

CHAPTER 1109 Planned Residential Developments (PRD) — Chapter Overview

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CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO

CERTIFICATION

ROSTER OF OFFICIALS

ADOPTING ORDINANCE NO. 116-84

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1109.01 PURPOSE.

(a) The purpose of the Planned Residential Development (PRD) District is to provide a means for encouraging ingenuity, imagination, and flexibility in the planning and designing of land areas and permitting uses and intensities of residential development while mitigating potential adverse impacts on surrounding areas. The PRD regulations provide a controlled flexibility by utilizing objectives and performance standards rather than rigid design requirements, the intent being to encourage developments which possess greater amenities than that resulting under standard zoning district requirements.

(b) It is not the intent of the PRD to allow applications to circumvent the intent of this code to permit residential density and housing types, or street and utility layouts that conflict with adopted City plans and policies, or the character of the area.

(c) It is furthermore the purpose of the PRD regulations to:

(1) Encourage creative and high-quality developments that are compatible with surrounding land uses, achieve a high degree of pedestrian-vehicular separation, and contribute to the overall quality of Sheffield Lake;

(2) Protect natural features such as topography, trees, and drainage ways in the existing state as much as possible;

(3) Provide for appropriate, adequate and usable open space where there is a residential component to the proposed PRD;

(4) Ensure that there are adequate services and infrastructure to serve the proposed development and not decrease the services or infrastructure for existing uses; and

(5) Promote a harmonious design among the various elements and uses within the development while mitigating any potential negative impact on surrounding properties.

(Ord. 26-22. Passed 4-26-22.)

1109.02 SCOPE.

The regulations within this chapter shall only apply to those areas specifically designated as a PRD on the official zoning map following the review of the PRD by Planning Commission and the adoption by City Council of a specific PRD ordinance.

(Ord. 26-22. Passed 4-26-22.)

1109.03 PRDs APPROVED PRIOR TO THE EFFECTIVE DATE OF THIS CODE.

Any PRD approved prior to the effective date of this code amendment shall continue in accordance with the approved plans. Modifications, amendments, and expansion of existing PRDs shall be in accordance with Section 1109.06(f).

(Ord. 26-22. Passed 4-26-22.)

1109.04 MINIMUM PROJECT SIZE.

The minimum area required for the creation of a new PRD District shall be a gross land area of five (5) acres.

(Ord. 26-22. Passed 4-26-22.)

1109.05 LOCATION OF PRD DISTRICTS.

The PRD district may be requested for any residentially zoned area where the applicant can demonstrate that his or her proposal will meet the purpose and objectives of the district and this chapter. (Ord. 26-22. Passed 4-26-22.)

1109.06 PRD REVIEW PROCEDURE.

(a) In order to submit an application for PRD review, the lot(s) included within the proposed PUD shall be under a single ownership or control, or shall be subject to a joint application by the owners of all property included within the proposal.

(b) Basic Review Procedure Information and Options.

(1) All applications for a PRD shall include a separate application for a PRD concept plan followed by an application for a zoning map amendment that shall take place simultaneously with the submission and review of a PRD development plan. The Planning Commission and City Council shall review the concept plan administratively while the development plan approval will require a legislative action by City Council after a recommendation from the Planning Commission.

(2) All applications for PRD review shall be required to submit both a PRD concept plan and PRD development plan.

(c) PRD Review Procedure.

(1) Step 1 - Pre-Application Meeting (Optional). An applicant may request to have a pre-application meeting with staff or the Planning Commission to informally discuss the application and any concept plans. Such meeting shall be subject to Section 1105.01(f).

(2) Step 2 - Application. The applicant shall submit an application in accordance with Section 1105.01: Common Review Requirements, and with the provisions of this section.

(3) Step 3 - PRD Concept Plan Review.

A. The applicant shall submit an application for a PRD concept plan in accordance with Section 1105.01: Common Review Requirements, and with the provisions of this section.

B. Once the application has been determined to be complete and accepted, the Zoning Inspector shall distribute copies to any appropriate City staff including, but not limited to the Director of Public Service, City Engineer, Building Inspector, Fire Chief, and Police Chief, for review and comments.

C. The Planning Commission shall review the PRD concept plan application at its next regularly scheduled meeting, or at a special meeting, after the application is determined to be complete.

D. Within forty-five (45) days of the completion of the public meeting, the Planning Commission shall make a recommendation on the application. In making its recommendation, the Planning Commission may approve, approve with modifications or supplementary conditions, or deny the application.

E. If the Planning Commission fails to make a recommendation within the established timeframe, or an extended timeframe approved by the applicant, the application shall be deemed approved by the Planning Commission.

F. Following receipt of the recommendation from the Planning Commission, the application shall be placed on City Council's agenda for the next regularly scheduled meeting, or an established special meeting, where the City Council will hold a public hearing to review the PRD

concept plan application.

G. Notification of the public hearing shall be provided in accordance with Section 1105.01(i): Public Notification for Public Hearings.

H. Within a reasonable time after the close of the public hearing at which the City Council reviews the application, City Council shall make a decision to approve, approve with some modification, or deny the recommendation of the Planning Commission.

I. In reviewing the application, the Planning Commission and City Council shall at a minimum, consider the review criteria of this section.

(4) Step 4 - PRD Zoning Map Amendment and Development Plan Approval.

A. Within one (1) year of approval of the PRD concept plan, the applicant shall apply for a PRD development plan review simultaneously with a zoning map amendment.

B. All applications shall be submitted with the required fees as established in Section 1105.01: Common Review Requirements.

C. The procedure for reviewing the PRD zoning map amendment and PRD development plan shall comply with the requirements of Section 1105.02: Code Text and Map Amendments.

D. The Planning Commission shall review the PRD development and make a recommendation to City Council to approve, approve with modifications; or deny the application.

E. The recommendation shall be made based on review of the application using the review criteria for a zoning map amendment and the review criteria for PRDs as established in this chapter.

F. As part of the PRD development plan submittal, the applicant may propose a schedule for completion of different phases of the project.

G. In making its recommendations or decisions, the Planning Commission and/or City Council may impose such conditions of approval as are in its judgment necessary to ensure conformity to the applicable criteria and standards. In so doing, the Planning Commission and/or City Council may permit the applicant to revise the plan and resubmit it as a PRD development plan within sixty (60) days of such action. Such resubmission shall be made to the board that imposed such conditions.

(5) Step 5 - Subdivision.

A. After approval of the PRD zoning map amendment and development plan, the applicant may proceed with a major subdivision, in accordance with Section 1105.05: Major Subdivisions.

B. As part of the PRD concept plan review, the applicant may request that the PRD development plan review occur simultaneously with the preliminary plat approval for a major subdivision.

(d) Review Criteria.

(1) PRD Concept Plan Review Criteria. The PRD concept plan is reviewed only regarding its general conceptual merit, and in no way shall commit any future acceptance or rejection of detailed design elements required in the PRD development plan. The decision on the PRD concept plan shall take into consideration whether:

A. The proposed development is in conformity with the goals, policies, and any applicable recommendations of adopted plans;

B. The proposed development meets the intent and spirit of this code and all other applicable City ordinances;

C. The proposal meets the intent and objectives of this PRD chapter;

D. The proposed development provides a development pattern which preserves and utilizes the natural topography, geologic features, scenic vistas, natural vegetation and natural drainage

patterns of the site;

E. The proposal is conceptually sound in that it conforms to accepted design principles in the proposed functional roadway system, land use configuration, open space system, drainage system and scale of the developed elements;

F. The proposed development is accessible from public thoroughfares adequate to accommodate the traffic which will be imposed on them by the proposed development, and the proposed streets and parking areas within the site are adequate to serve the proposed arrangement and densities of land uses;

G. The proposed development provides a higher quality and more useful design of landscaping and open space and amenities than would normally be required under the strict application of existing zoning and subdivision requirements;

H. The proposed development promotes greater efficiency in the use of land and does not impose an undue burden on public services and facilities such as fire and police protection, public works, schools, water supply and wastewater disposal due to excessive population densities;

I. The proposed development is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated; and

J. The proposed development can be substantially completed within the time specified in the schedule of development submitted by the developer.

(2) Review Criteria for the PRD Development Plan Review Criteria. In reviewing the PRD zoning map amendment and development plan, the Planning Commission and City Council shall take the following into consideration:

A. The proposed development maximizes the opportunity for privacy within residential areas and minimizes nuisances between residential areas and other land uses based on setbacks, landscaping, and buffering;

B. The proposed development contains such proposed covenants, easements, association by-laws and other such provisions as may reasonably be required for the public health, safety, and welfare;

C. Where common open space is required, appropriate arrangements with the applicant have been made which will ensure the reservation of common open space as identified on the PRD development plan. Furthermore, the PRD development plan shall demonstrate how the open spaces shall be duly transferred to a legally established homeowner's association or has been dedicated to the City or another public or quasi-public agency for preservation and maintenance;

D. Appropriate agreements with the applicant have been made to ensure the proper completion of public improvements in compliance with the subdivision requirements of this code.

E. Each individual phase of the development can exist as an independent unit that can create an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective can be obtained;

F. That any exception from the design standards provided in the PRD concept plan is warranted by the design and amenities incorporated in the detailed PRD development plan; and

G. The PRD development plan has been transmitted to all other agencies and departments charged with responsibility of review and any identified issues have been reasonably addressed by the applicant.

(e) Time Limits for the PRD Final Plan.

(1) Any PRD development plan shall be valid for a period of two (2) years after the date of approval by the City Council. If no development has begun (development being defined as the start

of construction of the required public/private improvements as shown on the approved PRD development plan for one or more phases of the project) in the PRD within two (2) years from the date of approval, such approval of the PRD development plan shall lapse and be of no force and effect.

(2) Two, one (1)-year extensions of the time limit set forth herein, may be granted by the Planning Commission if such extension is not in conflict with the most current adopted City plans or policies, and that such extension is in the best interests of the entire community. The developer/owner shall apply for an extension and shall state the reason for the extension.

(3) If an approved PRD development plan lapses as provided herein, the originally approved PRD development plan shall also be considered void. Notice of such lapse shall be filed by the Planning Commission and forwarded to the City Council.

(4) Voiding of the PRD development plan shall not rezone the property. After such plans are voided, the Planning Commission, the City Council, or property owners may initiate a rezoning to a base zoning district in accordance with Section 1105.02: Code Text and Map Amendments. As an alternative, the property owner, or their agent, may resubmit a new PRD concept plan and development plan in accordance with the procedures of this chapter. In the case of a new PRD concept plan and development plan submission, the procedure shall be the same even though a zoning map amendment shall not be required.

(f) Changes to Approved PRDs.

(1) A PRD shall be constructed and completed in accordance with the approved PRD development plan including all supporting data and conditions. The PRD development plan and supporting data, together with all recorded amendments, shall be binding on the applicants, their successors, grantees and assignees, and shall limit and control the use of premises (including the internal use of buildings and structures) and the location of structures in the PRD as set forth therein.

(2) Where a property owner on a lot in a PRD seeks a variance from the applicable standards for an individual property that will not apply to any other property in the PRD, the property owner shall request such variance in accordance with Section 1105.08: Variances.

(3) Any request to change or otherwise modify the approved PRD development plan as it applies to more than one property owner, shall be reviewed based on whether the change is considered major or minor, in accordance with this subsection.

(4) Major Change.

A. Major changes to a PRD require the prior approval of the Planning Commission and the City Council in the same process, and with the same hearings, as that used to review of the PRD development. The Zoning Inspector shall have the authority to determine if a proposed change is a major change. Major changes include, but are not limited to:

- i. Expansion of the PRD project beyond the original tract coverage;
- ii. Removal or subtraction of land from the original tract coverage;
- iii. Any increases to the number or density of dwelling units, or the types of dwelling units;

and

- iv. Other similar major changes as determined by the Zoning Inspector.

B. If the proposed change is not approved, the originally approved PRD development plan shall remain valid until the expiration established in Section 1109.06(e).

(5) Minor Changes.

A. Minor changes are those proposed by the developer/owner which do not disturb or affect the basic design and approved PRD development plan, and which are essentially technical in

nature, as determined by the Zoning Inspector.

B. Examples of minor changes include, but are not limited to, change in the intensity of lighting, changes in the size and location of water and sewer lines within approved easements and changes in the location and number of fire hydrants.

C. The Zoning Inspector shall notify the Planning Commission of all such approved minor changes.

(Ord. 26-22. Passed 4-26-22.)

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