



## ***ARTICLE 3 Residential Districts***

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### **3.01 R-LD (Lower Density) Residential District**

#### **A. Purpose**

This District, comprising the R-1 District in the previous Zoning Resolution, is established to provide for lower density residential development that will:

(1) protect natural resources and maintain the environment and quality of life in the Township; (2) discourage concentrated living areas in the drainage area of the Barberton Reservoir where such concentrations could create potential pollution of the reservoir and (3) discourage concentrated living areas in other areas where the irregularity of the land and the higher cost of providing central sewer facilities makes higher density development undesirable.

#### **B. Permitted Uses**

1. Single-family residential dwellings.
2. Agriculture.
3. Roadside stands, where fifty per cent (50%) or more of the gross income received from the stand is derived from produce raised on farms owned or operated by the stand operator in a normal crop year, including not more than one (1) sign advertising such products, not exceeding twenty (20) square feet in area, which may be erected in front of the building line on lands used for agricultural purposes. Such roadside stand and sign shall not be erected nearer than thirty (30) feet from either side lot line and not nearer than ten (10) feet from the road right-of-way line. Such stand, sign, means of ingress and egress, and required off-street parking shall be located and set back in such a manner so as not to create a traffic hazard.
4. Accessory uses provided such uses are incidental to the principal use and do not include any activity conducted as a business, except for home occupations not requiring a Conditional Use permit. Such uses must be situated on the same lot with the principal building.

5. Signs - As regulated by Article 8 of this Resolution.
6. Private stable on lots that have a minimum area of two (2) acres.
7. Composting - Provided that any composting is incidental to the principal use and is not conducted as a business or as any part of a business. The materials for composting shall consist only of yard waste (leaves, grass, wood chips and a soil mix) and food wastes, such as egg shells, coffee grounds and filters, and vegetable trimmings, or other kinds of waste deemed acceptable for composting by the Summit Soil and Water Conservation District. No materials may be composted other than those that originate on the lot occupied by the principal use. No materials for composting may be transported or conveyed in any manner to the lot occupied by the principal use. The composting site shall be maintained in a neat and orderly fashion to minimize clutter and odors and not create a rodent problem. Composting is only permitted in the rear yard of a property and no compost pile or container shall be closer to any adjoining property than the property setback line for accessory uses.

**C. Conditionally Permitted Uses**

The Board of Zoning Appeals may issue Conditional Zoning Certificates for the uses listed below, subject to Article 7, Standards for Conditional Uses.

1. Bed and Breakfast.
2. Cemeteries.
3. Churches.
4. Home Occupations (Up to 3 outside employees).
5. Landscape Business as home occupation.
6. Schools/educational facilities.
7. Wind Turbines.
8. Facilities operated by public agencies for the protection of the public, or the provision of governmental services, that may include, but are not

limited to, fire stations, and other firefighting facilities, sheriff and police stations, public works departments, township or county offices, and emergency medical service facilities.

9. Event Centers

**D. Area and Height Regulations**

1. Minimum Lot Area - One and one-half (1 ½) acres.
2. Minimum Lot Width at Building Setback Line - One hundred fifty (150) feet.
3. Minimum Lot Width from Street Right-Of-Way Line and continuing to the Building Setback Line - Sixty (60) feet.
4. Minimum Front Yard Setback From the Street Right-of-Way Line - Sixty (60) feet.
5. Minimum Rear Yard Setback - Fifty (50) feet.
6. Minimum Side Yard Setback - Fifteen (15) feet.
7. Minimum Living Floor Area per Dwelling Unit - One thousand (1,000) square feet for structures with a basement. One thousand two hundred (1,200) square feet for structures without a basement.
8. Height Regulations - No building shall exceed 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

**3.02 R – MD (Medium Density) Residential District**

**A. Purpose**

This District, comprising the R-2 and R-3 Districts in the previous Zoning Resolution, is established to accommodate single-family & two-family residential dwellings at existing densities in the areas so defined. The object

of the regulations in this District is to maintain the suburban character of the area and to discourage large concentrations of intensive development.

**B. Permitted Uses**

1. Single-family residential dwellings.
2. Agriculture.
3. Roadside stands, where fifty per cent (50%) or more of the gross income received from the stand is derived from produce raised on farms owned or operated by the stand operator in a normal crop year, including not more than one (1) sign advertising such products, not exceeding twenty (20) square feet in area, which may be erected in front of the building line on lands used for agricultural purposes. Such roadside stand and sign shall not be erected nearer than thirty (30) feet from either side lot line and not nearer than ten (10) feet from the road right-of-way line. Such stand, sign, means of ingress and egress, and required off-street parking shall be located and set back in such a manner so as not to create a traffic hazard.
4. Accessory uses provided such uses are incidental to the principal use and do not include any activity conducted as a business, except for home occupations not requiring a Conditional Use permit. Such uses must be situated on the same lot with the principal building.
5. Signs - As regulated by Article 8 of this Resolution.
6. Private stable on lots that have a minimum area of two (2) acres.
7. Composting - Provided that any composting is incidental to the principal use and is not conducted as a business or as any part of a business. The materials for composting shall consist only of yard waste (leaves, grass, wood chips and a soil mix) and food wastes, such as egg shells, coffee grounds and filters, and vegetable trimmings, or other kinds of waste deemed acceptable for composting by the Summit Soil and Water Conservation District. No materials may be composted other than those that originate on the lot occupied by the principal use. No materials for composting may be transported or conveyed in any manner to the lot

occupied by the principal use. The composting site shall be maintained in a neat and orderly fashion to minimize clutter and odors and not create a rodent problem. Composting is only permitted in the rear yard of a property and no compost pile or container shall be closer to any adjoining property than the property setback lines for accessory uses.

**C. Conditionally Permitted Uses**

The Board of Zoning Appeals may issue Conditional Zoning Certificates for the uses listed below, subject to Article 7, Standards for Conditional Uses.

1. Bed and Breakfast.
2. Cemeteries.
3. Churches.
4. Home Occupations (Up to 3 outside employees).
5. Hospices.
6. Schools/educational facilities.
7. Two-family dwellings.
8. Wind Turbines.
9. Facilities operated by public agencies for the protection of the public, or the provision of governmental services, that may include, but are not limited to, fire stations, and other firefighting facilities, sheriff and police stations, public works departments, township or county offices, and emergency medical service facilities.
10. Event Centers

**D. Area and Height Regulations**

1. Minimum Lot Area – Single Family. One and one-half (1½) acres without centralized water and sewer. One-half (½) acre with centralized water and sewer.

2. Minimum Lot Area – Two-Family. Not permitted without centralized water and sewer. One-half (½) acre with centralized water and sewer.
3. Minimum Lot Width at Building Setback Line – Single Family. One hundred fifty (150) feet without centralized sewer and water. One hundred (100) feet with centralized water and sewer.
4. Minimum Lot Width at Building Setback Line –Two-Family. Not permitted without centralized water and sewer. One hundred (100) feet with centralized water and sewer.
5. Minimum Lot Width from Street Right-Of-Way Line and continuing to the Building Setback Line – Single and Two-family. Sixty (60) feet.
6. Minimum Front Yard Setback from the Street Right-of-Way Line - Single and Two-family. Sixty (60) feet.
7. Minimum Rear Yard Setback - Single and Two-family. Fifty (50) feet.
8. Minimum Side Yard Setback - Single and Two-family. Fifteen (15) feet.
9. Minimum Living Floor Area per Dwelling Unit - Single and Two-family. One thousand (1,000) square feet for structures with a basement. One thousand two hundred (1,200) square feet for structures without a basement.
10. Height Regulations - No building shall exceed thirty-five (35) feet in height, except as provided otherwise in this Resolution.
11. Off-Street Parking - As regulated by Article 9 of this Resolution.

### **3.03 R – S/MF (Single/Multi-Family) Residential District**

#### **A. Purpose**

This District, comprising the R-6 District in the previous Zoning Resolution, is established to accommodate single, two and multi-family residential dwellings. The object of this District is to permit a higher density of population where centralized sewer and water facilities can be economically

provided, and where multi-family dwellings can be used to buffer other uses from commercial uses, highways, or railways.

**B. Permitted Uses**

1. Single-family residential dwellings.
2. Two-Family residential dwellings.
3. Multi-Family residential dwellings, with a density up to and including six (6) dwelling units per acre.
4. Agriculture.
5. Roadside stands, where fifty per cent (50%) or more of the gross income received from the stand is derived from produce raised on farms owned or operated by the stand operator in a normal crop year, including not more than one (1) sign advertising such products, not exceeding twenty (20) square feet in area, which may be erected in front of the building line on lands used for agricultural purposes. Such roadside stand and sign shall not be erected nearer than thirty (30) feet from either side lot line and not nearer than ten (10) feet from the road right-of-way line. Such stand, sign, means of ingress and egress, and required off-street parking shall be located and set back in such a manner so as not to create a traffic hazard.
6. Accessory uses provided such uses are incidental to the principal use and do not include any activity conducted as a business, except for home occupations not requiring a Conditional Use permit. Such uses must be situated on the same lot with the principal building.
7. Signs - As regulated by Article 8 of this Resolution.
8. Composting - Provided that any composting is incidental to the principal use and is not conducted as a business or as any part of a business. The materials for composting shall consist only of yard waste (leaves, grass, wood chips and a soil mix) and food wastes, such as egg shells, coffee grounds and filters, and vegetable trimmings, or other kinds of waste deemed acceptable for composting by the Summit Soil and Water Conservation District. No materials may be composted other than those that originate on the lot occupied by the principal use. No materials for

composting may be transported or conveyed in any manner to the lot occupied by the principal use. The composting site shall be maintained in a neat and orderly fashion to minimize clutter and odors and not create a rodent problem. Composting is only permitted in the rear yard of a property and no compost pile or container shall be closer to any adjoining property than the property setback lines for accessory uses.

### **C. Conditionally Permitted Uses**

The Board of Zoning Appeals may issue Conditional Zoning Certificates for the uses listed below, subject to Article 7, Standards for Conditional Uses.

1. Bed and Breakfast.
2. Cemeteries.
3. Churches.
4. Home Occupations (Up to 3 outside employees).
5. Hospices.
6. Schools/educational facilities.
7. Wind Turbines.

### **D. Area and Height Regulations**

1. Minimum Lot Area – Single Family. One and one-half (1 ½) acres without centralized water and sewer. One-half (½) acre with centralized water and sewer.
2. Minimum Lot Area – Two-Family. Not permitted without centralized water and sewer. One-half (½) acre with centralized water and sewer.
3. Minimum Lot Area – Multi-Family. Not permitted without centralized water and sewer. One-half (½) acre with centralized water and sewer.



4. Minimum Lot Width at Building Setback Line –Single Family. One hundred fifty (150) feet without centralized sewer and water. One hundred (100) feet with centralized water and sewer.
5. Minimum Lot Width at Building Setback Line – Two-Family. Not permitted without centralized water and sewer. One hundred (100) feet with centralized water and sewer.
6. Minimum Lot Width at Building Setback Line –Multi-Family. Not permitted without centralized water and sewer. One hundred (100) feet with centralized water and sewer.
7. Minimum Lot Width from Street Right-of-Way Line and continuing to the Building Setback Line –Sixty (60) feet.
8. Minimum Front Yard Setback from the Street Right-of-Way Line - Sixty (60) feet.
9. Minimum Rear Yard Setback - Fifty (50) feet.
10. Minimum Side Yard Setback - Fifteen (15) feet.
11. Minimum Living Floor Area per Dwelling Unit - Single family. One thousand (1,000) square feet for structures with a basement. One thousand two hundred (1,200) square feet for structures without a basement.
12. Minimum Living Floor Area per Dwelling Unit - Two-family. One thousand (1,000) square feet.
13. Minimum Living Floor Area per Dwelling Unit - Multi-family. Eight hundred (800) square feet.
14. Height Regulations - No building shall exceed thirty-five (35) feet in height, except as provided otherwise in this Resolution.
15. Off-Street Parking - As regulated by Article 9 of this Resolution.

### **3.04 R – HD (Higher Density) Residential District**

## **A. Purpose**

This District, comprising the R-3A District in the previous Zoning Resolution, is established to accommodate single-family residential dwellings with the objective of permitting a higher density of population where centralized sewer and water facilities are provided, and where positioning of homes can be used to buffer higher and lower density uses. A minimum of five (5) acres is required to establish an RHD District. At least seventy-five percent (75%) of the lots must front on a local roadway or cul-de-sac street.

## **B. Permitted Uses**

1. Single-family residential dwellings, with a density up to and including three (3) dwelling units per acre.
2. Agriculture.
3. Accessory uses provided such uses are incidental to the principal use and do not include any activity conducted as a business, except for home occupations not requiring a Conditional Use permit. Such uses must be situated on the same lot with the principal building.
4. Signs - As regulated by Article 8 of this Resolution.
5. Composting - Provided that any composting is incidental to the principal use and is not conducted as a business or as any part of a business. The materials for composting shall consist only of yard waste (leaves, grass, wood chips and a soil mix) and food wastes, such as egg shells, coffee grounds and filters, and vegetable trimmings, or other kinds of waste deemed acceptable for composting by the Summit Soil and Water Conservation District. No materials may be composted other than those that originate on the lot occupied by the principal use. No materials for composting may be transported or conveyed in any manner to the lot occupied by the principal use. The composting site shall be maintained in a neat and orderly fashion to minimize clutter and odors and not create a rodent problem. Composting is only permitted in the rear yard of a property and no compost pile or container shall be closer to any adjoining property than the property setback lines for accessory uses.

**C. Conditionally Permitted Uses**

The Board of Zoning Appeals may issue Conditional Zoning Certificates for the uses listed below, subject to Article 7, Standards for Conditional Uses.

1. Bed and Breakfast.
2. Cemeteries.
3. Churches.
4. Home Occupations (Up to 3 outside employees).
5. Hospices.
6. Schools/educational facilities.
7. Wind Turbines.
8. Facilities operated by public agencies for the protection of the public, or the provision of governmental services, that may include, but are not limited to, fire stations, and other firefighting facilities, sheriff and police stations, public works departments, township or county offices, and emergency medical service facilities.

**D. Area and Height Regulations**

1. Minimum Lot Area – Single Family. One and one-half (1 ½) acres without centralized water and sewer. Nine thousand (9,000) square feet with centralized water and sewer.
2. Minimum Lot Width at Minimum Setback Line – One hundred fifty (150) feet without centralized sewer and water. Sixty (60) feet with centralized water and sewer.
3. Minimum Lot Width from Street Right-of-Way Line and continuing to the Minimum Setback Line – One hundred fifty (150) feet without centralized sewer and water. Sixty (60) feet with centralized water and sewer.

4. Minimum Front Yard Setback from the Street Right-of-Way Line -Sixty (60) feet on collector or arterial streets without centralized sewer and water. Thirty (30) feet on other than collector or arterial streets with centralized water and sewer.
5. Minimum Rear Yard Setback – Forty (40) feet without centralized sewer and water. Forty (40) feet with centralized water and sewer.
6. Minimum Side Yard Setback – Five (5) feet, with or without centralized water and sewer.
7. Minimum Separation Between Structures on Adjoining Lots - Fifteen (15) feet.
8. Minimum Living Floor Area per Dwelling Unit - One thousand (1,000) square feet for structures with a basement with or without centralized water and sewer. One thousand two hundred (1,200) square feet for structures without a basement with or without centralized water and sewer.
9. Height Regulations - No building shall exceed thirty-five (35) feet in height, except as provided otherwise in this Resolution.
10. Off-Street Parking - As regulated by Article 9 of this Resolution.

### **3.05 R – OC (Open Space/Conservation) Residential District**

#### **A. Purpose**

This District, comprising the OC Open Space and Conservation District in the previous Zoning Resolution, is established to achieve the following purposes:

1. To preserve and protect the values of distinctive geologic, topographic, botanic, historic and scenic areas;
2. To protect the ecological balance of an area;
3. To conserve natural resources, such as river valley and tracts of forest land; and,

4. To reduce the problems created by intensive development of areas having excessively high water tables, organic or other soils unsuitable for most types of urban development, or which are subject to flooding, or which are topographically unsuited for urban type uses.

**B. Permitted Uses**

1. Agricultural.
2. Roadside stands, where fifty per cent (50%) or more of the gross income received from the stand is derived from produce raised on farms owned or operated by the stand operator in a normal crop year, including not more than one (1) sign advertising such products, not exceeding twenty (20) square feet in area, which may be erected in front of the building line on lands used for agricultural purposes. Such roadside stand and sign shall not be erected nearer than thirty (30) feet from either side lot line and not nearer than ten (10) feet from the road right-of-way line. Such stand, sign, means of ingress and egress, and required off-street parking shall be located and set back in such a manner so as not to create a traffic hazard.
3. Signs - As regulated by Article 8 of this Resolution.
4. Private stable on lots that have a minimum area of two (2) acres as regulated by Article 6 of this Resolution.
5. Accessory uses which are limited to those uses incidental to the principal use excluding any business use, except for home occupations not requiring a Conditional Use permit, where such uses are located on the same premises as the principal use.
6. Single-family residential dwellings.
7. Composting - Provided that any composting is incidental to the principal use and is not conducted as a business or as any part of a business. The materials for composting shall consist only of yard waste (leaves, grass, wood chips and a soil mix) and food wastes, such as egg shells, coffee grounds and filters, and vegetable trimmings, or other kinds of waste deemed acceptable for composting by the Summit Soil and Water Conservation District... No materials may be composted other than those that originate on the lot occupied by the principal use. No materials for

composting may be transported or conveyed in any manner to the lot occupied by the principal use. The composting site shall be maintained in a neat and orderly fashion to minimize clutter and odors and not create a rodent problem. Composting is only permitted in the rear yard of a property and no compost pile or container shall be closer to any adjoining property than the property setback lines for accessory uses.

### **C. Conditionally Permitted Uses**

The Board of Zoning Appeals may issue Conditional Zoning Certificates for the uses listed below, subject to Article 7, Standards for Conditional Uses.

1. Bed and Breakfast.
2. Churches.
3. Home Occupations (Up to 3 outside employees).
4. Landscape business as home occupation.
5. Privately owned and/or operated recreational facilities, such as picnic areas, playgrounds, golf driving ranges, private clubs, riding academies and other similar recreational uses, but excluding such commercial recreational uses as drive-in theaters, miniature golf courses, pistol ranges or other ranges for the use of firearms
6. Sales of landscape and garden materials.
7. Solid Waste Composting.
8. Wind Turbines.
9. Facilities operated by public agencies for the protection of the public, or the provision of governmental services, that may include, but are not limited to, fire stations, and other firefighting facilities, sheriff and police stations, public works departments, township or county offices, and emergency medical service facilities.
10. Event Centers

**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, safety and welfare of the community by preserving the critical natural resources of Copley Township through the application of flexible residential development techniques in the arrangement and construction of dwellings and roads.

Such flexibility is intended to maximize the conservation of open space while accepting development similar to that as permitted under the existing conventional zoning for the

property.

These regulations encourage innovative and livable housing environments within specially designated areas of the community through the permanent dedication of open space and a placed reduction of individual lot requirements.

These regulations may be applied in the: Open Space/Conservation District (R-OC), Lower Density Residential District (R-LD), and the Medium Density Residential District (R-MD) as specified below, and are intended to achieve these corollary purposes:

1. To maximize protection of the community's natural resources by:

a. Avoiding development on and destruction of sensitive natural resource areas;

b. Reducing the quantity and improving the quality of storm water runoff from expected development;

c. Maintaining natural characteristics (such as woods, hedgerows, natural vegetation, meadows, slopes and streams);

d. 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

e. Conserving areas of prime agricultural soils, to the extent possible.

2. To conserve the quality of ruralness in a community 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.
3. To encourage more efficient use of land and public services through unified development.
4. To establish development review criteria which promote creative design solutions in a manner which best conserves the area's resources.
5. To establish a review process that maintains local review and approval of the overall development plan and which results in the timely consideration of an application.
6. 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. 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. Two-family dwelling provided that the dwelling units 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.

- 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 the underlying Zoning District of this Resolution.
3. Agriculture in accordance with the provisions of O.R.C. § 519.021.
4. Private stable and/or bridle trails.
5. Detached single family dwellings must account for a minimum of 30% of dwelling types as provided for in the approved plan.

**C. MINIMUM PROJECT AREA FOR CONSERVATION DEVELOPMENT**

1. The gross area of a tract of land, known as the project boundary, 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.

**D. PERMITTED DENSITY/RESTRICTED OPEN SPACE**

1. Minimum restricted open space shall be calculated prior to any deductions applicable in D. 3. below: The minimum restricted open space shall be as follows: R-OC: 60% of the total project area, R-LD: 50% of the total project area, R-MD: 40% of the total project area

2. The permitted density shall be no greater than 90% of the permitted density of that allowed in the underlying zoning district except as provided for in Table 1.
3. The units per acre for an R-CD are calculated by:
  - a. Establishing the project boundary area and then deducting the following from the project boundary area:
    - i. Any public right-of-way within the project boundary existing at the time the development plan is submitted; and
    - ii. Areas dedicated to sewage service, stormwater management, and/or water supply facilities. Where these services and restricted open space overlay, they shall only be counted once.
    - iii. Areas protected under Article 15, Riparian Setback Standards, of the Copley Township Zoning Resolution. Where floodways and wetlands overlap, they shall be counted only once.
  - b. Multiply the result of subsection 3 by the maximum density permitted per acre as set forth in the underlying zoning district.
  - c. Multiply the result of subsection b. by 90%
4. Where the minimum restricted open space is exceeded, a density credit may be applied to the total permitted density as follows:

Table 1: Density Credit for Increase in Restricted Open Space		
	Restricted Open Space	Density Credit
R-	61+%	2%

OC		
R- LD	55-59% 60+%	4% 8%
R- MD	45-49% 50+%	5% 10%

4. In any proposed conservation development not served by centralized sewer and water, the allowable maximum density may be increased by an additional two percent (2%).

Table 2: Sample Density Calculation-For Reference Purposes Only

	R-OC	R-LD	R-MD	RMD (w/sewer & water)
Project Boundary	100	100	100	100
Minimum Lot Size	5	1.5	1.5	0.5
Max theoretical Density	20	67	67	200
Required Restricted Open Space	60%	50%	40%	40%
Unbuildable Land- A waterbody that exceeds the minimum set aside acreage and the area of floodway, designated wetlands, isolated land, and slopes exceeding twenty-five percent (25)%	10	40	0	0
Stormwater retention	8	8	0	0
R-CD Project Acreage	82	52	100	100
Initial Permitted Density (90%)	15	31	60	180
Additional Restricted Space	2%	10%	10%	10%
Total Restricted Space	62%	60%	50%	50%
Density Credit	2%	8%	10%	10%
Total Density	15	33	66	198
Central Sewar and Water?	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>
No Central Sewer and Water Credit	2%	2%	2%	0%
Total Density	15	34	67	198

## E. 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 shall be connected within the project.
- d. The land deductions as determined in Section D.3. iii., shall not overlap the required restricted open space by more than 90%
- e. Underground infrastructure used for sewage service, stormwater management, and/or water supply facilities may be located in the restricted open space.
- f. Wet and/or dry stormwater management ponds and basins may be located in the restricted open space.
- g. In order to encourage the creation of large areas of contiguous open space, areas that shall not be considered restricted open space include:
- h. 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.
- i.** Any restricted open space intended to be devoted to recreational activities and/or sewage service, stormwater management, and/or water supply facilities components where the components extend above grade and are visible shall be of a usable size and shape for the intended purposes.
- i.** The maximum percentage of the total restricted open space that may be developed for active recreation areas, including a community center, and/or sewage service, stormwater management, and/or water supply facilities components where the components extend above grade and are visible shall be no greater than five percent (5%).
- ii.** Active recreation areas shall utilize permeable materials such as permeable playground surfaces, pools with permeable decking, sport courts, natural grass athletic fields and permeable parking surface. Parking areas should be minimal and accessible by shared use paths.
- iii.** Where such sewage service, stormwater management, and/or water supply facilities components 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
- j.** 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.

- k.** 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.

## **F. 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 comply 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 setback from the edge of pavement on a private road shall be twenty-five (25) feet.
  - c. The minimum separation between dwellings shall be fifteen (15) feet.
5. Height: The maximum building height shall be thirty-five (35) feet.
6. Detached Single Family Dwelling: Must front public road right of ways where established.
7. 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.** Passive recreation;
  - 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. Wetland Protection:** Where wetlands protected under federal or state law the setback shall consist of the full extent of the wetlands plus the following additional setback widths.
  - i.** A 120-foot setback extending beyond the outer boundary of Category 3 wetlands.
  - ii.** A 75-foot setback extending beyond the outer boundary of Category 2 wetlands.
  - iii.** A 25-foot setback extending beyond the outer boundary of Category 1 wetlands.
  
- 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 to 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.

- d. Tree Preservation: Tree preservation shall be established by conforming to the standards set forth in this Zoning Resolution.

**8. 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.
- d. All roadways must be constructed to standards set forth by the Summit County Engineers Office.

**9. 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.

**10. 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.

11. 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.

## **G. 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 by 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.

## **H. 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
  - xi.** Description and classification of farmland;
  - xii.** Description and classification of wildlife habitat present that are listed as endangered, threatened or of special concern.
- 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.;
  - vi.** General location of public street rights-of-way; and
  - 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;





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.





- 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.

### **3.06 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

swamps, wetlands, natural ponds, marshes, steep slopes, rock outcroppings, floodplain and large wooded areas.

3. To permit the flexible spacing of lots and buildings in order to encourage the separation of pedestrian and vehicular circulation; the provision of readily accessible recreation areas and open spaces; and the creation of functional and unique residential areas.
4. To promote more efficient and economic arrangement, distribution and use of public and private streets, sanitary sewers and central water supplies.
5. To ensure that new development occurs in a manner and at a density that is compatible with adjacent residential districts.
6. The overall density shall not exceed two (2) dwelling units per gross acre.

## **B. Permitted Uses**

The following uses shall be permitted, subject to a Comprehensive Development Plan (CDP) adopted by the Township Trustees as provided herein:

1. Detached single-family dwellings.
2. Detached single-family cluster dwellings.
3. Attached single-family dwellings (no more than (4) four dwelling units are contained in any one grouping of contiguous structures).
4. Accessory recreational and community facilities for use by the residents of the Planned Residential Development District.

## **C. CONDITIONALLY PERMISSIBLE USES**

The Board of Zoning Appeals may issue Conditional Zoning Certificates for uses listed herein subject to Article VIII, Section 801, 801-2, -3, -4, the general requirements of Section 802-1, and the specific requirements of Subsections 802-2 as referred to below:

1. Telecommunication towers subject to the requirements of Section 802-2-150.

#### **D. ADOPTION OF A COMPREHENSIVE DEVELOPMENT PLAN**

A Comprehensive Development Plan shall be submitted to the Township as part of the application to rezone a parcel of land to the Planned Residential Development District. This Comprehensive Development Plan shall contain the following:

1. Boundaries of the area proposed for development, dimensions and total acreage drawn at a scale of not less than 1" = 100'.
2. A total site data summary for the proposed development including but not limited to, number of residential units; type of residential dwellings i.e., detached single, detached single in a cluster or attached single; location of all detached single in a cluster or attached single; detached single lot dimensions, cluster acreage, open space acreage and location; and location of streets both public and private.
3. Topography at two-foot contour intervals.
4. Sewer and water lines.
5. Building separation review for fire and safety.

#### **E. AREA, HEIGHT AND DENSITY REGULATIONS**

1. A minimum of fifty (50) acres is required to establish a Planned Residential Development District.
2. Centralized sewer and water are required (municipal or other governmentally owned) for any Planned Residential Development District.
3. Thirty (30) percent gross open space is required when detached single-family lots are proposed.
4. Forty (40) percent gross open space is required when detached single-family lots and detached single-family clusters are proposed.
5. Fifty (50) percent gross open space is required when detached single-family lots, detached single-family clusters and/or attached single-family units are proposed.



6. Overall density shall not exceed two (2) dwelling units per gross acre.

**DETACHED SINGLE-FAMILY** - 100% of the total units can be detached single-family lots.

- a. Minimum Lot Area - 12,000 square feet.
- b. Minimum Lot Width at the Minimum Setback Line - 80 feet.
- c. Minimum Lot Width from the Street Right-of-Way Line to the Minimum Setback Line - 50 feet.
- d. Minimum Front Yard Depth from the Street Right- of- Way Line - 50 feet.
- e. Minimum Rear Yard Depth - 40 feet.
- f. Minimum Side Yard Width - 8 feet.
- g. Minimum Living Floor Area Per Family - 1,000 square feet with a basement; 1,200 square feet without a basement.
- h. Height Regulations - Two and one-half (2) stories or thirty-five (35) feet in height.

**DETACHED SINGLE-FAMILY CLUSTER** - A maximum of 25% of the total units can be detached single-family dwellings.

- a. Minimum Front Yard Depth from the Street Right- of- Way Line:
  - i. Dedicated (public) street - 50 feet
  - ii. Edge of pavement (private street) - 25 feet
- b. Minimum Living Floor Area Per Family - Same as above.
- c. Height Regulations - Same as above.
- d. Minimum building separation requirement - twelve (12) feet.
- e. Minimum distance to outer property line - thirty (30) feet.

**ATTACHED SINGLE-FAMILY** - A maximum of 25% of the total units can be detached single-family dwellings and/or attached single-family dwellings.

- a. Minimum Front Yard Depth from the Street Right-of-Way Line:
  - i. Dedicated (public) street - 50 feet
  - ii. Edge of pavement (private street) - 25 feet
- b. Minimum Living Floor Area Per Family - Same as above.
- c. Height Regulations - Same as above.
- d. Minimum building separation requirement - twelve (12) feet.
- e. Minimum distance to outer property line - thirty (30) feet.

**F. SUPPLEMENTAL REQUIREMENTS**

- 1. Landscaping - All development, street right-of-ways, private corridors, and common open space shall be landscaped according to an overall plan and shall be implemented in phases as units are completed and weather permits.
- 2. Plantings, walls, fencing, and screens shall be so designed and located as to optimize privacy and aesthetic quality without encroaching upon required automobile site distances. Natural wooded areas shall be preserved and maintained for landscaping and screening to the greatest extent possible.
- 3. Grading - Grading and site preparation for areas other than building sites, streets, sidewalks and utilities shall be limited to disturbing the minimum amount of vegetation and other topographic features.
- 4. The legal articles relating the organization of the homeowners association are subject to review and approval by the Copley Township Board of Trustees and shall provide adequate provisions for the perpetual care and maintenance of all common areas.

5. The responsibility for the maintenance of all open spaces shall be specified by the developer before approval of the final development plan.
6. Such open space, including any recreational facilities proposed to be constructed in such space, shall be clearly shown on the Comprehensive Development Plan.
7. The Zoning Inspector is permitted to approve a revision to the Comprehensive Development Plan under the following provisions:
  - a. The overall dwelling unit density decreases.
  - b. The overall open space percentage increases.
  - c. The location of dwellings or roads is required from a County approving agency.
8. Open Space - Covenants and Restrictions: Land designated as open space shall be maintained as open space and will not be used later for other purposes. The developer is required to place such restriction on the final plat.
9. The Copley Township Architectural Review Board shall require that a legal plan or contract for the perpetuation, maintenance and function of all the open space be established and furnished to the Board of Trustees and approved by the Township Legal Counsel prior to final plat approval by the Summit County Planning Commission. A stamped copy from the County Recorder's Office of the recorded documents must be given to the Zoning Inspector prior to any zoning certificates being issued.
10. Subdivision Association: The developer shall be responsible for maintenance, control, insurance and taxes of common areas, including the required open space until the Association assumes responsibility.
11. Percentages for Recreational Open Space:
  - a. Active recreational uses cannot exceed 25% of the total gross open space.

**b.** Passive recreational uses cannot exceed 30% of the total gross open space.

**12.** No other revisions are permitted to an approved Comprehensive Development Plan unless the plan is reapproved by the Architectural Review Board and the Board of Trustee.