



Staff Report – Rush Township (C) Zoning Amendment

<p>Applicant:</p>	<p>Rush Township Zoning Commission c/o Tim Kemper 11434 E US Hwy 36 Woodstock, OH 43084 tkemper41@gmail.com</p>
<p>Request:</p>	<p>The Zoning Commission initiated an amendment to the text of the Zoning Resolution. The proposal adds Section 421 Prohibited Uses and amends Article XII Definitions by adding definitions for “Battery Energy Storage System, Small Off-Site”, “Data Center”, and “Service Business” and amends the definition of “Public Service Facility”.</p>
<p>Location:</p>	<p>Rush Township is located in northeast Champaign County and contains the villages of North Lewisburg and Woodstock.</p>
<p>Staff Analysis:</p>	<p>Small Off-Site Battery Energy Storage System The Township is proposing to adopt a definition for “Small Off-Site Battery Energy Storage System”, which was provided by LUC Staff. The Township is electing not to list it as a permitted or conditional use in any zoning district.</p> <p>Data Center The Township is proposing to adopt a definition for “Data Center”, which was recommended by LUC Staff. The Township is electing not to list it as a permitted or conditional use in any zoning district. After further analysis of the definition with the prosecutor’s office, LUC staff believes the definition could be improved upon by using different language.</p> <ul style="list-style-type: none"> ○ Staff recommends changing the definition of “Data Center” to read "An establishment engaging in the storage, management, processing, and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations." <p>Service Business The Township is proposing to adopt a definition of “Service Business”.</p> <ul style="list-style-type: none"> ○ Staff recommends removing the proposed last sentence of the definition of “Service Business”, in parallel with the recommended changes to proposed Section 421 (addressed later in this report). <p>Public Service Facility The Township is proposing to amend the definition of Public Service Facility, similar to what LUC has previously recommended to other Townships.</p>



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	<p>Section 421 Prohibited Uses The Township is proposing to add text that states that uses not expressly authorized by the Resolution are prohibited and only allowed after approval of the BZA.</p> <p>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. However, the Prosecutor’s Offices of Logan and Union counties gave some comments on similar amendments, and Staff felt that it was appropriate to also recommend the comments be incorporated into the Rush Twp amendment. The comments, adapted for Rush Twp’s Zoning Resolution, are:</p> <ul style="list-style-type: none"> ○ It is recommended that the proposed Section 421 Prohibited Uses be removed, and the text of Section 400 (4) be replaced with “Any use not defined by this Resolution shall be prohibited. No specific use which is defined by this Resolution shall be construed as being included within the definition of any other defined use.”
<p>Staff Recommendations:</p>	<p>Staff recommends <i>APPROVAL WITH MODIFICATIONS</i> of the proposed zoning text amendment. Those modifications are:</p> <ul style="list-style-type: none"> ○ Change the definition of “Data Center” to read "An establishment engaging in the storage, management, processing, and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations." ○ Remove the proposed last sentence of the definition of “Service Business”, in parallel with the recommended changes to proposed Section 421. ○ Remove the proposed Section 421 Prohibited Uses, and replace the text of Section 400 (4) with “Any use not defined by this Resolution shall be prohibited. No specific use which is defined by this Resolution shall be construed as being included within the definition of any other defined use.”
<p>Z&S Committee Recommendations:</p>	<p><i>Options for action:</i></p> <ul style="list-style-type: none"> • <i>Approval</i> • <i>Approval with Modifications (state modifications)</i> • <i>Denial</i>