

XENIA TOWNSHIP BOARD OF TRUSTEES
PUBLIC HEARING FOR AGRITOURISM

August 4, 2016

THESE MINUTES ARE A SUMMARY OF THE EVENTS OF THE HEARING AND ARE NOT A WORD FOR WORD ACCOUNT OF THE DISCUSSIONS WHICH TOOK PLACE.

The Xenia Township Board of Trustees held a public hearing on August 4, 2016 at 5:30 p.m. at the Xenia Township Trustees Office, 8 Brush Row Road, Xenia, OH, 45385 with the following members present:

Attendees: Scott Miller, Chair; Susan Spradlin, Trustee; Steve Combs, Trustee; and Sheila Seiter, Fiscal Officer;

Mr. Miller called the hearing to order at 5:35 p.m. Mr. Miller advised that this public hearing was being held to discuss changes to the Xenia Township Zoning Resolution, made by the Zoning Commission, to include Agritourism. Mr. Miller advised that there are changes being made at the State level to include Agritourism, and this affects the Townships. Mr. Miller said that the Xenia Township Zoning Commission recommended approval of the changes. He said they are requesting to change several sections of the Zoning Resolution to include language and definitions for Agritourism. As of May of this year, the State has passed Senate Bill Seventy-Five and was signed by the Governor. Mr. Miller informed that it will be in effect starting August 17, 2016. The law allows Townships to regulate Agritourism use. Townships may not regulate drainage, base pavement or any other improvements. Mr. Miller advised that the law is silent regarding the need for Agritourism operation to meet existing building, fire, and health codes and does not allow Townships to require them to meet such codes. Farm markets and agricultural exemption uses are still regulated separately. The definition of Agritourism in the proposed text is from the ORC section 901.80. Definitions for Agritourism provider, farm, agricultural production, and conservation practices are not included in the conclusion. He advised that the proposed amendments regulate the conditional use process. All of the definitions included work together to decide if a property is considered a farm and eligible for Agritourism. The proposed amendments do not contain any supplemental regulations regarding size and setback for Agritourism structures, or ingress or egress. These amendments also do not contain a requirement for an applicant to prove the property is an active farm. Mr. Miller read that the recommendation was to modify the amendments to include definitions from the Greene County Regional Planning handout and to include supplemental regulations as a guide for the Board of Zoning Appeals. Mr. Miller advised that there are currently ten sections that are being added. Mr. Miller read the sections that will be covered. Mr. Miller read all of the districts that will have Agritourism added as a conditional use.

Mr. Miller asked if there was anyone in favor of the text changes that wished to speak. There were no comments in favor. Mr. Miller then asked if there was anyone that was opposed to the changes that wished to speak. There were no comments made against.

An unknown member of the audience asked if the Trustees could summarize the item in a shorter way.

Mrs. Spradlin advised that the Xenia Township Zoning Resolution had to be revised to comply with the State ORC on agritourism.. Mrs. Spradlin advised that because this is a legislative item, the Xenia Township has no say in it. She advised that the Xenia Township Zoning Commission brought the Zoning Resolution up to date to include agritourism and what they can and cannot regulate.

Mr. Miller advised that the State level definition of Agritourism is very broad. He advised that it is broader than what most Townships wanted. He advised that some people liked it while others did not. He said that this text changes broadens out the text to allow a considerable number more operations that just farm markets and things of that nature. Mr. Miller said that there is concern that the text went way too broad.

Mr. Miller asked for any further public input. There was none. Mr. Miller made a motion to close the public input portion of the hearing, Mrs. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by a roll call of 3-0.

RESOLUTION NO. 2016-166

Mr. Miller asked for any discussion from the Trustees.

Mr. Combs thinks that generally speaking this text is a good thing. He said that he felt maybe the wording should have been a little tighter, but overall he is okay with it.

Mrs. Spradlin said that she felt the Xenia Township Zoning Commission has done a good job updating the Zoning Resolution and making sure they cover everything that the Township can and cannot regulate. She advised that she felt the Xenia Township Zoning Commission has brought the Zoning Resolution up to where it needs to be.

Mr. Miller advised that the Zoning Commission did a good job considering the legislature the state gave us. He advised that he is curious to see how all of this works out. Mr. Miller said that there are some serious considerations that will illicit some problems that will arise over time.

Mr. Combs made a motion to approve the text changes to the Xenia Township Zoning Resolution to include Agritourism as proposed, Mrs. Spradlin seconded the motion. Roll Call: Mr. Miller – aye, Mrs. Spradlin – aye, Mr. Combs – aye. Motion **PASSED** by a roll call of 3-0.

RESOLUTION NO. 2016-167

Mr. Miller made a motion to close the public hearing for Agritourism, Mr. Combs seconded the motion. Roll Call: all voted aye. The public hearing was adjourned at 5:50 p.m.

_____	XENIA TOWNSHIP BOARD OF TRUSTEES
Resolution #	_____
_____	Scott Miller, Chair
Date Approved	_____
ATTEST:	Susan Spradlin
_____	_____
Sheila Seiter, Fiscal Officer	Steve Combs

SLR