

Zoning Text Amendment Checklist

Date: 2/23/26 Township: Wayne

Amendment Title: Agriculture, Agritourism, Adult Use Cannabis, medical marijuana, Fences & Walls, Data Centers, Short-term rentals, public notices, amendments

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

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

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<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 23, 2026

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

RE: Zoning Text Amendment Application, Wayne Township, Champaign County
Amendment topic: Agriculture, Agritourism, Adult Use Cannabis, Battery Energy Storage, Data Center, Dwellings, Fences & Walls, Medical Marijuana, Short term rentals, public notices, amendments.

Dear LUC Regional Planning Commission Committee Members:

The Wayne Township Zoning Commission met at 7:00 PM on February, 23, 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 Buildings for Agricultural Purposes Not Affected, Article V Administration, Article VI Amendments, Official Schedule of District Regulations, Article X Supplementary District Regulations, and adds 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 Wayne Township Zoning Commission of Champaign County, Ohio, will hold a public hearing concerning the proposed amendments at 6:30 P M on March 30, 2026, in the Wayne Township Hall.

Point of Contact.

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

Name: Tony R James

Phone: 937 206-3168

Address: 5346 Bowers Rd
Cable, Ohio 43009

Email: jamesgangtwo@gmail.com

Sincerely,

X Tony R James

Attachments.

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

PREAMBLE

A RESOLUTION OF THE TOWNSHIP OF WAYNE, CHAMPAIGN COUNTY, OHIO ENACTED IN ACCORDANCE WITH A COMPREHENSIVE PLAN AND THE PROVISION 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 HEREAFTER, 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, AND GENERAL WELFARE AND FOR THE REPEAL THEREOF.

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF WAYNE, CHAMPAIGN 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 Wayne, Champaign County, Ohio."

Section 101 Use of Land or Buildings for Agricultural Purposes ~~Not Affected.~~

~~The uses of land or buildings for agricultural purposes are not affected by this Resolution and no zoning certificate shall be required for any such building or structure or use of land. Residential dwellings do require a permit however. In adopting this Resolution, the Township recognizes the restrictions on its zoning authority in 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 and no zoning certificate shall be required for any such building or structure. (Residential dwellings do require a permit however.) The Township does, however, assert its authority to adopt zoning regulations to the full extent allowed by law.

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

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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,
- Dairying and animal and poultry husbandry on lots greater than one acre but not 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 tax on manufactured and mobile homes. After thirty-five percent of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming.

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Section 110 Provisions of Resolution Declared to be the Minimum Requirements.

In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of this Resolution conflict with the requirements of any other lawfully adopted rules, regulations, resolutions or deed restrictions, the most restrictive, or that imposing the higher standards, shall govern.

Section 120 Separability Clause.

Should any section or provision of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 130 Replacement of Existing Resolutions, Effective Date.

All Resolutions or parts of Resolutions in conflict with this Zoning Resolution or inconsistent with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect. This Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

- a. Books, magazines, periodicals, or other printed matter, or digitally stored materials that are distinguished or characterized by an emphasis on the exposure, depiction, or description of “specified anatomical areas” or the conduct or simulation of “specified sexual activities.”
 - b. Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of “specified anatomical areas” or the conduct or simulation of “specified sexual activities.”
 - c. Instruments, novelties, devices, or paraphernalia that are designed for use in connection with “specified sexual activities” or that depict or describe “specified anatomical areas.”
4. **Adult Mini Motion Picture Theatre.** A facility with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas,” for observation by patrons therein.
 5. **Adult Motion Picture Theatre.** A facility with a capacity of fifty (50) or more persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas,” for observation by patrons therein.
 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.

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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.

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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.

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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.

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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.

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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.

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Agriculture. "Agriculture" Pursuant to ORC 519.01, as amended or replaced from time to time, "agriculture" 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 furbearing 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.

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Agritourism-Related Definitions:

- 1. Agricultural Production.** 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.

~~2. **Agritourism.** An agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity.~~

~~3. **Agritourism Provider.** 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.~~

~~4. **Farm.** 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.~~

1. **Agricultural Production** – Pursuant to ORC 901.80 and 929.01, as amended or replaced from time to time, “agricultural production” means commercial 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. “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.

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2. **Agritourism** – Pursuant to ORC 901.80 as amended or replaced from time to time, “Agritourism” means an agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a Farm that allows or invites members of the general public to observe, participate in, or enjoy that activity.

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3. **Agritourism Provider** – Pursuant to ORC 901.80, as amended or replaced from time to time, “Agritourism provider” means 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.

4. **Farm** – Pursuant to ORC 901.80 as amended or replaced from time to time, “Farm” means 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.

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Airport. A tract of land designated and set aside for the landing and take-off of commercial and/or non-commercial aircraft; for the discharge or receiving of cargo and/or passengers; or for the repair, fueling, or storage of aircraft; and which contains facilities for aircraft including specifically a paved strip on which airplanes land and take-off. A airport shall not be construed to be a private landing field as defined herein.

Alley. Any public way or thoroughfare less than twenty (20) feet in width which has been dedicated to the public or public use.

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

Animal Feed Lot. 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.

Apartment. A portion of a building comprising a single dwelling unit consisting of a room or suite of rooms intended, designed, or used as a permanent residence by an individual or one (1) family.

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

Automotive Service Station. That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. Accessory activities shall be permitted to include automotive repair and maintenance, car wash service, and food sales.

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.

Aviation Field (Private). Any privately owned and operated F.A.A. (Federal Aviation Administration) 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, hangars and other necessary buildings and open spaces.

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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~~**Bed and Breakfast Facilities.** Single family dwellings offering room and board without individual kitchen facilities for up to five (5) persons who are transient.~~

Breezeway. A roofed structure, with or without enclosing walls, connecting an accessory structure to the principal building.

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.

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 room or board 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.

Commercial Recreation Establishment. Any private, public, or semi-public recreation or amusement facility which is located within an enclosed building or structure and is operated for profit, such as videogame arcades, pinball arcades, or other types of amusement game arcades; tennis or racquetball clubs; bowling alleys, skating rinks, or billiard halls; but not including indoor motion picture theatres.

Common Access Driveway. A common access driveway (CAD) is a privately constructed, privately owned, and privately maintained driveway within an ingress/egress easement serving more than one lot (or parcel) but not more than five lots (or parcels), properly installed in accordance with the requirements of the Champaign County Engineer and for which Champaign County and the Township accept no responsibility for maintenance, dispute, or liability either initially or at any time in the future. A common access drive provides an alternative to construction of public or private streets for accessing small numbers of lots and reduces the number of driveways along public roads. All lots as part of a Common Access Driveway shall have the required road frontage (see Official Schedule of District Regulations). Lots not meeting the required road frontage shall be required to obtain a variance from the Township Board of Zoning Appeals.

Community Facilities. Structures and uses intended to be of a cultural, educational, recreational, administrative, or service type which provides for areas of public purposes in higher density residential developments.

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.

Construction Trailer. A temporary building or trailer used in conjunction with construction work that only may be permitted in any district during the period construction work is in progress. Such temporary facilities shall be removed upon completion of the construction work. A construction trailer shall not be used as a residential dwelling.

Corner Lot. See Lot Types.

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

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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.

Deed Restriction. A legal restriction, not enforceable by zoning, on the use of land, contained in the deed to the property.

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.

Detached. Not connected in any manner by walls or other structural supports.

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, Industrialized Unit. Pursuant to ORC 3781.06 (C) (3), "industrialized unit" means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes unit installs on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit" does not include a manufactured home as defined herein or a mobile home as defined herein.

Dwelling, Multi-Family. A dwelling consisting of two or more dwelling units including condominiums with varying arrangements of entrances and party walls.

Dwelling, Manufactured Home. Pursuant to ORC 3781.06(C)(4) "manufactured home" means a building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the Federal Construction and Safety Standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403," and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable Federal construction and safety standards.

Dwelling, Manufactured Home (Permanently Sited). Pursuant to ORC 3781.06 (C) (6), "permanently sited manufactured home" means a manufactured home that meets all of the following criteria:

- a) ~~The structure is affixed to a permanent foundation and is connected to appropriate facilities. "Permanent foundation" means permanent masonry, concrete, or a footing or foundation approved by the Ohio Department of Commerce pursuant to ORC 4781, to which a manufactured home may be affixed; and,~~
- b) ~~The structure, excluding any addition, has a width of at least twenty two feet at one point, a length of at least twenty two feet at one point, and a total living area, excluding garages, porches, or attachments, of at least nine hundred square feet; and,~~
- e) ~~The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six inch minimum eave overhang, including appropriate guttering; and,~~
- d) ~~The structure was manufactured after January 1, 1995; and,~~
- e) ~~The structure is not located in a manufactured home park as defined herein.~~

~~**Dwelling, Mobile Home.** Pursuant to ORC 4501.01 (O), "mobile home" means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined herein or as an industrialized unit as defined herein.~~

~~**Dwelling, Single Family.** A dwelling (except a mobile home or manufactured home not permanently sited consisting of a single dwelling unit only, separated from other dwelling units by open space, detached, individual dwelling units, which accommodate one family living as one housekeeping unit.~~

~~**Dwelling, Rooming House (Boarding House, Lodging House Dormitory):**~~

~~A dwelling or part thereof, other than a hotel, motel or restaurant where meals and/or lodging are provided for compensation for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.~~

~~**Dwelling related definitions:**~~

- ~~**Dwelling, Industrialized Unit.** Pursuant to ORC 3781.06 (C) (3) as amended or replaced from time to time, "industrialized unit" means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes unit installs on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit" does not include a manufactured home as defined herein or a mobile home as defined herein.~~
- ~~**Dwelling, Manufactured Home.** Pursuant to ORC 3781.06(C)(4) as amended or replaced from time to time, "manufactured home" means a building unit or assembly of closed construction that is fabricated in an off site facility and constructed in conformance with the Federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable Federal construction and safety standards.~~

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- **Dwelling, Manufactured Home (Permanently Sited).** Pursuant to ORC 3781.06 (C) (6) as amended or replaced from time to time, “permanently sited manufactured home” means a manufactured home that meets all of the following criteria:
 - a. The structure is affixed to a permanent foundation and is connected to appropriate facilities. “Permanent foundation” means permanent masonry, concrete, or a footing or foundation approved by the Ohio Division of Industrial Compliance pursuant to ORC 4781, to which a manufactured home may be affixed; and,
 - b. The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point, and a total living area, excluding garages, porches, or attachments, of a least 1,200 square feet; and,
 - c. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering; and,
 - d. The structure was manufactured after January 1, 1995; and,
 - e. The structure is not located in a manufactured home park as defined by ORC 4781.01 as amended or replaced from time to time.
- **Dwelling, Mobile Home.** Pursuant to ORC 4501.01 (O), “mobile home” means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined herein or as an industrialized unit as defined herein.
- **Dwelling, Multi-Family.** A dwelling consisting of two or more dwelling units including condominiums with varying arrangements of entrances and party walls.
- **Dwelling, Rooming House (Boarding House, Lodging House, Dormitory).** A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.
- **Dwelling, Single-Family.** A dwelling (except a manufactured home not permanently sited or a mobile home) consisting of a single dwelling unit only, separated from other dwelling units by open space.

Essential Services. The erection, construction, alteration or maintenance, by public utilities, municipal or other governmental agencies, of underground gas, electrical, water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities, municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family. One or more persons occupying a single dwelling unit and living as a single housekeeping unit.

Farm Market. A building or structure designed or used or intended to be used for the display and/or sale of produce raised on farms owned or operated by the farm market operator.

Fence or Wall. A “fence” is a barrier used as a boundary, separation, means of protection or means of controlling access, screening, confinement, or decoration. Materials commonly used include

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wood, wire, iron, etc. A “wall” is a solid fence or is the solid portion of a fence. A “wall” is a barrier constructed so that the vertical surface is closed, thus preventing the passage of light, air, and vision in a horizontal plane. Materials commonly used include masonry, brick, metal, etc.

Floor Area of a Residential Building. The sum of the gross horizontal area or the several floors of a residential building, excluding basement floor areas not devoted to residential use and attached garages, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.

Floor Area of a Non-Residential Building (To be used in calculating parking requirements). The floor area of the specified use excluding stairs, washrooms, elevator shafts, and maintenance shafts, and rooms.

Floor Area, Livable. The livable floor area in square feet of existing or proposed buildings or structures or additions thereto shall be computed by multiplying the outside horizontal dimensions with each floor of the livable area. Porches, carports, and similar structures shall not be considered in computing the total livable area.

Floor Area, Useable. Measurement of usable floor area shall be the sum of the horizontal areas of the several areas of the building, measured from the interior faces of the exterior walls.

Food Processing. The preparation, storage or processing of food products. Examples of these activities include bakeries, dairies, canneries, meat processing plants, and similar activities.

~~**Foundation, Permanent.** Permanent perimeter masonry, concrete, or a locally approved footing or foundation to which a dwelling may be affixed.~~

Gasoline Service Station. Buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail.

Hazardous Wastes. Those substances which, singly or in combination, pose a significant present or potential threat or hazard to human health or to the environment, and which, singly or in combination, require special handling, processing, or disposal, because they are or may be flammable, explosive, reactive, corrosive, toxic, infectious, carcinogenic, bioconcentrative, or persistent in nature, potentially lethal, or an irritant or strong sensitizer. (and as further defined by the EPA).

Home Occupation. An occupation conducted in a dwelling unit, provided that: No more than one person other than members of the family residing on the premises shall be engaged in such occupation. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than thirty-five (35%) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, nor exceeding four (4) square feet in area, non-illuminated and mounted flat against the wall of the principal building. No traffic shall be generated by such occupation in greater volume than would normally be expected in such a residential area and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Resolution.

Lot, Minimum Area of. The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street or road (See the Official Schedule of District Regulations).

Lot Measurements. A lot shall conform to the following:

1. **Depth.** No lot containing ten (10) acres or less shall have an average depth that is more than four (4) times its width measured at the road right-of-way line. For the purposes of this requirement the average depth shall be the distance between the mid-point of a straight line connecting the foremost points of each side lot line at the front and the mid-point of a straight line connecting the rearmost points of the rear lot line.
2. **Width.** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the street or road right-of-way line, except on cul-de-sac streets (roads) where it is measured at the setback line. (Also, see Lot Frontage). For lots containing ten (10) acres or less in area, the actual distance between the side lot lines at any point along the lot depth cannot be less than eighty (80%) percent of the required Lot Frontage. For lots containing more than ten (10) acres, said lot shall comply with road frontage requirements.

Lot of Record. A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types. Terminology used in this Resolution with reference to corner lots, interior lots, and through lots is as follows:

1. **Corner Lot.** A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
2. **Interior Lot.** A lot with only one frontage on a street.
3. **Through Lot.** A lot other than a corner lot with frontage on more than one street or road. Through lots abutting two streets or roads may be referred to as double frontage lots.
4. **Reversed Frontage Lot.** A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

~~**Manufactured Home (not permanently sited) or Mobile Home Park.** Any tract of land upon which three (3) or more manufactured homes (not permanently sited) or mobile homes used for habitation are located, either free of charge or for revenue purposes, including any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and on which the individual lots are not for rent or rented, but are for sale or sold for the purpose of locating manufactured homes (not permanently sited) or mobile homes is not a manufactured home (not permanently sited) park unless three (3) or more manufactured homes (not permanently sited) or mobile homes used for habitation are located upon any one (1) individual lot. "Manufactured home (not permanently sited) park" does not~~

~~include any tract of land used solely for the storage or display for sale of manufactured homes (not permanently sited) or mobile homes or solely as a temporary park camp.~~

Manufacturing, Heavy. Manufacturing, processing, assembling, storing, testing and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, dust, glare, air pollution, odor, but not beyond the district boundary to any large extent.

Manufacturing, Light. Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust; operate and store within enclosed structures; and generate little industrial traffic and no major nuisances.

Medical marijuana related definitions:

- a. **Cultivate.** Pursuant to ORC 3796 as amended or replaced from time to time, “cultivate” means to grow, harvest, package, and transport medical marijuana.
- b. **Cultivator.** 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.** 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. **Manufacture.** 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.
- e. **Marihuana.** 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.
- f. **Marijuana.** Pursuant to ORC 3796 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.
- g. **Medical Marijuana.** 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.
- h. **Medical Marijuana Entity.** 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.
- i. **Processor.** 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.
- j. **Testing Laboratory.** 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.

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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.

Original Tract. A contiguous quantity of land held in common ownership which has not been platted by the existing owner or owners since the enactment of these Regulations.

Outdoor Recreation Area, Public or Private. Any privately or publicly owned and operated recreation facility or area which is not located within an enclosed building or structure, such as a golf course, tennis courts, ball fields, swimming pools, driving ranges, race tracks, amusement parks, stadiums, motorcross or snowmobile circuits, or campgrounds.

Parcel. An individual lot held under common ownership.

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.

Permanent Foundation. Permanent masonry, concrete, or locally approved footing or foundation, to which a dwelling may be affixed.

Permitted Use. A use which is specifically authorized by these Zoning Regulations in a particular zoning district.

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.

Planned Unit Development (PUD). A residential or commercial development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, shall be permitted to be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines. Planned Unit Developments are designed and developed subject to the provisions of these Regulations.

Pond. Any man made structure in which water is impounded by constructing a dam or embankment or by excavating a pit or dugout. Definition for ponds includes retention basins designed to permanently hold water. This definition would not apply to detention basins designed for short-term water containment. This would not include landscape water features less than one hundred and fifty (150) square feet.

Pools, Swimming (Private). Any structure that contains water over twenty four (24) inches in depth and which is used, or intended to be used, for swimming or recreational bathing and which is

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available only to the family and guests of the householder. This includes in-ground, above ground, on-ground, and portable swimming pools.

Pool Barrier. A fence, a wall, a building wall, the wall of an above-ground swimming pool or a combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool.

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 Facilities. Any building or structure used by government for administrative or service purposes, but not including buildings devoted solely to the storage and maintenance of equipment and materials.

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

Public Use. Uses including public parking; schools; and administrative, cultural, and service buildings; but not including public land or buildings devoted solely to the storage and maintenance of equipment and materials.

Public Utility. The erection, construction, alteration, operation or maintenance of buildings, power plants, substations, water treatment plant or pump station, sewage disposal plant or pump station, communications facilities and/or equipment, electrical, gas, water and sewerage service, sanitary landfills and other similar public service structures or facilities whether publicly or privately owned.

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 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.

2. It is owned or principally used by a public utility engaged in the provision of telecommunication services;
3. 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, Controlled or Limited Access. A thoroughfare on the interstate highway system, or any other thoroughfare which is so designed as to carry large volumes of through traffic and preclude traffic flow interruptions normally resulting from turning and stopped traffic. Controlled or limited access thoroughfares have no grade crossings and utilize exit and entrance ramps, bridges, merge and exit lanes, and other design features to accomplish unimpeded traffic flow, and are not intended to provide direct access to abutting property. Controlled or limited access thoroughfares shall not be construed as providing lot frontage as required by these Regulations.

Thoroughfare, Major or Secondary. An officially designated Federal or State numbered highway or County or other road designated as a major thoroughfare by the Champaign County Engineer, or a County or other road designated as a secondary thoroughfare.

Through Lot. See Lot Types.

Toxic or Hazardous Material. Any substance or mixture by physical characteristic such as flammability, corrosivity, toxicity, reactivity, or infectious characteristics as to pose a significant or potential hazard to water supplies or human health if such substances were discharged to land or waters of the community or township.

Transient Lodgings. A building in which lodging or boarding 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, apartment hotel, and bed and breakfast facility.

- 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.

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

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

application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals containing:

1. Name, address, and telephone number of applicants;
2. Legal description of property as obtained from the County Auditor or said deed;
3. Description or nature of variance requested;
4. A narrative statement demonstrating that the requested variance conforms to the following standards:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
 - 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 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 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 561-563, 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 Section 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 the applicant;
2. Legal description of property as obtained by the County Auditor or said deed;
3. Description of existing use;
4. Current Zoning District;
5. Description of proposed conditional use;
7. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, 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.

8. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, odor and fumes 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; 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 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 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.

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, for any reason, the conditional use shall cease for more than two (2) years.

~~Section 569 Revocation.~~ ~~A conditional use permit shall be revoked when the applicant fails to comply with conditions imposed by the Board of Zoning Appeals.~~

ARTICLE VI AMENDMENT

Section 600 Procedure for Amendment or District Changes. This resolution may be amended utilizing the procedures specified in ~~Sections 601-611, inclusive if 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 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 (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 Zoning Commission. The Zoning Commission shall comply with all the requirements of Chapter 519.12 of the Ohio Revised Code.

~~**Section 605 Public Hearing by Zoning Commission.** Upon the adoption of a motion by the township zoning commission, the certification of a resolution by the board of township trustees to the commission, or the filing of an application by property owners or lessees as described in Section 602 of this Resolution with the Commission, the Commission shall set a date for a public hearing, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the certification of such a resolution, the date of adoption of such a motion, or the date of the filing of such an application. Notice of the hearing shall be given by the Commission by one publication in one or more newspapers of general circulation in the Township at least ten (10) days before the date of the hearing.~~

~~If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from the area proposed to be rezoned or redistricted to the addresses of those owners appearing on the County Auditor's current tax list.~~

~~If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land as listed on the County Auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing and include all of the following:~~

- ~~1. The name of the township zoning commission that will be conducting the hearing;~~
- ~~2. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;~~
- ~~3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of those properties, as they appear on the Champaign County Auditor's current tax list;~~
- ~~4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of that property;~~
- ~~5. The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing;~~
- ~~6. The name of the person responsible for giving notice of the hearing by publication, by mail, or by both publication and mail;~~
- ~~7. A statement that, after the conclusion of the hearing, the matter will be submitted to the board of township trustees for its action;~~
- ~~8. Any other information requested by the commission.~~

~~If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the Champaign County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:~~

- ~~1. The name of the township zoning commission that will be conducting the hearing on the proposed amendment;~~

- ~~2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;~~
- ~~3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the hearing;~~
- ~~4. The name of the person responsible for giving notice of the hearing by publication;~~
- ~~5. A statement that, after the conclusion of the hearing, the matter will be submitted to the Board of Township Trustees for its action;~~
- ~~6. Any other information requested by the commission.~~

Section 606-605 Transmittal to Regional Planning Commission. Within five (5) days, the Zoning Commission must also provide the Regional Planning Commission with copies of the resolution, motion, or application together with the text, map, and attachments pertaining to it, so that the Regional Planning Commission shall review the proposed change. The Regional Planning Commission shall recommend approval or denial of the proposed amendment or approval with modifications. The recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.

Section 607-606 Submission to Director of Transportation. Before any zoning amendment is approved effecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway the Zoning Commission shall give notice, by registered mail or certified mail to the Director of Transportation. The Zoning Commission may proceed as required by law, however, the Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Trustees that he shall proceed to acquire the land needed, then the Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Trustees shall proceed as required by law.

~~**Section 608 Recommendation by Zoning Commission.** Within thirty (30) days of their public hearing, the Zoning Commission (after advertised public hearing and complying with all the requirements of Chapter 519.12 of the Ohio Revised Code), shall transmit its recommendation to the Township Trustees. The Zoning Commission shall recommend the approval or denial of the proposed amendment, or the approval of some modification of it, and submit that recommendation together with the motion, application, or resolution involved, the text and map pertaining to the proposed amendment, and the recommendation of the regional planning commission on it to the Board of Township Trustees.~~

~~**Section 609 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 Board.~~

~~**Section 610 Notice of Public Hearing in Newspaper.** Notice of the public hearing required in Section 609 shall be given by the Township Trustees by at least one (1) publication in one (1) or~~

~~more newspapers of general circulation in the Township. Said notice shall be published at least ten (10) days before the date of the required hearing.~~

~~If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:~~

- ~~1. The name of the board of township trustees that will be conducting the hearing;~~
- ~~2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;~~
- ~~3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of those properties, as they appear on the county auditor's current tax list;~~
- ~~4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of that property;~~
- ~~5. The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing;~~
- ~~6. The name of the person responsible for giving notice of the hearing by publication, by mail, or by both publication and mail;~~
- ~~7. Any other information requested by the board.~~

~~If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:~~

- ~~1. The name of the board of township trustees that will be conducting the hearing on the proposed amendment;~~
- ~~2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;~~
- ~~3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the hearing;~~
- ~~4. The name of the person responsible for giving notice of the hearing by publication;~~
- ~~5. Any other information requested by the board.~~

~~**Section 611 Action by Township Trustees.** Within twenty (20) days after the public hearing required in Section 609, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission, or adopt some modification thereof. In the event the Trustees denies or modifies the recommendation of the Zoning Board, it must do so by a majority vote.~~

~~**Section 612 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 passage of the Resolution there is presented to the Clerk a petition signed by a number of qualified voters residing in the Township equal to not less than eight (8) per cent of the total vote cast in such area at the last preceding general election at which a Governor was elected, requesting the Trustees to submit the zoning amendment to the electors of the Township for approval or rejection at the next primary or general election. No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect. This shall comply with all of the requirements of Section 519.12 of the Ohio Revised Code.~~

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

<u>ZONING DISTRICTS</u> (Symbols as used on the Official Zoning Map)	<u>PERMITTED USES</u> (Accessory uses and essential services are included)	<u>CONDITIONAL USES</u> (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)
1	2	3
U-1 RURAL UNDEVELOPED	Agriculture; Low density residential; Clinic; Home occupation; Public & quasi-public uses. Small Wind Projects Less than 5MW.	Kennel; Public service facility; Service business; Food processing; Junk storage & sales; Commercial recreation; Manufactured home (not permanently sited) or mobile home park; Manufactured homes (not permanently sited) or Mobile homes individually; Non-commercial recreation; Animal hospital & Clinic, Farm Implement Sales and Service; Agritourism; <u>Short Term Rental; Bed & Breakfast Facility;</u>
R-1 LOW DENSITY RESIDENTIAL	<u>Agriculture (except animal husbandry, poultry husbandry, and dairying);</u> Single-family dwellings; Home occupation; Public & quasi-public use; Permanent foundation sited manufactured dwelling; Modular & Sectional units. Small Wind Projects Less than 5MW	Personal Services; Service business; Multi-family dwellings; Manufactured homes (not permanently sited) or Mobile Homes Individually; Telecommunications Towers; Agritourism; <u>Short Term Rental; Bed & Breakfast Facility;</u>
R-2 MEDIUM DENSITY RESIDENTIAL	<u>Agriculture (except animal husbandry, poultry husbandry, and dairying);</u> Single-family dwelling; Public & quasi-public use, Small Wind Projects Less than 5MW	Multi-family dwelling; Non-commercial recreation; Home occupation; Manufactured homes (not permanently sited) or Mobile homes individually; Service Business; Personal Services; Telecommunications Towers; Agritourism; <u>Short Term Rental; Bed & Breakfast Facility;</u>
B-1 SERVICE BUSINESS	Service Business; Drive-in business; Eating & drinking estab; Commercial recreation; Transient lodgings; Retail business; Offices; Personal services; Public & quasi-public uses; Single & Multi-family dwellings* , Small Wind Projects Less than 5MW	Wholesale & Warehousing; Food processing; Printing & Publishing; Transport Terminals; Signs & Advertising structures; Public service facility; Animal Hospital & Clinic, Kennel; Agritourism;

ZONING DISTRICTS (Symbols as used on the Official Zoning Map)	PERMITTED USES (Accessory uses and essential services are included)	CONDITIONAL USES (Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)
1	2	3
B-2 LOCAL BUSINESS	<u>Agriculture (except animal husbandry, poultry husbandry, and dairying)</u> ; Convenience-type retail; Personal Services; Offices; Service Business; Eating & Drinking establishments; Commercial recreation; Single-family dwellings*; Public & quasi-public uses; Farm implement sales & service.	Public service facility; Manufactured homes (not permanently sited) or Mobile homes individually; Agritourism; <u>Short Term Rental; Bed & Breakfast Facility</u> ;
M-1 LIGHT MANUFACTURING DISTRICT	Light manufacturing & directly related offices & retail sales; Public & quasi-public uses; Service business; Farm implement sales and service, Small Wind Projects Less than 5MW	Wholesale & Warehousing; Storage facilities; Transport Terminals; Public service facility; Low density residential*; Manufactured homes (not permanently sited) or Mobile Homes individually; Adult Entertainment; Agritourism;
M-2 HEAVY MANUFACTURING	Light & Heavy Manufacturing and related offices; Wholesale & Warehousing; Printing & Publishing; Public quasi-public uses; Single family dwelling**; Permanent foundation sited manufactured dwelling; supply yard; Small Wind Projects Less than 5MW	Signs & advertising structures; Public service facility; Adult Entertainment; Agritourism;

Section 1011 Setback Requirements for Corner Buildings.

On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

Section 1012 Visibility at Intersections.

On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and a half (2.5) and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining points along said street lines fifty (50) feet from the point of intersection.

Section 1013 Fences & Walls.

Fences and walls are permitted in all districts, subject to the following conditions:

1. Location

- a. Fences shall be permitted in any yard.
- b. Walls shall be permitted in any yard.
- c. If no structure exists on said residential property, no fence or wall may project past the front building line of the average of the adjacent properties or the minimum front yard setback, whichever is greater.
- d. No fence or wall shall be closer than three feet (3) to any right-of-way line.

2. Height.

- a. Fences shall not exceed four (4) feet in the front yard or six (6) in height for other yards for residential uses.
- b. Fences shall not exceed eight (8) feet in height for non-residential uses.
- c. Walls shall not exceed four (4) feet in the front yard or six (6) feet in height for other yards for residential uses.
- d. Walls shall not exceed six (6) in height for non-residential uses.

3. Sight Distance Requirements.

- a. No fence or wall shall violate the sight distance requirements found in Section 1012, Visibility at Intersections.

4. Zoning Permit.

- a. Unless otherwise stated in this Resolution, a zoning permit is required for the erection or installation of a fence or wall.

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Section 1014 Yard Requirements for Multi-Family Dwellings.

Multifamily dwellings shall be considered as one (1) building for the purpose of determining front, side and rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear and two (2) side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard requirements for the appropriate district as though it were on an individual lot.

Section 1015 Side, and Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts.

Non-residential buildings or uses shall not be located in or conducted closer than forty (40) feet to any lot line of a residential district, except that the minimum yard requirements may be reduced to fifty (50%) percent of the requirement if acceptable landscaping or screening approved by the Zoning Inspector is provided.

- 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-1 & M-2 Manufacturing Districts.

Section 1040 Roadside Produce Stands. A building for the sale of home-grown produce may be located not less than twenty five (25) feet from the highway right-of-way if it is a portable building. If portable, it shall be removed from its roadside location during the season that it is not in use as a roadside produce stand. A permanent structure for such use may be constructed, but shall be located not less than fifty (50) feet from the highway right-of-way line. Parking shall be provided off the highway right-of-way.

Section 1041 Agritourism. ~~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 following conditions have been met:~~

~~I. — Conditions~~

~~A. — 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.~~

~~B. — The 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.~~

~~C. — 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.~~

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1. 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.

D. Off street parking in accordance with size requirements in Article XI Off Street Parking and Loading Requirements shall be provided.

1. Additionally, off street parking 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.

E. Safe and adequate ingress and egress shall be maintained at all times.

F. 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. 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...

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.

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In addition to the procedure 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 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:

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A. The Agritourism use will be conducted on a "Farm".

B. Each proposed Agritourism use is an agriculturally related educational, entertainment, historical, cultural, and/or recreational activity (including you-pick operations or farm markets) conducted on a Farm that allows or invites members of the general public to observe, participate in, or enjoy the activity. A narrative statement regarding this shall be provided by the applicant and it shall replace and substitute any narrative statement otherwise required as part of an application for conditional use permits.

C. A site plan of the proposed Agritourism site showing the following, when applicable:

a. 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,

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.

D. The size and setback for any structure used primarily for Agritourism shall conform to the requirements of the zoning district in which the Agritourism use will be located and/or any size and/or setback requirements, if any, specified in this Section.

E. Off-street parking in accordance with setback and size (only) requirements in Article XI Off-Street Parking and Loading Requirements shall be provided.

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1. 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.

2. 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.

F. Safe and adequate ingress and egress shall be maintained at all times.

G. The Board of Zoning Appeals may not prescribe conditions and/or safeguards not otherwise stated in this Section.

Within thirty (30) days after the date when the hearing is first opened or such further time as the person who filed the appeal may agree to in writing, the board shall conclude and adjourn the hearing. The board shall decide the appeal within twenty (20) days after the conclusion and adjournment of the hearing. Upon the hearing, any person may appear in person or by attorney. Appeals from Board decisions shall be made in a manner specified in Section 530.

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

Section 1043 Small Wind Projects less than 5MW (Megawatts).

Wind Projects of 5MW (Megawatts) or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. Small Wind Projects less than 5MW and used solely for Agriculture will be exempt from these zoning regulations as an Agricultural Use. Any proposed construction, erection, or siting of a small wind project less than 5MW including the wind turbine generator or anemometer or any parts thereof shall be a Permitted Use in the U-1, R-1, B-1, M-1 and M-2 Wayne Township Zoning Districts if the following conditions are met:

- A. The maximum height of any turbine shall be 125 feet. For purposes of this Resolution, maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower.
- B. Setbacks: The following shall apply in regards to setbacks.
 1. Any turbine erected on a parcel of land shall be setback to establish a "clear fall zone", from all road right-of-way lines, overhead utility lines, neighboring property lines, and any inhabited structures on the parcel intended for the turbine. Hence, a turbine shall be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located at and would not strike any structures including the primary dwelling, and any inhabited structures.
- C. Maintenance:
 1. Wind turbines must be maintained in good working order. The owner shall within 30 days of permanently ceasing operation of a wind turbine, provide written notice of abandonment to the Zoning Inspector. An unused wind turbine or small wind project may stand no longer than 12 months following abandonment. All costs associated with the demolition of the wind turbine

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not less than six (6) feet in height may be substituted. Storage of materials shall not exceed the height of the screening. Storage of junk shall not be located in any front or side yard.

Section 1050 Junk. No trash, debris, litter, rubbish, unused property, discarded materials, junk vehicles, vehicle parts, rags, lumber, building materials, equipment and/or parts thereof, or any other garbage, refuse or junk shall be permitted to accumulate on any lot or portion thereof which creates an eyesore, hazard, or nuisance to the Township or general public.

Section 1052 Garage, Porch, Yard, or Similar Type Sales. A resident may conduct a garage, porch, yard, or similar type sale provided such sale does not exceed one such event during any six (6) month period. No sale shall exceed three (3) consecutive days in length. Parking shall be provided off the public highway right-of-way and off neighboring property unless consent is obtained from the affected neighbor to do so. All signs advertising such sales shall be removed immediately after the sale has concluded its duration.

Section 1055 Mobile Trailers Prohibited for Business, Storage, and Sign Purposes. The use of a manufactured home (not permanently sited) or mobile home, tractor trailer, box car, sealand container, or other similar type trailer, container, or structure shall not be permitted as an office or business structure, storage facility, or sign structure except as stated in Section 1004.

Section 1056 Erection of More than One Principal Structure on a Lot. The erection of more than one (1) principal structure per lot is prohibited in all districts.

Section 1060 Short Term Rentals.

In the interest of protecting the public health, safety, and general welfare, this Section establishes conditions for the establishment of a short term rental. Further, it is the intent of this Section to protect the purpose and intent of each district, where a short term rental is conditionally permitted.

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

1. **Maximum number of short term rentals.** Only one (1) dwelling unit per lot may be used as a short term rental.
2. **Maximum number of rooms.** No short term rental shall contain more than five (5) sleeping 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 on the lot.
 - b. **Location.** No additional parking spaces proposed in conjunction with the short term rental 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 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.

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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 1070 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.

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Section 1071 General Conditions for Medical Marijuana Entities.

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

1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of medical marijuana shall not be considered an “agricultural” use pursuant to ORC 519.21 (D).
2. Zoning Districts. No medical marijuana entity 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 medical marijuana cultivation, manufacture, and/or sale by a medical marijuana entity 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 medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

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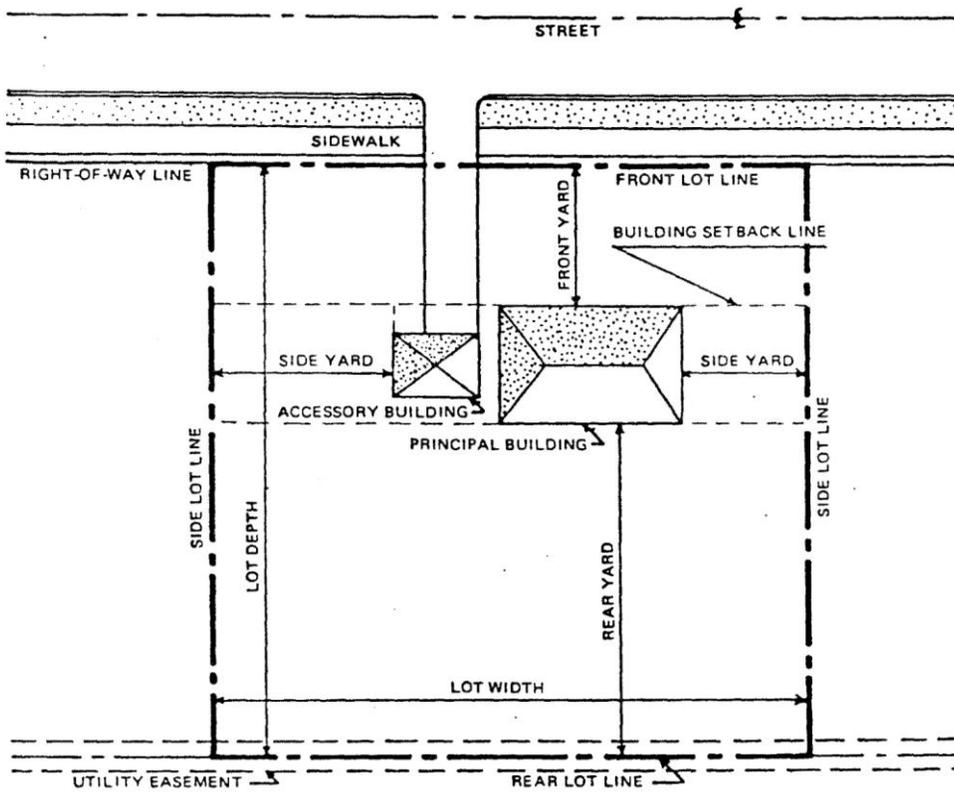
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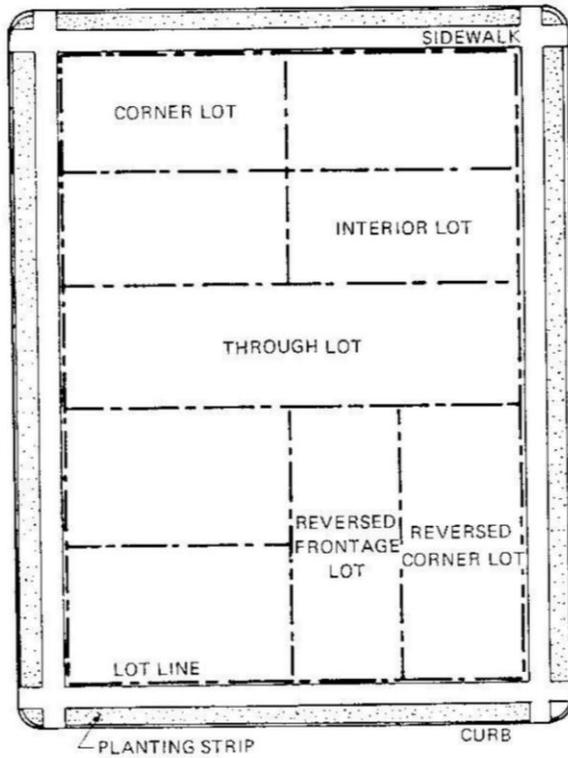


LOT AREA= TOTAL HORIZONTAL AREA

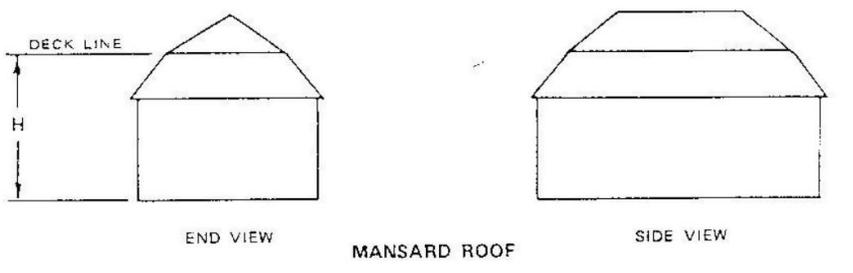
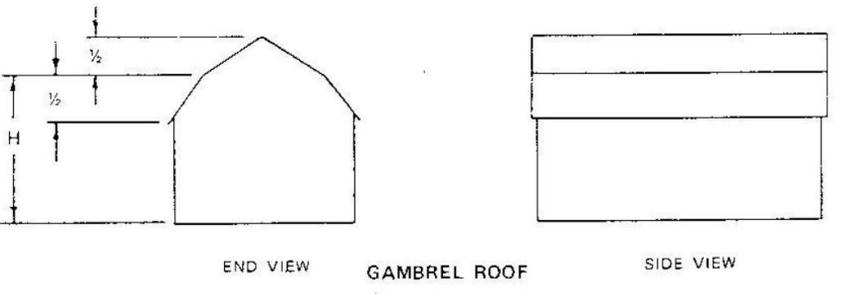
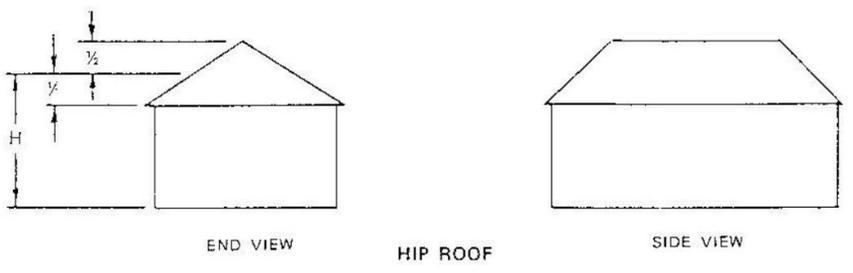
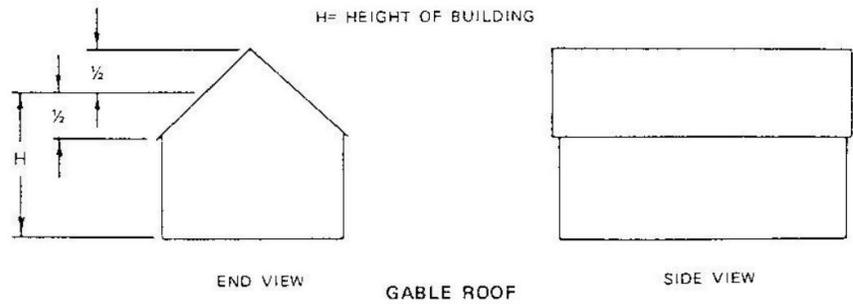
LOT COVERAGE= PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS

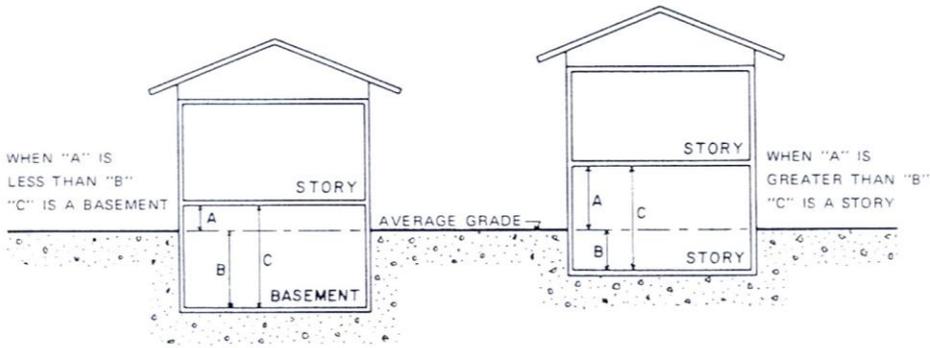
STREET



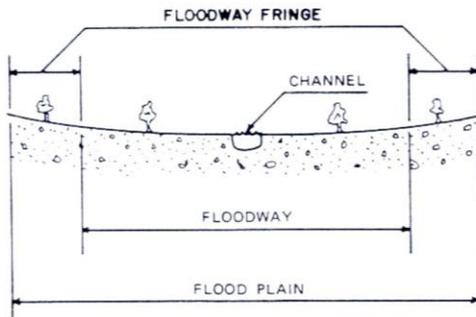
TYPES OF LOTS



ROOF TYPES AND BUILDING HEIGHT



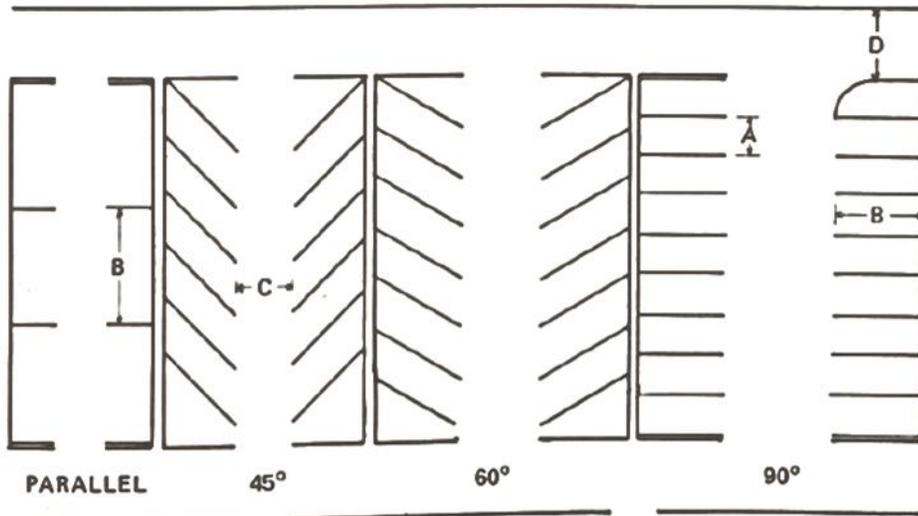
BASEMENT & STORY



FLOOD PLAIN TERMS



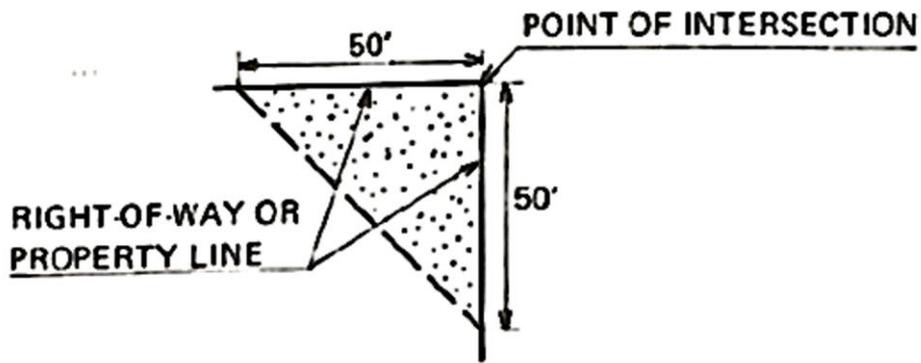
CLASSIFICATION OF THE THOROUGHFARE SYSTEM



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
