

ARTICLE XV - PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

1500-OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS - Planned Unit Developments will be permitted for the purpose of conserving land through more efficient

allocation of private lots, multi-family dwelling units, common grounds, and non-residential uses, promoting greater efficiency in providing public and utility services, and receiving the benefits of new techniques of community development and renewal.

1501-PROVISIONS GOVERNING PLANNED UNIT DEVELOPMENTS – Because of the special characteristics of planned unit developments, special provisions governing the development of land for this purpose are required. 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 planned unit developments. Subjects not covered by this article shall be governed by the respective provisions found elsewhere in this resolution.

1502-USES PERMITTED - Only those uses permitted or conditionally permitted in each district of this resolution may be proposed for development under the planned unit development approach. Compatible residential, commercial, industrial, public and quasi-public uses may be combined provided that the proposed location of the commercial or industrial use will not adversely affect adjacent property, and/or the public health, safety, and general welfare. The amount of land not in compliance with Section 1502 devoted to commercial and/or industrial use in a residential-commercial development shall be determined by the Zoning Commission.

1503-RECOMMENDED MINIMUM PROJECT AREA - It is recommended that the gross area of the tract to be developed under the planned unit development approach should conform to the following schedule:

Residential 5

Residential (27.6)-Commercial (2.4) 30

Residential (32)-Commercial (3.2)-Industrial (4.8) 40

When the planned unit development is a mixture of uses no more than eight percent (8%) of the tract may be devoted to commercial activities nor more than twelve percent (12%) of the tract to industrial activities.

1504-DEFINITIONS -

"Common Open Space" is a parcel or parcels of land or any area of water, or a combination of land and water within the site designed and intended for the use or enjoyment of occupants of the planned unit development. Common Open Space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of occupants.

"Landowner" shall mean the legal or beneficial owner or owners of all the land proposed to be included in a planned unit development. The holder of an option or contract to purchase, a lessee or other person having an enforceable proprietary interest in such land, shall be deemed to be a landowner for the purposes of this Article.

"Plan" shall mean the written and graphic submission for a planned unit development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, density of development, private streets, ways and parking facilities, common open space and public facilities.

"Planned Unit Development (PUD)" means a development which is planned to integrate residential use with collateral uses, and in which lot size, setback lines, yard areas, and dwelling types may be varied and modified to achieve particular design objectives and make provision for open spaces, common areas, utilities, public improvements, and collateral non-residential uses.

"Professional Consultant" shall mean a person who possesses the knowledge and skills, by reason of education, training and experience, to comprehend the full nature and extent of the project in question regarding its social, economic, physical, environmental and design characteristics, and implications in order to foster a unified plan for development. He may be, but not necessarily limited to, a registered architect, landscape architect, professional engineer, professional surveyor, planner, or equivalent.

1505-PROJECT OWNERSHIP - The project land may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations. Such ownership may be by a public or private corporation.

1506-COMMON OPEN SPACE - Five (5) to twenty (20) percent of the land developed in any planned unit development project shall be reserved for common open space and recreational facilities for residents or users of the area being developed. The open space shall be disposed of as required in Section 1507 of this Resolution.

1507-DISPOSITION OF OPEN SPACE - The required amount of common open space land reserved under a planned unit development shall either be held in corporation ownership by owners of the project area for the use of each owner who buys property within the development, or be dedicated to the Township and retained as common open space for parks, recreation, and related uses. All land dedicated to the Township must meet the Planning Commission requirements as to size, shape, and location. Public utility and similar easements and right-of-ways, for water courses and other similar channels are not acceptable for common open space dedication to the Township unless such land or right-of-way is usable as a trail or other similar purpose and approved by the Planning Commission. Such open space shall include that open space that may be required by the Mahoning County Planning Commission under Article 4.2 of the Mahoning County Subdivision Regulations. The advice of the Mahoning County Planning Commission may be sought regarding any additional open space acquisition.

1508-MAINTENANCE OF OPEN SPACE - The responsibility for the maintenance of all open spaces shall be agreed upon by the Township Trustees before approval of the final development plan.

1509-UTILITY REQUIREMENTS - Underground utility plans shall be required in designated planned unit developments. The Mahoning County Subdivision Regulations must be followed. Additional Township requirements may be added when appropriate.

1510-RESIDENTIAL PLANNED UNIT DEVELOPMENT - Residential Planned Unit Development may be developed following the provisions of Sections 1511-1513.

1511-MINIMUM LOT SIZE -

1. The lot area of the dwelling unit may not be reduced to less than 60% of the minimum lot area required in the official schedule of district regulations, except for attached, clustered, detached or single family houses intended to be conveyed separately, in which case there shall be no required minimum area except that the lot shall wholly contain all of the house and all front, rear or side yards as shown on the approved plan.

In no case shall the density of the housing units exceed six (6) per acre for the overall tract, including open areas.

2. Lot widths may be varied to allow for a variety of structural designs. It is also recommended that setbacks be varied.

1512-LOTS TO ABUT UPON COMMON OPEN SPACE - Every property developed under the planned unit development approach should be designed to abut upon common open space or similar areas. A clustering of dwellings is encouraged. In areas where townhouses are used, there shall be no more than eight (8) townhouse units in any contiguous group.

1513-HEIGHT REQUIREMENTS - For each foot of building height over the maximum height regulations specified in the respective residential districts, the distance between such buildings and the side and rear property lines of the planned unit development project area shall be increased by a two (2) foot addition to the side and rear yard required in the district.

1514-NON-RESIDENTIAL, COLLATERAL COMMERCIAL USES -The provisions of Section 1515-1517 shall apply to non-residential, collateral commercial uses within a planned unit development.

1515-ARRANGEMENT OF COMMERCIAL USES - Commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. Planting screens or fences shall be provided on the sides of the development abutting areas occupied or likely to be occupied by residences.

The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding, existing, or potential developments.

All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner as specified by the Zoning Commission.

1516-PARKING - Off-street parking, loading, and service areas shall be provided in accordance with Articles X, XI, and XVI of this Ordinance. However, off-street parking and loading areas shall not be permitted within fifteen (15) feet of any residential use.

1517-OPEN SPACE - Open space gained through the varying of setback and area requirements as established in Section 1506 is to be used for the development of open plazas, pedestrian malls, tot lots, and other public spaces and uses with adequate arrangement, design, and planting.

1518-NON-RESIDENTIAL, COLLATERAL INDUSTRIAL USES - The provisions of Section 1518-1520 shall apply to non-residential, collateral industrial uses within a planned unit development.

1519-ARRANGEMENT OF INDUSTRIAL USES - Industrial uses and establishments within the planned unit development shall be developed in parklike surroundings, utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks, and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of buildings and a compact grouping in order to economize in the provision of such utility services as are required.

Thoroughfares shall be kept to a minimum throughout the planned industrial area in order to reduce through traffic.

Project side yards of forty (40) feet and a rear yard of fifty (50) feet shall be required if the project is located adjacent to any residential district or residential portion of the planned unit development. All intervening spaces between the right-of-way line and project building line and intervening spaces between buildings, drives, parking areas, and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

1520-PERMITTED USES - Certain types of commercial uses such as restaurants, central secretarial and stenographic pools, or other business service type uses, repair services, or clinics as may form a small commercial center to serve the needs of the industries or their personnel, may be permitted in the planned industrial area as accessory uses.

1521-APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD), ZONE CHANGE DISTRICTING, AND ZONING APPROVAL PROCESS - An Applicant may apply for a Planned Unit Development Zone Change by making application to the Township Zoning Commission pursuant to the provisions of Article IV, Sections 414-416 of the Township Zoning Ordinance.

In addition to the Contents of Application contained in Article IV, Section 415, the application for Planned Unit Development Zone Change shall contain the following:

- a) An area map showing the Applicant's entire holding, that portion of the Applicants property under consideration, and all properties, sub-divisions, streets and easements within two hundred (200) feet of Applicants property.
- b) A project site plan including the following information:
 1. Title of drawing, including name and address of Applicant;
 2. North point, scale and date;
 3. Boundaries of the property plotted to scale;
 4. Existing watercourses;
 5. A site plan showing location, proposed use and height of all buildings, location of all parking and truck-loading areas, with ingress and egress drives thereto; location and proposed development of all open spaces, including parks, playgrounds, and open reservations; location of outdoor storage; if any, location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences; descriptions of method of sewage disposal and location of such facilities; location and size of all signs, location and design of street and parking lighting; the amount of building area proposed for non-residential uses, if any.
 6. Recommendations for proposed zoning;
 7. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, channelization structures and traffic controls;
 8. Adequacy and arrangement of pedestrian traffic access and circulation including: separation of pedestrian from vehicular traffic, and pedestrian convenience;
 9. Location, arrangement, appearance and sufficiency of off-street parking and loading;
 10. Location, arrangement, size and placement of building(s), lighting, and signs;
 11. Arrangement of landscape features.
 12. Adequacy of storm water and sanitary waste disposal facilities;

13. Adequacy of structures, roadways, in areas with moderate to high susceptibility to flooding and ponding and/or erosion. The application shall be considered in accordance with the procedures established under Ohio Revised Code, Section 519.12, as contained in Article IV, Sections 416-423, of the Township Zoning Ordinance.

1522-PHASING AND CHANGES OF APPROVED DEVELOPMENT PLAN -

Any plan which requires more than twenty-four (24) months to complete shall be constructed in phases and phasing plan must be developed. In a phased PUD, it is expected that changes in the approved development plan will be required from time to time. In order to preserve the flexibilities which are fundamental to PUD, plan changes to permit adjustments to a phasing program are permitted to the limitations listed below:

1. The changed plan must meet the basic objectives and all regulations and requirements of this resolution;
2. All plan changes must be submitted to the Township Trustees for reapproval.

1523-EXPIRATION AND EXTENSION OF APPROVAL PERIOD - The approval of a development plan for a residential planned unit development district shall be for a period not to exceed two (2) years to allow for preparation and recording of the required subdivision plat, and the development of the project. If construction of five percent (5%) of the total cost of the project has not been completed within two (2) years after approval is granted, the Board of Trustees may initiate hearings pursuant to Section 413 of the Zoning Ordinance to consider rezoning of said PUD to the original zoning district classification. An extension of the time limit or modification of the approved development plan may be approved if the Township Trustees find that such extension or modification is not in conflict with the public interest.

1524-VIOLATION - Violation of the approval of uses for Residential Planned Unit Development shall constitute a violation of the Austintown Township Zoning Ordinance in accordance with Article II, Section 204, and such violations may be prevented pursuant to the provisions of Section 519.24 of the Ohio Revised Code.

1525-SITE DRAINAGE: On-site surface drainage retention/ detention areas and calculations must be presented to the Township Zoning Office as part of the site development plan for review by the office of the Mahoning County Engineer. The developer, contractor, and/or property owner must request a final on-site inspection by the zoning inspector of the required and approved storm water management improvements including retention, detention, grading, final elevations, and post-construction best management practices (BMPs). The developer, contractor, and/or property owner may be required at the discretion of the zoning inspector to submit for review by the Mahoning County Engineer a certified as built drawing(s) depicting and/or a construction certification letter assuring storm water management compliance.