



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON MAY 28, 2024

Goshen Township – Zoning Text Amendments

APPLICANT: Goshen Township Zoning Commission
6757 Goshen Road
Goshen Township, OH 45122

REQUEST: Modifications to the Goshen Township Zoning Resolution

PROPOSED TEXT AMENDMENTS: Amendments to Accessory Structure Regulations.
See attached Exhibit A for specific text amendments

CONTENT OF REPORT:

Exhibit A: Text Amendments

Exhibit B: Township Application and Resolution

STAFF ANALYSIS:

Goshen Township has proposed modifications to Article 5: Article 7: Accessory and Temporary Use Regulations to add language in the unlisted uses section, amendments to the permitted accessory use table, addition of specific use standards for shipping containers, and amendments to definitions. The list below has been provided by the Township:

- Section 5.03(C)(6) Modifications to Unlisted Uses language
- Section 7.01(C)(2) Addition of maximum size of shipping containers (vi)
- Section 7.01(D)(8) Addition language to Unlisted Uses
- Table 7-1: Permitted Accessory Use Table Modifications to Accessory Structures use allowances and addition of Shipping Containers,
- Article 7.01(E)(17) Addition of use-specific standards for shipping containers as an accessory use.

- Article 16.03 Definitions Modification of term Accessory Building, Structure, or Use to delete “Building” and use the term “Structure, Accessory”, deletion of “Building, Accessory”, “Detached Accessory Buildings or Structures”, and addition of “Shipping Container”.

The proposed text amendments are not in conflict with the provisions established in Section 519.12 of the Ohio Revised Code relative to the Township Zoning Authority and are consistent with actions meant to protect and preserve public health and safety. As the recommendation of the Planning Commission is nonbinding staff acknowledges that the proposed text amendments are permissible and the Township has the authority to process them according to their discretion.

RECOMMENDATION:

Staff recommends a motion to **RECOMMEND APPROVAL** as to form of the Goshen Township Text Amendments as submitted.

Exhibit A

Article 7: Accessory and Temporary Use Regulations

7.01 ACCESSORY USE REGULATIONS

(A) Purpose

This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses permitted in accordance with this resolution.

(B) General Provisions

- (1)** Accessory structures and uses shall be incidental to and customarily found in connection with a principal building or use permitted in the district in which it is located.
- (2)** An accessory structure and/or use shall be subordinate to and serves the principal building or use.
- (3)** An accessory structure and/or use shall be located on the same lot as the principal use for which it serves.
- (4)** An owner shall be required to apply for and receive a zoning permit unless exempted or not required by this section.
- (5)** An accessory use or structure shall not be established unless a principal use has first been established on a site in conformance with the applicable provisions of the zoning resolution.
- (6)** Accessory uses and structures are prohibited in any open space area that is preserved by a covenant deed restriction, or other private agreement.
- (7)** Accessory structures used for exempted agricultural purposes shall be exempt from these regulations.
- (8)** No accessory building or structure shall be used to operate a business, store equipment, or supplies used for a business, or be a location where employees meet or park, in any residential district, or recorded residential subdivision, unless specifically allowed as a home occupation.
- (9)** Accessory buildings and structures with a floor area less than or equal to 20 square feet shall not require a zoning permit but shall comply with the location and setback requirements of this section.
- (10)** Buildings and structures that are an integral part of an agricultural use (e.g., barns, silos, sheds, etc.) that is exempt from the regulations of this resolution are similarly exempted from these accessory use regulations.

(C) Size Requirements and Location

(1) Setbacks

- (a)** Detached accessory structures shall be set back a minimum of 10 feet from the principal building. This setback shall not apply to fences, walls, or hedges that are regulated by Section 8.02: Fencing, Walls, Hedges, and Similar Structures.
- (b)** Detached accessory structures shall be set back a minimum of 50 feet from any street right-of-way.

Article 5: Base Zoning Districts and Principal Use Regulations

5.03: Permitted Uses

(2) Permitted Uses with Standards

- (a) A "PS" in a cell indicates that a use category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the last column of Table 5-1. Permitted uses with standards are subject to all other applicable regulations of this resolution.
- (b) Uses permitted with standards under this category are approved administratively by the Zoning Inspector through the zoning permit procedure.

(3) Conditional Uses

- (a) A "C" in a cell indicates that a use may be permitted if approved through the conditional use review. Conditional uses may be subject to use-specific standards as identified in the last column of Table 5-1.
- (b) Conditional uses are subject to all other applicable regulations of this resolution.
- (c) The existence of additional use-specific standards in this resolution shall not be implied to be the only standards the use is required to meet. Any use that is permitted as a conditional use shall be subject to the general review criteria for conditional uses in Section 3.06(C): Conditional Use Review Criteria.

(4) Prohibited Uses

A blank and/or shaded cell indicates that a use is prohibited in the respective zoning district.

(5) Numerical References

The numbers contained in the "Use-Specific Standards" column are references to additional standards and requirements that apply to the use type listed. Standards referenced in the "Use-Specific Standards" column apply in all zoning districts unless otherwise expressly stated.

(6) Unlisted Uses

If a use is not listed in Table 5-1 then it shall be considered to be prohibited within Goshen Township. If an application is submitted for a use that the Zoning Inspector determines is not defined or established in Table 5-1, the applicant may choose to take one of the following actions:

- (a) The applicant may appeal the determination of the Zoning Inspector to the BZA pursuant to Section 3.07: Appeals;
- (b) The applicant may submit an application for a zoning text amendment to include the proposed use and applicable standards pursuant to Section 3.05: Zoning Text or Map Amendment; or
- (c) The applicant may present their case to the Zoning Commission and/or Board of Trustees to request that the township initiate a text amendment to address the proposed use and applicable standards.

- (c) Accessory buildings and structures with a floor area greater than 200 square feet shall be set back a minimum of 10 feet from the side and rear lot lines unless otherwise specified.
- (d) Accessory buildings and structures with a floor area less than or equal to 200 square feet shall be set back a minimum of five feet from the side and rear lot lines.

(2) Maximum Size

- (a) For residential districts, the aggregate square footage of the following accessory buildings and structures shall not exceed more than seven percent of the total lot area on which they are located:
 - (i) Detached garages and carports;
 - (ii) Detached storage/utility sheds, gazebos, and other similar structures;
 - (iii) Porches and decks (not attached to the principal dwelling);
 - (iv) Freestanding solar panels;
 - (v) Swimming pools, hot tubs, and spas;
 - ~~(v)~~(vi) Shipping containers; and
 - ~~(vi)~~(vii) Other accessory buildings similar in nature to the above mentioned structures, as determined by the Zoning Inspector
- (b) In no case shall the aggregate square footage of the accessory structures listed above exceed 2,000 square feet.
- (c) There is no maximum square footage of accessory buildings or structures in the business zoning districts.

(3) Maximum Height

The maximum height of accessory structures or buildings shall be 25 feet or the maximum height of the principal building, whichever is less. The height shall be measured as defined in Section 5.05(A)(4): Height Measurement and Exceptions.

(D) Permitted Accessory Uses

Table 7-1 lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 7-1.

(1) Permitted Use (P)

- (a) A "P" in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this resolution.
- (b) Permitted uses or structures are approved administratively by the Zoning Inspector through the zoning permit procedure (See Section 3.04: Zoning Permit.).

(2) Permitted Use with Use-Specific Standards (PS)

- (a) A "PS" in a cell indicates that the accessory use or structure category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the last column of Table 7-1. Permitted uses with standards are subject to all other applicable regulations of this resolution.

- (b) Uses or structures permitted with standards under this category are approved administratively by the Zoning Inspector through the zoning permit procedure (See Section 3.04: Zoning Permit.).

(3) Conditional Use (C)

- (a) A "C" in a cell indicates that an accessory use or structure may be permitted if approved through the conditional use review (See Section 3.06: Variance or Conditional Use.). Conditional uses may be subject to use-specific standards as identified in the last column of Table 7-1.
- (b) Conditional uses are subject to all other applicable regulations of this resolution.
- (c) The existence of additional use-specific standards in this resolution shall not be implied to be the only standards the use is required to meet. Any use that is permitted as a conditional use shall be subject to the general review standards for conditional uses in Section 3.06(C): Conditional Use Review Criteria.

(4) Prohibited Uses (Blank Cells)

A blank and/or shaded cell indicates that an accessory use or structure is prohibited in the respective zoning district.

(5) Permit Required

The "Permit Required" column identifies if a zoning permit is required for the applicable accessory use or structure.

(6) Yards Permitted

The "Yards Permitted" column identifies in which yards the applicable accessory use or structure is permitted. See also Section 5.05(A): Measurements, Computations, and Exceptions, for more information about specific yard locations for interior, corner, through, flag or panhandle, cul-de-sac, or curved street lots, etc.

(7) Numerical References (Last Column)

The numbers contained in the "Use-Specific Standards" column are references to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the "Use-Specific Standards" column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

(8) Unlisted Uses

If a use is not listed in Table 7-1 then it shall be considered to be prohibited within Goshen Township. If an application is submitted for a use that the Zoning Inspector determines is not defined or established in Table 7-1, the applicant may choose to take one of the actions identified in Section 5.03(B)(6): Unlisted Uses.

(9) Accessory Uses in Planned Development Districts

Accessory uses for development within a planned development district shall be regulated based on the principal use. Accessory uses for residential principal uses shall be as regulated for residential zoning districts in Table 7-1. Accessory uses for nonresidential principal uses shall be as regulated for nonresidential zoning districts in Table 7-1.

Article 7: Accessory and Temporary Use Regulations
7.01: Accessory Use Regulations

TABLE 7-1: PERMITTED ACCESSORY USE TABLE					
PERMITTED USES P = PERMITTED USE PS = PERMITTED WITH ADDITIONAL USE-SPECIFIC STANDARDS C = CONDITIONAL USE BLANK CELL = PROHIBITED	RESIDENTIAL ZONING DISTRICTS	BUSINESS ZONING DISTRICTS	ZONING PERMIT REQUIRED	YARDS PERMITTED F = FRONT S = SIDE R = REAR	USE-SPECIFIC STANDARDS SEE SECTION
	R-1, R-2, R-3, R-4, R-5, AND R-6	B-1, B-2, TC, M- 1, AND M-2			
Accessory Dwelling Units	C		Yes	R	7.01(E)(1)
Accessory Recreational Structures	PS		Yes	R	7.01(E)(2)
<u>Accessory Structures</u>	<u>P</u>	<u>P</u>	<u>Yes</u>	<u>S or R</u>	
Amateur Radio Antennas	PS		Yes	S or R	7.01(E)(3)
Automated Teller Machines (ATM) (Indoors)		P	No	Inside principal building	
Automated Teller Machines (ATM) (Outdoors)		PS	Yes	S or R	7.01(E)(4)
Community Gardens	PS	PS	Yes	F, S, or R	7.01(E)(5)
Detached Accessory Buildings or Structures	P	P	Yes	S or R	
Drive-Through Facilities		PS in B-1 and B-2	Yes	S or R	7.01(E)(6)
Farm Markets	PS	PS	No	F, S, or R	7.01(E)(7)
Home Occupations	PS		Yes	Inside principal building	7.01(E)(8)
Outdoor Dining		PS	Yes	F, S, or R	7.01(E)(8)(j)
Outdoor Display or Sales		PS	Yes	See 7.01(E)(10)	7.01(E)(10)
Outdoor Storage and Bulk Sales		PS	Yes	See 7.01(E)(11)	7.01(E)(11)
Outdoor Vending Machines and Drop Boxes		PS	No	See 7.01(E)(12)	7.01(E)(12)
Outdoor Wood Furnaces	PS		Yes	S or R	7.01(E)(13)
Playsets, Treehouses and Trampolines	P		No	S or R	
Porches or Decks	PS	PS	Yes	F, S, or R	7.01(E)(14)
Raising of Small Livestock	PS		No	S or R	7.01(E)(15)
Satellite Dishes	PS	PS	See 7.01(E)(16)		7.01(E)(16)
<u>Shipping Containers</u>	<u>PS</u>	<u>PS</u>	<u>Yes</u>	<u>R</u>	<u>7.01(E)(17)</u>
Small Wind Energy Conservation Systems - Blade Tip Power System Turbines (BTPS)	C	C	Yes	S or R	7.01(E)(18)
Small Wind Energy Conservation Systems - Horizontal Axis Wind Turbines (HAWT)	C	C	Yes	S or R	

Article 7: Accessory and Temporary Use Regulations
7.01: Accessory Use Regulations

TABLE 7-1: PERMITTED ACCESSORY USE TABLE					
PERMITTED USES P= PERMITTED USE PS= PERMITTED WITH ADDITIONAL USE-SPECIFIC STANDARDS C= CONDITIONAL USE BLANK CELL= PROHIBITED	RESIDENTIAL ZONING DISTRICTS	BUSINESS ZONING DISTRICTS	ZONING PERMIT REQUIRED	YARDS PERMITTED	USE-SPECIFIC STANDARDS
	R-1, R-2, R-3, R-4, R-5 AND R-6	B-1, B-2, C, M-1 AND M-2		F= FRONT S= SIDE R= REAR	SEE SECTION
Small Wind Energy Conservation Systems - Vertical Axis Wind Turbines (VAWT)	C	C	Yes	S or R	
Solar Panels – Freestanding Panels	C	C	Yes	R	7.01(E)(199)
Solar Panels – Roof Mounted Panels	PS	PS	Yes	See 7.01(E)(18).	7.01(E)(198)
Swimming Pools	PS	PS	Yes	S or R	7.01(E)(2019)
Type-B day care homes (1-6 children)	P		Yes	Inside principal building	
Unenclosed Patios	PS	PS	No	F, S or R	7.01(E)(210)

(E) Use-Specific Standards

(1) Accessory Dwelling Units

This section is intended to allow the creation of accessory dwelling units on existing lots in residential zoning districts that already contain one legally created dwelling unit under the following provisions:

- (a)** There shall be a minimum lot area of 10,000 square feet.
- (b)** An accessory dwelling unit may be created by the:
 - (i)** Conversion of an attic, basement, garage, or other previously uninhabited portion of a residential structure or detached residential accessory structure (e.g., garage); or
 - (ii)** Addition onto an existing residential structure.
 - (iii)** A manufactured home, mobile home, recreational vehicle, or other moveable habitable space shall not be used as a second unit.

(c) Accessory Dwelling Unit Development Standards

- (i)** Only one accessory dwelling unit shall be permitted on a lot.
- (ii)** Accessory dwelling units shall be exempt from the minimum lot area requirements in the applicable zoning district.
- (iii)** An accessory dwelling unit shall contain separate kitchen and bathroom facilities.
- (iv)** Accessory dwellings units shall only be allowed when attached to the principal dwelling unit or located above a detached garage on the same lot.
- (v)** Each accessory dwelling unit shall have an entrance separate from the primary dwelling.

(15) Raising of Small Livestock

The keeping of up to four chickens, rabbits, or similarly sized livestock is permitted on lots with an area of less than one acre provided that:

- (a) The principal use is a single-family dwelling;
- (b) No person shall keep any rooster;
- (c) No person shall slaughter any of the livestock for commercial sales;
- (d) The livestock shall be provided with a covered enclosure for protection from the elements; and
- (e) Livestock must always be confined within a fenced area of the yard at all times.

(16) Satellite Dishes

Satellite dishes may be permitted with standards when compliant with the following regulations and any other applicable sections of this resolution:

- (a) Satellite dishes of one meter in diameter or less shall be exempt from the provisions of this section and shall not require a zoning permit. To the maximum extent possible, the dish should be located in the side or rear yard.

(17) Shipping Containers

Shipping containers may be permitted with standard when compliant with the following regulations and any other applicable sections of this resolution:

- (a) Shipping containers must be placed on a hard surface foundation, which may include concrete, asphalt, or gravel.
- (b) Shipping containers shall be painted a solid color that is consistent in color with the principal structure.
- (c) Shipping containers may not be used for signage or advertisement.
- (d) A maximum of one shipping container is permitted on properties that are one acre or smaller. A maximum of two shipping containers are permitted on properties that are greater than one acre and up to five acres. A maximum of three shipping containers are permitted on properties that are five acres or greater in size.

(17)(18) Small Wind Energy Conservation Systems

Small wind energy conservation systems may be permitted as a conditional use when compliant with the following regulations and any other applicable sections of this resolution:

- (a) Systems that are five megawatts or larger in capacity are regulated by the Ohio Public Utilities Commission.
- (b) Blade Tip Power System Turbines (BTPS) are the only type permitted as part of these regulations.
- (c) The minimum lot area shall be five acres.
- (d) Any post or pole that the BTPS system is attached to must be affixed to the principal building.
- (e) The tip of the rotor blades shall not extend more than 10 feet above the highest point of existing roofline.

Article 16: Definitions

16.01 PURPOSE

It is the purpose of this article to define words, terms, and phrases, or identify references, contained in this resolution.

16.02 GENERAL RULES FOR INTERPRETATION

The following rules shall apply for construing or interpreting the terms and provisions of this resolution.

(A) Meanings and Intent

All provisions, terms, phrases, and expressions contained in this resolution shall be interpreted in accordance with the general purposes set forth in Section 1.01: Purpose, and the specific purpose statements set forth throughout this resolution. When a specific section of this resolution gives a different meaning than the general definition provided in this article, the specific section's meaning and application of the term shall control.

(B) Headings, Illustrations, and Text

In the event of a conflict or inconsistency between the text of this resolution and any heading, caption, figure, illustration, table, or map, the text shall control. Graphics and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.

(C) Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms like "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

(D) References to Other Regulations or Publications

Whenever reference is made to a resolution, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such resolution, statute, regulation, or document, unless otherwise specifically stated.

(E) Delegation of Authority

Any act authorized by this resolution to be carried out by a specific official of the township may be carried out by a designee of such official.

(F) Technical and Non-technical Terms

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

(G) Public Officials and Agencies

All public officials, bodies, and agencies to which references are made are those of Goshen Township, Clermont County, Ohio, unless otherwise indicated.

(H) Mandatory and Discretionary Terms

The words "shall," "must," and "will" are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words "may" and "should" are permissive in nature.

(I) Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

- (1) "And" indicates that all connected items, conditions, provisions or events apply; and
- (2) "Or" indicates that one or more of the connected items, conditions, provisions, or events apply.

(J) Tenses and Plurals

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

(K) Terms Not Defined

If a term used in this resolution is not defined in this article, the Zoning Inspector shall have the authority to provide a definition based upon the definitions used in accepted sources, including but not limited to, A Planners Dictionary, A Glossary of Zoning, Development, and Planning Terms, and A Survey of Zoning Definitions, published by the American Planning Association. The Zoning Inspector may also rely on Webster's Dictionary or a similar source for the definition of terms.

16.03 DEFINITIONS AND REFERENCES

ABUTTING OR ADJACENT

The land, lot, or property adjoining the property in question along a lot line or separated only by an alley, easement, or street.

ACCESSORY BUILDING, STRUCTURE, OR USE

See definitions under "~~building, accessory~~" "structure, accessory" or "use, accessory."

ACCESSORY DWELLING UNITS

Detached living quarters located on a lot with an existing principal dwelling where the accessory dwelling unit is designed for the use of persons employed on the premises or for the temporary use of guests of the occupants of the principal dwelling. Such guesthouse or accessory dwellings are not rented, leased, or otherwise transferred to an individual or organization as a separate dwelling.

ACCESSORY RECREATIONAL STRUCTURES

Accessory recreational structures are structures and surfaces with permanent improvements for outdoor use, such as tennis courts, paddle tennis, shuffleboard, basketball courts, and other similar facilities for use in conjunction with a residential dwelling unit.

ACTIVE PARKS AND RECREATION

Any park or recreational facility owned by Goshen Township, Clermont County, State of Ohio, or a non-profit organization, that requires grading of the land, construction of facilities, lighting, or is developed for athletic fields, tennis courts, swimming pools, skate parks, disc golf, and other similar outdoor facilities.

ADULT ARCADE

Any place to which the public is permitted or invited wherein coin-operated or token-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

BANNER

See definition of "sign, banner."

BASEMENT

That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling.

BED AND BREAKFAST ESTABLISHMENT

Any place of lodging that provides four or fewer rooms for rent on a temporary basis, is the owner's personal residence, is occupied by the owner at the time of rental, and where meals may be served to guests.

BERM

In the context of landscaping, bufferyard, or screening requirements, shall mean a mound of earth typically used to shield, screen, and buffer undesirable views and to separate potentially incompatible uses. See also the definition of "mound."

BILLBOARD

See definition for "sign, outdoor advertising"

BOARD OF TRUSTEES

The Goshen Township, Clermont County, Ohio, Board of Township Trustees

BOARD OF ZONING APPEALS (BZA)

The Goshen Township, Clermont County, Ohio, Board of Zoning Appeals

BUFFER OR BUFFERYARD

An area of natural or planted vegetation adjoining or surrounding a land use and unoccupied in its entirety by any building structure, paving or portion of such land use, for the purposes of separating, screening, and softening the effects of the land use, no part of which buffer is used for active recreation or parking, or interior access drives. A buffer may include a wall, fence, or berm as provided in accordance with the provisions of Article 10: Landscaping Standards.

BUILDING

Any structure, either temporary or permanent, that has a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, or property of any kind.

BUILDING FRONTAGE

See definition of "frontage, building."

BUILDING HEIGHT

The vertical distance of a building as measured pursuant to Section 5.05(A)(4): Height Measurement and Exceptions.

BUILDING LINE (FRONT FAÇADE)

A line that runs parallel and adjacent to the primary front building façade. See definition of "façade, primary."

~~**BUILDING, ACCESSORY**~~

~~A building on the same lot with, and of a nature customarily incidental and subordinate to the principal building.~~

BUILDING, NONCONFORMING

A building that lawfully occupied a lot at the effective date of this resolution, or amendments thereto, and that does not currently conform to the regulations of the applicable zoning district.

BUILDING, PRINCIPAL

The building containing the main or principal uses on the lot.

DECKS

A flat surface attached to a building that does not have walls or a roof and that is elevated above the ground, at its highest point, by at least 18 inches. Decks are not used as habitable space.

DENSITY

The quotient of the total number of dwelling units as divided by total area of the site. Unless otherwise specified in this resolution, density shall mean gross density as defined in "density, gross."

DENSITY, GROSS

Unless otherwise defined, gross density shall be the total number of dwelling units divided by the gross area of a site (including streets, easements, rights-of-way, open space set-asides, and/or other public dedications established as part of the development.).

DENSITY, NET

The total number of dwelling units divided by the gross area of the site minus any land used for streets, easements, rights-of-way, open space set-asides, and/or other public dedications.

~~**DETACHED ACCESSORY BUILDINGS OR STRUCTURES**~~

~~Accessory buildings or structures that are detached from the principal building or structure including, but not limited to, garages, gazebos, permanent outdoor kitchens (if they require a water, sewer, or building permit), storage sheds, and other structures.~~

DEVELOPMENT

Any manmade change to improved or unimproved land, including but not limited to the construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling.

DEVELOPMENT REVIEW

The procedure for evaluating an application and making a recommendation or decision as outlined in in Article 3: Review Procedures.

DIAMETER-AT-BREAST HEIGHT (DBH)

DBH is used to measure the caliper of a tree trunk at the specific height of 4.5 feet above the ground.

DISTRICT

See definition of "zoning district."

DRIVE-THROUGH FACILITIES

An establishment that encourages or permits customers to receive services, or obtain goods while remaining in their motor vehicles.

DRIVEWAY

A private way, other than a street or alley, that provides access to one lot of record for the use of vehicles and pedestrians unless approval has been granted for a shared driveway in which case, the driveway may serve multiple uses.

DWELLING

A building or portion thereof used exclusively for permanent residential purposes, including single-family, two-family, and other attached dwellings, but not including hotels, motels, tents, recreational vehicle, cabins, or boarding or lodging houses.

DWELLING UNIT

A single unit of one or more rooms providing complete, permanent independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation but not including a tent, cabin, hotel, motel recreational vehicle, or other temporary or transient structure or facility. A dwelling unit shall not include a mobile home or recreational vehicle, camping equipment, or a manufactured home except for permanently sited manufactured housing that conform to the requirements for such uses.

SETBACK, FRONT

The minimum distance required between a building, structure, or improvement and the front lot line.

SETBACK, REAR

The minimum distance required between a building, structure, or improvement and the rear lot line.

SETBACK, SIDE

The minimum distance required between a building, structure, or improvement and a lot that is shared with another lot where such lot line is defined as a side lot line.

SEXUAL ENCOUNTER ESTABLISHMENT

A business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where either of the following occur:

- Two or more persons may congregate, associate, or consort for the purpose of engaging in specified sexual activities.
- Two or more persons appear nude or seminude for the purpose of displaying their nude or seminude bodies for their receipt of consideration or compensation in any type or form.

An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated by the ORC, is not a "sexual encounter establishment."

SEXUALLY ORIENTED BUSINESSES

An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated by the ORC, is not a "sexually oriented business." A "sexually oriented business" does not include a nude or seminude model studio.

SHIPPING CONTAINER

Large, steel boxes designed to transport goods by sea or land, and have the strength suitable to withstand shipment, storage, and handling.

SHRUB

A woody plant, smaller than a tree, consisting of several small stems emerging from the ground, or small branches near the ground. Shrubs may be deciduous or evergreen.

SIDEWALK

A pedestrian walkway within a right-of-way of a public street but not on the street surface.

SIGN

Any object, device, display or structure or part thereof situated outdoors or adjacent the interior of a window or doorway which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, pictures, logos, figures, designs, symbols, fixtures, colors, illumination or projected images.

SIGN AREA

The entire display area of a sign including the advertising surface located on one or more sign faces and any framing, trim and molding, but not including the supporting structure as measured pursuant to Section 13.05: Sign Computations.

SIGN FACE

The area or display surface used for the message.

SIGN HEIGHT

The vertical distance to top of sign structure as measured pursuant to Section 13.05: Sign Computations.

SOLAR PANELS

Structures designed to utilize solar energy as an alternate for, or supplement to, a conventional energy system.

SPECIFIED ANATOMICAL AREAS

Human genitals

SPECIFIED SEXUAL ACTIVITIES

Human genitals in a state of sexual stimulation or arousal: acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus, or fellatio; and/or fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.

STACKING SPACE OR LANE

A lane or area that is specifically designated for cars to "stack" in while utilizing drive-up or drive-through services at uses that may include, but are not limited to, car washes, restaurants, and financial institutions.

STATE

The State of Ohio

STORY

The portion of a building included between the surface of any floor and the surface of the next floor above it or if there is no floor above it than the space between the floor and the ceiling next above it.

STREET

A publicly dedicated or owned right-of-way constructed to Clermont County Engineer standards intended or used, for vehicular and pedestrian movement, and, except where limited or controlled access, affording the principal means of access to abutting properties.

STREET FRONTAGE

See definition of "frontage, street."

STREET, LOCAL RESIDENTIAL

A street primarily for providing access to residential or other abutting property. For the purposes of this resolution, a local residential street shall be those streets maintained by the township.

STRUCTURAL LAWN

An area of land intended to be used for temporary or seasonal parking with structural plastic or concrete pavement materials under the surface, allowing for the growth of grass through the pavement material, having the appearance of a vegetated lawn.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. All buildings are considered structures.

STRUCTURE, ACCESSORY

A structure (including buildings but not fences) that is ~~detached from and accessory and~~ incidental to the principal ~~building~~structure. Permitted accessory structures are identified on Table 7-1: Permitted Accessory Use Table.

STRUCTURE, NONCONFORMING

A structure where the use is permitted in the applicable zoning district but the structure does not meet the setbacks, development standards, site development standards, or other dimensional or numerical standards for the applicable district.

SWIMMING POOL

A structure, whether above or below grade level, designed to hold water more than 18 inches deep with a total surface area exceeding 100 square feet, that is designed to be used for personal recreation (private swimming pool) or as a recreational amenity to a larger development (community swimming pool).

USE, ACCESSORY

A use or building on the same lot with, and of a nature customarily incident and subordinate to, those of the main use or building.

USE, CONDITIONAL

A use permitted within a district only with a conditional use permit approval from the BZA. See 3.06: Variance or Conditional Use.

USE, NONCONFORMING

A use that lawfully occupied a building or land until the effective date of this resolution, or amendments thereto, and that does not conform to the use regulations of the applicable zoning district.

USE, PRINCIPAL

The principal use to which the premises are devoted and the primary purpose for which the premises exist.

USE, TEMPORARY

A use or building permitted to exist during periods of construction of the main building or use, or for special events, but not inhabitable.

VEHICLE SALES AND LEASING

A building, lot, or both used for the display, sale, or rental of new or used motor vehicles or farm implements that are in operable condition, and where repair service may be an incidental accessory use.

VEHICLE WASHING ESTABLISHMENTS

The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

VEHICULAR USE AREA

Any paved ground surface area, except public rights-of-way, used by any type of vehicle, whether moving or at rest for the following purposes, but not limited to driving, parking, loading, unloading, storage or display.

VETERINARIAN OFFICES AND ANIMAL HOSPITALS (NO BOARDING)

Facilities used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations in a wholly enclosed building on the premises only for treatment, observation and/or recuperation.

WALL

An architectural partition with a height and length greater than its thickness; used to divide or enclose an area or to support another structure.

WALL, RETAINING

A retaining wall is a structure that holds back soil or rock from a building, structure or area. Retaining walls prevent downslope movement or erosion and provide support for vertical or near-vertical grade changes.

WAREHOUSES

Structures used for the storage or distribution of goods where there is no sale of items to retailers or the general public unless permitted as an accessory use to the warehouse.

WHOLESALE BUSINESSES

A business where the primary enterprise is the sale of merchandise to retail and service commercial uses, office uses, or institutional uses, or to other wholesalers, but not to the general public. Wholesale commercial uses may also mean acting as an agent or broker in the buying or selling of merchandise.

WIRELESS TELECOMMUNICATION ANTENNA

An antenna designed to transmit or receive telecommunications as authorized by the Federal Communications Commission ("FCC"), excluding amateur radio operator antennas.

Exhibit B

GOSHEN TOWNSHIP, CLERMONT COUNTY

DEPARTMENT OF PLANNING & ZONING
6757 GOSHEN ROAD, GOSHEN OHIO, 45122
513.722-3400 PHONE 513.722-3100 FAX

ZONING COMMISSION APPLICATION

APPLICATION NUMBER

FEES:

MINOR ADJUSTMENT PD/PDO/PUD RESIDENTIAL \$1200 COMMERCIAL \$1200
MAJOR ADJUSTMENT PD/PDO/PUD RESIDENTIAL \$1400 COMMERCIAL \$1400
TEXT AMENDMENT ZONE CHANGE \$2000
PLANNED UNIT DEVELOPMENT (PD/PDO/PUD) \$1400
ARCHITECTURAL REVIEW BOARD (Appeals) \$1200.00

ZC-2024-005
DO NOT WRITE IN THIS SPACE

THERE SHALL BE NO REFUND OR PART THEREOF ONCE PUBLIC NOTICE HAS BEEN GIVEN

1. PROJECT ADDRESS:

6757 Goshen Rd

ZIP CODE:

45122

2. NAME	STREET ADDRESS	CITY	ST	ZIP	PHONE NUMBER
OWNER Goshen Twp BOT	6757 Goshen Rd	Goshen	OH	45122	513-722-3400
CONTRACTOR					
DESIGNER					
APPLICANT					
APPLICANTS E-MAIL ADDRESS					

3. ZONING COMMISSION ACTION REQUESTED:

ZONE CHANGE FROM ZONE _____ TO ZONE _____
PD PDO PUD
MINOR ADJUSTMENT TO A PD/PDO/PUD
MAJOR ADJUSTMENT TO A PD/PDO/PUD
TEXT AMENDMENT

4. STATE IN DETAIL ALL EXISTING & PROPOSED USES OF THIS BUILDING OR PREMISES:

Text amendment - Accessory Structures.

5. SQUARE FEET: _____ 6. USE: _____ 7. HEIGHT: _____

8. EST. START DATE: _____ 9. EST. FINISH DATE: _____ 10. # OF SIGNS: _____

THE DEPARTMENT OF PLANNING & ZONING IS DEDICATED TO THE CONTINUING PROSPERITY OF GOSHEN TOWNSHIP. WE PROMOTE HIGH STANDARDS FOR DEVELOPMENT AND QUALITY PROJECTS. WE LOOK FORWARD TO SERVING OUR CITIZENS AND BUSINESS COMMUNITY TO MAKE GOSHEN TOWNSHIP THE BEST IT CAN BE.

The owner of this project and undersigned do hereby certify that all the information and statements given on this application, drawings and specifications are to the best of their knowledge, true and correct. The applicant and owner of the real property agree to grant Goshen Township access to the property for review and inspection related to this Zoning Commission application.

NOTE: FILING THIS APPLICATION DOES NOT CONSTITUTE PERMISSION TO BEGIN WORK.

Bos Rose 4/10/24
APPLICANT'S SIGNATURE DATE
Bos Rose 4/10/24
PROPERTY OWNER'S SIGNATURE DATE

GOSHEN TOWNSHIP BOARD OF TRUSTEES

RESOLUTION NO. R-01-2024

The Board of Trustees of Goshen Township, Clermont County, Ohio met in regular session on April 9, 2024 with the following members present:

Dan Hodges, Chairman
Lisa Allen, Vice-Chair
Bob Hausermann, Trustee

Mr/Mrs. Hausermann moved for the adoption of the following Resolution:

A RESOLUTION TO PROPOSE TEXT AMENDMENTS TO THE GOSHEN TOWNSHIP ZONING RESOLUTION

WHEREAS, pursuant to Ohio Revised Code (ORC) 519.02, the Board of Trustees in the interest of the public health, safety and welfare, may regulate by resolution, in accordance with a comprehensive plan, the location, height, bulk, number of stories, and size of buildings and other structures, percentages of lot areas that may be occupied, set back building lines, sizes of yards, courts, and other open spaces, the density of population, the uses of buildings and other structures, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the township; and

WHEREAS, pursuant to Ohio Revised Code (ORC) 519.12 the Board of Trustees, desires to initiate text amendments to the Goshen Township Zoning Resolution; and

WHEREAS, the Board hereby finds that the proposed text amendments as set forth in Exhibit A to this Resolution are in keeping with good land planning and are not in conflict with the best interest of the township and the public; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Goshen Township, Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

SECTION I

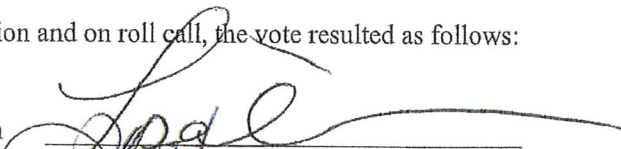
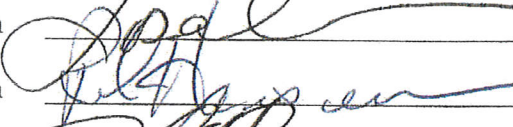
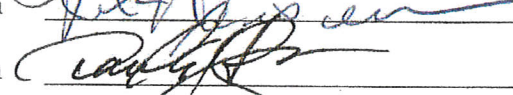
That the Board of Township Trustees of Goshen Township, Clermont County, Ohio shall certify the proposed text amendments, indicated by underlined text, to §5.03 (6), Unlisted Uses, §7.01 (C)(2), Accessory Use Regulations – Maximum Size, §7.01 (D)(8), Accessory Use Regulations – Unlisted, Table 7-1: Permitted Accessory Use Table, §7.01 (E)(17), Use Specific

Standards – Shipping Containers, and Article 16: Definitions, of the Goshen Township Zoning Resolution, as set forth on the attached “Exhibit A,” to the Goshen Township Zoning Commission.

SECTION II

That the Board of Township Trustees of Goshen Township does hereby find and determine that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

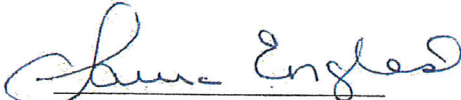
Mr. Allen seconded the motion and on roll call, the vote resulted as follows:

Trustee Allen:	<input checked="" type="radio"/> Yes / No / Abstain	
Trustee Hausermann:	<input checked="" type="radio"/> Yes / No / Abstain	
Trustee Hodges:	<input checked="" type="radio"/> Yes / No / Abstain	

Trustee Action: Approved / Approved w/Modification / Denied / Tabled until _____

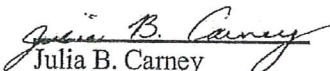
This Resolution was duly passed on the 9th day of April 2024.

ATTEST:



Laura Engled
Fiscal Officer Goshen Township
Clermont County, Ohio

Approved as to form:



Julia B. Carney
Assistant Prosecuting Attorney
Clermont County Prosecutor’s Office