

1143.31 – PLANNED RESIDENCE CONSERVATION DISTRICT (PRC)

- (a) Purpose. The intent of the Planned Residential Conservation District (PRC) is to offer an alternative land use type to residential sprawl. Conservation Development balances development pressures with goals of preserving open space and responding to market demands for alternative types of neighborhoods. Conservation Development is designed to work with the natural landscape, clustering homes together into neighborhoods and preserving large amounts of open space. At least half of the overall development should be preserved to create an interconnected greenway system.

Furthermore, the PRC is meant to promote and preserve rural character and the general public welfare, encourage the efficient use of land and resources, promote greater efficiency in public utility services, and encourage innovation in the planning and building of all types of development.

(b) General Criteria for PRC District

- (1) Conservation developments are master planned and designed to preserve significant amounts of open space.
- (2) These communities are likely to be entirely residential, but may incorporate mixed use and, where supported by the market, commercial development at major intersections.
- (3) Local streets should be designed to encourage interconnectivity to and through the neighborhood.
- (4) Cul-de-sacs should be discouraged unless necessary due to topographic or environmental constraints.
- (5) Multi-use paths should be provided throughout conservation communities.
- (6) Sites should incorporate large scenic landscape setbacks from existing rural roadways.
- (7) Residential buildings should be clustered together and oriented in a manner that encourages community interaction among residents.
- (8) At least 50% of the overall site area should be preserved.
- (9) A typical development of 50 acres or larger is required for development within the PRC district. Smaller lots will be reviewed on a case-by-case basis.
- (10) Open spaces within Conservation Developments should emphasize interconnected greenway systems and preservation of environmentally sensitive lands.
- (11) Residential buildings may take a variety of forms, but traditional Midwestern vernacular is encouraged.

(c) Official Schedule of Permitted Uses

USES	
<u>PERMITTED USES:</u> Single-family residences attached or detached Two-family residences Multifamily residences Apartment residences Cluster homes, patio homes common wall homes, or any reasonable variation on these themes Elderly households Zero lot line development Churches Accessory buildings and uses Agriculture Elderly housing facilities Convalescent homes Nursing homes Homes for children and the aged Kindergarten or child day-care facilities Life-care facilities Congregate housing Accessory buildings and uses Home occupations	<u>CONDITIONALLY PERMITTED USES:</u> Cemeteries Class I, Type B group residence facilities (5 or less residents) Roadside sale of agricultural products produced on the premises Noncommercial kennels and catteries associated with a residence Noncommercial playgrounds, playfields, and picnic areas Country clubs; golf courses <u>Convenience Business</u>
COMMON OPEN SPACE*	
<u>PERMITTED USES:</u> Active open space Agriculture, farming and the like, which may include the use/housing of farm animals. Bocce, baseball, basketball, softball, football, volleyball, badminton, golf, soccer, swimming, tennis, roller skating, rollerblading, skateboarding, Frisbee, bird watching, horseshoes, canoeing, rowing, jogging, walking, gardening, fishing, and bicycling. Passive open space Parks, trails, public green space.	<u>CONDITIONALLY PERMITTED USES:</u> Telecommunications Towers

*All open space lands shall be permanently owned by the Homeowners Association or Developer until a Homeowners Association is established. Otherwise, the City may, at its discretion, require dedication to the City if the plan meets its criteria for needed community land.

(d) Official Schedule of Prohibited Uses.

PROHIBITED USES

Junkyards.

No trailer of any type, no boats, no campers, and no equipment of any type shall be parked in front of the front building line on any parcel within this district. If a dwelling is located on said lot, the building line shall be considered to be the front wall of the dwelling even if said dwelling is located behind the minimum building line established by this Resolution or the restrictions of the Plat or Subdivision.

No mobile home, motor home, camper, or manufactured home of any type shall be placed or occupied in the district.

Storage or accumulation of: inoperable, unused, or unlicensed vehicles; equipment or machinery of any type; and vehicle, equipment, or machinery parts and other similar debris - unless any of the previously mentioned items remain entirely enclosed within a permitted accessory building so as to not be visible from any adjoining property or road.

The storage or accumulation of trash, debris, graffiti, unused property or discarded materials (including, without limitation, discarded household goods, discarded commercial products, discarded building materials, discarded industrial by-products, and similar materials) shall be deemed a nuisance to the neighborhood and general public per se, and shall be prohibited on any parcel or lot or portion thereof, or on any public or private streets, or common access driveway (as defined by the Delaware County Subdivision Regulations). This excludes trash, garbage, refuse, and debris that is completely enclosed within an appropriate container and placed at an assigned location not more than twenty-four (24) hours before its regularly scheduled pick-up.

Landing fields for aircraft, hot air balloons, ultra-light aircraft, and other mechanical flying equipment on any portion of the property.

Commercial Kennels and Catteries.

Harboring wild, dangerous, or undomesticated animals. For the purposes of this provision, a "wild, dangerous, or undomesticated animal" shall be defined as follows: An animal whose natural habitat is the wilderness and which, when maintained in human society, is usually confined to a zoological park or exotic animal farm; A poisonous or venomous animal, insect, or arachnid; An unrestrained animal (excluding farm animals) which, by reason of its size, strength, or appetite, could cause peril to children, adults, pets or domesticated animals, buildings, landscaping, or personal property; An animal which is defined as "vicious" or "dangerous" pursuant to the provisions of ORC Chapter 955, as the same may be amended from time to time, or prohibited by any federal, state, or local law, regulation, or ordinance.

No land or building shall be occupied or used in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which otherwise adversely affect surrounding areas or adjoining premises beyond what is considered an acceptable farm practice as determined by the Zoning Administrator.

(e) Official Dimensional Requirements.

SINGLE FAMILY DETACHED OR TWO FAMILY ATTACHED HOUSING

* except where the design goal is to: 1) cluster homes to leave open space or;
2) to vary smaller and larger lots

GROSS DENSITY	.70 or less	.71 - 1.2	1.21 - 1.5	1.51 - 1.7
MIN. STREET FRONTAGE (lots)	< 3ac 180'	110'	100'	90'
	3 < 4 200'			
	4 < 5 250'			
	> = 5 300'			
MIN. DISTANCE BETWEEN BLDGS.	50'	40'	30'	24'
MINIMUM SIDE YARDS ¹	¹ Except for zero lot line development			
(a) where bldg on adjacent lot is unknown	25'	20'	15'	12'
(b) where bldg on adjacent lot is known	15'	10'	10'	8'
MINIMUM FRONT YARD	40'	30'	30'	30'
MINIMUM REAR YARD	40'	30'	30'	30'
MAXIMUM LOT COVERAGE	25%	25%	25%	25%
MAXIMUM BLDG HEIGHT				
(a) principal building	35'	35'	35'	35'
(b) accessory building	18'	18'	18'	18'
MINIMUM FLOOR AREA (sq. ft.)	1500	1500	1500	1500

MINIMUM CHURCH SITE: 5 acres plus one (1) acre for each 100 permanent seats over 300 in the main assembly area

¹Except for zero lot line development
(Amendment by Ordinance 94-28)

OTHER THAN SINGLE-FAMILY OR TWO FAMILY HOUSING

GROSS DENSITY	Not to exceed nine (9) du's per gross acre	
MIN. STREET FRONTAGE (LOTS)	lots < 3 acres	160'
	3 but < 4 acres	200'
	4 but < 5 acres	250'
	5 or more acres	300'
MIN. DISTANCE BETWEEN BLDGS.	30'	
MINIMUM SIDE YARDS ¹	Except zero lot line development	
(a) where bldg on adjacent lot is unknown	40'	
(b) where bldg on adjacent lot is known	10'	
MINIMUM FRONT YARD	60'	
MINIMUM REAR YARD	40'	
MAXIMUM LOT COVERAGE	20%	
MAXIMUM BLDG.HEIGHT		
(a) principal building	35' and no more than two stories	
(b) accessory building	18'	
MINIMUM FLOOR AREA (sq. ft.)	3 bedroom: 1000	2 bedroom: 800
	1 bedroom: 600	Minimum 1500/building

NOTE: For all residential uses there shall be no more than four (4) dwelling units attached side-by-side, and a total of no more than eight (8) dwelling units in any one structure

¹Except for zero lot line development
(Amendment by Ordinance 94-28)

(f) Formula for Determining the Number of Dwelling Units in a Planned Residence District Development Plan.

(1) Subject to the other provisions of this subsection (b), the number of dwelling units in a Planned Residence District development plan should be determined by applying the following formula to the gross number of acres of the site to be developed as described in the development plan:

A. Base Gross Density 0.70 du/gross acre

B. Density Bonus

Minimum Density Bonus 0.1 du/gross acre

Maximum Density Bonus 1.0 du/gross acre

For purposes of this subsection (b)(1)A., the term "Public Uses" shall include, without limitation, major roads & streets, public parks, public schools, governmental administrative buildings, police stations, sheriff stations, fire stations, community swimming pools, public bike/walk/jog pathways, and such other facilities or uses as the Planning and Zoning Commission and/or Council may from time to time determine to be facilities and/or uses for Public Uses.

(2) In order to assist the Planning and Zoning Commission in exercising its discretion to grant a Density Bonus under subsection (b)(1)B., the Planning and Zoning Commission may require the applicant to prepare and provide to the Planning and Zoning Commission a fiscal impact report containing information as may be required by the Planning and Zoning Commission. Alternatively, the Planning and Zoning Commission may require the applicant to pay for a fiscal impact report as may be prepared by the Zoning Administrator of the City of Powell or by a third party selected by the Zoning Administrator of the City of Powell.

(Amendment by Ordinance 92-01)

(3) If, in connection with any development plan for a Planned Residence District, the applicant includes a tract of land with one or more existing buildings located on such tract of land and the development plan does not contemplate the development of all or any portion of such tract of land by the applicant, then the number of gross acres associated with such tracts of land that is not to be developed by the applicant should not be included in the gross number of acres of the site described in the development plan for purposes of determining the number of dwelling units in the Planned Residence District in accordance with this subsection (b).

(Amendment by Ordinance 92-01)

(g) Redistribution of Dwelling Units on a Planned Residence District Plan. In any Planned Residence district plan, the total number of dwelling units generated by the application of the formula in subsection (b) hereof, may be redistributed within the tract as approved by the Planning and Zoning Commission.

(h) Design Standards. A Planned Residence Conservation District subdivision is a compact residential neighborhood with fifty percent (50%) or more Open Space developed and designed in accordance with the following:

(1) Access: Frontage on and direct access to one (1) or more dedicated or improved public roads is required. Provisions for future connections to other public roads may be required by the City, Delaware County Engineer, and/or the Delaware County Regional Planning Commission.

- (2) Density:
 - A. Developments shall have minimum lot sizes, as specified in the City of Powell Comprehensive Plan, as of the date an Application is filed; however, to encourage the efficient use of land and resources, to promote greater efficiency in providing public and utility services, and to encourage innovation and preservation of natural resources and features in planning and building, the City may consider exceptions to the minimum lot sizes prescribed in the City of Powell Comprehensive Plan to allow clustering of dwelling units where appropriate.
- (3) Building Design: In order to reduce visual impact, builders shall avoid new construction on prominent hilltops or ridges. Front dwelling units shall be placed on internal roads only, not along external roads. Plan dwelling layouts should uphold the visual scenic view shed. Eighty-five percent (85%) or more of the total number of dwelling units are to have a direct view of common Open Space.
- (4) Building Height Limits: No building in this district shall exceed thirty-five (35) feet in height. All other freestanding structures including, but not limited to, flagpoles shall not exceed forty-eight (48) feet in height. All attached structures including, but not limited to, chimneys and church spires shall not top at a height that is eight (8) feet greater than either the height of the building or other structure to which it is attached.
- (5) Open Space: At least fifty percent (50%) of the total gross acreage of the Planned Residence Conservation District must be devoted to Open Space. Open Space shall be designated upon the Development Plan as “Common Open Space”, “Open Space” and/or “Natural Green Space” upon the basis of the definitions, purposes, requirements and conditions set forth in Section 4.01 of this Zoning Resolution. Such Open Space shall be designed to provide active recreation, passive recreation, the preservation of natural site amenities, or any combination thereof. Any buildings, structures, and improvements to the Open Space must be appropriate to the uses which are authorized for the Open Space, with regard to its topography and unimproved condition. The Open Space shall be of a size, shape, and location which is conducive to use by all residents of property. Right-of-ways for water courses and other similar channels are not acceptable as Open Space dedication, unless such land(s) or Easement(s) is usable as a Trail or has been approved by the Zoning Commission. Storm water retention or detention facilities and land under high-voltage power line easements are acceptable as Open Space, provided such facilities do not exceed fifteen percent (15%) of the total Open Space required.

The responsibility for the maintenance of all Open Spaces shall be specified by the developer in writing within the Development Plan. The required amount of Common Open Space reserved in a Planned Residence Conservation District shall either be held in corporate ownership by owners of the project area, for the use of each person who buys or leases property within the development, or be dedicated to a homeowners' association that shall have title to the land. Such Open Space shall be used only for the purposes for which it is designated within the approved Development Plan, and in accordance with the approved Development Plan. The legal articles relating to the organization of the homeowners' association are subject to review and approval by the Zoning Commission. Such legal articles are required to be submitted as part of the Development Plan and shall provide adequate provisions for the perpetual care and maintenance of all common areas. Such legal articles shall be inserted into the chain of title of the land within the Planned Residence District.

- (6) Walkways: Walkways shall be required to connect all residential and non-residential areas and may be required to connect to and throughout the Open Space. Walkways shall be separated from the paved street surface by at least ten (10) feet of landscaped or grassed areas.
- (7) Street Trees are required and shall conform to adopted City standards.
- (8) Bikeways/Bike Paths: Bikeways shall be provided in accordance with the City's adopted Comprehensive Plan. In addition, bikeways within new developments shall be provided in order to connect with existing or planned bikeways external to the proposed new development.
- (9) Landscaping: Landscaping and/or vegetation shall be permitted in common areas with native trees and shrubs. Shade trees may be placed along internal roads.
- (10) Screening: All industrial areas adjacent to residential areas shall provide a screening of shrubbery and/or fencing so as to hide trash collection areas and service areas from the view of adjacent residential areas. All such shrubbery shall be properly trimmed and all screening shall be maintained in a neat and tidy manner.
- (11) Buffering: Natural foliage shall be retained where practicable. Where adequate foliage does not exist, the City may require establishment of such tree cover or other foliage as may be necessary to achieve the purpose of the Open Space and the buffer of adjacent uses.
- (12) Preservation Areas: Wetlands, steep (over twenty percent (20%) inclined) slopes, and ravines shall be preserved to the greatest extent possible and shall be delineated on the Development Plan. Secondary conservation areas including historical, archaeological, and/or cultural features shall also be delineated on the plan and preserved as much as practicable. No building or structure shall be placed or constructed in any Preservation Area. Applicants are encouraged to retain or replant native vegetation adjacent to wetlands and surface waters, preserve scenic views and vistas, and preserve existing hedge and tree lines to the extent practicable.

Applicants are also encouraged to grant conservation easements to an outside party such as the Delaware County Soil and Water Conservancy District, the Nature Conservancy, Ohio Department of Natural Resources (ODNR) or other non-profit, conservation land trust or governmental agency, rather than to developer or a homeowners association, so that the easement(s) can be appropriately monitored and maintained.
- (13) Floodplain: No principal Structures shall be constructed within the one-hundred-year (100-year) floodplain of any stream or river.
- (14) Power Lines: Land underneath overhead high-voltage electric transmission lines may be used for Open Space, landscaping, parking, driveways, and roads with the permission of the applicable utility company.
- (15) Utilities: All utilities constructed to service the proposed use shall be located underground. Centralized water supply and sanitary sewer disposal systems shall be provided subject to Delaware County Sanitary Engineer, Delaware General Health District, and Ohio Environmental Protection Agency approval.

- (16) Exterior Lighting: All exterior lighting shall conform with the lighting requirements of Zoning Ordinance.
- (17) Signs: See Section 1151 Sign Regulations.
- (18) Construction and Maintenance of Improvements Within Right-of-Way: The construction and maintenance of all improvements behind the curb line or the edge of pavement including, but not limited to, drainage improvements, landscaping improvements, sidewalks, and/or driveway approaches shall be the responsibility of the abutting property owner.
- (19) Supplemental Conditions & Safeguards: The Zoning Commission and/or Board of Trustees may impose additional conditions relating to the development with regard to the type and extent of the public improvements to be installed; landscaping; improvements and maintenance of open space areas; and other development characteristics.