
ARTICLE SEVEN - Planned Unit Development District Regulations

**Section 701
Planned Unit Development District Regulations**

701.01	Planned Unit Development Regulations
701.02	Purpose
701.03	Location of Planned Unit Development Areas
701.04	PUD District Uses
701.05	Minimum Land Requirements/Densities
701.06	Common Area Requirements
701.07	Open Space Requirements
701.08	Amenities
701.09	Property Owner's Association
701.10	Utility Requirements
701.11	Signs
701.12	Peripheral Setbacks and Perimeter Requirements
701.13	PUD Lot Requirements
701.14	Certificate of Occupancy
701.15	Standards for Public Improvements
701.16	Inspection for Public Improvements

701.1 PLANNED UNIT DEVELOPMENT REGULATIONS

This Article Seven shall apply to the location, maintenance and regulation of Planned Unit Developments, ("PUD"), as herein defined.

701.2 PURPOSE

The purpose of this Article is to promote the public health, safety, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land and to facilitate adequate provisions for public improvements, all in accordance with the Municipal comprehensive plan, and to ensure the orderly planned development of parcels and land areas in the Municipality. It is intended by these Regulations that the community as a whole benefit by providing for the orderly and aesthetic development of land, inclusive of recreation facilities, open space, a diverse range of development styles, a blending of land use all incorporating existing topographical and geological features.

701.3 LOCATION OF PLANNED UNIT DEVELOPMENT AREAS

Upon the approval of the Planning Commission and the Council, the designation of a PUD may be applied in any zoning district. Upon approval of the final development plan, the Official Zoning Plan shall be so annotated for the land area affected, and the district name shall be appropriately amended.

701.4 PUD DISTRICT USES

PUD's may comprise residential, commercial, or recreational uses. Subject to the limitations set forth herein, uses may be combined upon the approval of the Planning Commission and Council, which shall first determine that the proposed uses are in accordance with the comprehensive development plan for the Municipality of LaGrange, that the proposed uses shall not adversely impact upon adjoining properties or the public health, safety, and general welfare, and that location of the proposed uses are specified in the final development plan.

Not more than twenty-percent (20%) of the developable area within any PUD, exclusive of Open Space, shall be allocated to commercial development. Commercial development within any PUD shall be uniform and contiguous, it being the intention to discourage diffused commercial development within a PUD. The Planning Commission may require the installation of plantings, fences or other screening along the perimeter of areas that abut residential areas pursuant to Section 105 of these Regulations.

The final development plan shall provide for the integrated and harmonious design of buildings, for common parking areas with common points of ingress and egress to promote the smooth and uniform circulation of traffic, together with such other facilities, landscaping and features as may be necessary to assure an attractive and efficient development taking into consideration its effect upon surrounding districts areas.

701.5 MINIMUM LAND REQUIREMENTS/DENSITIES

The minimum area of land to be designated a PUD shall be twenty (20) contiguous acres. In some cases, smaller tracts may be considered on the basis of their potential to satisfy the intent of these regulations.

Minimum density ratio should not exceed R-2 (Single Family medium density) requirements on net acreage after all right-of-way areas have been subtracted.

Permissible densities for the number of dwelling units may vary depending upon the type of development, which types may include, but not be limited to, cluster, condominium or other combination of single-family and multiple-family dwelling.

701.6 COMMON AREA REQUIREMENTS

Common area shall be titled in the owners of the project area or a homeowner's association and shall be for the use of each owner, for park and/or recreation, and related uses. The articles of the homeowners' association shall provide for the perpetual care and maintenance of all common areas. The responsibility for the maintenance of all common areas shall be specified by the developer before approval of the final development plan.

An area equivalent to fifty percent (50%) of the land area of the PUD shall be set aside as a

either Common Area, park, recreation and their related uses provided that a PUD shall include at least four (4) acres reserved solely for park space.

701.07

3

701.7 OPEN SPACE REQUIREMENTS

Open space may be publicly or privately owned or may be held by a homeowners association. In no event shall land used for any of the following be considered to be "Open Space" for purposes of this Article: any road right-of-way, parking access drives any required building setback or private yards.

701.8 AMENITIES

Developers are encouraged to provide public parks, tennis courts, swimming pools, and children's play areas. As an incentive for such development, land improved in such a manner shall be multiplied by a factor of two for the purpose of determining the developer's compliance with Open Space requirements.

Requirements relating to the installation of recreational facilities such as tennis courts golf courses, swimming pools and children's play areas may vary from the requirements applicable to other zoning districts. The final plat shall indicate the location of all recreational facilities. The Municipality withholds the right to approve the final development plan in phases until the installation of recreational and open space facilities have been substantially completed and approved.

701.9 PROPERTY OWNER'S ASSOCIATION

Prior to the conveyance of any land within a PUD district, the owner thereof shall establish a Property Owner's Association, ("Association"). The Association shall, through its by-laws and/or appropriate deed restrictions, and subject to the approval of the Municipal Planning Commission, (1) provide for the control and maintenance of all common areas, recreation facilities and other public areas, in accordance with the provisions of this Article, (2) provide for the mandatory membership and assessments of all property owners within the PUD, (3) provide for the maintenance of adequate liability insurance, and (4), assure responsibility for the payment of local real estate taxes and assessments.

701.10 UTILITY REQUIREMENTS

Underground utilities, including telephone, cable television, and electrical systems, shall be required within the limits of the PUD. Appurtenances to these systems which may be effectively screened from open view may be exempted from this requirement if the Planning Commission finds, upon balancing the value or need for the utility with the health, safety, or aesthetic harm caused by above-ground appurtenance, that such exemption shall be consistent with the intent of these regulations and the character of the proposed PUD.

701.11 SIGNS

Signage in a PUD shall be subject to and regulated under the applicable provisions of the Zoning Ordinances of the Village of LaGrange

701.12 PERIPHERAL SETBACKS AND PERIMETER REQUIREMENTS

The Planning Commission may require the Developer to provide either or both of the following:

4

701.12

- A. Non-residential buildings shall be set back at least fifty (50) feet from adjoining property located outside the PUD District. Residential buildings shall be constructed at least twenty-five (25) feet from adjoining residential buildings property located outside the PUD District.
- B. All structures located along the perimeter of a PUD shall be permanently screened and/or landscaped in a manner sufficient to assure the privacy of adjoining lands.

701.13 PUD LOT REQUIREMENTS

Lot requirements, such as width setback and side yards, shall be approved by the Planning Commission and shall be consistent with the purpose and intent of this chapter. The requirements imposed may vary from the requirements applicable to other zoning districts to accommodate a variety of structural designs, layouts and dwelling styles. The location of all structures and improvements shall be clearly indicated on the final plat.

701.14 CERTIFICATE OF OCCUPANCY

Certificates of occupancy shall be issued in accordance with and pursuant to Sections 1001.06 and 1001.07 of the Zoning Ordinances of the Municipality of LaGrange.

701.15 STANDARDS FOR PUBLIC IMPROVEMENTS

Improvements dedicated to the public use shall be designed and constructed in accordance with the Municipality of LaGrange Standards and Specifications and Subdivision Regulations and Ohio Environmental Protection Agency (OEPA) Standards and Specifications with final detailed construction drawings prepared and sealed by a professional engineer registered in the State of Ohio.

701.16 INSPECTION OF PUBLIC IMPROVEMENTS

Installation of public improvements shall be subject to inspection by the appropriate Municipal Representative and shall be so inspected at the developer's costs. All improvements shall be warranted for a period of one year from the date of the issuance of final approval and shall be secured by a property warranty bond, a letter of credit, or escrow account in favor of the

Municipality of LaGrange.