

Article 6: Planned Development Districts

Section 6.01 Purpose

This article is intended to permit the creation of Planned Development Districts (PDs) to encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in the planning and building of all types of development. Such districts may be permitted as amendments to the Springfield Township Zoning Map, on application and approval of specific and detailed plans where tracts suitable in location and character for the uses and structures proposed are to be planned and developed. Regulations set forth in this article are adopted to accommodate unified planning and development that are consistent with existing established land use patterns in Springfield Township. The township's character is related to the physical attributes of the township, including its land use patterns and natural resources. The PD district is intended to achieve the following land use objectives:

- (A) Provide a variety of housing and lot sizes to promote the planning of a development that is more sensitive to the protection of natural resources on sites by clustering the housing in areas physically suited to accommodating development and preserving the resources in open space.
- (B) Encourage the protection of open space by permitting developments with a range of densities that also provide open space, consistent with the open space character of the surrounding area.
- (C) Permit the flexible spacing of lots and buildings in order to encourage the separation of pedestrian and vehicular circulation; the provision of readily accessible open space and recreation areas; and the creation of functional and interesting activity areas.
- (D) Preserve open spaces to reduce erosion, improve water quality, provide wildlife habitats, retain scenic views, and reduce storm water runoff.
- (E) Promote economical and efficient use of land and reduce infrastructure costs through unified development.
- (F) Provide for a variety of housing types in a single unified development that is integrated into the community.
- (G) Respect the character of surrounding developments by providing appropriate buffers as a transition to higher density uses.
- (H) Provide a higher level of design review to ensure attractive, well-planned communities and eliminate the barriers to creative and sensitive design that may exist when attempting to comply with conventional district standards and subdivision rules.
- (I) Respect the balance between building mass or volume and vegetation mass or volume by considering scale relationships between the new development and existing buildings and the landscape.

Section 6.02 Planned Development District Types

- (A) There are three types of PD Districts that, when adopted, serve as the base zoning district for the subject property. The three types are as follows:
- (1) RPD: Planned Residential District
 - (2) MUPD: Mixed-Use Planned Development District
 - (3) PIPD: Planned Industrial Park District

(B) In addition to the primary purpose statement established above, the following are individual purpose statements for each of the applicable PD types:

(1) RPD: Planned Residential District

The purpose of the RPD District is to allow for the development of a site where the primary use of land is residential with the ability to include public, institutional, and recreational uses as approved by the township and to:

- a) Allow flexible residential development on larger sites, especially sites that have natural features such as wetlands, natural lakes, ponds, marshes, steep slopes, rock outcroppings, floodplains and larger wooded areas, which contribute to the character of Springfield Township in order to preserve these natural features;
- b) Permit the flexible spacing of lots and buildings in order to encourage the separation of pedestrian and vehicular circulation; the provision of readily accessible open space and recreation areas; and the creation of functional and interesting residential areas; and
- c) Ensure that Planned Residential Developments are compatible with surrounding single-family neighborhoods.

(2) MUPD: Mixed-Use Planned Development District

The MUPD District and its regulations are established in order to permit compact development that fosters a more traditional neighborhood design characterized as a walkable community and which facilitates more efficient use of services. More specifically, the purposes of this district are to:

- a) Permit residential and economic development that is compatible with the Comprehensive Land Use Plan for Springfield Township and that fosters a sense of place for the township;
- b) Permit, in select areas, a pedestrian oriented mixture of uses including offices, limited retail, and higher density residential in a manner that reinforces the present compact environment to take advantage of areas situated in proximity to amenities and services in the Township, including but not limited to Springfield Lake area;
- c) Ensure that new development and/or redevelopment will occur in a manner that provides adequate transition between more intense retail uses and lower density residential; and
- d) Ensure that new development and/or redevelopment comply with these objectives by requiring a development plan and establishing a review process to ensure that all phases of a development are consistent with these regulations.

(3) PIPD: Planned Industrial Park District

The PIPD District is established to provide for and accommodate industrial uses in a planned industrial development and to permit creative, unified, and imaginative industrial development. It is the intention in establishing these regulations that all development pursuant to this section shall be permitted only with the use of public sanitary sewer and public water. This district will be free from encroachment of residential, commercial, retail, and institutional uses so that it may develop for purely industrially oriented purposes and shall conform to the following intentions:

- a) To encourage the establishment of industries which are mutually compatible;
- b) To provide development and operational standards to minimize traffic congestion, noise, glare, air pollution, water pollution, fire and safety hazards, and drainage problems;
- c) To prohibit industrial uses, which, because of the potential emanation of dust, smoke, noise, fumes, odors, or vibrations, are inconsistent with the purpose of this section;

- d) To establish standards for environmental development, including landscaping and requirement of open areas that will tend to result in healthful and productive working conditions; and
- e) To establish an industrial district that minimizes negative impact to the safety, health and welfare of the abutting properties to the PIPD District by reason of emission or creation of noise, vibration, smoke, dust or other particulate matter toxic and noxious materials, odors, fire or explosive hazards, glare or heat or electromagnetic disturbance.

Section 6.03 PDs Approved Prior to the Effective Date of this Resolution

Any Planned Development (PD) approved prior to the effective date of this resolution shall continue in accordance with the approved plans. Modifications, amendments, and expansion of existing PDs shall be in accordance with this article.

Section 6.04 Minimum Project Area

- (A) An application for a PD shall be for property that is under a single ownership or, if under several ownerships, the application shall be filed jointly by all owners of the properties included in the proposed PD boundaries.
- (B) The minimum gross area of a tract of land developed as a PD shall be 10 acres.
- (C) The Zoning Commission may authorize review of a tract of land smaller than 10 acres if, upon written request by the owner of land, they find that either:
 - (D) The requested smaller land area has unique natural features that would not be preserved if the parcel were developed as a conventional subdivision; or
 - (E) The ownership of the property and surrounding land and/or other use and development restrictions abutting the property reasonably prevent the applicant from acquiring the additional land necessary to satisfy the minimum area required.
- (F) All land within the PD shall be contiguous in that it shall not be divided into segments by existing or proposed limited access highways, arterial streets, and other streets except local and collector streets, or any tract of land (other than roads or right-of-way for utility or related purposes) not owned by the developer of the PD. The determination of local streets for the purposes of this provision shall be based upon the specifications of the Summit County Subdivision Regulations.

Section 6.05 Permitted Uses

- (A) **PERMITTED USE TABLE SUMMARY**
 - (1) [Table 6.05-A](#) sets forth the uses allowed within each of the PD types.
 - (2) A “P” in a cell indicates that a use is allowed in the respective PD type.
 - (3) A “PS” in a cell indicates that a use category is permitted in the respective PD type if it meets the additional standards set forth in the numerically referenced sections and any other reasonable standards that the Zoning Commission or Board of Trustees may establish.
 - (4) A blank and/or shaded cell indicates that a use is prohibited in the respective PD type.
 - (5) All uses are subject to all other applicable regulations of this article and this resolution.

TABLE 6.05-A: PERMITTED USES IN PLANNED DEVELOPMENTS

PERMITTED USES P = Permitted Use	PLANNED DEVELOPMENT DISTRICTS			USE-SPECIFIC STANDARDS
	RPD	MUPD	PIPD	SEE SECTION:
AGRICULTURAL USES				
Agricultural uses	PS	PS	PS	Section 5.04(A)
RESIDENTIAL USES				
Adult family homes or small residential facilities	P	P		
Bed and breakfast establishments	PS	PS		Section 5.04(C)
Dwellings, attached (3+ units)	PS	PS		Section 6.05(C)
Dwellings, single-family	P	P		
Dwellings, two-family	P	P		
Institutional housing	PS			Section 5.04(E)
Permanently sited manufactured housing	PS			Section 5.04(F)
PUBLIC AND INSTITUTIONAL USES				
Active parks and recreation	PS	PS	PS	Section 5.04(G)
Churches and places of worship	PS	PS	PS	Section 5.04(K)
Cultural institutions	PS	PS	PS	Section 5.04(K)
Educational facilities (primary and secondary)	PS	PS		Section 5.04(K)
Educational facilities (business or trade schools)			P	
Passive parks, recreation, and open space	P	P	P	
Public safety and service facilities	PS	PS	PS	Section 5.04(M)
Type-B day care homes	P	P		
GENERAL RETAIL AND OFFICE USES				
Banks and financial institutions		P		
Bars and taverns		P		
Commercial entertainment or recreation (indoors)		P		
Day care centers (child or adult)		PS	PS	Section 5.04(N)
Funeral homes		P	P	
General offices (administrative, professional, business)		P	P	
Hotels and motels		P		
Instructional studios		P		
Medical and dental offices or clinics		P		
Outdoor dining areas		PS		Section 5.04(Q)
Outdoor display and sales		PS	PS	Section 5.04(R)
Outdoor storage			PS	Section 5.04(S)
Personal service establishments		P		
Restaurants		P		
Retail commercial uses		P		
Sales offices and showrooms		P	P	
Service commercial uses		P		
Veterinarian offices and animal hospitals		PS		Section 5.04(T)
VEHICLE AND TRANSPORTATION RELATED USES				
Gasoline stations		P		Section 5.04(U)
Parking lot or structure	P	P	P	Section 5.04(W)

TABLE 6.05-A: PERMITTED USES IN PLANNED DEVELOPMENTS

PERMITTED USES P = Permitted Use	PLANNED DEVELOPMENT DISTRICTS			USE-SPECIFIC STANDARDS
	RPD	MUPD	PIPD	SEE SECTION:
Passenger transportation terminal			P	
Truck/transfer facilities			P	Section 5.04(X)
Vehicle repair garages (major repair)				Section 5.04(Y)
Vehicle service uses (minor repair)		P		Section 5.04(U)
Vehicle washing establishments		P		Section 5.04(Z)
INDUSTRIAL USES				
Distribution facilities			P	
Industrial service uses			P	Section 5.04(AA)
Industrial uses, light			P	Section 5.04(AA)
Laboratories			P	Section 5.04(CC)
Research and development facilities			P	Section 5.04(CC)
Warehouses			P	
OTHER USES				
Essential Services	P	P	P	
Mixed Use Development		PS		Section 5.04(FF)
Radio and television stations (no towers or satellites)			P	
Wireless telecommunication facilities			P	Section 5.04(HH)

(B) LIMITING PERMITTED USES

As part of the review of a PD preliminary plan application, the Zoning Commission and Board of Trustees may identify uses that are permitted within a specific PD type that should be limited (with set conditions) or prohibited within the proposed PD preliminary plan application. Any such limitations and conditions shall be established in the approval of the PD preliminary plan.

(C) DWELLINGS, ATTACHED (3+ UNITS)

Attached dwellings may be permitted in the RPD and MUPD District provided they meet the following regulations:

- (1)** There shall be a maximum of eight units per structure.
- (2)** The following architectural standards shall apply to all attached dwellings with three or more attached dwelling units.
 - a)** The minimum size floor area for any individual dwelling unit shall be 700 square feet per unit.
 - b)** Separate entrances are encouraged for each unit in an attached dwelling structure.
 - c)** Front facades shall incorporate variation in mass through one or more of the following methods every thirty feet of façade frontage:
 - (i)** Wall offsets in the form of projections and/or recesses in the façade plane. Wall offsets shall have a minimum depth of two feet;
 - (ii)** Bay windows;
 - (iii)** Façade color changes;
 - (iv)** Use of pilasters, columns or other detailing to articulate the façades; or
 - (v)** Roofline changes when coupled with correspondingly aligned façade material changes.

d) In addition to wall offsets, front facades and side façades on buildings on corner lots, shall provide a minimum of three of the following design features for each residential unit fronting onto the street (See [Figure 6.05-1](#) and [Figure 6.05-2](#)).

- (i)** One or more dormer windows or cupolas;
- (ii)** A recessed entrance;
- (iii)** A covered porch;
- (iv)** Pillars, posts, or pilasters;
- (v)** One or more bay windows with a minimum twelve inch projection from the façade plane;
- (vi)** Eaves with a minimum 6- inch projection from the façade plane;
- (vii)** A parapet wall with an articulated design, which entails design variation rather than a simple rectilinear form; or
- (viii)** Multiple windows with a minimum four inch wide trim.



Figure 6.05-1: This image illustrates how multiple design features are incorporated into the design to de-emphasize the fact that this is a single structure.



Figure 6.05-2: This multi-family development lacks sufficient façade variation yielding a monotonous appearance

- e) Individual attached dwelling structures served by common entryways and containing six or fewer units shall be constructed to give the appearance of a large single-family detached home (See [Figure 6.05-3](#)).



Figure 6.05-3: These images demonstrate how an attached residential structure of six or fewer units can be constructed to appear as a large detached residential structure.

- f) To the degree practicable, all roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimal visual impact as seen from the street.
- (D) ACCESSORY USES AND STRUCTURES IN A PD DISTRICT**
Accessory uses in a PD District shall be subject to the following standards:
- (1)** Accessory uses and structures related to dwellings in a PD shall be subject to the standards applied to accessory uses in the R-2 District.
 - (2)** Accessory uses and structures related to nonresidential uses shall be subject to the standards applied to the C-3 District.

Section 6.06 General Development Standards

Except as otherwise authorized by the Zoning Commission and the Board of Trustees, PD districts shall comply with the following development standards:

- (A) DENSITY AND INTENSITY OF USES**
- (1)** All PDs shall comply with the standards set forth in [Table 6.06-A](#).
 - (2)** A minimum of 35 percent of the floor area in a MUPD shall be residential dwelling units.

PD DISTRICT TYPE	MINIMUM OPEN SPACE REQUIRED (OF TOTAL SITE)	MAXIMUM GROSS DENSITY (TOTAL SITE)	MAXIMUM NET DENSITY (ANY ONE ACRE)	MAXIMUM BUILDING HEIGHT
RPD	25%	3.5 units per acre	8.0 units per acre	35 feet
	45%	5.0 units per acre[1]	10.0 units per acre	35 feet
MUPD	20%	8.0 units per acre [1]	16.0 units per acre	45 feet
PIPD	As may be required for resource protection pursuant to Section 6.07 .	No maximum densities applicable but the maximum lot coverage by buildings, pavement, and other hard surfaces shall not exceed 70% of the total site.		60 feet
NOTES:				
[1] A minimum of 25% of the units must be attached dwelling types (two-family or multi-family) in the RPD and 40% in the MUPD. FAR = Floor Area Ratio				

(B) PERMITTED NUMBER OF DWELLING UNITS

(1) The maximum permitted number of dwelling units in an RPD or MUPD project shall be calculated by multiplying the total area of “residential developable land” by the maximum gross density. For the purposes of this calculation, “residential developable land” is any land area outside of land that is designated as or for:

- a) Rights-of-way that exist prior to the application, but not including right-of-ways that will be proposed as part of the application; and
- b) Land designated solely for nonresidential development.

(2) The permitted number of dwelling units may be located on any size lot or in any area of the development in accordance with this article and outside of the required minimum open space area (See [Table 6.06-A](#)) and outside of any areas that must be protected due to presence of natural resources (See [Section 6.07: Resource Protection Standards](#)).

(C) LOT STANDARDS

(1) General Lot Standards

- a) Lots shall be situated in locations least likely to block scenic vistas as seen from public roadways.
- b) No building or structure on any lot that is adjacent to a state designated route shall be located closer than 70 feet from the right-of-way of such a street.

(2) Lot Standards for Residential Only Uses

- a) A setback of 20 feet shall be provided along the perimeter of a RPD District. No structures or parking shall be permitted in this setback area. The perimeter setback is intended to be a landscaped buffer. The applicant may request, or the Zoning Commission may recommend and the Board Trustees may approve, modifications in the width or use of the perimeter setback when unique conditions warrant such modifications including opportunities for connectivity to adjacent uses and developments.
- b) The minimum lot area for any residential only use shall be 5,000 square feet.
- c) The minimum lot width for any residential only use shall be 50 feet.
- d) Lots of less than 8,000 square feet shall have garages that are either:
 - (i) Rear-loaded; or
 - (ii) Set back a minimum of five feet from the front façade of the remainder of the house.

- e) There shall be a minimum distance of 60 feet between the rear facades of any two homes and 10 feet between the side facades of any two homes. If lots are established, these distance requirements do not have to be equally applied to each lot (i.e., there does not have to be a five-foot side yard setback on each lot to meet the 10 foot side façade separation).
- f) The minimum front yard setback shall be 25 feet from any local residential street right-of-way, however, the facade of any front-loading garage (the garage portion of the front façade) shall be setback 30 feet from the street right-of-way. For homes that have frontage along a county designated road, the minimum front yard setback shall be 40 feet.
- g) If no right-of-way exists, the minimum front yard setback shall be 25 feet from the edge of pavement or the back of any easement the county may require along the street for the purposes of utilities, whichever is greater. The facade of any front-loading garage (the garage portion of the front façade) shall be setback 30 feet from the edge of pavement or the back of any easement the county may require along the street for the purposes of utilities, whichever is greater.

(3) Lot Standards for Mixed Use and Nonresidential Uses

- a) There shall be no minimum lot area or lot width requirements for mixed use buildings or other nonresidential uses.
- b) A setback of 50 feet shall be provided along the perimeter of a MUPD and PIPD Districts. No structures or parking shall be permitted in this setback area. The perimeter setback is intended to be a landscaped buffer. The applicant may request, or the Zoning Commission may recommend and the Board Trustees may approve, modifications in the width or use of the perimeter setback when unique conditions warrant such modifications including opportunities for connectivity to adjacent uses and developments.
- c) Buildings in the MUPD District may be built up to the front lot line or right-of-way line, however, in no case shall a building in the MUPD District be set back more than 70 feet from right-of-way line.
- d) The minimum front yard setback shall be 50 feet in the PIPD District.
- e) There shall be a minimum setback of 50 feet between any building in an MUPD District and an adjacent residential zoning district or RPD District.
- f) There shall be a minimum setback of 100 feet between any building in an PIPD District and an adjacent residential zoning district or RPD District.

(D) FLOOR AREA REQUIREMENTS FOR DWELLING UNITS

In order to promote healthful living conditions and to stabilize the value and character of residential areas, dwelling units shall be erected, altered, moved, maintained, and occupied only in accordance with the following minimum floor area requirements. For the purposes of calculating the floor area, all areas within basements, garages and any attached or detached accessory building or structure shall not be included.

- a) The total minimum floor area for a single-family dwelling unit shall be 1,000 square feet.
- b) The total minimum floor area for a two-family dwelling shall be 700 square feet per unit.
- c) The minimum floor area for any dwelling unit in an attached dwelling (with more than two units) shall be 700 square feet per unit.

(E) STREET, DRIVE, AND SIDEWALK REQUIREMENTS

(1) General Street and Drive Design Criteria

- a) The area of the proposed project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement through the development.
- b) Street alignments should follow natural contours and be designed to conserve natural features.

- c) The locations of streets should be planned to avoid excessive stormwater runoff and the need for storm sewers.
- d) Dead-end streets shall be prohibited, except as stub streets.
- e) Permanent cul-de-sac streets are strongly discouraged and should only be utilized in instances where they are necessary due to topography, configuration of land, existing road layouts or other special circumstances. The Zoning Commission and Board of Trustees may require stub streets to extend to the development boundaries for planned road connections.
- f) There shall be no direct access from individual dwelling units in a RPD to an arterial road.

(2) Private Streets

Private streets shall meet the following requirements:

- a) A private street shall not be planned or be expected to extend to serve property outside the RPD.
- b) Rights-of-way shall not be required for private streets; however, utility easement(s) may be required along the length of the private street.
- c) The design and layout of the private street shall provide adequate and safe access to the intended units, as determined by the Springfield Township Police and Fire Departments.
- d) All private streets shall be identified by street signs that state "Private" or "Pvt" and such signs shall be in place prior to the sale of any dwelling unit on such street.
- e) All private streets shall be constructed to the standards required for public streets in the Summit County Subdivision Regulations.

(3) Common Drives

Common drives shall only be allowed in RPDs and only be permitted in compliance with the following requirements:

- a) A common drive shall serve no more than eight residential structures.
- b) A common drive shall extend from a public street or a private street and shall not connect to any other existing or planned public or private street.
- c) The design and layout of the common drive shall provide adequate and safe access to the intended units, as determined by the Springfield Township Fire Department.
- d) Rights-of-way are not required for common drives; however, a 10-foot wide utility easement shall be required along the length of the common drive, unless the Zoning Commission determines that such easement is unnecessary.
- e) All common drives shall be paved and have a minimum width of 12 feet for one-way drives and a minimum width of 14 feet for two-way drives. Dead-end drives providing access to two or more units shall be designed with a turn-around, unless otherwise permitted by the Springfield Township Fire Department.

(4) Disclosure

Whenever a private street or common drive is included in a RPD, deed restrictions shall be required and shall specifically include the following language:

"The undersigned grantee(s) hereby acknowledge(s) that (he, she, they) understand that the premises described herein is located upon a non-dedicated private street or common drive. And further, the grantee(s) understands that no government body is responsible for care and maintenance of said private street or common drive."

(5) Pedestrian Circulation, Walkways, and Trails

- a) A pedestrian circulation system shall be included in the RPD and should be designed to ensure that pedestrians can walk safely and easily throughout the development, without having to walk or utilize the street for travel. The pedestrian system should provide connections between properties and activities or special features within common areas and need not always be located along streets. If the pedestrian system intersects a public or private street within the development, “pedestrian crossing” signs shall be posted.
- b) A trail system may be provided within the area of open space. The system should be designed to minimize disturbance of the site with regard to the natural drainage system and topography. To the maximum extent feasible, natural materials should be used in the construction and maintenance of the trail system.
- c) When developed adjacent to contiguous to a public trail, park, or recreation area, the development shall provide pedestrian access from the development to the public area by way of connecting walkway, trail, boardwalk, or bridge.

(F) DEVIATION FROM STANDARDS

(1) The Zoning Commission and Board of Trustees may approve deviations from any of general development standards in this [Section 6.06: General Development Standards](#) except those standards found in [Table 6.06-A: PD Density and Intensity Standards](#).

(2) Such deviation must be reviewed and approved as part of the preliminary development plan.

(3) In approving a deviation from these standards, the Zoning Commission and Board of Trustees must find that:

- a) The proposed alternative achieves the purposes of the PD district to the same or better degree than the subject standard;
- b) The proposed alternative achieves the goals and intent of this resolution and the land use plan to the same or better degree than the subject requirement; and
- c) The proposed alternative results in benefits to the township that are equivalent to or better than compliance with the established standard.

Section 6.07 Resource Protection Standards

(A) The natural resources listed in this section are resources that are sensitive to development and shall be protected as part of permanently protected open space. Such open space may count toward the minimum open space requirements of [Table 6.06-A: PD Density and Intensity Standards](#), provided they meet all other applicable standards of this article and, in particular, [Section 6.08: Open Space Standards](#).

(B) If the total area of land covered by the natural resources that must be protected in accordance with [Table 6.07-A](#) exceeds the amount of open space required in [Table 6.07-A](#), then the applicant shall be required to preserve the remaining natural resources in additional open space areas.

(C) [Table 6.07-A](#) establishes the minimum percentages of those natural resource areas that are to be preserved as part of the open space requirements (See [Table 6.06-A](#)). The Zoning Commission and Board of Trustees may reduce the percentages listed in [Table 6.07-A](#) if they make a finding that:

(1) The proposed alternative achieves the intent of resource protection to the same or better degree than the subject standard;

(2) The proposed alternative achieves the goals and intent of this resolution and the land use plan to the same or better degree than the subject requirement; and

(3) The proposed alternative results in benefits to the township that is equivalent to or better than compliance with the established percentage.

(D) Preliminary and final development plans shall include maps of the resources identified in [Table 6.07-A](#), and indicate those portions that will be protected within the open space required as part of the PD and permanently protected in accordance with this article.

TABLE 6.07-A: RESOURCE PROTECTION STANDARDS	
NATURAL RESOURCE	PERCENTAGE TO BE PRESERVED
Floodplains as defined by FEMA	100%
Wetlands	Subject of U.S. Army Corps of Engineers and Ohio EPA requirement
Riparian Corridors	As Required by Summit County
Steep slopes 30% or steeper	85%
Steep slopes 20 – 30%	70%
Note: [1] Slope shall be measured as a percentage of vertical distance of rise (e.g. change in elevation above sea level) divided by horizontal distance of run.	

Section 6.08 Open Space Standards

(A) Any open space preserved as part of one of the PD types shall be preserved or used in a manner established within the specific PD and shall be either:

- (1)** Owned by the township, county, state, park district, or other non-profit entity (as may be approved by the Zoning Commission and Board of Trustees) subject to acceptance by the appropriate legislative body; or
- (2)** Protected by a conservation easement as outlined in [Section 6.08\(F\)](#) and as approved by the Township Zoning Commission and Board of Trustees; and/or
- (3)** Owned jointly or in common by the developer and/or owners of the building lots with maintenance provided through a homeowners' or property owners' association (See [Section 6.08\(G\): Homeowners' or Property Owners' Associations.](#)).

(B) The following areas shall not count toward the minimum open space required in [Table 6.06-A](#):

- (1)** Private and public roads, and associated rights-of-way;
- (2)** Other public utility rights-of-way and easements in excess of 50 feet;
- (3)** Public or private parking areas, access ways, and driveways related to any residential use;
- (4)** Required setbacks between buildings, and parking areas;
- (5)** Required setbacks between buildings and streets;
- (6)** Required minimum spacing between buildings and parking areas;
- (7)** Private yards, including front, back and side yards; or
- (8)** Above-ground buildings, pipes, apparatus, and other equipment for community or individuals, septic or sewage disposal systems.

(C) Wherever possible, open space should be located contiguous to open space, parks, and recreational lands adjacent to the subject property.

- (1)** Multiple small isolated parcels shall be discouraged.
- (2)** All open space areas shall have a minimum width of 30 feet in all directions in order to count toward the open space requirement.

(D) Further subdivision of the open space or its use for other than those uses prescribed in the approved preliminary and final PD plans shall be prohibited. Structures and buildings accessory to the open space may be erected on the open space, subject to the review of the site by the Zoning Commission and Board of Trustees. Any restrictions on the established open space shall be memorialized in a conservation easement consistent with the provisions of [Section 6.08\(F\)](#).

(E) USE OF REQUIRED OPEN SPACE

(1) Open space shall be designed and intended for the use and/or enjoyment of residents of the proposed development. The open space may be designed for use for the general public only if the township accepts the land as a public dedication.

(2) Areas designated for required open spaces shall be preserved in its natural state unless otherwise permitted as follows:

- a)** They are designated to be utilized for farming when authorized in a conservation easement (See [Section 6.08\(F\)](#)) or in a homeowners' association's covenants and restrictions recorded with the Summit County Recorder's Office; or
- b)** They are designated to be utilized for stormwater management facilities. Easements shall be required to enable the maintenance of these facilities; or
- c)** Disturbance of the open space is required for the construction of improvements and infrastructure or for mitigation efforts that may be required by FEMA, the Army Corps of Engineers, or other county or federal agencies; or
- d)** They are designated to be used as active recreation areas designed and intended for the use and/or enjoyment of residents of the development or the general public. These active recreation areas shall be located in areas with the least impact on natural amenities and natural resources (See [Section 6.07: Resource Protection Standards](#)).

(3) Reclamation of Disturbed Open Space

Any area 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 which appeared in those respective areas of the required open space immediately prior to being disturbed during construction or otherwise not preserved in their natural states.

(F) CONSERVATION EASEMENTS

Prior to the recording of a PD subdivision, a conservation easement may be placed on all lands and private waters used to satisfy the open space requirement of this district. The conservation easement shall:

- (1)** Run with the land, regardless of ownership;
 - (2)** Provide for protection of the land in perpetuity;
 - (3)** Be granted and deeded to the township, a township approved land trust, or other qualified organization approved by the township.
 - (4)** Be solely for the purpose of ensuring the land remains undeveloped; and
 - (5)** Shall not, in any way, imply the right of public access or any other right or duty not expressly established by the terms of the easement.
- a)** While the township, township approved land trust, or other qualified organization must hold the conservation easement, the property itself shall still be owned by the original property owner, the developer (applicant of the PD), or the homeowners' association.

- b) The conservation easement shall include information on how the property will be maintained by the property owner and shall also state that failure to maintain the property in accordance with the conservation easement agreements shall be considered a violation of this zoning resolution. In addition, the holder of the easement may pursue any remedy provided by law or equity, including, but not limited to, the remedies in Section 5301.70 of the Ohio Revised Code.

(G) HOMEOWNERS' OR PROPERTY OWNERS' ASSOCIATIONS

The following shall apply where a homeowners' association or property owners' association will be established to maintain the open space or other common areas of the PD.

(1) A homeowners' association or property owners' association shall be established to permanently maintain all open space, common areas and conservation easements related to the PD.

(2) All homeowners' association or property owners' association agreements shall be submitted for approval as part of the final development plan review procedure. Copies of the proposed covenants, articles of incorporation, and bylaws of the association shall be submitted with said agreements. No set of proposed covenants, articles of incorporation, or bylaws of a homeowners' association or property owners' association shall permit the abrogation of any duties set forth in this section.

(3) The applicant shall be required and reviewed by the township's legal counsel to ensure that the homeowners' or property owners' association will be legally bound to preserve and maintain the open space and resource protection areas in perpetuity as required by this resolution.

(4) All homeowners' associations or property owners' associations shall guarantee maintenance of all open space and common areas within the boundaries of the development. In the event of a failure to maintain such open space or common areas, the township may do any of the following:

- a) If the open space or common area is owned by the township, township approved land trust or other qualified organization, county, state or a park district, the township may remedy the failure to maintain at its own cost and seek reimbursement from the homeowner's association, or seek to enforce the homeowner's association's duty to maintain through an injunction or any other civil penalty.
- b) If the open space or common area exists pursuant to a conservation easement in which the township is a party to such easement, the township may seek to enforce the terms of the conservation easement as provided in [Section 6.08\(F\)](#).
- c) If the open space or common area is owned jointly or in common by the owners of the building lots, or by any other owner of the property to be maintained, the township may seek to enforce the association's non-performance of its obligations and duties through an injunction or any other civil remedy as permissible by law.

Section 6.09 Planned Development District Review Procedure

(A) PLANNED DEVELOPMENT (PD) INITIATION

- (1)** PDs may be initiated by the property owner or an agent of the property owner.
- (2)** All PD applications shall be subject to [Section 3.03: Common Review Requirements](#).

(B) PRELIMINARY DEVELOPMENT PLAN REVIEW PROCEDURE

(1) Preliminary Development Plan Review

a) Step 1 – Pre-application Conference

- (i)** The applicant should meet with the Zoning Administrator and contact the Summit County Department of Development, Planning and GIS Division to discuss the initial concepts of the proposed PD and general compliance with applicable provisions of this zoning resolution prior to the submission of the application. During this time, an applicant may also request a preliminary, informal meeting with the Zoning Commission to discuss the initial concepts. ¹
- (ii)** Discussions that occur during a pre-application conference or a preliminary meeting with staff or the Zoning Commission are not binding on the township and do not constitute official assurances or representations by Springfield Township or its officials regarding any aspects of the plan or application discussed.

b) Step 2 – PD Zoning Map Amendment and Preliminary Development Plan Application

- (i)** The applicant may submit an application for a PD zoning map amendment and preliminary development plan review.
- (ii)** The application shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Commission to assure the fullest practicable presentation of the facts for the permanent record.
- (iii)** Each application shall be signed by all of the owners or the owners' authorized agent, of the property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications.
- (iv)** All applications shall be submitted with the required fees as established in the Springfield Township fee schedule.
- (v)** The application shall include a list of the names and mailing addresses of adjacent property owners including those with shared lot lines and those directly across the street.
- (vi)** The applicant shall submit the preliminary development plan simultaneously with the application for a PD zoning map amendment.

c) Step 3 – Referral to the Summit County Planning Commission

- (i)** Within five days after the filing of a PD zoning map and preliminary development plan application (Step 2), the township shall transmit a copy thereof to the Summit County Planning Commission.
- (ii)** The Summit County Planning Commission shall recommend the approval, approval with modifications, or denial of the proposed PD zoning map amendment and preliminary development plan, and shall submit such recommendation to the Zoning Commission.

¹ Effective 8/12/13

- (iii) Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed PD zoning map amendment and preliminary development plan.

d) **Step 4 – Public Hearing and Recommendation by the Zoning Commission**

- (i) Upon the filing of a PD zoning map and preliminary development plan (Step 4), the Zoning Commission shall set a date for a public hearing regarding the proposed amendment and preliminary development plan.
- (ii) The public hearing shall not be less than 20 or more than 40 days after the date the application (Step 3) was submitted.
- (iii) Notification shall be given in accordance with Section 519.12 of the ORC.
- (iv) Within 30 days after the Zoning Commission's public hearing (Step 6), the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed PD Zoning Map Amendment and Preliminary Development Plan, and submit such recommendation together with such application, preliminary development plan, and recommendation of the Summit County Planning Commission to the Board of Trustees.

e) **Step 5 – Public Hearing and Decision by the Board of Trustees**

- (i) Upon receipt of the recommendation from the Zoning Commission (Step 4), the Board of Trustees shall set a time for a public hearing on such proposed PD zoning map amendment and preliminary development plan.
- (ii) The date of the public hearing shall not be more than 30 days after the date of the receipt of such recommendation from the Zoning Commission.
- (iii) Notification shall be given in accordance with Section 519.12 of the ORC.
- (iv) Within 20 days after its public hearing, the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof. In the event the Board of Trustees overturns or modifies the recommendation of the Zoning Commission, a majority vote of the Board of Trustees shall be required.
- (v) Approval of the preliminary development plan shall include density, intensities, land uses and their inter-relationship, design standards, and building location. Location of buildings (if applicable) and uses may be altered slightly due to engineering feasibility which is to be determined in the subsequent preparation of the detailed final development plans.
- (vi) The Board of Trustees' decision on the PD zoning map amendment and the preliminary development plan is a legislative action of the Board of Trustees and is subject to the same effective date and referendum provisions as set forth in [Section 6.09\(B\)\(2\): Effective Date and Referendum](#). After approval of the PD zoning map amendment and preliminary development plan, and after the subsequent referendum period has ended, the Official Zoning Map shall be changed to reflect this amendment.
- (vii) Once the PD zoning map amendment is effective, the requirements for PDs in [Section 6.09\(C\): Final Development Plan Review Procedure](#), along with the approved preliminary development plan, and any approved conditions, shall apply to the future development of the property.

(2) Effective Date and Referendum

- a) Any PD zoning amendment adopted by the Board of Trustees shall become effective 30 days after the date of such adoption.
- b) A referendum of any amendments may be undertaken within the 30 days after the date of the Board of Trustees decision in accordance with ORC Section 519.12.

(3) Review Criteria for a Preliminary Development Plan

The following criteria shall serve as conditions for the review and recommendation or decision on the preliminary development plan:

- a) The PD and preliminary development plan are consistent with the intent and purpose of this zoning resolution and, in particular, the furtherance of the purpose of the PD as set forth in [Section 6.01: Purpose](#) and [Section 6.02: Planned Development District Types](#).
- b) The PD and preliminary development plan are consistent with the adopted Springfield Township Comprehensive Land Use Plan.
- c) The internal streets and primary and secondary roads that are proposed are adequate to serve the proposed development and properly interconnect with the surrounding existing road network as designated on the Springfield Township or Summit County Thoroughfare Plan. The plan must demonstrate that improvements or other actions have been or will be taken to mitigate those traffic problems identified by the Zoning Commission, and in the traffic impact analysis, if required, that are attributable to the proposed development.
- d) The proposed infrastructure, utilities, and all other proposed facilities are adequate to serve the planned development and properly interconnect with existing public facilities.
- e) The proposed uses, location and arrangement of structures, lots, parking areas, walks, open spaces, landscaping, lighting and appurtenant facilities are compatible with the surrounding land uses.
- f) Required resource protection land and open space areas are identified and provisions have been made for the care and maintenance of such areas.
- g) The design and layout of the open space areas incorporate existing natural resources in a method that provides benefit to the overall community while ensure long time protection of the resources.
- h) The preliminary development plan has been transmitted to all other agencies and departments charged with responsibility of review.
- i) When the township boards are reviewing a new or modified preliminary development plan following the expiration of a previous development plan (See [Section 6.09\(D\): Time Limits.](#)), the township may take into consideration changes in township land use and development policy when making recommendations and decisions related to the preliminary development plan.

(4) Additional Requirements for Preliminary Development Plans

In approving a preliminary development plan, the township shall establish the maximum gross density of the PD. The project density approved by the Board of Trustees in the preliminary development plan shall be subject to the application of the development standards of this resolution and any conditions of the approved preliminary development plan. If, upon the application of the development standards and the conditions of the approved plan, the applicant cannot achieve the maximum approved density, then the applicant shall be confined limited to the density achieved from the application of the standards and any conditions.

(5) Crucial Features of the PD (Preliminary Development Plan)

- a) The township may incorporate a list of “crucial features of the PD” as part of a preliminary development plan approval.
- b) The crucial features of the PD are those items or features that the township finds crucial or indispensable to the PD approval and as such, the township finds that such items or features shall not be altered in the future unless undertaken as a major modification to the PD (See [Section 6.09\(I\): Modifications to Approved Preliminary or Final Development Plans.](#)). Such crucial features may include, as an example, the amount and/or location of open space, density, protected natural resources, or other key elements of the development.
- c) The Zoning Commission may include a recommendation on the list of crucial features as part of their recommendation to the Board of Trustees, which the Board of Trustees may adopt within their decision. The Board of Trustees shall also have the authority to modify the list of crucial features the Zoning Commission includes in its recommendation or create its own list of crucial features as part of the Board of Trustees’ decision.
- d) If a list of crucial features is included in the decision on the preliminary development plan, such list shall be placed in a prominent position on the drawings submitted as part of the PD records.

(C) FINAL DEVELOPMENT PLAN REVIEW PROCEDURE

(1) Final Development Plan Review Procedure

a) Step 6 – Submission of a Final Development Plan

- (i) Once the PD zoning map amendment and preliminary development plan have been approved by the Board of Trustees, the applicant shall proceed with the preparation of the detailed final development plan(s) in whole or in phases.
- (ii) Prior to submitting a final development plan(s), the applicant should obtain preliminary subdivision plan approval from Summit County to ensure compliance with the subdivision regulations prior to finalizing the final development plan under this article.
- (iii) The final development plan shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Commission to assure the fullest practicable presentation of the facts for the permanent record.
- (iv) The detailed final development plan shall be consistent with the applicable PD requirements in this zoning resolution and the contents of the approved preliminary development plan.
- (v) A final development plan shall include all necessary legal documentation relating to the incorporation of a Homeowner's Association for the purpose of maintaining the specified open space within all residential planned developments.
- (vi) The application shall include a list of the names and mailing addresses of adjacent property owners including those with shared lot lines and those directly across the street.

b) Step 7 – Public Meeting and Decision by the Zoning Commission

- (i) Upon receipt of the detailed final development plan and recommendations of staff, the Zoning Commission shall, at a public meeting, study and review the detailed final development plan to determine whether all requirements have been satisfied, and the conditions specified in [Section 6.09\(C\)\(2\): Review Criteria for a Final Development Plan](#), have been met.

- (ii) The Zoning Administrator shall mail written notices of the public meeting to adjacent property owners a minimum of seven days in advance of the scheduled meeting. The notice shall be sent through the regular mail.
- (iii) Within 30 days of the Zoning Commission's public meeting, the Zoning Commission shall approve, approval with modifications, or deny the proposed final development plan.
- (iv) Copies of the findings and recommendations of the Commission shall be made available to any other interested persons.
- (v) After approval of the final development plan, the applicant shall be required to submit a revised final development plan incorporating any revisions or modifications approved by the township to be maintained for township records.

(2) Review Criteria for a Final Development Plan

The following criteria shall serve as conditions that should generally be satisfied before the approval of the final development plan:

- a) Appropriate arrangements with the applicant have been made to ensure the accomplishment of the public improvements and reservation of open space as indicated on the preliminary development plan and final development plan.
- b) The proposed detailed final development plan for an individual section of the overall PD is consistent in contents (building location, as applicable, land uses, densities and intensities, yard requirements, and area and frontage requirements) with the approved preliminary development plan
- c) Each individual phase of the development can exist as an independent unit that is capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective can be obtained. No individual phase shall exceed the approved density.
- d) That any part of the PD not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved; or if approved by the Zoning Commission and Board of Trustees, left in its natural state.
- e) That any exception from the design standards provided in the PD is warranted by the design and amenities incorporated in the detailed final development plan.
- f) That the detailed final development plan is consistent with the intent and purpose of this zoning resolution.
- g) Proposed covenants, easements and other provisions meet development standards and protect the public health, safety, and general welfare.
- h) The final development plan has been transmitted to all other agencies and departments charged with responsibility of review.
- i) Preliminary development plans and final development plans shall include a list of any and all features in the PD Plans which were crucial, and indispensable, in order to gain PD approval from the township. This list, under the heading, "Crucial Features for this PD," shall be reviewed for approval or denial as part of the PD process and shall be placed in a prominent position on the drawings to remain a permanent component of the record drawings.

(3) Crucial Features of the PD (Final Development Plan)

- a) The Township may incorporate a list of "crucial features of the PD" as part of a final development plan approval.

- b) The crucial features of the PD are as defined in [Section 6.09\(B\)\(5\)](#), and may be included in the decision on the final development plan.
- c) The list of crucial features included in the decision on the final development may be the same as those incorporated in the decision on the preliminary development plan or may be a modified version of the list of crucial features included in the decision on the preliminary development plan.
- d) If a list of crucial features is included in the decision on the final development plan, such list shall be placed in a prominent position on the drawings submitted as part of the PD records.

(D) TIME LIMITS

(1) The final development plan shall be submitted within one year after approval of the preliminary development plan, or the approval of the preliminary development plan will expire and the plan will be deemed null and void.

(2) Upon expiration of the preliminary development plan, the property shall still be zoned as a PD with a voided preliminary development plan. The property owner or authorized agent may submit an application and new preliminary development plan for consideration pursuant to [Section 6.09\(B\)\(1\): Preliminary Development Plan Review](#) or an application for a zoning map amendment to another district (See [Section 3.06: Zoning Text or Map Amendment](#)).

(3) An applicant can request an extension of any applicable time limit by requesting a status review of the PD (See [Section 6.09\(E\): Review of Status of PD Development Plans](#)) and requesting an extension as part of that review.

(4) If the applicant has not received subdivision plat approval or an extension pursuant to this article within one-year of the approval of the final development plan approval, both the preliminary and final development plans will become null and void.

(5) Upon the expiration of the preliminary and/or final development plan, the Board of Trustees or the Zoning Commission may initiate a zoning map amendment to change the PD zoning on the property to another zoning district. The applicant may also initiate a zoning map amendment or submit a new preliminary development plan, with all applicable fees, pursuant to the review procedure established in this article.

(6) Phased Developments

- a) For phased developments, the Zoning Commission and Board of Trustees may approve a phased final development plan schedule as part of the preliminary and/or final development plan approval. In such case, the approved time frames shall establish when the approved development plans shall expire.
- b) When an applicant proposes to complete the project in phases, each phase shall have adequate provision for access, open space, parking, storm water management, and other public improvements to serve the development in accordance with the applicable criteria set forth in this article. Each phase shall be provided with temporary or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property. The open space areas shall be reasonably proportioned in each phase of the project, and the proposed construction of any recreation facilities shall be clearly identified on a phasing plan.

(E) REVIEW OF STATUS OF PD DEVELOPMENT PLANS

(1) If an applicant fails to comply with all of the provisions of this article, the Board of Trustees may review the status of any approved PD district or any development plan, and take action, in accordance with the following procedures:

- a) The Board of Trustees may hold a public hearing to review the status of any approved development plan and, at the conclusion of the hearing, may by resolution:
 - (i) Extend any applicable time period; or
 - (ii) Modify or revoke the preliminary and/or final development plan approval.
 - b) The Board of Trustees may initiate a zoning map amendment to rezone the property to another zoning district.
- (2) If the applicant requires an extension of the time limits, it shall be the applicant's responsibility to request a status review by submitting a written request to the Zoning Administrator.

(F) APPROVED PLANS STAY WITH LAND

(1) Approved preliminary and final development plan shall be attached to the land for which the plans were approved, regardless if the land ownership, developer, or applicant changes.

(2) If there is a change in land ownership, the new land owner may:

- a) Continue with the PD process and development in accordance with this article and the approved plans;
- b) Submit a new preliminary development plan and/or final development plan in accordance with this article; or
- c) Submit an application for a zoning map amendment in accordance with [Section 3.06: Zoning Text or Map Amendment](#).

(G) EFFECT OF A FINAL DEVELOPMENT PLAN

(1) The approved final development plan shall be kept on record in the township offices together with all resolutions, applications, plats, plans, and other information regarding the development.

(2) The resolutions prepared by the Zoning Commission and Board of Trustees shall serve as the official record for the permitted uses and activities which are approved for the property in the PD.

(3) The use of the PD property or the location, erection, construction, reconstruction, enlargement, or change of any building or structure in a manner which is not consistent with the final development plan shall be considered a violation of this zoning resolution and subject to the procedures and penalties specified in [Article 15: Enforcement and Penalties](#).

(H) REQUIRED CONDITIONS FOR THE ISSUANCE OF A ZONING CERTIFICATE

(1) A zoning certificate may be issued for a structure in a PD district, in accordance with an approved final development plan, following approval by the Summit County Planning Commission of a final subdivision plat for that portion of the PD within which the proposed structure is to be located, and recording of the approved subdivision plat.

(2) No zoning certificate shall be issued for any property in a PD and no construction, except preliminary excavation, shall begin until an approved final development plan is in effect for that phase or property. The final development plan becomes effective upon approval by the Zoning Commission.

(I) MODIFICATIONS TO APPROVED PRELIMINARY OR FINAL DEVELOPMENT PLANS

(1) If an applicant proposes to modify an approved preliminary development plan or final development plan, the applicant shall submit the proposed modifications to the Zoning Administrator for transmittal to the appropriate authority based on paragraphs (3) and (4) below.

(2) The proposed modifications shall be classified as a minor or major modification based on the following:

a) Minor Modifications

Minor modifications shall include, but are not limited to, changes that do not involve:

- (i) Changes to the approved plan including, but not limited to, a change of use or density to a more intense use or density than permitted by the approved preliminary development plan or changes to the location or amount of land designated for a specific land use or open space;
- (ii) A reduction of more than five percent in the number of parking spots;
- (iii) A change of the permitted uses to a use not otherwise permitted in the proposed PD;
- (iv) Any change that will increase demand on any on or off-site infrastructure;
- (v) Moving a building closer to any of the perimeter lot lines adjacent to properties outside of the boundary of the PD; or
- (vi) An expansion of a building footprint that affects the specified setbacks of the approved plan.

b) Major Modifications

Major modifications shall include, but are not limited, to:

- (i) A change in density or intensity;
- (ii) Changes to the property or project boundaries of the entire PD District;
- (iii) Modifications in the internal street and thoroughfare locations or alignments which significantly impact traffic patterns or safety considerations;
- (iv) Anything not classified as a minor modification above; or
- (v) Any change that the Zoning Commission determines, after review, should be forwarded on to the Board of Trustees as a major modification.

(3) Review of Minor Modifications

- a) The Zoning Commission shall be responsible for reviewing and making a decision on minor modifications to an approved preliminary development plan or final development plan.
- b) Such review and decision shall take place at a public meeting of the Zoning Commission and shall not require any additional notice beyond what is required by the ORC for public meetings.
- c) The decision of the Zoning Commission on minor modifications shall be deemed administrative.
- d) If a preliminary development plan is amended, any future final development plan shall comply with the amended preliminary development plan.

(4) Review of Major Modifications

- a) Major modifications shall require a public hearing with the Zoning Commission and Board of Trustees to revise the preliminary development plan pursuant to [Section 6.09\(B\): Preliminary Development Plan Review Procedure](#), with the following provisions:
 - (i) The new plan shall not be subject to review by the Summit County Planning Commission; and
 - (ii) Major modifications shall be subject to new application fees.
- b) If a preliminary development plan is amended, any future final development plan shall comply with the amended preliminary development plan.