

**Exhibit A to**  
Stipulation of Documents for Agreed Judgement Entry and Consent Decree

**PLANNED GOLF COMMUNITY DEVELOPMENT REGULATIONS**

**SECTION 1. AUTHORITY.** These regulations authorize the creation of a PLANNED GOLF COMMUNITY (PGC) DEVELOPMENT subject to the procedures and standards set forth below as part that certain settlement agreement dated February \_\_, 1997 in connection with litigation entitled Traditions Investments-Pierce, Inc. v. Pierce Township Board of Trustees, in the Court of Common Pleas, Clermont, Ohio, No.97CV0321 (the "Settlement Agreement"), which includes a tax increment financing program established by Pierce Township pursuant to Section 5709.73 of the Ohio Revised Code to finance certain public improvements in connection with development in the area generally located south of Bradbury Road, north and south of White Oak Road, east and west of Merwin-Ten Mile Road, and north of Locust Corner Road in Pierce Township and described by metes and bounds on Exhibit 1 attached to these PGC Development Regulations and incorporated by this reference (the "Development Area").

**SECTION 2. PURPOSE.** The PGC PLANNED GOLF COMMUNITY DEVELOPMENT is intended to provide an innovative and an alternate procedure for large mixed residential housing developments containing at least an 18-hole golf course as a COMMUNITY rather than on a lot-by-lot basis in conventional subdivisions. The purpose is to encourage innovative land design for development within Pierce Township that is consistent with the Township's land use objectives and policies. The PGC Development shall be planned under unified ownership as a golf course community and developed as a unit in accordance with the overall Preliminary PGC Plan dated December 10, 1996 approved with these PGC Development Regulations by the Pierce Township Board of Trustees as part of the Settlement Agreement, and subsequently detailed Final PGC plans for each section of the total landholding. The planning and development of the PGC shall be carried out in such a manner as to have minimum adverse effect on the natural features and environment of the COMMUNITY unit tract and its surrounding areas. PGC Developments typically feature neighborhoods or sections with varied setback lines, dwelling types, and "cluster" type site planning, in addition to standard single family, whereby provisions for maximum overall "gross" COMMUNITY density are established to permit creation of usable open space without jeopardizing the overall intent of the Pierce Township Zoning Resolution or the public health, safety and welfare. The standards and procedures for a PGC shall meet the following objectives:

- A. Encourage sound environmental design in the development of land by allowing more flexibility than is possible through the strict application of conventional zoning and subdivision requirements.
- B. Permit diversification in the uses permitted and variety in the relationship of uses, structures, open spaces, and similar aspects for developments that are conceived as unified planned golf COMMUNITIES.
- C. Provide increased open space for environmental, aesthetic, and recreational use.
- D. Provide a safe and desirable living environment for residential areas characterized by a unified COMMUNITY and site development program.
- E. Preserve natural features of the site that are important to the proposed COMMUNITY and Pierce Township.
- F. Provide a safe and desirable living environment for residential areas characterized by a controlled building and site development program.

- 1 G. Provide rational and economic development in relation to public services.
- 2
- 3 H. Create a variety of neighborhoods and housing types, within compatible COMMUNITY
- 4 arrangements, to provide a greater variety of housing environments.
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- 6 I. Promote innovative street standards depending upon site features, COMMUNITY and housing
- 7 concepts and effectiveness.
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9 **SECTION 3. PERMITTED USES.** The following uses are permitted under these PGC Development

10 Regulations subject to the following provisions:

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- 12 A. **Dwellings: Dwelling Unit Mix:** A PGC Development approved by the Board of Township
- 13 Trustees pursuant to the provisions of these Regulations shall contain a minimum of three (3) of
- 14 the dwelling unit types set forth in Table 1 below, consistent with the definitions of dwelling unit
- 15 types described in Section 3.C below. For any dwelling unit type utilized, there shall be a
- 16 minimum of ten percent (10%) and a maximum of sixty percent (60%) of the units.
- 17

18 **Table 1**

19 **PGC DEVELOPMENT DWELLING UNIT STANDARDS**

Dwelling Unit Type	Minimum Area* (Sq. Ft.)	Minimum Frontage* (Ft.)	Minimum Street* Yard (Ft.)	Minimum Side Yard* (Ft.)	Minimum Rear Yard* (Ft.)
1. Large Estate	20,000	120	50/35****	10	30
2. Other S.F. Det					
-Estate	15,000	110	35	10	30
-Manor	12,500	90	35	10	30
-Golf Manor	10,000	80	35/30****	10	30
3. Lot Line	10,000	75	20 <sup>1</sup>	0 to 10 <sup>2</sup>	20
4. Village Home	6,000	50	25	5	20
5. S.F. Attached					
- Carriage Home**	3,600	30	20	0	20
- Town Home**	2,500	22 <sup>3</sup>	20	0	20

22

23 <sup>1</sup> Side load garages shall be located no less than twenty (20) feet from the roadway pavement.

24 <sup>2</sup> Minimum separation between adjoining units shall be ten (10) feet.

25 <sup>3</sup> Minimum; Average must be twenty-four (24) feet.

26 \* Applicable to all structures requiring a building and/or health permit.

27 \*\* No more than 6 units in a row.

28 \*\*\* May be reduced to 35 ft. pursuant to Section 4.J.2 only when needed to protect natural resources on the lot.

29 \*\*\*\* May be reduced to 30 ft. pursuant to Section 4.J.2 only when necessary to provide a larger, deeper unit backing onto the golf course.

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- 42 B. **Other Permitted Uses.** The following additional uses are permitted.

- 43 1. Churches, and other similar places of worship.
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2. Neighborhood and community parks, private parks, public and private golf courses and common open space; provided that any principal building or public swimming pool shall be located not less than two hundred (200) feet from any other lot in any residential district outside the development.
3. Club house, pro shop and restaurant, as accessory uses to a golf course, or community center.

C. Definition of Dwelling Unit Types.

1. **Single-Family Detached:** A dwelling unit with street, side and rear yards, that sits generally in the middle of the lot. As used in Section 3.A of these Regulations, the dwelling unit types described as Large Estate, Estate, Manor, Golf Manor, and Village Home are single family detached.
2. **Single-Family Lot Line:** A single-family unit where the developer has the option of locating the building on the lot line, so that only one side yard exists. A maintenance easement is provided on the adjoining lot. No single family lot line unit may be placed next to another such unit along the same lot line. If the zero side yard option is used, windows should either be eliminated or placed at level that provides light but preserves privacy.
3. **Single-Family Attached:** A single-family unit with one dwelling unit from ground to roof, having its own footprint, and with at least one wall that is common to the adjoining unit. Each unit must have individual ground level access. As used in Section 3.A of these Regulations, the dwelling unit types described as Carriage Home and Town Home are single family attached units.

SECTION 4. MINIMUM PERFORMANCE STANDARDS

- A. Minimum Tract Area. The minimum tract of land for which a PGC Development may be approved is four hundred fifty (450) acres.
- B. Maximum Density; Minimum Open Space. The PGC Development shall have a maximum gross density of 1.068 and a minimum open space ratio of 0.46. Subject to the requirements for Preliminary PGC Plan approval, the total maximum gross density of 1.068 may be distributed anywhere throughout the PGC Development.

No provision of these PGC Development Regulations shall prevent the Board of Township Trustees from adopting a new base zoning district for the Development Area, provided that the maximum gross density and minimum open space ratio set forth above, or their equivalent as applied to the new base zoning district, shall control so long as these PGC Development Regulations are in effect. Adoption of the new zoning district shall not modify or invalidate these PGC Development Regulations as applied to the Development Area.

- C. Resource Protection Open Space Standards. Except as otherwise established by the Board of Township Trustees in the approval of the Preliminary PGC Plan dated December 10, 1996, the following resource protection standards shall apply to development in a PGC Development:

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1. Floodplains and ravine corridors - 100% protection
2. Wetlands - 100% protection
3. Steep slopes
  - a. 30% or more - 90% protection
  - b. 20-30% slope - 70% protection
  - c. 15-20% slope, forested - 40% protection
4. Unstable sloping soils:
  - a. Eden and Fairmount - 90% protection
  - b. Rossmoyne Portions of the Rossmoyne soils that exceed 10% slope and or are within 50 feet of the top of a slope that exceeds 20% - 60% protection

D. Calculation of Resource Protection Land. Except as otherwise authorized by the Board of Township Trustees in the approval of the Preliminary PGC Plan dated December 10, 1996, the procedure set forth in Table 3 shall be used in calculating the resource protection land on a site in accordance with the standards set forth in Section 4.C above.

**Table 3  
CALCULATION OF TOTAL RESOURCE PROTECTION LAND ON A SITE**

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3	Step 1	Enter gross site area as determined by actual survey.		ac.	
		Subtract land within the ultimate rights-of-way of existing roads; or land within the right-of-way of major utilities (minimum 50 foot width)	-	ac.	
		Subtract land cut off from use by railroad, highway, or waterbed.	-	ac.	
		Subtract all land within waterbodies	-	ac.	
		Subtract land previously dedicated as open space.	-	ac.	
		Equals base site area.	=	ac.	
4	Step 2	Measure all natural resources in the base site area. If resources overlap, measure the one that has the highest open space ratio. This gives the area of land in resource.			
5	Steps 3 & 4		Step 3	Step 4	Step 4A
6		Natural Resource	Enter Acres measured in Step 2	Multiply Land in Resource by District Open Space Ratio (OSR)	Equals Protection Land
		Floodplains		1.00	
		Wetlands		1.00	
		Steep slopes 30%+		0.90	
		Steep slopes 20-30%		0.70	
		Steep slopes 15-20% forested		0.40	
		Unstable sloping soils: Eden 25-50% Fairmount 25-50%		0.90	
	Unstable sloping soils: Rossmoyne		0.60		
7	Step 5	Sum of column equals Total Resource Land			
8	Step 6	Total resource protection land equals sum of Step 4A column.			
9	Step 7	Enter Base Site Area (Step 1)		ac.	
		Multiply by Minimum Open Space Ratio (Table 2)		X	
		Equals Minimum District Required Open Space.		=	ac.
10	Step 8	Enter Base Site Area (Step 1)		ac.	
		Subtract Total Protected Land (Step 6) or Minimum District Open Space (Step 7) which ever is greater.		-	ac.
		Equals Net Buildable Site Area		=	ac.
		Multiply by Maximum Net Density (Table 2)		X	
	Equals Site Specific Maximum Density Yield		=		
11	Step 9	Enter Base Site Area (Step 1)		ac.	
		Multiply by Maximum Gross Density (Table 2)		X	
		Equals District Maximum Density Yield		=	
12	Step 10	Maximum Yield for Site equals Step 8 or 9 whichever is less			
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1 E. **Site Analysis.** Except as otherwise authorized by the Board of Township Trustees in the approval  
 2 of the Preliminary PGC Plan dated December 10, 1996, an analysis of the COMMUNITY shall  
 3 be conducted utilizing the steps in Table 3 above on the basis of the entire COMMUNITY, not  
 4 on a lot by lot, or phase by phase basis. However, before any final Planned Golf Community Site  
 5 Development Plan ("Detailed Final PGC Plan") is approved pursuant to Section 12 of this Article,  
 6 the developer shall demonstrate that the Detailed Final PGC Plan in combination with all other  
 7 Detailed Final PGC Plans already approved and to be submitted for approval will satisfy the total  
 8 resource protection requirement in Section 4.D. The analysis shall include the location of all  
 9 existing rights-of-way, future rights-of-way, the environmental areas indicated in Section 4C of  
 10 these Regulations, and surrounding land use, location of lots, buildings, and their sizes and zoning.  
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 13 F. **Buffers.** Except as otherwise authorized by the Board of Township Trustees in the approval of  
 14 the Preliminary PGC Plan dated December 10, 1996, buffers shall be installed along all borders  
 15 of the PGC Development. The buffers are intended to ensure that the open space in a PGC  
 16 Development is used to screen the PGC Development from streets, so that the open space is an  
 17 advantage to the entire community. The buffer is also intended to provide screening between  
 18 adjoining properties that are developed outside the PGC Development pursuant to the base  
 19 zoning district standards of the Pierce Township Zoning Resolution.  
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- 21 1. **Buffers Along Exterior Roads.** Buffers along external roads shall be designed to one of  
 22 the standards in Table 4. Each alternative buffer represents a screening of similar opacity  
 23 but contains various widths and planting requirements. The developer may select any  
 24 alternative or may mix the types to fit the conditions of the site plan. Internal roads shall  
 25 be landscaped in accordance with Section 4.G.1 but do not require a buffer.  
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Table 4 EXTERNAL ROAD BUFFERS						
Alternative <sup>1</sup>	Width (Feet)	Number of Plants per 100 Linear Feet				Berm
		Canopy Trees	Understory Trees	Evergreens	Shrubs	
A	40	3.4	6.8	3.4	54	none
B	100	2	4	2	32	none
C	100	1.75	3.5	1.75	28	5' berm
D	150	1.5	3	1.5	24	none
E	125	Golf Hole				

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<sup>1</sup> The alternative may be chosen by the landowner.



- 1           2.    **Street Trees.** Street trees shall be planted in all public or private rights-of-way. The  
2           number of street trees to be planted on each side of the road shall be determined based on  
3           two (2) street trees per one hundred (100) linear feet. The trees may be regularly spaced  
4           or grouped. Unless otherwise approved in the final landscape plan, all trees shall be  
5           canopy trees.  
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- 7           2.    **Open Space.** All open space areas that are buffers, ball/sports fields, recreation facilities,  
8           or golf courses shall be required to submit landscape plans showing planting. Such  
9           landscape plans shall be approved on their basis for protecting neighbors from intrusion  
10          and maintaining the character of the development. All other open spaces shall be planted  
11          with a minimum of five (5) canopy trees, ten (10) understory trees, five (5) evergreens, and  
12          forty (40) shrubs per acre. The landscape plan shall indicate the type of maintenance as  
13          well as the location of plant material.  
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- 15          3.    **Front Yard Landscaping.** The landscaping of the front yards of buildings is essential to  
16          the establishment of the character of the area and to preserve the balance between the  
17          vegetation and building masses that characterize Pierce Township. Thus, a frontyard  
18          landscaping program is required for all residential structures. The frontyard landscaping  
19          shall be placed in the front half of the required yard. Developers shall submit a landscape  
20          package that may include components that can vary. The components shall include the  
21          general landscape component and optional additions of hedges, fences, grade changes, or  
22          additional landscaping. The general component shall be one (1) canopy tree, two (2)  
23          understory trees, one (1) evergreen, and sixteen (16) shrubs per fifty (50) feet of street  
24          frontage.  
25

26    H.    **Landscape Materials.** Except as otherwise authorized by the Board of Township Trustees in the  
27    approval of the Preliminary PGC Plan dated December 10, 1996, all landscape materials for  
28    bufferyards or general landscaping shall meet the minimal standards contained in Table 6. In  
29    reviewing the proposed landscape program, the purpose, location, and site conditions shall be  
30    considered in approving the minimum sizes or requiring additional plants, making substitutions,  
31    or requiring different sizes. All landscaped areas shall have appropriate groundcover, grass lawns,  
32    prairie mix grasslands, or ornamental plantings.  
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<b>Table 6</b>	
<b>LANDSCAPE MATERIALS STANDARDS</b>	
Plant Material	Specification
Canopy Tree	2 1/2" caliper
Understory Tree	1.5" caliper or multi-stem 8-foot height
Evergreen	6-foot height
Shrub	2 gallon plant



1 I. **Building Construction.** All buildings in a PGC Development shall be constructed with high  
2 quality, durable materials that will enhance the aesthetic quality of the innovative land design and  
3 development permitted by the provisions of these PGC Development Regulations.  
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5 J. **Design and Construction within Detailed Final PGC Plan Areas.**  
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7 1. **Development, Design and Construction Standards.** The following standards shall apply  
8 to the design and construction within Detailed Final PGC Plan areas.  
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10 a. No trees above 6" caliper shall be removed or destroyed, unless approved by the  
11 Design Review Committee, on a case by case basis, upon finding that there is no  
12 other reasonable alternative;  
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14 b. No mass grading shall be done in areas of steep slope or forest cover, provided,  
15 however, that grading on portions of lots and for road and utility easement areas  
16 in a manner that preserves the maximum amount of vegetation shall be permitted.  
17 Buildings in steep slope areas shall use stepped foundations to work with the  
18 topography. Where necessary to ensure protection of natural forest cover, a tree  
19 survey shall be prepared and building pads delineated for individual lots;  
20

21 c. Utility easements and utilities within the easement areas shall be located so as to  
22 minimize their impact upon trees and slopes;  
23

24 d. Street and lot layouts shall be designed so as to minimize their impact on tree  
25 cover in steep sloped areas and ravines;  
26

27 e. In areas of steep slopes or soils that are subject to movement, roads, buildings and  
28 utilities shall be engineered to prevent slippage, or moved to stable locations.  
29

30 2. **Design and Construction of Structures.** Application of the standards in Section 4.J.1  
31 on a lot by lot basis, for residential construction only, shall be subject to review and  
32 approval by the developer and/or its design review committee according to the procedure  
33 in Section 10.B of these Regulations.  
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35 **SECTION 5. REQUIRED CONTENTS OF THE PRELIMINARY PGC PLAN.**  
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37 A. The owner/developer(s) are encouraged to engage in informal consultation with applicable  
38 Clermont County departments and agencies, the Township Trustees, Township Administrator,  
39 the Zoning Inspector, and the Zoning Commission prior to preparing the Preliminary PGC Plan,  
40 it being understood that no statement or representation by the Board of Township Trustees, the  
41 Township Administrator, the Zoning Inspector or Zoning Commission shall be binding upon the  
42 Board of Township Trustees. The owner/developer(s) of the tract of land to be developed as a  
43 planned golf course community shall prepare a Preliminary PGC Plan and shall submit four (4)  
44 copies of this Preliminary PGC Plan to the Board of Township Trustees for its consideration.  
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1 B. The Preliminary PGC Plan shall include the following items:  
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- 3 1. A Plat of Survey of the tract to be developed, providing a metes and bounds description  
4 of the property and the survey of property lines and total acreage, existing zoning district  
5 boundaries, the area and district to be rezoned if applicable, and the property ownership  
6 of the site and all adjacent parcels and buildings within one hundred (100) feet of the  
7 subject site.  
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- 9 2. A list of the names and addresses of all owners of property within two hundred (200) feet  
10 of the subject site.  
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- 12 3. Base mapping of the property showing the physical features (general topography,  
13 drainageways and water bodies, flood plains, drainageways, rock outcrops, wooded areas  
14 and other significant natural features) and existing and adjacent land uses, zoning, platted  
15 land, power line rights-of-way, lots, buildings, as examples. Except as otherwise authorized  
16 by the Board of Township Trustees in Section 4.C., all natural resource protection  
17 categories located on the tract shall be mapped on the Plan which shall indicate for each  
18 natural resource, the total acreage amount and the amount of acreage that is to be  
19 preserved. Acreages of resource protection shall be determined using a base map with  
20 contour intervals of 2 feet, except for slope areas in excess of 20%, where the contour  
21 interval shall be 5 feet.  
22
- 23 4. Boundaries and easements of the tract to be developed as a Planned Golf Community.  
24
- 25 5. Highways and streets in the vicinity of the tract, and the ingress and egress to the tract.  
26 Also, existing utilities on or adjacent to the tract, streets and their names, right-of-way  
27 widths, sidewalks, and similar.  
28
- 29 6. A drainage analysis, soils conditions (SCS).  
30
- 31 7. Map(s) showing the location of different general land use areas to be developed, including  
32 descriptions of land use, housing types, open space, proposed principal streets, and  
33 additional data as required by special considerations and phasing.  
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- 35 8. Proposed density, open space area, and resource protection areas for the overall  
36 COMMUNITY.  
37
- 38 9. Current proposed treatment of existing topography, drainageways and tree cover.  
39
- 40 10. Current proposed landscape and buffer plantings.  
41
- 42 11. Proposed general location of major vehicular circulation route and sizes showing how this  
43 circulation pattern relates to the primary and secondary road alignments designated on  
44 the Clermont County Thoroughfare Plan; for sanitary sewers, storm drainage, water, and  
45 special features, if appropriate.  
46
- 47 12. Location of schools, parks and other community facility sites, if any.  
48
- 49 13. Location of any school or fire station sites, if any.  
50

- 1 14. Time schedule of projected development, if the total landholding is to be developed in  
2 stages, or if construction is to extend beyond a two (2) year time period.
- 3
- 4 15. A traffic impact analysis (TIA) of the proposed development on roadways and  
5 intersections within a study area based upon net project trip generation methodology  
6 consistent with the latest edition of the Institute of Transportation Engineers (ITE) Trip  
7 Generation and Information Report that at a minimum addresses the following elements:  
8 (1) existing roadway conditions, including existing deficiencies and proposed  
9 improvements, (2) trip generation based upon the development characteristics, (3)  
10 distribution and assignment of trips based upon existing and future roadway network,  
11 travel time characteristics, (4) background traffic projections, (5) capacity (level of service  
12 ) analysis methodology for roadways and intersections, (6) types and costs of roadway and  
13 intersection improvements needed to mitigate the traffic impacts directly attributable to  
14 the proposed development.
- 15
- 16 16. Proposed pedestrian circulation system.
- 17
- 18 17. Proposed method of compliance with the Clermont County Stormwater and Sediment  
19 Control Regulations.
- 20
- 21 18. Additional information as reasonably necessary to address the foregoing items.
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23 **SECTION 6. PROCEDURE FOR APPROVAL OF PRELIMINARY PGC PLAN.** In conjunction  
24 with its action pursuant to the Settlement Agreement authorizing the use and development of the  
25 Development Area in accordance with these PGC Development Regulations, the Board of Township  
26 Trustees has approved the Preliminary PGC Plan dated December 10, 1996, finding it consistent with the  
27 standards established in Section 7 of these Regulations as authorized by Ohio Revised Code, Section  
28 519.021.

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30 **SECTION 7. APPROVAL OF THE PRELIMINARY PGC PLAN.** The Board of Township Trustees  
31 has studied, reviewed and approved the Preliminary PGC Plan dated December 10, 1996, and has  
32 determined that (1) all applicable requirements have been satisfied, and (2) that the following specific  
33 conditions set forth in Section 7.A have been met.

34  
35 **A. Standards for Approval.**

- 36 1. The Preliminary PGC Plan for the PGC Development is in conformance with the Land  
37 Use Plan of Pierce Township, if in existence.
- 38
- 39 2. The Preliminary PGC Plan is consistent with the land use objectives and policies of the  
40 Township as defined in Section 8.
- 41
- 42 3. The Preliminary PGC Plan is designed to minimize the impact on the environment  
43 consistent with the natural resource protection requirements in Section 6.
- 44
- 45 4. The total density proposed for all of the dwelling units of COMMUNITY does not  
46 exceed the maximum gross density set forth in Section 4.B. The total maximum gross  
47 density may be distributed anywhere throughout the PGC Development subject to the  
48 the requirements of the Preliminary PGC Plan.
- 49
- 50 5. The use(s) proposed will not be detrimental to present and potential surrounding uses, but  
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1 will have a beneficial effect which could not be achieved under other zoning districts  
2 without the application of the provisions of these PGC Development Regulations.  
3

- 4 6. The areas proposed shall be used only for residential purposes, the usual accessory uses for  
5 residential purposes such as garages, storage space, parks, recreation sites, open spaces and  
6 community purposes including a community center and churches; and uses accessory to  
7 a golf course such as a club house, pro shop and restaurant.  
8
- 9 7. The internal streets and primary and secondary roads that are proposed shall properly  
10 interconnect with the surrounding existing road network as designated on the Pierce  
11 Township or Clermont County Thoroughfare Plan. The plan must demonstrate that  
12 improvements or other actions have been or will be taken to mitigate those traffic  
13 problems identified in the impact analysis that are attributable to the proposed  
14 development.  
15
- 16 8. The minimum common open space areas, subject to such easements as may be applicable,  
17 have been designated and shall be duly transferred to a legally established Homeowner's  
18 Association, or have been dedicated to Pierce Township, and any natural resource areas,  
19 subject to such conservation easement as may be applicable, shall be duly transferred to  
20 a legally established Homeowner's Association or to individual lot owners.  
21
- 22 9. The Preliminary PGC Plan is consistent with the intent and purpose of these PGC  
23 Development Regulations, to promote public health, safety and general welfare of the  
24 residents of Pierce Township.  
25

- 26 B. Narrative Addendum to Preliminary PGC Plan. In approving the Preliminary PGC Plan dated  
27 December 10, 1996, the Board of Township Trustees also has approved a narrative addendum to  
28 the Plan ("Preliminary PGC Plan Narrative Addendum") to explain and define the requirements  
29 of the Plan and finds that the Preliminary PGC Plan Narrative Addendum is consistent with the  
30 intent and purpose of these Regulations and the Township's Land Use Objectives and Policies in  
31 Section 8. To the extent that a specific standard in the Preliminary PGC Plan Narrative  
32 Addendum, as approved by the Board of Township Trustees, conflicts with a provision in these  
33 PGC Development Regulations, the Preliminary PGC Plan Narrative Addendum shall control.  
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35 **SECTION 8. PIERCE TOWNSHIP LAND USE OBJECTIVES AND POLICIES.** Pierce Township  
36 has very defined land use patterns. Along Route 125, commercial uses on relatively small properties are  
37 typical strip developments. The land use here is auto-urban and, for the most part, only one (1) lot deep.  
38 South of this area is a section whose predominant land use pattern is that of developing suburban. For  
39 the most part, it is single-family lots in excess of twenty thousand (20,000) square feet. Most of this land  
40 is within a half mile of Route 125. Several more isolated areas of suburban are located along Jenny Lind  
41 Road and in the older hamlet at Locust Corner and Behymer Roads. In most of this area, there is still  
42 sufficient open land to permit considerable development. The remainder of the Township is mostly estate,  
43 countryside, or rural. Estate residential exists in developments with single-family lots of one (1) to five  
44 (5) acres or larger. In open land, lots from three (3) to five (5) acres and in wooded environments, lots one  
45 (1) to two and one-half (2.5) acres are consistent with the estate land use pattern. Countryside residential  
46 exists in areas of steep, wooded terrain, or on ridges surrounded by ravines where lots are generally five  
47 (5) acres or larger. Both estate and countryside are intermixed with rural areas in the southern two-thirds  
48 of the Township. Rural areas are areas that could be developed, while the countryside and estate areas are  
49 already platted and developed. The Township's land use pattern is well established and must be preserved.  
50 A proposed PGC Development must be consistent with the following land use policies:  
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- 53 A. No PGC Development should extend the area of auto-urban, strip development, and/or  
54 commercial uses from the Route 125 frontage into the residential areas of the Township.

- 1 B. Where existing surrounding developments have a suburban land use pattern (20,000 square foot  
2 lots), the PGC should either place similar housing as a transition or provide an adequate buffer  
3 to retain the needed green space and ensure the suburban character. The development plan should  
4 demonstrate that the combination of building size and vegetation will respect the surrounding  
5 property's character. Open space is an important element in preserving the land use pattern of  
6 these suburban areas.  
7  
8 C. Where existing surrounding developments have an estate character (lots with 1 to 5 acres in open  
9 land or 1 to 2.5 acres in wooded land), the PGC shall respect that character by providing  
10 appropriate buffers as the needed transition. Open space is a very important element of the plan  
11 where the units are clustered. Landscaping that results in a forest being established as a buffer  
12 should be encouraged.  
13  
14 D. Where existing surrounding developments have a countryside land use pattern (areas of steep  
15 terrain or ridges surrounded by ravines), the PGC Development should reflect a similar pattern  
16 in the site plan. Very high percentages of the land should be preserved in open space, the wooded  
17 and sloped areas, should be preserved. While golf courses may be part of the open space, wooded  
18 or sloped areas should be preserved. Care should be taken to use existing forest cover to screen  
19 buildings from view. Large buffers along major roads should protect the existing countryside land  
20 use pattern.  
21  
22 E. In all areas, a PGC Development should respect the balance between building mass or volume and  
23 vegetation mass or volume. This balance consists of scale relationships between the new  
24 development and existing buildings and the landscape and buildings.  
25

26 **SECTION 9. BOARD OF TOWNSHIP TRUSTEES ACTION.** Approval of the Preliminary PGC  
27 Plan is limited to the density levels and their inter-relationship, and shall not be construed to endorse  
28 precise location of uses, configuration of parcels, or engineering feasibility which are to be determined in  
29 the subsequent preparation of the Detailed Final PGC Plan(s), which may be submitted on a parcel by  
30 parcel basis.  
31

- 32 A. **Arrangement for Public Improvements and Common Open Space.** The Board of Township  
33 Trustees shall make appropriate arrangements with the applicant which will ensure the  
34 accomplishment of the public improvements and reservation of common open space as shown on  
35 the approved Preliminary PGC Plan.  
36  
37 B. **Building Design Standards.** The Board of Township Trustees may also approve building design  
38 standards which shall be recorded along with the Preliminary PGC Plan and shall apply to all  
39 construction within each subsequent Detailed PGC Plan area.  
40

1 C. Time Limits: Lapse of Preliminary/Detailed Final PGC Plans: Revocation of PGC  
2 Development.

- 3  
4 1. Submission of Final Development Plan for Golf Course: Lapse of Preliminary PGC  
5 Plan Approval. Unless within one (1) year from the date of approval of the Preliminary  
6 PGC Plan dated December 10, 1996, which date shall be defined as the date on which the  
7 court order approving the Settlement Agreement is entered of record with the Court of  
8 Common Pleas, Clermont County, Ohio, a complete Final Development Plan of the golf  
9 course for the planned golf community has been submitted to the Board of Township  
10 Trustees for its consideration, the approval of the Preliminary PGC Plan shall, following  
11 ten (10) days notice to the developer or its duly authorized representative, lapse and shall  
12 become null and void unless, upon application timely made by the developer or its duly  
13 authorized representative pursuant to Section 9.C.5, an extension of the Preliminary  
14 PGC Plan approval is requested. The first extension for a one (1) year period shall be  
15 automatic upon request of the developer or its duly authorized representative. Subsequent  
16 extensions for submittal of the Final Development Plans for the golf course shall be  
17 granted by the Board of Township Trustees pursuant to Section 9.C.5.  
18
- 19 2. Submission of Detailed Final PGC Plan: Lapse of Preliminary PGC Plan Approval.  
20 Unless within two (2) years from the date of approval of the Preliminary PGC Plan, the  
21 Detailed Final PGC Plan for the first phase of the planned golf community has been  
22 submitted to the Board of Township Trustees for its review and decision in accordance  
23 with the procedures specified in Sections 10, 11 and 12 of this Resolution, the approval  
24 of the Preliminary PGC Plan shall, following ten (10) days notice to the developer or its  
25 duly authorized representative, lapse and shall become null and void unless, upon  
26 application timely made by the developer or its duly authorized representative pursuant  
27 to Section 9.C.5, an extension of the Preliminary PGC Plan approval is requested. An  
28 extension for a one (1) year period shall be automatic upon request of the developer or its  
29 duly authorized representative. Subsequent extensions for submittal of the Final  
30 Development Plan for the first phase of the golf course community shall be granted by  
31 the Board of Township Trustees pursuant to Section 9.C.5.  
32
- 33 3. Commencement of Construction Under Approved Detailed Final PGC Plan. Unless  
34 within six (6) months after Board of Township Trustees approval of a Detailed Final PGC  
35 Plan, construction of improvements pursuant to such Plan has commenced, the approval  
36 of the Detailed Final PGC Plan shall, following ten (10) days notice to the developer or  
37 its duly authorized representative, lapse and shall become null and void, unless upon  
38 application timely made by the developer or its duly authorized representative pursuant  
39 to Section 9.C.5, the developer requests an extension of the Detailed Final PGC Plan  
40 approval. The first extension for a six (6) month period shall be automatic upon request  
41 of the developer or its duly authorized representative. Subsequent extensions for  
42 submittal of the Final Development Plans for the golf course shall be granted by the  
43 Board of Township Trustees pursuant to Section 9.C.5.  
44
- 45 4. Progress Toward Completion of Planned Golf Community Development. If the  
46 planned golf community development has no home construction activity for a period of  
47 four (4) consecutive years, the Board may review the status of the planned golf course  
48 development and, pursuant to Section 9.C.6, grant an extension of time for completion  
49 or take such action as it deems appropriate under the circumstances. Home construction  
50 activity on the planned golf development is defined as new home construction and/or  
51 installation of roads and utilities fronting residential units.  
52
- 53 5. Time Extension. An application for extension of any time limit imposed pursuant to  
54 Sections 9.C.1, 9.C.2, 9.C.3 and 9.C.4 shall be made not less than 30 days nor more than  
55

1 120 days prior to the expiration of the applicable time period. Subsequent approvals shall  
2 be granted by the Board of Township Trustees upon finding of reasonable effort toward  
3 the accomplishment of the Preliminary PGC Plan by the developer or existence of  
4 conditions beyond the reasonable control of the developer.  
5

- 6 **6. Review of Status of PGC Development.** If the applicant fails to comply with any of the  
7 time limits or other provisions discussed in Sections 9.C.1 through 9.C.5, the Board of  
8 Township Trustees may hold a public hearing to review the status of the planned golf  
9 community development. Following the close of the public hearing, the Board of  
10 Township Trustees may, by resolution, (a) extend any applicable time period pursuant to  
11 Section 9.C.5; (b) modify and/or revoke the Preliminary PGC Plan approval and/or  
12 modify or revoke any Detailed Final PGC Plan approval; or (c) adopt a resolution to  
13 remove the application of the PGC Development Regulations from their application to  
14 the Development Area. If the Board of Township Trustees removes the application of  
15 the PGC Development Regulations to the Development Area, upon the effective date of  
16 such removal, except as to any portion of the land that has been already developed in  
17 accordance with an approved Detailed Final PGC Plan, the Development Area shall be  
18 subject to the Estate Residential Development Regulations authorized by the Pierce  
19 Township Board of Trustees for the Development Area pursuant to the terms of the  
20 Settlement Agreement.  
21

22 **SECTION 10. DETAILED FINAL PGC PLAN APPROVAL PROCEDURE.** After the date of  
23 approval of the Preliminary PGC Plan dated December 10, 1996, as defined in Section 9.C.1, the  
24 owner/developer(s) shall proceed with the preparation of the Detailed Final PGC Plan(s) on phases or  
25 parcels within the PGC Development. The Detailed Final PGC Plan(s) must be reviewed and approved  
26 by the Board of Township Trustees prior to the issuance of any zoning certificates by the Zoning  
27 Inspector.  
28

29 The preliminary subdivision plat and final subdivision plat as each relates to any Detailed Final PGC Plan  
30 submitted to the Board of Township Trustees shall be submitted to Clermont County for its review and  
31 approval pursuant to the platting requirements of the Ohio Revised Code.  
32

- 33 A. The Detailed Final PGC Plan(s) shall be in accordance with the approved Preliminary PGC Plan;  
34 shall be prepared by a professionally competent COMMUNITY planner, professional engineer,  
35 architect or landscape architect; and shall include the following:  
36
- 37 1. Plat of the parcel to be developed showing existing physical features (general topography,  
38 drainageways, designated resource protection areas, and tree cover) and streets, easements  
39 and utility lines.  
40
  - 41 2. Site plan showing lot lines, building setbacks and off-street parking spaces for uses other  
42 than single family detached, pedestrian walkways, and vehicular circulation.  
43
  - 44 3. Preliminary building plans, including footprints, floor plans and exterior elevations and  
45 types of building materials for uses other than single family detached.  
46
  - 47 4. Landscaping plans for common areas, open space, street trees, typical front yards and  
48 buffer yards, including quantity, size, and varieties of landscaping.  
49
  - 50 5. Specific engineering plans, including site grading, street improvements, drainage and  
51 utility improvements, and extensions as necessary.  
52
  - 53 6. All necessary legal documentation relating to the incorporation of a homeowner's

1 association for the purpose of maintaining the specified common open space within the  
2 Planned Golf Community.  
3

4 7. Copies of all restrictive covenants that are to be recorded.  
5

6 B. The Detailed Final PGC Plan shall provide that each lot shall be subject to the approved Design  
7 Standards recorded with the Preliminary PGC Plan and each lot must receive Detailed Plan  
8 approval from the developer or, if established, its Design Review Committee, before a Zoning  
9 Certificate may be issued by the Zoning Inspector. Authorization to the Design Review  
10 Committee to adjust a Minimum Street Yard requirement to the extent allowed in Table 1 of  
11 Section 3.A. of these PGC Development Regulations shall be noted on the record plat to be  
12 recorded in the Land Records of Clermont County.  
13

14  
15 **SECTION 11. CONDITIONS FOR APPROVAL OF THE DETAILED FINAL PGC PLAN(S).**  
16 Upon receipt of the Detailed Final PGC Plan(s) for each section of the planned golf community, the Board  
17 of Township Trustees shall review the Detailed Final PGC Plan(s) on the basis of whether (1) all  
18 requirements of Section 10 of these PGC Development Regulations have been satisfied, and (2) whether  
19 the proposed Detailed Final PGC Plan(s) for the individual section(s) of the overall PGC Development  
20 are in conformance with the approved Preliminary PGC Plan dated December 10, 1996.  
21

22  
23 **SECTION 12. ACTION BY BOARD OF TOWNSHIP TRUSTEES.** If upon review of the Detailed  
24 Final PGC Plan(s) pursuant to Section 11, the Board of Township Trustees determines that the Detailed  
25 Final PGC Plan(s) conforms to the approved Preliminary PGC Plan dated December 10, 1996, the Board  
26 shall approve the Detailed Final PGC Plan(s). If the Board of Township Trustees determines that the  
27 conditions of Section 11 have not been satisfied, it shall advise the applicant in writing as to what  
28 modifications are necessary to satisfy the conditions of Section 11.  
29

30 **SECTION 13. ADJUSTMENTS TO DETAILED FINAL PGC PLAN(S).**  
31

32 A. **Minor Adjustments.** During the course of development within an established PGC  
33 Development, the Township Administrator shall authorize minor adjustments to any Detailed  
34 Final PGC Plan which are not inconsistent with the approved Preliminary PGC Plan and do not  
35 change the concept or intent of the development, when such adjustments appear necessary in light  
36 of technical or engineering considerations first discovered during actual development.  
37

38 B. **Major Adjustments.** Major adjustments to any Detailed Final PGC Plan which substantially alter  
39 the concept or intent of the approved Preliminary PGC Plan, such as any proposed reduction in  
40 minimum required percentage of a particular dwelling type utilized pursuant to Section 3, or any  
41 proposed reduction in acreages of natural resource protection areas established pursuant to Section  
42 4, or any proposed change to a covenant recorded against the property, or portion thereof  
43 governing density, natural resource protection or building design standards, may be approved only  
44 by the Board of Township Trustees upon a petition to amend the Preliminary PGC Plan pursuant  
45 to the procedures for approval of the Preliminary PGC Plan set forth in Sections 5 through 12.  
46  
47