

**JEFFERSONVILLE, OHIO
ZONING ORDINANCE**

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**ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF ZONING FOR
ALL OF THE INCORPORATED AREA OF JEFFERSONVILLE, OHIO.**

ARTICLE I. PURPOSE AND TITLE

Sec. 100 Purpose

1. Whereas, the Village Council of Jeffersonville, Ohio deems it necessary to the promotion of public health, safety, convenience, comfort, prosperity, and general welfare of what is known as Jeffersonville, Ohio to limit and regulate therein the use, size, and location of buildings and other structures; the size and location of yards, and other open spaces in relation to buildings, and the use of land; and to carry out the planning for the Village; the districts and regulations of this Zoning Ordinance are hereby created and established and shall thereafter apply.

Sec. 105 Title

1. This Ordinance shall be known as the Jeffersonville, Ohio Zoning Ordinance and may be referred to as the Zoning Ordinance or this Ordinance..

ARTICLE II. GENERAL PROVISIONS

Sec. 200 Nonconforming Uses

1. Any legal use of structure or land lawfully existing at the effective date of this Ordinance may be continued, even though such use does not conform to the provisions of this ordinance. This nonconforming lawful use of a structure may be extended throughout those existing parts of the structure which were arranged or designed for such use. No nonconforming structure shall be moved, extended, enlarged, or structurally altered, except when authorized by the Board of Zoning Appeals in accordance with the provisions of this Zoning Ordinance as hereinafter provided, and with the exception of removing a mobile home from a lot. In the latter case, the mobile home may be replaced with another mobile home if done so within 60 days and if it meets the requirements of Table 1.
2. Whenever the lawful use of a structure or land becomes nonconforming through a change in the Zoning Ordinance or in the district boundaries, such use may be continued subject to the same limitations and the same conditions set forth above.
3. A nonconforming lawful use which has been damaged by fire, explosion, act of God or the public enemy may be reconstructed and used as before the time of damage provided such repairs or reconstruction are completed within one year of the date of such damage, provided that the new building, use or structure shall not contain more than the original space of the replaced building use, or structure and shall conform to all building regulations of the Village. A conventionally built dwelling unit cannot be replaced with a mobile home.
4. If a nonconforming use is abandoned for two (2) years such use must conform with all provisions of the zoning district in which such use is located and all other provisions of this Zoning Ordinance.

3. In the case of unsubdivided property, the district boundary line shall be determined by the use of the scale or dimensions appearing on the Zoning Map.

Sec. 240 Zoning Map

1. The Zoning Map or any Zoning Map amendment shall be prepared by authority of the Village Council. The map or amendment shall be dated with the effective date of the ordinance that adopts the map or amendment.
2. A print of the adopted map or map amendment shall be maintained in the office of the Village Clerk and Zoning Inspector. The Zoning Map shall be changed each time an amendment to the Zoning Map is passed by Ordinance of Council and each such change shall be initialed by the Zoning Inspector and dated as to the date of the Ordinance which provided for such change.

SEC. 245 Compliance with Village Subdivision Regulations

1. Proposals for new development, whether they be for residential development or for commercial or industrial development, may also be subject to the Village of Jeffersonville Subdivision Regulations and the Zoning Inspector shall not issue a Zoning Permit without reasonable assurance that the development conforms with the requirements of the Subdivision Regulations or will comply with the Subdivision Regulations.

ARTICLE III. ESTABLISHMENT OF ZONING DISTRICTS

Sec. 300 Establishment of Zoning Districts

1. The following zoning districts are hereby established for the Village of Jeffersonville, Ohio:

ZONING DISTRICT

MAP SYMBOL

Agricultural
Suburban Residential
Urban Residential
Apartment Residential

A
SR
UR
AR

Urban Commercial
Suburban Commercial
Industrial
Flood Plain

UC
SC
I
FP

Residential Planned Unit Development
Commercial/Ind. Planned Unit Development

PUD-1
PUD-2

ARTICLE IV. USE REGULATIONS

Sec. 400 Permitted and Conditional Uses

1. The Permitted and Conditional Uses for each District are provided in the following paragraphs. Uses given in the following zoning districts shall be interpreted according to the definitions in this Zoning Ordinance. Uses which can not be clearly and easily interpreted as permitted by the definition

given shall be determined by the Board of Zoning Appeals. Uses not specifically listed or not interpreted to be included in the zoning districts shall not be permitted except by Amendment to this Zoning Ordinance. Any use which is listed as a permitted use or a conditional use under a zoning district but which is not listed elsewhere as a permitted or conditional use shall be interpreted as not intended to be listed in such other district or districts. Conditional uses shall only be permitted after approval by the Board of Zoning Appeals as required by this Zoning Ordinance.

Permitted Uses

**Conditional Uses
Requiring Board Approval**

Agricultural (A)

Agricultural
Single-Family Dwellings
Public Facilities, Type I
Home Occupations

Mining and Extraction
Public Facilities, Type II

SUBURBAN RESIDENTIAL (SR)

Single-family Dwellings

Two-family Dwellings
Public Facilities, Type I
Home Occupations

URBAN RESIDENTIAL (UR)

Single-family Dwellings
Public Facilities, Type I

Two-family Dwellings
Multi-family Dwellings
with no more than Four
Dwelling Units
Rooming Houses

APARTMENT RESIDENTIAL (AR)

Two-Family Dwellings
Multi-Family Dwellings
Rooming Houses
Public Facilities, Type I

Single-Family Dwellings
Home Occupations
Offices

URBAN COMMERCIAL (UC)

Retail Sales & Services
Offices
Public Facilities, Types I & II

Mixed Use Dwellings
Multi-family Dwellings

SUBURBAN COMMERCIAL (SC)

Retail Sales and Services
Offices
Public Facilities, Type I

Mixed Use Dwellings
Multi-family Dwellings
Public Facilities, Type II

Permitted Uses

**Conditional Uses
Requiring Board Approval**

INDUSTRIAL (I)

Manufacturing
Wholesale and Warehousing
Transport and Trucking

Public Facilities, Type I/II
Offices

FLOOD PLAIN (FP)

Agriculture
Outdoor Recreational
Yards

Public Facilities, Type I
Off-street Parking
Mining and Extraction
Accessory Uses or
Structures

Sec. 405

Prohibited Uses and Conditions of Uses

1. The following uses and conditions of uses shall be prohibited within all Zoning Districts within the Village of Jeffersonville without approval of the Village Council under the provisions of Article VII:
 - a. The accumulation or storage of junk, junk vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, rags, or any other discarded objects or debris defined as junk in the Ohio Revised Code outside of an approved junk yard.
 - b. Buildings or uses which in any manner create or contribute to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable on the basis of the use or storage of flammable or explosive materials, radioactivity, air pollution, hazardous wastes, objectionable noise due to volume or frequency or beat, vibration, glare, erosion, water pollution or contamination or any other condition any of which are in violation of the Ohio EPA or other authorities of currently acceptable community standards.
 - c. Adult book stores, adult motion picture theaters, adult only entertainment establishments or similar establishments which are distinguished or characterized by an emphasis on displaying, describing, or representing sexual activity, sexual excitement, or nudity.
 - d. Drug paraphernalia establishments, i.e. any place operated as a business where any device, equipment, product or material of any kind which is used, intended for use or designed for

use in, propagating, manufacturing, compounding, converting, processing, testing, packaging, storing, concealing, injecting, ingesting, inhaling, enhancing the effect of or otherwise introducing into the human body a controlled substance as defined in Chapter 3719 of the Ohio Revised Code, is manufactured, stored, displayed, processed, packaged, distributed, or sold. Drug paraphernalia establishments, however, do not include persons or businesses or professions acting in accordance with the provisions of Ohio Revised Code Chapters 3719, 4715, 4729, 4731, and 4741, or properly licensed or authorized research facilities or hospitals.

ARTICLE V. LOT AND YARD REQUIREMENTS

Sec. 500 Yard, Area, and Height Requirements for Dwellings

1. Table 1 establishes the minimum yard, area, and height requirements for dwellings and structures accessory to dwellings, by district.

Sec. 505 Yard, Area, and Height Requirements for all Buildings Other Than Dwellings

1. Table 2 establishes the yard, area, and height requirements for all buildings except dwellings and structures accessory to dwellings, by district.

Sec. 510 Existing Lots of Record

1. Any lot of record existing at the effective date of this Zoning Ordinance and held in separate ownership different from the ownership of adjoining lots may be used for the erection of permitted and conditional uses even though its area and width are less than the minimum requirements of this Zoning Ordinance, but only to the extent granted by the Board of Zoning Appeals through the variance procedure.

Sec. 515 Application of Yard Requirements

1. Lots which abut on more than one street shall provide the required front yard, as established by street address or by the Board, and two-thirds the required front yard along all other streets.
2. No accessory structures, other than as described below in Item 4, shall be located in any required front yard, or in any required side yard except behind the principal use or building on the lot. In no case shall it be closer than six feet from the property line.
3. Open structures such as carports, porches, balconies, or platforms above grade level shall not project into any required front, side or rear yards more than one-third of the required yard space.

Table 1 - MINIMUM YARD, AREA, AND HEIGHT REQUIREMENTS FOR DWELLINGS

| District ¹ | Minimum Lot Width at Bldg. Line (in ft.) | Minimum Lot Area (sq. ft. per family) | Minimum Yard Depth ² (in ft.): FRONT | Minimum Yard Depth (in ft.): REAR | Minimum Yard Width (in ft.): EITHER SIDE | Minimum Yard Width (in ft.): SUM OF SIDE YARDS | Maximum Height of Buildings: STORIES | Maximum Height of Buildings: FEET |
|--|--|---------------------------------------|---|-----------------------------------|--|--|--------------------------------------|-----------------------------------|
| Agricultural (A) | | | | | | | | |
| Single-family dwelling | 100 | 40,000 | 50 | 30 | 15 | 40 | 2 1/2 | 35 |
| Suburban Residential (SR) | | | | | | | | |
| Single-family dwelling | 80 | 12,000 | 30 | 30 | 8 | 20 | 2 1/2 | 35 |
| Two-family dwelling | 80 | 6,000 | 30 | 30 | 8 | 20 | 2 1/2 | 35 |
| Urban Residential (UR) | | | | | | | | |
| Single-family dwelling | 60 | 7,200 | 20 | 25 | 6 | 12 | 2 1/2 | 35 |
| Rooming house | 60 | 7,200 | 20 | 25 | 6 | 12 | 2 1/2 | 35 |
| Two-family dwelling | 60 | 3,600 | 20 | 25 | 6 | 12 | 2 1/2 | 35 |
| Multiple-family dwelling | 100 | 3,600 | 40 | 25 | 15 | 30 | 2 1/2 | 35 |
| Apartment Residential (AR) | | | | | | | | |
| Single-family dwelling | 80 | 12,000 | 30 | 30 | 8 | 20 | 2 1/2 | 35 |
| Rooming house | 80 | 12,000 | 30 | 30 | 8 | 20 | 2 1/2 | 35 |
| Two-family dwelling | 80 | 6,000 | 30 | 30 | 8 | 20 | 2 1/2 | 35 |
| Multiple-family dwelling | 120 | 3,200 | 50 | 30 | 15 | 30 | 3 | 45 |
| Urban Commercial (UC), Suburban Commercial (SC), and Industrial (I) | | | | | | | | |
| Multiple-family dwelling | 3 | 2,500 | 3 | 3 | 3 | 3 | 3 | 3 |
| Mixed use dwelling | 3 | 2,500 | 3 | 3 | 3 | 3 | 3 | 3 |

¹ See Section 625 for planned unit developments

² Or the average front yard depth of adjacent lots, whichever is least.

³ Same as the requirements of Table 2.

Table 2 - BASIC YARD, AREA, AND HEIGHT REQUIREMENTS FOR ALL BUILDINGS OTHER THAN DWELLINGS

| District ¹ | Minimum Lot Width (in ft.) | Minimum Lot Area (in sq. ft.) | Minimum Yard Depth (in ft.): FRONT ² | Minimum Yard Depth (in ft.): REAR | Minimum Width Each Side Yard (in ft.) | Maximum Height of Buildings: STORIES | Maximum Height of Buildings: FEET |
|----------------------------|----------------------------|-------------------------------|---|-----------------------------------|---------------------------------------|--------------------------------------|-----------------------------------|
| Agricultural (A) | 100 | 40,000 | 50 | 30 | 30 | 3 | 45 |
| Suburban Residential (SR) | 100 | 20,000 | 50 | 30 | 20 | 2 1/2 | 35 |
| Urban Residential (UR) | 60 | 7,200 | 20 | 25 | 10 | 2 1/2 | 35 |
| Apartment Residential (AR) | 100 | 12,000 | 50 | 30 | 15 | 3 | 45 |
| Urban Commercial (UC) | 30 | 1,800 | 10 | 25 ³ | none | 3 | 45 |
| Suburban Commercial (SC) | 100 | 12,000 | 100 | 25 | 10 | 3 | 45 |
| Industrial (I) | 100 | 20,000 | 200 | 25 | 10 | 3 | 45 |

¹ See Section 625 for planned unit developments

² Or the average front yard depth of adjacent lots, whichever is least

³ Except where lot does not border on street or alley in the rear, in which case no rear yard is required

4. Off street parking and commercial service devices, such as service station pumps, shall not be allowed within the first 50 percent of the required front yard space closest to the public right of way; and ingress and egress drives shall not occupy more than 25% of such open space frontage along the right of way. Parking and commercial service devices shall be allowed in the remainder of the required front yard space.

Sec. 520 Exceptions to Height Regulations

1. The height limitations contained in Table 1 and 2 do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the public.

ARTICLE VI. SPECIAL PROVISIONS

Sec. 605 Temporary Structures

1. Temporary structures used in conjunction with construction work shall be permitted only during the period that the construction work is in progress, and shall not be allowed in the required front or side yards except with Board approval.

Sec. 610 Deteriorated or Abandoned Structures and Junk

1. Deteriorated or abandoned structures such as dwellings, barns, silos, sheds, oil storage tanks, or other structures for which no future use is contemplated and for which no other acceptable use is practicable or feasible and/or which creates a health or safety hazard shall be demolished and removed by the owner. Failure to do so within a reasonable period of time shall result in demolition and removal by the Village with the costs therefore to be assessed against the property and its owner as set forth in the Ohio Revised Code.

2. Junk such as abandoned vehicles, household appliances, farm equipment, or any other matter, for which no future use is contemplated or which has deteriorated to the point of creating a visual blight on the landscape shall be removed by the owner. Failure to do so within a reasonable period of time shall result in removal by the Village with the costs therefore to be assessed against the property and its owner as set forth in the Ohio Revised Code. Additionally the presence of such junk shall cause the use of such property to be classified as a junk yard and shall constitute a violation of this Zoning Ordinance if a junk yard is not a legal use of property in the district within which the property is located.

3. Any violation of the above regulations shall be deemed and treated as a violation of the Zoning Ordinance and shall be subject to the penalties as set forth herein.

Sec. 615 Mining and Extraction

1. Extraction, storage and processing of minerals of all types shall be allowed only in those districts where expressly permitted, except the extraction and storage of sand or gravel on farms of five (5) acres or more shall be exempted when such sand or gravel is for use on such farm.

2. Mineral extraction, storage or processing shall no be conducted closer than two hundred (200) feet from any structure used for human occupancy.
3. The operator shall file with the Zoning Inspector a location map which shows areas to be mined and the location of adjacent properties, roads and natural features.
4. The operator shall submit information on the anticipated depth of excavations and on depth and probable effect on the existing water table unless exempted by Village Council
5. The operator shall file with the Zoning Inspector, unless exempted by Village Council, a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five (5) feet, the type and number per acre of trees or shrubs to be planted; and the location of future roads, drives, drainage courses, or other improvements contemplated.
6. The operator shall file, unless exempted by the Village Council, with the Village a bond, payable to the Village and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The rate, per acre of property to be mined, of the required bond shall be fixed by the Council.. The bond shall be released upon written certification of the Village's designated inspector that the restoration is complete and in compliance with the restoration plan. State bonding shall be acceptable in lieu of Village Bonding when applicable as determined by Council or law.
7. No mineral extraction, storage or processing shall be started prior to issuance of a Zoning Permit and no Zoning Permit shall be issued prior to posting of bond with the Village, unless such bond is exempted.

Sec. 620

Flood Plain Provisions

1. The Flood Plain district is that area shown on the Zoning Map and which would be inundated (under water) by a 100 year frequency flood or which is identified as having alluvial (bottom soil) or other flood prone soils on a soil survey.
2. The Flood Plain district boundaries shall only be decreased subject to the provision of flood control or protection works and finding by a qualified engineer that such control or protection is adequate to prevent flooding to the land being removed from that district. In addition, the development of such land shall be conducted in such a manner as not to fill the necessary flood channel or to otherwise restrict the flow of flood waters and shall be subject to review and recommendation by the Planning Commission and approval of the Village Council.
3. In no case shall the Flood Plain district be decreased to less than 50 feet on each side of the stream channel.

Sec. 625

Planned Unit Developments

1. The purpose of this section is to permit the creation of new Planned Unit Development (PUD) Districts where maximum variations of design may be

allowed on application and approval of specific and detailed plans, where tracts suitable in location and character for the uses and structures proposed are adapted to unified planning and development as units. It is intended that Planned Development District zoning shall be encouraged for all large-scale residential, commercial, industrial or mixed-use developments where there are a variety of building types or densities, common open spaces, or integrated land uses, unless such zoning would clearly represent a hardship to the owners.

2. Planned Unit Development areas, after approval, are to be clearly identified on the Zoning Map as PUD-1 or PUD-2. Approval for Planned Unit Developments will be granted only when the plan for the project is such that the public health, safety, convenience, comfort, prosperity, or general welfare will not be jeopardized by a departure from the restrictions on corresponding uses in the standard zoning district, and when the plan makes a significant contribution towards better design of living environments and business or employment centers, better patterns of open space and preservation of natural features, a more efficient use of land, and closer harmony with surrounding neighborhoods than through conventional zoning and land development practices.
3. Approval of Planned Unit Development District zoning for a site does not constitute approval of the Subdivision Plat as required in the Jeffersonville Subdivision Regulations. Separate approval of subdivision plats must be obtained from the Planning Commission, but may be obtained at the same time as and as a part of the PUD approval process.

Sec. 626

Application for Planned Unit Developments

The following procedure shall be followed in placing land in a Planned Unit Development (PUD) District:

1. Submission of Application.
 - a. The owner or owners of a tract of land may request that the Zoning District Map be amended to include such tract in a Planned Unit Development District, either as a PUD-1 or a PUD-2.
 - b. The applicant shall be encouraged to engage in informal consultations with the Mayor and the Village Planning Commission prior to preparing his/her formal application, it being understood that no statement or representation shall be binding on the parties involved.
2. Preliminary Development Plan:

The following items are to be submitted with the application for amendment to PUD zoning, for review and action by Planning Commission, and subsequently for review and action by Village Council, prior to approval for PUD zoning:

- a. Five copies of a survey of the tract that is to be developed, at a scale appropriate to the scale of development (normally 1" = 100-200 ft.), showing existing features of the property and adjacent lands within a minimum of 400 feet beyond all boundary lines.
- b. Five copies of the Preliminary Development Plan map(s), at the same scale as (1) above, showing the proposed features of the development, including
 - (1) location and floor area of proposed buildings, structures, and other improvements, including heights, the types of buildings, and densities; or sufficient information to convey the same intent
 - (2) all proposed lot lines, or general intent of location pattern
 - (3) location and size of all areas to be conveyed, dedicated or reserved as common open spaces, buffer strips, parks, recreational areas, school sites, and similar public and semi-public uses
 - (4) location and size of proposed streets, alleys, service drives, off-street parking areas, loading areas, and any separate walkways or bikeways
 - (5) location of proposed utility lines and facilities, including sanitary sewers, storm sewers, and water lines, including engineering studies showing feasibility or other evidence of reasonableness, as required by the Village
 - (6) general landscape plan in schematic form indicating treatment, and grading where appropriate, of private and common open spaces and perimeter of PUD site
- c. Five copies of all written documents providing additional information on the proposed development.

3. Final Development Plan

Upon approval of the Preliminary Development Plan, the following items are to be submitted to the Planning Commission as the Final Development Plan:

- a. Five copies of a Final Development Plan map showing the specific sizes, locations, and special features of all items required in the Preliminary Development Plan map including the type, location and size of all proposed buildings, structures and other improvements, with the exception of single-family dwellings and their accessory buildings meeting standard SR or UR zoning requirements.
- b. Five copies of all written documents in specific and detailed form, and including copies of all deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned or maintained.

Sec. 627 Review and Approval

1. Preliminary Development Plan - Planning Commission

The Planning Commission shall hold a public hearing on the Preliminary Development Plan. Such public hearing shall consider all aspects of the Plan including all proposed stages and/or units of development. Additional public hearings may be held by the Planning Commission if it is determined necessary, but such hearings should be scheduled and completed as quickly as possible. Within 70 calendar days after receiving the PUD application or as otherwise agreed to by the applicant, the Planning Commission shall prepare and transmit to Council and to the applicant, specific findings with respect to the extent to which the Preliminary Development Plan complies with the purpose of the PUD zoning, together with its recommendations to Council with respect to the action to be taken on the Preliminary Development Plan. The Planning Commission may recommend disapproval, approval, or approval with amendments, conditions or restrictions.

Copies of the findings and recommendations of the Planning Commission shall be made available to any other interested persons. Review and approval of the Preliminary Subdivision Plat may also take place at this time. Approval of the Preliminary Development Plan does not constitute approval of the Subdivision Plat without separate action by the Planning Commission.

2. Preliminary Development Plan - Council

City Council shall hold a public hearing on the Preliminary Development Plan as set forth in the Ohio Revised Code. After due consideration to all information submitted, Council shall act on the PUD application and shall approve, approve with supplementary conditions, or disapprove the application as presented. If the application is approved, the area of land involved shall be re-designated as a "PUD-1" or "PUD-2" District by ordinance and such ordinance shall incorporate the approved Preliminary Development Plan and any other conditions or restrictions that may be imposed by the Council. The contingent approval of the PUD zoning and the Preliminary Development Plan shall be valid for a period of two years from the date of Council action. If a final Development Plan is not received and approved by the Planning Commission within two years, the tract of land shall revert to its prior zoning classification.

No use shall be changed or new use established, no structure shall be constructed, reconstructed or structurally altered, and no building or zoning permit shall be issued for such land, under the previous zoning classification or the contingent approval of the PUD zoning, until the Final Development Plan is received and approved by the Planning Commission, or the two year approval period has expired, or the owner applies for and receives approval of an amendment changing the zoning classification.

3. Final Development Plan - Planning Commission

Upon submission of a Final Development Plan, the Planning Commission shall review such Plan in relationship to the approved Preliminary Development Plan and any conditions or restrictions imposed by Council,

and in consideration of any minor departures from the Preliminary Plan or any new materials presented with the Plan, and shall approve, approve with modifications, or disapprove the final Development Plan. If the Planning Commission determines that the Final Development Plan constitutes a major departure from the Preliminary Development Plan, it shall disapprove the Final Development Plan, and applicant shall be required to submit a new Preliminary Development Plan and meet all procedural requirements for same. In no case shall a departure from the Preliminary Development Plan be approved or allowed which results in any increase in the total number of dwelling units, any increase in the total floor area of all commercial or industrial buildings combined, or any decrease in the amount of common open space. With approval, disapproval, or approval with modifications by the Planning Commission, the Commission shall set forth such actions, modifications and reasons for same in the minutes of the meeting and send a copy to the applicant and a copy to Village Council. Applicant may appeal such decision to Council, if such appeal is filed within 30 days.

Sec. 628 Limitations

1. No use shall be established or changed and no structure shall be constructed, reconstructed or structurally altered, and no building permit shall be issued in any portion of a Planned Unit Development district where such use or structure or change does not fully comply with the approved Final Development Plan, subject to any modifications approved.
2. The approval of the Preliminary and Final Development Plans in a single-stage Planned Development shall become null and void unless substantial land development and/or construction shall have been undertaken within two years of the approval of the Final Development Plan. The tract of land shall then revert to its prior zoning classification.
3. The approval of the Preliminary and Final Development Plans of a multi-stage Planned Development shall become null and void unless substantial land development and construction shall have been undertaken for each stage within two years of the approval of the Final Development Plan and corresponding beginning dates for each successive stage, and unless all land development and construction shall have been completed within two years of the scheduled completion dates for each successive stage. In such cases the remaining undeveloped tracts of land shall revert to their prior zoning classification, upon the passage of a resolution to that effect passed by a majority of the members of the Village Planning Commission..
4. Village Planning Commission may, at their sole discretion, extend any of the two year limitation periods under this section for an additional two years.

Sec. 629 PUD-1 Residential Planned Unit Development

1. Permitted Uses. Permitted uses shall be as follows:

- a. Those uses included as permitted and conditional uses in the Suburban Residential, Urban Residential, and Apartment Residential Zoning Districts, all such uses developed in a

unified manner in accordance with the approved development plan.

- b. Those uses included as permitted in the Urban Commercial and Suburban Commercial Zoning Districts, to the extent: that such uses are of a "convenience" type, the location, design and operation of which primarily serve only the needs of the persons within the PUD-1 development; that no direct access or advertising signs for such uses be visible from the exterior of the PUD-1 development; and that not more than five percent of the total land area of the PUD-1 development be occupied by the building area and parking area of such business uses.

2. Minimum Area Requirements. The minimum land area shall be ten acres.

3. Land Use Intensity.

- a. The maximum residential density of the PUD-1 site as a whole, but excluding street rights-of-way and business uses, shall not exceed twelve (12) dwelling units per acre.
- b. The maximum building area coverage of the PUD-1 site as a whole, but excluding street rights-of-way and business uses, shall be thirty five (35) percent.

4. Maximum Building Heights. Building height regulations shall be as provided in Tables 1 and 2 except as might be modified under Section 631.

5. Parking. Vehicle parking space regulations shall be as provided in Table 3, except as might be modified under Section 631.

6. Open Space.

- a. Where the PD-1 adjoins a Suburban Residential zoning district without an intervening secondary or major thoroughfare or an intervening permanent open space at least twenty five feet wide, the developer shall provide such a permanent open space at least twenty five feet wide adjoining such district. Permanent open space shall be maintained in landscaping to the extent of ten feet along such property lines. No off-street parking shall be permitted in such required landscape area and drives shall be permitted only to the extent necessary to cross from streets into the development.
- b. Usable open space shall be permanently set aside either for all residents of the PUD-1 or for the public at large, such open space(s) to be not more than twice as long as wide, to be in a

desirable location, to be appropriately developed and maintained to serve the recreational and/or leisure time needs of the residents, and to amount to a minimum of ten (10) percent of the total PUD-1 site not including street rights-of-way.

The permanent open space requirement herein may be satisfied in part by a portion of the open space requirement in paragraph (a) above to the extent such spaces are contiguous and the 2:1 length-to-width maximum is still met. All or part of the requirement for usable open space may be waived in favor of a contribution of funds or other assets to the Village Park Board equivalent to the value of the open space and improvements otherwise deemed appropriate for the PUD-1 by the Village.

7. Loading and Unloading Areas. Loading and unloading areas for the business uses shall be as provided in Section 635.

Sec. 630 PUD-2 Commercial/Industrial Planned Unit Development

1. Permitted Uses. Permitted uses shall be as follows:

All uses permitted in the Village Zoning Code, or listed as conditional uses, are permitted in the PUD-2 District to the extent such uses will not cause an adverse impact on the neighborhood, and such uses are developed in a unified manner in accordance with the approved development plan.

2. Minimum Area Requirements. The minimum land area shall be five acres.

3. Land Use Intensity.

- a. The maximum residential density of the PUD-2 site as a whole, but excluding street rights of way and non-residential uses, shall not exceed fifteen (15) dwelling units per acre.
- b. The maximum building area coverage of the PUD-2 site, but excluding street rights-of-way, shall be forty (40) percent.

4. Maximum Building Heights. Building height regulations for different types of residential, business and industrial uses shall be as provided in Tables 1 and 2, except as might be modified under Section 631.

5. Parking. Vehicle parking space regulations for different types of residential, business and industrial uses shall be as provided in Table 3, except as might be modified under Section 631.