

ARTICLE 6 PLANNED UNIT DEVELOPMENTS

SECTION 6.01 "R-PUD" RESIDENTIAL PLANNED UNIT DEVELOPMENTS

Subdivision developments proposed in "A" or "R" Districts may be rezoned to "R-PUD" residential planned unit developments at the option of the developer. When such amendment is approved, the new zoning district name shall be a combination of the original district name followed by the term "PUD" (e.g, "R-2 PUD"). Upon Zoning Commission approval of the Final Development Plan for the residential planned unit development, all residential planned unit developments shall be platted in accordance with applicable Wood County subdivision rules and regulations.

6.01.01 Minimum Subdivision Size

- a) The minimum area for a R-PUD Planned Residential Development shall be two (2) net acres. Net acres being defined as gross parcel acreage less public or private rights-of-way.
- b) The Zoning Commission may recommend and the Township Trustees may approve a proposed Planned Unit Development which has an area less than two (2) acres for development sites which are isolated by natural or man-made barriers or by existing development so that additional land is not available for inclusion in the new development.

6.01.02 Minimum Common Green Space and/or Recreation Areas. No less than ten thousand (10,000) sq. ft. or ten (10) percent of the net parcel acreage, whichever is greater, none of which shall be part of any required yard setback, shall be allocated to consolidated common green space and/or recreation areas.

- a) Preservation in Perpetuity. Such open space land or recreational facilities shall be prohibited from further subdivision or other development by deed restriction, conservation easement, or other agreement in a form acceptable to the Troy Township Legal Advisor and duly recorded in the office of the Recorder of Deeds of Wood County.
- b) Ownership. Subject to such permanent restriction as set forth above, such open space land or recreational facilities may be held by the individual members of a Condominium Association as tenants-in-common, may be held in common ownership by a Homeowners' Association, Community Association, or other similar legal entity, or may be owned by Troy Township (at the option of the Township), a land trust, or other conservation organization or similar entity approved by the Township, or may remain in private ownership. Where ownership is held by an association, the association's bylaws or code of regulations must specify the following requirements:
 - 1) Membership in the Association shall be mandatory for all purchasers of lots in the development or units in the condominium.

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- 2) The Association shall be responsible for maintenance, control, and insurance of common areas, including the required open space.
- c) Transfer of Conservation Easements. Upon the recommendation of the Zoning Commission and with the permission of the Troy Township Trustees, the owner(s) of the open space land or recreational facilities may, in accordance with the provisions of ORC 5301.67-70, grant a conservation easement to any of the entities listed in ORC 5301.68 acceptable to the Township, provided that the provisions of the conservation easement are acceptable to the Township and the conveyance contains appropriate provision for assignment of the conservation easement to another entity authorized to hold conservation easements under ORC 5301.68 in the event that the original grantee becomes unwilling or unable to ensure compliance with the provisions of the conservation easement.

6.01.03 Density Computation (Density-Neutral Formula).

- a) The maximum number of dwelling units permitted shall not exceed the number of units permitted in the zoning district replaced by the residential planned unit development, unless this number is reduced by site size and shape, allowances for roads, environmental impacts of floodplains, wetlands, and water bodies, Wood County subdivision requirements, or other applicable regulations.
- b) The maximum number of dwelling units permitted in the development shall be calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown under Section 5.04 (General Development Standards by District). For purposes of this calculation, net residential acreage equals eighty (80) percent of the gross parcel acreage and gross parcel acreage is the total parcel area excluding public rights-of-way or flood plain.

6.01.04 Lot, Height, and Yard Requirements

- a) For an A-1 PUD or an R-PUD, the lot, height, and yard dimensional requirements for the district replaced by the R-PUD under Section 5.04 (General Development Standards by District) shall be used to guide lot, height, and yard development in the R-PUD District. To allow for required common green space and/or recreation areas and to provide maximum flexibility for the development of residential lots, the lot and yard dimensional requirements may be reduced to a maximum of thirty-three and one-third (33-1/3) percent.
- b) zero lot line development shall comply with the lot, height, and yard dimensional requirements of Section 6.01.07 (Zero Lot Line Developments).
- c) Minimum Perimeter Yard Setback. A yard setback shall be maintained along all perimeter parcel boundaries of the Residential Planned Unit Development of not less than twenty-five (25) feet.

6.01.05 Maximum Impervious Surface Area in Subdivision. No more than forty (40) percent of gross parcel acreage shall be devoted to coverage by buildings, street pavement, motor vehicle driveway pavement, and parking area pavement.

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6.01.06 Dwelling Arrangement. In developments where single-family or two-family dwellings are mixed with multi-family dwellings, the dwellings along the perimeter of the development must be arranged progressively in relation to the type of uses in the abutting area. For instance, when the abutting use is multi-family, commercial, or industrial land uses, then proposed multi-family uses shall be arranged to buffer proposed single-family or two-family dwellings. Conversely, when the abutting use is single-family or two-family dwellings, then single-family or two-family dwellings shall buffer the abutting area from multi-family dwellings.

6.01.07 Zero Lot Line Developments. Zero lot line development may be utilized in a R-4 PUD or R-5 PUD Zoning District. The following additional regulations shall apply:

- a) To provide maximum flexibility for the development of residential lots, the dimensional requirements under Section 5.04 (General Development Standards by District) may be reduced no less than the following dimensions:

Minimum Lot Size and Building Height				
Type of Dwelling	Minimum Lot Area Per Dwelling Unit	Minimum Lot Width Per Dwelling Unit	Maximum Height Of Buildings	
			Stories	Feet
Single or Two Family	5,000 sq. ft.	45 feet	2	35
Multi Family	2,400 sq. ft.	24 feet	2	35
Minimum Yard Setback				
Type of Dwelling	Front Yard *	Rear Yard	Side Yard	
			Either Side *	Sum Of Side Yards
Single or Two Family	30 ft	5 ft	0 to 10 feet	10 feet *
Multi Family	30 ft	5 ft	0 to 10 feet	10 feet *
* applies to each end unit				

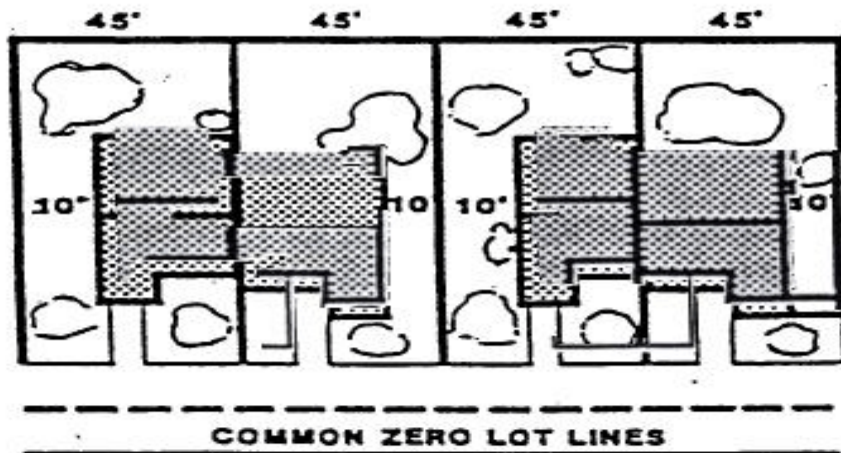
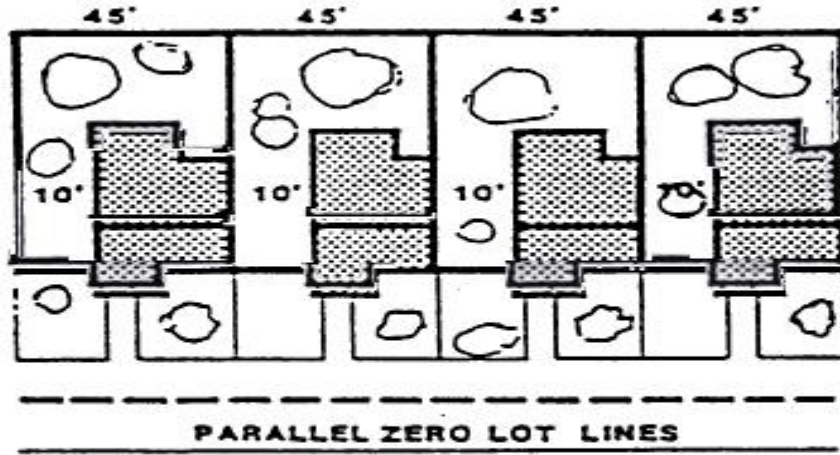
- b) Deed Restrictions Required. Lots proposed for zero lot line developments shall require deed restrictions of record to be placed on each proposed site and all adjacent lots which gives the owner notice that any development adjacent to a structure proposed with a zero-foot setback shall either attach to the common wall of the zero lot line development or provide a minimum side yard of ten (10) feet.
- c) Minimum Yard Area Per Dwelling. The minimum yard area exclusive of structures is six hundred (600) square feet.
- d) Maximum Lot Coverage. Maximum lot coverage of structures shall not exceed seventy (75) percent of each lot.

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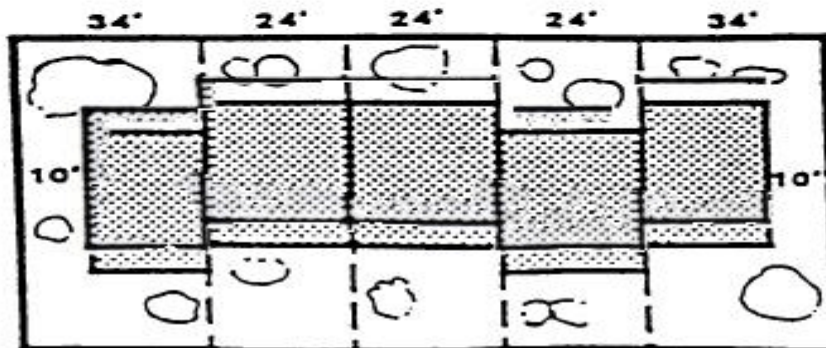
- e) Walls of structures along the zero lot line setbacks must not contain any windows, doors, or openings of any kind.
- f) The side yard setback opposite the zero lot line setback shall be no less than ten (10) feet and shall contain no permanent structures.
- g) The provisions of the following shall govern as to the rights and obligation and occupants of lots respecting side yard easements. For purposes of definition, the "servient tenement" is defined as the property providing a side yard easement. The "dominant tenement" is defined as the property adjoining benefiting from the easement.
 - 1) A five (5) foot maintenance easement shall exist along all zero lot lines exclusive of lots that share a common zero lot line wall.
 - 2) Lots subject to this easement will be set forth as an appropriate reservation grant in the deed to the dominant tenement.
 - 3) The easement shall be maintained by the owners or occupants of the servient tenement as open space, landscaping or as a garden and shall be retained in a manner not to restrict its use by the owners occupants of the dominant tenement.
 - 4) The owners or occupants of the dominant tenement shall have a limited, nonexclusive right of use and occupy the side yard easement for purposes of maintenance, repair, or replacement of the structure. Ingress and egress will be provided without limitation for these purposes. Owners and occupants of the dominant tenement shall be responsible for all damage to the servient tenement that may restrict the use and enjoyment of the side yard. This responsibility extends to maintenance of the exterior walls of the structure that shall be maintained and retained in a manner compatible with the servient tenement.
 - 5) The owners and occupants of the servient tenement shall be limited to the use of the easement for purposes described in Paragraph (d)(4) of this section. The owner or occupant of the servient tenement shall be responsible for any damage to the structure of the dominant tenement which is caused by the negligence of the owner or occupant of the servient tenement or by persons entering on the servient tenement with consent of the owner or occupant.

EXAMPLES OF ZERO LOT LINE DEVELOPMENT

Single or Two Family Units



Multi Family Units



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SECTION 6.02 “B-PUD” BUSINESS PLANNED UNIT DEVELOPMENTS ¹

Subdivision developments proposed in “C” or “I” Districts may be rezoned to “B-PUD” Planned Business Districts at the option of the developer. Upon Zoning Commission approval of the Final Development Plan for the Planned Business District, the developer shall have the development platted in accordance with applicable Wood County subdivision rules and regulations.

The following general development standards are established to ensure that areas zoned B-PUD are developed as a high-quality business and industrial center with a park-like environment.

6.02.01 Minimum Subdivision Area. A Planned Business District development project shall require a parcel size of five (5) acres or more for the subdivision.

6.02.02 Building and Impervious Area Coverage. The maximum coverage of all buildings, including accessory structures, and all impervious areas, such as parking and loading areas shall not exceed seventy (70) percent of the gross lot area.

6.02.03 Building and Structure Heights. Buildings and structures up to fifty (50) feet in height are allowed without special condition. Building and structures may exceed fifty (50) feet provided that:

- a) The site will have a maximum building floor area/lot area ratio of 2:1 (i.e., the total floor area within all buildings will not exceed twice the total lot area).
- b) All required yards shall be increased by one (1) foot for each one (1) foot building and structure height more than fifty (50) feet.
- c) No site plan shall be approved which includes buildings and structures more than fifty (50) feet in height unless approved by the fire chief of the Township.

6.02.04 Yard Setbacks. All buildings and structures shall meet the following yard setbacks:

a) Front Yards

- 1) For all property that has a front lot line that adjoins a state or federal highway, the minimum front yard shall be fifty (50) feet from the front lot line or right-of-way. In the case of a corner lot, both yards fronting on any public street shall be a minimum of fifty (50) feet.
- 2) For all property that has a front line that does not adjoin a state or federal highway, the minimum front yard shall be forty (40) feet from the front lot line. In the case of a corner lot, both yards fronting on any public street shall be a minimum of forty (40) feet.

- b) Side & Rear Yards. No building or structure shall be permitted within twenty-five (25) feet, nor any parking area within five (5) feet of any side or rear property line. All accessory structures shall be located at least twenty-five (25) feet from

¹ Amended 8/25/2021 by Resolution 10-2021 (effective 9/24/2021)

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any side or rear lot line, and may not be located closer to a road right-of-way than the principal structure.

- 6.02.05 B-PUD Underground Utilities. All electric power lines (not including transformers or enclosures containing electric equipment which may be pad mounted), telephone, gas distribution, and cable television lines, constructed after the effective date of this Article shall be placed underground in accordance with the specifications and policies of the respective utility service providers.
- 6.02.06 B-PUD District Landscaping Requirements. Lots within the B-PUD District shall satisfy all landscaping requirements pursuant to Article 8 (Landscaping Requirements)
- 6.02.07 B-PUD District Off-Street Parking and Loading Requirements. No building or structure shall be erected or structurally altered, or any use of property changed unless adequate off-street parking and loading spaces have been provided in accordance with Article 9 (Off-Street Parking and Loading Requirements).
- 6.02.08 B-PUD District Signs. All signs must meet the requirements of Article 10 (Signs).
- 6.02.09 Access Control Requirements. As part of the site plan review process, access shall be reviewed relative to the distance from other drive approaches and from roadway intersections. The preferred method of providing access to parcels is to minimize or eliminate driveways by using service road, rear access road, or shared driveways. The Zoning Commission may require that driveways be moved, combined, realigned, or eliminated to reduce the potential for accidents.
- a) Limits on Number of Driveways. For parcels with continuous frontage under one hundred (100) feet, one (1) driveway is permitted for ingress and egress. In the case of a corner lot, this driveway should be located on the street with the lower traffic volume. For parcels with more than one hundred (100) feet of frontage, a second driveway may be permitted following completion of a traffic impact study.
- b) Traffic Impact Study. Where a single development, individual use, expansion or change of existing use that would require site plan approval results in generating one hundred (100) or more peak hour trip ends (as defined by the Institute of Transportation Engineers' (ITE) Trip Generation Manual), a Traffic Impact Study shall be prepared by a qualified professional engineer at the developer's expense. This study is required to document the development's impacts on internal and external circulation and vehicular safety. The traffic impact study shall investigate the feasibility and benefits of improvements such as signals, turn lanes, driveway movement limitations, etc., to protect the safety of the traveling public. The traffic impact study shall include the following elements:
- 1) A description of the site and study area.
 - 2) Anticipated development of adjacent parcels.
 - 3) Trip generation and distribution, including a description of all assumptions used to generate findings of trip distribution.
 - 4) Modal split (if applicable).

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- 5) Traffic assignment resulting from the development.
 - 6) Projected future traffic volumes.
 - 7) An assessment of the impact that would result from driveway alternatives.
 - 8) Recommendations for site access and transportation improvements needed to maintain traffic flow within and past the site at an acceptable and safe level of service.
 - 9) An evaluation of the effects the proposed development will have on the level of service and roadway capacity.
- c) Conditional Approval of Driveways. As part of the site plan review process, the Zoning Commission may approve a specific driveway or require a shared drive approach, location with the condition:
- 1) That an agreement be first entered into between the property owner and the Township requiring that if a service road is constructed in the future, or if the opportunity for a shared driveway should present itself with development of adjacent property, one or more approved driveways shall be closed and measurements taken to utilize such service road or shared drive.
 - 2) For signal improvements, turn lanes, restrictions on turning movements, limited direction driveways, or other requirements to ensure safe and efficient traffic movement.
- d) Construction of Service Roads. Based on the findings of the Traffic Impact Study and consideration given at the site plan review proceedings, a service road may be required, such improvement shall be constructed by the developer of the involved property before any occupancy or use permit is granted.
- 6.02.10 Additional Access Control Measures for Parcels with Frontage on State Route. In addition to the requirements stated in this Article, parcels with frontage and proposed access onto a state route shall be required to submit proof of approval and any conditions made part of ODOT access management approval.
- 6.02.11 B-PUD Supplementary Land Use Regulations ²
- a) All supplementary land use must meet the requirements of Article 7 (Supplementary Land Use Regulations).

² Amended 8/25/2021 by Resolution 10-2021 (effective 9/24/2021)