



Zoning Text Amendment
Guilford Township



Meeting: October 7, 2020
Applicant: Guilford Township Zoning Commission (ZC)
Hearing: September 10, 2020 (ZC)
Amendments: Add and revise definitions in Section (§) 3 Definitions, General
 Various changes to multiple sections
Reviewer: Rob Henwood
Recommendation: **APPROVAL**

Proposal: In an email dated August 14, 2020, Shannon Colonna, Secretary of the ZC, requested a review of several changes to the Guilford Township Zoning Resolution.

The complete text amendment proposal includes the following:

- Add four and revise six definitions in § 3 Definitions, General
- § 4.11 Regulations for Ponds and Swimming Pools Subsection (D) delete Ohio Revised Code (ORC) Reference
- § 4.25 Mailbox Constructions and Installation Guide delete ORC Reference
- § 4.26 Roadside Stands; delete text.
- § 6.2(15) Residential Conditionally Permitted Uses; delete Roadside Stands.
- § 6.9 Temporary Roadside Stand; delete as a section under the Residential District.
- § 9.21 Changing the permitted sign from illuminated to non-illuminated.
- § 9.27 Delete Roadside Stands as a conditionally permitted use.
- § 10.3 Delete ORC Reference

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

Section 3: Definitions, General

- *The township proposes multiple definition changes that involve deleting ORC references and other areas in the text that also delete ORC references. DPS staff discussed these changes with the Prosecutor’s Office and reached the conclusion that the deletions are appropriate.*
- *The new definitions mirror definitions contained in the ORC and are appropriate.*

BUS: Any motor vehicle that has motor power and is designed and used for carrying more than nine passengers, except any motor vehicle that is designed and used for carrying not more than fifteen passengers in a ridesharing agreement.

CAMPER: ~~Reference: Appendix 5, Ohio revised Code 4501.01 – Q.~~ A vehicular portable structure that is designed for the sole purpose of recreational travel.

DWELLING:

F. **Group Home:** A residential facility ~~complying with Section 5123.19 of the Ohio Revised Code~~ that provides room and board, personal care, habitation services, and supervision in

a family setting for at least six but not more than eight persons with ~~mental retardation or~~ developmental disabilities.

FACTORY BUILT HOUSING: Is a factory-built structure designed for long term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this Zoning Resolution, ~~Reference: Appendix 5; Ohio revised Code 4501.01—O;~~ “factory built housing” ~~shall~~ shall include the following:

- A. ~~**Manufactured Home:** Any non-self-propelled vehicle transportable in one or more sections which, in the traveling mode, is 8 feet or more in width or 40 feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, and electrical systems contained therein and which bears a label certifying that it is built in compliance with Federal Manufactured Housing Construction and Safety Standards. A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development.~~
- B. ~~**Modular Home:** Factory built housing certified as meeting the local or State Building Code as applicable to modular housing. Once certified by the State, modular homes **shall** be subject to the same standards as site built homes. **Mobile Home:** Any non-self-propelled vehicle so designed, constructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so constructed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand five hundred (4,500) pounds and an overall length of thirty (30) feet and not in compliance with Federal Manufactured Housing Construction and Safety Standards Act of 1974. A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections.~~

MOBILE HOME PARK: ~~Reference: Appendix 6; Ohio Revised Code 3733.01 A.~~ Any tract of land upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of mobile homes on the lots is not a mobile home park even though three or more mobile homes are parked thereon if the roadways are dedicated to the local government authority.

MOTORCYCLE: A motor vehicle with motive power having a seat or saddle for the use of the operator designed to travel on not more than three wheels in contact with the ground, and having no occupant compartment or occupant compartment top that can be installed or removed by the user.

MOTOR HOME: A self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.

PASSENGER CAR: Any motor vehicle that is designed and used for carrying not more than nine persons and includes any motor vehicle that is designed and used for carrying not more than fifteen persons in a ridesharing arrangement.

RECREATIONAL VEHICLE PARK: ~~Reference: Appendix 6; Ohio Revised Code 3733.01-
B.~~ Any tract of land used for parking five or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation or business purposes.

ROADSIDE STAND: A ~~temporary~~ removable structure used or intended to be used solely by the ~~homeowner~~ or tenant of a property on which it is located, for the sale of ~~goods~~ seasonal agricultural products produced on the premises.

Section 4: General Regulations

4.11 REGULATIONS FOR PONDS AND SWIMMING POOLS

- D. Ponds or lakes ~~shall~~ shall meet standards and specifications of the Medina County Soil Conservation District ~~and/or Chapter 1521 of the Ohio Revised Code.~~ *Deleting the ORC reference is appropriate.*

4.25 MAILBOX CONSTRUCTIONS AND INSTALLATION GUIDE

It is the duty of the Guilford Township Trustees to provide the safest possible road system for the traveling public of Guilford Township. Guilford Township has adopted the following standards for rural mailboxes.

No mailbox will be allowed to exist on Guilford Township maintained Right-of-Ways if it interferes with the safety of the traveling public or the function, maintenance or operation of the road system. A mailbox installation that does not conform to these criteria may be deemed an obstruction and **shall** be removed ~~in accordance with Section 5547 of the Ohio Revised Code.~~ *Deleting the ORC reference is appropriate.*

4.26 ROADSIDE STANDS *The proposed changes appear appropriate.*

- ~~A. Temporary structures only; to be a minimum of twenty five (25) feet from the road right of way.~~
~~B. Off road parking shall be provided.~~
~~C. Signs as permitted in the Zoning District. Reference: Conditionally permitted used: R-6.2; 19~~
- A. The area of the roadside stands shall not exceed 144 square feet.
B. The roadside stand shall be located outside of the road right-of-way and in such a way that does not create a public safety hazard.

- C. Adequate parking shall be provided in such a way so as to not to create a public safety hazard.
- D. Signs allowed as permitted in the Zoning District.
- E. Shall be removed at the end of the growing season.

Section 6: Residential District

6.2 CONDITIONALLY PERMITTED USES

- 15. ~~Roadside Stands for goods produced on the Premises Deleted MM/DD/YYYY~~
 - *The township indicates that they intend to delete Section 15 as part of this amendment. NOTE: Section 15 appears to have already been deleted on 7/13/2017 as indicated by the version of the zoning resolution posted on the township website.*

~~6.9 TEMPORARY ROADSIDE STAND Deleted MM/DD/YYYY~~ *It is appropriate to delete this reference to Roadside Stands as it is included in the General Regulations section*

- ~~A. Shall be removed at the end of the growing season.~~
- ~~B. Shall be outside of the road right-of-way.~~
- ~~C. Shall not obstruct traffic in any way.~~
- ~~D. Parking shall be off of the road right-of-way.~~

Section 9: Conditional Zoning Permits

9.21 HOME OCCUPATION TYPE A

- G. For purposes of advertising, there **shall** be no more than one non-illuminated sign for identification, not to exceed four (4) square feet or more than three (3) feet in height from the ground level. Set back from road right-of-way to be determined by the Appeals Board.

~~9.27 ROADSIDE STANDS Deleted MM/DD/YYYY~~ *It is appropriate to delete this reference to Roadside Stands as it is included in the General Regulations section*

~~It is the intention of this resolution to be able to sell goods, made or produced on the premises at a roadside stand with an approved Conditional Zoning Certificate on a no charge basis.~~

- ~~A. Setback Temporary structures only, to be a minimum of twenty five (25) feet from the road right-of-way.~~
- ~~B. Off road parking shall be provided.~~
- ~~C. Signs as permitted in the Zoning District Reference: Conditionally Permitted Uses: R-6.2; 15,19.~~

Section 10: Non-Conforming Uses

10.3 Nothing in this Resolution **shall** prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building/structure which has been destroyed or damaged by fire, explosion or acts of God, and such restoration is done within two (2) years from the date of

destruction or damage. ~~Refer to Ohio Revised Code Section 519.17 which requires a~~ A zoning certificate is required from the Zoning Inspector.

The township indicates that they intend to delete Appendices 2, 3, and 4. They also indicate that current code should be referenced; these Appendices contain references to the Ohio Revised Code for the Board of Zoning Appeals and the Zoning Commission. It is not clear what the township intends to do regarding referencing current code.

The township indicates that they intend to delete Appendix 6 as part of this amendment. NOTE: Appendix 6 appears to have already been deleted from the version of the zoning resolution posted on the township website.

Recommendation: Planning Services staff recommends the Planning Commission **APPROVE** the proposed amendments to the Guilford Township Zoning Resolution.