

# **ARTICLE VI**

## **PUD – PLANNED UNIT DEVELOPMENT DISTRICT <sup>1</sup>**

### **SECTION A. PURPOSE<sup>2</sup>**

The purpose of a Planned Unit Development District (PUD) is to provide flexibility in achieving a more integrated development, each comprised of its own unified plan. The PUD should be a well-integrated development in terms of major design elements such as roads, drainage systems, utilities, and open space. The PUD should allow for greater design flexibility so that natural features may be protected and development concentrated in an innovative and efficient manner. The PUD classification also promotes the Traditional Neighborhood Development (TND) concepts, which encourages the incorporation of various uses to address the needs of the area, while establishing public neighborhood common areas. These efforts are intended to create and maintain character, while establishing growth that is desirable within the community. The PUD may be of a specific design pattern incorporating Residential use or Commercial use or Industrial use or a combination of the uses.

### **SECTION B. GENERAL REQUIREMENTS AND PUD DISTRICT DESIGNATION<sup>3</sup>**

1. Subsequent to the approval of Zoning Commission, designation of PUD may be applied to any tract of land, with the limitations described herein. There are four (4) types of PUD Districts:
  - a. A PUD may be a residential development and, in which case, is referred to as a PUD-R. A PUD-R may only be applied to an agricultural or residential uses. The tract of land proposed to be developed as a PUD-R must be owned, leased, or controlled by one (1) person or single entity and must be at least five (5) contiguous gross acres in size. For cluster, conservation and compact residential planned unit development see Article VI, Section E. 4.
  - b. A PUD may be a commercial development and, in which case, is referred to as a PUD-C. A PUD-C may only be applied to a commercial use. The tract of land proposed to be developed as a PUD-C must be owned, leased, or controlled by one (1) person or single entity and must be at least five (5) contiguous gross acres in size.
  - c. A PUD may be a industrial development and in which case, is referred to as a PUD-I. A PUD-I may only be applied to an industrial use. The tract of land proposed to be developed as a PUD-I must be owned, leased, or controlled by one (1) person or a single entity and must be at least five (5) contiguous gross areas in size.
  - d. A PUD may be a mixed-use development, referred to as a PUD-M. A PUD-M may be applied to mix use. The tract of land proposed to be developed as a PUD-M must be owned, leased, or controlled by one (1) person or single entity and must be at least five (5) contiguous gross acres in size.
  - e. A PUD must conform to the current Township Comprehensive Plan and thoroughfare plan.
  - f. Upon the approval of the amendment to Township Zoning Resolution and final development plan, according to this chapter, the Official Township Zoning Map shall be amended to designate the property "PUD-R" or "PUD-C" or "PUD-I" or "PUD-M."

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<sup>1</sup> HISTORY: Amended Effective March 3, 2003

<sup>2</sup> HISTORY: Amended Effective February 17, 2011

<sup>3</sup> HISTORY: Amended Effective February 17, 2011

**Section B. GENERAL REQUIREMENTS AND PUD DISTRICT DESIGNATION (Contd.)**

1. The applicant shall be responsible for reasonable expenses incurred by the Township in reviewing all PUD development plans and for any associated site inspections. Such expenses are beyond application fees established by the Township and may include professional service fees such as legal expenses; or fees from other professionals such as engineers, landscape architects, planners, or environmental scientist, incurred in connection with reviewing the plans submitted. A Township review fee along with a deposit for professional services shall be required as per the Perrysburg Township Zoning Fee Schedule. No Zoning certificate will be issued until all application and review fees have been paid in full.

**SECTION C. PERMITTED USES<sup>4</sup>**

The permitted uses in both the PUD-R, PUD-C, PUD-I and PUD-M district are as set forth below:

**1. PERMITTED USES - PUD-R**

An applicant may propose to include any mixture of permitted or conditional uses listed in any existing agricultural or residential district. A variety of housing types and residential densities is encouraged.

**2. PERMITTED USES - PUD-C**

An applicant may propose to include any mixture of permitted or conditional uses listed in any commercial district. A variety of commercial types are encouraged.

**3. PERMITTED USES - PUD-I**

An applicant may propose to include any mixture of permitted or conditional uses listed in any industrial district.

**4. PERMITTED USES - PUD-M**

An applicant may propose to include any mixture of land uses in a proposed PUD-M development, provided that the proposed location of residential, commercial and industrial uses shall not have an adverse impact upon adjacent property or the public health and welfare, safety and morals. The Zoning Commission will make final approval or alterations on the percent of coverage area of different uses in a mix use PUD.

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<sup>4</sup> HISTORY: Amended Effective February 17, 2011

**SECTION D. GENERAL DEVELOPMENT STANDARDS**

The following standards represent broad parameters under which all PUD developments must be designed:

**1. CENTRAL WATER AND SEWER FACILITIES**

All structures in developments approved as PUD's must be served by central public water and sewer facilities. (No package wastewater treatment plants or separate water supply systems, private or public.)

**2. DEVELOPMENT LAYOUT AND DESIGN**

The design and layout of all PUD's shall display excellence in design by properly considering significant site features, such as topography, natural drainage patterns, roadway access and circulation, surrounding land uses, and general public welfare to result in desirable land development. Attractive landscaped buffers shall be provided between incompatible land uses and activities.

**3. DENSITY AND LOT COVERAGE REQUIREMENTS****a. PUD – R District<sup>5, 6</sup>**

- (1) The overall density shall not exceed four (4) dwelling units per gross acre.
- (2) The maximum building coverage shall not exceed thirty (30) percent and the maximum impervious coverage shall not exceed sixty (60) percent of the total site area which shall not include the area designated as required common open space.
- (3) The Zoning Commission may decrease the overall density below the specified maximum density if needed to meet site requirements, objectives in the Perrysburg Township Land Use Plan, or the requirements of this Zoning Resolution.
- (4) The Zoning Commission may award a bonus of up to eight (8) additional dwelling units per acre if one of the following reasons is met by the development:
  - (a) The previous zoning on all or a portion of the proposed development site would have allowed a higher density than is otherwise permitted by this subsection; or
  - (b) The proposed development site is adjacent to an R-4, R-4A, or R-5 residential district, industrial zoning district, or a mixed use district.
- (5) The Zoning Commission may award a bonus of up to two (2) additional dwelling units per acre commensurately with applicable design enhancements such as:
  - (a) Contiguous open space system that maximizes physical and visual access to the required common open space resources in the development from each dwelling unit, as well as substantial linkages to outside destinations, such as public parks, playgrounds, schools, shopping facilities, municipal centers, et cetera to increase recreation and transportation options;
  - (b) Ponds substantially landscaped to provide a significant feature and amenity to the development;

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<sup>5</sup> HISTORY: Amended Effective: February 18, 2005

<sup>6</sup> HISTORY: Amended Effective February 17, 2011

**SECTION D. GENERAL DEVELOPMENT STANDARDS (Contd.)**

- (c) Natural feature conservation in perpetuity, including conservation of prime farmland, wetland preservation, existing tree canopy preservation, and/or the creation of new woodlands, wetlands, restored native vegetation, wildlife habitats, and/or riparian corridors;
- (d) Sites of historic, archeological, or cultural value and their environs, including stone walls, barn foundations, and burial grounds;
- (e) Inclusion of perimeter landscaped features to enhance the outward appearance of the development, including mounding and decorative vegetative plantings; and
- (f) Architectural controls containing uniquely-creative design enhancements.

b. **PUD-C District**<sup>7</sup>

- (1) The maximum building coverage shall not exceed fifty (50) percent of the total site area.
- (2) The maximum impervious surface proposed must not exceed seventy-five (75) percent of the total site area.

c. **PUD-I District**<sup>8</sup>

- (1) The maximum building coverage shall not exceed fifty-five (55) percent of the total site area.
- (2) The maximum impervious surface proposed must not exceed eighty (80) percent of the total site area.

d. **PUD - M District**<sup>9</sup>

- (1) The maximum building coverage shall not exceed forty (40) percent of the total site area.<sup>10</sup>
- (2) The maximum impervious surface proposed must not exceed sixty-five (65) percent of the total site area.

4. **FRONT, SIDE, AND REAR SETBACK STANDARDS FOR PERIMETER LOTS**

All lots that are located along the perimeter of the PUD shall have minimum front, side, and rear setbacks equal to those that would normally be specified in the building use that closest match an established zoning districts.<sup>11</sup>

5. **OFF-STREET PARKING AND LOADING FACILITIES**

For all land uses located within the PUD, the parking and loading standards contained in Article IX (Off-Street Parking and Loading Requirements) shall be applied.

<sup>7</sup> HISTORY: Amended Effective February 17, 2011

<sup>8</sup> HISTORY: Amended Effective February 17, 2011

<sup>9</sup> HISTORY: Amended Effective February 17, 2011

<sup>10</sup> HISTORY: Amended Effective: February 18, 2005

<sup>11</sup> HISTORY: Amended Effective February 17, 2011

**SECTION E. RESIDENTIAL (PUD-R) DEVELOPMENT STANDARDS**<sup>12</sup>

In addition to the general development standards described above, residential PUD's shall meet the following development standards:

**1. REQUIRED COMMON OPEN SPACE**

Residential PUD's shall incorporate common open space through compact development design.

- a. A minimum of twenty-five (25) percent of the land developed for residential purposes in a PUD-R project shall be reserved for required common open space.
- b. Areas designated for required common open space purposes may be:
  - (1) Preserved in its natural state for resource protection.
  - (2) Creatively designed and intended for the active and passive recreation of residents of the community. Active recreational uses may include: golf courses, tennis courts, swimming pools, softball, baseball, basketball, and soccer fields. Passive recreational uses may include: picnic sites, bicycle and pedestrian trails, meadows, wooded areas, water bodies, drainage ways, and other similar activities or preservation.
  - (3) Utilized for farming when authorized in a conservation easement or in the Association's covenants and restrictions.
  - (4) Provided as buffer strips, where necessary, to protect adjacent property and may be included as part of the required open space.
- c. Areas that specifically shall not be considered required open space include:
  - (1) Private roads and public road rights-of-way;
  - (2) Public or private parking areas, access ways, and driveways;
  - (3) Required setbacks between buildings and project boundaries;
  - (4) Required setbacks between buildings and streets;
  - (5) Required minimum spacing between buildings and parking areas;
  - (6) Private yards;
  - (7) Small fragmented or isolated open space areas that have a dimension less than fifty (50) feet in any direction and that would not provide any buffering or other benefit to the occupants of the planned unit development.
- d. This required common open space shall be established under one ownership, and provision shall be established for maintenance and care. The legal articles relating to any organization of property owners in the development charged with such open space maintenance shall be submitted to the Township and publicly recorded with Wood County Recorder's Office. The Township may require as a condition of final approval, any evidence deemed necessary to document that the required common space will remain in its stated condition as long as the development exists (including such as legal documents, deed restrictions, conservation easements, etc.)<sup>13</sup>

<sup>12</sup> HISTORY: Amended Effective: February 18, 2005

<sup>13</sup> HISTORY: Amended Effective February 17, 2011

**SECTION E. RESIDENTIAL (PUD-R) DEVELOPMENT STANDARDS (Contd.)**

2. PUD RESIDENTIAL DENSITY<sup>14</sup>

To achieve the same overall density addressed in Section D.3, above, and to provide for the required common open space, the density requirements for residential land uses in any one buildable area may be increased as needed. The Township reserves the right to reject any plans that include residential densities out of scale and context with adjacent residential development. Where feasible, the residential density shall be compatible with adjacent uses.

3. RESIDENTIAL DWELLING TYPES

Along with PUD residential density, a PUD-R may include a mixture of dwelling types, including single-family detached dwellings, two-family units, zero lot-line units, and multiple-family units.<sup>15</sup>

4. CLUSTER, CONSERVATION AND COMPACT RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD)<sup>16, 17</sup>

The intent of Cluster, Conservation and Compact Residential PUDs are to provide for and encourage flexible and creative planned unit development techniques aimed toward providing a healthy and safe, natural and built environment pursuant to ORC 519.021(C) as an alternative to conventional lot-by-lot development. This land use relaxes lot size, setback, height, and other development standards in order to achieve better site design, relationships, and preservation of open spaces and significant natural features. The initial establishment of Cluster Residential PUDs are permitted in the A-1, R-1, and R-2 Zoning Districts and must be approved by Perrysburg Township's Zoning Commission in accordance with the requirements in Article VI. Apart from the nature and design of the subdivision, land uses listed as permitted or conditionally permitted in the respective A-1, R-1, or R-2 Districts shall continue to apply. The following requirements shall be satisfied:

a. PROPERTY OWNERSHIP REQUIREMENTS

Any ownership arrangement including fee simple lots or condominiums are allowed in Cluster, Conservation and Compact Residential PUDs. The arrangement of dwelling units shall comply with all development standards contained in the applicable zoning district except as modified below.

b. PERMITTED DENSITY

The maximum number of housing units permitted in a Cluster, Conservation and Compact Residential PUD is determined by using the minimum lot area required in the zoning district and shall use the following formula:

$$(TSA/MLA) \times 90 \text{ percent}$$

TSA = Total site area in square footage, excluding any area within the existing public right-of-way or land that is subject to an existing conservation easement. Total site area also does not include any area occupied by ponds that are greater than one acre in size.

MLA = Minimum lot area in square footage required in a given zoning district.

90 percent = A factor to account for public or private right-of-way required in a development.

<sup>14</sup> HISTORY: Amended Effective February 17, 2011

<sup>15</sup> HISTORY: Amended Effective February 17, 2011

<sup>16</sup> HISTORY: Amended Effective February 18, 2005

<sup>17</sup> HISTORY: Amended Effective February 17, 2011

**SECTION E. RESIDENTIAL (PUD-R) DEVELOPMENT STANDARDS (Contd.)**

When the above formula produces a fractional value, the number shall be rounded to the nearest whole number.

c. **DENSITY BONUS**

At the sole option of the developer, a bonus of additional housing units will be allowed when required open space is made available to the public. For every whole acre of land devoted to walking/biking trails, equestrian trails, park areas, public or private natural preserve, cultivated farm land or other required open space that is also available for public use, up to one additional housing unit may be added to overall density, provided, however, that overall density does not increase by more than fifteen percent (15%) beyond the number of units allowed.

d. **MODIFICATIONS TO AREA AND HEIGHT REGULATIONS**

Minimum lot area requirements contained in given zoning districts are modified in a Cluster, Conservation and Compact Residential PUD to provide for required open space and allow for flexibility in design. Unless specifically modified hereunder, area and height regulations contained in the applicable zoning district apply.

- (1) Lot Area Requirements. Dwelling units are not required to be on individual lots and there are no minimum lot sizes. However, when lots are included in a development plan, such lots shall be of sufficient size and shape to accommodate dwelling units in compliance with the spacing and yard requirements defined herein.
- (2) Minimum Yard Depths. Individual buildings in a proposed development may not be located closer than fifty (50) feet to an existing or proposed public or private road pavement. Individual buildings also may not be closer than fifty (50) feet to any lot line that represents the boundary of the development. The minimum separation between free-standing principal or accessory structures shall be not less than twenty (20) feet, or a distance equal to the height of the tallest vertical wall that is most closely parallel with an adjoining structure, whichever is greater.

e. **SEWAGE DISPOSAL AND WATER**

Cluster, Conservation and Compact Residential PUDs shall be served by public sewage disposal and water facilities consistent with applicable State or County regulations.

f. **WETLANDS IN CLUSTER RESIDENTIAL PUDs**

Wetlands found within a site proposed to be developed as an Cluster, Conservation and Compact Residential PUD must remain in a natural state and no off-site mitigation of wetlands shall be permitted.

g. **MINIMUM REQUIRED OPEN SPACE**

All Cluster, Conservation and Compact Residential PUDs shall incorporate thirty (30%) to fifty (50%) percent of the total site's acreage as required open space. This required open space shall be designed and located to conserve significant natural features and historical and cultural elements located on the site. In the case of phased developments, open space shall be provided in a proportional manner with a developed area.

h. **AREAS NOT CONSIDERED REQUIRED OPEN SPACE**

Areas that specifically shall not be considered required open space include:

- (1) Private roads and public road rights-of-way.

**SECTION E. RESIDENTIAL (PUD-R) DEVELOPMENT STANDARDS (Contd.)**

- (2) Public or private parking areas, access ways, and driveways.
  - (3) Required setbacks between buildings, parking areas, and project boundaries.
  - (4) Required setbacks between buildings and streets.
  - (5) Required minimum spacing between buildings and parking areas.
  - (6) Private yards.
  - (7) Land that is subject to preexisting conservation easements or similar limitations on development.
- i. **USE OF REQUIRED OPEN SPACE**  
Areas designated for required open space may be:
- (1) Preserved in its natural state.
  - (2) Designed and intended for the use and/or enjoyment of residents (or general public) of the proposed development.
  - (3) Utilized as a buffer area to separate a development from surrounding properties.
  - (4) Utilized for cultivated farming when authorized in a conservation easement or in an Association's covenants and restrictions.
  - (5) Utilized as wet or dry storm water management ponds or basins. These ponds or basin may be located partially or entirely within the required open space. Easements shall be required to enable the maintenance of these facilities.
  - (6) Used as active recreation areas. These active recreation areas shall be located in areas with the least impact on natural amenities and wildlife habitats, of a useable size and shape for the intended purpose.
- j. **DESIGN AND LOCATION OF REQUIRED OPEN SPACE**  
Land that is to be designated as required open space pursuant to Section E.4.i above shall be designed as a connect and contiguous open space system and all residential properties shall have access to this open space.
- k. **RECLAMATION OF DISTURBED OPEN SPACE**  
Any areas to be designated as required open space that is disturbed during construction or otherwise not preserved in its natural state shall be landscaped with vegetation that is compatible with the natural characteristics of the site.
- l. **FUTURE SUBDIVISION AND DEVELOPMENT OF OPEN SPACE**  
All required open space shall be restricted from further subdivision or development by deed restriction, conservation easement, or other agreement in a form acceptable to Perrysburg Township and duly recorded in the office of the Wood County Recorder. Subject to permanent restrictions as set forth above, required open space in a Cluster, Conservation and Compact Residential PUD may be owned by an Association, Perrysburg Township, a land trust or other conservation organization recognized by Perrysburg Township, or by a similar entity. Required open space may be held by the individual members of a Condominium Association as tenants-in-common or may be held in common ownership by a Homeowner's Association, Community Association, or other similar legal entity. The Township's legal advisor shall determine,

**SECTION E. RESIDENTIAL (PUD-R) DEVELOPMENT STANDARDS (Contd.)**

based on documents submitted with the development plan, that the Association's bylaws or code of regulations specifies the following requirements:

- (1) Membership in the Association shall be mandatory for all purchasers of lots in the development or units in the condominium.
- (2) The Association shall be responsible for maintenance, control, and insurance of all common areas, including required open space.

m. **CONSERVATION EASEMENTS**

With the permission of Perrysburg Township, the owner(s) of required open space may, in accordance with provisions of ORC Section 5301.67 - .70, grant or transfer a conservation easement to any entity described in ORC Section 5301.68, provided that the entity and the provisions of the conservation easements are acceptable to Perrysburg Township. When a deed restriction is proposed as the method of restricting further subdivision of land designated as open space, Perrysburg Township shall be named as a party to such deed restrictions with authority over any changes thereto. The conveyance must contain appropriate provision for assignment of the conservation easement to another entity authorized to hold conservation easements under ORC Section 5301.68, in the event that the original grantee becomes unwilling or unable to ensure compliance with the provisions of the conservation easement.

n. **DEVELOPMENT PLAN SUBMISSION REQUIREMENTS**

All proposed Cluster, Conservation and Compact Residential PUDs shall provide a site analysis and a development plan to document compliance with all requirements of this section. This site analysis and development plan, together with any required application forms, shall be transmitted to and reviewed by the Zoning Commission in the manner described herein.

*Refer to Appendix 1 for Flow Chart.*

o. **REVIEW OF CLUSTER, CONSERVATION AND COMPACT RESIDENTIAL PUD**  
Cluster, Conservation and Compact Residential PUDs require approval from the Zoning Commission in accordance with Article VI.

p. **AMENDMENTS**

After a Cluster, Conservation and Compact Residential PUD has been approved, adjustments, or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested. Changes, as defined herein, may be permitted with approval by the Zoning Commission in accordance with Article VI. Conservation and Compact Residential PUDs shall be submitted to the Wood County Planning Commission for review and approval in accordance with the Wood County Subdivision rules and regulations.

**SECTION F. COMMERCIAL (PUD-C) DEVELOPMENT STANDARDS<sup>18</sup>**

In addition to the general development standards described above, commercial PUD's shall meet the following development standards:

**1. REQUIRED COMMON OPEN SPACE**

Commercial PUD's shall incorporate common open space by encouraging the use of compact development design.

- a. A minimum of twenty (20) percent of the land developed for commercial purposes in a PUD-C project shall be reserved for required common open space.
- b. Areas designated for required common open space purposes may be:
  - (1) Preserved in its natural state for resource protection.
  - (2) Creatively designed and intended for the passive recreation of employees of the commercial community. Passive recreational uses may include: picnic sites, bicycle and pedestrian trails, meadows, wooded areas, water bodies, drainage ways, and other similar activities or preservation.
  - (3) Utilized for farming when authorized in a conservation easement or in the Association's covenants and restrictions.
  - (4) Provided as buffer strips, where necessary, to protect adjacent property and may be included as part of the required open space.
  - (5) Landscaped retention areas.
- c. Areas that specifically shall not be considered required open space include:
  - (1) Private roads and public road rights-of-way;
  - (2) Public or private parking areas including landscaped islands, access ways, and driveways;
  - (3) Required setbacks between buildings and project boundaries;
  - (4) Required setbacks between buildings and streets;
  - (5) Required minimum spacing between buildings and parking areas;
  - (6) Private yards;
  - (7) Small fragmented or isolated open space areas that have a dimension less than fifty (50) feet in any direction and that would not provide any buffering or other benefit to the occupants of the planned unit development.
  - (8) Dry detention areas.

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<sup>18</sup> HISTORY: Amended Effective February 17, 2011

**SECTION F. COMMERCIAL (PUD-C) DEVELOPMENT STANDARDS (Contd.)**

- d. This required common open space shall be established under one ownership, and provision shall be established for maintenance and care. The legal articles relating to any organization of property owners in the development charged with such open space maintenance shall be submitted to the Township and publicly recorded with Wood County Recording Office. The Township may require as a condition of final approval, any evidence deemed necessary to document that the required common space will remain in its stated condition as long as the development exists (including such as legal documents, deed restrictions, conservation easements, etc.)

**SECTION G. INDUSTRIAL (PUD-I) DEVELOPMENT STANDARDS<sup>19</sup>**

In addition to the general development standards described above, industrial PUD's shall meet the following development standards:

**1. REQUIRED COMMON OPEN SPACE**

Industrial PUD's shall incorporate common open space by encouraging the use of compact development design.

- a. A minimum of fifteen (15) percent of the land developed for commercial purposes in a PUD-1 project shall be reserved for required common open space.
- b. Areas designated for required common open space purposes may be:
  - (1) Preserved in its natural state for resource protection.
  - (2) Creatively designed and intended for the passive recreation of employees of the commercial community. Passive recreational uses may include: picnic sites, bicycle and pedestrian trails, meadows, wooded areas, water bodies, drainage ways, and other similar activities or preservation.
  - (3) Utilized for farming when authorized in a conservation easement or in the Association's covenants and restrictions.
  - (4) Provided as buffer strips, where necessary, to protect adjacent property and may be included as part of the required open space.
  - (5) Landscaped retention areas.
- c. Areas that specifically shall not be considered required open space include:
  - (1) Private roads and public road rights-of-way;
  - (2) Public or private parking areas including landscaped islands, access ways, and driveways;
  - (3) Required setbacks between buildings and project boundaries;
  - (4) Required setbacks between buildings and streets;
  - (5) Required minimum spacing between buildings and parking areas;

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<sup>19</sup> HISTORY: Amended Effective February 17, 2011

**SECTION G. INDUSTRIAL (PUD-I) DEVELOPMENT STANDARDS (Contd.)**

- (6) Private yards;
- (7) Small fragmented or isolated open space areas that have a dimension less than fifty (50) feet in any direction and that would not provide any buffering or other benefit to the occupants of the planned unit development.
- (8) Dry detention areas.
- d. This required common open space shall be established under one ownership, and provision shall be established for maintenance and care. The legal articles relating to any organization of property owners in the development charged with such open space maintenance shall be submitted to the Township and publicly recorded with Wood County Recording Office. The Township may require as a condition of final approval, any evidence deemed necessary to document that the required common space will remain in its stated condition as long as the development exists (including such as legal documents, deed restrictions, conservation easements, etc.)

**SECTION H. MIXED (PUD-M) DEVELOPMENT STANDARDS<sup>20</sup>**

In addition to the general development standards described above, mixed PUD's shall meet the following development standards:

- 1. **REQUIRED COMMON OPEN SPACE**  
 Mixed PUD's shall incorporate common open space by encouraging the use of compact development design.
  - a. A minimum of twenty-five (25) percent of the land developed for mix/use purposes in a PUD-M project shall be reserved for required common open space.
  - b. Areas designated for required common open space purposes may be:
    - (1) Preserved in its natural state for resource protection.
    - (2) Creatively designed and intended for the active and passive recreation of residents and employees of the commercial community. Active recreational uses may include: golf courses, tennis courts, swimming pools, softball, baseball, basketball, and soccer fields. Passive recreational uses may include: picnic sites, bicycle and pedestrian trails, meadows, wooded areas, water bodies, drainage ways, and other similar activities or preservation.
    - (3) Utilized for farming when authorized in a conservation easement or in the Association's covenants and restrictions.
    - (4) Provided as buffer strips, where necessary, to protect adjacent property and may be included as part of the required open space.
    - (5) Landscaped retention areas.
  - c. Areas that specifically shall not be considered required open space include:

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<sup>20</sup> HISTORY: Amended Effective February 17, 2011

**SECTION H. MIXED (PUD-M) DEVELOPMENT STANDARDS (Contd.)**

- (1) Private roads and public road rights-of-way;
  - (2) Public or private parking areas including landscaped islands, access ways, and driveways;
  - (3) Required setbacks between buildings and project boundaries;
  - (4) Required setbacks between buildings and streets;
  - (5) Required minimum spacing between buildings and parking areas;
  - (6) Private yards;
  - (7) Small fragmented or isolated open space areas that have a dimension less than fifty (50) feet in any direction and that would not provide any buffering or other benefit to the occupants of the planned unit development.
  - (8) Dry detention areas.
- d. This required common open space shall be established under one ownership, and provision shall be established for maintenance and care. The legal articles relating to any organization of property owners in the development charged with such open space maintenance shall be submitted to the Township and publicly recorded with Wood County Recording Office. The Township may require as a condition of final approval, any evidence deemed necessary to document that the required common space will remain in its stated condition as long as the development exists (including such as legal documents, deed restrictions, conservation easements, etc.)
2. PUD RESIDENTIAL DENSITY IN MIXED PUD's  
To achieve the same overall density addressed in Section D.3, above, and to provide for the required common open space, the density requirements for residential land uses in any one buildable area may be increased as needed. The Township reserves the right to reject any plans that include residential densities out of scale and context with adjacent residential development. Where feasible, the residential density shall be compatible with adjacent uses.
3. RESIDENTIAL DWELLING TYPES  
Along with compact residential density, a PUD-M may include a mixture of dwelling types, including single-family detached dwellings, two-family units, zero lot-line units, and multiple-family units.

**SECTION I. GENERAL PUD APPROVAL PROCEDURE**

Property proposed to be developed as a PUD must be rezoned to PUD; and the decision to approve a Final Plan of the development and to rezone a property to PUD are done concurrently. Plans may include the proposal to phase construction of the PUD development.

**SECTION J. CONCEPT PLAN REZONE A PROPERTY TO PUD AND PRELIMINARY CONCEPT PLAN (OPTIONAL)<sup>21, 22</sup>**

## 1. CONCEPT PLAN (OPTIONAL)

The applicant for a PUD is encouraged to informally present Concept Plans to the Zoning Commission for review prior to extensive engineering. The Concept Plan review is conducted for the developer's benefit and its submission is intended for advisory purposes.

- a. Within thirty (30) days of receipt of a PUD Concept Plan, the Zoning Commission will provide an initial assessment of whether the Zoning Commission would approve, approve with modifications, or deny the proposed PUD.
- b. The application should include twelve (12) copies of a PUD Concept Plan prepared in pen or pencil and drawn to a convenient scale of not more than one hundred (100) feet to art inch, showing the following information:
  - (1) Location or vicinity map;
  - (2) Ownership of property and adjacent properties;
  - (3) Existing and proposed public roads and easements;
  - (4) Existing structures;
  - (5) North arrow;
  - (6) Outline of Planned Unit Development;
  - (7) Approximation of proposed lot lines;
  - (8) Important natural features and drainage ways; and
  - (9) A written statement about storm drainage, sewage disposal, water supply, and other facilities that exist in the area and the likely impacts of the development on those systems.
- c. The conceptual Plan shall be referred to an independent engineering consultant for review and circulated to Departmental Agencies and other interested parties for review.

## 2. PRELIMINARY PLAN (OPTIONAL)

The applicant for the PUD is encouraged to submit a Preliminary Plan for review and tentative approval prior to the formulation and submittal of the detailed Final Plan. The Preliminary Plan review is conducted for the developer's benefit and its submission is intended for advisory purposes.

- a. Preliminary Plan Procedure. The following is a list of the review procedures that shall occur once the applicant submits the proposed PUD Preliminary Plan:
  - (1) Once the application is deemed to be complete, the preliminary plan shall be referred to an independent engineering consultant for review and circulated to Departmental Agencies and other interested parties for review.<sup>23</sup>

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<sup>21</sup> HISTORY: Amended Effective: February 18, 2005

<sup>22</sup> HISTORY: Amended Effective February 17, 2011

<sup>23</sup> HISTORY: Amended Effective March 2, 2004

**SECTION J. CONCEPT PLAN REZONE A PROPERTY TO PUD AND PRELIMINARY CONCEPT PLAN (OPTIONAL) (Contd.)**

(2) The Zoning Commission shall make a recommendation to the applicant within thirty (30) days.

b. Contents of PUD Preliminary Plan Application. The applicant for the PUD shall submit twelve (12) copies of the proposed Preliminary Plan and the applicable fee (as established by separate resolution of the Township Trustees) to the Zoning Inspector along with the required application. The content of the Preliminary Plan shall include a preliminary drawing submitted at a scale between one hundred (100) feet to the inch and ten (10) feet to the inch on one or more sheets 24"X 36" or 18"X 24" in size, clearly and legibly drawn, containing at least the following information:

(1) Identification Notes, as follows:

(a) The name, address, and phone number of the applicant, professional surveyor or professional engineer who prepared the drawing with appropriate numbers and seals;

(b) Proposed name of the subdivision, location by section, range, township or other survey;

(c) Date of survey, scale of the drawing shown graphically, north point, and legend; and

(d) Vicinity map at a scale of four hundred (400) feet to the inch or less.

(2) Delineation shall include but is not limited to the following:

(a) Boundary line of proposed PUD indicated by a solid heavy line, indicating acreage;

(b) Name of adjacent subdivisions, owners of adjoining parcels, and boundary lines and acreage of adjacent tracts of unsubdivided and subdivided land, showing owners of tracts greater than one (1) acre, extended to 200 feet beyond the boundary of the subdivision;

(c) Topographic contours referenced to U.S.G.S. Datum or Wood County Benchmark with intervals no greater than two (2) feet at five (5) percent slope, no greater than five (5) feet for slopes over five (5) percent and less than or equal to fifteen (15) percent, and no greater than ten (10) feet for slopes greater than fifteen (15) percent;

(d) Topographic features within and adjacent to the plat for a minimum distance of 200 feet unless access to adjacent property has been denied by the professional surveyor.

(e) Location, widths, and names of all existing or prior platted streets or other public right-of-ways, railroad rights-of-way, easements, parks, permanent buildings and structures, and township, section, and corporation lines, within or adjacent to the tract;

(f) Location of water bodies, water courses, drainage patterns, floodways, floodplains, and a good faith effort to identify other potentially hazardous development areas;

(i) Where an existing water course, channel, stream, or creek is proposed to be disturbed, the proposed location of such water course shall be shown;

**SECTION J. CONCEPT PLAN REZONE A PROPERTY TO PUD AND PRELIMINARY CONCEPT PLAN (OPTIONAL) (Contd.)**

- (ii) Estimated flood elevations for high water level shall be determined by the developer's engineer in areas where such information has not been made available from other sources;
  - (g) A good faith effort to identify the location of conservation easements, wooded areas, and environmentally sensitive wetland and steep slope areas;
  - (h) A good faith effort to identify the soil types, derived from the USDA Soil Survey;
  - (i) Known cemeteries, historical or archeological sites;
  - (j) A good faith effort to identify the layout, number, dimensions of each lot, and setback lines (a note listing setback dimensions may be added in lieu of showing setback lines if the plan will be made more legible);
  - (k) Statements of proposed use of lots, giving type and number of dwelling units and/or type of business or industry;
  - (l) Conceptual plan for commercial, industrial, and mixed developments, showing proposed parking, loading areas, alleys, pedestrian walkways, streets, points of vehicular ingress/egress to the development and landscape features;
  - (m) Parcels of land reserved for public use or reserved by covenant for residents of the PUD;
  - (n) Point of ingress/egress or driveway locations and the distance to any existing driveway(s);
  - (o) A drawing of all present and proposed grades and facilities for storm water drainage in cases where natural drainage is altered;
  - (p) Type of water supply and wastewater disposal proposed, approximate locations and dimensions of all proposed utilities and sewer lines, easements, drainage tiles, water mains, culverts, or other underground utilities within the tract or adjacent thereto;
  - (q) A schedule outlining the order of development of each section or phase of the PUD.
- (3) Additional Information for the Preliminary Plan, such as the following, may be requested during the Preliminary Plan review or required during review and approval of applications:
- (a) A feasibility study on sewer and water facilities for land developments of two or more dwelling units;
  - (b) Screening, buffering and/or noise abatement measures;
  - (c) Other information, studies, items, or provisions deemed necessary or prudent to meet the requirements and purposes of this Zoning Resolution.

**SECTION K. FINAL PUD PLAN** <sup>24, 25</sup>

The decision to rezone land to PUD and to approve the Final Plan are accomplished concurrently. All PUD Final Plan submissions are deemed to be an application for amendment to the Zoning Code according to Article XIV (Amendment to the Township Zoning Resolution). All procedures (submission to the Wood County Planning Commission, notice, Zoning Commission public hearing and recommendation, and public hearing and action by the Board of Trustees) therein shall be followed in considering an application for a rezoning of the land in question to PUD. Upon approval of such plan and rezoning, the Township Zoning Map shall be amended to designate the project area as "PUD-R", "PUD-C", "PUD-I", or "PUD-M."

1. FINAL PLAN AND REZONING APPROVAL PROCEDURE

Once the application is deemed complete, the following procedures shall occur:

- a. The Final Plan shall be referred to an independent engineering consultant for review and circulated to Departmental Agencies and other interested parties for review. <sup>26</sup>
- b. The Zoning Commission shall schedule a Public Hearing within twenty (20) to forty (40) days following the receipt of the PUD application. Public Notification shall be given at least ten (10) days prior to the scheduled public hearing pursuant to Article XIV, Section J (Notice of Public Hearing in Newspaper and to Property Owners).
- c. The Zoning Commission shall make a recommendation within thirty (30) days of the hearing to approve, approve with conditions, or disapprove the Final Plan. This recommendation shall be submitted to the Board of Trustees,
- d. The Board of Trustees shall hold a Public Hearing within thirty (30) days after receipt of the Zoning Commission's recommendation, giving public notification at least ten (10) days prior to the Public Hearing pursuant to Article XIV, Section L.2 (Notice). The Board of Trustees shall consider the Zoning Commission's recommendation during this hearing.
- e. After the Public Hearing, the Board of Trustees shall within twenty (20) days either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Township Trustees is required.
- f. The applicant is also required to receive Final Plat approval from the Wood County Planning Commission before construction begins. Approval by the County Planning Commission that deviates from the PUD Final Plan approved by the Perrysburg Township Board of Trustees shall nullify the Township approval and shall require application for amendment review and approval pursuant to Article VI, Section I (Amendments (Changes)).

***Refer to Appendix 1 for Flow Chart***

2. CONTENTS OF APPLICATION

The applicant for a PUD shall submit twelve (12) copies of the proposed Final Plan to the Zoning Inspector along with the required application. The following list of technical requirements shall be satisfied in order for the Board of Trustees to approve the Final Plan, as mentioned in the above procedures:

- a. All requirements indicated for Preliminary PUD review in Section J.2.b. as modified below.
- b. Final Plan delineation shall:

<sup>24</sup> HISTORY: Amended Effective February 18, 2005

<sup>25</sup> HISTORY: Amended Effective February 17, 2011

<sup>26</sup> HISTORY: Amended Effective March 2, 2004

**SECTION K. FINAL PUD PLAN (Contd.)**

- (1) Comply with limits with the Minimum Standards for Boundary Surveys in the State of Ohio and the measurement specifications as contained in Chapter 4733-37 of the Ohio Administrative Code;
  - (2) Be based on accurate traverse, with angular and linear dimensions determined by an accurate control survey in the field.
  - (3) Determine boundaries by an accurate survey in the field which will be balanced and closed with an error of closure not to exceed one (1) to ten thousand (10,000);
  - (4) Indicate all lot lines with accurate dimensions in hundredths of a foot and bearings measured to thirty (30) seconds, indicating area in acres;
  - (5) Contain true bearings and distances to at least three (3) of the nearest established street lines of official monuments which shall be accurately described on the Final Plan.
  - (6) Indicate radii, internal angles, points of curvature, tangent bearings, length of arcs, and lengths and bearing of chords of all streets;
  - (7) Include survey computation sheets;
  - (8) Be drawn and signed in black opaque ink;
  - (9) Contain a certification by a registered surveyor to the effect the Final Plan represents a survey made by him and that the monuments shown thereon exist as located and that all geodetic details are correct.
- c. Accurate survey and legal description of the boundaries of the proposed development site;
  - d. A statement or table indicating total acreage for the development site, as well as total acreage devoted to lots, street right-of-way, open space, easements, and various development types;
  - e. A specific description of permitted, conditionally permitted, and accessory uses to be allowed in each area of the development;
  - f. Accurate locations and dimensions of all lots, setbacks (a note listing setback dimensions may be added in lieu of showing setback lines if the drawing will be made more legible), and building envelopes.
  - g. Accurate locations of areas to be dedicated or reserved for public or common use of property owners within the PUD, with the purpose indicated thereon. A copy of proposed deed restrictions, restrictive covenants, and other notes, items, restrictions, or provisions required by these Regulations, the Wood County Planning Commission, the County Engineer, or other authority shall be attached;
  - h. The exact location, width, and names of all interior streets proposed for the development and adjoining streets, and the exact location and widths of all alleys and cross-walks. The applicant shall check with the proper county and township officials to ensure proposed street names do not duplicate that of any other street;

**SECTION K. FINAL PUD PLAN (Contd.)**

- i. Exact locations and dimensions of all easements for rights-of-ways provided for public services or utilities, with wording addressing the purpose of such easements or rights-of-way and accompanying letter(s) from the electric and/or gas company indicating that all necessary energy easements have been obtained or are being negotiated;
  - j. Conceptual drawings of sewer and water facilities as well as street and drainage systems, with direction of flow indicated;
  - k. Landscaping plan for all buffers and other common areas.
  - l. Layout and dimensions of all parking and loading areas along with an indication of what they are to be built to serve.
  - m. A description of the expected timing of the development with phasing.
  - n. The applicant is also required to submit a project narrative describing the following items:
    - (1) Terms and conditions under which the property will be maintained subsequent to the development.
    - (2) A description of the objectives to be achieved by the development concept but not limited to:
      - (a) The manner in which the proposed development meets or exceeds the intent of the PUD district;
      - (b) Architectural and site design guidelines to apply throughout the development, including style, colors, and types of materials, placement of structures to maximize views, and take advantage of the site's natural character;
    - (3) A letter from the permitting agency indicating that a driveway permit has been issued or will be issued by the office of the county engineer or Ohio Department of Transportation on existing roads;
  - o. In addition to the above, the Township may require additional information, including environmental impact studies and archaeological surveys prepared by appropriate professionals to document the impacts of the development and to address potential mitigation measures.
3. CRITERIA OF APPROVAL - FINAL PLAN
- The Zoning Commission shall review the proposed Final Plan according to the following criteria:
- a. The proposed document is in conformity with the goals and objectives of the master plan;
  - b. The proposed development advances the general health, safety, and morals of the Township;
  - c. The interior road system, proposed parking, and any off-site improvements are suitable and adequate to carry anticipated traffic generated by and within the proposed development,
  - d. That any exception from standard district requirements can be warranted by design and other amenities incorporated in the final development plan according to these PUD requirements,
  - e. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development,

**SECTION K. FINAL PUD PLAN (Contd.)**

- f. The existing and proposed utilities, including water and sewer service, and drainage plan will be adequate for the population densities and nonresidential uses proposed in the PUD.

**SECTION L. AMENDMENT (CHANGES)**

After the final development plan has been approved by Zoning Commission, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested by the proponents.

**1. AMENDMENTS (MINOR)**

After the final development plan has been approved by the Board of Township Trustees, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested by the proponents. Minor Changes as defined herein are allowed, provided such requests conform to the standards established by the final development plan and this Resolution.

- a. All proposed minor changes must be submitted to the Zoning Inspector not less than three (3) business days before the next Zoning Commission meeting. The Zoning Inspector will submit the proposed minor change to the Zoning Commission for informal consideration. If the Zoning Commission deems the proposed minor change acceptable, the Commission will recommend approval to the Township Trustees. If the proposed minor change is considered to be insupportable or a Major Change, the appropriate review and public hearing process will be followed as indicated in Section L.2. (Amendments, Major).
- b. Minor changes or revisions to an approved PUD are allowed for the following:
- (1) Adjustments to the size and location of buildings, swimming pools, and other on site structures so long as:
    - (a) They do not result in an increase in the number of units over and above those that the plan covers;
    - (b) They do not encroach materially into the established setback areas;
    - (c) They do not encroach materially into the designated parking areas to the extent that would necessitate an alteration in the layout of the access drives or provisions for additional parking spaces; and
    - (d) They do not create a large building mass either through an increase in their height or length that would magnify their effect on the adjoining areas.
  - (2) Alterations to the proposed drives and/or parking areas so long as they do not encroach materially into building areas or specified recreation areas.
  - (3) Adjustments in the size and location of development identification signs.

**2. AMENDMENTS (MAJOR)**

A major change is any change that does not meet the criteria under Section L.1.b. and, in addition, is one which would constitute a significant alteration in the basic plan design or result in a use different from those originally intended. A major change shall require consideration and processing the same as a zoning change. The amendment procedure shall be initiated in accordance to Article XIV (Amendment to Township Zoning Resolution).<sup>27</sup>

<sup>27</sup> HISTORY: Amended Effective February 18, 2005