance with an approved “Overlay” District Plan, but not fully developed as contemplated by the plan, the following shall apply:**



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- a. **Subject to Subparagraph 1311.3.c., any part of an approved “Overlay” District Plan for which development is not completed within three (3) years of the date of the Board of Trustees’ approval, shall expire. That part of the property shall remain in compliance with the approved plan, however, no development requiring modified regulations sought through an “Overlay” District Plan shall occur or continue until a new plan is approved for that part of the property.**
 - b. **Subject to Subparagraph 1311.3.c., for property developed in accordance with part of an approved “Overlay” District Plan, the governing part of the “Overlay” District Plan shall remain forever in effect, and the plan along with these regulations shall govern the use of the property so developed, subject to rezoning.**
 - c. **Failure to comply with an approved “Overlay” District Plan is a violation of the Zoning Resolution and subject to enforcement in accordance with applicable criminal procedures and Ohio Revised Code Chapter 519, as amended.**
4. **Submission of a new “Overlay” District Plan for property located within a Focus Area Overlay District/or/Corridor, but which the governing plan or plan part has expired, shall be processed in accordance with Section 1310.**
 5. **For property under substantial active construction, the Planning & Zoning Director or his or her designee may, within his or her sole discretion, grant reasonable extensions of the “Overlay” District Plan.**



OPTION 2

1311. Expiration of an Approved “Overlay” District Plan.

1. Expiration and Extension of Approved “Overlay” Plan

The approval of an Overlay Plan shall be for a period not to exceed two (2) years. If no grading work or building construction has begun within two (2) years after approval is granted, the approved Overlay Plan will be void. Only a single one (1) year extension of an approved Overlay Plan may be granted upon request to the Plan Commission prior to the two (2) year expiration date.

2. Completion of Overlay Plan Construction Work and Requirements

All requirements of the approved Overlay Plan must be completed within six (6) months of building occupancy unless an extension is granted by the Zoning Director, or his or her designee, upon request. The Planning & Zoning Department Staff will conduct a post-development site inspection after the period specified above or occupancy of the use has begun. The purpose of the Overlay inspection is to verify compliance with the approved Overlay Plan. Any deviation from the approved Overlay Plan may require a new application. The Zoning Director shall make this decision. If no building construction is being proposed, all Overlay construction work, if begun, is to be completed one (1) year from the approval date by the Board of Trustees. A copy of the approved Overlay Plan shall be retained on the job site until all Overlay improvements have been completed and have been accepted by the Planning & Zoning Department.



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3. Changes or Amendments

Any changes made to the approved Overlay Plan prior to the development of the Overlay or building shall require the approval of the Zoning Director, or his or her designee. Depending on the extent of the changes, a new application may be required. Any variations to an approved Overlay Plan that occurred in the development of the Overlay or building will require that drawings be submitted for review to the Zoning Director, or his or her designee. In the event that any person holding an approved Overlay plan permit pursuant to this ordinance has violated the terms of the permit or has implemented site development in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Zoning Director, or his or her designee, may suspend or revoke an approved improvement plan permit and may recommend that the project be addressed further as a code violation.



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RE: TABLE/FIGURE FOR ACCESSORY STRUCTURES

ISSUE IDENTIFICATION: CASE 2-25-T

To more effectively communicate the Township's zoning regulations regarding Accessory Structures, the Planning & Zoning staff has prepared the proposed amendment to Article 6, Section 602 of the Union Township Zoning Resolution.

Staff Report:

Please refer to Article 6, Section 602 Figure 1 (and NEW Figure 2, if preferred) of the Zoning Resolution:

VERSION 1**Article 6, Section 602, Figure 2 (NEW)**

Lot Size	Maximum Structure Size¹	Maximum Height	Minimum Depth of Rear Yard	Minimum Depth of Side yard	Minimum Depth of Front Yard	Maximum Number of Accessory Structures⁴
1 Acre or More	2,000 SF ²	20 feet	5 feet	5 feet	120% behind max front setback ³	3
25,000 SF – 1 Acre	1,500 SF	20 feet	5 feet	5 feet	Not Allowed	3
10,000 – 25,000 SF	1,000 SF	20 feet	5 feet	5 feet	Not Allowed	3
Less than 10,000 SF	750 SF	20 feet	5 feet	5 feet	Not Allowed	3
Deck	See Section 711.6 - 711.7 For Accessory Standards					
Fence	See Section 712				Not Allowed	NA
Pool	See Sections 713 – 714 For Accessory Standards					
Compost ⁵	See Sections 713 – 714 For Accessory Standards					
Beekeeping ⁵	See Sections 713 – 714 For Accessory Standards					
Chicken Coops ⁶	60 - 125 SF ⁶	7 feet	20 feet	20 feet	Not Allowed	-----

1 – The total square footage devoted to all accessory structures on the lot

2 – See Section 711.1 & 711.3

3 – See Section 711.8 for 2 Acres or more; See Section 602 for FY Setback

4 – See Section 711.2

5 – See Specific Regulations - No Permit Required

6 – See Section 719

Please refer to Article 2, Section 602, Figure 1 of the Zoning Resolution: **VERSION 2 (One Consolidated Figure)**

Zone District	Minimum Lot Area	Maximum Lot Area	Minimum Yard Setbacks			Minimum Width of Street Side Yard	Width of Lot at Setback Line ²	Minimum Frontage of Corner Lot	Maximum Height of Building	Minimum Square Footage	Maximum Square Footage ⁶
			Front ¹	Rear	Side						
ER	2 Acres	NA	50 Feet	50 Feet	20 Feet	50 Feet	175 Feet	200 Feet	35 Feet 2 ½ Strs	1-story: 1,000 SF ⁵ 2-story: 1,200 SF ⁵	NA
R-1	20,000 SF	NA	40 Feet	40 Feet	15 Feet	40 Feet	100 Feet	125 Feet	35 Feet 2 ½ Strs	1-story: 1,000 SF ⁵ 2-story: 1,200 SF ⁵	NA
R-2	10,000 SF	NA	30 Feet	30 Feet	10 Feet	30 Feet	75 Feet	90 Feet	35 Feet 2 ½ Strs	1-story: 1,000 SF ⁵ 2-story: 1,200 SF ⁵	NA
R-3	See Sections 640 – 648 for R-3 Standards										
R-4	See Sections 650 – 658 for R-4 Standards										
B-1	40,000 SF	5 Acres	40 Feet	10 Feet ³	10 Feet ³	40 Feet	NA	NA	75 Feet 6 Stories	NA	NA
M-1	40,000 SF	NA	40 Feet	10 Feet ⁴	20 Feet ⁴	40 Feet	NA	NA	45 Feet 3 Stories	NA	NA
PD	See Sections 680 – 687 for PD Standards										
Accessory Structures in Residential Zones*	1 Acre	More than 1 Acre	See Section 711.8	5 Feet	5 Feet	NA	NA	NA	20 Feet	NA	2,000 SF
	25,000 SF	1 Acre		5 Feet	5 Feet	NA	NA	NA	20 Feet	NA	1,500 SF
	10,000 SF	25,000 SF		5 Feet	5 Feet	NA	NA	NA	20 Feet	NA	1,000 SF
	Less than 10,000 SF	10,000 SF		5 Feet	5 Feet	NA	NA	NA	20 Feet	NA	750 SF

1 – Measured from the right-of-way

2 – See Section 512.1

3 – See Section 661

4 – See Section 671

5 – See Section 615.1, 625.1, 636.1

6 – See Section 711.1

*See Article 7 for zoning codes for Decks, Fences, Pools, Chickens, including applicable setback information.



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RE: ADDITIONAL LIGHTING STANDARDS

ISSUE IDENTIFICATION: CASE 3-25-T

Based on a need for more clearly defined lighting standards, the Planning & Zoning staff has prepared the proposed amendments to the Union Township Zoning Resolution. purposes of this report, the proposed text has been included as an addition to Article 5, as part of the nuisance-related code sections (rather than as supplemental regulations, as an addition to Article 7).

Staff Report:

Please refer to Article 5 of the Zoning Resolution:

540. General Purpose & Intent of Lighting Standards.

The purpose of this Section, and those that follow up to Section 548, is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor lighting of all types, and in all zoning districts. It is intended to preserve privacy, protect property from light trespass, improve safety, enhance and protect the physical appearance of the community, and preserve scenic and natural beauty by reducing light pollution. It is further intended to reduce lighting costs, distraction, and glare that may contribute to traffic accidents, and reduce hazards that may be caused by lighting projecting into the rights-of-way.

Lighting may be in reference to any source of light, light fixture, flood or spot-light, lamp, street-light or pole, ground, wall-mounted lighting.



541. Lighting Excluded from Regulations (No Permit Required)

For the purpose of this Resolution “lighting” does not include lighting devices/equipment/infrastructure erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance, or governmental regulation, such as street-lamps/lights, stop lights, etc.

542. Prohibited Lighting

Any lighting such as, off-premises lighting, searchlights, LED strip lighting, sag lens lighting, laser-source or other high-intensity lighting shall be prohibited.

543. General Requirements for Lighting, All Zoning Districts.

The Regulations set forth in this section shall apply to all lighting in all districts.

For additional rules regarding the illumination of signage, refer to Article 9.

1. Any lighting shall employ only light emitting a light of constant intensity, and no structure shall be illuminated by or contain flashing, rotating, intermittent, or moving light. In no event shall a lighting device be placed or directed so as to permit the beams and illumination originating from the source to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance;
2. All materials used in the construction, connection, and operation of lighting devices shall be in accordance with all applicable regulations of the currently adopted and enforced electrical and building code(s) of the Clermont County Building Department;
3. All lighting shall be so designed and supported as to carry the weight of itself, and shall comply with the local building code in effect;
4. All lighting shall be secured in such a manner as to prevent significant movement due to wind;



5. Light-trespass is prohibited and in no instance shall any ground-mounted flood or spotlight lighting direct light onto adjacent street or right-of-way, sidewalk, alleyway, or adjacent property;
6. No wall-mounted projecting lighting shall be erected or maintained from the front or face of a building a distance of more than two (2') feet, including those projecting from the face of any theater, hotel, or motel marquee;
7. It is the responsibility of the property owner to maintain all lighting on the property in a safe and sound structural condition. Should any lighting be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same shall, upon receipt of written notice from the Zoning Director, or his or her designee, proceed at once to put such lighting in a safe and secure condition or remove the lighting as per the Regulations stated in Section 546;
8. No temporary or portable lighting device shall be placed on any building or on any premises, with exception to properties of residential use;
9. No lighting shall be attached to or supported by a tree, utility pole, or public shelter, with exception to properties within residential districts;
10. For lighting devices found to be cause of issue not specifically listed above, the Zoning Director, or his or her designee, may grant reasonable accommodation.

544. Requirements for Lighting in Residential Districts & Subdivisions.

The regulations set forth in this section shall apply to lighting in all Residential Districts and Subdivisions.

1. All lighting devices within a subdivision shall be in accordance with all applicable regulations of the currently adopted and enforced electrical and code and subdivision regulations of the Clermont County Building Department.
2. All lighting shall be downward-directed and shielded so that all light is downward directed. Lighting devices shall be dark-sky compliant, in accordance with International Dark-Sky Association standards.



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3. Temporary lighting, lawn or yard lights, landscape lighting, lamp-posts, and other items similar in nature, shall be classified as lawn ornaments and regulated as such in Article 7, Section 711.12 of this Order.
4. All other lighting not specifically provided for herein is prohibited.

545. Requirements for Lighting in Commercial & Industrial Districts.

The regulations set forth in this section shall apply to lighting in all Commercial and Industrial Districts.

1. Any exterior pole lighting, canopy lighting, or similar lighting shall be flat lens design and shielded so that all light is downward directed. Sag lens lighting is prohibited. Where property of commercial uses adjoins or is within one hundred fifty (150') feet of a Residential zone, lighting shall be directed away from the residential property. Any building mounted lighting shall contain shields directing lighting downward preventing spillover onto adjoining property. If within fifty (50') feet of a residential zone, building mounted lighting facing the residential property (other than recessed soffit mounted lights) shall be installed no higher than four (4') feet from grade.
2. All commercial lighting shall employ only flat lens with required shielding that results in no part of the LED or bulb being directly visible from any adjacent street, alleyway, sidewalk or right-of-way when viewed by any pedestrian or vehicular traffic.
3. All pole-mounted lighting shall be mounted to metal poles. The height of such shall not surpass twenty-five feet (25'). The use of wooden poles shall be prohibited.
4. All lighting shall be downward-directed and shielded so that all light is downward directed. Lighting devices shall be dark-sky compliant, in accordance with International Dark-Sky Association standards.



5. Any parking area intended to be used during non-daylight hours shall be properly illuminated to avoid accidents and provide security. During the site plan review process, the Zoning Director, or his or her designee, has the authority to require plans to specify units of illumination measured in foot-candles and illumination patterns when lighting is an integral part of a development's use. The Zoning Director, or his or her designee, also has the authority to require a specific amount of lighting, based on the table illustrated below. Any lights used to illuminate any outdoor area shall be arranged to prevent direct illumination, reflection, and glare on any adjoining property or on any right-of-way.

<u>General Application</u>	<u>Average Foot-candles</u>
Building Exterior – Site Areas Adjacent to:	
Active Entrances (pedestrian and vehicle)	5.0
Inactive Entrances (normally locked)	1.0
Vital Locations or Structures	5.0
Building Surroundings	1.0
Parking Areas	
High Activity	3.6
Medium Activity	2.4
Low Activity	0.8
Roadways – Non-Dedicated and Private	
High Activity	2.0
Medium Activity	1.0
Low Activity	0.5

6. All other lighting not specifically provided for herein are prohibited.



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546. Maintenance.

All lighting shall be maintained in safe and sound structural condition at all times and shall be presentable. The Zoning Director, or his or her designee, shall cause to be removed any lighting found to be unsafe or structurally unsound after giving thirty (30) days notification.

547. Nonconformities & Violations

Lighting in existence prior to the effective date of this Resolution which violate or are otherwise not in conformity with the provisions of this Article shall be deemed nonconforming. All such legal nonconforming lighting shall be maintained in accordance with the provisions of Article 10 of this Resolution. The burden of establishing the legal nonconforming status of any lighting shall be upon the owner of the lighting. Replacement of non-functioning light-bulbs shall not constitute a loss of legal nonconforming status.

548. Variances.

The Board of Zoning Appeals may grant a Variance for any requirement of this Article if it determines that such action is warranted, given the nature of an individual project, and that such action will serve to preserve the purpose and intent of these regulations.



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RE: MAX. SIGN HEIGHT & OFF-PREMISE SIGNAGE

ISSUE IDENTIFICATION: CASE 4-25-T

Based on the need for consistent regulatory language and standards, with respect to the proposed heights of all signage as well as the manner(s) in which off-premise signage can be located on property in the Township, the Planning & Zoning staff has prepared the proposed amendments to Article 9, Section 907 of the Union Township Zoning Resolution.

Staff Report:

Please refer to Article 9, Section 907 of the Zoning Resolution:

“907. Signs Permitted in Commercial and Industrial Districts: Permit Required.

The regulations set forth in this section shall apply to signs in all Commercial and Industrial Districts and such signs shall require a permit.

1. In a Commercial or Industrial District, each business shall be permitted flat or wall on-premises signs. Projection of wall signs shall not exceed two (2') feet measured from the face of the main building. The area of all wall signs for any single business enterprise shall not exceed an area equivalent to one and one-half (1.5 sq.ft.) square feet of sign area for each lineal foot of building width, or part of a building, occupied by such enterprise.



2. Free-standing on-premises signs not over **twelve (12')** feet in height may be erected to serve business establishments—**unless otherwise authorized by the Union Township Board of Trustees as part of the authorization of an Overlay Plan, or the Union Township Board of Zoning Appeals as part of the authorization of a Variance—in accordance with the Overlay District in which it is located and the policies and requirements set forth in the Union Township Comprehensive Plan.**

There shall be only one (1) free-standing sign per street frontage for each lot of record. The area of free-standing signs may be an area equivalent to one (1 sq. ft.) square foot of sign area for each lineal foot of street frontage, not to exceed one hundred fifty (150 sq. ft.) square feet in area for single business developments. In the case of multiple business developments (two (2) or more separate uses in one (1) building or in a collection of buildings so as to give the visual impression of a unified development) the free-standing sign may not exceed two hundred (200 sq. ft.) square feet in area.

A lot of record containing a portable sign is limited to one (1) free-standing sign with an area no greater than one (1 sq. ft.) square foot of sign area for each lineal foot of street frontage, not to exceed one hundred (100 sq. ft.) square feet in area for single business developments. In the case of multiple business developments with a portable sign, the free-standing sign may not exceed one hundred fifty (150 sq. ft.) square feet in area.

3. In a Commercial or Industrial District, one off-premises sign with a total area not exceeding three hundred (300 sq. ft.) square feet may be permitted at a single location. Off-premises signs shall not exceed **twelve (12')** feet in height.

For the purposes of this Article, outdoor advertising off-premises signs are classified as a business use and **may be authorized by either the Union Township Board of Trustees as part of the authorization of an Overlay Plan, or the Union Township Board of Zoning Appeals as part of the authorization of a Variance, in all Commercial or Industrial zoning districts** or on lands used for agricultural purposes. In addition, regulation of signs along interstate and primary highways shall conform to the requirements of the Ohio Revised Code, Chapter 5516, and the regulations adopted pursuant thereto...”