



RESOLUTION #26-09-085

A RESOLUTION APPROVING ZONING CASE ZTA-03-026:

A REQUEST TO AMEND THE BETHEL TOWNSHIP ZONING RESOLUTION TEXT PER RESOLUTION #26-07-071

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio met in special session on the 8th day of September, 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, Resolution #26-07-071 was adopted on the 14th day of July, 2026, proposing amendments to the Bethel Township Zoning Resolution; **AND**

WHEREAS, the Miami County Planning Commission unanimously recommended denial; **AND**

WHEREAS, the Bethel Township Zoning Commission recommended unanimous approval with modifications; **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, Bethel Township, Miami County, Ohio that the proposed zoning amendments proposed in Resolution #26-07-071 be adopted with modifications agreed to during discussion as noted:

1. **§3.02 Words and Terms Defined – Parking Garage, Parking Lot, Parking Structure, Public Garage, Motor Vehicle**

- **Issue:** Parking Garage is listed in 3.02 as Garage, Parking.
- **Issue:** Term “Parking Lot” is referenced in B-1 General Business, B-2 Office/Residential, B-3 Neighborhood Business as a Non-Residential Conditional Permitted Use but when track back through the definitions seems to allow any type of vehicle, including heavy-duty trucks and equipment which is not intended in the Business Districts based on their defined purposes. It is also referenced in F-1 Flood Plain as a Non-Residential Principal Permitted Use. Note: there is a proposed amendment to add a separate term “Heavy Truck Parking”, so Parking Lot needs to be clear that it is not meant for heavy-duty vehicles or equipment.
- **Issue:** Term “Parking Structure” is referenced in B-1 General Business, B-2 Office/Residential, B-3 Neighborhood Business as a Non-Residential Conditional Permitted Use but when track back through the definitions seems to allow any type of vehicle, including heavy-duty trucks and equipment which is not intended in the Business Districts based on their defined purposes. It is also referenced in F-1 Flood Plain as a Non-Residential Principal Permitted Use. Needs to be clear that this is not for heavy-duty vehicles or equipment.
- **Issue:** Term “Public Garage” is referenced in I-1 Principal Permitted Uses as Public & Semi-Public Uses but there is no definition in 3.02.
- **Issue:** Term “Motor Vehicle” is used throughout the Zoning Resolution, but the 3.02 entry is labeled “Vehicle, Motor”
- **Current:**
 - Garage, Parking** – A space, structure, or series of structures for the temporary storage or parking of motor vehicles.
 - Parking Lot** – A permanently surfaced parcel of land devoted to unenclosed parking spaces.
 - Parking Space** – A dedicated area for the parking of a motor vehicle within a public or private parking lot.
 - Vehicle, Motor** – Any vehicle, including mobile homes and recreational vehicles, that is propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires.
 - Vehicle** – Any device that is used in the public or private transportation of one or more persons, is used in the

transportation of goods over public or private property or roadways, or is used in a commercial or agricultural enterprise. A device that is designed to be pushed, pulled or towed by any self-propelled vehicle shall be considered a vehicle for the purpose of this Resolution.

- **Proposed:** change Garage, Parking definition to refer to “automobile” which specifies a motor vehicle with a manufacturer’s gross vehicle weight rating of less than 26,001 pounds to exclude heavy-duty vehicles and equipment.

Garage, Parking – A space, structure, or series of structures for the temporary storage or parking of automobiles.

- **Proposed:** change Parking Lot definition to refer to “automobile” which specifies a motor vehicle with a manufacturer’s gross vehicle weight rating of less than 26,001 pounds to exclude heavy-duty vehicles and equipment.

Parking Lot – A permanently surfaced parcel of land devoted to unenclosed parking spaces for automobiles.

- **Proposed:** add an entry for “Parking Structure” to reference “Garage, Parking”.

Parking Structure – see “Garage, Parking”.

- **Proposed:** add an entry for “Parking Garage” to reference “Garage, Parking”.

Parking Garage – see “Garage, Parking”.

- **Proposed:** add an entry for “Public Garage” to reference “Garage, Parking”.

Public Garage – see “Garage, Parking”.

- **Proposed:** add an entry for “Motor Vehicle” to reference “Vehicle, Motor”.

Motor Vehicle – see “Vehicle, Motor”.

- **Modifications during discussion:** NONE

2. §3.02 Words and Terms Defined – Automobile Filling Station

- **Issues:**

- Term is used in I-1 and I-2 but definition references convenience store.
- Convenience store definition states it may include the sales of automotive fuels if permitted by the BZA, which causes a conflict within the Districts if Convenience Store is permitted differently than an Auto Wash Facility or an Automobile Filling Station as our code currently does. Automobile Filling Station is permitted in I-1 and I-2 only, but a Convenience Store is permitted in B-1 and B-3 districts. Auto Wash Facility is currently permitted in B-1 only.
- Auto Wash Facility is used in the Districts as “Automobile Was Facility”. Suggest moving the current definition to “Car Wash” as it is a more common name.

- **Current:**

- **Automobile Filling Station** - See “Convenience Store”. This should have true filling station definition.
- **Auto Wash Facility** – The use of a tract of land, building, or portion thereof, for the manual or automatic washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment, for profit.
- **Convenience Store** – A business that customarily provides prepackaged food products and beverages for consumption off premises, newspapers, magazines, groceries, or other small-scale retail items. A convenience store may include a car wash, the sales of automotive fuels and lubricants if permitted by the Township Board of Zoning Appeals.

- **Proposed:**

- **Automobile Filling Station** – see “Gas Station”.
- **Gas Station (Service Station)** – a retail station for servicing vehicles especially with gasoline, diesel fuel, and oil. A gas station may include a car wash and/or a convenience store as accessory uses if the District permits it.

- **Convenience Store** - A business that customarily provides prepackaged food products and beverages for consumption off premises, newspapers, magazines, groceries, or other small-scale retail items. ~~A convenience store may include a car wash, the sales of automotive fuels and lubricants if permitted by the Township Board of Zoning Appeals.~~
- **Automobile Wash Facility** – See “Car Wash”.
- **Car Wash** - The use of a tract of land, building, or portion thereof, for the manual or automatic washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment, for profit.
- Add “**Convenience Store Associated with Principally Permitted Use**” as an Accessory Permitted Use to I-1 §12.03 and I-2 §13.03. ** for gas stations*
- Add “**Car Wash Associated with Principally Permitted Use**” as an Accessory Permitted Use to I-1 §12.03 and I-2 §13.03. ** for gas stations*

- **Modifications during discussion:** _____

3. §3.02 Words and Terms Defined – Nursery School

- **Issue:** Both “Nursery School” and “School, Nursery” have definitions. While currently they are identical, this creates an opportunity for them to get out of synch should only one be amended.
- **Current:** An establishment providing for the care, supervision, and protection of children on a daily basis for compensation.
- **Proposed:** change Nursery School to reference “School, Nursery”, thereby eliminating the accidental mismatch in definitions should only one of them get updated.
 - Nursery School – see “School, Nursery”.
- **Modifications during discussion:** *NONE* _____

4. §3.02 Words and Terms Defined

- **Issues:**
 - New terms are missing from our definitions and the code references missing definitions.
 - Buildings and Trades, Contractor’s Yard, and Utility Storage Yard terms are used in B-1, I-1, and I-2, but there is no definition.
- **Proposed:**
 - **Buildings and Trades** - Establishments engaged in the construction, repair, remodeling, installation, or maintenance of buildings, structures, and related improvements. This category typically includes businesses such as general contractors, electricians, plumbers, HVAC contractors, roofers, masons, painters, carpenters, and similar trades. Activities may include offices, workshops, indoor storage of tools and equipment, and incidental outdoor storage where permitted.
 - **Contractor’s Yard** - Facilities used by construction contractors or similar businesses as a base of operations for the storage, maintenance, dispatch, and staging of construction equipment, vehicles, materials, and supplies. Contractor yards may include offices, workshops, equipment maintenance, and outdoor storage areas, but are not intended for the processing or manufacture of construction materials.

- **Utility Storage Yard** - Facilities operated by or on behalf of public or private utility providers for the storage, staging, maintenance, and distribution of equipment, vehicles, materials, and supplies used in the construction, operation, repair, and maintenance of utility systems, including electric, water, wastewater, natural gas, telecommunications, and similar infrastructure. These facilities may include fleet parking, equipment maintenance, warehouses, and outdoor storage.

• **Modifications during discussion:** NONE

5. **R-1AAA Residence District, A-1 Domestic Agriculture District, and A-2 General Agriculture District**

- **Issues:** Township has a need for affordable child care. B-3 has "Nursery School or Child Care" listed both as a Principal Permitted Use and as a Conditional Permitted Use in the B-3 Neighborhood Business District.

• **Current:**

- Nursery School and Child Care is currently only permitted as a Principal Permitted Use in B-2 Office/Residential and B-3 Neighborhood Business – suggest allowing "Nursery School or Child Care" as an Accessory Permitted Use in R-1AAA, A-1, and A-2 Districts where residential dwellings exist.
- Require a Zoning Permit so the Township and Fire Department knows where they are located.

• **Proposed:**

- R-1AAA §5.03 Accessory Permitted Uses:
 1. Add **Nursery School or Child Care as regulated in Section 30.27 (D)**
 2. Change Home Occupations to **Home Occupations as regulated in Section 30.27 (A)**
 3. Change Signs to **Signs as regulated in Article 36 – Sign Regulations**
- A-1 §15.03 Accessory Permitted Uses:
 1. Add **Nursery School or Child Care as regulated in Section 30.27 (D)**
 2. Change Signs to **Signs as regulated in Article 36 – Sign Regulations**
- A-2 §16.03 Accessory Permitted Uses:
 1. Add **Nursery School or Child Care as regulated in Section 30.27 (D)**
 2. Change Signs to **Signs as regulated in Article 36 – Sign Regulations**
- B-3 §8.03 Accessory Permitted Uses:
 1. Change Signs to **Signs as regulated in Article 36 – Sign Regulations**
- B-3 §8.04 Conditional Permitted Uses:
 1. Remove duplicate to Principal Permitted Uses: ~~Nursery School or Child Care~~

• **Proposed:**

- §2.07.D Zoning Certificate: add new paragraph following "Zoning Certificates for Home Occupations" called "**D. Zoning Certificates for Nursery School or Child Care**"
- Add new sub-paragraph **D.1: A Zoning Certificate shall be required for all Nursery Schools or Child Care.**
- Add new sub-paragraph **D.2: Nursery School or Child Care Zoning Certificates shall expire 5 years from the date of issue. To show intent to continue operation, the permit shall be renewed by application to the Zoning Administrator by the applicant. If finding that the permit holder is in compliance with the permit conditions, the Zoning Administrator shall issue a renewal. If conditions have not been met by the applicant, action will be taken to revoke the original permit.**
- Add a new sub-paragraph **D.3: All Nursery Schools and Child Care shall comply with the Nursery School and Child Care requirements set forth in Section 30.27.**
- Renumber the current paragraph D and subsequent paragraphs.

• **Proposed:**

(R-1AAA/A-1/A-2)

- §30.27.D add new paragraph **D. Nursery School or Child Care**
- Add paragraph to explain purpose: **Nursery School or Child Care in a Residential environment shall be regulated as follows:**
 1. There shall be no outward indication or display of operational activity other than a non-illuminated name plate of not more than one (1) square foot.
 2. No additional points of access to any street, road, or highway shall be constructed specifically to accommodate the operation.
 3. No permitted Nursery School or Child Care shall create excessive traffic volume as based on what is normally found in a residential neighborhood.
 4. Vehicles, other than passenger cars, used in the operation of Nursery Schools or Child Care or used in the operation of and as transportation to and from the permitted Nursery School or Child Care, shall be limited to pickup trucks and vans of one (1) ton capacity or less.
 5. Any equipment or process used in the operation that creates excessive noise, vibration, glare, or any environmental emissions or effluents detrimental to the health, safety, and general welfare of the District or causes any audible or visual interference with radio or television reception or electric line voltage fluctuations off of the subject property is prohibited.
 6. Number of children enrolled in or attending the Nursery School or Child Care operation shall be limited to a maximum of six (6). *at a time (refer to the state standard)*
 7. Hours that a permitted Nursery School or Child Care may be in operation shall be limited to those between 7:00 A.M. and 8:00 P.M.
 8. The operation shall comply with all Federal, State, County, and Township regulations that are pertinent to its operation in addition to those contained in this Section.
 9. The operation shall be conducted within habitable rooms of the dwelling and shall not exceed 25% of the total area of all habitable rooms of the dwelling.
 10. Any exterior or open-air activity outside of the dwelling that creates excessive noise is prohibited.
 11. Exterior storage, including storage in accessory buildings, of equipment, parts supplies, materials, products, merchandise, inventory and generated waste is prohibited. ~~13. Display of goods or products shall not be visible from outside of the dwelling.~~

- **Modifications during discussion:** *In #7 change 7AM to 6AM*

6. **B-1 General Business, B-2 Office/Residential, B-3 Neighborhood Business §x.04 Conditional Permitted Uses**

- **Issue:** Retail Sales, Parking Lots, Parking Structures permitted, but warehouses are not even though it is similar in nature
- **Proposed:** Allow warehouses as a conditional use and limited in size in B-3 District.
 - Add • **Warehouses** to B-1 §9.04 Conditional Permitted Uses
 - SCRATCH* ○ Add • **Warehouses** to B-2 §7.04 Conditional Permitted Uses
 - SCRATCH* ○ Add • **Warehouses less than 5,000 square feet in floor area** to B-3 §8.04 Conditional Permitted Uses (same as Retail Space restriction)

- **Modifications during discussion:** *ALLOW IN B-1 ONLY*

7. B-1 General Business §9.04 Conditional Permitted Uses, I-1 Light Industrial §12.04 Conditional Permitted Uses, I-2 Heavy Industrial §13.02 Principal Permitted Uses

- **Issues:** Terms “Buildings and Trades, Contractor’s Yard, Utility Storage Yard” is listed as a trio and sometimes singular, sometimes plural.
- **Proposed:** Split single bullet into three separate entries:
 - Buildings and Trades
 - Contractor’s Yard
 - Utility Storage Yard
- **Proposed:** In I-1 change “Contractor’s Yards” to the singular “**Contractor’s Yard**” and “Utility Storage Yards” to the singular “**Utility Storage Yard**” for consistency.

• **Modifications during discussion:** NONE

8. B-1 General Business, B-2 Office/Residential, B-3 Neighborhood Business, I-1 Light Industrial, I-2 Heavy Industrial §x.05 Lot Development Standards

- **Issue:** Maximum impervious surface is nearly the entire lot size, leaving no surface for water run-off or green space. Also, many I-1 lots are less than ¾ of an acre but our side-by-side in Wiley industrial park allowing for many acres of surface to be covered.
- **Proposed:** Limit impervious surface to 35% in all business and commercial districts
 - Change Maximum Impervious Surface Coverage from 85% to **35%** to B-1 §9.05 Lot Development Standards
 - Change Maximum Impervious Surface Coverage from 70% to **35%** to B-2 §7.05 Lot Development Standards
 - ~~STRIKE →~~ Change Maximum Impervious Surface Coverage from 40% to **35%** to B-3 §8.05 Lot Development Standards for All Other Uses
 - Change Maximum Impervious Surface Coverage from 85% to **35%** to I-1 §12.05 Lot Development Standards
 - Change Maximum Impervious Surface Coverage from 85% to **35%** to I-2 §13.05 Lot Development Standards

• **Modifications during discussion:** CHANGE 35% TO 40% IN B-1, B-2, I-1, I-2 AND REVISIT THIS WHEN WE HAVE A STORMWATER MANAGEMENT PLAN.

9. I-1 Light Industrial §12.01 Purpose

- **Issues:** Fix grammatical issues of misplaced/missing commas and sentence structure.
- **Current:** The purpose of the “I-1” Light Industrial District is to provide appropriate places for clean, low environmental impact industrial and manufacturing uses that are located completely indoors, limit off-site impacts, outdoor storage and **that** provide adequate landscaping and screening for buildings, structures and off-street parking areas.
- **Proposed:** The purpose of the “I-1” Light Industrial District is to provide appropriate places for clean, low environmental impact industrial and manufacturing uses that are located completely indoors, to limit off-site

TAKE OUT

impacts **and** outdoor storage, and **to** provide adequate landscaping and screening for buildings, structures and off-street parking areas. **TAKE OUT**

- **Modifications during discussion:** _____

10. I-1 Light Industrial §12.02 Principal Permitted Uses and §12.04 Conditional Permitted Uses

- **Issues:** Legacy spot zoning allows some uses where they really do not belong – need to reclassify Principal Permitted Uses to Conditional Permitted Uses to provide option for BZA to evaluate each requested use.
- **Proposed:** Move all remaining §12.02 Principal Permitted Uses to §12.04 Conditional Permitted Uses
- **Modifications during discussion:** **NONE**

Trustee Reese **seconded** the motion and the Board voted as follows upon roll call: **w/MODIFICATIONS**

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, Fiscal Officer
Bethel Township, Miami County, Ohio