

Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 3/25/25 Township: Mad River

Amendment Title: Marijuana, Public Notice Requirements, Fences + Walls, Diagrams

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

10820 St Rt 347, PO Box 219
 East Liberty, Ohio 43319
 • Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

Date of Request.

March 25, 2025

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

RE: Zoning Text Amendment Application, Mad River Township, Champaign County
Amendment topic: Marijuana, Public Notice Requirements, Fences & Walls, Diagrams

Dear LUC Regional Planning Commission Committee Members:

The Mad River Township Zoning Commission met at 7:00 PM on March 25, 2025. 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 by adding Adult Use Cannabis related definitions, Fence or Wall, and ~~and~~ Medical Marijuana related definitions, Article V and Article VI regarding public notice requirements and amendments, Add Section 1013 Fences & Walls, add section 1036 General Conditions for Adult Use Cannabis Operators, amend Section 1037 General Conditions for Medical Marijuana, 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 Mad River Township Zoning Commission of Champaign County, Ohio, will hold a public hearing concerning the proposed amendments at 7:00 PM on April 22, 2025, in the Mad River Township Hall.

Point of Contact.

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

Name: Gerald Blair

Email: blairgr@outlook.com

Address: 3978 Storms Creek Rd
Urbana, OH 43078

Phone: (937) 869-3088

Sincerely, Timothy C. Martin
Timothy C Martin

Attachments.

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

- 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.
- h. Manufacture. Pursuant to ORC 3780 as amended or replaced from time to time, “manufacture” means the process of converting harvested plant material into adult use

extract by physical or chemical means for use as an ingredient in an adult use cannabis product.

- i. Marihuana. Pursuant to ORC 3780 as amended or replaced from time to time, “marihuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- j. Marijuana. Pursuant to ORC 3780 as amended or replaced from time to time, “marijuana” has the same meaning as “marihuana” as defined in ORC 3719 as amended or replaced from time to time.
- k. Processor. Pursuant to ORC 3780 as amended or replaced from time to time, “processor” means an entity or person licensed by the State of Ohio to manufacture adult use cannabis products.
- l. Testing Laboratory. Pursuant to ORC 3780 as amended or replaced from time to time, “testing laboratory” means an independent laboratory licensed by the State of Ohio to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

Agriculture. "Agriculture" includes farming; ranching; 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.

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. An 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.

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 are stored and

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. A farm is an area of land on which at least \$2,500 gross sales from agriculture products was produced and thus must meet the following Current Agricultural Use Value (CAUV) standards: All farms larger than ten (10) acres qualify for CAUV if they have been devoted exclusively to "commercial" agricultural use for the past three (3) years. Farms smaller than ten (10) acres are eligible if the average yearly gross farm income for the past three (3) years is at least \$2,500 from "commercial" agricultural production. See Section 5713.30(A) of the Ohio Revised Code for further explanation.

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 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, wood, 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, 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.

Manufactured or Mobile Home Park. Any tract of land upon which three (3) or more manufactured (not permanently sited) or mobile homes uses for habitation are located, either free of charge or for revenue purposes, and includes 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 (not permanently sited) or mobile homes is not a manufactured or mobile home park unless three (3) or more manufactured (not permanently sited) or mobile homes used for habitation are located upon any one (1) individual lot. “Manufactured or mobile home park” does not include any tract of land used solely for the storage or display for sale of manufactured (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.

~~**Marijuana.** Means all parts of a plant of the *genus cannabis*, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. “Marijuana” does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination.~~

~~**Medical marijuana.** Means marijuana that is cultivated, processed, dispensed, tested, or possessed, or used for a medical purpose.~~

~~**Medical marijuana entity.** Means a State-licensed medical marijuana cultivator, processor, dispensary, or testing laboratory.~~

~~**Medical marijuana, cultivate.** Means to grow, harvest, package and transport medical marijuana pursuant to Ohio Revised Code 3796.~~

~~**Medical marijuana cultivator.** Means an entity authorized by the State of Ohio to grow, harvest, package and transport medical marijuana as permitted under Ohio Revised Code 3796.~~

~~**Medical marijuana dispensary.** Means an entity licensed pursuant to Ohio Revised Code Chapter 3796 and any rules promulgated thereunder to sell or dispense medical marijuana to qualifying patients and caregivers.~~

~~**Medical marijuana, dispense.** Means the delivery of medical marijuana to a patient or the patient’s registered caregiver that is packaged in a suitable container appropriately labeled for subsequent~~

~~administration to or use by a patient who has an active patient registration with the State of Ohio, authorizing them to receive medical marijuana.~~

~~**Medical marijuana, 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.~~

~~**Medical marijuana processor.** Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.~~

~~**Medical marijuana testing laboratory.** Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.~~

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.

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) 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. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.~~accordance with ORC 519.15.

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;
6. 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.
7. 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.
8. Will have a minimum frontage of at least 60 feet.

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 ORC 519.12, as amended. Sections 601-611, inclusive if this resolution.

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 the passage 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 passage 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.** The Zoning Commission shall set a public hearing date no less than twenty (20) days nor more than forty (40) days after the filing of the application. Notice of the public hearing must be published in a newspaper of general circulation at least ten (10) days before the hearing. In the case of a zoning amendment to property or parcels, the Zoning Commission shall mail a notice of the public hearing by first class mail to all the owners adjacent to or across the road from the property affected by the proposed change.~~

~~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 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 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 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 Transmittal to Regional Planning Commission.** Within five days after the adoption of the motion, the certification of the resolution, or the filing of the application described in Section 602, the Zoning Commission shall transmit a copy of it together with text and map pertaining to it to the Regional Planning Commission, if there is such a commission, for approval, disapproval, or suggestions:~~

~~The Regional Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification of it and shall submit its recommendation to the township zoning commission. The recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.~~

~~**Section 607 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.** The township zoning commission, within thirty days after the hearing, 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 Commission:~~

~~**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 607, 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 Commission, 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.

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.

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.

Township Board of Trustees with written notice of such expiration, termination, cancellation or other event of non-renewal no later than one hundred twenty (120) days prior to the date of such event.

Section 1036 General Conditions for Adult Use Cannabis Operators.

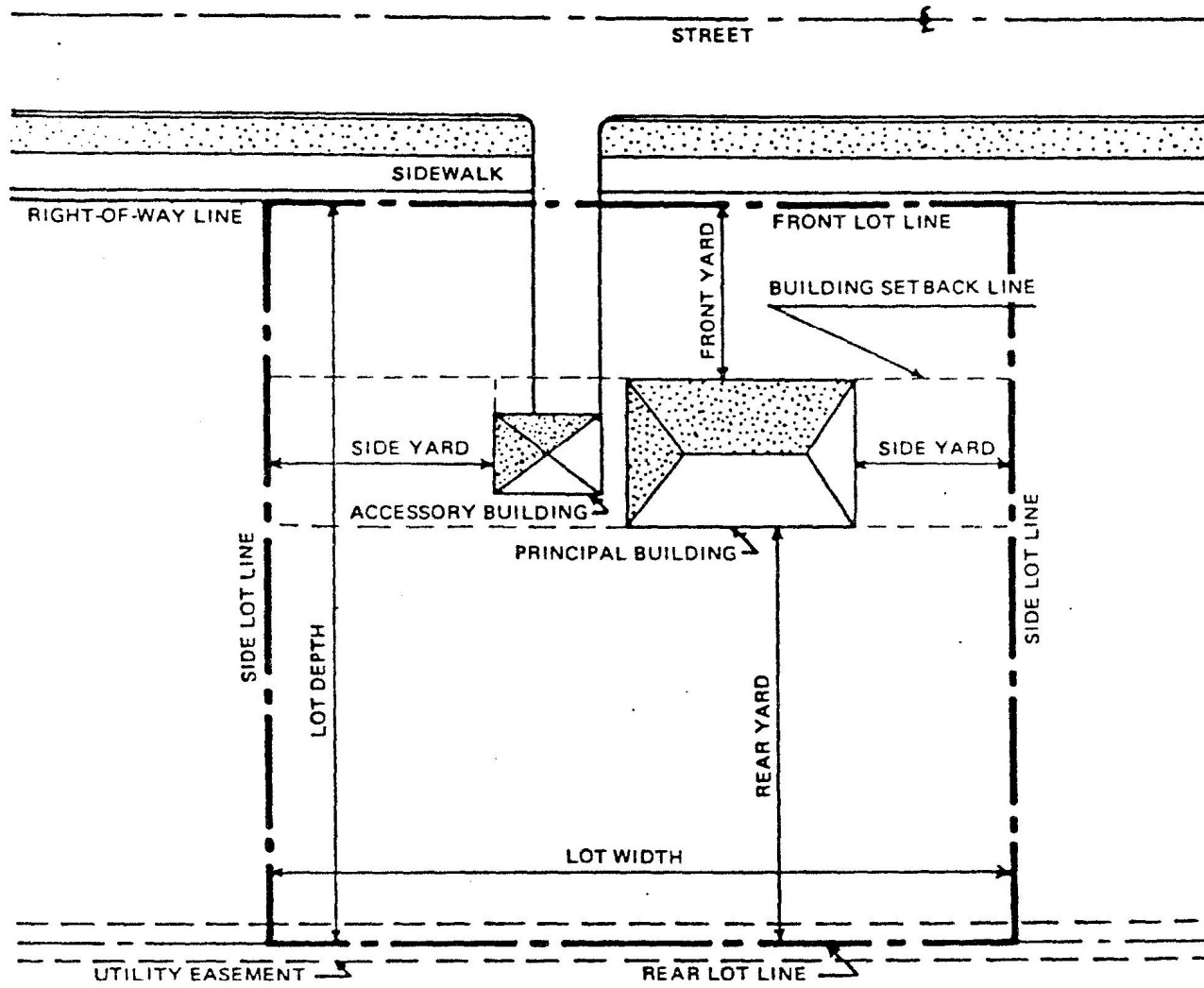
In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations for State-authorized adult use cannabis cultivators, processors, and dispensaries within the *unincorporated area of the township.*

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

Section 1037 General Conditions for Medical Marijuana.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations that provide for State-authorized medical marijuana ~~land uses consistent with Ohio Revised Code Chapter 519 and Ohio Revised Code Chapter 3796. Ohio Revised Code Section 519.21 allows regulation of the location of medical marijuana~~ cultivators, processors, or ~~retail~~ dispensaries within the unincorporated area of the township.

- ~~1. Prohibited in Zoning Districts Unless Explicitly Permitted. No medical marijuana entity shall be located in a zoning district where it is not explicitly listed as a permitted or conditionally permitted use. Further, medical marijuana entities are not permitted as home occupations.~~
- ~~2. Not an Agricultural Use. Medical marijuana is not considered an “agricultural” use pursuant to Ohio Revised Code Section 519.21 (D).~~
- ~~3. Temporary or Mobile Building Prohibited. Further, no medical marijuana entity shall be located within a temporary or mobile building in any zoning district.~~
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.

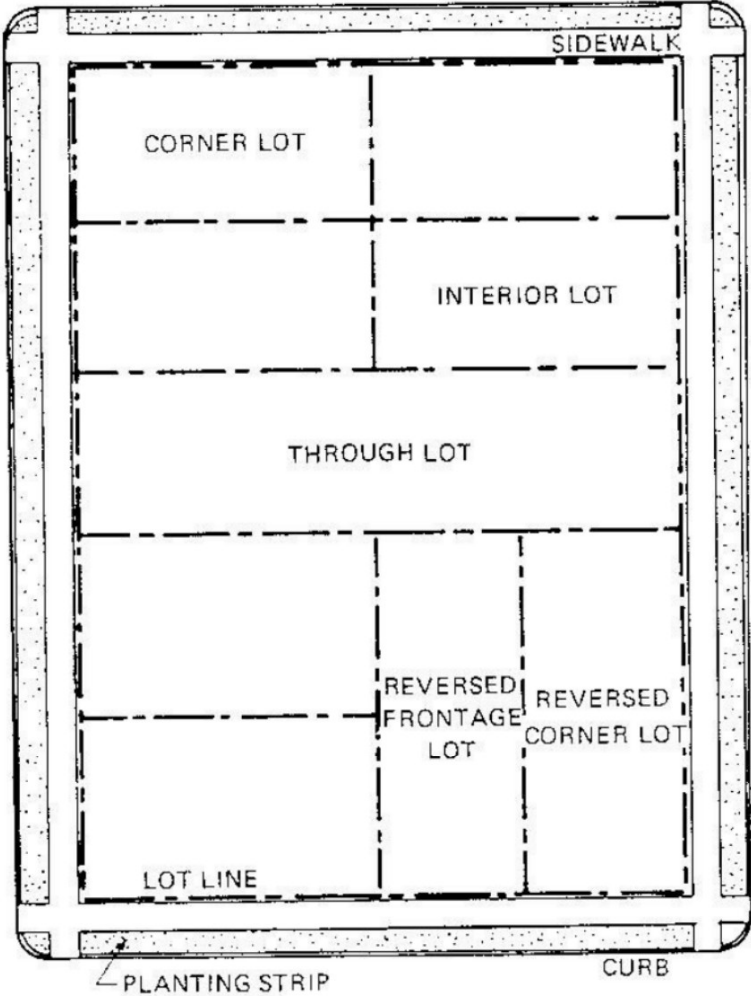


LOT AREA= TOTAL HORIZONTAL AREA

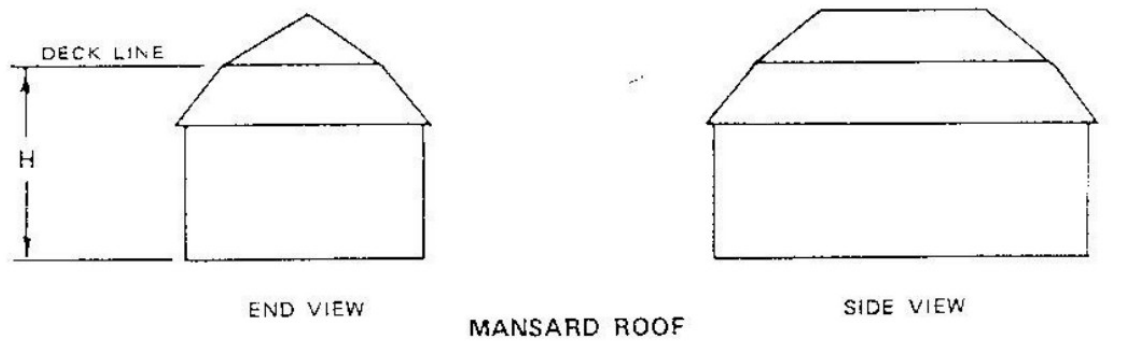
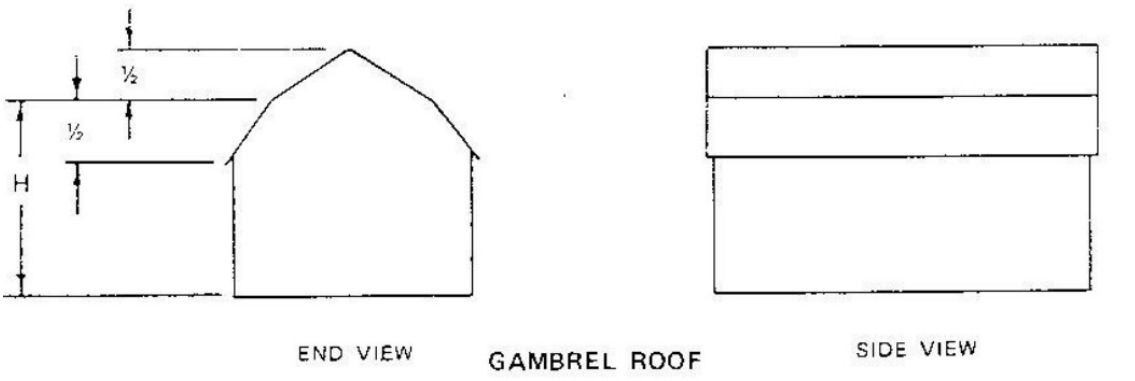
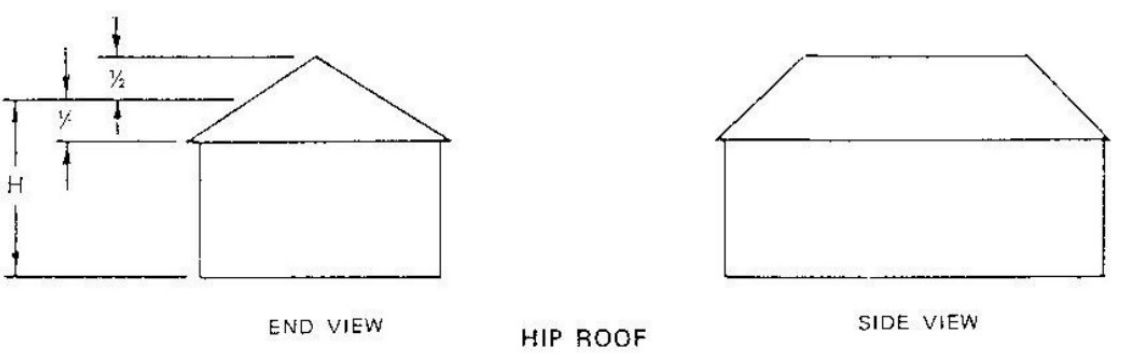
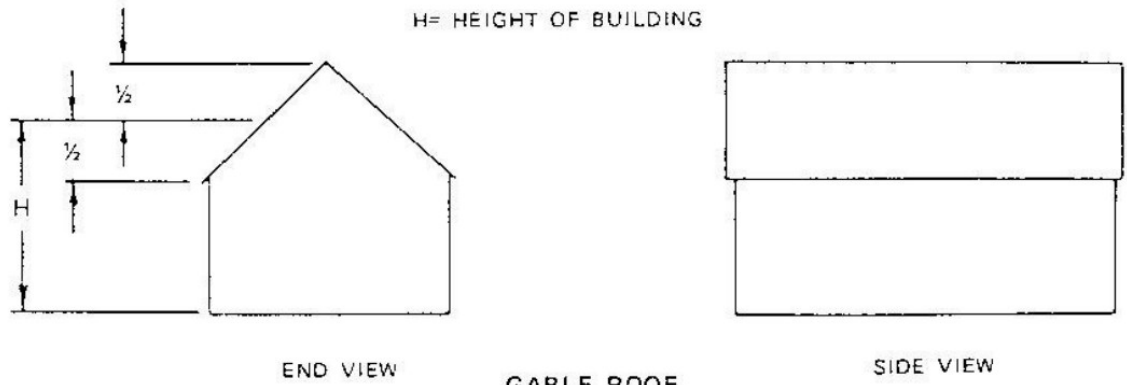
LOT COVERAGE= PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS

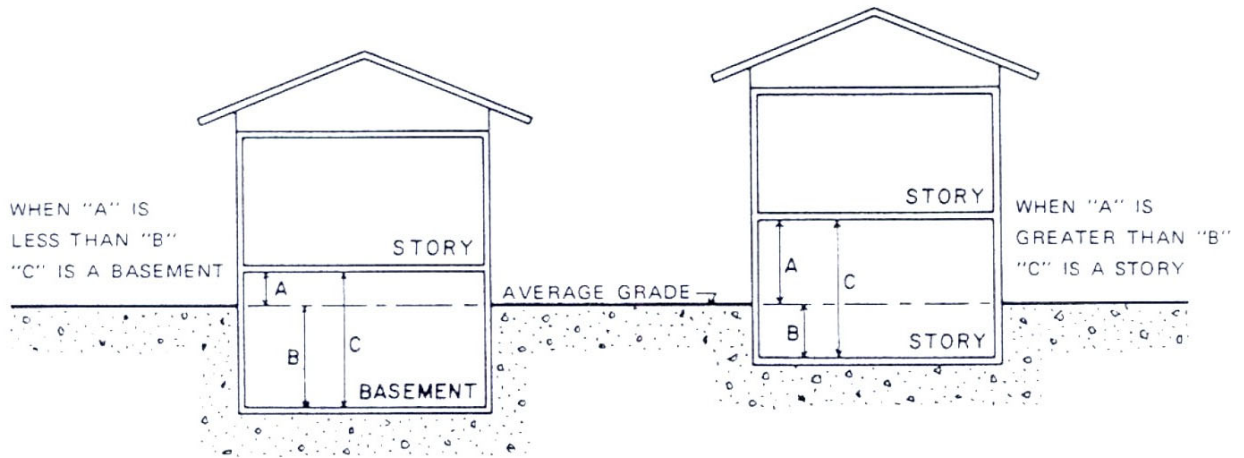
STREET



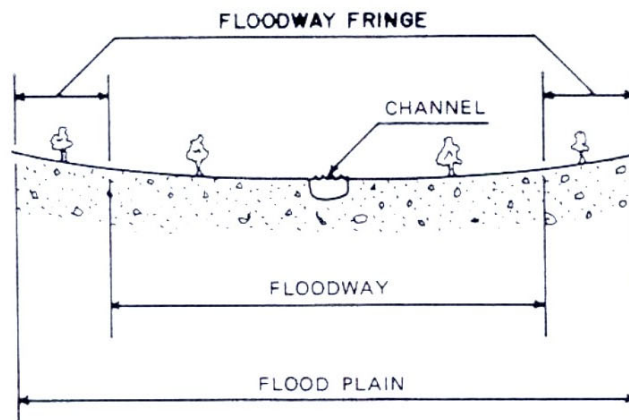
TYPES OF LOTS



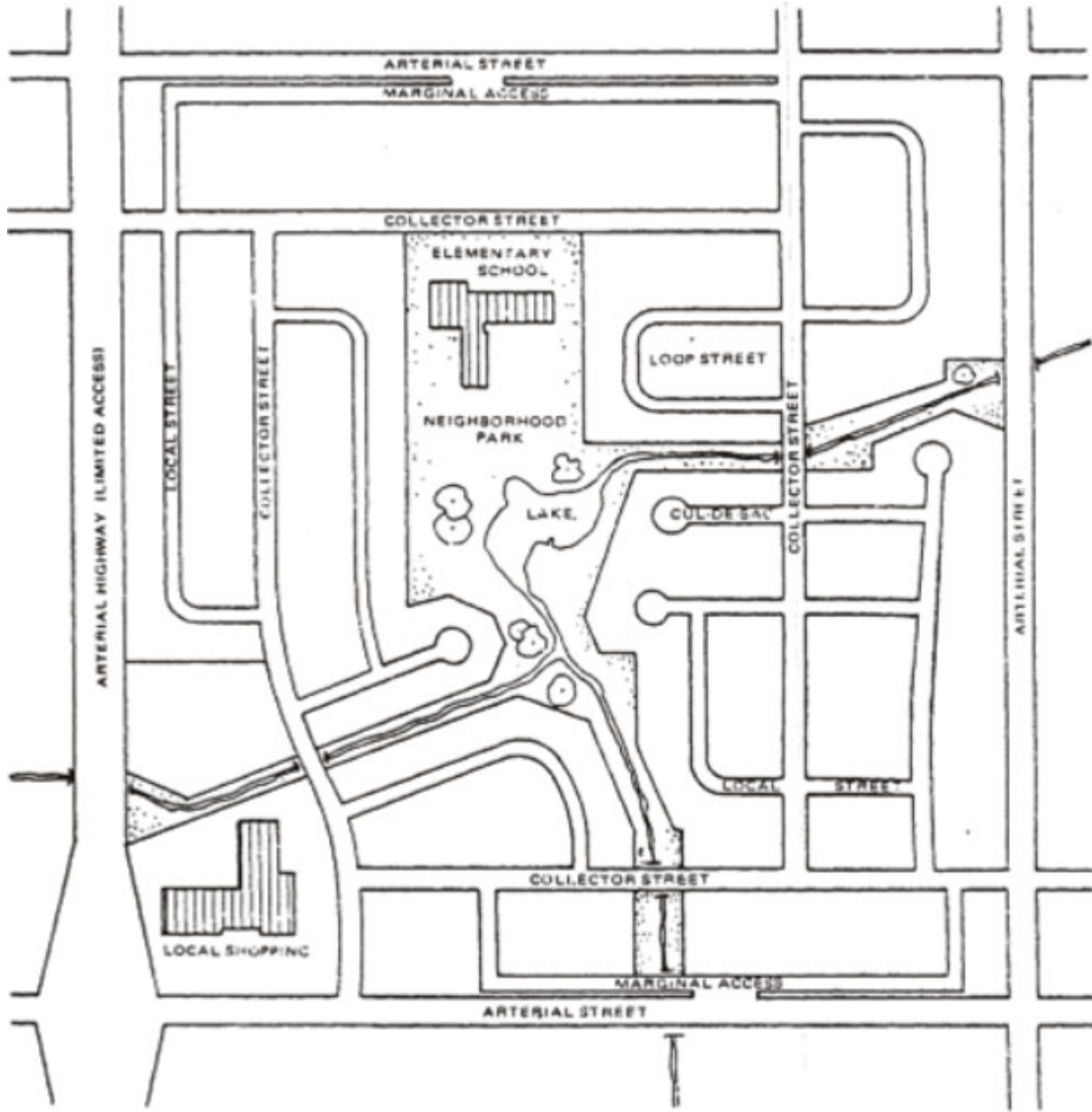
ROOF TYPES AND BUILDING HEIGHT



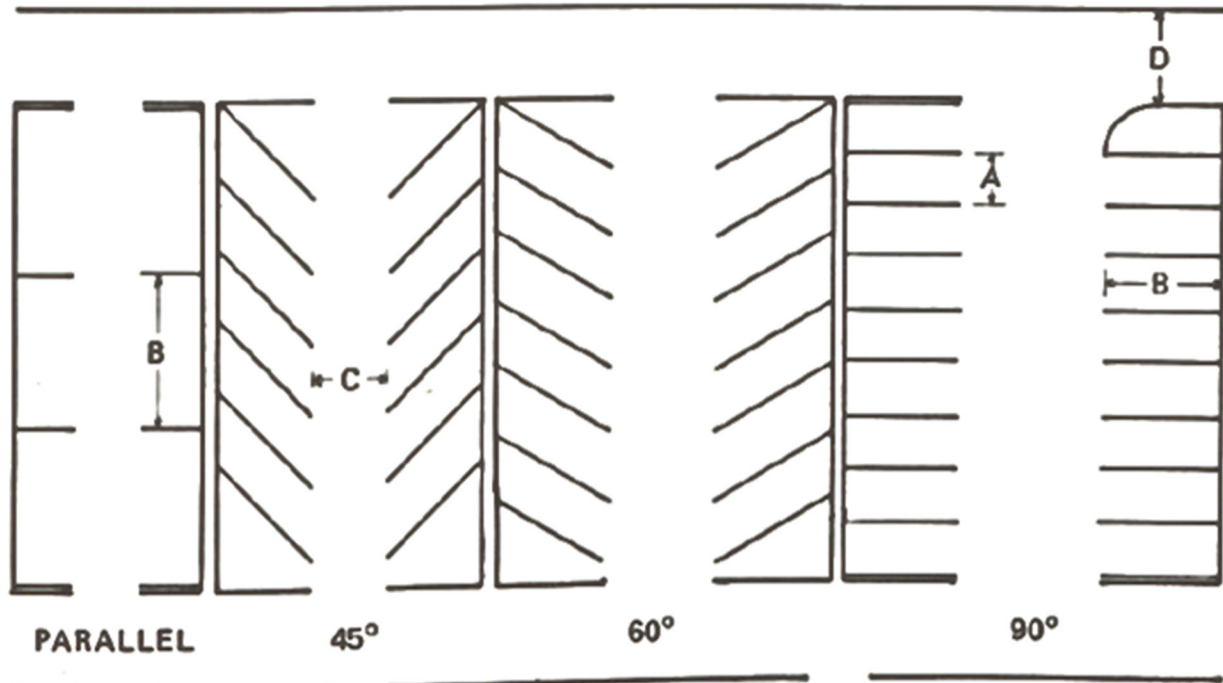
BASEMENT & STORY



FLOOD PLAIN TERMS



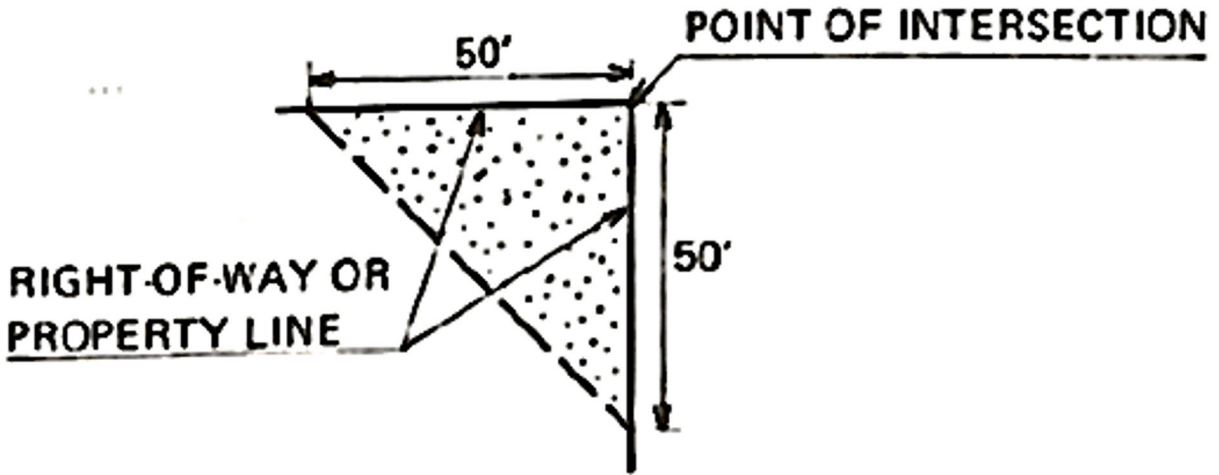
CLASSIFICATION OF THE THOROUGHFARE SYSTEM



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
