

# RECORD OF PROCEEDINGS

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## BOWLING GREEN TOWNSHIP

### BOARD OF TRUSTEES

November 22, 2023

Bowling Green Township Board of trustees opened this public hearing at 6:30pm. All and fiscal officer (FO) were present.

This public hearing was held to review the zoning resolution amendment recommended by the zoning commission. The amendment is as follows:

#### Section 9.5 Agricultural District (AG)

Permitted uses, conditionally permitted uses, dimensional requirements and other regulations of the AG District:

##### Permitted Uses

1. Agriculture (pursuant to Section 519.12 of the Ohio Revised Code – no permit is required for uses defined in Article 2 of these regulations).
2. Gas and oil wells: in any and all districts of the township, a well may be drilled for the exploration for or production of natural oil or gas only after or when the following conditions have been complied with:
  - a. Compliance with all applicable laws of the State of Ohio.
  - b. No tanks or reservoirs erected or intended for the storage of petroleum products shall be located within 50 feet of any public right-of-way nor within 100 feet of dwelling units.
3. Single-Family dwellings.
4. Two-Family dwellings.
5. Manufactured homes.
6. Public parks and playgrounds - owned and operated by a township, county, municipal corporation, or a public park district.
7. Private community parks and playgrounds.
8. Nursery – plant materials and sales.
9. Private stables.
10. Outdoor swimming pools subject to R-2 regulations.
11. Home occupations.
12. Accessory uses and structures.
13. Forestry.
14. Kennels.
15. Shipping containers- not more than 2 per 5 acres

Conditionally permitted Uses: After obtaining a valid conditional use permit in accordance with Article 6, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Local retail business or service including grocery, fruit and vegetable store, meat market, barber or beauty shop.
2. Grain handling facilities
3. Veterinary Hospital clinic and/or cattery
4. Farm implement sales and service facilities
5. Quarrying and mining of natural resources, following the guidelines in ORC 519.141

Also adding this to article 9, making it

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### Section 9.12 Medical marijuana

Medical marijuana and the cultivation, processing, and retail dispensing of medical marijuana shall be excluded from the Bowling Green Township Zoning. Medical marijuana cultivators, processors, and retail dispensaries are expressly prohibited from being located in the unincorporated territory of Bowling Green Township.

### Section 9.13 Portable Storage Container (shipping containers)

Portable Storage Container: A purpose built transportable, fully enclosed, box-like container that is designed for temporary storage of materials and/or equipment. Such containers are uniquely designed for their ease of loading to and from a transport vehicle. For the purposes of this resolution, the trailer portion of a tractor-trailer shall be considered a portable storage container when expressly used for the purpose of on-site storage. Portable Storage Units include but are not limited to the following terms: Pods, Containers, Shipping Containers, Storage, Containers, Mobile Storage Containers, Mobile Storage Units, and Moving Containers

Storage containers must follow set backs and limited to not more than 2 per 5 acre.

### Section 9.14 Solar panels

1. Solar panels are permitted as an accessory use in all districts to promote clean, sustainable, and renewable energy resources. The intent of these regulations is to establish general guidelines for the location of solar panels and solar collection systems to prevent off-site nuisances including unreasonable visual interference, light glare, and heat that the incorrect placement of solar panels or solar collection systems may create such that they may have a negative effect on surrounding properties.
2. A solar energy accessory system shall be used for the generation of power to reduce on-site consumption of utility power and/or provide power to a structure that is not connected to utility service. This provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company and/or the regional transmission organization, however it is intended prohibit commercial, utility scale production of power within Bowling Green township.
3. No solar panel or solar collection system shall be constructed, erected, installed or located without a zoning permit.
4. Requirements and Regulations. Solar panels or solar collection systems shall conform to or be evaluated for compliance with the following standards:
  - a. If roof mounted, the solar or photovoltaic system shall:
    - i. May be mounted to a principal or accessory structure.
    - ii. Be flush mounted on the roof unless good cause is shown by the applicant that the solar panel is not at an appropriate angle to obtain maximum sun exposure if mounted flush to the roof.
    - iii. Not extend higher than the peak of a sloped roof or higher than 5 feet from the top of a flat roof. Combined height of the solar energy accessory system

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- and structure to which it is mounted may not exceed the maximum building height allowed in that zoning district for the type of structure to which it is attached.
- b. If freestanding, the solar or photovoltaic system shall:
    - i. Not extend more than 10 feet above the existing grade in all districts.
    - ii. Not be located in the front yard.
    - iii. Not be located in any required side or rear yard setback areas for accessory uses, or within 30 feet from the property line, whichever is greater.
    - iv. Not be positioned so as to reflect sunlight onto neighboring property, public streets, or sidewalks, including on any neighboring structures.
    - v. The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage. Not to exceed 10% of lot size.
    - vi. Be landscaped at the base up to the height of the of the panel structure if structure is visible from neighboring property or the street(s). Landscaping shall include fencing and/or plantings to provide a minimum of 95% opacity year round.
  - c. All signs, both temporary and permanent, are prohibited on solar panel or solar collection systems, except as follows:
    - i. Manufacturer's or installer's identification information on the system.
    - ii. Appropriate warning signs and placards.
5. Solar panel or solar collection systems shall comply with all applicable sections of the Licking County Building Code Department.
  6. All mechanical equipment of solar energy systems including any structure for batteries or storage cells shall be completely enclosed by a minimum eight (8) foot high fence with a self- locking gate.
  7. All electrical wires and connections on freestanding solar or photovoltaic collection system shall be located underground.
  8. Maintenance: All solar panel or solar collection systems shall be maintained in good working order.
  9. Solar energy accessory systems that are no longer functioning shall be completely removed from the property within twelve (12) months from the date they are no longer producing electricity. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be returned to natural condition within thirty (30) days of removal or as soon as weather permits.
10. Procedure for Review. The review and approval of solar panels or a solar collection system shall comply with the following requirements:
    1. Plan Review. A plan shall be submitted for review for all solar panel or solar collection systems. The following items shall be the minimum requirements to be considered a complete application and shall include the following:
      - i. Property lines, physical dimensions, and setbacks of the applicant's property.
      - ii. Location, dimensions, and types of existing structures on the subject property
      - iii. Location of the proposed solar panel or solar collection system, and associated equipment, including elevations of the proposed system(s) at its maximum tilt.

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11. Compliance with all development standards as outlined in this section.
  1. Zoning Compliance. A Zoning permit must be obtained in accordance with this Zoning Resolution.
  2. Building Permit. A Building Permit must be obtained from the Licking County Building Code Department.

**DEFINITIONS TO BE ADDED IN THE PROPER PLACE IN THE DEFINITION SECTION**

Solar Energy - Accessory System: A solar collection system consisting of one or more roof and/or ground mounted solar collector devices and solar energy equipment, which has a rated capacity of less than or equal to twenty five (25) kilowatts (for electricity) or rated storage volume of less than or equal to two hundred forty (240) gallons or that has a collector area of less than or equal to one thousand (1,000) square feet (for thermal), and is intended to primarily reduce on-site consumption of utility power. A system is considered solar energy accessory system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company and/or the regional transmission organization.

Solar Energy - Production System: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy and/or thermal energy. A large solar energy production system consists of one or more free-standing ground, or roof mounted solar collector devices, solar energy equipment and other accessory structures and buildings including light reflectors, concentrators, heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities, which has a rated capacity of more than twenty-five (25) kilowatts (for electricity) or a rated storage volume of the system of more than two hundred forty (240) gallons or that has a collector area of more than one thousand (1,000) square feet (for thermal).

Solar Energy Equipment: Items including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, batteries, mounting brackets, framing and/or foundation used for or intended to be used for the collection of solar energy.

Solar Photovoltaic (PV): The technology that uses a semiconductor to convert light directly into electricity.

Portable Storage Container: A purpose built transportable, fully enclosed, box-like container that is designed for temporary storage of materials and/or equipment. Such containers are uniquely designed for their ease of loading to and from a transport vehicle.

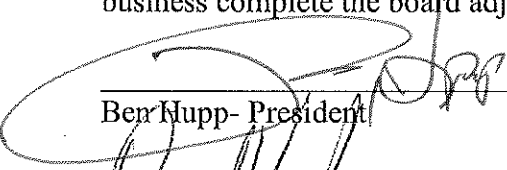
Trustees opened for comment. Mr. Smith asked about whether or not churches will be added back in as a permitted use. It has been left out of permitted uses. The zoning

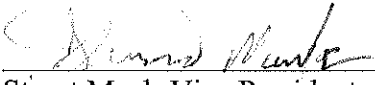
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commission could not find a way to prevent a large church from being built in the township if it was permitted. He also asked if the passing of the marijuana issue would affect our zoning resolution. The trustees have received some info from the prosecutor's office that they will be discussing. Mr. Smith asked about the storage container part of the resolution. The amendment states 2 storage containers per acre.

Trustee Hupp made a motion to adjourn. Trustee Mack seconded the motion. With business complete the board adjourned at 6:42pm.

  
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Ben Hupp- President

  
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Stuart Mack-Vice President

  
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Daniel VanBuren- Trustee

  
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Jennie Duval-Fiscal Officer

