



Planning Commission  
App. No. 039-2018-TA  
**Zoning Text Amendment**  
Sharon Township



**Meeting:** May 6, 2020  
**Applicant:** Sharon Township Zoning Commission (ZC)  
**Hearing:** TBD (ZC)  
**Amendments:** Multiple edits to Section (§510 R-PRD Planned Residential Development District)  
**Reviewer:** Rob Henwood  
**Recommendation:** **APPROVAL WITH MODIFICATIONS**

**Proposal:** In an email dated March 3, 2020 Melissa Hydel, Secretary to the ZC, requested review of several substantive changes to the Sharon Township Zoning Resolution § 510 R-PRD Planned Residential Development District as follows:

1. Some minor housekeeping items.
2. Change the permitted density from 1.33 to 1.0 units per acre.
3. Delete attached single-family dwellings as a permitted use and references to said use.
4. Delete Condominium Associations as entities that may manage common areas and references to said Associations.
5. Delete Waivers to standards contained in this §.

New text is underlined, text to be deleted is shown as ~~strike through~~. Staff comments are shown as ***bold and italics***.

**SECTION 510 R-PRD PLANNED RESIDENTIAL DEVELOPMENT DISTRICT**

The primary objective of this district is to promote the health and safety of the community through the application of flexible land development techniques in the arrangement and construction of dwelling units and roads. Such flexibility is intended to accommodate development at a density of approximately ~~1.33~~ 1.0 units per acre in order to provide a transition between the lower density areas in Sharon Township and more developed areas in the city of Wadsworth. ***Reducing the maximum permitted density limits one of the primary methods of accomplishing the flexibility described by the purpose statement. Staff recommends that the ZC reconsider changing the maximum density.***

These regulations are intended to achieve these corollary purposes:

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**510-1 Uses:**

Except as otherwise provided in this Resolution, buildings and premises in a Planned Residential Development District (R-PRD) shall hereafter be erected, altered, used, arranged, or designed to be used in whole or in part only for the purposes set forth below:

A: Permitted Uses:

1. Planned Residential Developments in accordance with the regulations set forth in Sections 510-3 through 510-8 inclusive:
  - a. Detached single-family dwellings
  - b. ~~Attached single family dwellings~~
2. Detached single-family dwellings in accordance with the provisions set forth in Section 510-2 and 510-3. The following uses shall be permitted as a use accessory to detached single-family dwellings: *This phrase should remain as the ZC is deleting the term accessory in the list below, however it should read "as uses accessory to...."*
  - a. ~~Accessory~~ elderly dwelling unit

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**510-4 Project Requirements for Planned Residential Development:** In addition to the building and parking requirements set for in Section 510-3, planned residential developments shall comply with the following regulations:

- B. Permitted Density:
  1. The overall density of a planned residential development shall not exceed ~~1.33~~ 1.0 dwelling units per acre, ~~provided that on any one (1) acre there shall be not more than four (4) dwelling units. An imaginary square, approximately 209 feet by 209 feet shall be used to determine the number of units on any one acre shown on a general development plan.~~
  2. ~~The maximum number of dwelling units permitted in a planned residential development shall be calculated by multiplying the number of units permitted per acre by the total project area.~~
- C. ~~Attached Single Family Dwelling Units:~~
  1. ~~The number of attached single family dwelling units shall not exceed twenty (20) percent of the total number of dwelling units in the PRD.~~
  2. ~~There shall not be more than three (3) units attached in any one building.~~
  3. ~~Whenever attached single family units are include in the PRD, a minimum of twenty (20%) percent of the area devoted to attached single family shall be set aside for recreational purposes, for use by the residents of the attached units.~~

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**510- 5 Regulations for Common Areas**

In the event common areas are created in a PRD, ~~including but not limited to the required recreational area for attached units,~~ common areas shall comply with the following: *The term "common areas" should be replaced by the term "they."*

- D. Associations. Subject to such permanent restrictions as set forth in Section 510-5C. All common areas shall be held in common ownership by a Homeowner's Association or other similar legal entity (hereafter "Homeowners' Association, etal.") ~~or shall be held by the individual members of a Condominium Association as tenants in common.~~
  1. Establishment of Association:
    - b. ~~Condominium Association may be either an unincorporated association or an Ohio nonprofit corporation. A~~

~~Condominium Association shall be organized by the extent permitted by statute, be operating with financial subsidization by the developer prior to the sale of any condominium units.~~

2. Required Provisions for Associations: At the time a General Development Plan is submitted, the applicant shall provide the township's legal advisor with copies of the Declaration, Articles of Incorporation and either Bylaws ~~(for a Condominium Association)~~ or Code of Regulations (for a Homeowners' Association, et al).
  - a. Membership in the Association shall be mandatory for all purchasers of lots in the development ~~or units in the condominium.~~ The conditions and timing of transfer of control from the developer to the unit or lot owners shall be either as provided for by statute ~~(Condominium Association)~~ or as specified in the Associations Declaration Code of Regulations (Homeowners Association, et al) .
  - c. The Association Shall:
    2. Impose assessments on members for the maintenance, control and insurance of common areas, and have the power to place liens against individual properties for failure to pay assessments either as provided for by statute ~~(Condominium Association)~~ or in the Code or Regulations (Homeowners' Association, et al)

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### 510-6 Development and Site Planning Standards

Lots, buildings, structures, pavement and streets shall be designed and located in compliance with the following development and site planning standards:

A. Lot Requirements:

1. Detached Single-Family Dwellings: Lots for standard detached single-family dwellings shall be of sufficient size and shape to accommodate a dwelling unit in compliance with the requirements of this section.

~~Attached Single Family Dwellings: Sublets may be provided for attached single family dwelling units. Sublets shall be of sufficient size to accommodate the intended dwelling units in compliance with the requirements of this section.~~

G. Waivers:

~~In the event the Zoning Commission determines that certain standards set forth in this section do not or should not apply specifically to the circumstances of a particular project and an alternative method of achieving the objectives of the numerical standard. The Township Zoning Commission may relax such standard to an extent deemed just and proper, provided that the granting of such relief shall be without detriment to the health, safety, comfort, convenience, prosperity, and general welfare of the~~

~~community and without detriment to or impairment of the intent of this section.~~

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**510-8 Project Review Procedures:**

- A. General Development Plan:  
Applications for a proposed planned residential development shall include the review and approval of a general development plan.
  - 3. Review by the Zoning Commission: The Zoning Commission shall review, at a public ~~meeting~~ hearing the general development plan and the comments received from Section A.3 ~~2~~ above.
  
  - B. Final Development Plan:  
After a general development plan has been approved, an applicant shall submit for review and approval a final development plan for either the entire project or for each construction phase.
    - 1. Submission Requirements: The final development plan shall include:
      - a. A site plan drawn at a scale not less than 1" = 100' indicating
      - vii. If common areas are included in the development, the Declaration, Articles of Incorporation and ~~either~~ Bylaws (for a Condominium Association) or Code of Regulations (for Homeowners' Association) and any other final covenants and restrictions and maintenance agreements to be imposed upon the use of land and pertaining to the ownership, use, and maintenance of all common areas.
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**Recommendation:** Planning Services staff recommends the Planning Commission **APPROVE WITH MODIFICATION** the proposed amendments to the Sharon Township Zoning Resolution.