

Chapter 1111: Planned Developments

1111.01 Purpose

The purpose of the Planned Development (PD) District regulations is to encourage innovative land planning and design in situations where a better development and mixture of uses may be accomplished through a uniform planning and design process that offers more flexibility than may traditionally be found in the strict application of the subdivision regulations and standards from a traditional zoning district. Furthermore, it is the intent of these regulations to:

- (a) Provide an opportunity for a mix of land uses otherwise not permitted within the standard municipal zoning district classifications;
- (b) Allow the creation of development standards that respect the unique characteristics, natural quality and beauty of the site and the immediate vicinity and protect the community's natural resources by avoiding development on, and destruction of, sensitive environmental areas;
- (c) Enable greater review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development;
- (d) Assure compatibility between proposed land uses within and around the PD District through appropriate development controls;
- (e) Pursue the housing and economic development goals of the City;
- (f) Promote economical and efficient use of land and reduce infrastructure costs through unified development;
- (g) Provide for supporting community facilities;
- (h) Establish objective criteria for plan review that ensures conformity to community standards; and
- (i) Further the goals and recommendations of the comprehensive plan.

1111.02 Previously Approved PDODs

- (a) Planned Development Overlay Districts (PDOD), including development plans and any associated text and standards, adopted prior to the effective date of this code amendment creating PD regulations, shall continue in effect and be considered legally conforming under this code.
- (b) Any proposed modification of a previously approved PDOD shall be reviewed in accordance with this chapter.

1111.03 General Provisions

- (a) The applicant must own in fee simple or have an option to purchase all lands within the proposed PD. The exception to this is if the applicant is the authorized agent for the property owner, in which case, the applicant need not own the lands.
- (b) Any transfer of land within the development resulting in a change of ownership within the development after an application has been filed shall not alter the applicability of the regulations contained herein provided any new owners authorize the continuation of the PD process.
- (c) No zoning certificate or building permits may be issued until the PD final development plan is approved and a final subdivision plat, if required, has been recorded in accordance with this code.

1111.04 Development Standards and Guidelines

The following development standards are established to guide and control the planning, development and use of land in a PD:

(a) Minimum Project Size

The minimum project size for a PD application shall be five acres. The Planning Commission may allow an application for smaller project areas if such land is found to be suitable for a PD by virtue of its unique historical character, topography, unique use, or other natural features, or by virtue of its qualifying as an isolated problem area.

(b) Permitted Uses

- (1) The PD preliminary development plan approval shall include a list of uses permitted within the PD based on uses defined in [Chapter 1109: Principal Use Regulations](#). The list of uses shall be of the same name and definition as established in this code.
- (2) The PD preliminary development plan shall delineate where such use or uses are permitted.
- (3) Where the use has established use-specific standards as set forth in [Chapter 1109: Principal Use Regulations](#), the Planning Commission and City Council may require compliance with all of the standards or may waive some or all of the standards based on the design of the PD and the ability of such design to mitigate the impacts of the uses.
- (4) The Planning Commission and City Council shall consider recommendations of the comprehensive plan in approving certain uses but in all cases, the maximum density of single-family detached residential uses shall be eight units per acre and the maximum density of all other residential uses shall be 16 units per acres.

(c) Building and Use Arrangements

- (1) The design and development standards set forth in this section are intended to provide considerable latitude and freedom in order to encourage variety in the arrangement of uses and of the location, bulk and shape of buildings, open space and landscape features.
- (2) Buildings and uses shall be arranged, designed, or located in order to screen and preserve uses within and nearby the PD from adverse effects of uses within or nearby the PD.
- (3) The buildings and uses may be arranged in various groups, courts, or clusters with open spaces organized and related to the buildings in order to provide privacy where applicable, to form a unified composition of buildings and space, and to maximize the peace and tranquility of the residential occupants of the PD and the nearby area, where applicable.
- (4) Whenever a proposed PD development includes areas of a higher intensity than that permitted in adjacent areas, the location and arrangement of use areas shall include appropriate buffers, open spaces, setbacks, or other transitional areas to ensure compatibility with the lower intensity areas.
- (5) Buildings, structures and parking areas shall be designed and located within the PD in ways that conserve environmentally sensitive or unique natural, historic, or cultural features, and minimize environmental impacts.

- (6) The development shall be designed to protect adjoining property from the excessive loss of light, air, and view because of the proximity or the bulk or shape of a building or structure within the PD.
- (7) There shall be easy access to both common open space and private open spaces for all residential dwelling units.
- (8) All buildings shall be set back a minimum of 50 feet from the outer lot line that forms the perimeter of the project unless the City determines that the adjacent use is similar in nature to the adjacent use and a reduced setback may be approved.

(d) Topography and Natural Resources

- (1) It is a requirement of this code that such developments shall be designed to take advantage of the topography of the land in order to utilize the natural contours, to economize on the construction of utilities to reduce the amount of grading and to maximize the conservation of trees and topsoil. The natural features and other distinctive characteristics of the site shall be integrated into the plan to create functional variations in the arrangement of buildings, open spaces and site features.
- (2) A riparian buffer of 20 feet shall be provided along the entire length and on both sides of a river or perennial stream channel unless a wider buffer is required by the City of Wooster Site Development and Improvement Manual. Walkways may be permitted to be located within riparian buffers when the Planning Commission determines that such will create minimal change to the riparian buffer.
- (3) The 100-year floodplain shall be protected. The Flood Insurance Study prepared by the U. S. Department of Housing and Urban Development, Federal Insurance Administration or the latest acceptable study shall be used to determine the 100-year floodplain.
- (4) Wetlands shall be protected in accordance with Section [1117.02\(c\)](#).

(e) Circulation

- (1) The overall circulation system shall be designed to fully accommodate vehicular, pedestrian, and bicycle traffic with safety and efficiency without allowing vehicles to dominate and destroy the form of the area.
- (2) Driveways for group developments and local streets shall be connected to major arterial and collector streets at locations where the traffic can be controlled and operated effectively with minimum interference with the capacity of the major arterial and collector streets. The amount of traffic generated by commercial uses passing through residential areas shall be minimized.
- (3) A pedestrian circulation system shall be included and designed to provide convenient and safe pedestrian access throughout the PD, and to connect to neighboring developments and community facilities. The pedestrian circulation system may include sidewalks and other walkways not located along streets. Sidewalks shall meet the standards found in Section [1125.09](#).
- (4) Trail systems for bikes and other purposes should be included and designed in accordance with the City's plan for trails in the Comprehensive Plan or other adopted policy documents. Such trail systems shall have a minimum width of eight feet and be properly buffered from any adjacent residential areas if the trail is not located along or within the right-of-way of a public street.

(5) Street Design

- A. Street alignments should be designed to conserve natural features and minimize the need for cut and fill practices.
- B. The function of adjacent thoroughfares shall be maintained by limiting access points to the minimum needed, relating them to existing access points, the street patterns on surrounding development, the thoroughfare plan and the intensity of proposed uses.
- C. All streets shall be designed in accordance with [Chapter 1129: Subdivision Design](#).
- D. The design and locations of streets and parking areas shall comply with the requirements for storm water management set forth in [Chapter 1129: Subdivision Design](#), unless modifications are granted by the Planning Commission pursuant to Section [1105.06\(h\)](#).

(f) Utilities and Public Improvements

- (1) The applicant shall provide for and construct utilities and public improvements in accordance with [Chapter 1129: Subdivision Design](#).
- (2) To the maximum extent feasible, utilities should be located underground.

(g) Landscaping, Screening and Buffering

- (1) The pattern of landscaping shall be coordinated in design and type of materials, mounding and fencing used. Landscaping may vary in density, spacing and other treatments to reflect variations of topography, existing landscape or land uses.
- (2) Privacy for residential buildings shall be maintained through the use of landscaping, screening and buffering.
- (3) Appropriate buffer zones with adequate landscaping shall be provided between the proposed development and adjacent areas. The City may utilize the buffering requirements of [Chapter 1123: Landscaping and Buffering](#), as a guide in the minimum amount of buffering that should be required between various land uses.
- (4) Alternative design approaches to meet the intent of the landscape regulations may be incorporated.
- (5) Detention/retention facilities that are visible from a public street shall be integrated into a landscaped area. Such landscaped areas shall contain any combination of the following elements: shade and ornamental trees, evergreens, shrubbery, hedges, and/or other planting materials as well as ornamental fencing.

(h) Signs

- (1) All signs and graphics within the PD shall be compatible in size, location, height, material, shape, color and illumination.
- (2) A sign plan for the entire PD shall set forth the design parameters for the entire project to ensure a consistent and comprehensive character throughout the project. The sign plan shall include the design, layout, and dimensions of all ground, window and wall signs as well as distances from rights-of-way and the type and intensity of illumination.
- (3) The materials and colors of signs, sign backgrounds, and sign frames should be compatible with the materials and colors used in the principal buildings.

- (4) Signs shall conform to the applicable regulations in [Chapter 1127: Signage](#), regarding any standards specific to the different sign types, however, the City may authorize additional sign area and increased sign heights as part of a PD preliminary development plan approval.

(i) Required Open Space and Common Facilities

- (1) The PD will only be approved if the proposed PD preliminary and final development plans comply with the open space requirements established in [Chapter 1121: Open Space Standards](#). Open space is only required for PDs that contain residential uses.
- (2) In cases where the PD will be developed in phases, each phase shall contain enough open space that they can comply with the minimum open space requirements as a stand-alone phase or, if combined with previously developed phases, can, as a whole, comply with the minimum open space requirements.
- (3) All open space and common facilities (e.g., bike trails, community centers, community pools, etc.) shall be owned and controlled in accordance with [Chapter 1121: Open Space Standards](#).

(j) Project Phasing

If the PD is to be implemented in phases, each phase shall have adequate provision for access, parking, storm water management, utilities, and other public improvements to serve the development in accordance with the applicable criteria set forth above. Each phase shall be provided with temporary and/or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property.

(k) Compliance with Other Development Standards

Unless specifically stated, all PDs plans shall demonstrate compliance with all other applicable standards of this code, including but not limited to, architectural standards, off-street parking, signage, and landscaping.

1111.05 PD Review Procedure

(a) Application (Preliminary Development Plan and Zoning Map Amendment)

The applicant shall submit an application in accordance with the applicable requirements of Section [1105.02](#).

(b) Preliminary Development Plan and Zoning Map Amendment

- (1) The PD Preliminary Development Plan approval procedure involves a zoning map amendment to rezone the subject property to a PD District with an associated approved preliminary development plan.
- (2) The procedure for this stage shall comply with the requirements of Section 1105.03(c) and Section 1105.03(d), regarding zoning map amendments.
- (3) The Planning Commission may, in its recommendation to City Council, require that the PD final development plan be submitted in phases corresponding to different units or elements of the development. It may do so only upon evidence assuring completion of the entire development in accordance with the PD preliminary development plan and phased development schedule.

(c) PD Final Development Plan Review

- (1) Within one year after the approval of the PD preliminary development plan, the applicant shall file an application for review of the PD final development plan for the entire development, or when submitting in phases, as authorized by the Planning Commission and/or City Council during the PD preliminary development plan review, for the first phase of the development. The Planning Commission may authorize an extension of one year for just cause.
- (2) If more than one year passes from the date of approval of the PD preliminary development plan and submission of the PD final development plan, extension thereof, or if the PD final development plan is not submitted in accordance with an approved phasing schedule, the PD preliminary development plan shall be deemed expired and the applicant must resubmit such plan. After the PD preliminary development plan has expired, the PD zoning designation shall remain in place but no development shall be authorized unless the property owner, or authorized agent, submits a new PD preliminary development plan for review pursuant to this chapter, or submits an application for a zoning map amendment to another zoning district. After the expiration of the preliminary development plan, the City may also seek to rezone the property to another zoning district in accordance with [Chapter 1105: Review Procedures](#).
- (3) Preliminary subdivision plat approval may occur concurrently with the PD final development plan approval.
- (4) An applicant shall submit a PD final development plan for review. The review procedure for this process shall comply with the same procedure and notice requirements of a conditional use review. See Section [1105.04](#).
- (5) The Planning Commission will review the PD final development plan to determine whether it conforms to all substantial respects to the previously approved PD preliminary development plan and to all other applicable standards of this code.
- (6) If submitting plats for subdivision review simultaneously with the PD final development plan, the plats shall be subject to all applicable subdivision standards and requirements including the applicable review process.
- (7) The applicant shall be required to record a final subdivision plat within one year of the PD final development plan approval, unless an alternative schedule is approved by Planning Commission, or the PD final development plan shall be deemed expired and the applicant shall be required to submit a new PD preliminary development and PD final development plan in accordance with this chapter. After the PD final development plan has expired, the PD zoning designation shall remain in place but no development shall be authorized unless the property owner, or authorized agent, submits a new PD preliminary development plan for review pursuant to this chapter, or submits an application for a zoning map amendment to another zoning district. After the expiration of the preliminary development plan, the City may also seek to rezone the property to another zoning district in accordance with [Chapter 1105: Review Procedures](#).

(d) Zoning Certificates and Building Permits

- (1) Following the approval of the PD final development plan, and recording of the final subdivision plat if applicable, the applicant may proceed with the zoning certificate and building permit process, consistent with this code and approval as granted, including any conditions and modifications made by the Planning Commission.

- (2) All construction and development under any building permit shall be in accordance with the approved PD final development plan, except as may be permitted in Section [1111.07](#). Any unauthorized departure from such plan shall be cause for revocation of the zoning certificate.

1111.06 PD Review Criteria

(a) PD Preliminary Development Plan Review Criteria

It shall be the duty of the Planning Commission and City Council to investigate and determine that the proposed PD preliminary development plan complies with the following criteria:

- (1) The PD plan is consistent with the intent and purpose of this code, the comprehensive plan, and any other applicable plans or ordinances adopted by the City;
- (2) The Planning Commission and City Council shall find that the proposed PD is not being used to circumvent the requirements of this code but is proposing a development that will enhance the community through creative and exceptional design;
- (3) The development will not impose an undue burden on infrastructure, public services, and facilities, including, but not limited to, stormwater drainage, service, sanitary sewer service, and fire and police protection;
- (4) The site will be accessible from public roads that are adequate to carry the traffic that will be imposed upon them by the proposed development, and the streets and driveways on the site of the proposed development will be adequate to serve the residents or occupants of the proposed development;
- (5) Adequate measures have been taken to accommodate pedestrian and bike circulation systems so that the proposed development provides for a safe, convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians;
- (6) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the surrounding land uses;
- (7) Natural features such as watercourses, natural land contours, and major tree canopy areas trees shall be preserved to the maximum extent feasible so that they can be incorporated into the layout to enhance the overall design of the PD;
- (8) A PD and its permitted principal and accessory, buildings, or structures shall be subject to all applicable regulations of this code, unless superseded by any special requirements, conditions, variances or other particulars imposed by the Planning Commission and/or City Council during the PD preliminary development plan application and hearing phases described in this chapter;
- (9) The landscape plan will adequately enhance the principal building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate; and
- (10) The proposed development respects the unique characteristic of the natural features and protects the natural resources of the site.

(b) PD Final Development Plan Review Criteria

It shall be the duty of the Planning Commission to investigate and determine that the proposed PD final development plan complies with the following criteria:

- (1) The applicant shall demonstrate how the open space, if required, shall be duly protected in accordance with one of the options established in [Chapter 1121: Open Space Standards](#), or has been dedicated to the City or another public or quasi-public agency;
- (2) Appropriate agreements with the applicant have been made to ensure the proper completion of public improvements in compliance with [Chapter 1129: Subdivision Design](#).
- (3) The proposed PD final development plan for the individual section(s) of the overall PD is consistent in contents (building location, land uses, densities and intensities, yard requirements, and area and frontage requirements) with the approved PD preliminary development plan;
- (4) 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; and
- (5) The PD final plan has been transmitted to all other agencies and departments charged with responsibility of review and such agencies and departments have had an opportunity to provide comments and recommendations on the PD final development plan, as necessary.

1111.07 Compliance and Modifications of Approved Plans

- (a) A PD shall be constructed and completed in accordance with the approved PD final development plan and all supporting data. The PD final 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 planned development as set forth therein.
- (b) Where a modification is requested for a single lot after a PD final development plan is approved, the modification shall be reviewed in accordance with Section [1105.11](#) or Section [1105.12\(f\)](#), as applicable.
- (c) Any request to change or otherwise modify the approved PD preliminary or final 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.

(1) Major Change

- A. Major changes to a PD generally require the prior approval of the Planning Commission and the City Council. The Zoning Administrator shall have the authority to determine if a proposed change is a major change. Such changes include, but are not limited to:
 - i. Expansion of the PD project beyond the original tract coverage;
 - ii. Changes to the list of permitted uses or the areas designated for certain land uses unless the Zoning Administrator finds that such change is to a similar use, in which case it may be approved by the Planning Commission;
 - iii. Removal or subtraction of land from the original tract coverage; and

- iv. Proposed changes that will result in an increase in residential density or an aggregate increase of more than 10 percent in nonresidential square footage.
 - B. Changes that require the approval of only the Planning Commission include, but are not limited to, the following:
 - i. Changes in the site plan relative to the size and arrangement of buildings, the layout of streets or circulation patterns, the size, configuration and location of common open space, and changes in any approved elements of the PD; and
 - ii. Amendments to the conditions that were attached to the original PD approval.
- (2) **Minor Changes**
- A. Minor changes are those proposed by the developer/owner that do not disturb or affect the basic design and approved concept plan of the PD and which are essentially technical in nature, as determined by the Zoning Administrator.
 - B. Examples of minor changes include, but are not limited to, changes in the intensity of lighting, changes in the size and location of water and sewer lines within approved easements, minor changes to lot lines that do not adjust the overall density or number of lots, substitution of landscaping materials, and changes in the location and number of fire hydrants.
 - C. The Zoning Administrator shall notify the Planning Commission of all such approved minor changes.

1111.08 Violations

Any violation of the conditions or standards of this chapter and any approved PD preliminary or final development plan shall be deemed a violation of this code, subject to [Chapter 1133: Enforcement and Penalties](#).