



RESOLUTION #26-05-051

A RESOLUTION DIRECTING THE PLANNING & ZONING DEPARTMENT TO INITIATE TEXT AMENDMENT CHANGES TO THE BETHEL TOWNSHIP ZONING RESOLUTION

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio met in special session on the 21st day of May, 2026 with the following Trustees being present: Kama Dick, Julie Reese and Josh Wilkerson.

Trustee DICK moved for the adoption of the following resolution:

WHEREAS, the Bethel Township Planning & Zoning Department has recommended that a text change be initiated to the current zoning resolution of Bethel Township, Miami County, originally established on December 8, 1956; AND

WHEREAS, staff, with input from the zoning boards, recommends that several articles be amended to reflect the immediate needs of the Township; AND

WHEREAS, the Bethel Township Board of Trustees, Miami County are permitted under section 519.12 of the Ohio Revised Code to amend the zoning resolution. THEREFORE

BE IT RESOLVED, by Bethel Township Board of Trustees, Miami County that the Planning & Zoning Department initiates the process of amending the Bethel Township Zoning Resolution to reflect the staff recommendations as outlined in "Attachement A to Resolution 26-05-051" dated May 21, 2026.

Trustee WILKERSON seconded the motion and the Board voted as follows upon roll call:

Vote:	Trustee Kama Dick	<u>yes</u>	<u>Kama Dick</u>
	Trustee Julie Reese	<u>yes</u>	<u>Julie Reese</u>
	Trustee Josh Wilkerson	<u>yes</u>	<u>Josh Wilkerson</u>

Attest: Rhonda Ross
Rhonda Ross, Fiscal Officer
Bethel Township, Miami County, Ohio

BETHEL TOWNSHIP



Attachment A

to Resolution 26-05-051

Bethel Township Zoning Resolution

Text Amendment Changes

May 21, 2026

Bethel Township Board of Trustees

Kama Dick, Trustee

Julie Reese, Trustee

Josh Wilkerson-Bienick, Trustee

For submission to the Miami County Planning Commission under R.C. §519.12

Bethel Township | Miami County, Ohio

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Explanatory Note

This Attachment A sets out, in tabular form, every text amendment proposed by Resolution 26-05-051 to the Bethel Township Zoning Resolution. Items are organized by article in the order in which they appear in the Resolution. The five-column table format identifies the section affected, the current text or condition, the proposed text, the rationale, and the supporting legal authority. Where a provision is added without an existing equivalent, the Current Text column reads NEW PROVISION. Where a provision is deleted without replacement, the Proposed Text column reads STRICKEN.

Article 1 — General Provisions

General provisions, applicability, interpretation rules, and severability.

Section	Current Text	Proposed Text	Rationale	Authority
§1.02	Chronology error: §1.02 states the 2007 Resolution was 'based on the Bethel Township Comprehensive Land Use Plan, adopted November 30, 2010.' A 2007 resolution cannot have been based on a 2010 plan.	Reframe: '.substantially restated on June 12, 2007 and has been amended periodically since. The Resolution implements the policies of the Bethel Township Comprehensive Land Use Plan (originally adopted November 30, 2010, and most recently updated as set forth in the Resolution adopting the current edition of the Plan).'	Drafting cleanup. Forward-looking reference to current edition of the Plan avoids needing future amendment whenever Plan is updated.	R.C. §519.12.
§1.02	Purpose statement is too narrow — limits zoning purposes to congestion / flooding / public health. Misses ORC §519.02 broader purposes (agricultural preservation, rural character, encroachment of incompatible uses).	Add a new paragraph listing the ORC §519.02 purposes: lessening congestion; reducing flooding/natural hazards; protecting agricultural land and rural character; promoting public health/safety/comfort/morals /convenience/welfare; conserving property values; preserving historic and architectural character; protecting against encroachment of incompatible uses; securing safety from fire.	Aligns the township's stated zoning purposes with the broader purposes enumerated in Ohio's township zoning enabling statute.	R.C. §519.02
§1.03	'Section 519.01 et seq.' is vague. §519.01 is just Definitions. The substantive authority is scattered across multiple ORC sections.	Replace with specific ORC citations: §§519.02 (powers), 519.12 (amendments), 519.14 (conditional uses), 519.21 (agricultural exemption), 519.23 (zoning certificate), 519.24 (civil enforcement), 519.99 (penalties).	Drafting cleanup; provides litigation defense.	R.C. §519.12.
§1.05	NEW PROVISION. §1.05 silent on federal preemption. 'Most restrictive controls' rule does not yield when federal law preempts (e.g., wireless telecom	Add new paragraph: federal preemption controls to the extent of the preemption; Resolution applied as if preempted provision were not present; preemption does not invalidate other	Implements federal preemption framework for wireless telecommunications under 47 U.S.C.	47 U.S.C. §332

	under 47 U.S.C. §332, OTARD rules at 47 C.F.R. §1.4000).	provisions (cross-ref §1.06 severability).	§§332, 1455.	
§1.05	NEW PROVISION. §1.05 silent on text-vs-table conflict. Several Resolution rules live in tables (notably §30.05.G accessory-building setbacks).	Add new paragraph: written text controls over tables/exhibits/illustrations/diagrams/maps; EXCEPT where a table is the operative statement of a standard and no parallel text exists (e.g., §30.05.G), in which case the table controls. Resident-guidance visuals are reference only.	Establishes interpretive hierarchy: written text controls over tables, exhibits, and diagrams, with limited carveouts where a table is operative.	R.C. §519.12.
§1.05	§1.05 has no Article 3 definitions cross-reference; readers may not know where to find defined terms.	Add new paragraph: terms not defined where they appear have meanings in Article 3; where Article 3 silent, plain meaning + standard zoning practice + ORC definitions where applicable.	Drafting cleanup; assists ZA and applicants.	R.C. §519.12.
§1.05	§1.05 has no clear conflict-of-laws hierarchy. 'Most restrictive controls' rule alone is insufficient when federal preemption is in play.	Add new paragraph stating the 5-tier hierarchy: federal > state > Resolution > admin rules > private covenants. Most restrictive within each rank.	Aids ZA and BZA in resolving multi-source conflicts. Supports federal preemption clause.	R.C. §519.12.
§1.05	NEW PROVISION. §1.05 silent on private covenant enforcement; staff has been asked to enforce HOA covenants in the past.	Add new paragraph: Township does not enforce private covenants/easements/agreements; private matter for the courts.	Reduces administrative burden; clarifies role of Township staff.	R.C. §519.12.
§1.05 Interpretations	§1.05 lists general interpretive rules but does not include explicit paragraphs on use-list enumeration or on the controlling effect of the Lot and Development Standards table.	Add four new interpretive paragraphs: (a) if a use is not listed as a Principal Permitted Use in a district, it is not permitted; (b) parallel rule for Accessory Uses; (c) parallel rule for Conditional Uses; (d) the Lot and Development Standards table in each district article controls that district's dimensional standards.	Captures the Township's existing operating practice in writing; removes the silence-means-permitted argument.	R.C. §519.02; R.C. §519.21.
§1.07	§1.07 cites 'Article 2, Administration and Enforcement, Section 2.06, Zoning Certificate.'	Replace '§2.06' with '§2.07'.	Pure drafting error; corrects a broken cross-reference.	R.C. §519.12.

	§2.06 is Powers of BZA. §2.07 is Zoning Certificate. BROKEN CROSS-REFERENCE.		CRITICAL.	
§1.07	§1.07 makes 'an owner' liable for unlawful use, not operators. Where an operator is distinct from the record owner, the operator should also be liable.	Add 'or operator' so it reads 'unlawful for an owner or operator to use or to permit the use.'	Addresses operator-vs-owner distinction so operators (not just owners) are liable for unlawful uses.	R.C. §519.12.
§1.07	§1.07 covers 'erected, created, changed, converted or enlarged' but NOT demolished. Many townships require ZC for demolition (impacts existing nonconforming status, lot coverage, etc.).	Add 'or demolished' to the list of triggering activities.	Closes gap; better tracking of structural changes.	R.C. §519.12.
§1.07	§1.07 references the ORC §519.21 agricultural exemption without limit. The exemption is narrow and applies only to specific uses/structures/lots — easy to misapply.	Add a clarifying paragraph: exemption is narrowly construed and applies only to uses/structures/lots specifically identified in ORC §519.21. Non-agricultural uses on a parcel with agricultural uses remain subject to the Resolution.	Reduces over-claiming of agricultural exemption.	RC §519.21 agricultural exemption without limit. The exemption is narrow and applies only to specific uses/structures/lots; RC §519.21. Non-agricultural uses on a parcel with agricultural uses remain subject to the Resolution
§1.08.A	NEW PROVISION. §1.08.A states the effective date of THIS Resolution; silent on subsequent amendments.	Add: amendments take effect on the date stated in the adopting resolution, or 30 days following adoption if no effective date stated.	Drafting cleanup; supports article-by-article amendment process.	R.C. §519.12.
§1.08.C	§1.08.C provides cross-resolution continuity for legal nonconformities, but no evidentiary procedure. Proposed §2.08.A.7 (in overnight redline) was meant to fill this gap.	Add: evidentiary procedure follows §2.08.A.7 once adopted, or an administrative interpretation memo from ZA in the interim.	Coordinates with proposed §2.08.A.7; addresses the legacy-establishment evidentiary gap.	R.C. §519.12.
§1.08.D.2	§1.08.D.2 says 'Zoning Commission grants additional extensions.' ZC does not grant extensions	Replace 'Zoning Commission' with 'Zoning Administrator (for administrative extensions) or the Board of	Pure drafting error; current language attributes power to wrong body.	R.C. §519.12.

	on permits/certificates. ZA grants administrative extensions; BZA grants substantive extensions.	Zoning Appeals (for substantive extensions).'		
§1.08.E (NEW)	NEW PROVISION. Resolution is silent on how a parcel is administered absent a rezone. Bethel has many split-zoned cases on record (Zugelder, Brandt Boat, Lo-Man Rods, and prior rezonings).	Add new §1.08.E: each district's regulations apply to that portion of the parcel within the respective district; a use cannot extend into a portion zoned where the use is not permitted unless via (i) rezone, (ii) lot split, or (iii) variance.	Codifies current administrative practice. Provides explicit guidance for a parcel-pattern applicants.	R.C. §519.12.
§1.08.F (NEW)	NEW PROVISION. No statement of construction. Ohio courts apply doubt-in-favor-of-owner canon for substantive ambiguities but not for procedural compliance. Codifying reduces R.C. 2506 exposure.	Add new §1.08.F: doubt resolved in favor of lesser regulation where text is genuinely ambiguous; but no doubt may permit a use clearly intended to be prohibited or relieve procedural compliance. ZA may publish interpretation memos resolving recurring ambiguities; advisory until adopted by Trustee resolution.	Implements interpretation-memo framework. Provides interpretive framework for recurring ambiguities.	R.C. §519.12.
§1.09 (NEW)	NEW PROVISION. Resolution doesn't acknowledge the use schedule, Dimensional Standards table, or Resident Guides as published reference documents. Currently these float without explicit status.	Add new §1.09: enumerates reference documents (use schedule, Dimensional Standards table, Conflict Hierarchy diagram in §1.05, Resident Guides) and confirms they are reference only — not part of the Resolution. Article use lists / dimensional standards in the respective district articles control over the reference tables.	Codifies the status of existing reference documents incorporated by the Resolution.	R.C. §519.12.

Article 2 — Administration and Enforcement

Administrative procedures, enforcement, certificates, variances, conditional uses, and nonconformities.

Section	Current Text	Proposed Text	Rationale	Authority
§2.01	Scope statement understated — lists only 'powers and duties.'	Expand to 'powers, duties, application procedures, enforcement mechanisms, amendment procedures, and conflict-of-interest standards.'	Audit pass.	R.C. §519.12.
§2.01.B-D	No Open Meetings Act / Public Records / R.C. 2506 appeal reference.	Add §2.01.B (Open Meetings R.C. 121.22), §2.01.C (Public Records R.C. 149.43), §2.01.D (R.C. 2506 appeal-rights advisement on every decision).	Procedural defensibility.	R.C. §519.12.
§2.01.E	No global dual-role recusal statement.	Add §2.01.E — no person may act in more than one administrative capacity on the same matter; cross-references §§2.02.J, 2.03.L, 2.05.A.5, 2.06.A.4.	Trustee/Interim-ZA dual-role conflict procedures.	R.C. §519.12.
§2.02.C-H	NEW PROVISION. Missing core Trustee zoning duties (appointment of ZC/BZA/ZA, map adoption, fee schedule, Article 40 hearings, contracting).	Add subsections C-H enumerating each duty.	O; Article 40 §40.05.	R.C. §§519.04, 519.13, 519.14, 519.16.
§2.02.J	No Trustee recusal procedure.	Add §2.02.J — Trustee who serves as ZA or has direct/indirect interest recuses; recusal noted on record; failure invalidates vote on appeal.	Adds trustee-role conflict procedures.	R.C. §§102.03, 2921.42
§2.03 (new subsection : 'Determinations of Agricultural Exemption')	NEW PROVISION. Resolution doesn't assert determination authority on §519.21 exemption claims.	Add: 'The Zoning Administrator may, on the Administrator's own initiative or upon written complaint, issue a written determination of whether a particular use, structure, or lot qualifies for the agricultural exemption of R.C. §519.21. The determination shall identify the specific	Substantive update aligning the provision with current law and practice.	R.C. §519.21.

		statutory provision asserted (§519.21(A), §519.21(C)(1), or §519.21(C)(4)), the evidence reviewed, and the conclusion. Appealable to BZA under §2.06.A.7 within twenty (20) days. A use for which a written determination has issued finding no qualifying exemption is subject to all otherwise-applicable provisions of this Resolution.'		
§2.03.A	ZA 'interpret' power has no written-memo requirement, no public file, no appeal trigger.	Add: every interpretation in writing, dated, signed, served, public-record, appealable to BZA within 20 days. ZA may publish recurring interpretations.	Implements interpretation-memo framework.	R.C. §519.12.
§2.03.B	§2.03.B references 'Certificates of Occupancy' which are nowhere created in the Resolution.	Replace with 'Zoning Certificates as defined in §2.07.'	Building Code concept, not zoning.	R.C. §519.12.
§§2.03.D / 2.04 / 2.04.N	R.C. §519.16 terminology.	Add parenthetical at first §519.16 use: '(R.C. §519.16 uses the term zoning inspector; this Resolution designates the office as Zoning Administrator).'	Drafting clarification.	R.C. §519.16.
§2.03.E	NEW PROVISION. Violation notice silent on Article 40 procedural requirements.	Add cross-reference: 'shall comply with procedural requirements of Article 40, including service, content, deadline, and appeal-rights advisement.'	Article 40 alignment.	R.C. §519.12.
§2.03.H	Revocation has no procedure (no notice, no cure, no hearing, no appeal, no time bar).	Add §2.03.H.1-3: 10-day Notice of Intent + cure + 20-day BZA appeal + 5-year time bar (absent fraud).	Implements enforcement framework.	R.C. §519.12.
§2.03.I	Nonconformity documentation has no procedure or register.	Tie to Nonconformity Register; reference §2.08.A.7 evidentiary framework.	Coordinates with proposed §2.08.A.7.	R.C. §519.12.
§2.03.J	'Such other duties' is a blank check.	Cap at duties 'not inconsistent with R.C. §519.14; R.C. §102.03.'	ORC alignment.	R.C. §519.14; R.C. §102.03.
§2.03.K (amend)	Stop-Work Order does not reach ongoing operational violations.	Rename to 'Stop-Work-or-Use Order.' Extend: 'The Zoning Administrator may issue a written Stop-Work-or-Use Order when (i) work proceeds	Substantive update aligning the provision with current law and practice.	R.C. §519.12.

		without a required Zoning Certificate, (ii) work proceeds in violation of conditions imposed under this Resolution, OR (iii) a use is being conducted in violation of this Resolution. Appealable to BZA under §2.06.A.6 within 20 days. The filing of an appeal does not stay the Order unless the Board so orders after notice and hearing.'		
§2.03.K-L	No explicit stop-work-order or outstanding-violations-bar authority.	Add §2.03.K (Stop-Work Orders) + §2.03.L (Outstanding Violations Bar cross-ref to Article 40 §40.03).	Implements operator and applicant enforcement provisions.	R.C. §519.12.
§2.03.M	No oath of office for ZA.	Add §2.03.M — oath before Fiscal Officer per R.C. §3.22 before assuming duties.	Interim Zoning Administrator basis.	R.C. §3.22 before assuming duties
§2.03.N	No compensation statement.	Add §2.03.N — Compensation fixed annually by Trustee resolution per R.C. §519.16.	Statutory compliance.	R.C. §519.16
§2.03.O	No Alternate / Interim ZA mechanism.	Add §2.03.O — Trustees may appoint Alternate ZAs; same oath; act when primary is absent/recused/disqualified.	The Interim Zoning Administrator role currently lacks codified basis.	R.C. §519.12.
§2.03.P	No conflict-of-interest disclosure procedure.	Add §2.03.P with P.1 (transfer to Alternate ZA), P.2 (Trustee/ZA dual role), P.3 (R.C. 102.03/2921.42 reference).	Adds Trustee-role conflict procedures: disclosure followed by Alternate ZA handling.	R.C. §519.12.
§2.04	Comp Plan date not cited; 'not the sole determiner' language invites arbitrary decisions.	Cite forward-looking current edition; replace 'not the sole determiner' with 'one of several factors the deciding body shall consider, weight stated on record.'	Master Plan alignment; clarifies parcel administration.	R.C. §519.12.
§2.05.A.1-6	ZC composition, terms, quorum, voting, recusal, removal not codified — only R.C. 519.04 by reference.	Add §2.05.A.1-6 codifying 5 regular members, 5-yr staggered terms, chair election, quorum/voting, recusal, removal for cause.	Procedural defensibility.	R.C. §519.12.
§2.05.B	Alternate term length open-ended ('to be determined'); §2.05.B.4 ungrammatical and unclear.	Cap alternates at 5 years (R.C. 519.04); clarify §2.05.B.4 — alternate continues sitting on tabled matter.	ORC alignment + drafting.	R.C. §519.12.

§2.05.C.1	12-month frequency bar conflicts with §2.09.G (6 mo/1 yr) and proposed §2.06.C (12 mo res judicata).	Cross-reference proposed substantive-similarity test (§2.06.C, paragraph 3) and material-new-evidence test (§2.06.C, paragraph 4).	Harmonization across §§2.05.C, 2.06.C, 2.09.G.	R.C. §519.12.
§2.06.A.1-5	BZA composition, terms, quorum, recusal, written-decision rules not codified.	Add §2.06.A.1-5 codifying composition, terms, quorum/voting, recusal, written decision within 30 days.	R.C. 2506 defensibility.	R.C. §519.12.
§2.06.A.5	Single-method newspaper-only notice for BZA variance hearings is no longer the statutory minimum after HB 315 (eff. 4/3/2025); R.C. §519.15 now authorizes three publication methods (newspaper, §125.182 public-notice web site, OR township web site + social media).	Replaced single-method newspaper publication with the three statutory methods authorized by R.C. §519.15 (newspaper, §125.182 public-notice web site, OR township web site + social media). Preserved Township's twenty (20) day publication window (exceeds statutory 10-day minimum) and the contiguous + across-street first-class mail requirement. Codified Zoning Administrator's discretionary 500-ft mailing expansion. Added express HB 315 citation. Township web+social method requires BOTH (social media alone insufficient).	Substantive update aligning the provision with current law and practice.	R.C. §519.15 as amended by 2024 Am. Sub. H.B. 315, eff. April 3, 2025 (statutory text pulled from codes.ohio.gov 5/19/26)
§2.06.A.8	NEW PROVISION. §2.08.B.1 'modify nonconforming use' power not listed in §2.06.A as a BZA power.	Add §2.06.A.8 codifying modification-of-nonconforming-use power.	Drafting cleanup.	R.C. §519.12.
§2.06.A.9.a	Overnight — Pre-Application Consultation requirement.	Adopt overnight language with 10-business-day deadline.	Implements Pre-Application Consultation improvement.	R.C. §519.12.
§2.06.A.9.a (amend)	Consultation Memorandum excluded from hearing record.	Amend: 'The Consultation Memorandum is filed with the application and is part of the hearing record but is not binding on the Board. The Board shall give such weight to the Memorandum as the Board determines appropriate.'	Drafting clarification.	R.C. §519.12.
§2.06.A.9.	Use-variance	Insert: 'Notwithstanding the	Conforms framework	R.C. §519.12.

b (insert)	bootstrapping via area-variance framing (a parcel split-zoned wedge).	foregoing, where the practical effect of the requested dimensional relief is to enable a use that would not be permitted by-right under the dimensional standards of the district, the relief shall be evaluated as a use variance under §2.06.A.9.c. The Board shall make a written finding on the record as to which standard applies before considering the merits.'	to Ohio law distinguishing area variance from use variance.	
§2.06.A.9. b (insert)	Self-created hardship gaming via post-effective-date subdivision.	Insert: 'Notwithstanding the foregoing, where the asserted practical difficulty results in whole or in part from a subdivision, lot split, or conveyance that occurred after the effective date of this Resolution and was effected by the applicant or an entity in common control with the applicant, factor (v) shall be given heightened weight. The Board shall make an express finding on the record as to whether the practical difficulty is self-created and shall state the weight given to factor (v).'	Substantive update aligning the provision with current law and practice.	Duncan v. Middlefield (1986)
§2.06.A.9. b-c	Current §2.06.A.4.a conflates area-variance (practical difficulty / Duncan 7-factor) with use-variance (unnecessary hardship). Ohio law applies different tests.	Separate into §2.06.A.9.b (Area Variance / Duncan 7-factor) and §2.06.A.9.c (Use Variance / unnecessary hardship).	Conforms framework to Ohio law distinguishing area variance from use variance.	Duncan v. Middlefield (1986)
§2.06.A.9. c (add citation)	Use-variance test states elements without case-law anchor.	Add immediately after 'unnecessary hardship': '(Kisil v. Sandusky (1984), 12 Ohio St.3d 30).'	Drafting clarification.	Kisil v. Sandusky (1984)
§2.06.A.9. d.5	Overnight redline incorrectly cited §2.09.F (500-ft rezone notice) for BZA variance notice. Wrong statute.	Cite R.C. §519.15 directly with inline R.C. §519.15 standard: publication 20 days + contiguous/across-street mailing 20 days. Optional 500-ft expansion at ZA discretion.	Corrects citation to authoritative statute and conforms notice procedure to R.C. §519.15.	R.C. §519.15.
§2.06.A.9. e	5-day stay misleads applicants about R.C.	Clarify: BZA decision becomes final upon service; R.C. 2506	R.C. 2506 alignment.	R.C. §519.12.

	2506 30-day appeal window.	30-day clock starts on service; 5-day window applies only to reconsideration.		
§2.06.A.9.f (new)	NEW PROVISION. No express list of standards BZA cannot vary.	Add: 'Standards Not Subject to Variance. The Board of Zoning Appeals shall not grant a variance from: (i) use restrictions of any district; (ii) §§5.10/7.10/8.10/9.10/12.10/13.10/14.10/15.10/16.10 prohibited-uses lists; (iii) §20.10.B PD density caps; (iv) §40.03 Outstanding Violations Bar (use §40.03.D hardship pathway instead); (v) §14.05A.A floodway encroachment prohibition; (vi) §18.05 prohibited-substance and CAFO restrictions; (vii) Heavy Truck Parking prohibitions in non-I-2 districts; (viii) §2.06.C¶2 res judicata bar. Relief from any of the foregoing shall be processed as a Map Amendment or Text Amendment under §2.09, not as a variance.'	Substantive update aligning the provision with current law and practice.	R.C. §519.14; Duncan v. Vill. of Middlefield (1986)
§2.06.B	Overnight — Withdrawal cleanup (operator-driven).	Adopt overnight language with prospective-only declaratory clause.	Addresses outside-counsel 'void' argument regarding operator status.	R.C. §519.12.
§2.06.B (closing)	Withdraw-then-refile-different attack on §2.06.B (residual exposure).	Add closing sentence: 'A timely withdrawal followed by a substantively-similar refile within the immediately following 12 months counts as both the withdrawn application AND the refile for purposes of §2.06.C¶1.' Cap: 'No more than two (2) applications of any combined type (CU, Variance, Change of Use) shall be accepted on any single parcel from any common-controlled applicant pool in any 12-month period.' Authorize ZA to impose Sequential Application	Closes residual exposure.	R.C. §519.12.

		Surcharge under §2.11 = 2× standard fee.		
§2.06.C	Overnight — Res Judicata Bar + substantive-similarity + material-new-evidence + estoppel.	Adopt overnight paragraphs 2-5.	Closes applicant and operator workarounds to the res judicata bar.	R.C. §519.12.
§2.06.C¶2 (insert)	Pendent R.C. 2506 appeal not tolled.	Add: 'Where the underlying denial is the subject of a timely-filed appeal under R.C. Chapter 2506, the twelve-month bar is tolled during the pendency of the appeal and resumes upon final judgment in the appellate proceeding. Where the appellate court reverses the denial, this paragraph does not apply to the relief that was the subject of the reversal.'	Drafting clarification.	R.C. Chapter 2506, the twelve-month bar is tolled during the pendency of the appeal and resumes upon final judgment in the appellate proceeding. Where the appellate court reverses the denial, this paragraph does not apply to the relief that was the subject of the reversal
§2.06.C¶3 (rewrite)	Rebuttable-presumption burden in substantive-similarity test is on wrong party.	Rewrite sentence 2: 'A re-application seeking less deviation from the code dimensional standard than was previously requested is presumptively not substantively similar; provided that the applicant bears the burden of demonstrating on the record that the operational impacts of the reduced request will not be within ten (10) percent of those previously evaluated.'	Substantive update aligning the provision with current law and practice.	R.C. §519.12.
§2.06.D.5	NEW PROVISION. Lettering broken (a-i then j; e missing in subitems); typos ('pubic' x2); duplicated fragments; incomplete sentence.	Renumber continuously; correct typos; complete fragments. No substantive change.	Drafting cleanup.	R.C. §519.12.
§2.06.D.6	No CU modification procedure — operators have expanded scope without amendment.	Add §2.06.D.6 — modifications require BZA amendment of CU before undertaking; out-of-scope operation = Article 40 violation.	Addresses operator scope expansion.	R.C. §519.12.
§2.06.D.4.	NEW PROVISION.	Continuity of Conditional Use. A Conditional Use Permit shall	Establishes that a Conditional Use	R.C. §519.14.

A		continue in effect according to its terms unless terminated under the provisions of this section.	Permit remains in effect according to its terms until properly terminated under the procedures set forth in this section.	
§2.06.D.4. B	NEW PROVISION.	Discontinuance and Abandonment. A Conditional Use shall be deemed automatically terminated and revoked if the use authorized by the Conditional Use Permit is discontinued, abandoned, or not actively exercised on the parcel for a continuous period of six (6) months. The Zoning Administrator shall provide written notice of termination to the property owner upon making this determination. Termination is appealable under R.C. §2506.01.	Provides a clear mechanism to terminate a Conditional Use when the authorized use ceases for an extended period; aligns with the six-month standard used elsewhere in this Resolution for nonconforming uses.	R.C. §519.14; R.C. §2506.01.
§2.06.D.4. C	NEW PROVISION.	Transfer of Property — Registration. Upon a change of property ownership or change of operator, the new owner or operator shall register with the Zoning Administrator within thirty (30) days, providing operational details and confirming intent to continue compliance with all original conditions of the Conditional Use Permit. The Zoning Administrator may conduct a compliance inspection. Registration does not constitute a new application for a Conditional Use Permit.	Provides the Township with notice of changes in ownership or operation while preserving the continuity of an existing Conditional Use Permit.	R.C. §519.14.
§2.06.D.4. D	NEW PROVISION.	Material Modification. Any material expansion, intensification, or change in the use authorized by a Conditional Use Permit requires a new Conditional Use application under	Clarifies that material changes to an authorized use require new Board of Zoning Appeals review.	R.C. §519.14.

		§2.06.D.		
§2.07.A.2 Change in Use	§2.07.A.2 enumerates the changes that trigger a change-of-use review but does not list Home Occupations.	Expand §2.07.A.2 to include the establishment or substantial modification of a Home Occupation as a change-of-use trigger.	Creates a regulatory hook to review home-based businesses, which currently drift in and out of compliance with no clear trigger.	R.C. §519.02; R.C. §519.21.
§2.07.A.4	'Excluding agricultural land' is vague.	Cross-reference §2.07.C.2 which carries the R.C. §519.21 framework.	Drafting cleanup.	R.C. §519.21 framework
§2.07.B.3	Stale 1-year application window (Resolution adopted 2018).	Replace with 'applications may be filed at any time; ZA uses §2.08.A.7 evidentiary framework.'	Coordinates with proposed §2.08.A.7.	R.C. §519.12.
§2.07.C Zoning Certificate Categories	§2.07.C lists Zoning Certificate categories A through F without separate categories for Home Occupations or for Fences, Walls, and Hedges.	Add a new paragraph C — Home Occupation Zoning Certificate with five-year renewal. Add a new paragraph D — Fence, Wall, or Hedge Zoning Certificate. Renumber existing paragraphs C through F to E through H.	Gives the Zoning Administrator clean tracking on home-based business activity and on fence permits.	R.C. §519.02; R.C. §519.14.
§2.07.D.0 (new)	NEW PROVISION. No completeness-determination procedure; incomplete-app gaming.	Add new subsection D.0 — Completeness Determination: Within 5 business days of receipt the ZA shall determine whether the application is complete and serve written notice. Incomplete determinations identify deficiencies and required documentation. The 20-business-day decision period in §2.07.D.3.a does not commence until the application is determined complete. Repeated incomplete submissions on the same matter may be deemed §40.03 Outstanding Violations precursor.	Substantive update aligning the provision with current law and practice.	R.C. §519.12.
§2.07.D.3	3-business-day decision deadline unrealistic + default-approval ambiguity.	Extend to 20 business days; explicitly disclaim deemed approval; applicant may demand action + appeal to BZA after 10 additional days.	Operational realism.	R.C. §519.12.
§2.07.D.3.c	No appeal-rights advisement on denial.	Add §2.07.D.3.c — every denial includes (i) BZA appeal	R.C. 2506 defensibility.	R.C. §519.12.

		right + 20-day deadline, (ii) R.C. 2506 right + 30-day deadline, (iii) office for filing.		
§2.07.D.4	No refiling rule after denial.	Add §2.07.D.4 — refiling requires material new evidence or material change in conditions (§2.06.C paragraph 4).	Harmonization.	R.C. §519.12.
§2.07.E	No statement that Certificate runs with land — buyer due-diligence vulnerability.	Add §2.07.E — Certificate runs with land; transfer does not invalidate; new owner notice non-required.	Property law alignment.	R.C. §519.12.
§2.07.F.2	Zoning Commission grants Certificate extensions — wrong body.	Replace ZC with ZA (administrative) and BZA (substantive hardship).	Drafting error.	R.C. §519.12.
§2.07.F.3	'Reasonable period' duplicates F.2 1-year rule.	Delete F.3 second sentence.	Drafting cleanup.	R.C. §519.12.
§2.07.G	No fee/refund policy.	Add §2.07.G — fees per §2.11; non-refundable except for error-pre-processing (\$25 admin charge).	Harmonization with §2.06.B no-refund rule.	R.C. §519.12.
§2.08.A.2	Overnight — voluntary repair right.	Adopt overnight language.	Cures Defect 5.	R.C. §519.12.
§2.08.A.7	Overnight — cross-resolution evidentiary presumption.	Adopt overnight language.	Companion provision to §1.08.C.	R.C. §519.12.
§§2.08.B.2 / C.2	Overnight — value standard (75% / 50% Replacement Cost + Extent of Destruction).	Adopt overnight language including §2.08.C.2 paragraph 5 closing the 75/50 gap.	Cures Defects 1 and 2.	R.C. §519.12.
§2.08.C.3	Overnight — Documentation requirements.	Adopt overnight language.	Operational clarity.	R.C. §519.12.
§2.08.C.4	Overnight — Storm-damaged accessory carveout with 5%/2ft tolerance.	Adopt overnight language.	Cures Defect 3.	R.C. §519.12.
§2.08.D.1/ D.2/D.3/E	ZA discretion has no appeal-rights cross-reference.	Add closing sentence: ZA determination in writing; appealable to BZA within 20 days.	R.C. 2506 alignment.	R.C. §519.12.
§2.08.D.4	Subsection lettering broken in Nonconforming Street Access.	Letter the leading bullet 'a.' Re-number existing a, b, c to b, c, d.	Drafting cleanup.	R.C. §519.12.
§2.08.G	NEW PROVISION. 30-day	Add: tolled by timely appeal	Procedural fairness.	R.C. §519.12.

	cure clock silent on appeal-stay.	under §2.06.A.6 or curative-permit application.		
§2.08.G (amend)	Appeal tolling is open-ended (applicant residual exposure).	Append: 'Provided that aggregate tolling shall not exceed one hundred eighty (180) days, after which the thirty (30) day compliance period resumes regardless of the status of any pending administrative or judicial proceeding. This limitation does not apply to a single pending R.C. Chapter 2506 appeal of a final BZA decision.'	Caps appeal tolling at 180 days to prevent indefinite delay.	R.C. Chapter 2506 appeal of a final BZA decision
§2.08.H	Overnight — Transitional relief 1/1/2026 hard look-back.	Adopt overnight language.	Implements transitional-relief improvement.	R.C. §519.12.
§2.09.B.3	'Affected by such amendment' is vague.	Tighten to 'owner of record within the area proposed for the amendment.'	Drafting clarification.	R.C. §519.12 alignment
§2.09.C.7	200-ft mailing radius and 'addresses may be waived' inconsistent with R.C. §519.12.	Replace with contiguous-and-across-street mailing list; publication-only when >10 parcels.	Drafting correction.	R.C. §519.12 alignment
§2.09.D.1	MCPC review timing not specified.	Add 30-day MCPC review window; failure to respond doesn't delay ZC.	Drafting clarification.	R.C. §519.12 alignment
§2.09.D.2	No EPA/ODOT review for industrial rezones (gap in current framework).	Add §2.09.D.2 — preliminary EPA + ODOT review letters for I-1/I-2 rezones within 1,000 ft of state route. ZC may not act until both received.	Addresses prior EPA and ODOT violations on industrial rezones.	R.C. §519.12.
§2.09.F (Zoning Commission rezone/text-amendment hearing)	draft left §2.09.F as a placeholder ('Existing §2.09.F retained verbatim — publication 10+ days prior, mailed notice.'). The placeholder reference is now also obsolete because R.C. §519.12 was amended by HB 315 (eff. 4/3/2025) and HB 96 (eff. 9/30/2025) to authorize three publication methods.	Replaced placeholder with full statutory-compliant text. Three publication methods: (a) newspaper of general circulation in the Township, (b) §125.182 public-notice web site, or (c) township web site + social media. Township thirty (30) day publication window preserved (exceeds statutory 10-day minimum). First-class mail to owners within, contiguous to, and directly across the street from rezone area for ≤10-parcel rezones. HB 315 + HB 96 citations added.	Substantive update aligning the provision with current law and practice.	R.C. §519.12 as amended by 2024 Am. Sub. H.B. 315 (eff. 4/3/2025) and 2025 Am. Sub. H.B. 96 (eff. 9/30/2025) (statutory text pulled from codes.ohio.gov 5/19/26)

§2.09.G	6-month / 1-year post-denial bar conflicts with §2.05.C.1 and proposed §2.06.C.	Harmonize to 12 months across all three; cross-reference §2.06.C substantive-similarity and material-new-evidence definitions.	Cross-section harmonization.	R.C. §519.12.
§2.09.G (Trustee zoning-amendment public hearing)	draft used single-method newspaper publication for Trustee rezone hearing — no longer the statutory minimum after HB 315 + HB 96 amendments to R.C. §519.12.	Replaced single-method newspaper publication with the three statutory methods authorized by R.C. §519.12: (a) newspaper of general circulation in the Township, (b) §125.182 public-notice web site, or (c) township web site + social media. Preserved Township's thirty (30) day publication period (exceeds statutory 10-day minimum). Updated mail-notice radius to track HB 96 language ('within, contiguous to, and directly across the street from the area proposed to be rezoned'). Added HB 315 + HB 96 citations.	Substantive update aligning the provision with current law and practice.	R.C. §519.12 as amended by 2024 Am. Sub. H.B. 315 (eff. 4/3/2025) and 2025 Am. Sub. H.B. 96 (eff. 9/30/2025)
§2.09.G (new ¶)	NEW PROVISION. No Trustee public hearing requirement codified.	Add: Trustees hold public hearing on ZC recommendation per R.C. §519.12. Publication 30 days; mailing 20 days for ≤10 parcels.	Drafting clarification.	R.C. §519.12 alignment
§2.09.I (NEW)	NEW PROVISION. No standards for text amendments — only map.	Add §2.09.I — 5-factor standard for text amendments: Plan consistency, impact on uses, clarity, relationship to other provisions, public welfare.	Procedural defensibility.	R.C. §519.12.
§2.09.J (NEW)	NEW PROVISION. No referendum notice for Map amendments.	Add §2.09.J — Map amendments subject to R.C. §519.12(H) referendum; 30-day window post-adoption.	Drafting clarification.	R.C. §519.12(H)
§2.10	County review timing collides with §2.07 20-day clock.	Add tolling: County review tolls §2.07.D.3.a deadline.	Operational alignment.	R.C. §519.12.
§2.11 (NEW)	NEW PROVISION. Scattered fee references with no codified section.	Add §2.11 — Schedule of Fees adopted by Trustee resolution; non-refundable except per §2.07.G.	Drafting cleanup.	R.C. §519.12.
§§2.12/2.	NEW PROVISION. No	Add §2.12 (Severability per	Standard	R.C. §519.12.

13 (NEW)	severability or effective-date sections in Article 2.	\$1.06) + §2.13 (Effective date per R.C. §519.12).	housekeeping.	
§2.15 Conformance (NEW)	NEW PROVISION.	<p>A. No Application While Outstanding Violations or Non-Conformities. The Zoning Administrator shall not accept or process a rezone, variance, or conditional use application on any parcel that has outstanding zoning violations or unresolved non-conformities, except as provided in subsections C and D of this section. B. Sequencing. Where rezoning and a variance or conditional use are both sought, the rezoning application shall be filed, heard, and acted upon first; the variance or conditional use application may be filed only after final action on the rezoning. C. Abatement Plan Exception. The Zoning Administrator may accept an Abatement Plan from a property owner that establishes a reasonable timeline and method for curing the outstanding violations. Upon acceptance of an Abatement Plan, the Township shall process the owner's zoning applications notwithstanding the existence of the violations being cured under the Plan, provided that: (1) the Abatement Plan is in writing, signed by the property owner, and accepted by the Zoning Administrator; (2) the Plan includes specific milestones and a final cure date not exceeding one hundred eighty (180) days from acceptance, with one ninety (90) day extension available upon written finding of good cause; (3) the owner remains in compliance with the Plan's milestones; and (4)</p>	<p>Stops applicants from using the variance and conditional-use processes to engineer around their own violation history. Includes Abatement Plan and New Owner safety valves to address due-process concerns and preserve enforcement leverage while protecting owners actively curing violations.</p>	<p>R.C. §519.12; R.C. §519.14; R.C. §519.24.</p>

		<p>the applications being processed are not in furtherance of, or do not perpetuate, the underlying violations. D. New Owner Exception. A new property owner who acquired title without actual knowledge of the violations, and within ninety (90) days of acquisition demonstrates to the Zoning Administrator a good-faith effort to identify and address violations, may submit applications subject to acceptance of an Abatement Plan under subsection C.</p>		
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Article 3 — Definitions

Definitions used throughout the Resolution.

Section	Current Text	Proposed Text	Rationale	Authority
§3.02 Manufactured Home (Definition)	§3.02 Manufactured Home contains the typo "is a is" and carries its own minimum floor-area number that conflicts with the applicable district lot table.	Correct the typo. Replace the embedded minimum-floor-area number with a reference to the applicable district standard.	Drafting correction; resolves a long-running internal conflict between the definition and the district lot table.	Drafting correction.
§3.02 New Definitions Block	§3.02 does not currently define modern uses including Data Centers, Short-Term Rentals, Solar Farms, Wind Farms, Barndominiums, Tiny Homes, and Loan Offices; the existing Auto Wash definition is informal and there is no general Automobile definition.	Add definitions for: Automobile Wash Facility (renaming Auto Wash); Automobile; Bed and Breakfast (cross-referenced to §30.34); Car Wash; Data Center; broadened Dwelling; Dwelling — Barndominium and Barndominium; Single Family Dwelling; Tiny Home and Dwelling — Tiny; Loan Office; Short-Term Rental; Solar Farm and Solar Farm — Commercial and Solar Farm — Private Use; Solar Power Plant; Wind Farm and Wind Farm — Commercial.	Provides modern, defensible terms for uses that did not exist or were uncommon when the current Resolution was last updated.	R.C. §519.02; R.C. §519.21.
Article 3 Yard Sale def. § cross-ref	CHANGE-08: Yard Sale def references §30.27.C; should be §30.27.E after Article 30 restructure.	Replace '§30.27.C' with '§30.27.E' in Yard Sale definition.	Corrects internal cross-reference within the Yard Sale definition.	R.C. §519.12.
Article 3 — 'Farm, Mega' or 'CAFO' def. (new)	NEW PROVISION. Article 18 §18.05 references '§3.XX (Farm, Mega/CAFO)' — literal placeholder.	Add definition anchored to U.S. EPA NPDES CAFO categories (Large/Medium/Small) under 40 C.F.R. §122.23, with Township determination authority and §519.21 carveout for genuine agricultural use.	Substantive update aligning the provision with current law and practice.	R.C. §519.12.
Article 3 — 'Truck Transfer Terminal' (new)	NEW PROVISION. Term used in Articles 12 + 13 with two spellings; not in Article 3 adoption draft.	Add 'Truck Transfer Terminal' with predominant-activity test from Article 13 §13.04 STRIKE comments. Settle canonical spelling. Replace 'Trucking Transfer Terminal' references	Substantive update aligning the provision with current law and practice.	R.C. §519.12.

		across Articles 12–13.		
Article 3 — Agricultural Use	(See current Resolution for prior language.)	Umbrella term for land use for Agriculture incorporating §519.21 exemption uses (Farm Market, Agritourism).	Adds umbrella term for agricultural land use incorporating R.C. §519.21 exemption uses.	R.C. §519.12.
Article 3 — Agritourism (tighten + Special Event Permit trigger)	Open-ended Agritourism scope + §519.21(C)(4) preemption.	Tighten to track R.C. §901.80(A)(2). Strike 'weddings, receptions, axe-throwing' examples; retain corn mazes, you-pick, hayrides, school field trips, harvest festivals. Add: 'Public-assembly events on Farm parcels with anticipated attendance exceeding 500 persons on any single day require a Special Event Permit. The Special Event Permit regulates traffic, sanitation, noise, and emergency access only and does not regulate the underlying Agritourism Activity.' ZA determination authority on Agritourism qualification under R.C. §901.80.	Substantive update aligning the provision with current law and practice.	R.C. §901.80; R.C. §519.21(C)(4)
Article 3 — Agritourism / Agritourism Activity	(See current Resolution for prior language.)	Per ORC §901.80(A)(2); includes you-pick, weddings, festivals, hayrides, etc.; township power per §519.21(C)(4); no paving requirement.	Provides definition aligned with R.C. §901.80(A)(2) and §519.21(C)(4); clarifies township regulatory authority.	R.C. §901.80(A)(2).
Article 3 — Appraised Value	(See current Resolution for prior language.)	alue from Auditor's property record card (exclusive of land).	Defines previously undefined term using the Auditor's property record card as the authoritative reference.	R.C. §519.12.
Article 3 — Assessed Value	(See current Resolution for prior language.)	35% of Appraised Value per ORC §5715.01.	Provides definition aligned with R.C. §5715.01.	R.C. §5715.01.
Article 3 — Cottage Food (audit)	Honey/maple 75% threshold has no documentation hook.	Add closing sentence: 'Eligibility for the honey 75% and maple/sorghum 75% on-premises-production	Substantive update aligning the provision with current law and	R.C. §519.12.

hook)		thresholds shall be supported by Apiary registration with the Ohio Department of Agriculture and dated production records, available on request. Failure to maintain or produce such records shall be evidence the threshold is not met; operation shall be regulated as a Home Business or Retail Business under the underlying district.'	practice.	
Article 3 — Cottage Food / Cottage Food Production	(See current Resolution for prior language.)	Per OAC §901:3-20-04 home-kitchen production (baked goods, jams, candy, honey, maple syrup); state license exemption; township regulates as Home Occupation.	Provides definition aligned with O.A.C. §901:3-20-04; clarifies township treatment of state-exempt home-kitchen production.	OAC §901:3-20-04
Article 3 — Cottage Food def.	Wrong ORC cite.	Replace '\$3715.021' with '\$3715.01(A)(19) (definition) and §3715.025 (rules).'	Drafting correction.	R.C. §519.12.
Article 3 — Erected	(See current Resolution for prior language.)	In-kind replacement after Involuntary Damage carveout; inline tolerance language.	Defines previously undefined term and establishes an in-kind replacement carveout for Involuntary Damage.	R.C. §519.12.
Article 3 — Extent of Destruction	(See current Resolution for prior language.)	Cost-to-repair as percentage of Replacement Cost; established by licensed contractor/PE/insurance adjuster.	Defines previously undefined term using cost-to-repair as a percentage of Replacement Cost.	R.C. §519.12.
Article 3 — Farm	(See current Resolution for prior language.)	Adds ORC §901.80(A)(4) ≥10 acre / ≥\$2,500 income standard for purposes of Farm Market and Agritourism exemptions.	Adds defined term aligned with R.C. §901.80(A)(4) for purposes of Farm Market and Agritourism exemptions.	R.C. §901.80(A)(4).
Article 3 — Farm (sub-10-acre evidence)	Sub-10-acre / \$2,500 statutory threshold documentation-free.	Add: 'For a parcel of less than ten (10) acres asserting Farm status under the \$2,500 gross-income threshold, the operator shall provide on written request from the ZA	Substantive update aligning the provision with current law and practice.	R.C. §519.12.

		(i) Schedule F or equivalent tax-return excerpts demonstrating the threshold, (ii) bank statements or receipt records, for at least the prior two calendar years. The Township\'s authority under this subsection is the determination of whether the parcel qualifies for the §519.21 exemption; the Township does not impose substantive regulation of qualifying agricultural use.'		
Article 3 — Farm Market	(See current Resolution for prior language.)	Conforms to ORC §519.21(C)(1) 50% gross-income test; allows up-to-50% off-farm products (Ohio ag, cottage food, prepared foods, handcrafted items, Amish furniture, crafts).	Conforms definition to R.C. §519.21(C)(1) fifty-percent gross-income test.	R.C. §519.21(C)(1).
Article 3 — Farm Market (audit hook)	50% threshold with 'where available' rolling average has no audit methodology.	Add: 'Demonstration of the 50% threshold is a precondition to Farm Market qualification under R.C. §519.21(C)(1). On 30-day written request from the ZA, operator shall produce: (i) annual gross-revenue records; (ii) source-tracking records by farm of origin; (iii) Schedule F or equivalent excerpts where on-farm production is asserted. Failure to produce shall be evidence the threshold is not met; operation regulated as Retail Business.'	Substantive update aligning the provision with current law and practice.	R.C. §519.21(C)(1). On 30-day written request from the ZA, operator shall produce
Article 3 — Heavy Truck	(See current Resolution for prior language.)	Commercial motor vehicle with GVWR ≥26,001 lbs per manufacturer's certification label.	Defines previously undefined term using federal Gross Vehicle Weight Rating thresholds.	R.C. §519.12.
Article 3 — Heavy Truck Parking	(See current Resolution for prior language.)	Parking of one or more Heavy Trucks as principal use; 3-part accessory test; multi-parcel single-operator rule.	Defines previously undefined term and establishes principal-versus-accessory use test.	R.C. §519.12.

Article 3 — Heavy Truck Parking (4th test)	Shell-LLC laundering on accessory-use test.	Add fourth conjunctive test (d): 'the principal use of the parcel generates on-site revenue not derived from the parking, staging, or storage of Heavy Trucks, in an amount at least equal to fifty (50) percent of the gross revenue attributable to the parcel; documentation by sworn affidavit and supporting tax- return excerpts available for inspection on demand.'	Implements operator and applicant pattern enforcement.	R.C. §519.12.
Article 3 — Hobby Sales	(See current Resolution for prior language.)	Incidental sale of items personally produced as a hobby by the resident; cross- reference §30.27.B.	Defines previously undefined term and provides cross- reference to operational standards in §30.27.B.	R.C. §519.12.
Article 3 — Hobby Sales def.	Anchored to wrong §30.27 subsection after restructure.	Change '§30.27.B' to '§30.27.D'.	Drafting correction.	R.C. §519.12.
Article 3 — Home Business	(See current Resolution for prior language.)	Intermediate tier between Home Occupation and Retail Business: up to 1,000 sq ft, 1 non-resident employee, scheduled-appointment visitation. Conditional Use.	Adds defined intermediate-tier use between Home Occupation and Retail Business.	R.C. §519.12.
Article 3 — Home Occupatio n	(See current Resolution for prior language.)	Cross-references §30.27.A; recognizes Cottage Food Production; distinguishes from Home Business.	Updates definition for consistency with §30.27.A and recognizes state- licensed Cottage Food Production.	R.C. §519.12.
Article 3 — Impervio s Surface (new def.)	NEW PROVISION. Term used in §X.05 throughout but undefined.	Add: 'Impervious Surface. Any surface preventing or substantially impeding water infiltration. Includes roofs, asphalt, concrete (stamped or colored), gravel parking surfaces, and compacted- aggregate surfaces. Porous concrete, permeable pavers, and pervious asphalt count as Impervious Surface unless certified by a licensed professional engineer to (i) maintain a long-term	Substantive update aligning the provision with current law and practice.	R.C. §519.12.

		infiltration rate \geq 1.0 inch per hour, and (ii) be installed and maintained per manufacturer specifications, in which case such surfaces count as fifty (50) percent of their actual surface area.'		
Article 3 — Involuntary Damage	(See current Resolution for prior language.)	Single discrete event (storm/fire/vandalism/qualifying vehicular collision); excludes deferred maintenance and owner-directed acts.	Defines previously undefined term limiting the carveout to single discrete events and excluding deferred maintenance.	R.C. §519.12.
Article 3 — Junk Vehicle	(See current Resolution for prior language.)	2-of-3 criteria test (model year, inoperability, scrap-equivalent FMV); 3 exemptions.	Updates definition using a defensible 2-of-3 criteria test with limited exemptions.	R.C. §519.12.
Article 3 — Junk Vehicle (4th condition)	2-of-3 condition test gameable.	Add fourth condition (d): 'has remained in the same location on the property for more than ninety (90) consecutive days without being moved under its own power.' Parallel update to §40.02.A.	Substantive update aligning the provision with current law and practice.	R.C. §519.12.
Article 3 — Junk Yard (Salvage Yard)	(See current Resolution for prior language.)	Updates threshold from '2 or more inoperative or unlicensed vehicles' to '5 or more Junk Vehicles' to coordinate with new Junk Vehicle definition.	Updates definition for consistency with the revised Junk Vehicle definition.	R.C. §519.12.
Article 3 — Lot Lines subsection A (Front Lot Line)	(See current Resolution for prior language.)	Anchors corner-lot front lot line to Miami County E-911 address as of original Zoning Certificate date; tie-breaker hierarchy; appeal procedure.	Anchors corner-lot front lot line to the Miami County E-911 address of record to eliminate ambiguity.	R.C. §519.12.
Article 3 — Lot Lines — Subsection A	E-911 reassignment manipulation.	Amend: 'For a parcel that has not previously had a Zoning Certificate, the addressed street is determined as of the date of the FIRST Miami County E-911 address designation for the parcel, regardless of subsequent address change. Where first designation cannot be determined from County	Substantive update aligning the provision with current law and practice.	R.C. §519.12.

		records, the ZA shall make the determination by reference to (i) orientation of original principal entrance, (ii) original primary vehicular access, (iii) recorded plat, in that order.'		
Article 3 — Massage Establishment	(See current Resolution for prior language.)	Premises with massage therapy for compensation; all on-site practitioners must hold Chapter 4731 license.	Defines previously undefined term consistent with R.C. Chapter 4731 licensure requirements.	R.C. §519.12.
Article 3 — Religious Place of Worship	(See current Resolution for prior language.)	Building for organized religious services; denomination-neutral; RLUIPA-compliant; parking calc references principal sanctuary only.	Provides RLUIPA-compliant, denomination-neutral definition.	RLUIPA-compliant
Article 3 — Replacement Cost	(See current Resolution for prior language.)	Reconstruction cost with like-kind materials; Auditor reproduction-cost tables with fallback for non-tabled structures.	Defines previously undefined term using Auditor reproduction-cost tables with a fallback method.	R.C. §519.12.
Article 3 — Roadside Stand	(See current Resolution for prior language.)	Temporary, seasonal, ≤200 sq ft structure on a Farm offering only own-farm products + on-premises cottage food. Permitted accessory.	Adds defined term consistent with R.C. §519.21 protections for genuine farm use.	R.C. §519.12.
Article 3 — Yard Sale	(See current Resolution for prior language.)	Temporary retail sale of personal property by resident occupant; no consignment or resale merchandise; operational rules in §30.27.C.	Defines previously undefined term and cross-references operational standards in §30.27.C.	R.C. §519.12.
Article 3 — Yard subsection A (Front Yard)	(See current Resolution for prior language.)	For corner lots, limits front yard to width of principal structure plus minimum side-yard setback; remainder treated as side-yard for accessory-building purposes only.	Clarifies front-yard treatment for corner lots to eliminate ambiguity in accessory-building placement.	R.C. §519.12.
Article 3 — Yard — Subsection A	Corner-lot accessory carveout could be read as defeating §30.03 side-street build line.	Reaffirm: 'The side-street treatment under this subsection does not relieve the accessory building from the §30.03 side-street build line requirement.'	Drafting clarification.	R.C. §519.12.

Article 4 — District Establishment

Establishment and designation of zoning districts and the zoning map.

Section	Current Text	Proposed Text	Rationale	Authority
§4.01.F	References 'Bethel Township Strategic Plan' — no such document exists.	Replace with 'Comprehensive Land Use Plan' per §1.02 and §2.04.	§§1.02, 2.04.	R.C. §519.12.
§4.01.G	Article 4 purposes are narrower than §1.02 (proposed expanded purposes).	Add new §4.01.G cross-referencing §1.02 expanded purposes (agricultural protection, encroachment).	Cross-references the expanded purposes set forth in §1.02 to ensure consistency between general and district-specific purpose statements.	R.C. §519.02
§4.02	District list does not identify which article governs each district.	Add article numbers in parentheses next to each district name.	Articles 5-20.	R.C. §519.12.
§4.02	'NUO New Urbanism Overlay District' listed but never mapped or applied.	Remove NUO from list.	—	R.C. §519.12.
§4.02	'PD Planned Development District' established in Article 20 but omitted from §4.02 list.	Add PD Planned Development with Article 20 cross-reference.	Article 20.	R.C. §519.12.
§4.02	'WFP Well Field Protection Overlay' established in Article 18 but omitted from §4.02 list.	Add WFP Well Field Protection Overlay with Article 18 cross-reference.	Article 18.	R.C. §519.12.
§4.02	No general rule about overlay districts vs base districts.	Add closing paragraphs codifying overlay-district concept and placeholder for future legacy/transitional districts.	Articles 18, 41 (future).	R.C. §519.12.
§4.03	Map-update timing uses 'normal working days' (colloquial); doesn't specify WHO updates map; doesn't mention GIS.	Replace with 'business days', specify Zoning Administrator, require concurrent GIS update.	§§2.03, 2.09.	R.C. §519.12.
§4.03	Map location 'Township House' (colloquial); Recorder reference outdated.	Update to 'Township Hall (offices of Fiscal Officer)'; update Recorder reference to 'Miami County Recorder.'	—	R.C. §519.12.
§4.03	No requirement to publish GIS map; no rule for	Add closing paragraph requiring GIS publication on	—	R.C. §519.12.

	republished consolidated maps.	Township website; ministerial republication permitted.		
§4.04 closing	Closing paragraph cites 'subsections A through F above' but only A through E exist.	Correct to 'subsections A through E above.'	—	R.C. §519.12.
§4.04 closing	BZA interprets district boundaries but no procedural cross-reference.	Cross-reference §2.06.A.7 (Determination of Similar Uses and Interpretation of District Boundaries).	§2.06.A.7.	R.C. §519.12.
§4.04.E	Internal cross-reference error: 'subsections A through E above' (E is the subsection itself).	Correct to 'subsections A through D above.'	—	R.C. §519.12.
§4.05	'Vacated by official action' doesn't specify which body.	Specify 'Township Trustees or other public body with authority to vacate.'	—	R.C. §519.12.
§4.05	No rule for two-different-district vacation (one side residential, other side industrial).	Add closing paragraph: centerline as boundary; map amendment available if vacated parcel undevelopable.	§2.09.	R.C. §519.12.
§4.06 (NEW)	NEW PROVISION. Overlay-district concept not codified in the general framework.	Add new §4.06 (Overlay Districts) codifying the supplemental-regulation concept and more-restrictive-controls rule.	Article 18; future overlays.	R.C. §519.12.

Article 5 — R-1AAA Single-Family Residential District

R-1AAA Single-Family Residential District use and dimensional standards.

Section	Current Text	Proposed Text	Rationale	Authority
§5.02	'Agriculture' inconsistent with other articles' 'Agricultural Use'.	Standardize to 'Agricultural Use (as defined in Article 3).'	Articles 7, 8, 9, 15, 16.	R.C. §519.12.
§5.02.D	NEW PROVISION. Roadside Stand not listed as permitted accessory to Agricultural Use.	Add as Principal-Permitted accessory to Agricultural Use on parcels qualifying as a Farm.	Article 3 Roadside Stand.	R.C. §519.12.
§5.03	Home Occupation listing has no §30.27 cross-reference.	Cross-reference §30.27.	§30.27.	R.C. §519.12.
§5.03	Cottage Food Production and Hobby Sales not codified.	Add as Accessory uses tied to Article 3 framework.	Article 3.	R.C. §519.12.
§5.03.D (Hobby Sales)	References §30.27.B; should be §30.27.D after Article 30 restructure.	Change '§30.27.B' to '§30.27.D'.	Drafting correction.	R.C. §519.12.
§5.04.H Religious Place of Worship	RLUIPA Equal-Terms comparator analysis — R-1AAA.	R-1AAA stays Conditional (all assembly is Conditional here). Add comparator analysis on the record citing comparable secular assembly uses in §5.04 (Clubs and Lodges, Public Community Center) and 42 U.S.C. §2000cc(b)(1) defense rationale.	Substantive update aligning the provision with current law and practice.	RLUIPA Equal-Terms comparator analysis — R-1AAA; 42 U.S.C. §2000cc(b)(1)
§5.04.J	NEW PROVISION. Home Business not listed as Conditional Use option.	Add Home Business as Conditional Use.	Article 3 Home Business.	R.C. §519.12.
§5.04.K	STR (Short-Term Rental) silent.	Add STR as Conditional Use with detailed conditions (owner primary residence, occupancy, parking, contact info, code compliance).	Establishes short-term rental as a Conditional Use with substantive operational standards.	R.C. §519.12.
§5.04.L	NEW PROVISION. Agritourism Activity not listed.	Add as Conditional Use on parcels qualifying as a Farm.	Article 3 Agritourism.	R.C. §519.12.
§5.05	Footnote cross-references §2.09; should be §2.10.	Correct cross-reference.	§2.10.	R.C. §519.12.
§5.05.B	No parcel rule in Article 5.	Add §5.05.B: dimensional standards apply only to R-	§1.08.E; parcel	R.C. §519.12.

		1AAA portion; use regulations of adjoining district do not extend.	pattern.	
§5.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule; §X.06 collision blocks placing at.06.	Add new §5.10 — unlisted = not permitted; BZA may determine similarity. Express prohibitions: Heavy Truck Parking, Farm Market (with carveout), Wireless Telecom (with federal carveout).	Clarifies that uses not specifically listed are not permitted, with BZA similarity authority and express prohibitions for incompatible uses.	R.C. §519.12.

Article 7 — B-2 General Business District

B-2 General Business District use and dimensional standards.

Section	Current Text	Proposed Text	Rationale	Authority
§7.02	'Agriculture' inconsistent with cluster terminology.	Standardize to 'Agricultural Use.'	Articles 5, 8, 9.	R.C. §519.12.
§7.03	Home Occupation listed as CONDITIONAL — inconsistent with other districts where it is Accessory.	Move to Accessory at §7.03.D.	Articles 5, 15, 16.	R.C. §519.12.
§7.03	Cottage Food, Roadside Stand not codified.	Add as Accessory uses.	Article 3.	R.C. §519.12.
§7.04	'Greenhouses' and 'Commercial Greenhouse' duplicated as separate Conditional Use entries.	Merge to single 'Greenhouse, Commercial' entry.	—	R.C. §519.12.
§7.04	'Carry-Out or Drive-Through Facilities' as Conditional conflicts with 'Drive-Through Associated with Principal Use' as Accessory.	Resolve to 'Carry-Out Facility (not associated with principal use as drive-through).'	§7.03.C.	R.C. §519.12.
§7.04	NEW PROVISION. Home Business not listed.	Add as Conditional Use.	Article 3.	R.C. §519.12.
§7.04	Multiple Tenant Building and Bar/Tavern Conditional in B-2 — inconsistent with transitional purpose.	Reconsider in B-2 elimination discussion.	Reserved for future legislative consideration regarding B-2 district structure.	R.C. §519.12.
§7.04	Religious Place of Worship Conditional but should cross-reference Article 3 definition.	Add '(as defined in Article 3)' annotation.	Article 3.	R.C. §519.12.
§7.05	'Single F amily Residential' typo; '175 Feet One Family Res idential' typo.	Standardize to 'One Family Residential.'	—	R.C. §519.12.
§7.05	Footnote cross-references §2.09; should be §2.10.	Correct cross-reference.	§2.10.	R.C. §519.12.
§7.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule; §X.06 collision.	Add new §7.10 — Heavy Truck Parking, Farm Market, Agritourism expressly prohibited.	Establishes express prohibitions for incompatible uses in the B-2 district.	R.C. §519.12.

<p>§7 (overall)</p>	<p>B-2 §7.04 conditional menu replicates B-1 principal uses; contradicts B-2 transitional purpose.</p>	<p>Future cycle: consider B-2 elimination or consolidation with B-3 (/#11).</p>	<p>Reserved for future legislative consideration regarding B-2 district structure.</p>	<p>R.C. §519.12.</p>
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Article 8 — B-3 Highway Service District

B-3 Highway Service District use and dimensional standards.

Section	Current Text	Proposed Text	Rationale	Authority
§8.02	'Agricultural Uses' should cross-reference Article 3.	Standardize naming.	Article 3.	R.C. §519.12.
§8.02 / §8.04	Nursery School/Child Care listed as both Principal AND Conditional (duplicate).	Retain as Principal; strike from Conditional.	—	R.C. §519.12.
§8.03	NEW PROVISION. Home Occupation and Cottage Food not listed.	Add as Accessory uses.	§30.27; Article 3.	R.C. §519.12.
§8.04	NEW PROVISION. Religious Place of Worship missing (RLUIPA gap).	Add as Conditional Use; parallel to comparable Clubs and Lodges.	Equal Terms compliance for religious assembly uses (RLUIPA).	42 U.S.C. §2000cc et seq. (RLUIPA).
§8.04	NEW PROVISION. Farm Market not addressed for B-3 (neighborhood business).	Add as Conditional Use on parcels meeting Article 3 Farm definition.	Article 3 Farm Market; §519.21(C)(1).	R.C. §519.12.
§8.04	NEW PROVISION. Home Business not listed.	Add as Conditional Use.	Article 3 Home Business.	R.C. §519.12.
§8.04.A	SFD is Conditional but Article retains detailed SFD dimensional standards in §8.05 — historical artifact.	Acknowledged; SFD remains Conditional with retained dimensional standards.	§8.05.	R.C. §519.12.
§8.04.R Religious Place of Worship	RLUIPA Equal-Terms exposure: B-3 lists Public/Semi-Public/Government Bldgs as PRINCIPAL (§8.02.C); Religious as CONDITIONAL.	Elevate Religious Place of Worship to PRINCIPAL in §8.02 (or demote Public/Semi-Public/Government Bldgs to Conditional in §8.04). Document comparator analysis on record. Recommended path: elevate Religious Place of Worship.	Substantive update aligning the provision with current law and practice.	42 U.S.C. §2000cc(b)(1)
§8.05	Impervious coverage at 25% SFD / 40% other is BELOW R-1AAA (35%/45%) — apparent transcription error.	Correct to 45%/65% — peer-aligned for neighborhood business district while remaining more restrictive than B-1 at 85%.	Aligns lot-coverage standards with peer neighborhood-business districts while remaining more	R.C. §519.12.

			restrictive than B-1.	
§8.05	NEW PROVISION. Missing Corner Lot Width; missing Lot Depth.	Add both standards (parallel to Articles 5, 7).	—	R.C. §519.12.
§8.05	Footnote cross-references §2.09; should be §2.10.	Correct cross-reference.	§2.10.	R.C. §519.12.
§8.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule; §X.06 collision.	Add new §8.10 — Heavy Truck Parking expressly prohibited; Wireless Telecom federal-carveout pathway.	Establishes express prohibitions for incompatible uses and a federal-preemption pathway for wireless telecommunications.	47 U.S.C. §332
§8 (overall)	Medical/Dental Office Conditional in B-3 but Principal in B-1 and B-2 — reverse logic for neighborhood business district.	Future cycle: reconsider as part of B-3 use list rationalization.	Articles 7, 9.	R.C. §519.12.

Article 9 – B-1 Neighborhood Business District

B-1 Neighborhood Business District use and dimensional standards.

Section	Current Text	Proposed Text	Rationale	Authority
§9.02	NEW PROVISION. Farm Market not listed in B-1 (the appropriate primary district under §519.21(C)).	Add as Principal Permitted Use.	Article 3; §519.21(C)(1).	R.C. §519.12.
§9.02	'Events' listed as Principal Permitted Use with no definition or standards.	Condition on Special Event Permit, operational standards in §30, buffer requirements in §38.	Articles 30, 38.	R.C. §519.12.
§9.03	Cottage Food Production and Roadside Stand not codified.	Add as Accessory uses.	Article 3.	R.C. §519.12.
§9.04	NEW PROVISION. Religious Place of Worship missing (RLUIPA gap).	Add as Conditional Use; parallel to Clubs and Lodges, Commercial Entertainment.	Equal Terms compliance for religious assembly uses (RLUIPA).	42 U.S.C. §2000cc et seq. (RLUIPA).
§9.04	NEW PROVISION. Public and Semi-Public Buildings missing (Principal in B-2, gap in B-1).	Add as Conditional Use for cluster consistency.	Article 7.	R.C. §519.12.
§9.04	Wireless Telecom Facility silent — federal preemption risk.	Add as Conditional Use with federal-preemption-compliant standards.	Aligns with federal preemption framework at 47 U.S.C. §§332 and 1455.	R.C. §519.12.
§9.04	NEW PROVISION. Home Business and Agritourism Activity not listed.	Add both as Conditional Uses.	Article 3.	R.C. §519.12.
§9.04 — Convenience Store	Currently listed in §9.02 as a Principal Permitted Use in the district.	Reclassify Convenience Store from §9.02 Principal Permitted to §9.04 Conditional Use, subject to the standards and review procedures applicable to Conditional Uses.	This use generates site-specific operational impacts — traffic, lighting, hours, fuel storage, and outdoor storage — that the Conditional Use process is designed to address.	R.C. §519.02; R.C. §519.14.
§9.04.A Religious	RLUIPA Equal-Terms exposure: B-1 has	Elevate Religious Place of Worship to PRINCIPAL in B-1	Substantive update aligning the provision	42 U.S.C. §2000cc(b)(1) (RLUIPA)

Place of Worship	Religious as CONDITIONAL while comparable assembly principal.	§9.02 (or demote comparable secular assembly to Conditional). Document comparator analysis.	with current law and practice.	Equal-Terms).
§9.05	NEW PROVISION. Missing Corner Lot Width; missing Lot Depth; missing breakdown of Lot Width by use type.	Add all three standards (parallel to Articles 5, 7, 8).	—	R.C. §519.12.
§9.05	NEW PROVISION. Minimum Floor Area missing — implicit because no residential, but unclear.	Add explicit 'Not applicable; no residential uses permitted.'	—	R.C. §519.12.
§9.05	Orphaned footnote (asterisk reference) with no usage.	Correct cross-reference from §2.09 to §2.10; ensure asterisk is attached.	§2.10.	R.C. §519.12.
§9.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule; §X.06 collision.	Add new §9.10 — Heavy Truck Parking expressly prohibited.	Establishes express prohibition of Heavy Truck Parking in the B-1 district.	R.C. §519.12.
Cross-Reference	See §2.08.A.1 for nonconforming use provisions applicable to operations established prior to the effective date of this amendment.	See §2.08.A.1 for nonconforming use provisions applicable to operations established prior to the effective date of this amendment.	Continuity of lawful nonconforming uses.	R.C. §519.19.

Article 12 – I-1 Light Industrial District

I-1 Light Industrial District use, dimensional, and operational standards.

Section	Current Text	Proposed Text	Rationale	Authority
§12.01	Dropped verb: 'limit off-site impacts, outdoor storage' reads as a list.	Insert 'and prohibit' before 'outdoor storage'; clarify 'outdoor storage as a principal use.'	—	R.C. §519.12.
§12.02	'Agricultural Uses' should cross-reference Article 3 + §519.21.	Standardize cross-reference.	Article 3.	R.C. §519.12.
§12.02/§13.02	NEW PROVISION. Three uses (Med/Dental Labs, Warehouse, Wholesale Distributor) Principal in I-1 but missing from I-2 — scrivener error.	Add three uses to §13.02 Principal Permitted list.	Article 13.	R.C. §519.12.
§12.03 Retail Business (Accessory)	§12.03 lists Retail Business as an accessory use in the I-1 District without explicit qualification.	Qualify Retail Business with the phrase "Customarily and Incidental to the Principal Permitted Use."	Confirms that retail in an industrial district must serve the principal industrial operation, not function as a stand-alone commercial use.	R.C. §519.02; R.C. §519.21; general Ohio accessory-use doctrine.
§12.03.A.4	Retail Business accessory entry has no 'incidental to' qualifier.	Add 'incidental to the principal industrial use, limited to retail of products manufactured/assembled/processed/stored on premises.'	Limits §12.03.A.4 retail to sales incidental to the principal industrial use.	R.C. §519.12.
§12.03.B	25% accessory cap is unlabeled — vulnerable to misreading as applying only to Retail Business.	Reletter as §12.03.B 'Accessory Use Cap' for unambiguous application.	—	R.C. §519.12.
§12.03.B (Accessory Use Cap)	25% accessory cap applies to in-building only; outdoor accessory uncapped.	Amend: 'Accessory uses outside the principal structure shall not collectively occupy more than fifty (50) percent of the gross parcel area, exclusive of required setback and buffer areas. Outdoor accessory uses on §519.21-exempt parcels are not subject to this cap.'	Drafting clarification.	R.C. §519.12.
§12.04	Motor Freight Depot or	Strike from I-1; relocate to I-2	Relocates Wireless	R.C. §519.12.

	Trucking Transfer Terminal listed as Conditional in I-1.	only (§13.04 + §13.04A).	Telecommunications regulation to I-2 only, consistent with federal preemption framework in Article 13.	
§12.04	Wireless Telecommunication Facility — federal preemption not acknowledged.	Add cross-reference to 47 U.S.C. §§332/1455 and 47 C.F.R. §1.4000.	Adds cross-reference to 47 U.S.C. §§332/1455 and 47 C.F.R. §1.4000.	R.C. §519.12.
§12.04	Heavy Truck Parking not expressly prohibited (HT-4).	Add closing sentence expressly prohibiting Heavy Truck Parking in I-1; cross-reference §13.04A.	HT-4; Article 3 Heavy Truck Parking.	R.C. §519.12.
§12.04	No cross-reference to §40.03 Outstanding Violations Bar for CU eligibility.	Future addition deferred — Article 40 will surface §40.03 cross-references at adoption.	Article 40 §40.03.	R.C. §519.12.
§12.04 Religious Place of Worship (new Conditional)	NEW PROVISION. RLUIPA Substantial-Burden exposure — no PoW pathway in I-1.	Add as Conditional Use in §12.04 with industrial-compatibility conditions (proximity to hazardous uses, traffic during shift changes, EMS access).	Substantive update aligning the provision with current law and practice.	42 U.S.C. §2000cc(a)
§12.04 — Automobile / RV / Boat Sales	Currently listed in §12.02 as a Principal Permitted Use in the district.	Reclassify Automobile / RV / Boat Sales from §12.02 Principal Permitted to §12.04 Conditional Use, subject to the standards and review procedures applicable to Conditional Uses.	This use generates site-specific operational impacts — traffic, lighting, hours, fuel storage, and outdoor storage — that the Conditional Use process is designed to address.	R.C. §519.02; R.C. §519.14.
§12.04 — Automobile / Truck / RV Repair	Currently listed in §12.02 as a Principal Permitted Use in the district.	Reclassify Automobile / Truck / RV Repair from §12.02 Principal Permitted to §12.04 Conditional Use, subject to the standards and review procedures applicable to Conditional Uses.	This use generates site-specific operational impacts — traffic, lighting, hours, fuel storage, and outdoor storage — that the Conditional Use process is designed to address.	R.C. §519.02; R.C. §519.14.
§12.04 — Automobile Filling	Currently listed in §12.02 as a Principal Permitted Use in the district.	Reclassify Automobile Filling Station from §12.02 Principal Permitted to §12.04	This use generates site-specific operational impacts	R.C. §519.02; R.C. §519.14.

Station		Conditional Use, subject to the standards and review procedures applicable to Conditional Uses.	— traffic, lighting, hours, fuel storage, and outdoor storage — that the Conditional Use process is designed to address.	
§12.04 — Building and Trades / Contractor's Yards / Utility Storage Yards	Currently listed in §12.02 as a Principal Permitted Use in the district.	Reclassify Building and Trades / Contractor's Yards / Utility Storage Yards from §12.02 Principal Permitted to §12.04 Conditional Use, subject to the standards and review procedures applicable to Conditional Uses.	This use generates site-specific operational impacts — traffic, lighting, hours, fuel storage, and outdoor storage — that the Conditional Use process is designed to address.	R.C. §519.02; R.C. §519.14.
§12.05	Setbacks identical to I-2 (operationally implausible; the heavier district should have stricter standards).	I-1: Side 20→25 ft; Rear 15→25 ft. (I-2 separately bumped higher.)	Modernizes I-1 setback standards; companion increase in I-2 reflected separately.	R.C. §519.12.
§12.05	No setback increase where I-1 abuts residential or agricultural.	Add 25% setback increase where I-1 within 100 ft of residential/ag district boundary.	Articles 5, 15, 16.	R.C. §519.12.
§12.05	Footnote 'See Section 2.09' should be §2.10.	Correct cross-reference.	§2.10.	R.C. §519.12.
§12.06	No cross-reference to §35.09.E paving or §35.11.A residential restriction.	Add explicit cross-references; clarify Heavy Truck Parking governed by §13.04A.	Article 35; HT-3.	R.C. §519.12.
§12.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule; §X.06 collision blocks placing at.06.	Add new §12.10 — Heavy Truck Parking, Automobile Wrecking/Junk/Salvage Yard, Motor Freight Depot/TTT, and outdoor storage as principal use expressly prohibited.	Establishes express prohibitions in the I-1 district for Heavy Truck Parking, Wrecking/Junk/Salvage Yards, Motor Freight Depots, and principal-use outdoor storage.	R.C. §519.12.
Article 12 'Trucking Transfer Terminal' references	Two spellings used in Articles 12 + 13.	Replace 'Trucking Transfer Terminal' with canonical 'Truck Transfer Terminal' throughout Article 12.	Drafting correction.	R.C. §519.12.
§12 (overall)	Truck and Heavy Equipment Service Conditional in I-1 —	Future cycle: align Truck and Heavy Equipment Service with Heavy Truck definition.	Article 3.	R.C. §519.12.

	operationally overlaps Heavy Truck Parking but uses different definition. Future cleanup.			
Cross-Reference	See §2.08.A.1 for nonconforming use provisions applicable to operations established prior to the effective date of this amendment.	See §2.08.A.1 for nonconforming use provisions applicable to operations established prior to the effective date of this amendment.	Continuity of lawful nonconforming uses.	R.C. §519.19.

Article 13 – I-2 Heavy Industrial District

I-2 Heavy Industrial District use, dimensional, and operational standards.

Section	Current Text	Proposed Text	Rationale	Authority
§13.01	Purpose statement doesn't reference outdoor heavy-equipment operations specifically.	Add 'including without limitation outdoor heavy-equipment storage and operations subject to applicable conditional use standards.'	§13.04A.	R.C. §519.12.
§13.02	'Agricultural Uses' should cross-reference Article 3 + §519.21.	Standardize cross-reference.	Article 3.	R.C. §519.12.
§13.02	Typo: 'Automobile, Recreational, Vehicle, Boat Sales' has extra comma.	Correct to 'Automobile, Recreational Vehicle, Boat Sales' matching I-1.	—	R.C. §519.12.
§13.02	NEW PROVISION. Med/Dental Labs, Warehouse, Wholesale Distributor missing from I-2 (Principal in I-1).	Add all three as Principal Permitted Uses.	Article 12.	R.C. §519.12.
§13.02 / §13.04	Motor Freight Depot or Trucking Transfer Terminal currently Principal — should be Conditional under HT framework.	Strike from §13.02 Principal; add to §13.04 Conditional with cross-reference to §13.04A and the new Truck Transfer Terminal predominant-activity test.	HT-1C; HT-2A; §13.04A.	R.C. §519.12.
§13.03 Retail Business (Accessory)	§13.03 lists Retail Business as an accessory use in the I-2 District without explicit qualification.	Qualify Retail Business with the phrase "Customarily and Incidental to the Principal Permitted Use."	Confirms that retail in an industrial district must serve the principal industrial operation, not function as a stand-alone commercial use.	R.C. §519.02; R.C. §519.21; general Ohio accessory-use doctrine.
§13.03.A.3	'Drive Through' inconsistent with I-1's 'Drive-Through'.	Standardize to 'Drive-Through.'	Article 12 §12.03.	R.C. §519.12.
§13.03.A.4	Retail Business accessory entry has no 'incidental to' qualifier.	Add 'incidental to principal industrial use' qualifier (parallel to §12.03).	Limits §13.03.A.4 retail to uses incidental to the principal industrial use, parallel to §12.03.	R.C. §519.12.

§13.03.B	25% accessory cap unlabeled.	Reletter as §13.03.B 'Accessory Use Cap.'	Article 12 §12.03.B.	R.C. §519.12.
§13.04	NEW PROVISION. Heavy Truck Parking not listed (HT-2A).	Add Heavy Truck Parking as Conditional Use subject to §13.04A.	HT-2A; §13.04A.	R.C. §519.12.
§13.04	Wireless Telecom Facility — federal preemption.	Add cross-reference to federal Telecom Act and FCC.	47 U.S.C. §§332/1455.	R.C. §519.12.
§13.04 Religious Place of Worship (new Conditional)	NEW PROVISION. RLUIPA Substantial-Burden exposure — no PoW pathway in I-2.	Add as Conditional Use in §13.04 with industrial-compatibility conditions.	Substantive update aligning the provision with current law and practice.	42 U.S.C. §2000cc(a) (RLUIPA Substantial-Burden).
§13.04A (NEW)	NEW PROVISION. No Heavy Truck Parking conditional use standards (HT-2B).	Add new §13.04A with eighteen subsections A-R: parcel size (5 ac), separation (200/100/100), surface (paved; 12-month gravel interim with 110% bond), stormwater/dust/containment, idling (5-min limit + FMCSA carveouts), screening (8-ft opaque), lighting (0.5/1.0 fc), access (collector+), security, hours (24/7 subject to noise/lighting), prohibited activities, 5-yr compliance review, density cap (15/acre), noise (65/75 dBA day; 55 dBA night), refrigerated trailers (300 ft; 5/acre or 30 total), queuing (4 combo units), decommissioning bond (110%), 180-day existing operations clause.	HT-2B; Article 3; Article 35; Article 38; Article 40; O.	R.C. §§317.08, 519.14.
§13.04A — Recording cite	Wrong ORC cite for recording authority.	Replace 'pursuant to Ohio Revised Code §317.08' with 'as a memorandum of facts relating to the real property pursuant to Ohio Revised Code §5301.252.'	Drafting correction.	R.C. §519.12.
§13.04A.R Heavy Truck Parking — Status of Existing Operation	NEW PROVISION.	R. Heavy Truck Parking and Trucking Transfer Terminal operations established prior to the effective date of this amendment are not lawful nonconforming uses and shall comply with this §13.04A in accordance with the	Confirms that the operational standards established in §13.04A apply to existing operations through the abatement and enforcement provisions; resolves	R.C. §519.19; R.C. §519.24.

s		abatement and enforcement provisions of this Resolution.	the question of whether prior-existing operations are insulated as lawful nonconforming uses.	
§13.05	I-2 setbacks identical to I-1 (operationally implausible).	Bump I-2 setbacks: front 25→40 ft, side 20→30 ft, rear 15→25 ft. Add 50% increase where I-2 within 200 ft of residential/ag/B-2/B-3.	Modernizes I-2 setback standards and adds a 50% increase where I-2 abuts residential, agricultural, B-2, or B-3 within 200 feet.	R.C. §519.12.
§13.05	Footnote 'See Section 2.09' should be §2.10.	Correct cross-reference.	§2.10.	R.C. §519.12.
§13.05 rear-yard symmetry	I-2 rear yard 25 ft = identical to I-1 despite stated I-2 increase.	Either bump I-2 rear yard to 30 ft for side/rear symmetry, OR clarify narrative explaining the +50%/+25% differential as the offset.	Drafting clarification.	R.C. §519.12.
§13.06	No cross-references to §§35.09.A.2, 35.09.E, 35.09.H, 35.11.	Add explicit cross-references; Heavy Truck Parking governed by §13.04A and Article 35.	Article 35; HT-3.	R.C. §519.12.
§13.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule.	Add new §13.10 codifying Unlisted Uses framework (cluster pattern).	Codifies an Unlisted Uses framework consistent with the cluster pattern adopted in residential and business districts.	R.C. §519.12.
Article 13 'Trucking Transfer Terminal'	Canonical-spelling fix.	Replace 'Trucking Transfer Terminal' with 'Truck Transfer Terminal' throughout Article 13.	Drafting correction.	R.C. §519.12.

Article 14 – F-1 Flood Plain District

F-1 Flood Plain District use and floodplain management standards.

Section	Current Text	Proposed Text	Rationale	Authority
§14.01	No NFIP/44 CFR §60.3 reference.	Add purpose statement referencing 44 CFR §60.3 and coordination with Miami County Flood Damage Reduction Resolution.	Drafting clarification.	44 CFR §60.3
§14.01A (NEW)	NEW PROVISION. No FIRM adoption clause.	Add FIRM/FIS adoption by reference with effective date 9/17/2014 and forward-looking revision capture.	Substantive update aligning the provision with current law and practice.	FEMA FIRM panels
§14.01B (NEW)	NEW PROVISION. No definitions for SFHA, BFE, Floodway, Lowest Floor, Substantial Improvement/Damage.	Add six NFIP-required definitions specific to this Article.	Article 3.	44 CFR §59.1
§14.01B (clarifying note)	Substantial Improvement / Substantial Damage flood-specific vs Article 3 general.	Add: 'These flood-management definitions control for floodplain administration under 44 C.F.R. §59.1 only. Article 3 definitions of Replacement Cost and Extent of Destruction apply elsewhere in this Resolution.'	Drafting clarification.	44 C.F.R. §59.1
§14.02	Parking Lot or Structure as Principal Permitted is incompatible with 10% impervious cap.	Strike Parking Lot or Structure as Principal Permitted.	§14.05.	R.C. §519.12.
§14.02-§14.03	Article 3 farm framework not integrated.	Add Roadside Stand, Home Occupation, Cottage Food, Hobby Sales, Yard Sale, Stables cross-ref.	Article 3.	R.C. §519.12.
§14.04	One Single Family Dwelling as Conditional Use with no elevation or location standards.	Add four conditions: elevation BFE+1; no Floodway; structural design; elevation certificate.	Substantive update aligning the provision with current law and practice.	44 CFR §60.3
§14.05	Height-standard punctuation awkward; §2.09 footnote.	Rewrite + correct to §2.10.	—	R.C. §519.12.
§14.05A (NEW)	NEW PROVISION. No substantive flood damage prevention standards	Add nine subsections A-I implementing 44 CFR §60.3	44 CFR §§60.3, 60.6.	44 CFR §60.3; NFIP-compliance standards

	(Floodway prohibition, residential elevation, non-residential flood-proofing, Substantial use, anchoring, fuel/chemical storage, manufactured homes, critical facilities, variances).	NFIP-compliance standards.		
§14.05A.D measurement methodology	50% rule susceptible to friendly-appraiser gaming.	Amend: 'Market value of the structure shall be determined by reference to the value on the Miami County Auditor's most recent property record card; the applicant may submit a licensed appraiser's opinion of market value if the appraisal exceeds the Auditor figure by more than ten (10) percent; the ZA may require an independent third-party appraisal at the applicant's expense where the spread exceeds twenty-five (25) percent.'	Limits gaming of the 50% Substantial Improvement / Substantial Damage rule by anchoring market value to the County Auditor record.	44 C.F.R. §60.3(b)(1).
§14.06	NEW PROVISION. Parking section silent on relationship between principal use change and §14.05 impervious cap.	Add note that parking incidental to permitted use is subject to §14.05 cap.	Article 35.	R.C. §519.12.
§14.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule.	Add §14.10 — Heavy Truck Parking expressly prohibited; BZA similarity determination.	Establishes express prohibition of Heavy Truck Parking in the F-1 district and provides BZA similarity authority.	R.C. §519.12.
(global)	Article 14 has historically delegated all substantive flood standards to Miami County Flood Damage Reduction Resolution.	Township should review and update separate Flood Damage Prevention Resolution; this Article makes substantive standards locally operative for NFIP compliance.	Miami County FDR Resolution.	NFIP compliance

Article 15 – A-1 Domestic Agriculture District

A-1 Domestic Agriculture District use and dimensional standards.

Section	Current Text	Proposed Text	Rationale	Authority
§15.02	'Agricultural Uses' should cross-reference Article 3 and §519.21.	Standardize.	Article 3.	R.C. §519.12.
§15.02	NEW PROVISION. Farm Market not listed (per ORC §519.21(C)(1) framework).	Add as Principal on Farm-definition parcels.	Article 3; §519.21(C)(1).	R.C. §519.21(C)(1).
§15.02	NEW PROVISION. Agritourism Activity not listed (per ORC §519.21(C)(4) + §901.80).	Add as Principal on Farm-def parcels (statutorily mandated). §901.80(D) warning sign required.	Article 3; §§519.21(C)(4), 901.80.	R.C. §519.21(C)(4).
§15.02 / §15.04A	Stables & Riding Academy proposed change from Principal to CU with 5-ac min and 100-ft buffer.	Workable resolution: retain Principal (preserves §519.21 protection for genuine farms); add new §15.04A supplemental standards (5-ac, 100-ft buffer, manure plan, CU trigger for >10-attendee events).	Retains Principal-use status to preserve R.C. §519.21 protections for genuine farms; adds new §15.04A supplemental standards.	R.C. §519.12.
§15.03	Article 3 farm framework not integrated.	Add Home Occupation (§30.27), Cottage Food, Hobby Sales, Yard Sale, Roadside Stand as Accessory uses.	Article 3; §30.27.	R.C. §519.12.
§15.03 / §15.04	: Commercial Greenhouse listed as both Accessory AND Conditional in A-1.	Strike from §15.03 (Accessory); retain in §15.04 (Conditional).	Removes redundant accessory-use listing; retains Conditional-use treatment in §15.04.	R.C. §519.12.
§15.04	NEW PROVISION.: Home Occupation in §15.04 lacks §30.27 cross-reference.	Add '(see §30.27 for operational conditions and §15.03.C for accessory-use treatment).'	Adds cross-references to §30.27 operational conditions and §15.03.C accessory-use treatment.	R.C. §519.12.
§15.04	NEW PROVISION. Home Business not listed (Article 3 framework).	Add as Conditional Use.	Article 3 Home Business.	R.C. §519.12.
§15.04	: Short-Term Rental classification (POLICY).	Add as Conditional Use placeholder; conditions to be	Adds Conditional-use placeholder;	R.C. §519.12.

		established by trustee resolution. Substantive policy choice deferred.	substantive standards to be established by trustee resolution.	
§15.04	NEW PROVISION. Agritourism Activity not listed for non-Farm parcels.	Add as Conditional on parcels not meeting Farm definition.	Article 3 Agritourism.	R.C. §519.12.
§15.04A.D Stables — Commercial Lessons / Events	10-attendee/day trigger gameable by daily repetition.	Tighten: 'more than ten (10) attendees in any single day OR more than thirty (30) attendees in any seven (7) consecutive day period.'	Drafting clarification.	R.C. §519.12.
§15.05	Awkward height-standard punctuation/structure.	Rewrite with clean clause structure.	—	R.C. §519.12.
§15.05	Footnote 'See Section 2.09' should be §2.10.	Correct cross-reference.	§2.10.	R.C. §519.12.
§15.05	: minimum residential floor area 1,500 → 1,000 SF.	Retained at 1,500 SF pending trustee policy decision; future cycle.	Retained at 1,500 SF pending future legislative consideration.	R.C. §519.12.
§15.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule; §X.06 collision blocks placing at.06.	Add new §15.10 — Heavy Truck Parking expressly prohibited (with §519.21 ag-equipment carveout); Retail Business limited to farm/home-business framework.	Establishes express prohibition of Heavy Truck Parking in A-1, with carveout for R.C. §519.21 agricultural equipment, and restricts Retail Business to the farm-and-home-business framework.	R.C. §519.12.

Article 16 – A-2 General Agriculture District

A-2 General Agriculture District use and dimensional standards.

Section	Current Text	Proposed Text	Rationale	Authority
§16.02	'Agricultural Uses' should cross-reference Article 3 and §519.21.	Standardize.	Article 3.	R.C. §519.12.
§16.02	NEW PROVISION. Farm Market not listed.	Add as Principal on Farm-definition parcels.	Article 3; §519.21(C)(1).	R.C. §519.12.
§16.02	NEW PROVISION. Agritourism Activity not listed.	Add as Principal on Farm-def parcels with §901.80(D) warning sign.	Article 3; §519.21(C)(4), 901.80.	R.C. §519.12.
§16.03	NEW PROVISION. Article 3 farm framework not integrated; missing Farm Operations Vehicle Parking accessory.	Add Home Occupation, Cottage Food, Hobby Sales, Yard Sale, Roadside Stand, and Farm Operations Vehicle Parking as Accessory uses. The Farm Operations Vehicle Parking carveout preserves §519.21 protection for on-site farm vehicles.	Article 3; §519.21.	R.C. §519.12.
§16.04	NEW PROVISION.: Home Occupation in §16.04 lacks §30.27 cross-reference.	Add '(see §30.27)' cross-reference.	Adds cross-reference to operational standards in §30.27.	R.C. §519.12.
§16.04	NEW PROVISION. Typo: 'Temporary Uses and Seasonal Sales Lots' missing leading bullet marker.	Add bullet marker.	—	R.C. §519.12.
§16.04	NEW PROVISION. Home Business not listed.	Add as Conditional Use.	Article 3 Home Business.	R.C. §519.12.
§16.04	: Short-Term Rental classification (POLICY).	Add as Conditional Use placeholder; conditions deferred.	Adds Conditional-use placeholder; substantive standards deferred.	R.C. §519.12.
§16.05	Awkward height-standard punctuation/structure.	Rewrite with clean clause structure.	—	R.C. §519.12.
§16.05	Footnote 'See Section 2.09' should be §2.10.	Correct cross-reference.	§2.10.	R.C. §519.12.
§16.10 (NEW)	NEW PROVISION. No Unlisted Uses default rule; needs nuanced HT	Add new §16.10 — Heavy Truck Parking prohibited as principal use (no commercial terminals/fleet/parking-for-	Establishes express prohibition of Heavy Truck Parking as a principal use in A-2	R.C. §519.12.

	treatment.	hire); on-site farm operations vehicle parking permitted under §16.03.H + §519.21; Retail Business limited to farm framework.	while preserving on-site farm-operations vehicle parking under R.C. §519.21.	
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Article 18 – Well Field Protection Overlay District

Well Field Protection Overlay District standards.

Section	Current Text	Proposed Text	Rationale	Authority
§4.02 + Article 18 acronym	WFP (Art. 4) vs WP-1 / WP-5 (Art. 18) acronym drift.	Add parenthetical to §4.02: 'WFP Well Field Protection Overlay District (zones designated WP-1 and WP-5 under Article 18 by time-of-travel).' Keep WFP as the district name; WP-1 / WP-5 are zone subdivisions inside it.	Drafting clarification.	R.C. §519.12.
§18.01	No reference to Ohio EPA SWAP program or R.C. Chapter 6109.	Add purpose statement referencing SWAP and statutory framework.	Drafting clarification.	Ohio EPA SWAP; R.C. Ch. 6109
§18.02 (NEW)	NEW PROVISION. No map adoption clause; protected utility not identified.	Add map adoption clause citing Ohio EPA Drinking Water Source Protection Area maps; identify Tipp City as principal protected utility.	City of Tipp City.	Ohio EPA maps
§18.02 (NEW)	NEW PROVISION. Only one zone (1-year capture); modern best practice uses 1-yr + 5-yr.	Establish WP-1 Zone (1-year) and WP-5 Zone (5-year) with default to WP-1 where zone not designated on map.	Drafting clarification.	Ohio EPA SWAP
§18.03	No procedure for property owners to obtain applicability determination.	Add 10-business-day Zoning Administrator determination, appealable to BZA.	§2.06.A.7.	R.C. §519.12.
§18.05	No prohibitions on Sexually Oriented Businesses, large petroleum AST, or CAFOs in WP-1.	Add three prohibitions specific to WP-1 Zone.	—	R.C. §519.12.
§18.05 (Article 3 reference)	NEW PROVISION.	Add reference to the definition of 'Farm, Mega/CAFO' set forth in Article 3 (Definitions).	Drafting correction.	R.C. §519.12.
§18.06	Recursive empty conditional-use language.	Replace with Source Water Protection Review: 30-day Ohio EPA + utility advisory review on all CU applications in Overlay.	Drafting correction.	Ohio EPA
§18.08	500-gallon residential heating fuel exemption	Limit exemption to WP-5 Zone; require secondary	State Fire Marshal Code.	R.C. §519.12.

	too broad.	containment in WP-1 Zone regardless of capacity.		
§18.08 (NEW)	NEW PROVISION. No agricultural BMP provision; no spill reporting.	Add BMP documentation (preserves §519.21 exemption but supports state/federal enforcement) and 24-hour spill reporting requirement.	ODA LEPP.	R.C. §519.21
§18.09 (NEW)	NEW PROVISION. SIC codes obsolete (replaced by NAICS in 1997).	Add NAICS conversion; Zoning Administrator maintains SIC-to-NAICS conversion table.	—	R.C. §519.12.
§18.09 (NEW)	NEW PROVISION. Hazard ranking system calculates score but no threshold for use.	Add Hazard Ranking Threshold: 8+ prohibited in WP-1 except as CU with mitigation; 6-7 SWPR; 5- base district.	Tables 1, 2.	R.C. §519.12.
§18.10 (NEW)	NEW PROVISION. No mechanism for overlay boundary updates as Ohio EPA re-delineates.	Add ministerial 60-day Zoning Administrator update procedure; substantive changes require zoning map amendment.	§2.09.	Ohio EPA re-delineates

Article 20 – PD Planned Development District

PD Planned Development District standards and procedures.

Section	Current Text	Proposed Text	Rationale	Authority
§20.01	No express citation of R.C. §519.143.	Add statutory authority citation.	Drafting clarification.	R.C. §§519.021, 519.141, 519.143
§20.04	Subsection lettering skips C (labeled A, B, D, E.).	Restore C.	—	R.C. §519.12.
§20.04 (NEW closing ¶)	NEW PROVISION. No environmental constraints layer for density / open-space calculations.	Deduct floodway, SFHA buffer, WP-1, wetlands >½ ac, slopes >15%, easements from buildable area.	Articles 14, 18; federal wetland reg.	R.C. §519.12.
§20.05 (NEW)	NEW PROVISION. No third-party review escrow.	Add escrow for planner/engineer/legal review funded by applicant.	—	R.C. §519.12.
§20.06	No reversion/default standard for lapsed or denied PD.	Add reversion to base district as it existed immediately prior to preliminary approval; automatic ministerial reversion.	§§2.09, 4.03.	R.C. §519.12.
§20.08	'Preliminary excavation' undefined — common abuse vector.	Define narrowly: test borings, demolition of identified structures, required erosion controls only.	—	R.C. §519.12.
§20.10 subsection lettering	Amendment claims subsections A–M with restored C; body appears to show only B and partial sequence.	Audit §20.10 subsection letters A–M; restore any missing letters with content or strike the claim from amendment text.	Drafting clarification.	R.C. §519.12.
§20.10.B (NEW)	NEW PROVISION. No maximum density per PD subtype; broad delegation to ZC/Trustees.	Add density caps: PD-R 1.5×; PD-RM 4.0×; PD-RC 1.0×; PD-OR 2.0×; PD-MU 3.0× of base district equivalent.	Articles 5, 7, 8, 9, 15, 16.	R.C. §519.12.
§20.10.C (NEW)	NEW PROVISION. No performance standards (noise, light, odor, vibration, smoke, glare).	Add §20.10.C performance standards measured at PD or subdivision lot property lines.	Articles 12, 13.	R.C. §519.12.
§20.10.E	Open-space allows fragmented pieces; stormwater facilities count without cap.	Add: 50% contiguous min 50-ft width; stormwater ≤40% of OS; environmental constraints area ≤25% of OS.	Articles 14, 18.	R.C. §519.12.
§20.11 (NEW)	NEW PROVISION. No phasing standards (infrastructure-with-	Add §20.11: phasing plan; infrastructure with each phase; 110% bond; phase	—	R.C. §519.12.

	phase, bonding, default).	failure remedies.		
§20.12 (NEW)	NEW PROVISION. No HOA / common-area maintenance standards.	Add §20.12: required Ohio non-profit HOA; reserve study; Township step-back rights with lien recovery.	Substantive update aligning the provision with current law and practice.	R.C. §§505.871, 505.87
§20.13 (NEW)	NEW PROVISION. No coordination clause with Article 4 and §2.09.	Add coordination clause.	§§2.09, 4.02, 4.03.	R.C. §519.12.

Article 30 – Supplementary Regulations

Supplementary regulations applicable across districts.

Section	Current Text	Proposed Text	Rationale	Authority
§14.04 Conditional Uses (Article 14 F-1)	NEW PROVISION. After §30.27.A split made Home Business a Conditional Use, district articles needed to list it. Audit showed Articles 5, 7, 8, 9, 15, 16 already listed Home Business as Conditional; only Article 14 (F-1) was missing it.	Added "Home Business, subject to standards at §30.27.A.2." to Conditional Uses §14.04 in Article 14 (F-1 Flood Plain). Articles 5, 7, 8, 9, 15, 16 confirmed already compliant; no edits required there.	§30.27.A split residual cleanup.	R.C. §519.12.
§30.02	No cross-reference to §30.03 for corner-lot accessory rules.	Add cross-reference closing paragraph.	§30.03.	R.C. §519.12.
§30.03	Reconstruction of storm-damaged accessory structures: 'project beyond the building to which it is accessory' is ambiguous; no definition of 'common lot line'; no coordination with §30.02.A side-street setback.	Replace with explicit side-street build line + 10' common interior + 5' rear setbacks; cross-reference §30.02.A; most-restrictive controls.	§§30.02, 30.05.G.	R.C. §519.12.
§30.05.A	Three-level numbering quirk in swimming pool standards (1-5 nested under 5.c which is under 5).	Renumber pool-specific list to lowercase Roman in new §30.05.A.5.d.	—	R.C. §519.12.
§30.05.B	Defect: absolute front-yard accessory prohibition with no carveout for storm-damaged legally-existing structures.	Add storm-damage carveout — Involuntary Damage rebuild within 24 months in same footprint with engineering report.	Articles 2, 3 (Involuntary Damage).	R.C. §519.12.
§30.05.C	: cargo container rule doesn't actually prohibit, conflicts with §30.37, no ag carveout.	Rewrite: ban as permanent residential storage; cross-ref §30.37 for temp; permit in I-1/I-2 with §30.31 screening; ag exemption under §30.20.	§§30.20, 30.31, 30.37.	R.C. §519.12.
§30.05.G	Boundary overlap at break points; no district-setback	Add inclusive/exclusive boundary rule; district-	Articles 12, 13; §§30.05.B, 30.20.	R.C. §519.12.

	floor language; no ag carveout cross-ref; storm-damage replacement counting.	setback floor language (I-1/I-2 amended setbacks control); ag exemption cross-ref; storm-damage rebuild not counted.		
§30.05.G accessory-building note	Number limits not tied to district setback floor.	Add note: 'The number limits of this table apply uniformly across all districts; the size and setback limits are subject to the district setback floor rule above.'	Drafting clarification.	R.C. §519.12.
§30.06.D.5	Grammatical error: 'shall not be of opaque design must allow for visibility'.	Correct to 'shall not be of opaque design and shall allow for visibility'.	—	R.C. §519.12.
§30.06.F	: 'no Zoning Certificate required' allows non-compliant fences with no pre-check.	Replace with no-fee Fence Permit for fences >4 ft side/rear or any front-yard; 5-business-day response; deemed approval on failure; ag exemption.	Replaces existing fence regulation with no-fee permit framework; establishes deemed-approval timeline and agricultural exemption.	R.C. §519.12.
§30.14	Temporary Uses doesn't coordinate with new Article 3 farm framework.	Add note that Farm Market/Roadside/Cottage Food/Hobby Sale/Yard Sale activities are governed by §30.27 not this Section.	§30.27.	R.C. §519.12.
§30.14.6 sign cross-ref	Broken cross-reference to §36.08 'Domestic Advertising Signs'.	Repoint to the correct adopted §36.05.X subsection in Article 36, OR add §36.08 back into Article 36.	Drafting correction.	R.C. §519.12.
§30.20	Agricultural exemption not cross-referenced to new Article 3 farm framework or to §§30.05.C, 30.05.G, 30.26, 30.27.	Add cross-reference codifying Article 3 farm framework + §519.21 exemption controls over Article 30 supplementary provisions.	Article 3; §519.21.	R.C. §519.12.
§30.26	: no distinction between junk and active restoration; over-broad 'disabled or inoperative'; no ag carveout.	Add Junk Vehicle (Article 3) + Active Restoration Vehicle definitions (registered/antique title + active progress + ≤1/adult + improved surface + not ROW-visible); ag carveout under §519.21; cross-ref Article 40 §40.06 enforcement.	Article 3; Article 40 §40.06; §30.20.	R.C. §519.12.
§30.27 OVERALL	Three-bucket structure (Home Occ / Hobby /	Restructure into six subsections A-F aligned with	Article 3 farm framework.	R.C. §519.12.

	Yard) doesn't align with Article 3 framework (Home Business / Cottage Food / Roadside Stand / Hobby Sales / Yard Sale).	Article 3.		
§30.27.A (Home Occupation / Home Business split)	Home Occupation / Home Business framework split. Resolves caption/content mismatch after CHANGE-09 made Cottage Food a Home Occupation.	Restructured §30.27.A from single "Home Business" section into §30.27.A.1 Home Occupation (Accessory Use of right) + §30.27.A.2 Home Business (Conditional Use). Cross-references in §30.27.B Cottage Food and §30.27.D Hobby Sales repointed to §30.27.A.1. Article 3 Home Occupation and Hobby Sales definitions repointed to §30.27.A.1.	Resolves caption/content mismatch in the Home Occupation / Home Business split.	R.C. §519.12.
§30.27.A.2	Home Occupation 'all employees must be family members residing on premises' — too restrictive vs modern home business reality.	Replace with: resident-operator required + up to one (1) non-resident on-site employee + unlimited resident family workers.	Article 3 Home Business.	R.C. §519.12.
§30.27.A.2 and Article 3 Home Business definition (Articles 30 and 3)	Per user direction (Option A), §30.27.A.2 area standard reverted to original (greater of 25% of dwelling OR 200 sq ft, plus up to 400 sq ft accessory). Article 3 Home Business definition updated to match. Resolves inconsistency that arose during §30.27.A split cleanup pass — user did not approve a Home Business size loosening.	Revert Home Business area allowance to original 600 sq ft formulation (greater of 25% of dwelling or 200 sq ft, plus up to 400 sq ft accessory). Align Article 3 'Home Business' definition with reverted §30.27.A.2 standard.	User decision 2026-05-19.	R.C. §519.12.
§30.27.A.5 / .9 (Home Business)	Customer-visit cap + hours too permissive for residential district.	Tighten §30.27.A.5 to '4 visits per business day, not more than 15 per week.' Add appointment-log inspection authority. Tighten §30.27.A.9 to '8:00 a.m. to 6:00 p.m.' customer-facing hours.	Substantive update aligning the provision with current law and practice.	R.C. §519.12.
§30.27.A.6	Sales restriction doesn't address online/e-commerce.	Clarify: online and remote sales unlimited; on-site only own-produced or incidental supplies + Cottage Food.	§30.27.B Cottage Food.	R.C. §519.12.

§30.27.A.1 1	Flat 200 sq ft cap doesn't scale; conflicts with Article 3 Home Business 1,000 sq ft.	Scale to greater of 25% of habitable area or 200 sq ft; plus up to 400 sq ft in accessory building.	Article 3 Home Business.	R.C. §519.12.
§30.27.A.1 2 outdoor storage	'Within view of public right-of-way' qualifier defeated by screening.	Replace with: 'visible from any property line OR exceeding a footprint of fifty (50) square feet, in the aggregate. Outdoor storage within accessory buildings remains subject to the area allowance of subsection 11.'	Substantive update aligning the provision with current law and practice.	R.C. §519.12.
§30.27.B (Cottage Food)	Cottage Food Operation is not specifically addressed.	Add provisions for Cottage Food Operation as a regulated Home Occupation under §30.27.A.1, defined consistent with R.C. §3715.01(A)(19) and the rulemaking authority at R.C. §3715.025.	Drafting correction.	R.C. §519.12.
§30.27.B (NEW)	NEW PROVISION. Cottage Food not codified.	Add new subsection — state law (R.C. §3715) alignment; conditions of §30.27.A apply except on-site retail; sales at Farm Market/Roadside/Yard Sale permitted.	Article 3.	R.C. §3715.01(A)(19); R.C. §3715.025; O.A.C. 901:3-20.
§30.27.C (NEW)	NEW PROVISION. Roadside Stand not codified.	Add new subsection — accessory to Ag Use on parcels ≥1 acre; 15-ft ROW setback; 200 sq ft display; primarily on-parcel products; seasonal ≤180 days; 8 sq ft sign; §30.30 sight distance.	Article 3 Roadside Stand.	R.C. §519.12.
§30.27.C(3)) Roadside Stand	'Incidental products from neighboring farms' unbounded.	Quantify: 'incidental products from neighboring farms in the same Township, not to exceed twenty (20) percent of the displayed product mix and not from more than three (3) other farms in any operating season. Operators shall maintain dated source records. Exceeding either limit shall be regulated as a Farm Market.'	Drafting clarification.	R.C. §519.12.
§30.27.D (NEW Hobby Sales)	NEW PROVISION. Hobby Sales not codified.	Add new subsection — by appointment; no advertised hours; no separate signage; \$5,000 annual cap (above = Home Business); resident-	Article 3 Hobby Sales.	R.C. §519.12.

		occupant only.		
§30.27.E.4	ERROR: title said 'Reduced from 4 to 3 Per Year' but current is 2/year and proposed 1/quarter = 4/year (more permissive, not less).	Correct direction in title; the change INCREASES from 2 to 4 yard sales per year. Trustees flagged for awareness before adoption.	Corrects directional language in the section title; substantive change increases the per-year cap from two to four.	R.C. §519.12.
§30.27.F (NEW)	NEW PROVISION. Vehicle sales conceptually different from yard sales but currently buried in §30.27.C.	Move to standalone §30.27.F — 5 per adult per year cap retained.	Relocates garage-sale provisions to standalone §30.27.F with the existing five-per-adult per-year cap retained.	R.C. §519.12.
§30.28	Doesn't cross-reference §13.04A Heavy Truck Parking framework.	Add cross-reference — Heavy Truck Parking prohibited on residential; this Section governs non-Heavy commercial vehicles.	§13.04A; Article 3 Heavy Truck.	R.C. §519.12.
§30.31	No cross-reference to Article 38 buffer requirements.	Add closing paragraph: Article 38 controls where more substantial than opaque fence specified.	Article 38.	R.C. §519.12.
§30.33	No federal preemption acknowledgment.	Add federal preemption clause (47 U.S.C. §332/1455; 47 C.F.R. §1.6100) with BZA accommodation under §2.06.A.9.	Federal Telecom Act; §2.06.A.9.	R.C. §519.12.
§30.33.D (new) Streamlined EFR	NEW PROVISION. No codified federal-shot-clock pathway for Eligible Facility Modifications.	Add: 'Streamlined Eligible Facility Modifications. Applications under 47 C.F.R. §1.6100 shall be reviewed and acted upon within sixty (60) days of receipt of a complete application, consistent with federal shot-clock requirements. Failure to act constitutes automatic approval as required by federal law. The ZA shall maintain a separate EFR intake form.'	Drafting clarification.	R.C. §519.12.
§30.34 (closing)	No cross-references to Articles 35, 36, or §30.27.A.	Add cross-references.	Articles 35, 36; §30.27.A.	R.C. §519.12.
§30.34.B	B&B 'family members residing on premises' restriction parallel to §30.27.A.2 — too	Allow one (1) non-resident employee; align with §30.27.A.	§30.27.A.	R.C. §519.12.

	restrictive.			
§30.35 (NEW)	NEW PROVISION. Numbering gap — article jumps from §30.34 to §30.36.	Add §30.35 'Reserved' to fill numbering gap.	—	R.C. §519.12.
§30.36	Noise standard doesn't coordinate with §30.09 general nuisance prohibition.	Add cross-reference clarifying §30.36 dB table is operative; §30.09 applies to noise not captured by table.	§30.09.	R.C. §519.12.
§30.37	PODS section doesn't expressly coordinate with §30.05.C cargo container rule.	Add coordination note.	§30.05.C.	R.C. §519.12.
§30.38	Massage Establishment doesn't cross-reference Article 3 definition.	Add note that all on-site practitioners must hold Ohio Medical Board Chapter 4731 license per Article 3.	Article 3; O.	RC Ch. 4731
§30.39 (NEW) Special Event Permit	NEW PROVISION. CHANGE-04 companion: Agritourism tightening creates need for §30.39 Special Event Permit framework (>500 attendees, amplified sound after 10PM, temporary structures, etc.)	Add §30.39 Special Event Permit with Purpose, Permit Required (5 thresholds), Application, Review, Frequency Limit (4/yr), Relationship to Agritourism, Fee.	(Agritourism).	R.C. §519.12.

Article 35 — Off-Street Parking and Loading

Off-street parking and loading standards.

Section	Current Text	Proposed Text	Rationale	Authority
§§35.04.0 6.08	Typo: 'Section 35.5' should be '§35.05.'	Correct throughout.	—	R.C. §519.12.
§35.05	No Heavy Truck Parking row in §35.05 table (HT- 3A).	Add Heavy Truck Parking row — 1 space per Heavy Truck stored, sized per §35.09.A.	Article 3; §13.04A.	R.C. §519.12.
§35.07.2	References 'Section 20.08' for public hearing — wrong cross-reference.	Correct to '§2.06.D (Conditional Use procedure) or Article 20 (PD).'	§2.06.D; Article 20.	R.C. §519.12.
§35.09.A	45° passenger stall width listed as 14'-0" — anomalously wider than 60° (11'-0") and parallel (9'-0").	Correct to 9'-0" (standard 45° width).	—	R.C. §519.12.
§35.09.A	No Heavy Truck stall dimensions (HT-3B).	Add: combo unit 12 ft × 75 ft; single unit 14 ft × 45 ft; 90° aisle 35 ft; angled aisle 25 ft. Cross-ref §35.12.A.5 load standard.	§13.04A; §35.12.A.5.	R.C. §519.12.
§35.09.E	NEW PROVISION. Paving standard adequate for passenger but lacks load rating for heavy trucks.	Add cross-reference to §35.12.A.5 (1,000 psi) for Heavy Truck surfaces; reference §13.04A.C alternatives.	§§13.04A.C, 35.12.A.5.	R.C. §519.12.
§35.09.H. 3	Truncated subsection — only covers ≤50 vehicles.	Restore complete pole-height schedule: 20 ft (≤50), 25 ft (51-150), 35 ft (>150 or HT subject to §13.04A.G).	§13.04A.G.	R.C. §519.12.
§35.09.I	Nested numerical list inside alphabetical list without clear root.	Reformat for clarity (no substantive change).	—	R.C. §519.12.
§35.11.A vs §35.11.C	Internal contradiction: 4- ton in A, 1-ton in C.	Reconcile: A applies to ≥4-ton + Heavy Truck (Article 3); C applies to 1-4 ton overnight/outdoor. Add Article 3 Heavy Truck cross- reference (GVWR ≥26,001 lbs).	Article 3; HT-3C.	R.C. §519.12.
§35.12.B	Loading space 'amount required' is narrative-only — no minimum table by	Future cycle: add loading space minimum table.	—	R.C. §519.12.

	use.			
§35 (terminology)	Article 35 uses 'Board of Appeals' and 'Zoning Department' in some places.	Standardize to 'Board of Zoning Appeals' and 'Zoning Administrator' throughout Article 35.	Conforms terminology to administrative definitions established in Article 2.	§2.03.

Article 36 – Sign Regulations

Sign regulations.

Section	Current Text	Proposed Text	Rationale	Authority
§36.01	Heading duplication ('Purpose & Objectives' followed by 'Section 36.01 Intent').	Resolve heading duplication.	—	R.C. §519.12.
§36.01 duplicate heading	Two consecutive heading lines for Purpose.	Strike duplicate; consolidate to single Purpose heading.	Drafting correction.	R.C. §519.12.
§36.01.E.F	E and F are substantive rules misplaced under 'Objectives.'	Relocate E to §36.02.J; relocate F to §36.04.R.	§§36.02, 36.04.	R.C. §519.12.
§36.04.M	Sentence structure conflates agricultural exemption with BZA approval requirement.	Restructure: ag-painted-signs are exempt; non-ag require BZA approval.	—	R.C. §519.12.
§36.05.L	Political sign timing — First Amendment review under Reed v. Town of Gilbert.	Flag for future content-neutrality review.	—	Reed v. Town of Gilbert
§36.05.L (political-sign Reed restructure)	Content-based political-sign regulation under Reed v. Town of Gilbert, 576 U.S. 155 (2015).	Restructure as content-neutral durational rule: 'Temporary signs (regardless of content) shall be permitted in residential districts for periods not exceeding sixty (60) days, with no more than four (4) such 60-day periods per calendar year per parcel. The sign size and placement standards are uniform regardless of the message displayed.' Pull from future-cycle into this cycle.	Substantive update aligning the provision with current law and practice.	Reed v. Town of Gilbert (2015)
§36.05.N	References 'church' rather than Article 3 'Religious Place of Worship.'	Cross-reference Article 3 definition.	Article 3.	R.C. §519.12.
§36.05.N Religious bulletin board	Religious-identity sign exemption — Reed + RLUIPA dimension.	Restructure as generic 'institutional bulletin board' (places of worship, schools, community centers) — used, not message-tied.	Drafting clarification.	RLUIPA dimension
§36.05.T (NEW)	NEW PROVISION. Farm Market signage not specifically addressed.	Add new T: 32 sq ft / 12 ft freestanding + 3 directional × 4 sq ft each.	Article 3 Farm Market.	R.C. §519.12.

§36.05.T Farm Market Sign	Use-defined sign category — Reed content-based risk.	Restructure as use-tied: 'On any parcel containing a Farm Market as defined in Article 3 and operating in compliance with this Resolution, one (1) freestanding sign per Farm Market is permitted, not exceeding 32 sq ft in area and 12 ft in height.' Township compliance check is by parcel status, not message reading.	Drafting clarification.	Reed v. Town of Gilbert (2015)
§36.05.U (NEW)	NEW PROVISION. Home Business nameplate not specifically addressed.	Add new U: 2 sq ft (supersedes §36.05.B's 1 sq ft for Home Business).	Article 3 Home Business; §30.27.A.3.	R.C. §519.12.
§36.05.V (NEW)	NEW PROVISION. Wireless telecom tower identification signs not addressed.	Add new V: 4 sq ft placard at base with operator name + 24-hr contact + FCC reg.	§30.33.	R.C. §519.12.
§36.08 (NEW) Domestic Advertisin g Signs	NEW PROVISION. CHANGE-10: §30.14.6 + other cross-refs point to §36.08 Domestic Advertising Signs which doesn't exist.	Add §36.08 Domestic Advertising Signs covering: Address, Nameplate, No Trespassing, Garage/Yard/Estate sale, Political (subject to time/place/manner), Real Estate, Construction site, Holiday/seasonal. 6 sq ft residential; no internal illumination.	FIX-02 Option B.	R.C. §519.12.
§36.10.B.4 / B.5	I-1 and I-2 sign size limits identical (50 sq ft / 10 ft) — unusual.	Retain identical in v1; future cycle may differentiate I-2.	—	R.C. §519.12.
§36.10.B.9 (NEW)	NEW PROVISION. Residential districts not in §36.10.B sign sizes.	Add: residential districts limited to §36.05 exempt signs only.	Article 5.	R.C. §519.12.
§36.13	5 sq ft CUP trigger conflicts with §36.05.A by- right exemptions (6 sq ft res / 24 sq ft other).	Reference §36.05.A by-right limits as the CUP threshold.	§36.05.A.	R.C. §519.12.
§36 (terminolo gy)	Article 36 uses 'Township House' in some places.	Standardize to 'Township Hall' throughout Article 36.	Conforms terminology to §4.03 of this Resolution.	§4.03.

Article 38 – Landscape Buffer Requirements

Landscape buffer requirements.

Section	Current Text	Proposed Text	Rationale	Authority
§38.02	'Agricultural uses' exemption interaction with Stables and Riding Academy ambiguous.	Clarify that Stables on <20-acre parcels in A-1 abutting residential remain subject to §38.03.E.7 buffer.	Article 15 §15.04A.B.	R.C. §519.12.
§38.03.E.2 Screening	§38.03.E.2 sets buffer requirements between commercial/industrial and residential districts but does not state whether public roads, easements, or street rights-of-way count toward the required buffer.	Add a clarifying clause that roads, easements, and street rights-of-way do not count toward the required screening buffer.	The buffer requirement is intended to provide a vegetative or structural screen; pavement on the other side of a property line has never functionally satisfied that purpose.	R.C. §519.02; R.C. §519.21.
§38.03.E.5 .b	'50%' ambiguity — area, length, plant count?	Future cycle clarification.	—	R.C. §519.12.
§38.03.E.6 (NEW)	NEW PROVISION. Heavy Truck Parking screening (§13.04A.F) not explicitly anchored.	Add new E.6 — apply §38.03.E.5 standards to Heavy Truck Parking; §13.04A.F more restrictive controls.	§13.04A.F.	R.C. §519.12.
§38.03.E.7 (NEW)	NEW PROVISION. 100-ft Stables and Riding Academy buffer has no Article 38 anchor.	Add new E.7 — 100-ft buffer with 6-ft mature vegetated screen for Stables on <20-ac A-1 parcels abutting residential.	§15.04A.B.	R.C. §519.12.
§38.04	Sight triangle wording 'two ten (10) foot triangles' awkward.	Future cycle wording cleanup.	—	R.C. §519.12.
§38.05.B	Heading 'Service Courts and Loading Dock Areas' with no content.	Restore content: screening from view, location standards, dock standards.	§30.31.	R.C. §519.12.
§38.05.C	Cross-references §30.25 — verify exists.	Confirmed in Article 30 review; cross-reference is correct.	§30.25.	R.C. §519.12.
§38.06	Prohibited species list dated; no update mechanism.	Add ODNR update mechanism with ZA administrative interpretation memos.	—	R.C. §519.12.
§38.06.B	Latin species name typos throughout.	Pinus strobes → strobus; Catalpa sepciosa → speciosa; Crataegus oxyaxantha →	—	R.C. §519.12.

		oxyacantha; Ginkgo biloba → Ginkgo biloba.		
§38.06.B	'Caprifoliaceae species — Honeysuckle' captures entire family including native Diervilla.	Narrow to invasive Lonicera species only.	—	R.C. §519.12.
§38.06.B	Pinus strobus (Eastern White Pine) and Ginkgo biloba listed as prohibited — unusual; verify intent.	Flag for future cycle verification.	—	R.C. §519.12.
§38.08	Landscape plan requirements thin (no species, no irrigation, no maintenance).	Expand to require species, planting depth, irrigation, 24-month maintenance commitment, optional bond.	—	R.C. §519.12.
§38.09	Stray closing sentence reads as a finding, not a regulatory standard.	Strike. Add clarification distinguishing ZA modification authority from BZA variance authority.	§2.06.A.9.	R.C. §519.12.
§38.10 (revise from future-verification to strike)	Pinus strobus listed as prohibited but is native Ohio species; Ginkgo biloba non-native but not invasive.	Strike Pinus strobus from prohibited list. Verify Ginkgo biloba retention.	Drafting correction.	R.C. §519.12.

Article 39 — Pond Regulations

Pond regulations.

Section	Current Text	Proposed Text	Rationale	Authority
§39.02.A vs B/C	Internal contradiction: A says 'permit required'; B/C say 'no permit required.'	Qualify A: 'may require, as set forth in subsections B through E below.'	—	R.C. §519.12.
§39.02.B, C	Detention/Retention 'no permit required' too broad.	Limit exemption to ponds constructed under approved stormwater management plan; standalone ponds require certificate.	—	R.C. §519.12.
§39.02.D	References ORC §303.21 (county statute) — wrong; should be §519.21 (township).	Correct to ORC §519.21. Cross-reference Article 3 Agricultural Use.	O; Article 3.	R.C. §519.21.
§39.02.E.4	Setback measurement standard (from high-water line or toe of dam) currently applies only to Recreational Ponds.	Retain; extend to other pond types in future cycle.	—	R.C. §519.12.
§39.02.E.5 (NEW)	NEW PROVISION. No floodplain coordination — ponds in SFHA can conflict with §14.05A.	Add: pond in SFHA subject to §14.05A; not in Floodway absent no-rise analysis.	Article 14 §14.05A.	R.C. §519.12.
§39.02.E.6 (NEW)	NEW PROVISION. No buffer/vegetation requirement for pond banks.	Add 10-ft native riparian planting; Article 38 §38.03.A applies.	Article 38.	R.C. §519.12.
§39.02.E.7 (NEW)	NEW PROVISION. No safety standards.	Add: fencing where children access, life ring at maintained access, depth markers for >6 ft.	—	R.C. §519.12.
§39.02.E.8 (NEW)	NEW PROVISION. Dam safety reference passing only.	Add ODNR Chapter 1501:21 dam safety standards reference.	ODNR.	OAC 1501:21
§39.02.E.9 (NEW)	NEW PROVISION. No abandonment/decommissioning provisions.	Add: 36-month non-use triggers restoration or decommissioning.	—	R.C. §519.12.
§39.02.F (NEW)	NEW PROVISION. No Decorative/Ornamental Pond category.	Add: ≤750 sq ft decorative exempt from certificate; >750 sq ft subject to recreational standards.	§39.02.E.1.	R.C. §519.12.
§39.03	Three-sentence permitting process; no timeline, criteria, or	Expand: 20-business-day timeline with tolling; explicit review criteria; appeal to BZA	§§2.06.A.6, 2.10.	R.C. §519.12.

	appeal.	then R.C. 2506.		
§39 (formatting)	Article 39 uses an inconsistent section heading format ('XX.YY INTENT' style).	Standardize all section headings in Article 39 to the 'Section 39.XX [Title]' format used in Articles 35, 36, and 38.	Aligns Article 39 heading style with adjacent articles for cross-reference consistency.	—
§39 Scope-of-Amendment ¶3	Wording could be read as treating R.C. §303.21 as currently applicable.	Reword: 'correction of the prior text\'s incorrect reliance on R.C. §303.21 (county) where R.C. §519.21 (township) controls.'	Drafting clarification.	R.C. §303.21; R.C. §519.21.

Article 40 – Violations and Enforcement

Violations, enforcement procedures, penalties, and remedies.

Section	Current Text	Proposed Text	Rationale	Authority
§40.01	NEW PROVISION. Existing two-subsection §40.01 is bare-bones and lacks the substantive prohibition on storage of junk motor vehicle / nuisance.	Replace with three-subsection framework: (A) violation unlawful; (B) failure to obey lawful order unlawful; (C) storage of junk vehicle or nuisance unlawful.	§§40.02, 40.06, 40.07.	R.C. §519.12.
§40.02 (NEW)	NEW PROVISION. No definitions section in existing Article 40 — all enforcement terms undefined.	Add eight definitions: Junk Motor Vehicle (2-of-3 test); Collector's Vehicle; Nuisance (with ORC cross-references); Property; Owner; Authorized Officer; Final Notice of Violation; Outstanding Violation.	Article 3; O.	R.C. §§505.173, 505.871, 505.86, 505.87, 971.34, 5579.05; O.A.C. 901:5-37-01.
§40.02.A (Junk Motor Vehicle 4th condition)	Parallel to.	Mirror Article 3: add 4th condition (d) — same location 90+ consecutive days without being moved under its own power.	Substantive update aligning the provision with current law and practice.	R.C. §519.12.
§40.02.A (term alignment)	'Junk Motor Vehicle' (Art. 40) vs 'Junk Vehicle' (Art. 3) split.	Align to 'Junk Vehicle' (Article 3 = single-source definitions) OR add explicit equivalence sentence: 'Junk Motor Vehicle has the same meaning as Junk Vehicle in Article 3.'	Drafting clarification.	R.C. §519.12.
§40.02.C(4) (noxious-weeds cite)	Wrong ORC cite for noxious-weeds definition.	Replace 'noxious weeds as defined in Ohio Revised Code §971.33' with 'noxious weeds as defined in Ohio Administrative Code 901:5-37-01 (Prohibited Noxious Weeds).'	Drafting correction.	R.C. §519.12.
§40.03 (NEW)	NEW PROVISION. No Outstanding Violations Bar (clean-hands rule) — applicants with unresolved violations can apply for new zoning approvals on the same parcel.	Add comprehensive Outstanding Violations Bar with 7 application categories gated; same-parcel scope; only Final NOVs trigger; Abatement Plan hardship exception for new owners; appeal path; prospective	Articles 2, 5, 7-9, 12-13, 15-16, 39.	R.C. §519.12.

		effective date.		
§40.03.E Abatement Plan auto-expiration	Abatement Plan delay tactic.	Tighten: 'Where an Abatement Plan is approved under §40.03.D, the conditional zoning approval shall expire automatically and revert to denied status ninety (90) days after Plan approval if the Plan is not completed by that date, unless the ZA has in writing granted a not-to-exceed thirty (30) day extension on a showing of good cause. Automatic-expiration is ministerial and does not require separate revocation proceeding. Applicant may re-apply only after demonstrating completion. May not invoke §40.03.D hardship exception a second time on the same parcel.'	Substantive update aligning the provision with current law and practice.	R.C. §519.12.
§40.04 (NEW)	NEW PROVISION. No procedure for investigation or NOV issuance in existing Article 40.	Add investigation + 7-element NOV procedure + service by certified mail/posting/publication + 3 cure periods (30/10/7 days) + daily offense provision.	§§40.05, 40.06, 40.07, 40.09.	R.C. §519.12.
§40.05 (NEW)	NEW PROVISION. No administrative hearing procedure.	Add owner-requested Trustee hearing with 7-day notice; evidence/witnesses/counsel rights; 14-day written decision; 7-day post-hearing cure; R.C. §2506 appeal to Common Pleas.	O.	R.C. §2506.01.
§40.05.F Injunctive Relief (new)	NEW PROVISION. Enforcement timeline allows 80+ days before Final NOV; no interim relief for ongoing harm.	Add: 'Injunctive Relief During Pending Proceedings. The Board of Township Trustees or the Zoning Administrator may, upon a written finding that continued operation of the alleged violation poses immediate harm to public health, safety, or the environment, authorize the Township Counsel to seek a temporary restraining order, preliminary injunction, or other immediate relief from	Adds civil enforcement authority for injunctive relief.	R.C. §519.24; 2024 Am. Sub. H.B. 315 (eff. 4/3/2025).

		the Miami County Court of Common Pleas. Initiation of such action does not preclude or delay administrative proceedings under §§40.04 and 40.05.'		
§40.06 (NEW)	NEW PROVISION. Township has not activated ORC §§505.173/505.871 junk motor vehicle authority.	Add prohibition (72-hour storage threshold) + §40.04 cure procedure (10 days) + Township removal authority + 4 exemptions including new Active Restoration Vehicle exemption coordinating with §30.26.	§30.26; O.	R.C. §§505.173, 505.871.
§40.07 (NEW)	NEW PROVISION. Township has not activated ORC §§505.86/505.87/971.34/5579.05 nuisance authority.	Add property-specific resolution procedure with required contents; certified mail/posting/photo/publication service; ORC §971.34 partition fence and §5579.05 noxious weed sub-procedures; preserves prior resolutions (incl. Res. #24-11-108).	O.	R.C. §§505.86, 505.87, 971.34, 5579.05.
§40.08 (NEW)	NEW PROVISION. No abatement cost recovery framework.	B. Cost Recovery. The Township shall recover actual administrative costs, labor costs, and out-of-pocket expenses incurred in investigating and abating violations. Fees and rates shall be established by separate fee schedule adopted by the Board of Trustees by resolution under §2.11, supported by documented cost basis and reviewed annually. The current fee schedule shall be made available for public inspection at the Township office.	O.	R.C. §§505.871, 505.87.
§40.08.B per-day continuance fee	Section 40.08 in the current Resolution does not provide a complete cost-recovery framework with documented cost basis, annual review, and public inspection of the fee schedule.	B. Cost Recovery. The Township shall recover actual administrative costs, labor costs, and out-of-pocket expenses incurred in investigating and abating violations. Fees and rates shall be established by separate fee schedule adopted by the	Substantive update aligning the provision with current law and practice.	R.C. §519.99

		Board of Trustees by resolution under §2.11, supported by documented cost basis and reviewed annually. The current fee schedule shall be made available for public inspection at the Township office.		
§40.09	Existing §40.02 'Violation' penalty provision is bare-bones.	Replace with §40.09 codifying ORC §519.99 maximum: \$500 per offense; daily offenses; max statutory; separate from §40.08 cost recovery.	O.	R.C. §519.99.
§40.10	Existing §40.03 'Corrective Actions' civil-action provision is preserved but should be modernized.	Restate as §40.10 with civil action authority for Trustees, ZA, and damaged property owners; cumulative remedies; attorney's fees to prevailing Township.	O.	R.C. §2506.01.
§40.11 (NEW)	NEW PROVISION. No severability or effective date provisions.	Add severability; 30-day effective date per ORC §519.12; prior inconsistent provisions superseded; statutory authority cited.	—	R.C. §519.12.