

## RECORD OF ORDINANCES

Ordinance No. 3818

Passed: November 25, 2025

**AN ORDINANCE ADOPTING A PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR EIGHT LOTS COMPRISING APPROXIMATELY 433 ACRES IMMEDIATELY WEST OF THE GREAT MIAMI RIVER ON BOTH SIDES OF FARMERSVILLE-WEST CARROLLTON ROAD.**

**WHEREAS**, an application has been filed by Barret Paving Materials Inc., P.O. Box 13671, Dayton, OH 45413 and Jane D. Heavin, 6960 Rosecliff Pl., Dayton, OH 45459, et.al., proposing a preliminary Planned Unit Development (PUD) plan for eight lots comprising approximately 433 acres immediately west of the Great Miami River on both sides of Farmersville-West Carrollton Road; and

**WHEREAS**, a public hearing was held regarding this matter on October 16, 2025 by the West Carrollton Planning Commission at which time all people who wished to testify gave their comments, and the Planning Commission unanimously recommends approval of the preliminary Planned Unit Development plan; and

**WHEREAS**, notification of a public hearing before the City Council regarding this matter was properly advertised in a newspaper of general circulation on October 3, 2025 in accordance with Section 154.08.01(D)(1) of the Zoning Code; and

**WHEREAS**, notification of a public hearing before the City Council regarding this matter was mailed on November 1, 2025 to all abutting property owners within 200 feet; and

**WHEREAS**, a sign regarding this matter was placed in a conspicuous location on the property; and

**WHEREAS**, the proposal and meeting notice was posted on the City's website; and

**WHEREAS**, a public hearing was held by the West Carrollton City Council on November 11, 2025, at which time all people who wished to testify gave their comments; and

**WHEREAS**, Sections 154.10.701 through 154.10.706 of the Zoning Code govern the establishment of PUD Planned Unit Development Districts and preliminary PUD plans; and

**WHEREAS**, the City of West Carrollton has determined that adoption of the proposed amendments is in the best interest of the citizens of West Carrollton to preserve and enhance property values and protect the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, COUNTY OF MONTGOMERY, STATE OF OHIO:**

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**SECTION I.** That the City Council makes the following findings of fact and conclusions of law with respect to the proposed preliminary Planned Unit Development plan pursuant to case PUD 25-1, said findings of fact based upon the conditions outlined in Zoning Code Section 154.10.705(E) regarding the establishment of the PUD District and the approval of preliminary PUD plans:

- a) The PUD District is in conformance with the Comprehensive Plan for the city. The West Carrollton Sustainable Comprehensive Plan was amended by City Council on September 10, 2024 to incorporate the Western Lakes Master Plan which establishes the vision and plan for the area in the city west of the Great Miami River. The plan seeks to capitalize on natural and man-made features to create a unified Western Lakes Recreational District. This proposal to create the Western Lakes Recreational District PUD is in complete conformance with the Comprehensive Plan for the city, because it mirrors the Western Lakes Comprehensive Plan. It would eliminate heavier industrial uses which are permitted by the current M-2 and M-3 industrial zoning on these properties (heavy manufacturing, junk yards, truck stop, automotive wrecking yards, etc.), and replace them with permitted uses compatible with a recreational district. Recreation has been found by an outside market feasibility consultant to be the highest and best use for this part of the community. The PUD also establishes site design standards which will elevate the appearance of the built environment in the district, creating a visually appealing mixed-use district and an attractive destination for those inside and outside of the community as envisioned in the plan. Finally, the proposal facilitates and encourages the Comprehensive Plan's goals to maintain and enhance the community's economic vitality; promote available sites and buildings as a potential business location; encourage business growth; and provide new job opportunities for residents.
- b) The uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under the other zoning districts. As described above, this proposal would remove the heaviest industrial uses which are currently permitted on these properties and replace them with recreation-compatible uses. This offers a substantially beneficial improvement relative to potential detrimental impact to surrounding property. The PUD is the ideal zoning district to use to accomplish these purposes, since the PUD is tailored to fit its environment. Permitted uses are purposefully selected as compatible with the district, and site design standards are established to control detrimental effects, which are not possible with other zoning districts. Resource and mineral extraction is a use which may produce negative effects on surrounding property. Noise, heavy truck traffic, dust, and similar impacts may need to be mitigated. The city's PUD regulations and the proposal require Detailed Final PUD Plan review by the Planning Commission. It is at this stage when specific concerns can be addressed and mitigated, to ensure the integrity of the neighborhood. Again, the PUD is the appropriate vehicle for this proposal.

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- c) The internal streets and major and minor streets that are proposed shall properly interconnect with the surrounding major and minor streets as designated in the official thoroughfare plan of the city. This preliminary PUD application does not include a proposal to add a new streets.
- d) The preliminary PUD plan is consistent with the intent and purpose of this Zoning Code, to promote public health, safety, and general welfare of the residents of the city. As provided in Section 154.03.01(B) of the Zoning Code, its purpose and intent is "...to promote the health, safety, and general welfare of the residents of the community, to encourage sound and orderly urban growth, and to protect existing development through the conservation of property values." As an intended recreational district, the proposed PUD district could not be more in line with promoting residents' health, safety and general welfare. Envisioned improvements such as soft biking and walking trails, water sports/activities, birdwatching, cabins, camping, parks, an outdoor theater, fishing, hiking, and the like on 433 acres – and perhaps even more in the future – will be a tremendous benefit to residents' health, safety, and general welfare. This PUD district also proposes to connect multiple parcels comprising approximately 433 acres into one recreational district. Through the Detailed Final PUD Plan review process, sound and orderly growth will be assured in this area consistent with the vision of the Western Lakes Master Plan. Consistency and confidence in the development landscape is what developers and investors seek to minimize risk and maximize return. Having a plan which articulates a clear vision for the future growth of the western lakes area and a plan for achieving that vision is critical to reducing the volatility of property values. This proposed PUD district further puts the plan into action by cementing property values in the western lakes. This PUD district would also benefit the community by providing the opportunity for new future commercial recreational activities to residents and non-residents, as well as the potential for new jobs. If successful, the district would draw many visitors from outside of the community, thus enhancing the community's economic vitality. As the district takes shape, there will be opportunities for the construction of new buildings which will add value to the area.

**SECTION II.** That the City Council hereby approves a preliminary Planned Unit Development (PUD) plan for eight lots comprising approximately 433 acres immediately west of the Great Miami River on both sides of Farmersville-West Carrollton Road, as reflected in Exhibit A and Exhibit B attached hereto.

**SECTION III.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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**SECTION IV.** That this Ordinance shall take effect from and after the earliest period allowed by law.

Passed: November 25, 2025

Angie Guyman  
Mayor Deputy

Attest: Tracy Moore  
Clerk of Council

Effective Date: December 25, 2025

# EXHIBIT A

## DESCRIPTION OF PROPOSAL/REQUEST:

This is a request for establishment of the Western Lakes Recreational District PUD and the following is submitted pursuant to Section 154.10.705 West Carrollton Zoning Code

### Statement of Intent

On September 10, 2024, the West Carrollton City Council approved a major amendment to the City of West Carrollton Comprehensive Plan by creating the Western Lakes Recreational District and adopting the Western Lakes Master Plan.

The Western Lakes Master Plan component of the City's Comprehensive Plan is visionary in its recognition of the uniqueness and aesthetic appeal of the Western Lakes Recreational District consisting of over 575 acres and in recognizing and capitalizing on a substantial and special public interest not shared by any other property or jurisdiction in the region.

The purpose of this Planned Unit Development (PUD) Application is to implement the Western Lakes Master Plan (Master Plan) by the creation of the Western Lakes Recreational District PUD. The end goal of this implementation is a successful, well planned, visually appealing mixed-use district with an emphasis on recreation while preserving substantial natural resources, providing an attractive destination to live, work and play and encouraging imaginative and creative development design providing flexibility beyond what traditional zoning would allow.

### District Boundaries

The PUD boundaries are set forth on the following exhibits. **Exhibit A** designates the totality of the Western Lakes Recreational District (District) which includes property located in the township, not a part of this PUD Application. Exhibit A also designates the current zoning of the property located in the City; **Exhibit B** designates property located within the corporate limits of the City that is the subject of this PUD to include the specific location of the permitted gravel excavation use.

### Regulations

The regulations state that NO permit shall be issued for development within this PUD until the Planning Commission has approved a Detail Final PUD Plan in accordance with Section 154.10 of the Zoning Code and this PUD Application. It is anticipated that the District will develop in phases. Amendments to the PUD shall be in accordance with Section 154.10.705 (G) of the Zoning Code.

### Permitted Uses

The proposed Permitted Uses are set forth below. Mining activities that are currently utilizing the "Middle Lake" at the Tri-Lakes site will be permitted to continue under the PUD and the future mining of the 82 acre Parcel # K48100926 0004) and the 63 acre Heavin/Heavin Farm II LLC Parcels. (Parcel #: K48100926 0002, K48100926 0003, K48100921 0002, K48100926 0001, and K48100106 0063

The Permitted Uses include:

- Accessory building and structure as regulated by 154.16.01
- Accessory uses as regulated by 154.16.01
- Farming and agricultural productions, and related farm uses
- Lodging – hotels / motels
- Parkland – community parkland and open space

Parking, on-site  
Parking, shared  
Recreation – commercial recreation, facilities  
Recreation – Community Center/senior center  
Recreation – river-related recreational uses, such as boat livery, boat rentals and other such similar nature uses  
Restaurant – sit down  
Resources and mineral extraction  
Retail-sales and services structures of less or equal to 10,000 s/f in gross floor area  
Tavern  
Temporary food vendor

If a proposed use is other than any of the above stated permitted uses the use shall be considered prohibited, unless the use is determined by the Planning Commission to be of a similar nature to one or more of the above permitted uses. The development of the Permitted Uses shall be consistent with how the Permitted Uses are to be integrated into the Western Lakes Recreation District as expressed in the Master Plan and as interpreted by the Planning Commission.

#### Prohibited Uses

The prohibited uses within the District are all uses not specifically listed or consistent with the Western Lakes Master Plan unless determined by the Planning Commission to be a substantially similar use.

#### Non-Conforming Uses

Non-conforming uses include buildings, structures, or uses which were lawfully existing prior to any adoption of this PUD, but which are prohibited or further restricted as a result of the provisions adopted in this PUD. A use must lawfully exist and be in operation prior to the adoption of the effective date of this PUD to constitute a Non-Conforming Use. All questions regarding Nonconforming Uses shall be governed by Section 154.04.01 of the West Carrollton Zoning Code.

#### Site Design

The site design is as set forth in the Master Plan and encourages a layout and design that incorporates principles of mixed-use, diversity, workability and conductivity, high-quality architecture, sustainability, and contribution to overall quality of life within the community. Site design, building plans designs and elevations shall be subject to review and approval by Planning Commission at Detailed Final PUD Plan stage.

#### Access and Circulation

The access and circulation shall take a coordinated approach to vehicular and non-vehicular access and circulation within the PUD as part of the Detailed Final PUD Plan review. Property owners within the PUD shall be encouraged to use driveways and common access points in accordance with sound engineering standards as established by the City. Preliminary points of access to the PUD shall be established at Detailed Final PUD Plan review stage. At Detailed Final PUD Plan stage, the Applicant may be responsible for the completion and submission of a detailed traffic study according to the provisions of zoning code section 154.14.02 Access Management Requirement.

#### Building Design

Building designs shall follow the general guidelines for structures of this PUD herein set forth:

##### A. Building Character:

- 1) Exterior building appearance is of utmost importance. within this PUD,

and as such high-quality building materials, including but not limited to brick and stone, as well as innovative and unique building facades, shall be sought for all structures.

2) The requirements of Zoning Code Section 154.17.01, Architectural Design Standards, shall establish the minimum requirements for architectural design within this PUD subject to 154.10.705.

3) Architectural consistency within the project and with surrounding development shall be sought.

**B. Building Placement:**

1) Buildings should be located at or near the street right-of-way or building setback line, integrated with the sidewalk space., and afford direct pedestrian access from the street sidewalk, with parking located to the rear or side of the building.

2) Businesses should be designed to reinforce the pattern of small storefront divisions facing the street.

3) Drive-up facilities, where permitted, should be designed and located on the site so as to be screened as much as possible from public view.

**Minimum Lot Size and Frontage**

Minimum lot size and frontage goals call for maximum design flexibility and therefore no minimum lot size or frontage is required within this PUD. However, the City reserves the right to set a minimum lot size and/or minimum lot frontage at Final Detailed PUD Plan stage, as deemed appropriate based on proposed uses and site design.

**Building Setback Requirements**

The setback requirements are intended to create the atmosphere called for in the Master Plan. The City will seek to have buildings set back as each approved Detailed Final PUD Plan dictates.

A. Unless physical features of the site dictate otherwise, building facades should run parallel with the street and be placed at the front property line, with parking to the rear.

8. No side or rear building setbacks shall be required, except as follows:

1) All buildings should be separated by a minimum of 10 feet.

2) All property which is adjacent to an R, O-R, or A-1 Zoning District shall provide a landscape buffer in accordance with the landscape requirements of §.54.13 of the Zoning Code. These strips shall be planted with trees and shrubs that will provide a dense screen at all times, and shall be maintained in good condition as required by this section of the code..

C. The City reserves the right to set building setback requirements at Final Detailed PUD Plan stage, as deemed appropriate based on proposed uses and site design.

Maximum Building Height

Maximum heights shall be shall be 45 feet or 4 stories.. Buildings may be erected more than four stories provided that prior to issuance of a building permit for any structure, the Planning Commission shall make a finding that such height will not be detrimental to the public safety or to the light, privacy, or air of any other structure or use currently existing or approved for construction.

Off-Street Parking and Loading,

Within the PUD, off-street parking and loading shall be computed based on four parking spaces required for 1,000 square feet of gross floor area of office and commercial mixed uses, applied throughout the entire area. Reciprocal shared off-site parking arrangements are highly encouraged and may, in certain cases., be required as a condition of project approval. Driveways and access lanes may be combined and shall be clearly demarcated with proper signage. Parking should be located to the rear or side of buildings and not front directly on public streets within the PUD. Parking lots should be located and should be designed so they do not detract from the appearance of a site from streets or other public areas. Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the careful location of green space and plant materials within the parking lot. Loading areas should be visually unobtrusive and should be located properly in order to minimize conflicts with vehicles or pedestrians. Other off-street parking and loading requirements specified in §154.12 of the Zoning Code may be required at Detailed Final PUD Plan stage.

lighting

lighting shall be designed, located, and mounted at heights no greater than sixteen feet above grade for non-cutoff lights and thirty two feet above grade for cutoff lights. lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, and pedestrian spaces. The luminosity, orientation, and location of exterior light fixtures should foster user safety and minimize vehicle/pedestrian conflicts. All lighting shall be located, screened or shielded so that adjacent uses are not directly illuminated, especially in cases where commercial uses abut or are in close proximity to residential uses. No lighting shall be of such an intensity or color distortion as to cause glare or to impair the vision of pedestrians and/or motorists..

Screening And Landscaping

All screening and landscaping improvements shall be in accordance with §-154.13 of the Zoning Code.

Signage

Signs within the PUD shall be reviewed and approved by the Planning Commission in accordance with a unified sign plan proposed as part of the Detailed Final PUD Plan application, or shall conform to §153 of the Zoning Code, the Sign Code. Preferred sign materials shall include wood, natural stone, cast metal, or similar material.

### Dumpsters

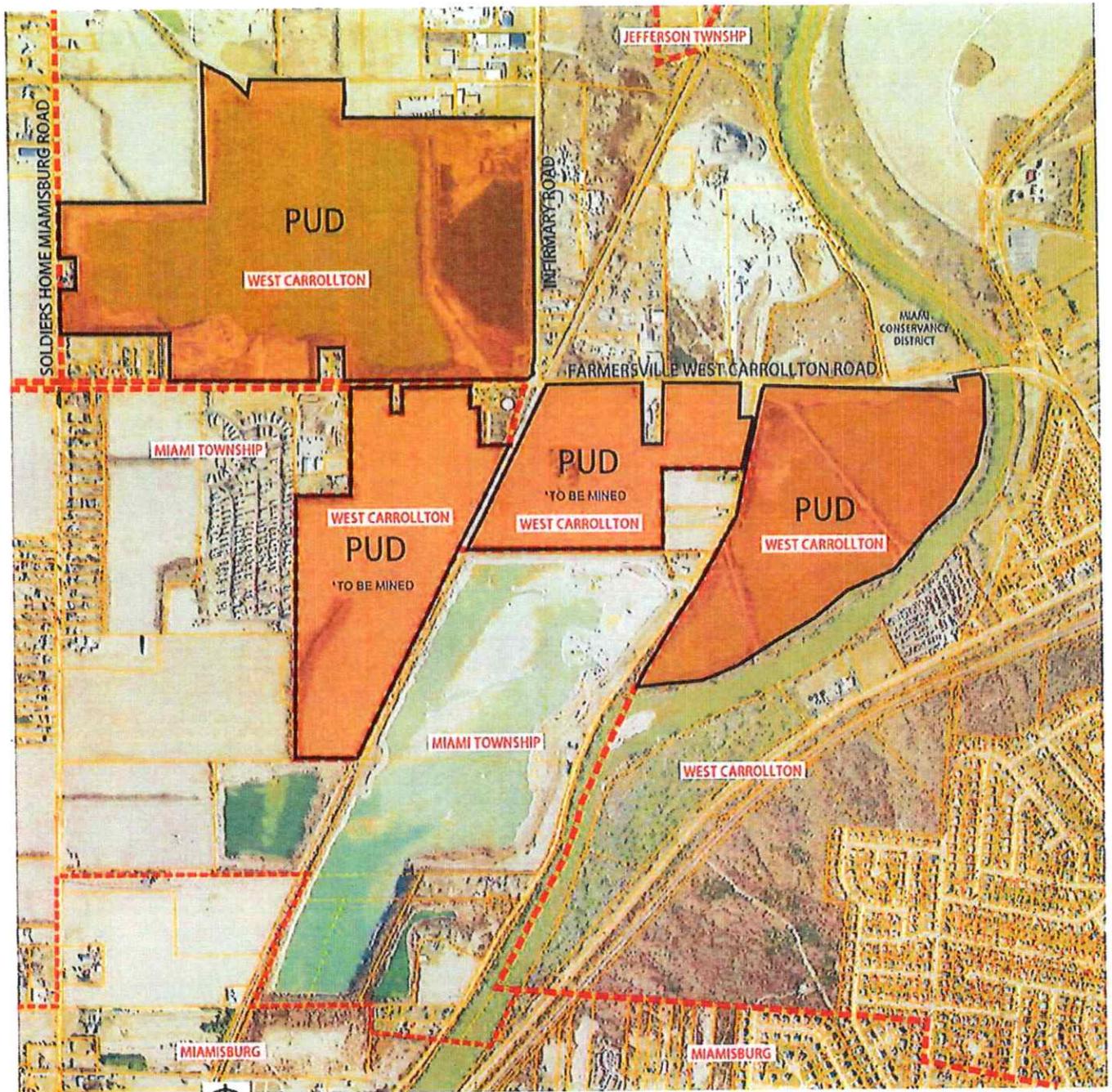
Dumpsters shall be located at the rear of buildings away from pedestrian pathways, and shall be completely screened from public view by an enclosure which matches the material and color of the principal structure.

### Exceptions

Exceptions to the aforementioned design standards and/or the requirements of Chapter 1.52: Subdivision Code, Chapter 153: Sign Code, and Chapter 154: Zoning Code may be granted by the Planning Commission at Detailed Final PUD Plan stage upon finding that any exceptions enhance the viability of the project and are not detrimental to the public welfare. This provision does not apply to paragraph 2, Permitted Uses, as any change to PUD uses must be approved by City Council as part of a requested PUD zoning amendment.

### Other Requirements

Any other requirements with regard to issuance of a zoning permit for the development and demolition on property to be developed shall be completed to the satisfaction of the City and in accordance with all applicable laws and requirements. All concerns of the Service Director regarding public improvements, floodplain issues and sanitary sewer, water, and stormwater management shall be addressed at Final Detailed PUD Plan stage. All concerns of the City of West Carrollton, regarding environmental contamination on the property shall be addressed at Final Detailed PUD Plan stage. All subdivisions and lot splits on this property shall be reviewed and approved by the Planning Commission according to the requirements of Chapter 152, Subdivision Regulations prior to issuance of a zoning permit. All questions regarding interpretation of the requirements and guidelines of this PUD shall be determined by the Planning Commission in accordance with the purpose and intent of these regulations. The City reserves the right to create a Master Owners Association that all property owners will be subject to.



NOT TO SCALE  N

August 14, 2025

-  CORPORATION LINES
-  WEST CARROLLTON PROPERTIES TO BE REZONED TO PUD

# EXHIBIT B