



**Zoning Text Amendment Checklist**

Date: February 9, 2026 Township: Liberty, Logan Co

Amendment Title: Short-Term Rentals, Data Centers, Public Notices, Amendments, Agritourism, Marijuana

**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	<input type="checkbox"/> n/a	<input type="checkbox"/> 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

**Date of Request.**

February 9, 2026

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

**RE: Zoning Text Amendment Application, Liberty Township, Logan County**  
Amendment topic: ~~Public~~ Short term rentals, Adult use cannabis, medical marijuana, Agritourism, Public Notices, Amendments, Data centers, Batterer Storage

Dear LUC Regional Planning Commission Committee Members:

The Liberty Township Zoning Commission met at 6 PM on ~~February 12~~ February 9, 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 Definitions, Section 101 Use of Land or Building for Agricultural Purposes Not Affected, Article II Administration, Article III Amendments, Official Schedule of District Regulations, and Section 106Z Agritourism. It also adds Section 105I Short Term Rentals and Bed and Breakfast Facilities, and diagrams.

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 Liberty Township Zoning Commission of Logan County, Ohio, will hold a public hearing concerning the proposed amendments at 6:00 PM on March 12, 2026, in the Liberty Township Hall.

**Point of Contact.**

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

Name: Richard Lindemer Email: rhlnd167@yahoo.com  
Address: 7069 Rd 192 Phone: 937-539-8460  
W. Liberty OH 43357

Sincerely, Richard Lindemer

**Attachments.**

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

PREAMBLE

A RESOLUTION OF THE TOWNSHIP OF LIBERTY, LOGAN COUNTY, OHIO, ENACTED IN ACCORDANCE WITH A COMPREHENSIVE PLAN AND THE PROVISIONS OF CHAPTER 519, OHIO REVISED CODE, DIVIDING THE TOWNSHIP INTO ZONES AND DISTRICTS, ENCOURAGING, REGULATING, AND RESTRICTING THEREIN THE LOCATION, CONSTRUCTION, RECONSTRUCTION, ALTERATION AND USE OF STRUCTURES AND LAND: PROMOTING THE ORDERLY DEVELOPMENT OF RESIDENTIAL, BUSINESS, INDUSTRIAL, RECREATIONAL, AND PUBLIC AREAS: PROVIDING FOR ADEQUATE LIGHT, AIR, AND CONVENIENCE OF ACCESS TO PROPERTY BY REGULATING THE USE OF LAND AND BUILDINGS AND THE BULK OF STRUCTURES IN RELATIONSHIP TO SURROUNDING PROPERTIES: LIMITING CONGESTION IN THE PUBLIC RIGHTS-OF-WAY: PROVIDING THE COMPATIBILITY OF DIFFERENT LAND USES AND THE MOST APPROPRIATE USE OF LAND; PROVIDING FOR THE ADMINISTRATION OF THIS RESOLUTION AS PROVIDED HEREFTER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS RESOLUTION OR ANY AMENDMENT THERETO. ALL FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT AND GENE-RAL WELFARE: AND FOR THE REPEAL THEREOF.

THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF LIBERTY, LOGAN COUNTY, OHIO.

ARTICLE I TITLE, INTERPRETATION, AND ENACTMENT

Section 100 Title. This Resolution shall be known and may be cited to as the "Zoning resolution of the Township of Liberty, Logan County, Ohio".

Section 101 Use of land or buildings for agricultural purposes ~~not affected~~. It is the intent of this Resolution to be and remain in compliance with ORC 519.21 *Powers not conferred on township zoning commission by chapter*. ORC 519.21 is a statute, created and maintained by the State, which limits the authority of townships and establishes what is commonly referred to as the "agriculture exemption". ~~How ORC 519.21 impacts this Resolution is described herein.~~

This Resolution does not affect the use of any land for agricultural purposes, or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine that are located on land any part of which is used for viticulture, and no zoning certificate shall be required for any such building or structure. (Residential dwellings do require a permit however.)

There are two conditions where the agriculture exemption does not apply. 1) In any platted subdivision; and, 2) In any area consisting of fifteen or more lots approved under ORC 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road. When either of these two conditions exist, the requirements of this Resolution apply to:

1. Agriculture on lots of one acre or less; and,
2. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: setback building lines, height, and size; and,
3. Dairying and animal and poultry husbandry on lots greater than one acre but no greater than five acres when at least thirty-five percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the

6. Adult Entertainment Business. Any establishment involved in the sale or services or products characterized by the exposure or presentation of “specified anatomical areas” or physical contact of live males or females, and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage, and similar functions which utilize activities as specified above.

Adult use cannabis related definitions:

- a) Adult Use Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, “adult use cannabis” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- b) Adult Use Cannabis Operator. Pursuant to ORC 3780 as amended or replaced from time to time, “adult use cannabis operator” means an adult use cultivator, processor, and dispensary.
- c) Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, “cannabis” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- d) Cultivation Facility. Pursuant to ORC 3780 as amended or replaced from time to time, “cultivation facility” means a facility where a cultivator is licensed by the State of Ohio to operate.
- e) Cultivate. Pursuant to ORC 3780 as amended or replaced from time to time, “cultivate” means to grow, harvest, package, and transport adult use cannabis.
- f) Cultivator. Pursuant to ORC 3780 as amended or replaced from time to time, “cultivator” means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport adult use cannabis.
- g) Dispensary. Pursuant to ORC 3780 as amended or replaced from time to time, “dispensary” means an entity or person licensed by the State of Ohio to sell adult use cannabis.
- h) Manufacture. Pursuant to ORC 3780 as amended or replaced from time to time, “manufacture” means the process of converting harvested plant material into adult use extract by physical or chemical means for use as an ingredient in an adult use cannabis product.
- i) Marihuana. Pursuant to ORC 3780 as amended or replaced from time to time, “marihuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- j) Marijuana. Pursuant to ORC 3780 as amended or replaced from time to time, “marijuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- k) Processor. Pursuant to ORC 3780 as amended or replaced from time to time, “processor” means an entity or person licensed by the State of Ohio to manufacture adult use cannabis products.
- l) Testing Laboratory. Pursuant to ORC 3780 as amended or replaced from time to time, “testing laboratory” means an independent laboratory licensed by the State of Ohio to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

Agriculture. Pursuant to ORC 519.01, as amended or replaced from time to time, "Agriculture agriculture" ~~shall~~ includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry; including, but not limited to, the care and raising of livestock, equine, and fur bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock,

ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber, pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Agritourism related definitions:

- a. Agricultural Production. Pursuant to PORC 901.80 and 929.01, as amended or replaced from time to time, “agricultural production means Commercial-commercial animal or poultry husbandry, aquaculture, algaculture meaning the farming of algae, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth; ~~land devoted to biodiesel production, biomass energy production, electric or heat energy production, or biologically derived methane gas production if the land on which the production facility is located is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use, provide that at least fifty per cent of the feedstock used in the production was derived from parcels of land under common ownership or leasehold.~~ “Agricultural production” includes conservation practices, provided that the tracts, lots, or parcels of land or portions thereof that are used for conservation practices comprise not more than twenty-five per cent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed under Section 929.02 of the Revised Code.
- b. Agritourism. Pursuant to ORC 901.80 as amended or replaced from time to time, “agritourism means ~~An an~~ agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a ~~farm~~ Farm that allows or invites members of the general public to observe, participate in, or enjoy that activity.
- c. Agritourism Provider. Pursuant to ORC 901.80, as amended or replaced from time to time, “agritourism provider means ~~A a~~ a person who owns, operates, provides, or sponsors an agritourism activity or an employee of such a person who engages in or provides agritourism activities whether or not for a fee.
- d. Farm. Pursuant to ORC 901.80, as amended or replaced from time to time, “farm” means ~~Land~~ land that is composed of tracts, lots, or parcels totaling not less than ten (10) acres devoted to agricultural production or totaling less than ten (10) acres devoted to agricultural production if the land produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.

Anemometer. An instrument that measures the force and direction of the wind.

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-propelling or self-moving upon the public highway. More specifically, as referred to in this Resolution, it includes: automobiles, trucks, tractors and motorcycles.

Alley. See Thoroughfare

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).

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 roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

Building Line. See setback line

Building, Principal. A building in which is conducted the main or principal use of the lot on which said building is situated.

Business, Convenience-Type Retail. Retail businesses whose market area is the neighborhood or part of the community, which provides convenience-type goods and personal services for the daily needs of the people within the residential area. Uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry outs, dry cleaning and laundry facilities, supermarkets, etc.

Business, Drive-in. Any business, structure or premise which is designed primarily to serve occupants of motor vehicles without the occupants having to leave the vehicle.

Business, Service. Any profit making activity which renders primarily services to the public or to other commercial or industrial enterprises. Some retail sales may be involved in connection with the service rendered.

Business, Shopping-Type Retail. A retail or service business which supplies a wide variety of comparison goods and services to consumers in a market area that includes the community or an area greater than a community. Examples of shopping-type businesses are furniture stores, automobile sales and service and clothing shops.

Channel. A natural or artificial watercourse of perceptible extent with bed and banks to confine and conduct continuously or periodically flowing water.

Chassis. The steel undercarriage supporting framework to which a dwelling is attached.

Clear Fall Zone. An area surrounding the wind turbine unit into which the turbine and -or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property

lines of the primary parcel where the turbine is located. The purpose of the zone being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel.

Clinic. A place used for the care, diagnosis and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

Club. A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, fraternal or recreational purpose primarily for the exclusive use of members and their guests.

Comprehensive Development Plan. A plan, or any portion thereof, adopted by the Regional Planning Commission and the Board of County Commissioners showing the general location and extent of present and proposed physical facilities including housing, industrial, and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan established the goals, objectives, and policies of the community.

Conditional Use. A use permitted within a district other than a principally permitted use, requiring a conditional use permit and 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,

Corner Lot. See Lot Types

Cowling. A streamlined removable cover that encloses the turbine's nacelle.

Cul-de-Sac. See Thoroughfare

Data Center: Real and personal property consisting of buildings or structures specifically designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including, without limitation, power and cooling equipment, used primarily to provide, as a service to persons other than the company operating the data center, data and transaction processing services, outsource information technology services and computer equipment colocation services, or, used primarily to provide, to a single user, including the user's affiliates, customers, lessees, vendors and other persons authorized by the user, data and transaction processing services.

Dead-end Street. See Thoroughfare

Decibel. A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.

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.

operating and storing within enclosed structures; and generating little industrial traffic And no major nuisances.

Megawatt (MW). A unit of power, equal to one million watts.

Medical marijuana related definitions:

- a) Cultivate. ~~Means to grow, harvest, package, and transport medical marijuana pursuant to ORC 3796~~ Pursuant to ORC 3796 as amended or replaced from time to time, “cultivate” means to grow, harvest, package, and transport medical marijuana.
- b) Cultivator. ~~Means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796~~ Pursuant to ORC 3796 as amended or replaced from time to time, “cultivator” means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport medical marijuana.
- c) Dispensary. ~~Means an entity licensed pursuant to ORC 3796 and any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers~~ Pursuant to ORC 3796 as amended or replaced from time to time, “dispensary” means an entity or person licensed by the State of Ohio to sell medical marijuana.
- d) Dispense. ~~Means the delivery of medical marijuana to a patient or the patient’s registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.~~
- e)d) Manufacture. ~~Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product~~ Pursuant to ORC 3796 as amended or replaced from time to time, “manufacture” means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product..
- f)e) Marihuana. ~~Has the same meaning as defined in ORC 3719.01, as amended from time to time~~ Pursuant to ORC 3796 as amended or replaced from time to time, “marihuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- g)f) Marijuana. ~~Has the same meaning as defined in ORC 3796.01, as amended from time to time~~ Pursuant to ORC 3796 as amended or replaced from time to time, “marihuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time..
- h)g) Medical Marijuana. ~~Has the same meaning as defined in ORC 3796.01, as amended from time to time~~ Pursuant to ORC 3796 as amended or replaced from time to time, “medical marijuana” means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.
- i)h) Medical Marijuana Entity. ~~Means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio~~ Pursuant to ORC 3796 as amended or replaced from time to time, “medical marijuana entity” means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
- j)i) Medical Marijuana Processor. ~~Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products~~ Pursuant to ORC 3796 as amended or replaced from time to time, “processor” means an entity or person licensed by the State of Ohio to manufacture medical marijuana products.
- k)j) Testing Laboratory. ~~Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis~~ Pursuant to ORC 3796 as amended or replaced from time to time, “testing laboratory” means an independent laboratory licensed by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

~~1) Mining, Commercial Quarries, Sand and Gravel Pits. Any mining, quarrying or processing of limestone, clay, sand and gravel or other mineral resources. Also referred to as mineral extraction.~~

Manufactured (not permanently sited) or Mobile Home Park. Any site, or tract of land under single ownership, upon which three or more manufactured (not permanently sited) or mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

Nacelle. Sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.

Non-Conformities. A building, structure or use of land existing at the time of enactment of this Resolution and which does not conform to the regulations of the district or zone in which it is situated.

Nursery, Nursing Home. A home or facility for the care and treatment of babies, children, pensioners or elderly people.

Nursery, 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, executive, 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, any other recreational facilities that the zoning commission deems permissible. 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 there from.

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 alley right-of-way.

Performance Bond or Surety Bond. An agreement by a subdivider or developer with the Board of County Commissioners for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

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

Primary Structure. For each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary structures include structures such as

residences, commercial buildings, hospitals, and day care facilities. Primary structures exclude structures such as hunting sheds, storage sheds, pool houses, unattached garages, and barns.

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.

Professional Engineer (PE). A qualified individual who is licensed as a Professional Engineer in the State of Ohio.

Public Service Facility. 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 ~~or facilities 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 services ~~and sanitary landfills, but excluding telecommunication towers.~~ This definition excludes small off-site battery energy storage systems, principal solar energy production facilities, sanitary landfill, 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.

Public Way. An alley, bridge, channel, ditch, easement, expressway, freeway, highway, land, road, sidewalk, street walk, bicycle path; or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

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, ballparks, etc.

Recreational Vehicle. A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, 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.

Recreational Vehicle Site. A plot of ground within a recreational vehicle park intended for the accommodation of either a recreational vehicle, tent, or other individual camping unit on a temporary basis.

Right-of-Way. A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include

Structure. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences and billboards.

Supply Yards. A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

Swimming Pool. A pool, pond, lake, or open tank containing at least 1.5' feet of water at any point and maintained by the owner or manager. Farm ponds are exempt from this definition,

1. Private. Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multifamily development, or a community, the members and guests of a club, or the patrons of a motel or hotel; and accessory use.
2. Community. Operated with a charge for admission; a primary use.

Telecommunication Tower. Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions:

- a. It is constructed on or after October 31, 1996;
- b. It is owned or principally used by a public utility engaged in the provision of telecommunication services;
- c. It is a free standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located.

Thoroughfare, Street, or Road. The full width between property lines bounding every public way or whatever nature with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley. A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street. A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street. A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-de-Sac. A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-end Street. A street temporarily having only one (1) outlet for vehicular -traffic and intended to be extended or continued in the future.
6. Local Street. A street primarily for providing access to residential or other abutting property.
7. Loop Street. A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. Marginal Access Street. A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street).

Through Lot. See Lot types

Transient Lodgings. A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house,

rooming house, lodging house, or dormitory which is herein separately defined. Examples include: hotel, motel, ~~and~~ apartment hotel, bed and breakfast, and short-term rental.

- a) Bed and Breakfast Establishment. A single family private residence that provides overnight accommodations and a morning meal to transients for compensation. The owner/operator of the bed and breakfast must live full-time on the inn's premises. Bed and breakfast inns shall contain no more than six (6) separate guest rooms.
- b) Motel or Hotel. A series of attached, semi-detached, or detached sleeping or living units, for the accommodation primarily of automobile transient guests, having convenient access to off-street parking spaces, for the exclusive use of the guests or occupants and including also such accessory commercial uses operated primarily for the convenience of guests and subject to such restrictions as may be specified in the district where located.
- c) Short Term Rental. A dwelling unit, rented wholly or in part, for less than thirty (30) consecutive days by persons other than the resident family as lodging for monetary compensation. No short term rental shall contain more than five (5) sleeping rooms.

Transport Terminals. Any business, structure or premise which primarily receives or distributes goods.

Transportation, Director of. The Director of the Ohio Department of Transportation.

Use. The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Variance. A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Veterinary Animal Hospital or Clinic. A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

Vicinity Map. A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

Walkway. A public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

Wall. A structure of brick, stone, wood, or other material that surrounds an area or separates one area from another.

Wind Power Turbine Owner. The person or persons who owns the Wind Turbine structure.

Wind Power Turbine Tower. The support structure to which the turbine and rotor are attached.

Wind Power Turbine Tower Height. The distance from the rotor blade at its highest point to the top surface of the ground at the Wind Power Generating Facility (WPGF) foundation.

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 conformity 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. 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 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, 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 conditional use permit shall be filed with the Chairperson 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 phone number of applicant;
2. Legal description of property;
3. Description of existing use;
4. Zoning district;

5. Description of proposed conditional use;
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this Resolution.
7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, odor and fumes and on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the Comprehensive Plan;

Section 563 General Standards Applicable to all Conditional Uses. The Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established under the provisions of Article 9 and appears on the Official Schedule of District Regulations adopted by Section 910 for the zoning district involved;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
3. Will not be hazardous or disturbing to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
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, publish notice ~~in a newspaper~~, and give written notice to all parties in interest according to the procedures specified in Section 545 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 application 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.

## 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.

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 phone number of 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 or 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 (10) 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 Commission. The Zoning Commission shall comply with all the requirements of Chapter 519.12 of the Ohio Revised Code, as amended.

Section 605 Transmittal to Regional Planning Commission. Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Township Trustees, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map pertaining to the case in question to the County or Regional Planning Commission. The County or Regional Planning Commission shall recommend the approval or denial of the proposed amendment or approval of some modification thereof. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

Section 605-606 Submission to Director of Transportation. Before any zoning amendment is approved affecting 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 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 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 by a simple majority vote. In the event the Trustees denies or modifies the recommendation of the Zoning Commission, it must do so by unanimous 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.~~

## Official Schedule of District Regulations

<b><u>ZONING DISTRICTS</u></b>  (Symbols as used on the Official Zoning Map)	<b><u>PERMITTED USES</u></b>  (Accessory uses and essential services are included)	<b><u>CONDITIONAL USES</u></b>  (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)
<b>1</b>	<b>2</b>	<b>3</b>
<b>U-1 RURAL DISTRICT</b>	Agriculture; Conservation; Very low density residential; Home occupation; Orchards; Plant nurseries; Agricultural products; processing & sales; Public & quasipublic uses;	Animal hospital, clinic, kennel; Mineral extraction; Service business; Commercial & Non-commercial recreation; Food processing; Public service facility; Personal services; Junk storage & sales; Offices; Wholesale & warehousing; Manufactured homes (not permanently sited) and/or mobile homes individually; Essential services; Light & heavy manufacturing & directly related offices & retail sales; Agritourism; <a href="#"><u>Short-Term Rental; Bed &amp; Breakfast Facility;</u></a>
<b>R-1 LOW DENSITY RESIDENTIAL DISTRICT</b>	Single-family dwelling; Home occupation; Public & quasipublic uses;	Multi-family dwelling; Commercial & Non-Commercial recreation; Personal services; Offices; Service business; Agriculture**; Manufactured homes (not permanently sited) and/or mobile homes individually; Public service facility; Animal hospital, clinic, kennel; Convenience-type retail; Light manufacturing; Telecommunication Towers; Agritourism; <a href="#"><u>Short-Term Rental; Bed &amp; Breakfast Facility;</u></a>
<b>B-1 SERVICE BUSINESS DISTRICT</b>	Shopping-type retail; Service business; Drive-in business; Personal services; Offices; Eating & drinking establishments; Commercial recreation; Transient lodgings; Public & quasipublic uses; Single & multi-family dwellings*; Supply yards; Wholesale & warehousing; Agriculture;	Manufactured homes (not permanently sited) and/or mobile homes individually; Public service facility; Food processing; Light & heavy manufacturing & directly related offices & retail sales; Signs & advertising structures; Agritourism; <a href="#"><u>Short-Term Rental; Bed &amp; Breakfast Facility;</u></a>
<b>M-2 HEAVY MANUFACTURING DISTRICT</b>	Light & heavy manufacturing & directly related offices and retail sales; Supply yards; Wholesale & warehousing; Mineral extraction; Transport terminals; Public & quasipublic uses; Service business; Single-family dwelling*;	Public service facility; Manufactured homes (not permanently sited) and/or mobile homes individually;

- d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
- 7. Accessory solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
- 8. Accessory solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
- 9. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
  - a. Elevation of the proposed solar energy system(s) at maximum tilt.
  - b. Evidence of established setbacks of 1.1 times the height of any structure and “clear fall zone”.
  - c. Proof of notice to the electric utility company, Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts) regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facilities as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater).

Principal Solar Energy Production Facilities are prohibited in any district.

Section 1042 General Conditions for Adult Use Cannabis Operators.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations for State-authorized adult use cannabis cultivators, processors, and dispensaries within the unincorporated area of the Township.

- 1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of adult use cannabis shall not be considered an “agricultural” use pursuant to ORC 519.21 (D).
- 2. Zoning Districts. No adult use cannabis operator including a cultivator, processor, and/or dispensary shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No adult use cannabis cultivation, manufacture, and/or sale by an adult use cannabis operator shall occur in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, and/or dispensary shall operate as a home occupation.
- 3. Mobile Building Prohibited. No adult use cannabis cultivator, processor, or dispensary shall be located within a mobile building.

Section 1043 General Conditions for Medical Marijuana Entities. ~~ORC 519.21 and ORC 3796 allow regulation of the location of medical marijuana cultivators, processors, or dispensaries within the unincorporated area of the Township.~~ In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations that provide for State-authorized medical marijuana land uses consistent with ORC 519 and ORC 3796 cultivators, processors, and dispensaries within the unincorporated area of the township.

1.4. Not an Agricultural Use. ~~Medical marijuana~~ The cultivation, manufacture, and/or sale of medical marijuana is not considered an “agricultural” use pursuant to ORC 519.21 (D).

5. Zoning Districts. No medical marijuana cultivator, processor, or dispensary shall be located in a zoning district where it is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, or dispensary shall be permitted as a home occupation.

2-6. Mobile Building Prohibited. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

#### Section 1045 General Conditions for Adult Entertainment Use.

Adult Entertainment Facilities are conditionally permitted within the M-2 Heavy Manufacturing District only, and subject to conditions set forth in the Zoning Resolution Section 1045 and paragraphs 1-9 hereafter set forth.

1. No adult entertainment facility shall be established within one thousand (1,000) feet of any areas zoned for residential use.
2. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any school, library, or teaching facility, whether public or private, governmental or commercial which school, library, or teaching facility is attended by persons under eighteen (18) years of age.
3. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any park or recreational facility attended by persons under eighteen (18) years of age.
4. No adult entertainment facility shall be established within a radius of two thousand (2,000) feet of any other adult entertainment facility.
5. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of established church, synagogue, or permanently established place of religious services which is attended by persons under eighteen (18) years of age.
6. No advertisements, displays, or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.
7. All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk, or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.
8. No screens, loudspeakers, or sound equipment shall be used for adult motion picture theatres (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.
9. Off-street parking shall be provided in accordance with the standards for permitted use within M-2 Heavy Manufacturing District.

Section 1051 Short Term Rentals and Bed and Breakfast Facilities. In the interest of protecting the public health, safety, and general welfare, this Section establishes conditions for the establishment of a short-term rental or bed and breakfast facility. Further, it is the intent of this Section to protect the purpose and intent of each district, where a short-term rental or bed and breakfast is conditionally permitted.

In addition to the other requirements in this Resolution the following conditions shall apply:

1. Maximum number. Only one (1) dwelling unit per lot may be used as a short-term rental or bed and breakfast facility.
2. Maximum number of rooms.
  - a. No short-term rental shall contain more than five (5) sleeping rooms.
  - b. No bed and breakfast facility shall contain more than six (6) separate guest rooms.

3. Trash Areas. Trash areas shall be in accordance with Section 1006 Required Trash Areas.
4. Parking. Parking shall comply with Article XI and the following additional restrictions:
  - a. Number. One (1) parking space shall be provided per sleeping room or separate guest room on the lot.
  - b. Location. No additional parking spaces proposed in conjunction with the short-term rental or bed and breakfast facility shall be located in the required front yard setback.
5. Signs. Signage shall comply with Article XII and the following additional requirements:
  - a. Maximum Number, Size, and Type Permitted. A short-term rental or bed and breakfast facility shall be limited to one (1) wall sign no larger than twelve (12) square feet and one (1) monument sign no larger than twelve (12) square feet.
  - b. Exterior Lighting Only. Sign lighting shall be employed by a white, steady, stationary light of reasonable intensity directed solely at the sign and/or otherwise prevented from beaming directly onto adjacent properties or right-of-way.
6. Public Services. There shall be no undue burden placed upon existing public services, provided to the lot as a result of the short-term rental or bed and breakfast facility.

The Zoning Inspector shall provide notice to the County Auditor and Building Department within 30 days of the issuance of any conditional use permit.

Section 1060 Fences, Walls, and Hedges. Notwithstanding other provisions of this resolution, fences, walls, and hedges may be permitted in any yard within the bounds of a property, provided that no fence, wall, or hedge exceeds a height of six (6) feet in any yard. No fence, wall, or hedge shall be closer than fifteen (15) feet from the edge of any public roadway, and shall not extend into the road right-of-way. Any fence, wall, or hedge that complies with the above language yet impedes vision necessary for safe vehicular travel shall not be permitted, as determined by the Zoning Inspector.

Section 1062 Agritourism. In the interest of protecting the public health and safety, an Agritourism use shall satisfy the conditions in this Section. Capitalized terms not defined in this Section shall have the respective meanings given to them in Article II Definitions of this Zoning Resolution or in the Ohio Revised Code.

In addition to the procedure ~~and requirement~~ for approval of conditional use permits, as stated in Section 560, the Board of Zoning Appeals shall direct the Zoning Inspector to issue a conditional use permit ~~listing the specific conditions specified by the Board for approval~~ if the applicant establishes the following conditions have been met by a preponderance of the evidence presented in the application for conditional use permit and at the public hearing:

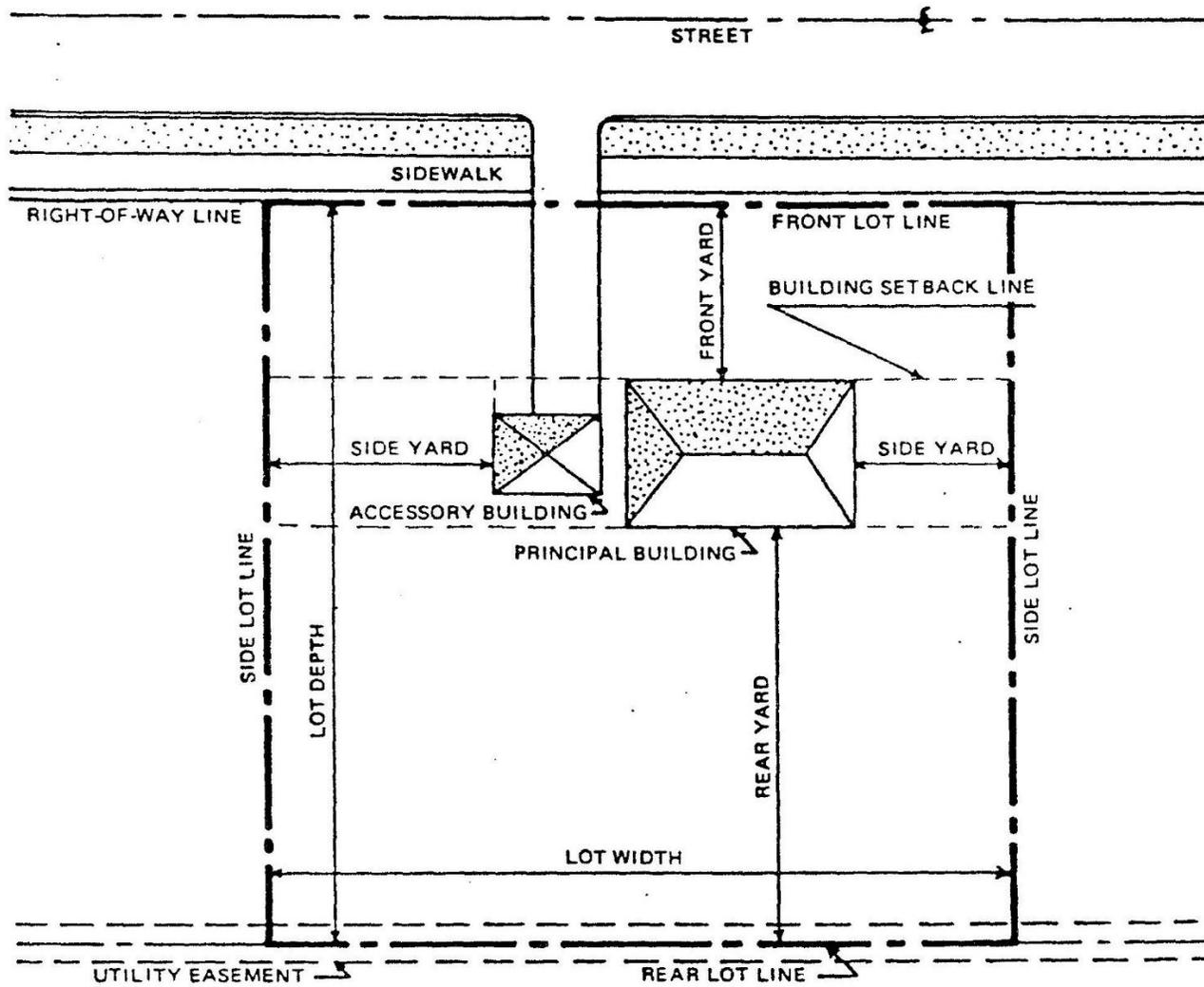
I.—Conditions

1. The Agritourism use will be conducted on a “Farm”.~~Evidence that the farm on which the agritourism operation is proposed is ten (10) acres or more in area shall be provided. If such farm is less than ten (10) acres, evidence shall be provided that such farm is currently enrolled in the Current Agricultural Use Value (CAUV) program or produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.~~
2. Each proposed Agritourism use is an ~~The agriculturally related~~ educational, entertainment, historical, cultural and/or recreational ~~relationship of the agritourism operation to the existing agricultural use of the property, the surrounding agricultural community, and/or the relationship of the agritourism activity to agriculture in general shall be identified activity (including you-pick operations or farm markets) conducted on a Farm that allows or invites members of the public to observe, participate in, or enjoy the activity. A narrative statement regarding this shall be provided by the applicant and shall replace and substitute any narrative statement otherwise required as part of an application for conditional use permits.~~

3. ~~A site plan of the property illustrating all structures to be used for agritourism activities, setbacks from property lines for all structures and any existing or proposed well and/or on-site wastewater disposal system area(s) on the property shall be submitted~~ proposed Agritourism site showing the following, when applicable:
  - a. ~~The size and setback for any structure used primarily for agritourism activities shall be in conformance with the requirements of the applicable zoning district, listed in the Official Schedule of District Regulations~~ The floor areas, heights, and setbacks of all structures, including buildings, used primarily for Agritourism; and,
  - b. ~~The size and setbacks of all parking areas, including loading spaces, used primarily for Agritourism; and,~~
  - a.c. ~~Provisions for egress and ingress.~~These criteria shall replace and substitute any site plan otherwise required as part of an application for conditional use permits.
4. ~~The size and setback of any structure used primarily for Agritourism shall conform to the requirements of the zoning district in which the Agritourism use is located and/or any size and/or setback requirements, if any, specified in this section.~~
- 4.5. ~~Off-street parking in accordance with setback and size (only) requirements in Article XI Off-Street Parking and Loading Requirements shall be provided.~~
  - a. ~~Additionally, off-street parking of a size adequate to meet peak time demand shall be provided in a manner that does not cause nuisance or conflict with adjoining properties. Estimates of traffic generation shall be submitted. In no instance shall parking be permitted within yard setback areas or within 20 feet of the road right-of-way.~~
  - a.b. ~~The Board of Zoning Appeals may not require any parking area to be improved in any manner, including requirements governing drainage, parking area base, parking area paving, or any other improvement.~~
- 5.6. ~~Safe and adequate ingress and egress shall be maintained at all times.~~
6. ~~The Board of Zoning Appeals may not prescribe conditions and/or safeguards not otherwise stated in this section. The applicant shall provide data establishing the seasons and weeks of operation, and the hours of operation. The Conditional Use Permit shall clearly state these parameters.~~
7. ~~Sales are limited to agricultural products meeting the criteria of products incident to the agricultural production and specific supporting products related to the agricultural tourism purpose such as animal feed pellets, U Pick containers, etc...~~

Within thirty (30) days after the public hearing required in Section 546, the Board of Zoning Appeals shall either approve or disapprove the application. Appeals from Board decisions shall be made in a manner specified in Section 530 Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal.

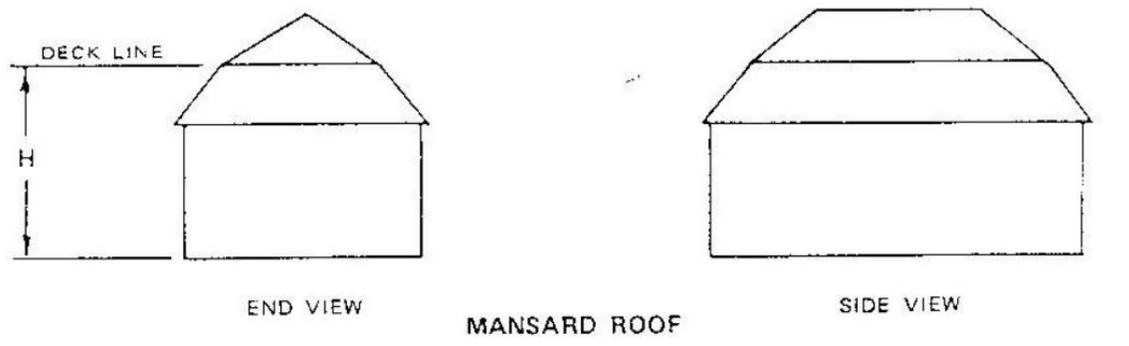
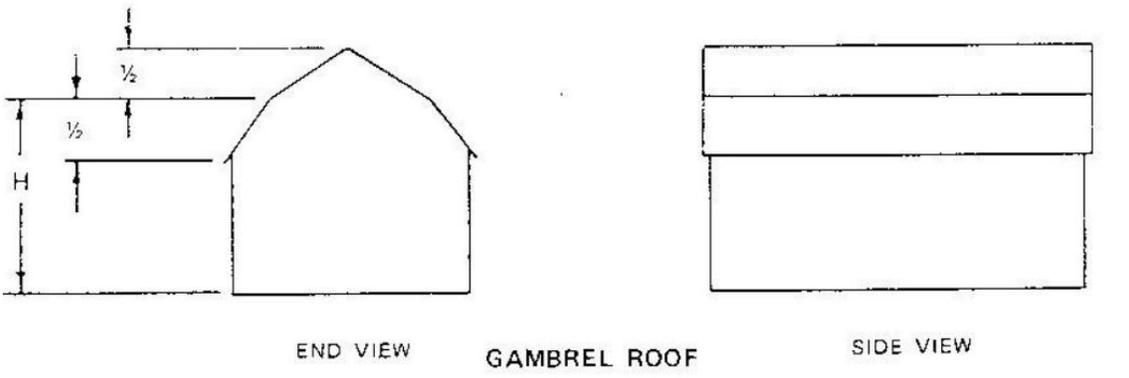
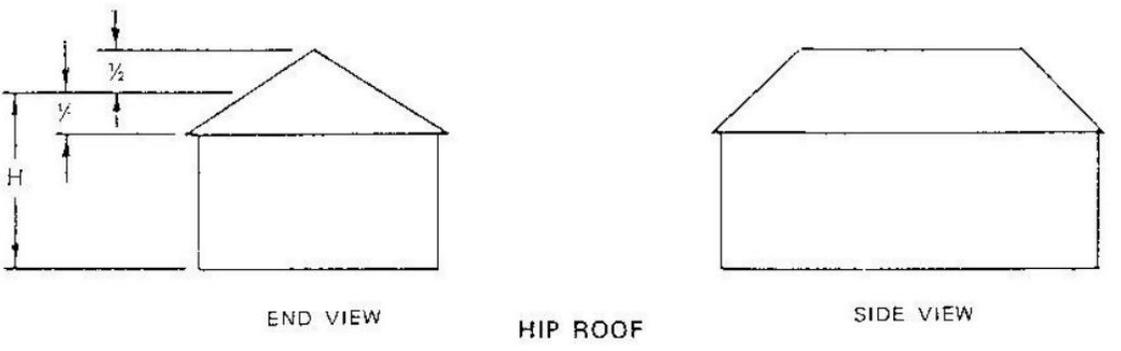
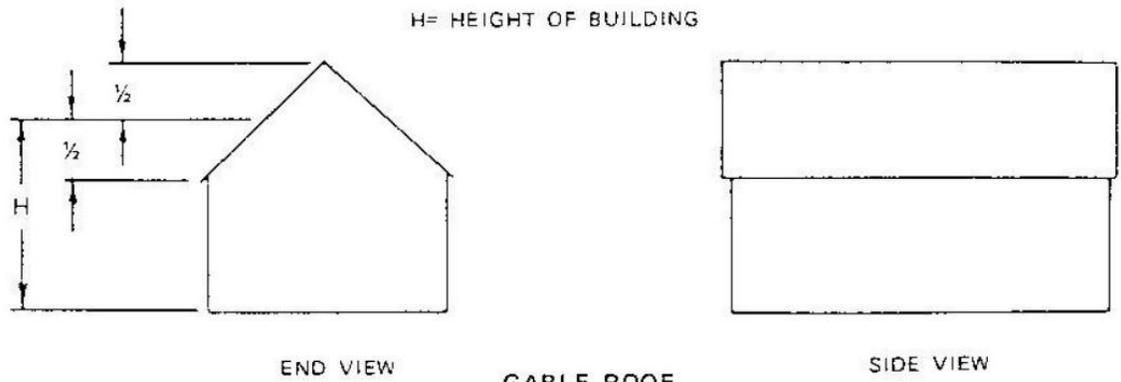
Upon approval, the Township shall provide notice to the local Fire Chief and Health Department.



LOT AREA= TOTAL HORIZONTAL AREA

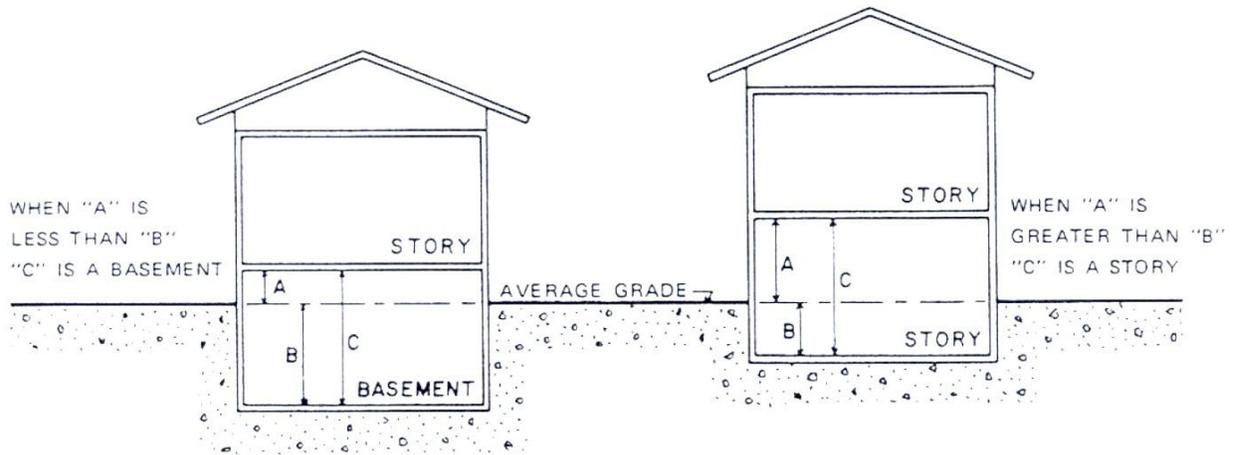
LOT COVERAGE= PER CENT OF LOT OCCUPIED  
BY BUILDING

## LOT TERMS

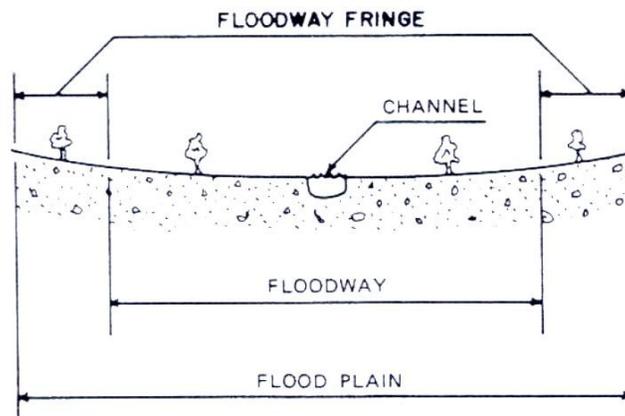


**ROOF TYPES AND BUILDING HEIGHT**

---



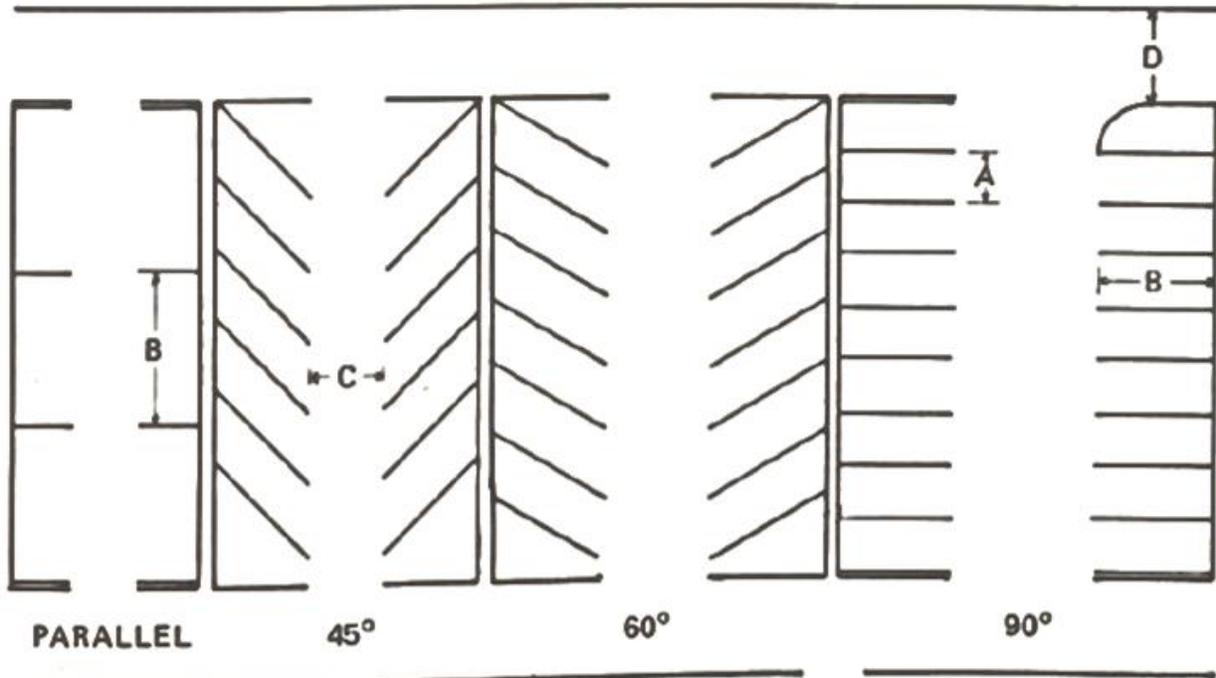
## BASEMENT & STORY



## FLOOD PLAIN TERMS



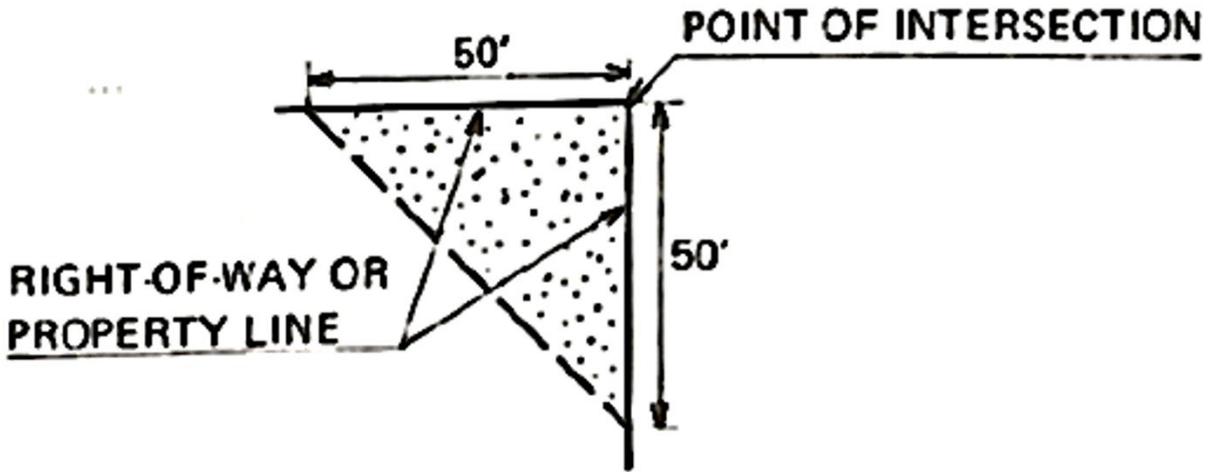
**CLASSIFICATION OF THE THOROUGHFARE SYSTEM**



## OFFSTREET PARKING

OFF-STREET PARKING DIMENSIONAL TABLE

		45°	60°	90°	Parallel
A	Width of Parking Space	12'	10'	9'	9'
B	Length of Parking Space	19'	19'	19'	23'
C	Width of Driveway Isle	13'	17'6"	25'	12'
D	Width of Access Driveway	17'	14'	14'	14'



## **VISIBILITY AT INTERSECTIONS**

---