

D. Area and Height Regulations

1. Minimum Lot Area - Five (5) acres.
2. Minimum Lot Width at Minimum Building Setback Line - Three hundred (300) feet.
3. Minimum Lot Width from Street Right-of-Way Line and continuing to the Building Setback Line - One hundred fifty (150) feet.
4. Minimum Front Yard Setback From the Street Right-of-Way Line - One hundred (100) feet.
5. Minimum Rear Yard Setback - Fifty (50) feet.
6. Minimum Side Yard Setback - Twenty-five (25) feet.
7. Minimum Living Floor Area Per Dwelling Unit - One thousand (1,000) square feet. One thousand two hundred (1,200) square feet shall be required for dwellings not having a basement.
8. Height Regulations - No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height except as provided otherwise in this Resolution.
9. Off-Street Parking - As regulated by Article 9 of this Resolution.

3.06 R – CD (Conservation Development) Residential District

A. Purpose and Authority

The primary objective of conservation development zoning is to promote the health and safety of the community through the application of flexible land development techniques in the arrangement and construction of dwelling units and roads. Such flexibility is intended to maximize the conservation of open space while accepting development and retaining for the property owner the development rights (the number of residential dwelling units) that are permitted under the existing conventional zoning for the property. These regulations may be applied in any Residential zoning district, as specified below, and are intended to achieve these corollary purposes: To maximize protection of the community's natural resources by:

- 1.** Avoiding development on and destruction of sensitive natural resource areas;
- 2.** Reducing the quantity and improving the quality of storm water runoff from expected development;
- 3.** Maintaining natural characteristics (such as woods, hedgerows, natural vegetation, meadows, slopes and streams);
- 4.** Reducing the amount of disturbed land, the conversion of natural areas to landscaped areas for lawns, and discouraging the use of plants that are non-native invasive species; and
- 5.** Conserving areas of prime agricultural soils, to the extent possible.
- 6.** To conserve (within the framework of natural resource conservation) the quality of ruralness in a community which is characterized by:
 - a.** Large, aggregated, undeveloped land areas;
 - b.** Natural features such as woodlands, steep slopes, floodplains, wetlands, stream and river corridors, hedgerows and rock outcroppings;
 - c.** Scenic vistas and rural views;
 - d.** Significant historic features such as old barns, heritage trees, etc.;
 - e.** Traditional rural settlement patterns characterized by clusters of compact groupings of development in otherwise wide open spaces; and/or
 - f.** Appropriate topographic or vegetative screening.
- 7.** To encourage more efficient use of land and public services through unified development.
- 8.** To establish development review criteria which promote creative design solutions in a manner which best conserves the area's resources.

9. To establish a review process which maintains local review and approval of the overall development plan and which results in the timely consideration of an application.
10. To ensure that the proposed Conservation Development complies with the objectives of Copley Township as expressed in this Township Zoning Resolution and the Township Comprehensive Land Use Plan.

These regulations are established under the Authority of O.R.C. §519.021(A), Planned Unit Development.

B. DEFINITIONS

For the purpose of these regulations the following terms, whenever used in these regulations, shall have the meaning herein indicated:

1. **ACTIVE RECREATION, PRIVATE:** Leisure time activities characterized by repeated and concentrated use of land, often requiring equipment and taking place at prescribed places, sites or fields. Examples of private active recreation facilities include golf courses, tennis courts, swimming pools, softball, baseball, and soccer fields. For the purpose of these regulations, private active recreation facilities do not include paths for bike riding, hiking, and walking and picnic areas.
2. **ASSOCIATION:** A legal entity operating under recorded land agreements or contracts through which each unit owner in a conservation development is a member and each dwelling unit is subject to charges for a proportionate share of the expenses of the organization's activities such as maintaining restricted open space and other common areas and providing services needed for the development. An association can take the form of a homeowners' association, community association, condominium association or other similar entity.
3. **BUILDING ENVELOPE:** An area within a conservation development that is designated as a location within which a dwelling unit is to be placed in compliance with the building setback and spacing requirements established by the township zoning regulations. A building envelope may or may not be located within a subplot and may or may not have frontage on a public street.

4. **BUFFER:** A designated area between uses or adjacent to the perimeter of natural features designed and intended to provide protection and which shall be permanently maintained.
 - a. **LAND USE BUFFER:** Land area used to separate or visibly shield and/or screen one use from another.
5. **COMMON AREA:** Any land area, and associated facilities, within a conservation development that is held in common ownership by the residents of the development through a Homeowners' Association, Community Association or other legal entity, or which is held by the individual members of a Condominium Association as tenants-in-common.
6. **COMMON DRIVE:** A private way which provides vehicular access to at least two but not more than five dwelling units. A Common Drive is not permitted to serve property outside the Conservation Development and may be constructed with narrower pavement widths than required by the County Subdivision Regulations for public streets provided they are approved by the Architectural Review Board, Township Fire Chief, and the County. The location of all Common Drives shall be shown on the plan approved by the Architectural Review Board.

**Illustration of Common Drive
(Lots 5-9 and Lots 10-14)**



- 7. CONSERVATION DEVELOPMENT:** A contiguous area of land to be planned and developed as a single entity, in which housing units are accommodated under more flexible standards, such as building arrangements and setbacks, than those that would normally apply under single-family district regulations, allowing for the flexible grouping of houses in order to conserve open space and existing natural resources.
- 8. CONSERVATION EASEMENT:** A legal interest in land which restricts development and other uses of the property in perpetuity for the public purpose of preserving the rural, open, natural or agricultural qualities of the property as authorized by O.R.C. §§ 5301.67 through 5301.70.
- 9. DEVELOPMENT PLAN:** A proposal including drawing(s) and map(s) for a conservation development, prepared in accordance with these regulations, illustrating the proposed design, layout and other features for the development and including all elements set forth in this Article.
- 10. DWELLING, DETACHED SINGLE-FAMILY:** A building designed for, or used exclusively for, residence purposes by one family situated on a parcel having a front, side, and rear yard.
- 11. DWELLING, SINGLE-FAMILY ATTACHED:** Dwelling units that are structurally attached to one another, side by side, and erected as a single building, each dwelling unit being separated from the adjoining unit or units by a party wall without openings extending from the basement floor to the roof with each unit including separate ground floor entrances, services, and attached garages.
- 12. DWELLING, SINGLE-FAMILY, CLUSTER:** A building that is designed and used exclusively by one family and separated from all other dwelling units by air space from ground to sky, which is grouped with other dwellings on a site and which may be located on its own subdivided lot without a front, side and/or rear yard in compliance with the standard zoning district regulations.
- 13. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA):** The agency with the overall responsibility for administering the National Flood Insurance Program.

- 14.FLOODPLAIN:** Any land susceptible to being inundated by water from any source. The base flood is the flood that has a one percent or greater chance of being equaled or exceeded in any given year.
- 15.FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- 16.INVASIVE SPECIES:** Organisms that harm, or have the potential to harm, the environment, economy, or human health; species so listed shall be as defined by the Ohio Department of Natural Resources.
- 17.ISOLATED LAND:** Any portion of the subdivision parcel that is separated from the remainder of the parcel by an excessively steep slope, water body, or other feature that would not support a road under normal building standards, rendering the portion unbuildable.
- 18.LAND TRUST:** A non-profit, tax-exempt entity whose primary purpose includes the preservation of open space, natural land, rural land, or agricultural land, and which is permitted to hold conservation easements under O.R.C. § 5301.68.
- 19.LOT or SUBLLOT:** For the purposes of the conservation development regulations, a lot or subplot shall be a parcel of land owned fee simple and intended for a single dwelling unit whether or not such lot or subplot is located with frontage on a dedicated street.
- 20.NATURAL FEATURE:** An existing component of the landscape maintained as a part of the natural environment and having ecological value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, the natural diversity of plant and animal species, human recreation, reduction of climatic stress, and energy costs.
- 21.OPEN SPACE:** An area that is intended to provide light and air. Open space may include, but is not limited to, meadows, wooded areas, and water bodies. See also Restricted Open Space.
- 22.O.R.C. §:** Ohio Revised Code section number.

- 23. PERENNIAL STREAM:** A natural waterway that contains water throughout the year except in severe drought.
- 24. PROJECT BOUNDARY:** The boundary defining the tract(s) of land that is included in a development project to meet the minimum required project area for a conservation development. The term “project boundary” shall also mean “development boundary”.
- 25. PUBLIC IMPROVEMENT:** Any roadway, sidewalk, pedestrian way, tree lawn, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or that may affect an improvement for which responsibility by the local government is established.
- 26. RESTRICTED OPEN SPACE:** Open space within a conservation development that is of sufficient size and shape to meet the minimum zoning requirements that is restricted from further development according to the provisions of this Article.
- 27. SETBACK:** The required distance between a structure and a lot line, street right-of-way, pavement, stream or riverbank, wetland or other delineated site feature.
- a. RIPARIAN SETBACK:** A naturally vegetated area located adjacent to streams and rivers that is intended to stabilize banks and limit erosion.
 - b. WETLANDS SETBACK:** An area of undisturbed natural vegetation located adjacent to the perimeter of the wetlands.
- 28. STANDARD SUBDIVISION:** A major or minor subdivision, as defined by the Ohio Revised Code, in which property is subdivided into lots having the minimum front, side and rear yards as specified by the Zoning Resolution and with each lot having the requisite frontage on a dedicated public street.
- 29. STREAM BANK OR RIVER BANK:** The ordinary high water mark of the stream or river, otherwise known as the bankfull stage of the stream or river channel. Indicators used in determining the bankfull stage may include changes in vegetation, slope or bank materials, evidence of scouring, and stain lines.

30.WALKWAY: A public way, four or more feet in width, for pedestrian use only, not located within the street right-of-way.

31.WETLAND: An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The three criteria that must exist on a site for an area to be designated a wetland are hydric soils, hydrophytic vegetation, and wetland hydrology.

C. PERMITTED USES

The following uses shall be permitted based on the type of development proposed:

- 1.** Conservation Development in accordance with the regulations set forth in this Article:
 - a.** Detached single-family dwellings;
 - b.** Single-family cluster dwellings;
 - c.** Single-family attached dwellings;
 - d.** Recreation facilities for use by residents;
 - e.** Restricted open space as required in Section 3.06 E.
- 2.** Standard detached single-family dwellings in accordance with the regulations set forth in Article 3 of this Resolution.
- 3.** Agriculture in accordance with the provisions of O.R.C. § 519.021.
- 4.** Private stable and/or bridle trails.

D. MINIMUM PROJECT AREA FOR CONSERVATION DEVELOPMENT

- 1.** The gross area of a tract of land proposed for development according to the conservation development option shall be a minimum of twenty-five

(25) acres, but shall not include area within any existing public street rights-of-way.

2. The area proposed shall be in one ownership or, if in multiple ownership, the application shall be filed jointly by all the owners of the properties included in the conservation development.

E. PERMITTED DENSITY/RESTRICTED OPEN SPACE

1. The minimum restricted open space shall be forty percent (40%) of the total project area.
2. The maximum density shall be twenty percent (20%) greater than that allowed in the underlying zoning district. The maximum number of dwelling units permitted in a conservation development shall be calculated by:

a. Deducting the following from the total project area:

- i. Any public right-of-way within the project boundary existing at the time the development plan is submitted; and
- ii. Where the underlying minimum lot size exceeds 1/2 acre: The area of a floodway, designated wetlands, isolated land, slopes exceeding twenty-five percent (25)%, or waterbody that exceeds the minimum acreage required for restricted open space as set forth above. Where floodways and wetlands overlap, they shall be counted only once.

b. Multiplying the result of subsection 1 by the maximum density permitted per acre as set forth in this Section above.

- c. In any proposed conservation development not served by centralized sewer and water, the allowable maximum density may be increased by an additional five percent (5%), to a total of twenty-five percent (25%) greater than that allowed in the underlying zoning district, if the applicant will increase the percentage of restricted open space from forty percent (40%) to fifty percent (50%).

F. REGULATIONS FOR RESTRICTED OPEN SPACE

1. General standards: The restricted open space required in Section 3.06 E shall comply with the following:

- a.** Restricted open space shall be designed and located to conserve significant natural features and historical and cultural elements located on the site.
- b.** Areas designated for restricted open space purposes may be:
 - i.** Preserved in its natural state,
 - ii.** Designed and intended for the use and/or enjoyment of residents of the proposed development,
 - iii.** Utilized for farming when authorized in a conservation easement or in the Association's covenants and restrictions.
- c.** Where possible, restricted open space shall be connected with open space areas on land adjacent to the development; and also shall be connected within the project.
- d.** Sewage service, stormwater management, and/or water supply facilities may be located partially or entirely within restricted open space areas. Where such facilities are so located, easements satisfactory to the Summit County Engineer, and any other governmental entity with regulatory authority over such facilities, shall be established to require and enable maintenance of such facilities by the appropriate parties.
- e.** In order to encourage the creation of large areas of contiguous open space, areas that shall not be considered restricted open space include:
- f.** Public road rights-of-way;
 - i.** Parking areas, accessways and driveways;
 - ii.** Required setbacks between buildings, parking areas and project boundaries;

- iii. Required setbacks between buildings and streets;
 - iv. Minimum spacing between buildings, and between buildings and parking areas;
 - v. Private yards;
 - vi. A minimum of fifteen (15) feet between buildings and restricted open space; and
 - vii. Other small fragmented or isolated open space areas that have a dimension less than fifty (50) feet in any direction.
- g. Any restricted open space intended to be devoted to recreational activities shall be of a usable size and shape for the intended purposes. The maximum percentage of the total project area that may be developed for active recreation areas, including a community center, shall be no greater than five percent.
 - h. Any area within the restricted open space that is disturbed during construction or otherwise not preserved in its natural state, other common areas such as required setback areas, and both sides of new streets shall be landscaped with vegetation that is compatible with the natural characteristics of the site.
 - i. The restricted open space, including any recreational facilities proposed to be constructed in such space, shall be clearly shown on the general development plan.
2. Prohibition of Further Subdivision of Restricted Open Space: Restricted open space in a conservation development shall be prohibited from further subdivision or development by deed restriction, conservation easement, or other agreement in a form acceptable to the Township Solicitor and duly recorded in the Records Division of the Summit County Fiscal Officer.
 3. Ownership of Restricted Open Space: Subject to such permanent restriction as set forth above restricted open space in a conservation development may be owned by an association, the township, a land trust or other conservation organization recognized by the township, or by a similar entity, or may remain in private ownership.

- a. Offer of Dedication: The Township may, but shall not be required to, accept dedication in the form of fee simple ownership of the restricted open space.
- b. Association: Restricted open space may be held by the individual members of a Condominium Association as tenants-in-common or may be held in common ownership by a Homeowners' Association, Community Association, or other similar legal entity. The Township Solicitor shall determine that, based on documents submitted with the development plan, the association's bylaws or code of regulations specify the following requirements:
 - i. Membership in the Association shall be mandatory for all purchasers of lots in the development or units in the condominium.
 - ii. The Association shall be responsible for maintenance, control, and insurance of common areas, including the required open space.
- c. Transfer of Conservation Easements: With the permission of the township, the owner(s) of the restricted open space may, in accordance with the provisions of O.R.C. §§ 5301.67 - 5301.70, grant a conservation easement to any of the entities listed in O.R.C. § 5301.68, provided that:
 - i. The entity is acceptable to the township;
 - ii. The provisions of the conservation easement are acceptable to the township; and
 - iii. The conveyance contains appropriate provision for assignment of the conservation easement to another entity authorized to hold conservation easements under O.R.C. § 5301.68 in the event that the original grantee becomes unwilling or unable to ensure compliance with the provisions of the conservation easement.
- d. Private Ownership of Restricted Open Space: Restricted open space may be retained in ownership by the applicant or may be transferred to other private parties subject to compliance with all standards and criteria for restricted open space herein.

G. DEVELOPMENT AND SITE PLANNING STANDARDS

Buildings, structures, pavement, and streets shall be located in compliance with the following development and site planning standards.

- 1. Ownership:** Any ownership arrangement, including, but not limited to, fee simple lots and condominiums, is permitted in a conservation development. Regardless of the ownership of the land, the arrangement of the dwelling units shall comply with the spacing requirements of this section.
- 2. Lot Requirements:**
 - a.** Units are not required to be on lots. However, when lots for standard detached single-family dwellings or sublots for single-family cluster or attached dwelling units are included as part of a conservation development, such lots or sublots shall be of sufficient size and shape to accommodate dwelling units in compliance with the spacing requirements of this section.
 - b.** The applicant shall depict on the development plan the maximum parameters, or building envelopes, to indicate where buildings shall be located, and shall demonstrate that such building locations will be in compliance with the spacing requirements of this section.
- 3. Perimeter Building Regulations:**
 - a.** The minimum setback from an existing public street shall be one hundred (100) feet.
 - b.** The minimum setback from the project boundary shall be one hundred (100) feet.
- 4. Interior Building Setback/Spacing Regulations:**
 - a.** The minimum setback from a proposed local public right-of-way shall be fifteen (15) feet.

- b.** The minimum separation between dwellings shall be fifteen (15) feet.
- 5.** Height: The maximum building height shall be thirty-five (35) feet.
- 6.** Resource Protection Regulations:
 - a.** Floodway Protection: Within a floodway, all buildings, structures or land shall be permitted to be used only for uses listed below. These restrictions also apply to subsequent erection, alteration, enlargement, repair, moving, or design of structures within the floodway.
 - i.** Agriculture, provided however, that no livestock may be housed within the floodway ;
 - ii.** Public or private parks and outdoor recreational facilities including swimming pools, riding academies, playfields, ball fields, courts, trails, etc.;
 - iii.** Fencing that allows the passage of water.
 - iv.** Off-street parking areas accessory to the above uses provided that such areas are improved with pervious pavement materials, such as pervious asphalt or pervious concrete or combinations of geotextiles with sand, gravel and sod.
 - b.** Wetlands Protection: Wetlands that are required by the Army Corps of Engineers or the Ohio EPA to be retained shall be protected by the following:
 - i.** A setback area, measured from the edge of the designated wetland, shall be established that is consistent with the wetland setback requirements of the Summit County Riparian Ordinance Title 7: Chapter 937. The area within this buffer shall not be disturbed and shall be retained in its natural state; and
 - ii.** A minimum construction setback of thirty five (35) feet, measured from the edge of the designated wetland.
 - c.** Conservation of Riparian Zones:

- i. A riparian setback shall be provided along the entire length and on both sides of a river or perennial stream channel. The setback area shall conform with the requirements of the Zoning Resolution.
- ii. Walkways may be permitted to be located within riparian setbacks when the Architectural Review Board, based on consultation with the Summit County Soil & Water Conservation District, determines that such will create minimal change to the riparian setback.

7. General Street Design Criteria:

- a. Street alignments should follow natural contours and be designed to conserve natural features.
- b. Locations of streets should be planned to avoid excessive stormwater runoff and the need for storm sewers.
- c. The area of the project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement through the development.

8. Pedestrian Circulation Systems:

- a. A pedestrian circulation system shall be included in the conservation development and shall be designed to ensure that pedestrians can walk safely and easily throughout the development. The pedestrian system shall provide connections between properties and activities or special features within the restricted open space system and need not always be located along streets.
- b. Trails for which public right of passage has been established should be incorporated in the pedestrian circulation system.

9. Sewage Disposal: Development shall be served by individual or public sewage disposal structures consistent with the Summit County systems. Individual sewage disposal systems shall comply with all applicable regulations of the appropriate system, whether Summit County Department of Environmental Services, Summit County Health Department, or City of Akron, and may be located within restricted open space areas when approved by the township and the appropriate system,

whether Summit County Department of Environmental Services, Summit County Health Department, or City of Akron.

- 10. Modifications:** In the event the Architectural Review Board, determines that certain standards set forth in this section do not or should not apply specifically to the circumstances of a particular project and an alternative method of achieving the objectives of the numerical standard is equal to or better than the strict application of the specified standard, the Township Architectural Review Board may modify such standard to an extent deemed just and proper, provided that the granting of such relief shall be without detriment to the health and safety of the community and without detriment to or impairment of the intent of this Section.

H. DEVELOPMENT DESIGN CRITERIA

In addition to the development and site planning standards set forth in this Article, all elements of a conservation development, particularly the restricted open space areas, shall be designed in accordance with the following criteria to ensure that the project is appropriate for the site's natural, historic and cultural features and meets the objectives of this district.

- 1. Conservation of Sloping Land:** The road system and buildings should be located to minimize changes to the topography and the need for cutting and filling.
- 2. Conservation of Woodlands, Vegetation and other Natural Areas:** The design and layout of the development should conserve, maintain, and incorporate existing wooded areas, meadows, and hedgerows and treelines between fields or meadows, especially those containing significant wildlife habitats.
- 3. Conservation of Wildlife Habitats:** Wildlife habitat areas of species listed as endangered, threatened, or of special concern by the U.S. Environmental Protection Agency and/or by the Ohio Department of Natural Resources should be protected.
- 4. Conservation of Prime Farmland:** Farmland that satisfies the USDA definition of "prime" or "locally unique" farmland should be conserved.

5. Conservation of Existing Scenic Vistas and Visual Quality of the Environment: Scenic views and vistas shall be unblocked and uninterrupted to the extent possible, particularly as seen from existing and proposed public thoroughfares. New construction shall be hidden from view to the extent possible through the use of vegetative and landform buffers. Building setbacks along the project boundary shall be sufficient to provide visual protection for existing residences. Buildings shall not be located on prominent hilltops and ridges.
6. Conservation of Cultural Resources: Sites of historic, archaeological, or cultural value and their environs should be protected insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barn foundations, underground fruit cellars, earth mounds and burial grounds.

I. PROJECT REVIEW PROCEDURES

Under the authority established in O.R.C. § 519.021(A), the Township Architectural Review Board shall review development plans for a proposed conservation development according to the procedures set forth in this Section.

1. Submission of General Development Plan: The applicant shall submit a General Development Plan application to the township Zoning Inspector. The application shall include documentation illustrating compliance with the standards and criteria set forth in this Article. The application and documentation shall include, but not necessarily be limited to:
 - a. Identification of existing site characteristics, including a general depiction of:
 - i. Boundaries of the area proposed for development, dimensions and total acreage;
 - ii. Contour lines at vertical intervals of not more than 5 feet, highlighting ridges, rock outcroppings and other significant topographical features.
 - iii. Location of wetlands (and potential wetlands), the floodway boundary and floodway elevation as delineated by the Federal

Emergency Management Agency, rivers and streams and their related river or stream bank, ponds, and water courses;

- iv.** Existing soil classifications;
 - v.** Locations of all wooded areas, tree lines, hedgerows, and specimen trees;
 - vi.** Delineation of existing drainage patterns on the property, existing wells and well sites;
 - vii.** Description of significant existing vegetation by type of species, health, quality, etc.;
 - viii.** Existing buildings, structures and other significant man-made features on the site and within 200 feet of the project boundary;
 - ix.** Description of all structures and areas of known or potential historical significance; and
 - x.** Existing viewsheds and identification of unique vistas.
- b.** The preliminary site plan shall be drawn at a scale not less than one inch (1") = one hundred feet (100)', except that projects over two hundred (200) acres may be drawn at a scale of one inch (1") = two hundred feet (200'), and shall include:
- i.** A summary of the proposed development including the total acreage, number of residential units, type of dwellings, density by type of dwelling, and acreage of restricted open space to be conserved;
 - ii.** A sketch layout of standard single family lots, if any;
 - iii.** The location of the restricted open space and any proposed recreational facilities;
 - iv.** Natural features to be conserved and any required buffer areas;
 - v.** Natural features to be altered or impacted by the development and areas where new landscaping will be installed, etc.;

- -
 -
 -
 - -
 -
 -
 -
 -
 - vii. Proposed utility easement locations.
 - c. An outline of the method/structure to perpetually preserve the required restricted open space which indicates:
 - i. The structure of the Association;
 - ii. Membership requirements;
 - iii. Financial responsibilities; and
 - iv. The relationship of the entity to public agencies having responsibilities related to the project.
 - d. A description of the project phasing including the phased construction of open space improvements.
2. Review For Completeness: Within ten (10) business days of receiving the application, the Zoning Inspector shall review the application to determine that the application includes all the items required in subsection A above. If the application is deemed complete and the application fee paid, the Zoning Inspector shall officially accept the application on that date.
3. Review of General Development Plan by Others: The Township Zoning Inspector shall distribute the general development plan application to the following for review and comment.
- a. Regulatory agencies which have statutory authority to subsequently review any aspect of the development, including but not limited to the Summit County Planning Commission, the Summit County Department of Environmental Services, the Summit County Engineer, the Summit Soil and Water Conservation District, and the Ohio EPA.
 - b. Other agencies which, at the discretion of the township, may have appropriate technical expertise.

- c. Appropriate local township administrative officials, including the Township Solicitor, the Township Service Department and Township emergency services personnel.
- d. Consultants retained by the township.

All comments from the above reviews shall be returned to the township within forty-five (45) days from the date distributed.

- 4. Site Visit: The Township Architectural Review Board shall, together with the applicant and the applicant's consultant(s), visit the site to gain a thorough understanding of the characteristics of the site.
- 5. Review and Approval by Township: The Township Architectural Review Board shall review the general development plan and the comments received from Section C above. The Township Architectural Review Board shall take action on the submitted general development plan by either:
 - a. Approving the general development plan as submitted; or
 - b. Approving the general development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to, improvements to the general building layout or open space arrangement; or denying approval of the general development plan. Failure of the Architectural Review Board to act within 60 days from the date the application was determined complete, or an extended period as may be agreed upon, shall at the election of the applicant be deemed a denial of the general development plan.
- 6. Significance of Approved Plan: Approval of the general development plan shall:
 - a. Establish the development framework for the project, including the general location of open space, development areas, densities, unit types, recreational facilities, and street alignments.
 - b. Be the basis for the application to proceed with detailed planning and engineering in reliance on the approved general development plan.

- c. Provide the benchmark for the Township Architectural Review Board to consider amendments to the general development plan when the Township Architectural Review Board determines that the amended plan is equal to or better than the approved general development plan.
 - d. Authorize the applicant to apply for all other required regulatory approvals for the project or subsequent phases thereof.
7. Final Development Plan: After a general development plan has been approved, an applicant shall submit for review and approval a final development plan. The final development plan may be submitted either for the entire project or for each construction phase.
- a. Submission Requirements: The final development plan shall include:
 - i. A site plan drawn at a scale not less than one inch (1") = one hundred feet (100)' indicating:
 - 1. Boundaries of the area proposed for development, accurate dimensions and total acreage;
 - 2. The exact location and dimension of public street rights-of-way and common drives;
 - 3. Exact location of building envelopes within which dwelling units are to be constructed, and lot lines with dimensions for all residential units for which individual ownership is proposed;
 - 4. Dimensions of building/unit spacing;
 - 5. The extent of environmental conservation and change and the exact location of all no cut/no disturb zones; and
 - 6. Designated restricted open space areas and a description of proposed open space improvements.
 - ii. A grading plan drawn at a scale of one inch (1") = one hundred feet (100)', showing all information pertaining to surface drainage.

- iii. A detailed landscaping plan for new landscaping, including entry features and signs.
 - iv. The Declaration, Articles of Incorporation and either Bylaws (for a Condominium Association) or Code of Regulations (for a Homeowners' Association) and any other final covenants and restrictions and maintenance agreements to be imposed upon all the use of land and pertaining to the ownership, use, and maintenance of all common areas, including restricted open space.
 - v. Conditions imposed by other regulatory agencies.
- b. Review For Completeness: Within ten (10) business days of receiving the application, the Zoning Inspector shall review the application to determine that the application includes all the items required in subsection G.1, above. If the application is deemed complete and the application fee paid, the Zoning Inspector shall officially accept the application on that date.
 - c. Distribution of Final Development Plan: The Zoning Inspector shall distribute the final development plan application to the Architectural Review Board, the Township Solicitor, and other appropriate administrative departments or professional consultants for review and comment. Any reports, comments, or expert opinions shall be compiled by the Zoning Inspector and transmitted to the Architectural Review Board prior to the time of the Commission's review.
 - d. Review by the Township Solicitor: The Township Solicitor shall review the Declaration, Articles of Incorporation and either Bylaws (for a Condominium Association) or Code of Regulations (for a Homeowners' Association) and any other final covenants and restrictions, and maintenance agreements, and all financial guarantees associated with the foregoing, to be imposed upon the conservation development. He/she shall provide a written opinion to the Architectural Review Board documenting that the above demonstrate full compliance with the requirements of this Article and provide assurance that the Township will not have to assume financial responsibility for insuring that the conservation development will remain in full compliance with those requirements.

- e. Review and Approval by Township: The Architectural Review Board shall review the final development plan and the comments received from Section B.3 and B.4 above. The Architectural Review Board shall determine if the final development plan is in compliance with the general development plan and take action on the submitted final development plan by either:
 - i. Approving the final development plan as submitted; or
 - ii. Approving the final development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to, improvements to the general building layout or open space arrangement; or
 - iii. Denying approval of the general development plan:
Failure of the Architectural Review Board to act within 60 days from the date the application was determined complete, or an extended period as may be agreed upon, shall at the election of the applicant be deemed a denial of the general development plan.
- 8. No property may be occupied until the provision of infrastructure, utilities and improvements called for in the final development plan have been completed as determined by the Zoning Inspector and a certificate of occupancy issued by the County Building Department.

3.07 PRDD (Planned Residential Development District)

A. Purpose

The purpose of the Planned Residential Development District is to recognize, encourage, accommodate creative and imaginative planned residential developments that utilize innovations in the technology of land development that are in the best interests of Copley Township. The Planned Residential Development District is designed to achieve the following objectives:

- 1. To provide for the preservation of topographic and other natural features.
- 2. To allow flexible residential development on larger sites, particularly sites that are impacted by the existence of such natural features as