

CHAPTER 1149
UNIT RESIDENTIAL DEVELOPMENT

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CROSS REFERENCES

Zoning applies to housing projects – see O.R.C. 3735.44
General provisions- see P. & Z. Chap.1167

1149.01 INTENT

The purpose of this chapter is to allow for new concepts of housing development where maximum variations of design may be allowed provided that the average density of the development shall be no greater than is permitted in the District in which the development is proposed.

1149.02 PERMITTED USES

Uses in a Unit Residential Development include permitted, accessory and conditional uses in R-1 through R-4 Residential Districts

1149.03 PROCEDURES

The owner or owners of a tract of land of ten acres or more may request a conditional use permit to permit a Unit Residential Development in R-1 through R-5 Residential Districts. No application for a conditional use permit for Unit Residential Development shall be considered for Approval by the Appeals Board until the following information has been submitted by the applicant to the Planning Board and the Planning Board has approved the Plan.

- (a) Development Plan Required. Ten copies of a development plan shall be submitted to the Planning Board and shall include.
- (1) The proposed location and size of areas or residential uses indicated unit density, types and total number of units in such plan.
 - (2) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering studies showing feasibility or other evidence of reasonableness.
 - (3) The proposed traffic circulation patterns including ownership of street, common open spaces, parking, walks, school sites, etc., including their relationship to topography, streets or showing evidence of reasonableness.

- (4) The proposed schedule of development and construction and including sketches and other material indicating design principles, concepts and landscape treatment
 - (5) The proposed relationship to existing and future land use, in the surrounding area, street system, community facilities, services and other public improvements.
- (b) Basis of approval. Approval of development plans shall be based on the following provisions.
- (1) That the proposed development is consistent in all respects with the purpose and intent of this Zoning Code
 - (2) That the plan is in conformity with the Comprehensive Development Plan
 - (3) That the proposed development advances the general welfare of the community and the immediate vicinity
 - (4) Approval shall be for a period of two years to allow for preparation of the subdivided plat
 - (5) The Appeals Board shall require performance bonds in amounts equal to the developer's share of estimated cost of construction of utilities, accessways, parking areas, landscaping and other improvements which the "Appeals Board may deem necessary.
- (c) Plat Required.
 In the Unit Development District no use shall be established or changed and no structure shall be constructed until the required subdivided plat has been recorded with Darke County, Ohio. Such plat shall show or include:
- (1) Site arrangements, water, sewer and other public utilities and/or facilities, and land to be publicly or commonly owned and maintained.
 - (2) Nature and extent of earth work required for site preparation.
 - (3) Deed restrictions, protective covenant and other legal statements or devices to be used to control use, development and maintenance.
- (d) Calculation of Density.
- (1) The calculation of residential density shall meet the required minimum lot requirements but may include all areas dedicated for recreation or open space uses either dedicated to the public or commonly owned by all the residents of the Unit Development area except street rights of way.
 - (2) A minimum of ten percent of the total area may be required and then shall be provided as open space and shall be dedicated to the public or arranged and restricted by a legal form for use by the residents of the total development
- (e) Other Nonresidential Uses.
 The arrangement of accessory uses of a nonresidential character which has been established as necessary for the proper development of the community may be permitted providing the sites shall also meet all the requirements and intentions of this Zoning Code and this section thereof and, providing further, that the land for such uses shall not be included in the calculation of densities for the residential areas of such plan. No direct access or advertising signs for such uses shall be visible from the exterior of the development.

1149.04 BUILDING HEIGHT REGULATIONS

Building height regulations for a Unit Development District are those that apply in the zoning district in which the land is located.

1149.05 ACCESSORY PARKING

For accessory parking provisions in a Unit Development District, see Section 1167.16

1149.06 SIGNS

For size and location of permitted signs in a Unit Development District, see Section 1167.20