Bethel TOWNSHIP
MIAMI COUNTY - OHIO

RESOLUTION #26-11-112

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 regular session on the 10th day of November, 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 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, Bethel Township, Miami County, Ohio that the Planning & Zoning Department initiates the process of amending the Bethel Township Zoning Resolution to reflect the staff recommendations as follows:

1. **§3.02 Words and Terms Defined**
   - ***Issue:*** The current definition is open to interpretation. Suggestion is to remove "or similar businesses" to eliminate ambiguity.
   - ***Current***: **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.
   - ***Proposed***: **Contractor's Yard** – Facilities used by construction contractors 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.

   - **Issue**: The current definition does not explicitly exclude the right-of-way, which, in the future could become pavement. Also, the text in the "Impervious Surface" definition refers to "Impervious Surface Calculations", but the term in the definition is "Impervious Surface Ratio."
   - ***Current***: **Impervious Surface Ratio –** The measure of intensity of impervious surfaces, determined by dividing the total of all impervious surfaces on a site by the gross area of the site.
   - ***Proposed***: **Impervious Surface Calculation/Ratio –** The measure of intensity of impervious surfaces, determined by dividing the total of all impervious surfaces on a site by the gross area of the site less any area designated as right-of-way.

   - ***Issue***: Definition of Recreational Vehicle has been updated in ORC 4501.01 (which is referenced in 4517.01).
   - ***Current***: **Recreational Vehicle** -
     1. A vehicular portable structure designed and constructed to be used as temporary dwelling for travel, recreational, and vacation uses and being classed as follows:
        A. Travel Trailer: a non-self-propelled vehicle and includes a tent type fold out camping trailer as defined in 4517.01 of the Ohio Revised Code.

B. Motor Home: a self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.

C. Truck Camper: a non-self-propelled recreational vehicle without wheels for road use and designed to be placed upon and attached to a motor vehicle. Truck campers do not include truck covers, which consist of walls and roof but do not have floors and facilities for using same as dwelling.

2. Part of a group including, but not limited to boats, boat trailers, snowmobiles, wet bikes, etc.

- ***Proposed***: **Recreational Vehicle – See "Vehicle, Recreational".**
- ***Proposed:*** **Vehicle, Recreational –**

1. A vehicular portable structure designed and constructed to be used as a temporary dwelling for travel, recreational, and vacation uses and being classed as follows:
   A. Travel Trailer or House Vehicle: a non-self-propelled recreational vehicle that does not exceed an overall length of forty feet, exclusive of bumper and tongue or coupling. Travel Trailer includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code.
   B. Motor Home: a self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.
   C. Truck Camper: a non-self-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. Truck Camper does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.
   D. Fifth Wheel Trailer: a vehicle that is of such size and weight as to be movable without a special highway permit, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.
   E. Park Trailer means a vehicle that is commonly known as a park model recreational vehicle, meets the American national standard institute standard A119.5 (1988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred square feet or less when set up, and is designed for seasonal or temporary living quarters.
2. Part of a group including, but not limited to boats, boat trailers, snowmobiles, and wet bikes.

- ***Issue***: Definition of Self-Storage Building (and Storage Yard) is limited to indoor storage only
- ***Current***: **Self-Storage Building (and Storage Yard)** – A building containing individual, compartmentalized and controlled access stalls, rooms or lockers or property that is leased, rented or owned by different individuals for the storage of individual possessions or personal property.
- ***Proposed***: **Self-Storage Building (and Storage Yard)** – A building containing individual, compartmentalized and controlled access stalls, rooms or lockers or property that is leased, rented or owned by different individuals for the storage of individual possessions or personal property. No outdoor storage is permitted excepting Recreational Vehicles as defined herein which shall be screened from visibility from rights of way and adjacent properties.

2. **§5.03 R-1AAA, §7.03 B-2, §8.03 B-3, §9.03 B-1, §12.03 I-1, §13.03 I-2, §14.03 F-1, §15.03 A-1, §16.03 A-2 Accessory Permitted Uses**
   - ***Issue:*** Uses "Customarily and Incidental to the Permitted Principal Use" is subject to interpretation. Suggest removing accessory uses containing this phrase to eliminate ambiguity.
   - ***Current***: Buildings or Uses Customarily and Incidental to the Permitted Principal Use;
   - ***Propose***: Eliminate use entirely: ~~Buildings or Uses Customarily and Incidental to the Permitted Principal Use;~~

3. **§7.03 B-2, §9.03 B-1, §12.03 I-1, §13.03 I-2, §14.03 F-1 Accessory Permitted Uses**
   - ***Issue:*** We have rules for signs that is not referenced when defined as an accessory permitted use. Suggest wording to be "Signs as regulated in Article 36 – Sign Regulations"

- ***Current***: (7.03 B-2, 9.03 B-1, 12.03 I-1, 13.03 I-2, 14.03 F-1) Signs
- ***Proposed***: Signs as regulated in Article 36 – Sign Regulations

- ***Issue:*** We have rules for home occupations that is not referenced when defined as an accessory permitted use. Suggest wording to be "Home Occupations as regulated in Section 30.27(A)"
- ***Current***: (14.03 F-1) Home Occupation
- ***Proposed***: Home Occupations as regulated in Section 30.27 (A)

4. **§30.27 Supplementary Regulations – Auxiliary Uses Permitted in Residential Districts; §5.03 R-1AAA, §15.03 A-1, §16.03 A-2 Accessory Permitted Uses**
   - ***Issue***: Section 30.27 seems to grant the uses listed as permitted - uses should only be permitted within the district articles.
   - ***Current***: Section 30.27 Auxiliary Uses ~~Permitted~~ in Residential Districts
     Many work-related activities, particularly those of the self-employed, can be compatible with and not detract from the primary use of a Residential District. This Section establishes regulations that ~~permit such activities and~~ shall govern ~~them~~ in a manner that the residential characteristics of the district shall be retained.
   - ***Proposed***: Section 30.27 Auxiliary Uses in Residential Districts
     Many work-related activities, particularly those of the self-employed, can be compatible with and not detract from the primary use of a Residential District. This Section establishes regulations that shall govern such activities in a manner that the residential characteristics of the district shall be retained.

   - ***Issue***: "Hobbies" and "Yard Sales, Equipment, and Vehicle Sales" are not permitted in any districts – suggest adding as accessory use to §5.03 R-1AAA, §15.03 A-1, §16.03 A-2.
   - ***Proposed***: Hobbies as regulated in Section 30.27 (B);
     Yard Sales, Equipment, and Vehicle Sales as regulated in Section 30.27 (C).

5. **§39.02 Ponds – Scope of Regulations**
   - ***Issue:*** There is a conflict in the wording of when a permit is required for detention and retention ponds. Suggest updating to be consistent by always requiring a permit.
   - ***Current/Proposed:*** A. No applicable structure shall hereafter be located, constructed, repaired, extended, enlarged, converted, or altered without full compliance with the terms of this resolution. Said construction, alterations or modifications require a zoning permit.
   - ***Current/Proposed***: B. "DETENTION POND" shall mean an artificially formed structure designed to hold storm water runoff, detaining it for a period of time before ultimately slowly discharging the water downstream. Detention ponds are designed to complement large scale residential, commercial and industrial developments. Detention ponds must be designed and constructed to the specifications of a licensed professional engineer and the engineering plans must be reviewed and approved by the respective authorized agencies. ~~No Permit Required.~~
   - ***Current/Proposed***: C. "RETENTION POND" shall mean an artificially formed structure designed to hold water year round with the capacity to accommodate a limited amount of storm water runoff. Retention ponds are reservoirs of natural water designed to enhance aesthetic elements of large scale residential, commercial, and industrial developments. Retention ponds must be designed and constructed to the specifications of a licensed professional engineer and the engineering plans must be reviewed and approved by the respective authorized agencies. ~~No Permit Required.~~

6. **Article 41 Amendment History**
   - ***Issue:*** Update Article 41 with appropriate amendment information.
   - ***Current***:
     This article contains the history of the Bethel Township Zoning Resolution and amendments. If a resolution is not referenced, the entry is for informational purposes only.

1. Certification of passage by vote – December 8, 1956
2. Date of Public Hearing – July 13, 1973
3. Date of Publication – July 20, 1973
4. Date of Adoption by the County Commission – September 24, 1973
5. Date and Time this Resolution Shall Take Effect – October 24, 1973 9:10 p.m.
6. Amended effective May 20, 1981
7. Amended effective April 13, 1989 – Articles 3, 4, 5, 6, 7, 8, 11, 13, 14, 15, 17, 19, 20, 21, 25
8. Amended effective December 28, 1993 – Articles **3**, 5, 6, 7, 17, 20, 25
9. Amended effective November 24, 1995 – Articles 2, 3, 4, 5, 6, 7, 12, 14, ~~16, 17, 18, 19, 20, 21,~~ 25
10. Amended effective April 30, 1998 – Articles 1, 3, 4, 5, 7, 9, 13, 14, 15, 17, 20, 21, 25
11. Amended effective September 7, 2000 – Articles 2, 3, 5, 7, 8, 9, 10, 11, 12, 17, 18, 25
12. Amended effective February 24, 2004 – Articles 2, 3, 8, 10, 11, 12, 17, 18, 19, 20
13. Amended effective May 24, 2005 – Article 16
14. Amended effective March 13, 2007
15. Amended effective July 12, 2007
16. Amended effective Sept, 2018
17. Amended effective July 14, 2022 – Articles 5, 15, 16 – resolution #22-08-057 (increase minimum lot size and road frontage)
18. Amended effective May 11, 2023 – Articles 3.02, 16 – resolution #23-04-041 (health & wellness facility)
19. Amended effective August 1, 2024 – Article 30.38 – resolution #24-07-067 (massage establishments)
20. Amended effective September 10, 2026 – Articles 1.05, 2.06, 2.07, 2.09, 2.15, 3.02, 5, 7, 8, 9, 12, 13, 14, 15, 16, 30.28, ~~35.11~~ – resolution #26-08-076
21. Amended effective October 8, 2026 – Articles/Sections 2.07, 3.02, 5, ~~7.04,~~ 7.05, 8.03, 8.04, ~~8.05,~~ 9.04, 9.05, 12, 13, 15, 16, 30.27 – resolution #26-09-085

- ***Proposed***:
  This article contains the history of the Bethel Township Zoning Resolution and amendments. If a resolution is not referenced, the entry is for informational purposes only.
  8. Amended effective December 28, 1993 – Articles **2**, 5, 6, 7, 17, 20, 25
  9. Amended effective November 24, 1995 – Articles 2, 3, 4, 5, 6, 7, 12, 14, 25
  10. Amended effective April 30, 1998 – Articles 1, 3, 4, 5, 7, 9, 13, 14, 15, 17, 20, 21, **2**, 25
  18. Amended effective May 11, 2023 – Articles 3.02, 16.**04** – resolution #23-04-041 (health & wellness facility)
  19. Resolution #24-06-064 effective July 4, 2024 – a resolution limiting medical marijuana and adult use cannabis cultivator and processor facilities to one each
  20. Amended effective August 1, 2024 – Article 30.38 – resolution #24-07-067 (massage establishments)
  21. Resolution #24-12-122 effective January 2, 2025 – a resolution limiting retail dispensaries for the sale of medical marijuana and adult use cannabis to zero
  22. Resolution #26-03-033 effective March 10, 2026 – a resolution placing a 1 year moratorium on data centers
  23. Resolution #26-03-034 effective March 10, 2026 – a resolution placing a 1 year moratorium on commercial solar and wind farms
  24. Resolution #26-06-056 effective June 9, 2026 – a resolution regulating the storage and accumulation of junk motor vehicles

25. Resolution #26-06-057 effective June 9, 2026 – a resolution establishing updated procedures for the declaration of nuisance and abatement, control, and/or removal of nuisance conditions (supersedes #05-07-172)
26. Amended effective September 10, 2026 – Articles 1.05, 2.06, 2.07, 2.09, 2.15, 3.02, 5, 7, 8, 9, 12, 13, 14, 15, 16, **30.06,** 30.28 – resolution #26-08-076
27. Amended effective October 8, 2026 – Articles/Sections 3.02, 5.03, 5.04, 7.05, 8.03, 8.04, 9.04, 9.05, 12.01-12.05, 13.02, 13.03, 13.05, 15.03, 15.04, 16.03, 16.04, 30.27 – resolution #26-09-085
28. Amended effective November 12, 2026 – Articles/Sections 2.03, 2.07, 3.02, fix numbering / indentation / reference numbers throughout the code (no text changes), 3.02 / 5-16 / 30 fix term inconsistencies, limit terms listed in district Articles 5-16 to one per bullet- resolution #26-10-101
29. Amended effective _____, 2026 – Articles/Sections 2.06, 2.07, 2.09, 3.02, 30.05, add 30.39, 35.11, 36.05, 36.13, 36.15, add Article 41 – resolution #_____
30. Amended effective _____, 2026 – Articles/Sections 3.02, 5.03, 7.03, 8.03, 15.03, 16.03 – resolution #_____
31. Amended effective _____, 2026 – Articles/Sections 3.02 definition, 5.03 R-1AAA, 7.03 B-2, 8.03 B-3, §9.03 B-1, 12.03 I-1, 13.03 I-2, 14.03 F-1, 15.03 A-1, 16.03 A-2, 30.27, 39.02, add Article 41 – resolution #_____

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

Vote:

Trustee Kama Dick	Yes	Kama Dick
Trustee Julie Reese	Yes	Julie Reese
Trustee Josh Wilkerson	No	Joshua Wilkerson

Attest: Rhonda Ross

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