Logan-Union-Champaign
regional planning commission

Director: Bradley J. Bodenmiller

# Zoning Text Amendment Checklist

Date: 10/21/26 Township: Lake

Amendment Title: Battery Energy Storage, Data Center, Violations, Public Notices, Amendments

**Notice**: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

| Required Item: | Completed by Requestor: | Received by LUC: |
|---|---|---|
| Cover Letter & Checklist | ☑ | ☑ |
| Date of Request (stated in cover letter) | ☑ | ☑ |
| Description of Zoning Text Amendment Change (s) | ☑ | ☑ |
| Date of Public Hearing (stated in cover letter) | ☑ | ☑ |
| Township Point of Contact and contact information for zoning amendment (stated in cover letter) | ☑ | ☑ |
| Attachment of Zoning Text Amendment with changes highlighted or bolded | ☑ | ☑ |
| Copy of current zoning regulation, or section to be modified for comparison | ☑ | ☑ |
| Non-LUC Member Fee, If applicable | ☐ n/a | ☐ n/a |

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •
• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

**Date of Request.**
October 21, 2026

Logan-Union-Champaign Regional Planning Commission
c/o Aaron Smith
PO Box 219
East Liberty, OH 43319
aaronsmith@lucplanning.com

**RE: Zoning Text Amendment Application, Lake Township, Logan County**
Amendment topic: Battery Energy Storage, Data Centers, Violations, Public Notices, BZA procedures, Amendment procedures, Defining and prohibition of uses

Dear LUC Regional Planning Commission Committee Members:

The Lake Township Zoning Commission met at 6:30 PM on October 21, 2026. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Zoning Commission. The amendments propose alterations to the text of the Zoning Resolution.

**Description of Zoning Text Amendments.**
The proposal amends Article II by adding the definition of "Small Off-Site Battery Energy Storage System" and "Data Center", amends the definition of "Public Service Facility" in Article II, amends Section 350 Penalties for Violations, amends the public notice requirements in Article V Administration, amends the public notice requirements and procedure in Article VI Amendments, and clarifies prohibited uses in Article IX District Regulations.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are **bolded** and ~~**struck**~~. Please refer to these attachments for further information.

**Public Hearing.**
The Lake Township Zoning Commission of Logan County, Ohio, will hold a public hearing concerning the proposed amendments at 6:30 PM on November 18, 2026, in the Lake Township Hall.

**Point of Contact.**
Please consider me Lake Township's point of contact for this matter. My contact information is below:

Name: MARK Ovenly Email: Ovenly MM@embarqmail.com

Address: 2454 US Hwy 68N Bellefontaine, OH 43311 Phone: 937 935 0066

Sincerely,

X MARK

**Attachments.**
1. Proposed Zoning Resolution Text Amendments (text changes shown ~~removed~~ and **added**)

# Lake Township, Logan County

Zoning Text Amendment
Initiated by motion of the Zoning Commission on 10/21/26

Proposed changes are **bolded** and ~~struck.~~

Amend Article II Definitions by adding the following:

> **Battery Energy Storage System, Small Off-Site. A principal use that is designed and built to connect into the distribution or transmission grid with a nameplate capacity less than 50 megawatts (MW). This type of system is capable of absorbing, storing, and/or discharging electrical energy from/to the grid or a power plant(s).**
>
> **Data Center. An establishment engaging in the storage, management, processing, and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations.**

Amend Article II Definitions by modifying the following:

> Public Service Facility. ~~The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping station, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a governmental agency, including the furnishing of electrical, gas, rail transport, communication, public or private water and sewage service and sanitary landfills, but excluding telecommunication towers.~~ **The erection, construction, alteration, operation, or maintenance of buildings, power plants or substations, water treatment plants or pumping stations, sewage disposal or pumping plants, and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public or private water and sewage services. This definition excludes small off-site battery energy storage systems, principal solar energy production facilities, sanitary landfills, wind power projects, and other uses defined separately herein.**

Amend Section 350 Penalties for Violation by modifying the following:

> Section 350 Penalties for Violation. ~~Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violations of conditions and safeguards established in various sections of this Resolution shall constitute a misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements shall upon conviction be fined not more than one-hundred (100) dollars and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice, shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect,~~

~~builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Board of Township Trustees from taking such other lawful action as is necessary to prevent or remedy any violation.~~ **Penalties shall be pursuant to ORC 519.99 as amended or replaced from time to time, which does not prevent the Board of Township Trustees from taking such other lawful action as necessary to prevent or remedy any violation pursuant to ORC 519.24 or any other applicable statute.**

Amend Article V Administration by modifying the following:

Section 546 Public Hearing by the Board of Zoning Appeals. The Board of Zoning Appeals shall hold a public hearing within ~~twenty (20)~~ **forty (40)** days after the receipt of an application for an appeal or variance from the Zoning inspector or an applicant.

Section 547 Notice of Public Hearing ~~in Newspaper~~. Before holding the public hearing required in Section 546, notice of such hearing shall be given ~~in one newspaper of general circulation in the Township~~ at least ten (10) days before the date of said hearing **in accordance with ORC 519.15 as amended from time to time**. The notice shall set forth the **date,** time**,** and ~~place~~ **location** of the public hearing, and the nature of the proposed appeal or variance.

Section 548 Notice to Parties in Interest. Before holding the public hearing required in Section 546, written notice of such hearing shall be mailed by the chairperson of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. Parties of interest shall include, but not be limited to, property owners contiguous to and directly across the road (street) from the property concerned. The notice shall contain the same information as required of notices ~~published in newspapers~~ as specified in Section 547.

Section 566, Procedure for Hearing, Notice. Upon receipt of the application for a conditional use permit specified in Section 562, the Board shall hold a public hearing, publish notice ~~in a newspaper~~, and give written notice to all parties in interest according to the procedures specified in Section 545 through 548.

Amend Article VI Amendments by modifying the following:

Section 600 Procedure for Amendment or District Changes. This Resolution may be amended utilizing the procedures specified in ~~Section 601-611, inclusive, of this Resolution~~ **ORC 519.12 as amended from time to time**.

Section 604 Transmittal to Zoning Commission. Immediately after the adoption of a resolution by the Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the **Zoning** Commission. **The Zoning Commission shall comply with all the requirements of Chapter 519.12 of the Ohio Revised Code.**

Section ~~605~~ **606** Submission to Director of Transportation. Before any zoning amendment is approved effecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway the **Zoning** Commission shall give notice, by registered mail or certified mail to the Director of Transportation. The **Zoning** Commission may proceed as required by law, however, the Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Trustees that he shall proceed to acquire the land needed, then the Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Trustees shall proceed as required by law.

~~Section 606 Recommendation by Zoning Commission. After complying with all the requirements of Chapter 519.12 of the Ohio Revised Code, the Zoning Commission shall transmit its recommendation to the Township Trustees. The Zoning Commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied.~~

~~Section 607 Public Hearing by Township Trustees. Upon receipt of the recommendation from the Zoning Commission, the Township Trustees shall schedule a public hearing. Said hearing shall be not more than thirty (30) days from the receipt of the recommendation from the Zoning Commission.~~

~~Section 608 Notice of Public Hearing in Newspaper. Notice of the public hearing required in Section 607 shall be given by the Township Trustees in compliance with the requirements of Chapter 519.12 of the Ohio Revised Code as amended.~~

~~Section 610 Action by Township Trustees. Within twenty (20) days after the public hearing required by Section 607, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission, or adopt some modification thereof. In the event the Trustees denies or modifies the recommendation of the Zoning Commission, it must do so by majority vote.~~

~~Section 611 Effective Date and Referendum. Such amendment adopted by the Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment, there is presented to the Township Trustees a referendum petition, which is filed in accordance with Section 519.12 of the Ohio Revised Code as amended.~~

Amend Article VI Amendments by adding the following:

**Section 605 Transmittal to Regional Planning Commission. Within five (5) days after the adoption of such motion, the certification of such resolution, or the filing of such application for amendment, the Zoning Commission shall transmit a copy of the proposed amendment together with text and map pertaining to the proposed amendment to the Regional Planning Commission. The Regional Planning Commission shall recommend approval or denial of the proposed amendment or some modification of it. The recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.**

Amend Section 900 Compliance with Regulations by adding the following:

4. **Any use not defined by this Resolution shall be prohibited. No specific use which is defined by this Resolution shall be construed as being included within the definition of any other defined use.**