Staff Report – Lake Township Zoning Amendment

Applicant:	**Lake Township Zoning Commission** c/o Mark Overly, Chair 2454 US Hwy 68N Bellefontaine, OH 43311 overlymm@embarqmail.com
Request:	The Lake Township Zoning Commission initiated an amendment to the text of the Zoning Resolution. The proposal amends Article II Definitions by adding the definitions of "Small Off Site Battery Energy Storage System" and "Data Center", and amending the definition of "Public Service Facility". It also proposes to amend Section 350 Penalties for Violation and change public notice requirements and general procedures in Article V and Article, and amends Section 900 Compliance with Regulations by clarifying prohibited uses.
Location:	Lake Township is in central Logan County, and contains part of the City of Bellefontaine.

Staff Analysis:	**Small Off-Site Battery Energy Storage System** The Township is proposing to adopt a definition for "Small Off-Site Battery Energy Storage System", which has been used in several recent township zoning amendments. The Township is electing not to list it as a permitted or conditional use in any zoning district, meaning it is not a permissible use in the Township and is effectively prohibited. **Data Center** The Township is proposing to adopt a definition for "Data Center", which was provided by LUC Staff. The Township is electing not to list it as a permitted or conditional use in any zoning district, meaning it is not a permissible use in the Township and is effectively prohibited. **Public Service Facility** The Township is proposing to amend the definition of Public Service Facility based on old model text and makes clearer uses specified elsewhere like principal solar energy are not included in the definition. **Penalties for Violation** The Township is proposing to adopt the LUC Penalties for Violation Model Text. This change would remove specific penalties for zoning violations and instead reference the Ohio Revised Code. **BZA Public Notices** The Township is modifying multiple sections in Article V Administration. The change eliminates specific public notice

	requirements, and instead references the relevant ORC language. This is similar to recent changes by other Townships. **Zoning Amendments** The Township is modifying Article VI Amendments. Instead of listing out the entire process, it leaves in place application and initiation information, but then references ORC 519.12 for the remainder of the process. This is similar to recent changes by other Townships. **District Regulations** The Township is adding text to Section 900 Compliance with Regulations which clarifies that uses not listed in the zoning code are prohibited. It also clarifies that if a use is specifically defined in the zoning resolution, it cannot be construed as being included within the definition of any other defined use. **Relationship to Comprehensive Plan** The Logan County Comprehensive Plan (2007) is meant to guide local policy and development while at the same time protecting the physical environment and managing growth (County Plan, pp.2). Given the varying level of access to both electrical and water infrastructure throughout the County, it may be prudent for the Township to carefully plan for utility needs and any future development associated with newly available or increased utility capacity should they wish to permit a large utility user. The Plan has goals and objectives of: • "Encourage growth in already developed areas that can support the necessary infrastructure of manufacturing operations such as the U.S. 33 Honda Corridor and Indian Lake Industrial Park" (County Plan, pp.65). • "Direct development in areas, which can be served by sanitary sewer, water, and roadways" (County Plan, pp.66). **Prosecutor's Office** A copy of this proposal was forwarded to the County Prosecutor's Office for consideration and comment. At the time of the writing of this report, the Prosecutor's Office has not provided any comments.

Staff Recommendations:	Staff recommends ***APPROVAL*** of the proposed zoning text amendment.

Z&S Committee Recommendations:	*Options for action:* • *Approval* • *Approval with Modifications (state modifications)* • *Denial*