

Logan-Union-Champaign
regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 04-02-2026

Township: Clairbourne

Amendment Title: Article II Permittances (Battery Storage, Data Center, Public Service Facility); Article V Public Notice Requirements; Article VI Amendments; Article IX District Regulations

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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Non-LUC Member Fee, If applicable	<u>N/A</u>	<u>N/A</u>

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.

April 8, 2026

Logan-Union-Champaign Regional Planning Commission
c/o Joseph Grove
PO Box 219
East Liberty, OH 43319
josephgrove@lucplanning.com

RE: Zoning Text Amendment Application, Claibourne Township, Union County

Amendment topic: Definitions (Small Off-Site Battery Energy Storage Systems, Data Center, Public Service Facility), Public Notice Requirements, Zoning Amendment Procedure, Prohibited Uses.

Dear LUC Regional Planning Commission Committee Members:

The Claibourne Township Zoning Commission met at 6:00 PM on Wednesday, April 8, 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 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 Claibourne Township Zoning Commission of Union County, Ohio, will hold a public hearing concerning the proposed amendments at 6:00 P M on May 18, 2026, in the Claibourne Township Hall.

Point of Contact.

Please consider me Claibourne Township's point of contact for this matter. My contact information is below:

iresbackconstruction@gmail.com

Sincerely,




Attachments.

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



Claibourne Township Union County, Ohio

Zoning Resolution



Amendment

This version: Amended and restated to reflect amendments adopted [July 12, 2023](#).

Section 530	Duties of the Zoning Inspector, Board of Zoning Appeals Legislative Authority and Courts on Matters of Appeal	
Section 540	Procedures and Requirements for Appeals and Variances	
Section 541	Appeals	
Section 542	Stay of Proceedings	
Section 543	Variances	
Section 544	Application and Standards for Variances	
Section 545	Supplementary Conditions and Safeguards	
Section 546	Public Hearing by the Board of Zoning Appeals	
Section 547	Notice of Public Hearing in the Newspaper	
Section 548	Notice to Parties of Interest	
Section 549	Action by Board of Zoning Appeals	
Section 560	Procedure and Requirements for Approval of Conditional Use Permits	
Section 561	General	
Section 562	Contents of Application for Conditional Use Permit	
Section 563	General Standards Applicable to all Conditional Uses	
Section 565	Supplementary Conditions and Safeguards	
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Section 567	Action by the Board of Zoning Appeals	
Section 568	Expiration of Conditional Use Permit	
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Section 605	Submission to Director of Transportation	
Section 606	Recommendation by Zoning Commission <u>Transmittal to Regional Planning Commission</u>	
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Section 720	Interpretation of District Boundaries	
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Section 814	Local Business District (B-2)	
Section 815	Light Manufacturing District (M-1)	
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Animal Feed Lot. Means a paved animal feeding or holding area or other lot, pen, yard, or other feeding or holding area where grass or other suitable vegetative cover is not maintained.

Aviation Field (Private). Any privately owned and operated, F.A.A. approved runway, landing area or other facility designed, used or intended to be used for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage facilities and tie-down areas, hangers and other necessary buildings and open spaces.

Automotive Repair. The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision services, painting and steam cleaning of vehicles.

Automotive Vehicle. A vehicle which is designed and manufactured to be self-propelling or self-moving upon the public highway. More specifically, as referred to in this Resolution, it includes: automobiles, trucks, tractors, and motorcycles.

Alterations, Structural. Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

Basement. A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

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).

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Building. Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building, Accessory. A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building, Height. The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard

approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule of District Regulations.

Conditional Use Permit. A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

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.

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Density. A unit of measurement; the number of dwelling units per acre of land.

1. **Gross Density** – The number of dwelling units per acre of the total land to be developed.
2. **Net Density** – The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Dwelling. Any building or structure which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Dwelling Unit. Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees.

Dwelling, Single-Family. A dwelling, except a manufactured home not permanently sited or a mobile home, consisting of single dwelling unit only, separated from other dwelling units by open space.

Dwelling, Multi-Family. A dwelling, except a manufactured home not permanently sited or a mobile home, consisting of two or more dwelling units including condominiums with varying arrangements of entrances and party walls.

Dwelling, Industrialized Unit. Pursuant to ORC 3781.06 (C) (3), as they may be amended or replaced from time to time, “industrialized unit” means a building unit or assembly of closed construction

Nursery, (Greenhouse) Tree and Plant. A place where young trees or other plants are raised for transplanting and/or for sale.

Offices. Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office business generally accommodates such occupations as administrative, professional, accounting, clerical, drafting, etc. Institutional offices of a charitable, philanthropic, financial or religious or educational nature are also included in this classification.

Open Space. An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools and tennis courts and other recreational facilities that the zoning commission deems permissive. Streets, parking areas, structures for habitation, and the like shall not be included.

Orchards. An area of land devoted to the cultivation and sale of fruit trees and the sale of the fruit therefrom.

Parking Space, Off-Street. For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or road or alley right-of-way.

Personal Services. Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch and clock repair, barber shops, beauty shops and similar activities.

Pond. A water impoundment made by constructing a dam or an embankment or by excavating a pit or dugout. Ponds constructed by the first method are referred to as embankment ponds, and those constructed by the second method are referred to as excavated ponds.

Printing and Publishing. Any business which is engaged in the printing and/or publishing of newspapers, magazines, brochures, business cards and similar activities either for profit or non-profit.

Public Service Facility. The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations,

water treatment plants or pumping stations, ~~sewage disposal plant or pump station,~~ sewage disposal ~~plant~~ or pumping ~~station~~plants, ~~communications facilities and/or equipment, electrical, gas, water and sewerage service~~ and other similar public service structures ~~or facilities 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 sewerage services.~~ This definition excludes small off-site battery energy storage systems, principal solar energy production facilities, ~~but~~ ~~excluding~~ sanitary landfills, ~~wind power projects, and other uses defined separately herein.~~

Public Uses. Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

Quasi-public Use. Churches, and other facilities of an educational religious, charitable, philanthropic, or non-profit nature.

Recreation, Commercial. Any business which is operated as a recreational enterprise, either publicly or privately owned, for profit. Examples include, but are not limited to: golf courses, bowling alleys, swimming pools, tourist attractions, etc.

Recreation, Non-Commercial. Any business which is operated as a recreational enterprise, either publicly or privately owned, for non-profit. Examples include, but are not limited to: fishing areas, parks, archery ranges, etc.

Recreational Vehicle. A vehicle type unit primarily designed as temporary living quarters for recreational, camping, or travel use only, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, and motor home.

Recreational Vehicle Park. A parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

- b. That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution;
- c. That special conditions and circumstances do not result from the actions of the applicant;
- d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district.

A variance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by subsection 4 of this section have been met by the applicant.

Section 545 **Supplementary Conditions and Safeguards.** Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Resolution in the District involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conforming with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

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~~ to time. -The notice shall set forth the date, time, and place 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 chairman 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 549 **Action by Board of Zoning Appeals.** Within thirty (30) days after the public hearing required in Section 547, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 545, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 560 **Procedure and Requirements for Approval of Conditional Use Permits.** Conditional uses shall conform to the procedures and requirements of Section 561-568, inclusive of this Resolution.

Section 561 **General.** It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, and method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of Article 9, shall follow the procedures and requirements set forth in Sections 562-568, inclusive.

Section 562 **Contents of Application for Conditional Use Permit.** An application for a conditional use permit shall be filed with the Chairman of the Board of Zoning Appeals by at least one owner or lessee of property for which such conditional use is proposed. At a minimum the application shall contain the following information:

1. Name, address, and telephone number of applicant;
2. Legal description of property;
3. Description of existing use;
4. Zoning district;

6. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or odors;
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

Section 565 **Supplementary Conditions and Safeguards.** In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

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, ~~publishe~~ notice ~~in a newspaper~~, and give written notice to all parties in interest according to the procedures specified in Section 546 through 548.

Section 567 **Action by the Board of Zoning Appeals.** Within thirty (30) days after the public hearing required in Section 566, the Board shall either approve, approve with supplementary conditions as specified in Section 565, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the applications is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 568 **Expiration of Conditional Use Permit.** A conditional use permit shall be deemed to authorize only one particular conditional use, and said permit shall automatically expire if such conditionally permitted use has not been instituted or utilized within one (1) year of the date on which the permit was issued, or if for any reason such use shall cease for more than six (6) months. Change of ownership shall have no affect on the validity of the conditional use.

Article VI Amendment

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 601 **General.** Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by Resolution, after receipt of recommendation thereon from the Zoning Commission, and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property.

Section 602 **Initiation of Zoning Amendments.** Amendments to this Resolution may be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission;
2. By adoption of a resolution by the Township Trustees;
3. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

Section 603 **Contents of Application.** Applications for amendments to the Official Zoning Map adopted as part of this Resolution by Section 700 shall contain at least the following information:

1. Name address, and telephone number of the applicant;
2. Present use;
3. Present zoning district;
4. Proposed use;
5. Proposed zoning district;
6. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning and such other items as the Zoning Inspector may require;

7. A list of all property owners and their addresses who are within, contiguous to, and directly across the road (street) from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (ten) parcels are to be rezoned;
8. A fee as established by the Township Trustees, according to Section 360.

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, ~~as amended.~~

Section 605 **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 Commission shall give notice, by registered mail or certified mail to the Director of Transportation. The 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 **Transmittal to Regional Planning Commission.** Within five 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

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it. The recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.

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 required, 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 all 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 in Section 607, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission, or adopt some modification thereof by a simple majority vote.

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

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Article IX

District Regulations

Section 900

Compliance with Regulations. The regulations for each district set forth by this Resolution shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided; or as otherwise granted by the Board of Zoning Appeals.

- 1. No building, structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
- 2. No building or other structure shall be erected or altered:
 - a. to provide for greater height or bulk;
 - b. to accommodate or house a greater number of families;
 - c. to occupy a greater percentage of lot area;
 - d. to have narrower or smaller rear yards, front yards, side yards or other open spaces;

3. No yard or lot existing at the time of passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements set forth herein.

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.

3. _____

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Section 910

Official Schedule of District Regulations. District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared to be a part of this Resolution and in Article 10 of this Resolution, "Supplementary District Regulations."

SIGNATURE BLOCKS
Original Resolution Adopted May 14, 1984

Adopted: [July 12, 2023](#)

Township Trustees

Attest:

Township Fiscal Officer

Township Trustee

Township Trustee