

**HARRISON TOWNSHIP**  
**Zoning Commission**  
**Tuesday, February 2, 2021**  
**7:00 p.m.**

The regularly scheduled meeting of the Harrison Township Zoning Commission was called to order at 7:00 p.m. on Tuesday, February 2, 2021.

**Those present:**

F. J. Thomas  
Andrew Switzer  
Vary Welch  
Mattie White

Emily Crow  
McBride, Dale, Clarion

**Those not present:**

Kaye Cooper

**APPROVAL OF THE MINUTES:**

Ms. Mattie White made a motion to approve the minutes of the January 21, 2021 Zoning Commission meeting. Mr. Andrew Switzer seconded. Motion carried and passed 4-0.

**OLD BUSINESS:**

**Case No. ZC-01-21**

Staff says that Case No. ZC-01-21 was briefly discussed at the previous meeting in January and the purpose of the amendment is to try and improve the car sales regulations, particularly along the N. Dixie corridor in the C/S-2 District. After reviewing the Zoning Code, she has identified several locations where there were either adjustments to definitions or terms are recommended, as well as adding additional development standards. She states that modifications are being recommended to Article 2, which is the definitions section, Article 4, which is the Standards For Conditional Uses, Article 22, which is the B-4 Zoning District, recommending modifications to Section 2202, Permitted Accessory uses, Section 2203, Conditional Uses, Section 2204, Required Conditions, and also recommending adding a new section of 2205.05 which will be Required Off Street Loading and Parking in the B-4 District.

There are also recommended amendments to Article 33, which is the C/S-2 District under Section 3303, Conditional Uses, Section 3304, Minimum Performance Standards (specifically for auto sales-item K), and a new section 3304.02 which mimics the same in the B-4 District for the required off street loading and parking. Staff states that one key objective is to define **Used Automotive Sales** separately from **New Automotive Sales** and regulate the new car lots in a different way from used car sales. We also want to be able to distinguish where those sales uses are conditional vs. permitted, so the second objective is that we want to allow used auto sales as a Conditional Use in the C/S-2 District with new updated conditions including; required sales building or garage, no storage of junk vehicles, perimeter landscaping, and potentially limiting the number of cars. We are also looking to permit automotive dealerships (new automotive sales) as a Special Use in the B-4 district and used cars sales would only be allowed as an Accessory Use to new car sales. Staff states that the text amendments are a high priority for the trustees and that they would like to get this presented at their next meeting as the moratorium is expiring this month.

Ms. White asks staff if the existing used car dealerships would be required to adhere to the new regulations. Staff states that the existing lots would not, and they would have existing non-conforming uses and legally permitted to continue operations, but there are standards in the code that state if a non-conforming use ceases operation for a certain period of time, then they have to conform to the standards in order to re-open. She states the new standards require minimum lot areas for both new and used car sales, require that they have a building on site, facilities for sales staff and customers, such as bathrooms, meet parking standards for the uses and require off street loading for the cars. Mr. Switzer asks, if the goal of the township is to eventually replace the smaller car lots along N. Dixie with larger ones, if that does not happen, will the township be looking at the prospect of more vacant lots. Staff states that is a possibility, however, there are potentially other uses that could occupy those vacant lots, as well as the opportunity for someone to purchase 3 or 4 consecutive lots and have them combined to meet the new standards for car sales. Staff re-iterates that the exiting car lots would be grandfathered until they discontinue that use. She believes they would have either 6 months or a year to come back and apply and still have that use continue. Any time longer than that, the applicant would have to adhere to the new standards.

There being no further discussion, questions or concerns, Mr. Switzer made a motion to approve Case No. ZC-01-21. Ms. White seconded the motion. Motion carried and passed 4-0.

#### **Case No. ZC-03-20**

Staff says she has provided for the Zoning Commission, the updated definitions and regulations that were discussed at the January meeting. She states that the case was initiated by the Board of Trustees in order to better regulate massage establishments in the township. It is a use that is not regulated at the state level, and there have been some problems, in the state and region, as these establishments operating as fronts for human trafficking and other concerns that make it an issue for health, safety, and public welfare. She states that she is recommending some amendments that include; the addition of five (5) definitions to Article 2 to define massage, massage therapy, and non-therapeutic massage, and include those licensed uses as “home occupations”. There are some recommended amendments to Principal Permitted Uses in the Office and Business districts, which will specifically define therapeutic massage establishments as permitted uses. By doing so, and separately defining non-therapeutic massage or relaxation massage, those will be establishments that **are not** permitted anywhere in the township. The key objectives of the text amendments would be to limit massage service establishment and services to those associated with licensed practitioners in the state of Ohio, to eliminate establishments using massage services as a front for sext trafficking or other illicit behaviors, and to properly regulate therapeutic massage establishments that provide valuable services and businesses in the community, such as barbers, medical professionals, sports therapists, cosmetologists, etc. She also states that the term “anything of value” will be more clearly defined as requested by the Zoning Commission, and clarified in the definition that “non-therapeutic massage establishments will not be permitted. Under definition 213.09-Massage Establishment-Therapeutic, the section of the Ohio Revised Code that states that the state medical board licenses those practitioners was added, and clarified that this type of business **is** a permitted use in the township. In Section 213.10, the clause licensed professionals **in the state of Ohio** was added.

Andy Switzer states that by having an Ohio licensed professional associated with the massage establishment, what we are doing is charging some other licensing body with the threat of revoking somebody’s license if they are using it (the massage establishment) inappropriately. Staff confirms and says it is also the intent is that, in the same way that we as a state require people who do hair or practice skin care, they have to have license because there is a health concern associated with the establishment and would have other regulations, that if they were found to be doing illicit activities it would mean the end of their business.

Mr. Welch feels that these amendments are a good start since we didn't have any regulations, and says that if we have to address it again at a later date to continue to improve upon the regulations that are set forth, we will do so. He thanks staff for making the modifications that were requested.

There being no further discussion, questions or concerns, Mr. Andrew Switzer made a motion to approve Case No. ZC-03-20. Ms. Mattie White seconded the motion. Motion carried and passed 3-1. Mr. Welch states that both of tonight's cases will go before the Board of Trustees at their February 18, 2021 meeting. Staff confirms.

There being no other business to discuss, Mr. FJ Thomas made a motion to adjourn the meeting. Mr. Switzer seconded. Motion carried and passed 4-0.

Respectfully submitted,

Harrison Township  
Zoning Commission

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Regina Moore,  
Administrative Assistant  
Development Department

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Vary Welch, President

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FJ Thomas, Vice President

\_\_\_\_\_  
Kaye Cooper

\_\_\_\_\_  
Mattie White

\_\_\_\_\_  
Andrew Switzer

Attested as to Signatures,

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Regina Moore,  
Administrative Assistant  
Development Department