



Staff Report – Liberty Township (U) Zoning Amendment

<p>Applicant:</p>	<p>Liberty Township Zoning Commission c/o David Thomas e.davethomas@gmail.com</p>
<p>Request:</p>	<p>The proposed amendments, initiated by motion of the Zoning Commission, propose to amend Article II Definitions by adding “Small Off-Site Battery Energy Storage System” and “Data Center” and amending “Public Service Facility” and “Business, Service”, amending the timelines and public notice requirements in Article V Administration, amending the zoning amendment process specified in Article VI Amendment, and clarifying prohibited uses in Article IX District Regulations.</p>
<p>Location:</p>	<p>Liberty Township is located in western Union County. It is bordered by Allen Township to the south and York Township to the north.</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, meaning it is not a permissible use in the Township and is effectively prohibited.</p> <p>Data Center 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 the following: <ul style="list-style-type: none"> ○ "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>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.</p>



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	<p>BZA Hearing The Township is changing the time requirement to hold a public hearing for a BZA application from 20 days of submittal of an application to 40 days.</p> <p>BZA Public Notices The Township is modifying several 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.</p> <p>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.</p> <p>Prosecutor’s Office A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. The Prosecutor’s Office has given feedback about similar proposals, which was keep the service business definition unchanged and to modify Article IX District Regulations by adding the following text as a new addition to the numbered list:</p> <ul style="list-style-type: none">○ The Prosecutor’s Office commented that the definition of “Business, Service” could be left unchanged as the proposed change would no longer be necessary given the changes to Article IX District Regulations.○ “4. Any use not defined by this Resolution shall be prohibited. No specific use which is defined by this Resolution shall be construed as being included within the definition of any other defined use.”
<p>Staff Recommendations:</p>	<p>Staff recommends <i>APPROVAL WITH MODIFICATIONS</i> of the proposed zoning text amendment. Those modifications are:</p> <p>Changing the definition of “Data Center” to read:</p> <ul style="list-style-type: none">○ "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>Modify Section 900 by adding:</p> <ul style="list-style-type: none">○ “4. Any use not defined by this Resolution shall be prohibited. No specific use which is defined by this



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	<p>Resolution shall be construed as being included within the definition of any other defined use.”</p> <p>Leave the definition of Business, Service” unchanged.</p>
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Z&S Committee Recommendations:	<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>
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