

ARTICLE - 19

PLANNED MIXED-USE DEVELOPMENT DISTRICT

Section 1900 Intent

The Planned Mixed-Use Development (PMUD) District is a Planned Unit Development District adopted pursuant to Ohio Revised Code §519.021 (B) and is intended to provide flexibility in the development standards for mixed-use development based on a unified development plan.

The PMUD District is intended to achieve the statutory purposes of §519.021 of the Ohio Revised Code for Planned Unit Developments, “promoting general public welfare, encouraging the efficient use of land and resources, promoting efficiency and providing public and utilities services encouraging innovation in the planning and building of all types of development and promoting the public health, safety and morals.”

Designation under this article requires an amendment to the Zoning Resolution, both zoning map and zoning text, in compliance with the requirements of §519.12 of the Ohio Revised Code.

Natural features such as topography, woodlands, tree rows, and wetlands, bodies of water, floodplains, drainage ways and historic architecture should be maintained in a natural state as much as possible to maintain a rural character.

Section 1901 The Objectives of the Planned Mixed-Use Development District include:

- A. Enable greater review of a mixed-use development and its design characteristics;
- B. To encourage creativity, flexibility and quality in the design of both the buildings as well as the site;
- C. Establish objective criteria for development plan review that ensure conformity to community and district standards and allow for consistent treatment throughout;
- D. Facilitate integration of mixed-use development into the rural character of the area and blend it harmoniously with adjacent land use districts and existing developments;
- E. Manage the impacts that occur from commercial development adjacent to non-compatible land uses and the greater community;
- F. Provide an opportunity for a mix of land uses otherwise not permitted within the standard zoning district classifications;
- G. To preserve and dedicate open space for the protection of ravines, woodlands, wetlands, floodplains, and rural corridors;
- H. To ensure unique and high quality development so that mixed-use sites benefit from continued reinvestment over time;
- I. To encourage new development and redevelopment of existing sites that makes efficient use of land through current planning practices and helps reduce infrastructure costs through unified development;
- J. Establish objective criteria for development plan review that ensures conformity to adopted community standards and guiding community planning documents.

Section 1902 Effect of PMUD Zoning

Upon approval of the PMUD District, no previous regulations shall remain in effect, and the regulations for the PMUD District shall prevail.

Planned Mixed-Use Development Districts adopted and established in accordance with the provisions of this chapter and the requirements contained within those districts shall take precedence over any conflicting regulations contained in the Zoning Resolution.

Section 1903 Process

The following is the process to amend the zoning map and text for real property to a PMUD District according to the statutory requirements of §519.12 of the Ohio Revised Code and the process to develop that property accordingly.

Each Planned Unit Development District under Type B PUD shall be considered a separate and unique zoning district. In addition to any other procedures set out in this Resolution, all applications for amendments to the zoning map and text to rezone lands to PMUD shall follow the procedures herein.

- A. Concept Stage - Recommended.** The applicant is encouraged to engage in informal consultations including a site walk-about with the Zoning Commission or a designated representative of the Township prior to formal submission of a development plan and application to amend the zoning map.

No statement by officials of the Township, designated representatives of the Township or the Licking County Planning Commission shall be binding upon either party at the concept stage.

B. Zoning Map and Text Amendment.

1. **Process:** This stage of the process shall conform to **Article - 6 Amendment** of the Etna Township Zoning Resolution and is a legislative function of the township and therefore subject to referendum. The procedure to amend the zoning map for real property to PMUD must meet the requirements of §519.12 of the Ohio Revised Code.

- a) **Submission:** The applicant shall submit the following information to the Zoning Inspector for forwarding to the Zoning Commission:

- 1.) All applicable information as outlined in **Section 603 Contents of Application** of this Resolution.
- 2.) Proposed text amendment to the Zoning Resolution detailing all development and design standards proposed for the Planned Mixed-Use Development District and in accordance with Ohio Revised Code §519.12. The proposed text amendment shall include statements substantially similar to the following:
 - a. "Development of the property shall remain in strict compliance with the Final Development Plan, except as modified in accordance with sub-section 1903.D.5 herein."
 - b. "All general non-district specific regulations/standards contained within the Etna Township Zoning Resolution shall apply to this development. However, the specific regulations/standards within this district shall take precedence over any conflicting regulations/standards contained elsewhere within the Etna Township Zoning Resolution."

- 3.) The applicant shall also submit a Preliminary Development Plan (see sub-section **1903.C Preliminary Development Plan**) with the application for a Zoning Map and Text Amendment under this Article.

- b) **Zoning Inspector:** After the applications are made to the Zoning Inspector, the following procedure shall be followed:

- 1.) The Zoning Inspector shall review the submitted application for the Zoning Map and Text Amendment to ensure the application is complete.
- 2.) The Zoning Inspector shall forward the Zoning Map and Text Amendment application to the Zoning Commission.
- 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the application and if the plan complies with the Etna Township Zoning Resolution as applicable.

- c) **Zoning Commission:** The Zoning Commission is the recommending body regarding the Zoning Map and Text Amendment.

- 1.) The Zoning Commission shall review the Zoning Map and Text Amendment application.
- 2.) The Zoning Commission shall follow the procedures outlined in **Article - 6 Amendment** of this Resolution and thereupon provide the Board of Trustees with a written recommendation regarding the Zoning Map and Text Amendment application. This written recommendation may contain suggested modifications to the proposed development and design standards for the PMUD. The written recommendation shall list specific finding of fact. For example, if the recommendation is for denial, the recommendation shall list specific sections of the zoning resolution for which the proposal does not comply.
- 3.) For recommendations regarding the Preliminary Development Plan see sub-section **1903.C.1 Process**.

- d) **Board of Trustees:** The Board of Trustees is the approving body for the Zoning Map and Text Amendment.
- 1.) The Board of Trustees shall follow the process outlined in **Article - 6 Amendment** of this Resolution while reviewing the Zoning Map and Text Amendment application.
 - 2.) The Board of Trustees shall adopt, deny, or adopt with modifications the recommendation from the Zoning Commission.
 - 3.) The Board of Trustees shall not make a decision upon the Preliminary Development Plan at that time. For approval regarding the Preliminary Development Plan see sub-section **1903.C.1 Process**.

2. **Required Findings for approval of a PMUD Zoning Map and Text Amendment:** The planned unit development shall further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. Within a planned unit development, the township zoning regulations, where applicable, need not be uniform but may vary in order to accommodate unified development and to promote the public health, safety, morals, and the other purposes of §519.021 of the Ohio Revised Code. The proposed development shall be consistent with the purpose, criteria, and intent of this Zoning Resolution, Township Comprehensive Plans, existing land use character, appearance, and physical development of the area.

C. Preliminary Development Plan.

1. **Process:** The approval process for a Preliminary Development Plan is an administrative action and subject to appeal per Chapter 2506 of the Ohio Revised Code. The review of a Preliminary Development Plan by the Zoning Commission and the Board of Trustees is not subject to a public hearing. The following is the process for approval of a Preliminary Development Plan:
- a) **Submission:** An applicant for a Preliminary Development Plan shall submit all required information, maps, plans, and applications (see sub-section **1903.C.2 Submission Requirements**) to the Zoning Inspector for forwarding to the Zoning Commission.
 - b) **Zoning Inspector:** After the applications are made to the Zoning Inspector, the following procedure shall be followed:
 - 1.) The Zoning Inspector shall review the submitted application for the Preliminary Development Plan to ensure the application is complete.
 - 2.) The Zoning Inspector shall forward the Preliminary Development Plan application to the Zoning Commission.
 - 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the plan and if the plan complies with the Etna Township Zoning Resolution as applicable..
 - c) **Zoning Commission:** The Zoning Commission is a recommending body regarding the Preliminary Development Plan.
 - 1.) The Zoning Commission shall review the Preliminary Development Plan and provide a written recommendation to the Board of Trustees based upon the plan's compliance with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development. The written recommendation shall list specific finding of fact. For example, if the recommendation is for denial, the recommendation shall list specific sections of the zoning resolution for which the proposal does not comply.
 - 2.) When the required Preliminary Development Plan is submitted in conjunction with the Zoning Map and Text Amendment, the Zoning Commission shall provide two separate written recommendations concerning the Preliminary Development Plan and the Zoning Map and Text Amendment in the same meeting. The written recommendation shall list specific finding of fact. For example, if the recommendation is for denial, the recommendation shall list specific sections of the zoning resolution for which the proposal does not comply.

When the required preliminary development plan is not submitted with the zoning map and text amendment the Zoning Commission shall provide a written recommendation concerning the Preliminary Development Plan only.

- d) **Board of Trustees:** The Board of Trustees is the approving body for the Preliminary Development Plan. If the Zoning Map and Text Amendments are denied then the submitted Preliminary Development Plan shall be considered null and void. If the Zoning Map and Text Amendments are approved then the following process shall be followed:
- 1.) The Board of Trustees shall make an official decision regarding the Preliminary Development Plan only after the passage of the 30-day referendum period as described in Section §519.12 of the Ohio Revised Code.
 - 2.) The Board of Trustees shall consider the Preliminary Development Plan and shall approve, deny, or approve with modifications the Preliminary Development Plan based upon the plan's compliance with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development.
 - 3.) If the plan is denied, the Board of Trustees shall provide specific findings and reasoning for the denial of the Preliminary Development Plan.
2. **Submission Requirements:** The applicant shall submit fifteen (15) copies of the Preliminary Development Plan to the Zoning Inspector. The Preliminary Development Plan shall show the intended layout of the site in accordance with PMUD standards. The Preliminary Development Plan shall include in text and drawing form, the following:
- a) The proposed size and location of the PMUD District, at a scale of at least 1" = 200', showing topographic contours of at least 2' intervals, existing and proposed structures, structures within 200' of the development tract.
 - b) Environmentally sensitive areas such as the 100 year floodplain, bodies of water, forested areas, wetlands, and slopes greater than 20%. No structure (other than approved drainage structures) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Licking County.
 - c) Proposed land uses and density calculations.
 - d) The intended general provisions for fire hydrants and surface drainage, to the extent known. Information regarding existing pipe sizes, capacities, committed flows, and potential needed upgrades must be documented.
 - e) Water supply and sanitary sewage disposal feasibility shall be indicated by the appropriate agency at the time of the Preliminary Development Plan. Centralized sanitary sewage disposal systems, if necessary, shall be provided subject to the Southwest Licking Water and Sewer District and Ohio Environmental Protection Agency approval. If on-site centralized sewage disposal systems are proposed, the applicant shall indicate who shall be responsible for their operation and maintenance, and shall provide a letter from the appropriate county or state agency declaring the site feasible for such systems, and for the anticipated sanitary flows.
 - f) The relationship of the proposed development to existing and probable uses of surrounding areas, including future land use map designations, easements, rights-of-way, proposed drainage, and public utilities.
 - g) Proposed design of any reserve areas and open spaces and a proposed description of their use and maintenance.
 - h) Proposed public land dedications.
 - i) Preliminary Traffic Impact Analysis based upon new trip generation rates as specified in either the Licking County Subdivision Regulations - Article 8 and/or the International Transportation Engineering standards, the more restrictive standard shall govern. Preliminary mitigation proposals such as turning lanes, signals, roundabouts, or widenings to alleviate the impacts of new traffic shall be described.
 - j) Existing public rights-of-way, access points and easements.
 - k) Location of any existing buildings or permanent facilities.
 - l) Proposed general layout of proposed internal road system, indicating the proposed vehicular right-of-way, all proposed public streets, general indication of private streets and pedestrian circulation, bike paths, trails, sidewalks, crosswalks, access drives, improvements to existing streets and traffic control requirements.
 - m) Location of all service areas including, but not limited to, dumpsters and loading docks.
 - n) Proposed sign locations, types, sizes, illumination and content.

- o) Proposed Architectural Drawings demonstrating the prototypical design of the proposed buildings, their exterior design, character, and general elements including materials and colors in sufficient detail to indicate the proposed visual character of the development.
- p) Emergency service provisions (letter from fire and police/sheriff departments stating whether or not services are available, capacity, and any regulatory requirements that need to be met).
- q) General phasing plans, if any.
- r) Any other supplemental information as required by the Zoning Commission and/or Board of Trustees to properly review the submitted Preliminary Development Plan.

3. Required Findings for Approval of a Preliminary Development Plan: The Zoning Commission and the Board of Trustees shall approve an application for a Preliminary Development Plan provided they find that the proposed plan complies with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development.

4. Preliminary Development Plan Approval Period: The approval of a Preliminary Development Plan shall be effective for a period of one (1) year in order to allow for the preparation and submission of the Final Development Plan. No zoning amendment passed during this one (1) year period shall affect the terms under which approval of the Preliminary Development Plan was granted. If the Final Development Plan has not been filed within this one (1) year period, then the Preliminary Development Plan approval shall expire unless the Board of Trustees has approved an extension of this time limit. A single extension with a maximum period of one (1) year may be considered by the Board of Trustees. Absent such an extension, no use shall be established or changed and no building, structure or improvement shall be constructed until a new Preliminary and Final Development Plan have been re-submitted to and approved by the Township Board of Trustees. Such applications for approval shall be subject to the same procedures and conditions as an original application and shall commence at the Preliminary Development Plan stage (see sub-section **1903.C Preliminary Development Plan**). However, resubmission is not an application for a zoning amendment and the zoning does not revert at any time to the previous zoning district or any other zoning district. These new applications shall comply with the terms of the Zoning Resolution then in effect at the time of filing.

5. Modifications. Any modification request to an approved Preliminary Development Plan shall be described in a PUD Modification Application and submitted to the Zoning Inspector. A final decision shall be made upon the modification request within 60 days of application. The following process shall be followed for approval of the request:

- a) Any modification request that will not alter the physical characteristics of the Preliminary Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.
- b) All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.
 - 1.) The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.
 - 2.) If the vote of the Zoning Commission is unanimous, then the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.
 - 3.) If the vote of the Zoning Commission is not unanimous, then the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.

D. Final Development Plan.

1. Process: The approval process for a Final Development Plan is an administrative action and subject to appeal per Chapter 2506 of the Ohio Revised Code. The review of a Final Development Plan by the Zoning Commission and the Board of Trustees is not subject to a public hearing. The following is the process for approval of a Final Development Plan:

- a) **Submission:** A Final Development Plan shall only be submitted if a Preliminary Development Plan has previously been reviewed and approved by the Board of Trustees. An applicant for a Final Development Plan shall submit all required information, maps, plans, and applications (see sub-section **1903.D.2 Submission Requirements**) to the Zoning Inspector for forwarding to the Zoning Commission.

- b) **Zoning Inspector:** After the application is made to the Zoning Inspector, the following procedure shall be followed:
 - 1.) The Zoning Inspector shall review the submitted application for the Final Development Plan to ensure the application is complete.
 - 2.) The Zoning Inspector shall forward the Final Development Plan application to the Zoning Commission.
 - 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the plan and if the plan complies with the Etna Township Zoning Resolution as applicable.

 - c) **Zoning Commission:** The Zoning Commission is a recommending body regarding the Final Development Plan.
 - 1.) The Zoning Commission shall review the Final Development Plan and provide a recommendation to the Board of Trustees based upon the plan's compliance with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development.
 - d) **Board of Trustees:** The Board of Trustees is the approving body for the Final Development Plan.
 - 1.) The Board of Trustees shall consider the Final Development Plan and shall approve, deny, or approve with modifications the Final Development Plan based upon the plan's compliance with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development.
 - 2.) If the plan is denied, the Board of Trustees shall provide specific findings and reasoning for the denial of the Final Development Plan.
2. **Submission Requirements:** The applicant shall submit fifteen (15) copies of the Final Development Plan to the Zoning Inspector with the application. The Final Development Plan shall include in text and drawing form the following:
- a) A listing of all deviations from the approved Preliminary Development Plan.
 - b) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed PMUD district.
 - c) The developer shall supply Etna Township with a traffic impact study (TIS) addressing the impact the development will have on the roadway infrastructure. The study shall address not only the new intersection/s, but also the impacts incurred on the next classified intersections in each direction from the proposed access point/s. This area is referred to as the study area for the TIS. The TIS should be developed in accordance to Institute of Traffic Engineers (ITE) Trip Generation Handbook and Trip Generation Rates. The most current version shall be used. Particular attention should be given to following the recommended procedures concerning Trip Generation Average Rates vs. Equations, selection of land use codes, calculation of pass-by trips, primary and diverted trips, internal trips, and specialty generators. Existing and Future condition Analysis of new intersections and intersections within the study area should be evaluated using both AM and PM peak hour data (Traffic volume and growth rates may be available from the Mid-Ohio Regional Planning Commission). Future traffic data shall be 20 years from opening day. The TIS should include the following:
 - 1.) Introduction
 - 2.) Site Plan & Illustration of the Study Area.
 - 3.) Existing Conditions in study area—roadway geometry, speed limits, pictures, sight distances, etc.
 - 4.) Plates showing existing and future traffic 'no build'.
 - 5.) Plates showing trip Generation and Distribution of development.
 - 6.) Plates showing opening day full build and future full build.
 - 7.) Trip Generation and Distribution Methodologies and Summaries.
 - 8.) Future Conditions in study area, with and without proposed development.
 - 9.) Capacity Analysis using Synchro or HCS software or other approved method for AM & PM peak hours for existing and future build conditions and no build conditions.
 - 10.) Turn Lane length calculations shall be determined by ODOT Location and Design Manual standards. The requirements to include turn lanes are to be by Licking County Planning Commission regulation.

- 11.) Signal Warrants shall be in accordance with the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).
 - 12.) Summary or Conclusions & Recommendations.
 - 13.) Appendix with calculations, engineering notes, etc.
 - 14.) Depending on the location, other information may also be required such as crash rates, existing speed patterns, sight distance survey, etc. These items can be discussed as part of a pre-plan conference or during the Technical Review Committee meeting.
- d) Architectural design package including materials, colors and renderings for all structures and details for proposed signs, with proposed control procedures. These are specific renderings of the elevations of structures. Any modification of these structures shall require re-approval of the development plan by the Township.
 - e) Dimensional sign package indicating the character material, dimensions, location, shape, color(s) and illumination of all signs.
 - f) The Applicant's posting of a bond or an irrevocable letter of credit if the plan is approved assuring completion of public service facilities to be constructed within the project by the developer.
 - g) Any covenants, easements, or restrictions.
 - h) A private street cross section and drainage plan that meets the design standards of the Licking County Engineer for the weight of the vehicle and the traffic anticipated with an estimated design life of 20 years.
 - i) The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities.
 - j) If the proposed timetable for development includes developing the land (including open space) in phases, no phase shall be less than five (5) acres or the whole tract (whichever is smaller). These phases shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases.
 - k) Final Development Plan drawing shall be to a scale of at least 1" = 100' and will show the proposed uses of the site, location of buildings and structures, streets and roadways, and parking areas, all required design features, and the following:
 - 1.) Provisions for water, fire hydrants, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness including a grading plan. Line sizes and locations, detention basins, and drainage structures shall be drawn.
 - 2.) Location of all lot lines, easements, rights-of-way.
 - 3.) Dimensions and locations of all proposed structures, buildings, streets, any other public or private facilities, the proposed pedestrian and bike path systems, the arrangement of internal traffic circulation, including access roads and drives, lane and other pavement markings to direct and control parking and circulation, and the location of signs related to parking and traffic control.
 - 4.) Landscaping and screening plans.
 - 5.) Location of parks and other public facility sites, within or adjacent to the site.
 - 6.) Erosion control plans during construction.
 - 7.) Lighting plan including but not limited to, light pole heights and locations, building accent lighting, pedestrian lighting, and footcandle calculations across the site and at the edges of the PMUD.
 - 8.) If the proposed timetable for development includes developing the land (including open space) in phases, the applicant shall provide a representation of the phasing on the Final Development Plan drawing.
 - 9.) Management Plan for any area for common use to be maintained by multiple property owners, an association must be established and evidence of its perpetuity and charge provided.
 - 10.) Drawings that are a part of the Final Development Plan shall bear the seal of an architect, landscape architect, and professional engineer licensed to practice in the state of Ohio, with respect to the design of each professional.

- 3. Required Findings for Approval of a Final Development Plan for a Planned Mixed-Use Development:** The Board of Trustees shall approve an application for a Final Development Plan provided they find that the Final Development Plan is in compliance with **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development. Additionally, there must be no unresolved modifications between the plan and standards approved by the Board of Trustees at the Preliminary Development Plan stage.
 - 4. Final Development Plan Approval Period:** The approval of a Final Development Plan shall be effective for a period of three (3) years, in order to allow for the filing and recording of a final subdivision plat, if platting is required by applicable law, and the commencement of construction of improvements on the site. No zoning amendment passed during the established approval period shall affect the terms under which approval of the Final Development Plan was granted. If the required final subdivision has not been approved and recorded, and construction has not commenced within the established approval period, then the Final Development Plan shall expire. Upon expiration, no use shall be established or changed and no building, structure or improvement shall be constructed until a new Preliminary and Final Development Plan have been re-submitted to and approved by the Township Board of Trustees. Such applications for approval shall be subject to the same procedures and conditions as an original application and shall commence at the Preliminary Development Plan stage (see sub-section **1903.C Preliminary Development Plan**). However, resubmission of a new Preliminary and Final Development Plan is not an application for a zoning amendment and the zoning does not revert at any time to the previous zoning district or any other zoning district. These new applications shall comply with the terms of the Zoning Resolution then in effect at the time of filing.
 - 5. Modifications.** Any modification request to an approved Final Development Plan shall be described in a PUD Modification Application and submitted to the Zoning Inspector. A final decision shall be made upon the modification request within 60 days of application. The following process shall be followed for approval of the request:

 - a)** Any modification request that will not alter the physical characteristics of the Final Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.
 - b)** All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.

 - 1.)** The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.
 - 2.)** If the vote of the Zoning Commission is unanimous, the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.
 - 3.)** If the vote of the Zoning Commission is not unanimous, the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.
- E. Plat Required.** The Final Development Plan as approved by the Board of Trustees shall be the subject of a subdivision plat to be approved by the Licking County Planning Commission if required by the Ohio Revised Code. Where the land is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved Final Development Plan. If required by applicable law, no use shall be established or changed, and no structure shall be constructed or altered until the required subdivision plat has been prepared and recorded in accordance with the Subdivision Regulations for Licking County, Ohio, and this Zoning Resolution. The subdivision plat and plan shall be in accordance with the approved Final Development Plan. The final development plan application step with the township shall be the preliminary plan application step in the subdivision administered by Licking County.
- F. Failure to Maintain.** If the approved Final Development Plan is not adhered to, or the open space is not properly maintained, the Township Zoning Inspector may serve written notice of the deficiencies and demand that corrective action be taken. The Township may pursue noncompliance with the plan as a zoning violation which will be dealt with under **Section 311 Penalties for Violation** within this Zoning Resolution.

- G. Administrative Review.** All plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the Zoning Inspector, Zoning Commission, and/or their designated technical advisors for an administrative review to ensure substantial compliance with the development plan as approved, prior to issuance of a zoning certificate. The Board of Trustees may establish a fee to be deposited with each administrative review in order to defray the costs associated with such a review.

Section 1904 Permitted Uses

- A. Permitted Uses.** An applicant for a PMUD may apply for any combination of Permitted Uses within their development as long as they are in keeping with the intent of the Township and will not adversely affect the adjacent property and/or the public health, safety and general welfare. However, the specific list of Permitted Uses for each PMUD district is subject to approval as part of the text amendment for that PMUD district.
- B. Conditional Uses.** An applicant for a PMUD may apply for any combination of Conditional Uses within their development as long as they are in keeping with the intent of the Township and will not adversely affect the adjacent property and/or the public health, safety and general welfare. However, the specific list of Conditional Uses for each PMUD district is subject to approval as part of the text amendment for that PMUD district.

Section 1905 Development Standards

Development shall be designed in accordance with the planning and development principles included in this section.

- A. Arrangement of Buildings.** Building arrangement should respond to the surrounding existing expected uses and buildings.
1. Buildings must have a relationship to the street and should not be located in the center of the lot with parking surrounding.
 2. A proposed development shall include appropriate buffers, open spaces, setbacks. (Refer to **Article - 16 Buffering, Landscaping, and Resource Preservation**)
 3. Buildings, structures and parking areas shall be designed and located to preserve natural features including, but not limited to tree rows, woodlots greater than 2 acres, stream corridors and steep slopes.
- B. Open Space** shall be incorporated into the site design.
1. Open space should be well designed, contiguous, and used to preserve woodlots greater than 2 acres, tree rows, stream corridors, and any other significant natural features on the site.
 2. An open space maintenance plan is required and must demonstrate long term maintenance of the open space.
 3. Identify ownership of open space and how it will be preserved as open space in perpetuity (forever).
- C. Stormwater** management should be coordinated within larger developments to reduce the number of retention/detention ponds required. On single site development, stormwater management must meet all applicable standards of NPDES (National Pollutant Discharge Elimination System) Phase II stormwater program.
1. Retention/Detention Basins shall be designed to appear natural and not engineered in terms of shape, water level, slope and treatment of the freeboard. Appropriate planting shall be located around the pond to facilitate a natural appearance. The slope of the edge shall continue into the natural water level to provide a shelf and not a steep drop off for safety. Appropriately sized pond aeration/fountain shall be included in all retention ponds. A maintenance plan must be submitted as part of the zoning text and approved by the Board of Trustees. All ponds must be labeled on the plot plans. See **Section 1026 Ponds, Lakes, Water Retention/Detention Areas**.
- D. Parking & Circulation.** All developments shall at the time of development provide off street parking. The layout, service areas, entrances, exits, signs, lighting, landscaping shall be designed to minimize adverse impact on the community character. Parking shall be designed and located so as to not be a dominant component of the aesthetic of the site. Landscaping shall be used to minimize the impact of parking lots.

- E. Vehicular circulation** shall provide adequate connections to the existing street network. Internal Streets shall be organized and efficient to provide safety vehicular and pedestrian access to and within the site. Access to the site shall follow any access management plans adopted by Licking County or Etna Township.
- F. Lighting** of the site shall be designed to minimize adverse impacts on the community, the adjacent properties and the public right-of-way.
- G. Pedestrian amenities** and accommodations shall be included in the design of the site and provide all necessary connections for non vehicular users of the site.
- H. Screening & Landscaping.** All sites must be well landscaped and screened to minimize the impacts of certain site components including trash receptacles, storage, parking, utilities and mechanicals. Additionally, provisions for street trees along public roadways and internal streets must be included. (Refer to **Article - 16 Buffering, Landscaping, and Resource Preservation**)
- I. Signage.** All signs and graphics within the PUD shall be compatible in size, location, height, material, shape, color, and illumination. A sign package shall be submitted as part of the development text to set forth the parameters for the entire site.
 - 1. Signs shall contribute to an overall cohesive design of the site, not dominate the landscape and avoid visual clutter.
 - 2. Signs shall be compatible with building architecture, the overall site design and the community.
 - 3. Sign placement shall not create a sight distance limitation or other visual barrier and it shall not otherwise create a safety hazard that will adversely affect the public health, safety, or general welfare. The use of the clear sight triangles at roadway and driveway intersections is required to ensure motorists have the greatest sight distance available to them before entering or exiting a roadway. Refer to Article 16-Buffering, Landscaping, and Resource Preservation.
- J. Design Standards.** Buildings shall enhance the character of the community. The aesthetic of Etna Township shall guide the selection of architectural style, materials, composition, scale, proportion and colors in the PMUD District.
 - 1. All buildings shall have a presence on the street and contribute to the aesthetic of roadway corridors in Etna Township.
 - 2. Building architecture shall reflect the community character, and be constructed with high quality materials.
 - 3. Buildings shall have scale, mass and bulk appropriate to the community, the site and the adjacent properties.
- K. Compliance with Existing Development Standards.** All other development standards applicable to site development shall be required. Including, but not limited to:
 - 1. Floodplain regulations.
 - 2. Subdivision regulations.
 - 3. Requirements for stormwater management.
 - 4. Access management requirements.