



**CITY OF WHITEHALL PLANNING COMMISSION
SPECIAL MEETING AGENDA
MONDAY APRIL 20, 2026, 6:30 PM**

CALL TO ORDER:

6:30 p.m. by Chairman, Terry Anderson

ROLL CALL:

TERRY ANDERSON	2026-2029
MIKE BROWN	2023-2026
BARBARA BLAKE	2024-2027
JEFF PHILLIPS	2026-2029
JASON THOMAS	2025-2028
JACKIE PLANK	2023-2026
CASEY ROWLANDS	

EXCUSE ABSENT MEMBERS:

APPROVAL OF MINUTES:

February 5th, 2026

ACTION ON CURRENT PLANNING CASES:

N/A

ACTION ON LEGISLATION (CODE OR ORDINANCES):

ORD. NO. 022-2026, WPC Case No. 903

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE TO REQUIRE SPECIAL PERMITS FOR THE CONSTRUCTION OR OPERATION OF DETENTION FACILITIES.

- **Staff Presentation – Curtis Nutter, Planning and Development**
- **Applicant Presentation – N/A (legislation is by the City)**
- **Poll Public**
- **Poll Commission**
- **Motion and Vote**

OTHER BUSINESS:

ADJOURN:

CITY OF WHITEHALL PLANNING COMMISSION

MEETING MINUTES

Thursday, February 5, 2026

CALL TO ORDER

The City of Whitehall Planning Commission meeting for Thursday, February 5, 2026, was called to order by Chairperson Terry Anderson at 6:30 pm.

ROLL CALL

Chairperson Anderson asked for roll. All members were present:

- Terry Anderson
- Mike Brown
- Barbara Blake
- Jeff Phillips
- Jason Thomas
- Casey Rowlands

EXCUSE ABSENT MEMBERS

No members were absent.

APPROVAL OF MINUTES

Chairperson Anderson requested a motion to approve the minutes from January 15th, 2026. Motion by Commissioner Blake. Seconded by Jason Thomas.

ACTION ON CURRENT PLANNING CASES

N/A - No current planning cases were scheduled for action.

ACTION ON LEGISLATION (CODE OR ORDINANCES)

ORD. NO. 004-2026, WPC Case No. 902 AMENDING SECTION 1116.03 AND ENACTING SECTION 1116.04 TO STANDARDIZE THE DEVELOPMENT OF ACCESSORY DWELLING UNITS ("ADUs") IN THE CITY OF WHITEHALL.

Curtis Nutter, Planning and Development Intern, presented the proposed legislation regarding ADUs. He began by providing historical context on ADUs in Whitehall, noting that before 1975 there was no regulation, in 1992 they were outlawed, in 2023 they were brought back as a special use in the zoning code update, and recently in December they were made "by right," allowing property owners to build an ADU with proper zoning and building permits.

The proposed legislation aims to:

- Separate accessory structures code (for sheds, garages) from ADU codes because they serve different purposes;
- Centralize code references for ADUs to streamline development and address common questions;
- Better define ADUs as distinct from duplexes and;
- Implement specific regulations for quality, safety, and neighborhood compatibility.

CITY OF WHITEHALL PLANNING COMMISSION

MEETING MINUTES

Thursday, February 5, 2026

Curtis detailed the key regulatory changes in the proposed legislation:

- Requiring ADUs to be permanent structures with proper foundation and utility connections (not trailers or temporary structures);
- Maintaining existing backyard/side yard and setback requirements;
- Implementing a 350 square foot minimum size to ensure quality structures;
- Increasing the maximum size from 50% to 65% of the primary dwelling, with a 1,000 square foot cap;
- Limiting properties to a maximum of two ADUs;
- Retaining height and material requirements to ensure aesthetic compatibility and;
- Removing the requirement that an ADU can only have one entrance on the primary facade facing the street.

Curtis provided statistical analysis showing that under current rules, 39 property owners are barred from building an ADU due to having houses under 700 square feet. The proposed changes would allow 36 of those property owners to build minimum-sized ADUs. He also presented visual examples of how ADUs might be implemented on small, medium, and large lots in Whitehall.

The Commission engaged in extensive discussion about the implications of the proposed changes:

- Chairperson Anderson expressed concerns about improper ADU placement affecting neighborhood aesthetics, citing a specific problematic example on Aetna Road.
- Member Blake questioned whether lot sizes would limit ADU development and raised concerns about property transfers and ownership changes affecting ADU status.
- Member Phillips questioned whether ADUs would increase property taxes and values, to which Curtis responded that ADUs could increase property values by approximately 50% based on other markets, benefiting both homeowners and school funding.
- Member Plank expressed concerns about equity in application, questioning whether landlords might be unfairly prohibited from building ADUs compared to owner-occupants.
- Curtis explained that the city is postponing a vote on the legislation to develop complementary enforcement measures. Some city council members had proposed an owner-occupancy clause, but this raises legal concerns and practical enforcement challenges. The city is instead exploring rental registry solutions and zoning inspection processes.
- The commission discussed concerns about potential misuse by rental companies owning multiple properties and noted that any enforcement measures would need to be carefully constructed to prevent legal challenges while ensuring quality development.
- Chairperson Anderson and other commissioners acknowledged the potential benefits of ADUs for allowing multigenerational living arrangements, providing housing options for aging parents or young families, and increasing property values.

CITY OF WHITEHALL PLANNING COMMISSION

MEETING MINUTES

Thursday, February 5, 2026

- No formal vote was taken as the city requested postponement of the case to develop accompanying enforcement legislation.

OTHER BUSINESS

Discussion was held regarding:

- An upcoming Board of Zoning and Building Appeals ("BZBA") meeting on February 9th concerning Rosemore apartments, which would potentially come before the Planning Commission if approved by BZBA.
- The Fairwood Boulevard overlay district established through a citizen initiative petition in November, creating new restrictions for development in that area
- An upcoming event on February 11th at Heartland Division of German America Bank at 6:30 pm regarding a polarized meeting with stations for public input.

ADJOURN

Motion to adjourn by Casey Rowlands. Seconded by Commissioner Blake.
The meeting adjourned at 7:40 pm.

Submitted by:

Natia T. Hinton
Planning Commission Clerk

Date

APPROVED:

Terry Anderson
Planning Commission Chair

Date

NOTICE OF PUBLIC HEARINGS

A Public Hearing will be held by the Whitehall City Council at regular scheduled meeting on, or after, Tuesday, April 21, 2026, at 6:30 p.m. in the Courtroom of City Hall, 360 South Yearling Road, to consider the following:

ORD. 022-2026: AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE TO REQUIRE SPECIAL PERMITS FOR THE CONSTRUCTION OR OPERATION OF DETENTION FACILITIES.

Copies of the exhibits are on file with the Clerk of Council and may be examined by anyone interested Monday through Friday, during regular business hours. For further meeting details you may reference our online calendar at <https://www.whitehall-oh.us/calendar>.

A Public Hearing will be held by the Whitehall Planning Commission at a special meeting scheduled for Monday, April 20, 2026, at 6:30 p.m. in the Courtroom of City Hall, 360 South Yearling Road, to consider the following:

Case NO. 903 for ORD. 022-2026: AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE TO REQUIRE SPECIAL PERMITS FOR THE CONSTRUCTION OR OPERATION OF DETENTION FACILITIES.

Copies of the exhibits are on file with the Clerk of Council and may be examined by anyone interested Monday through Friday, during regular business hours. For further meeting details you may reference our online calendar at <https://www.whitehall-oh.us/calendar>.

A Public Hearing will be held by the Whitehall Board of Zoning and Building Appeals at a regular scheduled meeting on Monday, April 13, 2026, at 6:30 p.m. in the Courtroom of City Hall, 360 South Yearling Road, to consider the following:

Case BA-26-05: 3764 E Broad St, Whitehall, OH 43213, parcel numbers 090-000191-00 and 090-005608-00, known as Town and Country Shopping Center is seeking variances from Whitehall Code Sections 1112.11(b), 1112.12(b), and 1112.13(b) for freestanding sign height, area, and number per lot requirements.

Case BA-26-06: 4600 E Broad St, Whitehall, OH 43213, parcel numbers 090-008249-00 and 090-008427-00, is seeking variances from Whitehall Code Sections 1104.06(b), 1104.06(c)(1)(b), 1104.06(c)(3)(notes), 1104.06(d)(2), 1111.02(c), and 1111.02(d) for permitted building type in the CCD, maximum front yard setback for building placement in the CCD, building orientation in the CCD, required frontage types in the CCD, pick-up and drop-off parking spaces denotation, and placement of pick-up and drop-off parking spaces.

Copies of the exhibits are on file in the Public Service Department and may be examined by anyone interested Monday through Friday, during regular business hours. For further meeting details you may reference our online calendar at <https://www.whitehall-oh.us/calendar>.

WOMEN OF THE YEAR

CA soccer team carving its niche for long term

Franchise helping change perception of women's sports

Wendy Naugle
USA TODAY

If you're heading to your first Angel City Football Club home game at BMO Stadium in Los Angeles, you will experience a vibe.

Girls wearing too-large player jerseys — their dads in pink wigs. PedeRosas, a group of Spanish-speaking supporters, chanting, "Dale, dale, ACFC. Dale, Angel City."

You'll see grandmas and girlfriends. Celebrity owners and families. Huge flags in the team's colors, black and Sol Rosa — a dusty pink representing the Southern California sun and horizon. The omnipresent bass drums will make you want to dance.

And when the home team scores, everyone will be on their feet.

Willow Bay, a TV reporter and dean of the University of Southern California's Annenberg School for Communication and Journalism, remembers her first



A USA TODAY Women of the Year honoree, Angel City FC shows how a team can spark a cultural shift with their vision for the future of women's sports. MATTEA LIBRAE/SPECIAL TO USA TODAY

game. It was the team's inaugural season, and it was electric.

"I was blown away," she said. "It just felt special. It felt different, and it felt joyful in a way that kind of took my breath away."

That vibe inspired Bay, with her husband, Disney CEO Bob Iger, to acquire the club and become controlling owners. The move made Angel City one of the most valuable women's sports teams in the world, valued at \$250 million. But that's not the only reason the team is one of the most envied in all of women's sports.

Learning what is possible

The idea for a women's soccer team in L.A. started not with a former athlete but with actress Natalie Portman. After watching her son cheer on players from the women's World Cup, she reached out to Kara Nortman, a venture capitalist she knew from their work on Time's Up, the women's empowerment movement. Nortman knew entrepreneur Julie Uhrman, and together the three sat down to think about what it would take to launch a women's soccer team.

"Back in 2019, the narrative was that nobody watched women's sports. Nobody invested in women's sports. Nobody cares about women's sports," said Uhrman. St. L.A. was already an incredibly crowded market with 11 professional sports teams. "Nobody believed it was possible."

"They had a lot of learning to do. I had to look up the National Women's Soccer League," Uhrman admitted. "I didn't even know it existed."

And there was no real business model to follow. "There was really only one professional sport where women athletes were paid and had media distribution, and that was tennis," Nortman said.

"They were determined from the beginning that this would be a business. 'Charities don't always continue,'" Nortman said. "To actually show that something can be self-sustaining, that's how you ensure its survival. Angel City should outlive all of us. This is so much bigger than any of us, ever."

Initially, they didn't even have a team name. But they knew what they wanted it to be like to watch a game. "We wanted to build an experience that we wanted to go to, and we knew if we did that, fans would come," Uhrman said. "We want our community to feel

KIKO AUCTION

ATTN: Investors & Entrepreneurs
Gray's Mini Storage
257 Self-Storage Units On 2 1/2 Acres
11 Buildings Total, \$150k Gross Potential
Income
Green Twp., Wayne Co.
Live Onsite With Online Bidding Available
Absolute auction, all sells to the highest
bidders. Location: 2093 N. Kansas Rd.,
Orville, OH 44667
Saturday, April 4, 2026, 11:00 AM
Visit www.kikoauctions.com for full details.
Auction By Order Of: Dale R. Gray, Trustee of
the Peggy A. Gray Revocable Trust
Auctioneer/Realtor: Kristen Kiko,
330.234.7110, or kristen@kikocompany.com;
Jacob Whitacre, 330.417.9123, or
jake@kikocompany.com; Peter R. Kiko, Sr.,
330.705.5996 or peter@kikocompany.com
KIKO Auctioneers
www.kikoauctions.com

NOTICE OF PUBLIC HEARING

A Public Hearing will be held by the 10th Ward City Council at regular scheduled meeting on or after Tuesday, April 21, 2026, at 6:30 p.m. in the Courthouse of City Hall, 360 South Young Road to consider the following:

Case 2025-023: AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE TO REQUIRE SPECIAL PERMITS FOR THE CONSTRUCTION OR OPERATION OF DETENTION FACILITIES.

Copies of the exhibits are on file with the Clerk of Council and may be examined by anyone interested Monday through Friday during regular business hours. For further meeting details you may reference our online calendar at <https://www.austintexas.gov/onlinecalendar>.

A Public Hearing will be held by the 10th Ward Planning Commission at a special meeting scheduled for Monday, April 20, 2026, at 6:30 p.m. in the Courthouse of City Hall, 360 South Young Road to consider the following:

Case 2025-023 for 410 622-2026: AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE TO REQUIRE SPECIAL PERMITS FOR THE CONSTRUCTION OR OPERATION OF DETENTION FACILITIES.

Copies of the exhibits are on file with the Clerk of Council and may be examined by anyone interested Monday through Friday during regular business hours. For further meeting details you may reference our online calendar at <https://www.austintexas.gov/onlinecalendar>.

A Public Hearing will be held by the 10th Ward Board of Zoning and Building Appeals at a regular scheduled meeting on Monday, April 13, 2026, at 6:30 p.m. in the Courthouse of City Hall, 360 South Young Road to consider the following:

Case 2025-023: 3364 E. Broad St., Wichita, KS 67218, parcel numbers 090-0000000 and 090-0000000. Known as: 10th Ward County Shopping Center.

Seeking variances from Wichita Code Sections 18.21.01, 18.21.02, and 18.21.03 for re-zoning from light commercial to medium density residential.

Case 2025-023: 4006 E. 40th St., Wichita, KS 67218, parcel numbers 090-0000000 and 090-0000000. Known as: 40th Street and 40th Street Shopping Center.

Seeking variances from Wichita Code Sections 18.21.01, 18.21.02, and 18.21.03 for re-zoning from light commercial to medium density residential.

Case 2025-023: 4006 E. 40th St., Wichita, KS 67218, parcel numbers 090-0000000 and 090-0000000. Known as: 40th Street and 40th Street Shopping Center.

Seeking variances from Wichita Code Sections 18.21.01, 18.21.02, and 18.21.03 for re-zoning from light commercial to medium density residential.

Copies of the exhibits are on file with the Public Service Department and may be examined by anyone interested Monday through Friday during regular business hours. For further meeting details you may reference our online calendar at <https://www.austintexas.gov/onlinecalendar>.

Case 2025-023: 4006 E. 40th St., Wichita, KS 67218, parcel numbers 090-0000000 and 090-0000000. Known as: 40th Street and 40th Street Shopping Center.

Seeking variances from Wichita Code Sections 18.21.01, 18.21.02, and 18.21.03 for re-zoning from light commercial to medium density residential.

Copies of the exhibits are on file with the Public Service Department and may be examined by anyone interested Monday through Friday during regular business hours. For further meeting details you may reference our online calendar at <https://www.austintexas.gov/onlinecalendar>.

See SOCCER TEAM, Page 6A

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Member
FDIC



WHITEHALL PLANNING COMMISSION

CASE 903

CURTIS NUTTER

ABSTRACT

The City of Whitehall is proposing legislation to require a special use permit for the development and operation of detention facilities in all zoning districts.



DEFINITIONS

Detention Facility

any place used for the **confinement of a person** arrested for, charged with, or convicted of an offense or charged with being or adjudicated to be a juvenile offender or held for extradition or as a material witness or otherwise confined pursuant to an order of a court or in any work release, furlough, or other such facility or program.

**Government Owned and/or Operated
Buildings and Facilities**

City Hall

Library

Detention Facility

Service Garage


Detention Facility



1108.01

Comprehensive Use Table

COMPREHENSIVE USE TABLE

TABLE 1108.01 PRINCIPAL USES BY ZONING DISTRICT											USE DEFINITION & STANDARDS
	STUR	MUR	BRD	MAIN	SH	YEAR	CCD	MILO	INDD	FP	
PUBLIC FACILITIES, INSTITUTIONS, AND TRANSPORTATION											
Passenger Transportation Agencies and Terminals	N/A	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Day Care, Type A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A	
Day Care, Type B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A	
Day Care Facility	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	N/A	
Small-Scale Assembly	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Large-Scale Assembly	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Civic, Social, Cultural Organizations or Clubs	N/A	<input type="checkbox"/>	N/A	N/A	N/A	N/A	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	
Public Utility Rights-Of-Way and Pertinent Structures and Telecommunication Towers	N/A	N/A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	N/A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Solar Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Educational Institution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	
Parks and Trails	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	
 Governmentally Owned and/or Operated Buildings and Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	

Permitted Use
 Special Permit Use
 Permitted Subject to Conditions



SPECIAL PERMITS *PURPOSE*

- Protects Whitehall's long-term vision
- Ensures accountability and transparency
- Establishes conditions that support the community
- Make a better process for an atypical use
- Strengthen decision making



Questions?

ORDINANCE NO. -2026

AN ORDINANCE AMENDING THE PLANNING AND ZONING CODE TO REQUIRE SPECIAL PERMITS FOR THE CONSTRUCTION OR OPERATION OF DETENTION FACILITIES.

WHEREAS, the City of Whitehall has an obligation to enact policies that protect our residents; and

WHEREAS, amending the Planning and Zoning Code to prohibit the construction or operation of detention facilities without a special permit; NOW THEREFORE;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: Chapter 1128 of the Whitehall Codified Ordinances, the Planning and Zoning definitions, is hereby amended as follows:

* * *

Detention Facility means any place used for the confinement of a person arrested for, charged with, or convicted of an offense or charged with being or adjudicated to be a juvenile offender or held for extradition or as a material witness or otherwise confined pursuant to an order of a court or in any work release, furlough, or other such facility or program.

* * *

SECTION 2: Table 1103.02 STUR PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1103.02: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY DISTRICT</u> STUR	<u>SPECIFIC USE REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		
* * *		
Governmentally Owned and/or Operated Buildings and Facilities		
<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

* * *

SECTION 3: Table 1103.03 MUR PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1103.03: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY DISTRICT</u> MUR	<u>SPECIFIC USE REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		
* * *		
Governmentally Owned and/or Operated Buildings and Facilities		

ORDINANCE NO. -2026

<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

* * *

SECTION 4: Table 1104.02 BRD PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1104.02: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY DISTRICT</u> <u>BRD</u>	<u>SPECIFIC USE REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		
* * *		
Governmentally Owned and/or Operated Buildings and Facilities		
<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

SECTION 5: Table 1104.03 MAIN PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1104.03: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY DISTRICT</u> <u>MAIN</u>	<u>SPECIFIC USE REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		
* * *		
Governmentally Owned and/or Operated Buildings and Facilities		
<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

SECTION 6: Table 1104.04 SH PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1104.04: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY DISTRICT</u> <u>SH</u>	<u>SPECIFIC USE REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		

ORDINANCE NO. -2026

* * *		
Governmentally Owned and/or Operated Buildings and Facilities		
<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

SECTION 7: Table 1104.05 YEAR PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1104.05: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY</u> <u>DISTRICT</u> <u>YEAR</u>	<u>SPECIFIC USE</u> <u>REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		
* * *		
Governmentally Owned and/or Operated Buildings and Facilities		
<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

SECTION 8: Table 1104.06 CCD PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1104.06: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY</u> <u>DISTRICT</u> <u>CCD</u>	<u>SPECIFIC USE</u> <u>REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		
* * *		
Governmentally Owned and/or Operated Buildings and Facilities		
<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

SECTION 9: Table 1105.02 MILO PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1105.02: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY</u> <u>DISTRICT</u> <u>MILO</u>	<u>SPECIFIC USE</u> <u>REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		

ORDINANCE NO. -2026

* * *		
Governmentally Owned and/or Operated Buildings and Facilities		
<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

SECTION 10: Table 1105.03 INDD PERMITTED LAND USES & PERMIT REQUIREMENTS shall read as follows:

* * *

TABLE 1105.03: PERMITTED LAND USES & PERMIT REQUIREMENTS		
<u>LAND USE TYPE</u>	<u>PERMIT REQUIRED BY DISTRICT</u> <u>INDD</u>	<u>SPECIFIC USE REGULATIONS</u>
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>		
* * *		
Governmentally Owned and/or Operated Buildings and Facilities		
<u>Detention Facility</u>	<input type="checkbox"/>	
* * *		

* * *

SECTION 11: Table 1108.01 COMPREHENSIVE USE TABLE shall read as follows:

* * *

TABLE 1108.01 PRINCIPLE USES BY ZONING DISTRICT											USE DEFINITION & STANDARDS
	STUR	MUR	BRD	MAIN	SH	YEAR	CCD	MILO	INDD	FP	
* * *											
<u>PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION</u>											
Detention Facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

* * *

SECTION 12: This Ordinance shall be in full force and effect from and after the earliest time provided for by law.

PASSED this ____ day of _____, 2026

ATTEST:

ORDINANCE NO. -2026

Clerk of Council

President of Council

APPROVED this _____ day of _____, 2025

Mayor

Requested and Prepared by: Jackie Russell, Director of Economic Development
Approved as to form: Bradley S. Nicodemus, City Attorney bsn 02/27/2026



STAFF REPORT
Special Meeting of the Whitehall Planning Commission
April 20, 2026

Case 903

Prepared by: Curtis Nutter

Applicant:	City of Whitehall
Legislation Title:	Ordinance 022-2026: An ordinance amending the planning and zoning code to require special permits for the construction or operation of detention facilities.
Zoning:	Use Type
Summary:	The proposed legislation defines detention facilities separate from governmentally owned and/or operated buildings and facilities. The legislation proposes that detention facilities only be allowed in all zoning districts with the approval of a special-use permit.

Request and Background

This piece of legislation was requested by and drafted by Economic Development Director Jackie Russell. It was approved to form by City Attorney Brad Nicodemus on February 27, 2026. Ord. 022-2026 will be open for public hearing and voted on by City Council on Tuesday, April 21, 2026. The legislation, if passed, will become law May 21, 2026.

Key Defined Terms

- Purpose of Special Use Permit (Whitehall Codified Ordinances 1125.04(A) - carefully allow the establishment of certain uses that could be beneficial to the quality of life and quality of place in Whitehall while providing for appropriate constraints to prevent such uses from adversely impacting public health, safety, and welfare.
- Governmentally Owned and/or Operated Buildings and Facilities (Whitehall Codified Ordinances 1128.01) - a facility or area used for public purposes and owned or operated by an instrumentality or agency of federal, state, or local government.
- Detention Facility (Proposed Ordinance 022-2026) - any place used for the confinement of a person arrested for, charged with, or convicted of an offense or charged with being or adjudicated to be a juvenile offender or held for extradition or as a material witness or otherwise confined pursuant to an order of a court or in any work release, furlough, or other such facility or program.

Current Conditions

Currently, detention facilities are classified as governmentally owned and/or operated buildings and facilities. They are classified as a Public Facilities, Institutions, and Transportation category of use. Currently, governmentally owned and/or operated buildings and facilities are allowed by special use permit in the Single-and

Two-Unit Residential district and the Floodplain Overlay District and by-right in every other zoning district. The comprehensive use chart is shown below:

1108.01

Comprehensive Use Table

COMPREHENSIVE USE TABLE

TABLE 1108.01- PRINCIPAL USES BY ZONING DISTRICT	STUR	MUR	BRD	MAIN	SH	YEAR	CCD	M/LC	FDD	FP	USE DEFINITION & STANDARDS
PUBLIC FACILITIES, INSTITUTIONS, AND TRANSPORTATION											
Passenger Transportation Agencies and Terminals	N/A	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Day Care, Type A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A	
Day Care, Type B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	N/A	N/A	N/A	
Day Care Facility	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	N/A	
Small-Scale Assembly	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Large-Scale Assembly	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Civic, Social, Cultural Organizations or Clubs	N/A	<input type="checkbox"/>	N/A	N/A	N/A	N/A	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	
Public Utility Rights-Of-Way and Pertinent Structures and Telecommunication Towers	N/A	N/A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	N/A	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Solar Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	
Educational Institution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	
Parks and Trails	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A	
★ Governmentally Owned and/or Operated Buildings and Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	

Permitted Use
 Special Permit Use
 Permitted Subject to Conditions

Legislative Proposal

Ordinance 022-2026 proposes two policy changes:

1. The creation and definition of detention facilities as a use classification.
2. The requirement of a detention facility to obtain a special-use permit through the Whitehall Planning Commission and Whitehall City Council.

First, the creation and definition of detention facilities. Currently, detention facilities are classified within the governmentally owned and/or operated buildings and facilities. Without specification, governmentally owned and/or operated buildings and facilities could be a tax office, library, city hall, max security prison, or a senior center. By implementing the additional classification, developments of detention facilities will better reflect the use of the property.

Second, the requirement of a detention facility to obtain a special-use permit prior to construction and operation. Each zoning district’s use table will be updated to include detention facilities as a special use rather than the use of a governmentally owned and/or operated building and facility. The chart below represents how the code will read if the proposed legislation is approved.

TABLE 1108.01 PRINCIPLE USES BY ZONING DISTRICT											USE DEFINITION & STANDARDS
	STUR	MUR	BRD	MAIN	SH	YEAR	CCD	MILO	INDD	FP	

PUBLIC FACILITIES, INSTITUTIONS AND TRANSPORTATION											
Detention Facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Evaluation of Legislation

Legislative Analysis

The proposed legislation is narrowly tailored to impact only the subject at hand. Utilizing a revised definition from Ohio Revised Code Section 2921.01, the legislation does not have foreseeable spill-over effects on the Whitehall Zoning Code.

Zoning Impact

Ordinance 022-2026 supports the 2019 Development Blueprint of the City of Whitehall. This legislation ensures that any proposed detention facility is evaluated against Whitehall's goals for growth, redevelopment, and family-oriented amenities through the special permit process. The special permit process supports the momentum of the current projects in the city's economic development pipeline. With only 5.28 square miles, the city must be very strategic with our land use. This legislation offers an option to guide the development of the city to protect Whitehall's long-term vision.

Public Awareness and Trust

Public trust and knowledge of city functions and developments is vital to Whitehall as a community. This legislation ensures any proposed detention facility is developed through a formal review process including staff analysis, public hearings, recommendation by the Whitehall Planning Commission, and final decision by the Whitehall City Council. Through the special-use permit process, development of detention facilities has increased transparency and can avoid surprises that erode public trust.

Right-sizing Procedures for a Unique Use

Detention facilities are an uncommon land use with development often initiated by governmental entities. The reclassification and special-use permit ensure careful review on a case-by-case basis rather than a blanket approval. The city-wide classification ensures that possible, future developments receive thorough review prior to development.

Recommendation

Staff recommends that the Whitehall Planning Commission give a *favorable recommendation* to Ordinance 022-2026: An ordinance amending the planning and zoning code to require special permits for the construction or operation of detention facilities.