

# Article 15

## Planned Development District

### 1500 Purpose

This Article is intended to permit the creation of Planned Development Districts (PDs) to encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in the planning and building of all types of development. Such Districts may be permitted as amendments to the Jackson Township Zoning Map, on application and approval of specific and detailed plans where tracts suitable in location and character for the uses and structures proposed are to be planned and developed. Regulations set forth in this Article are adopted to accommodate unified planning and development that is consistent with existing established land use patterns in Jackson Township. Whenever there is a conflict or difference between the provisions of this Article and those of the other Articles of this Resolution, the provisions of this Article shall prevail for the development of land for PDs. Subjects not covered by this Article shall be governed by the respective provisions found elsewhere in this Resolution. The Township's character is related to physical attributes of the Township including its land use patterns and natural resources. The PD District is intended to achieve the following land use objectives.

- A. Provide a variety of housing and lot sizes to promote development that is more sensitive to the protection of natural resources by clustering the housing in areas physically suited to accommodating development and preserving on-site resources.
- B. Encourage the protection of open space by permitting developments with a range of densities that also provide open space, consistent with the character of the surrounding area.
- C. Preserve open spaces to reduce erosion, improve water quality, provide wildlife habitats, retain scenic views, maintain rural character and reduce storm water runoff.
- D. Preserve areas with steep terrain by considering topography and other natural features in the development plan and maintaining significant percentages of land in open space in wooded and sloped areas.
- E. Provide for a variety of housing types in a single-unified development that is integrated into the community.
- F. Respect the character of surrounding developments by providing appropriate buffers as a transition to higher density uses.
- G. Provide a higher level of design review to ensure attractive, well-planned communities and eliminate the barriers to creative and sensitive design that may exist when attempting to comply with conventional District standards and subdivision rules.

- H. Respect the balance between building mass or volume and vegetative mass or volume by considering scale relationships between the new development and existing buildings and the landscape.

## 1505 Definitions

The terms in Article 14 shall have the definitions set forth in this Section:

- A. **Buffer.** A designated area, provided to mitigate the potential adverse impacts between two (2) land uses, or between a land use and a natural feature, which mitigates potential impacts by some combination of construction design, vegetative plantings, fences and/or maintenance practices.
- B. **Building Pad.** An area delineated within the setback lines of a lot within which an applicant proposes to limit construction, and outside of which no work or site disturbance may occur.
- C. **Density.** A measurement of the number of dwelling units per acre of land.
  - 1. **Density, Gross (GD).** The total number of dwelling units on a site divided by the total site area.
  - 2. **Density, Net (ND).** The total number of dwelling units on a site divided by the buildable area.
- D. **Dwelling Unit Types.** The types of dwelling units, as defined below, are permitted in a PD District.
  - 1. **Single-Family Detached.** A dwelling unit with street, side and rear yards, that sits generally in the middle of the lot.
  - 2. **Single-Family Lot Line.** A single-family unit that may be located on the lot line, so that only one (1) side yard exists. A maintenance easement is provided on the adjoining lot. No single-family lot line unit may be placed next to another such unit along the same lot line. If the zero side yard option is used, windows should either be eliminated or placed at a level that provides light but preserves privacy.
  - 3. **Single-Family Attached.** A single-family unit with one (1) dwelling unit from ground to roof, having its own footprint, and with at least one (1) wall that is common to the adjoining unit. Each unit must have individual ground level access. The dwelling unit types described in Section 1425 of this Article as “Duplex” and “Townhouse” are single-family attached units.
  - 4. **Multiple Family.** A structure containing more than one (1) dwelling unit with either direct access to the outside, or through a common hallway, with separate kitchen and bathroom facilities and living quarters in each unit.

- E. Floor Area, Gross (GFA). The sum of the total horizontal areas of every floor of every building on a lot. The measurement of gross floor area shall be computed by applying the following criteria:
1. The horizontal square footage is measured from the outside face of all exterior walls.
  2. Cellars, basements, penthouses, attics, covered or uncovered porches, balconies and decks, enclosed storage or mechanical areas, mezzanines and similar structures shall be included as GFA wherever at least seven (7) feet are provided between the finished floor and the ceiling.
  3. No deduction shall apply for horizontal areas void of actual floor space, for example, elevator shafts and stairwells. The protected upper floors or open atriums, balconies and foyers shall not be included.
- F. Floodplain. Nearly level land situated on either side of a channel which is subject to overflow flooding. and which is designated on the Flood Insurance Rate Maps as being subject to flooding,
- G. Floor Area Ratio (FAR). A measure derived by dividing the gross floor area by the size of the lot. FAR gives applicants flexibility in deciding whether to construct a low building covering a large portion of a lot or a tall building covering a smaller portion of a lot. For example:
- $$\text{GFA divided by Lot Size} = \text{FAR}$$
- $$30,000 \text{ square feet GFA divided by } 100,000 \text{ square foot lot} = .30 \text{ FAR}$$
- H. Gross Area. The total land and water surface area contained within the boundaries of a lot or tract.
- I. Landscape Surface Ratio (LSR). The area of landscaped surface divided by the site area.
- J. Net Area. The area remaining after subtracting the open space area from the gross area.
- K. Open Space. Land area to be left primarily undeveloped and primarily undisturbed during construction as a natural resource area, recreation area, buffer yard, low intensity agricultural production such as tree farms, specialty crops, organic produce, certain nurseries or hay fields), or other open space area pursuant to the provisions of this Article. Open space excludes areas in lots, street rights of way, public utility easements, and parking.
1. Private open space is designed and intended for common use and the enjoyment of the residents in a residential development.
  2. Public open space is designed and intended for common use and the enjoyment of the public generally.

- L. Planned Development (PD). A development that is planned to integrate proposed land uses on a tract of land under single ownership or control, or unified plan of development, and is developed in a single phase or multiple phases according to approved plans and design principles, with provisions for the operation and maintenance of common areas, improvements and facilities.
- M. Riparian Area. The land area which borders a stream or river and which directly affects and is affected by the water quality.
- N. Riparian Setback. The area set back from the ordinary high water mark on each bank of a stream or river to protect the riparian area and stream from impacts of development, and streamside residents from impacts of flooding and land loss through erosion.
- O. Wetland. An area which is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The three criteria that must exist on a site for an area to be designated a wetland are hydric soils, hydrophytic vegetation and wetland hydrology.
- P. Woodlands.
  - 1. Mature Woodland. A wooded area, or stand of trees, of at least five thousand (5,000) square feet, which contains an average of at least two (2) trees per one thousand (1,000) square feet of land area which have a caliper of fourteen (14) inches or greater measured at forty-eight (48) inches above the ground.
  - 2. Mid-Growth Woodland. A wooded area, or stand of trees, of at least five thousand (5,000) square feet, which contains an average of at least five (5) trees per one thousand (1,000) square feet of land area which have a caliper of nine (9) inches or greater measured at forty-eight (48) inches above the ground and which does not contain enough larger trees to be classified as a "mature woodland."
  - 3. Young Woodland. A wooded area, or stand of trees, of at least five thousand (5,000) square feet, which contains an average of at least five (5) trees per one thousand (1,000) square feet of land area which have a caliper of four (4) inches or greater measured at forty-eight (48) inches above the ground, and which does not contain enough larger trees to be classified as either a "mid-growth woodland" or a "mature woodland."

## **1510 Establishment of Planned Development Districts**

The following types of PD Districts are hereby established and may be proposed through an amendment to the Zoning Resolution.

- A. PD-R Planned Residential District.
- B. PD-MU Planned Mixed-Use District.
- C. PD-B Planned Business District.

### **1515 Planned Development District purposes**

The PD Districts shall have the following purposes:

- A. Planned Residential District. For residential uses within a PD District, the objective is to encourage the creation of neighborhoods with a variety of housing types, which retain natural resources, provide adequate landscaping and open space areas, and are compatible with the character of adjoining land uses.
- B. Planned Mixed-Use District. For a mix of residential and business uses within a PD District, the objective is to encourage flexibility in design and approval of developments which promote mixed use, a variety of housing choices, higher density, improved pedestrian access and “new urbanist/neo-traditional” design criteria to assist in the control of sprawl and retention of the community character. Business uses shall not constitute more than fifteen (15) percent of the total gross area of the Mixed-Use District.
- C. Planned Business District. For non-residential uses within a PD District, the objective is to create streetscapes that emphasize landscaping, coordinated sign control, and uniform architectural character. Proposed buildings should have rooflines and architectural features that provide a sense of identity and emphasize the most important use with visual elements.

### **1520 Location of PD Districts, permitted uses**

The Zoning Resolution may be amended to establish PD Districts in the following Zoning District areas of the Township. The Township shall give particular consideration to access, traffic volumes, and compatibility of the proposed use or uses with the surrounding land uses in determining whether a PD District shall be approved.

- A. PD-R. Property located in any District, as defined in the Zoning Resolution, may be rezoned to a PD-R District. Uses permitted in the “R1” and “R2” definitions shall be permitted in the PD-R District.
- B. PD-MU. Property located in any District, as defined in the Zoning Resolution, may be rezoned to a PD-MU District. Uses permitted in the “R1” and “R2” and “B1” definitions shall be permitted in the PD-MU District.
- C. PD-B. Property located in any District, as defined in the Zoning Resolution, may be rezoned to a PD-B District. Uses permitted in the “B1” definitions shall be permitted in the PD-B District.

### **1525 Minimum performance standards**

Except as otherwise authorized by the Board of Trustees, PD Districts shall comply with the following performance standards.

- A. Density and Intensity of Use Standards. As a minimum, a PD shall comply with the standards set forth in Table 1. The PD densities listed in Table 1 are considered to be ideal densities for Jackson Township. The Board of Trustees may approve an increase in the density provided in Table 1, depending on the quality of design of the development, quality and amount of open space in addition to the minimum required amount, type of preserved natural resources, and how well the development meets the adopted PD standards. Adjustments may be authorized to the densities and intensities found in Table 1 if the Township Zoning Commission finds that the PD promotes the public health, safety, and the general welfare of the people of Jackson Township.

**Table 1**  
**PD density and intensity standards**

<b>Land Use Minimum</b>	<b>Minimum open space percentage area</b>	<b>Maximum Gross density (units/acre)</b>
Single family, without sewers	20%	1
Single family, with sewers	25%	2.0
Two family	35%	3.0
Multi-family	40%	6.0
Business non-residential	.20 LSR	.38 FAR
Business Residential	30%	5.0

Notes: See definition of open space  
 LSR: Landscape Surface Ratio  
 FAR: Floor Area Ratio

- B. Minimum Site Area. The recommended minimum site area for creation of a PD District is five (5) acres. A lesser site area may be approved if the Township finds that the proposed size can meet the purpose of a PD District (Section 1400).
- C. Lot standards. Table 2 defines the lot standards – minimum front, side, and rear setback and minimum frontages – for each dwelling, unit type and for each lot size.

**Table 2  
Lot standards**

<b>Unit type</b>	<b>Sewer</b>	<b>Minimum area (sq. ft.)</b>	<b>Minimum setback frontage (ft.)</b>	<b>Minimum setback (ft.)</b>	<b>Minimum Side yard (ft.)</b>	<b>Minimum rear yard* (ft.)</b>
Single family	Public	20,000	100	35	12	50
Single family	Public	15,000	90	35	10	40
Single family**	Public	12,000	80	25	8	40
Single family**	Public	10,500	75	25	8	30
Lot line**	Public	8,000	65	20***	12****	20
Village***	Public	6,000	60	12	5	30
Duplex**	Public	5,000	50	20	6	25
Town House**	Public	2,600	26	20	None	30
Multi-family	Public	2,200	100	30	12	25
Non-residential *****	Public	20,000	100	40	10	75

Notes:

- \* Setbacks may be adjusted if the applicant proposes building pads to protect natural resources on the site.
- \*\* Setbacks may be varied for these unit types if a garage is proposed in the rear of a dwelling.
- \*\*\* Side load garages may be located within eight (8) feet of the right of way.
- \*\*\*\* Minimum one (1) side yard with a five (5) foot maintenance easement provided on the other side. The minimum distance between adjacent buildings must be twenty (20) feet.
- \*\*\*\*\* Setbacks may be varied for nonresidential buildings to minimize conflicts with adjoining residential uses, consistent with the intent to have buildings nearer the street with adequate landscaping and to locate parking at the rear of the building.

D. Resource Protection Standards. The natural resources listed in this section are resources that are sensitive to development and need to be protected. Table 3 establishes the minimum percentages of these natural resource areas that are to be preserved.

1. Mapping of natural resource areas. Preliminary and Final Development Plans shall include maps of the following resources and indicate those portions that will be protected with a conservation easement, utilizing one of the methods described in Section 1425, D 2.

**Table 3  
Resource protection standards**

<b>Natural resource</b>	<b>Percentage to be preserved</b>
Floodplains*	100
Wetlands**	100
Unstable slopes (Eden and Fairmount soils with 25-50 percent slopes)	90
Steep slopes 30 percent	85
Steep slopes 20-30 percent	70
Young woodland	25
Mid-growth woodland	40
Mature woodland	50

\* Subject to FEMA, State and County requirements.

\*\* Subject to U.S. Army Corps of Engineers and Ohio EPA requirements.

2. Methods of Preserving Resource Protection Areas. The responsibility and standards for preservation of all resource protection areas shall be specified and provision shall be made for guaranteeing such responsibility. In general, a resource protection area should be in common open space where it is maintained by a homeowners association or public agency.
  - a. Resource Protection Areas in private ownership shall be protected by a conservation easement shown on the Final Development Plan and deed restriction prohibiting in perpetuity the development and/or subsequent subdivision of the resource protection areas or their use for purposes other than those specified on the Final Development Plan.

E. Buffers. Buffers shall be installed along all borders of a PD District. Buffers are intended to screen the housing from streets and adjoining properties that are different in character. Buffers shall be provided as follows:

1. Buffers shall be installed in all areas of a PD District bordering on external roads in order to screen residential uses from streets. Buffers along external roads shall be designed to one (1) of the following standards. Each of the alternative buffers represents a screening of similar opacity, but contain various widths and planting requirements. Internal roads shall be landscaped in accordance with Section 1425. F, but do not require a buffer.

**Table 4  
Buffers**

Alternative	Width (feet)	Canopy trees*	Understory trees*	Evergreens *	Shrubs*	Berm
External street buffers						
1	40	3.4	6.8	3.4	54	None
2	100	2.0	4.0	2.0	32	None
3	100	1.75	3.5	1.75	28	5 foot berm
External property lines (May be increased or decreased per Section 1425.D.2)						
1	15	2.0	4.0	2.0	32	None
2	20	1.2	2.4	1.2	19	3 foot berm
3	30	1.5	3.0	1.5	24	None
4	50	1.0	2.0	1.0	16	None

Note: \* Per 100 linear feet.

2. The buffers in Table 4 represent standard buffers. The Township may, upon review of the plans and the potential impact of the proposed PD on adjoining use, modify the buffers in accordance with the following:
  - a. Where the units to be constructed adjoining the property line are similar in lot size and building mass, the buffer may be reduced.
  - b. Where the units to be constructed adjoining the property line are significantly smaller in lot size, where the building mass will be significantly greater, or where orientation or design of the uses will have an adverse impact, the buffer may be increased.
  - c. Where existing natural vegetation or some other feature can provide screening of similar opacity, the buffer may be reduced.
3. A riparian buffer with a minimum width of fifty (50) feet shall border each side of a riparian area. Such buffer shall not contain buildings, structure, pavement, or other improvements unless approved by the Township following consultation with the Clermont County Soil and Water Conservation District and the County Engineer's Office regarding the impact that such manmade improvements will have on the riparian area.

F. Landscaping. Landscaping shall be provided as follows:

1. Open Space. Open space shall be designated on the plan as recreation, buffer yards, natural resource areas and other open space.
  - a. Land designated for active recreation shall, at a minimum have one (1) canopy tree planted along lot line or street right of way for every seventy-five (75) linear feet of boundary.

- b. Narrow open spaces between clusters of development shall be a minimum of thirty (30) feet in width.
  - c. Areas designated as natural resource areas shall be retained in their undisturbed natural state except for areas upon which pedestrian trails are located.
  - d. Non-recreational open spaces that are to be mowed and maintained with a lawn ground cover shall have a minimum of four (4) canopy trees planted per acre.
  - e. Trees and shrubs shall be of native species that are adapted to the soils on which they are to be planted.
2. Parking Lots. For parking lots, one (1) canopy tree shall be installed per ten (10) spaces. The planting area shall have a minimum width of five (5) feet and minimum area of eighty (80) square feet.
  3. Street Trees. All streets, public or private, shall have street trees installed in the right of way on both sides of the road. Two (2) canopy trees per one hundred (100) linear feet of street, including driveway cuts, shall be provided.
  4. On-Lot Landscaping. The PD design shall incorporate on-lot landscaping for each lot. The Township shall review and approve a landscape plan for non-residential lots, and a typical planting plan for residential lots, during Final Development Plan review.
    - a. All landscaping should meet the following standards:
      1. Canopy trees, 2.5-inch caliper.
      2. Understory trees, 1.5-inch caliper.
      3. Evergreen trees, 6 feet in height.
      4. Shrubs, 5-gallon pots.

G. Lighting. All roadway, street parking and sidewalk lights shall be shielded so that substantially all the directly emitted light falls within the property line. The Township may require the submission of photometric plans and lighting details if determined necessary for the evaluation of proposed lighting.

H. Circulation.

1. The street, access and parking system shall provide for the smooth, safe, convenient and functional movement of vehicles and pedestrians both on- and off-site. Parking and loading shall be provided in accordance with the provision of Article 10 of the Jackson Township Zoning Resolution, subject to the landscaping requirement of Section 1425 F.
2. Circulation shall:

- a. Minimize the conflict between pedestrian and vehicular traffic,
  - b. Minimize the number of vehicular turning movements and points of vehicular conflict, particularly at access points.
3. Vehicular Access. See Section 1440.M for Traffic Impact Analysis requirements.
- a. Acceleration, deceleration and/or left turn lanes may be required if the Township finds that they are necessary to preserve safety and/or the traffic carrying capacity of the existing street.
  - b. The builder shall provide a Traffic Impact Study which addresses the elements stated in Section 1440.M.
4. Pedestrian Circulation. Sidewalks and/or pedestrian paths shall be constructed and located in order to provide a convenient, safe and visible pedestrian path between parking areas and building entrance, including crosswalks and appropriate pedestrian crossing signs. Whenever a pedestrian path or a bike path traverses a parking lot, a safe and efficient pedestrian system shall be clearly designated.

### **1530 Approval of Planned Development Districts**

The Zoning Commission shall make specific findings that all applicable requirements have been satisfied and that the following specific conditions have been met prior to making a recommendation to the Board of Township Trustees about whether to approve, modify or deny an application to establish a PD District by amendment to the Zoning Resolution.

- A. The PD is consistent with the purpose of this Article, and will not jeopardize the public health, safety and general welfare.
- B. The proposed development can be substantially completed within the period of time specified in the schedule of development submitted by the applicant.
- C. The internal streets and primary and secondary roads that are proposed are adequate to serve the proposed development and properly interconnect with the surrounding existing road network as designated on the Jackson Township or Clermont County Thoroughfare Plan. The plan must demonstrate that improvements or other actions have been or will be taken to mitigate those traffic problems identified in the impact analysis required by Section 1440.M that are attributable to the proposed development.
- D. Traffic Control Signals will be provided when the County Engineer determines that such signals are required to prevent traffic hazards or congestion in adjacent streets.

- E. The proposed infrastructure, utilities and all other proposed facilities are adequate to serve the planned development and properly interconnect with existing public facilities.
- F. The proposed uses, location and arrangement of structures, lots, parking areas, walks, open spaces, landscaping, lighting and appurtenant facilities are compatible with the surrounding land uses.
- G. Proposed covenants, easements and other provisions meet development standards and protect the public health, safety and general welfare.
- H. Required resource protection land and open space areas are identified and provisions have been made for the care and maintenance of such areas.
- I. The PD is designed to minimize the impact on the natural environment and complies with the performance standards set forth in Section 1425.

Once the Board of Trustees receives the recommendation from the Zoning Commission, the Board shall also consider the conditions in Section 1430 in order to determine whether to approve, modify or deny an application to establish a PD District by amendment to the Zoning Resolution.

## **1535 Application procedures**

The following procedures shall be followed in applying for rezoning to a PD District.

- A. **Application Submission.** An applicant may submit an application requesting that the Zoning District Map be amended to rezone a site as a PD District. Such amendment shall be processed, noticed and heard in the manner prescribed in this section and in accordance with the provisions of Article 5 of this Zoning Resolution and Ohio Revised Code 519.12.
- B. **Informal Consultation.** Applicants are encouraged to engage in informal consultations with the Jackson Township Zoning Commission and Clermont County Planning Department prior to preparing preliminary plans. However, no statement or representation by members of either staff shall be binding upon either the Department or upon any zoning body.
- C. **Consultation shall begin with a site map** (preferably completed with the input of a landscape architect) of all natural resources required to be protected, the proposed interconnected open space on the remaining buildable land, and the proposed management of stormwater. The developer is also encouraged to join the zoning commission members (at an advertised scheduled commission meeting) and other interested parties on a site walk to view the appropriateness of the proposed open space, stormwater runoff management, etc. prior to submitting the preliminary plan.
- D. **Having chosen to be involved in the processes in 1435-B and 1435-C will provide the developer the option to submit a sketch plan, prior to the expense of the detailed preliminary plan.** The sketch plan must include: the open space plan,

stormwater management plan, proposed location of housing and / or other building sites, streets, trails, and lot lines. The approved process for the sketch plan does not imply approval of the additional requirements necessary for the approval of the preliminary and final plans.

- E. Preliminary Development Plan. A Preliminary Plan containing the requirements of Section 1440 shall be filed concurrent with an application for a zone change to PD District.
- F. Final Development Plan. After approval of a PD District zone change and Preliminary Development Plan by the Township, a Final Development Plan satisfying the requirements of Section 1445 shall be filed with the Township for review and approval of consistency with the approved Preliminary Development Plan.
- G. Zoning Certificate. No Zoning Certificate shall be issued for any property for which PD rezoning is requested and no construction shall begin until an approved Final Development Plan is in effect for that phase of the development.

## **1540 Preliminary Development Plan requirements**

The Preliminary Development Plan shall include in text and map form:

- A. A Plat or Survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage, existing zoning district boundaries, the area and District to be rezoned if applicable, and the property ownership of the site and all adjacent parcels and buildings within one hundred (100) feet of the subject site.
- B. A list of names and addresses of all owners of property within two hundred (200) feet of the subject site.
- C. Evidence that the applicant has sufficient control over the tract to affect the proposed plan, including a statement of all ownership and beneficial interests in the tract of land and the proposed development.
- D. Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two (2) year time period.
- E. Base mapping of the property showing the physical features, including significant natural features such as general topography, woodlands, soils, drainageways, water bodies, floodplains, wetlands, rock outcrops, forested areas, and other significant features such as existing and adjacent land uses, zoning, platted land, streets, alleys, rights of way easements, lots, buildings and utility lines.
- F. Boundaries and easements of the tract to be zoned as a PD District.

- G. Highways and streets in the vicinity of the tract, the ingress and egress to the tract, existing utilities and sidewalks on or adjacent to the tract.
- H. A drainage analysis that includes a description of soil conditions and proposed method of compliance with the Clermont County Stormwater and Sediment Control Regulations.
- I. A site plan showing the location of general land areas to be developed, including type and description of land uses, proposed principal streets, proposed lots, including set back lines, and blocks, proposed sidewalks and pedestrian circulation systems, and proposed public or common open space or other public facilities, including parks, playgrounds, school sites and recreational facilities.
- J. Calculations of density, open space and resource protection land, in accordance with the requirements of Section 1425.
- K. Proposed treatment of existing topography, drainageways, tree cover, and proposed landscaping and buffer plantings, in accordance with the requirements of Section 1425.
- L. Preliminary engineering plans, including general site grading, drainage and utility improvements and extensions as necessary, street improvements, showing proposed general location of vehicular circulation routes and how this circulation pattern relates to the primary and secondary road alignments designated on the Clermont County Thoroughfare Plan.
- M. A traffic impact analysis of the proposed development on roadways and intersections within a study area based upon net project trip generation methodology consistent with the latest edition of the Institute of Traffic Engineers (ITE) "Trip Generation and Information Report" that at a minimum addresses the following elements:
  - 1. Existing roadway conditions, including existing deficiencies and proposed improvements, and
  - 2. Trip generation based upon the development characteristics, and
  - 3. Distribution and assignment of trips based upon existing and future roadway network, travel time characteristics, and
  - 4. Background traffic projections, and
  - 5. Capacity (level of service) analysis methodology for roadways and intersections, and
  - 6. Types and costs of roadway and intersection improvements needed to mitigate the traffic impacts directly attributable to the proposed development.

The traffic impact analysis shall be provided in addition to any information required by the Clermont County Engineer.

- N. Architect sketches of typical building fronts for all types of buildings planned for the PD.
- O. Additional information as reasonably necessary to address the foregoing issues.

### **1540.1 Action by the Township Zoning Commission**

The Township Zoning Commission shall hold a public hearing on the Preliminary Development Plan as provided by Article 5 of this Resolution and Ohio Revised Code Section 519.12. Within thirty (30) days after the last public hearing on such plan the Commission shall prepare and transmit to the Board of Township Trustees and to the applicant, recommendations to the Township Trustees with respect to the action to be taken on the Preliminary Development Plan. The Commission may recommend disapproval, approval, or approval with amendment, conditions or restrictions. Copies of the findings and recommendations of the Commission shall be made available to any other interested people.

### **1540.2 Action by the Board of Township Trustees**

The Board of Township Trustees shall hold a public hearing on the Preliminary Development Plan as provided by Article 5 of this Resolution and Ohio Revised Code Section 519.12. If the application is granted, the area of land involved shall be rezoned to a PD District by Resolution and such Resolution shall incorporate the Plan, including any condition or restriction that may be imposed by the Board of Township Trustees.

### **1545 Submission of Final Development Plan**

A Final Development Plan shall be filed for any portion of an approved Preliminary Development Plan the applicant wishes to develop, and it shall conform substantially to the approved Preliminary Development Plan and to any applicable Clermont County regulations or other County requirements for maintaining safety. The Final Development Plan shall include in text and map form:

- A. Plat of the parcel to be developed showing existing physical features, including general topography, drainageways, designated resource protection areas and tree cover, and streets, easements and utility lines.
- B. A site plan showing the location and arrangement of all existing and proposed structures, including building pads for single-family detached units where site constraints limit the placement of proposed structures, the proposed traffic circulation pattern within the development, the areas to be developed for parking, the points of ingress and egress including access streets where required, the relationship of abutting land uses and zoning districts, proposed lot lines, building setbacks, proposed sidewalks and pedestrian walkways, and proposed public or common open spaces or other public facilities, including parks, playgrounds, school sites and recreational facilities.

- C. A statement of the anticipated open space, gross density and net density.
- D. For uses other than single-family detached housing, footprints, floor plans and exterior elevations and types of building materials.
- E. Landscaping plans prepared by a Landscape Architect, showing the placement of trees, shrubs, ground cover and associated structures and improvements, including specifications, species, quantities and installation of landscaping for common areas, parking areas, open space, street trees, typical front yards, and buffer yards.
- F. Specific engineering plans, including site grading, street improvements, drainage and utility improvements and extensions as necessary.
- G. When a development is to be constructed in phases, a schedule for the development of such phases shall be submitted. No such phase shall have a density exceeding the maximum permitted density of the entire PD.
- H. The total area of common open space provided at any phase of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PD as the phases or units completed or under development bear to the entire PD.
- I. Evidence that the applicant has sufficient control over the tract to affect the proposed plan, including a statement of all the ownership and beneficial interests in the tract of land and the proposed development.
- J. In the case of a Mixed-Use or Business PD, a statement identifying the principal types of uses that are to be included in the proposed development.
- K. When a PD includes provisions for common open space or recreation facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned and/or maintained by any entity other than a governmental authority, copies of the proposed Articles of Incorporation and By-Laws of such entity shall be submitted.
- L. The required amount of common space land reserved under a planned development shall either be held in corporate ownership by owners of the projected areas, for the use of each owner who buys property within the development, or be dedicated to a homeowners' association who shall have title to the land which shall be retained as common open space for parks, recreation and related uses. The legal articles relating to the organization of the homeowners' association is subject to review and approval by the Zoning Commission and shall provide adequate provisions for the care and maintenance of all common areas. Public utility and similar easements and rights of way for water courses and other similar channels are not acceptable for common open space dedication unless such land or right of way is useable as a trail or similar purpose and has been approved by the Commission . The responsibility for the

maintenance of all open spaces shall be specified by the developer before approval of the Final Development Plan.

- M. Copies of any restrictive covenants that are to be recorded with respect to property included in the PD.

### **1545.1 Action by the Township Zoning Commission**

The Township Zoning Commission shall evaluate the Final Development Plan at a regular public meeting. An applicant shall give the Township Zoning Inspector at least ten (10) days written notice of its intent to submit a Final Development Plan, at the same time submitting the names and addresses of property owners with lot lines common to the area within such Plan. Such property owners shall be given twenty (20) days advance written notice of this public hearing, said notice being given by the Zoning Commission by first-class mail. The Township Zoning Commission shall hold a public hearing on the Final Development Plan, considering all aspects of the Final Development Plan. The Commission shall prepare and transmit to the Board of Township Trustees and to the applicant specific findings of fact with respect to the extent to which the Final Development Plan complies with the standards set forth in this Article and the district in which the property is located, together with its recommendation to the Township Trustees with respect to the action to be taken on the Final Development Plan. The Commission may recommend disapproval, approval, or approval with amendments, conditions or restrictions. Copies of the findings and recommendations of the Commission shall be made available to any other interested people.

### **1545.2 Action by the Board of Township Trustees**

The Board of Township Trustees shall hold a public hearing on the Final Development Plan within thirty (30) days of receipt by the Board of Trustees. Property owners with lot lines common to the area within the Final Development Plan shall be given seven (7) days advance written notice of this public hearing, said notice being given by first-class mail. At the public hearing, the Board of Township Trustees will review the Final Development Plan for substantial conformance with the approved Preliminary Development Plan. Based on this review, the Board of Township Trustees shall disapprove, approve, or approve the Final Development Plan with amendments, conditions or restrictions. If the Final Development Plan is approved, the Plan shall be incorporated into the Zoning Resolution and that Zoning District for when the Plan is proposed, including any condition or restriction that may be imposed by the Board of Trustees.

### **1555 Subdivision plat required**

A zoning certificate may be issued for a structure in a PD District, in accordance with an approved Final Development Plan, following approval by the Clermont County Planning Commission of a Final Subdivision Plat for that portion of the PD within which the proposed structure is to locate, and the recording of the approved subdivision plat.

## 1560 Expiration date for Development Plan approval and extension of time

- A. Preliminary Development Plan. Preliminary Development Plans shall expire one (1) year from the date of approval of the plan unless a complete Final Development Plan has been submitted to the Board of Township Trustees for its consideration prior to expiration of the Preliminary Development Plan. The Board of Township Trustees shall give ten (10) days notice to the applicant prior to the expiration of the Preliminary Development Plan. The Board of Township Trustees may, in accordance with the provisions of Section 1460.D, revoke the Preliminary Development Plan approval and revoke the PD District zoning designation.
- B. Single Phase Final Development Plans. If an applicant fails to diligently pursue development of a site in accordance with a single-phase Final Development Plan, the Board of Township Trustees may, following a public hearing pursuant to Section 1460.D, by Resolution, revoke the Final Development Plan approval and the plan shall become null and void. If a subdivision plat for the area included in the Final Development Plan has not been recorded in the records of the Clermont County Recorder within 12 months of the date of Final Development Plan approval, the Board of Township Trustees may, following notice pursuant to Section 1460.D, revoke approval of the Final Development Plan. Upon revocation of the Final Development Plan approval, if a Preliminary Plan was approved for the PD District, the tract shall revert to the Preliminary Plan development stage and shall be subject to the submittal time frame set forth above in Section 1460.A.
- C. Multi-Phase Final Development Plans. When the recording of the subdivision plan for any phase fails to meet the schedule submitted under Section 1445.G, following a public hearing pursuant to Section 1460.D, the Final Development Plan shall become null and void for that portion of the tract for which no subdivision plat shall have been recorded. If a Preliminary Development Plan was approved for the PD District, that portion of the tract shall revert to the Preliminary Development Plan stage and shall be subject to the submittal time frame set forth above in Section 1460.A.
- D. Review of Status of PD District and Development Plans. If an applicant fails to comply with any of the provisions of this Section, the Board of Township Trustees may review the status of any approved PD District or any development plan, and take action, in accordance with the following procedures:
  - 1. The Board of Township Trustees may hold a public hearing to review the status of any approved development plan and, at the conclusion of the hearing, may by Resolution:
    - a. Extend any applicable time period, or,
    - b. Modify or revoke the Preliminary and/or Final Development Plan approval.
  - 2. The Board of Township Trustees may, in accordance with the provisions of Article 5 of the Zoning Resolution and Ohio Revised Code Section

519.12, revoke the PD District zoning designation, and rezone the property to the Zoning in place prior to approval of the PD District.

## **1565 Modification**

An approved Preliminary or Final Development Plan may be amended by following the procedures described in this Section:

- A. **Minor Adjustments.** The Township Zoning Inspector may authorize minor adjustments in the Final Development Plan which become necessary because of field conditions, detailed engineering data, topography or critical design criteria pertaining to drives, curb cuts, retaining walls, swimming pools, tennis courts, fences, wall building locations, and building configurations, parking area locations or other similar project particulars. These minor adjustments may be permitted, provided that they do not increase density, decrease the number of parking spaces or allow buildings closer to perimeter property lines, and appear necessary in light of technical or engineering considerations.
  
- B. **Major Adjustments.** Major adjustments to any Preliminary and/or Final Development Plan that substantially alters the concept or intent of the approved Preliminary and/or Final Development Plan, may be approved only by the Board of Township Trustees upon a petition to amend the Preliminary and/or Final Development Plan, pursuant to the procedures for plan approval set forth in this Article.