

Appendix A

PLANNED MIXED-USE DEVELOPMENT DISTRICT ("PMUD")

ZONING TEXT AMENDMENT

Upon final approval of this PMUD zoning text amendment, development of the herein described property shall remain in strict compliance with a Final Development Plan, as hereafter approved or modified in accordance with sub-section 1903(D)(5) of the Etna Township Zoning Resolution ("Resolution") and all general non-district regulations/standards in the Resolution shall apply to this PMUD unless they conflict with this PMUD, at which time all conflicting general non-district regulations/standards in this PMUD shall take precedence.

THE FOLLOWING TEXT AMENDMENT CONTAINS ZONING REQUIREMENTS FOR THE "TOTAL ACREAGE" (DEFINED BELOW):

"TOTAL ACREAGE" INFORMATION:

Size & Location of the PMUD District: The subject property is located on the east and west side of Hazelton-Etna Road ("SR310") in the northern area of Etna Township and consists of three parcels with the following approximate acreage:

>"West Side" of SR310—Parcel No. 010-016872: 44.21 acres; Parcel No. 010-016866: 15.34 acres: Total acres: 59.55 acres; and

>"East Side" of SR310—Parcel No. 010-016854: 26.97 acres.

TOTAL ACREAGE---86.52 acres.

(Legal Description is in the deed recorded at Instrument No. 200109040032045 Licking County, Ohio Recorder's Office)

USE OF ENVIRONMENTALLY SENSITIVE AREAS:

The west acreage has a wooded area that extends from the south border to the north border of the west acreage that is approximately 11.3 acres (net of a roadway) ("Woods"). A stream flows through the Woods ("Stream"). The west acreage has a wetland that is approximately 1.3 acres ("Wetland"). Any environmentally sensitive areas identified when the Final Development Plan is prepared shall be accommodated in accordance with Article 19 of the Resolution (the PMUD). The Woods and Stream and Wetland will be preserved and dedicated for Natural Open Space except area occupied by a roadway that will pass through/over the Woods/Stream. (As defined in the Resolution: **Natural Open Space:** *Land set aside in its natural condition. Typical natural conditions might be, but are not limited to ravines, wetlands, floodplains, woods, tree rows, stream corridors, scenic views, or agricultural elements such as fence rows.*)

None of the Total Acreage is located in the FEMA 100 year flood plain. None of the Total Acreage has slopes greater than twenty (20) percent.

LAND USES AND DENSITY:

(For clarification:

- >The requirements and regulations delineated herein are applicable to all uses unless identified as being applicable to a specific use.
- > the following densities represent the maximum densities permitted in each land use area for "residential" uses which include attached and detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care, and detached single family dwellings . In referencing residential uses, the words "homes", "dwellings", "structures", and "units" shall be used interchangeably.

WEST SIDE:

The West Side shall be divided as follows into separate use and restrictive areas for zoning purposes:

("A") Approximately 16.0 acres located on the west beginning on the west property line of the West Side surrounded on the north and east by the Woods and Stream:

PERMITTED USES: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21; nursing care facilities (NAICS CODE 623110); continuing care retirement communities (NAICS CODE 623311); attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care (NAICS CODE 623312)(SEE *); detached single family dwellings; accessory uses (As defined in the Resolution: *Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.*)

* "Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care (NAICS CODE 623312)" as permitted herein, shall be developed in accordance with the definition of "housing for older persons," as that term is defined under 42 USC 3607(b)(2)(C). Specifically, the development of "Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care (NAICS CODE 623312)" must:

- (1) Be intended and operated for occupancy by persons 55 years of age or older;
- and,
- a. At least eighty percent (80%) of the occupied units shall be occupied by at least one person who is 55 years of age or older; and,
 - b. The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent that the housing is in fact operated and for occupancy by persons 55 years of age or older; and,
 - c. The housing facility or community complies with Title 24, Part 100, subpart e of the Code of Federal Regulations.

On or before thirty (30) days after the final approval of this PMUD zoning text amendment, the owner of the West Side shall prepare and record a restrictive covenant stating that attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care are permitted to be developed in area "A" of the PMUD on the condition that they are developed in accordance with the PMUD zoning text and PMUD plan requirements applicable to attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care, and that said development shall be developed under the regulations governing "housing for older persons" as that term is defined under the Fair Housing Act, as may be amended from time to time, under applicable federal and state regulations, and that said regulations shall be enforced by the developer, the owners' association, such other organization formed for the management of the community, or by the unit owners as tenants in common under a condominium plan. Said restriction shall also provide that said restriction shall run with the land until and unless the PMUD zoning text is amended to permit otherwise in accordance with the requirements of the Etna Township Zoning Resolution.

RESIDENTIAL DENSITY:

- > applicable to: attached and detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care: Four (4) residential units per acre; no more than four (4) residential units may be attached.
- > Applicable to: detached single family dwellings: One (1) detached single family dwelling per acre.

SQUARE FOOTAGE OF RESIDENTIAL UNITS:

- >Floor area of attached and detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care shall have a minimum floor area of one thousand (1000) square feet.
- >Floor area of each detached single family dwelling shall have a minimum floor area of eighteen hundred (1800) square feet.
(Floor Area of a Residential Building: The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use and the exterior areas of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.)

DESIGN CRITERIA: (It is understood that the 16.0 acres may be developed with a single plan, or may be developed in parts with two or more plans and by two or more developers. Each plan for each development shall be referred to herein as a "Development".)

**OPEN SPACE REQUIREMENTS FOR DEVELOPMENTS OF ATTACHED AND
DETACHED HOMES FOR THE ELDERLY THAT ARE RETIREMENT HOMES
WITHOUT NURSING CARE AND SENIOR CITIZEN'S HOMES WITHOUT
NURSING CARE AND DETACHED SINGLE FAMILY DWELLINGS:**

In addition to any acreage of the Woods and Stream included in each Development, which provides a Natural Open Space, at least 10% of the gross developable acreage in each residential Development will be developed and used for Common Open Space (As defined in the Resolution: **Common Open Space:** *Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.*)

OWNERS' ASSOCIATION: Prior to the sale, lease, or occupancy of any residential structure in a Development of which it is a part, the Natural Open Space and Common Open Space shall be conveyed to an owners' association, to such other similar organization formed for the maintenance of the Development, or owned by unit owners as tenants in common under a condominium plan. The Natural Open Space and Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Natural Open Space to a continuation of its natural condition and Common Open Space to the uses specified in the Final Development Plan and provide for maintenance of Common Open Space in a manner which insures it continuing use for its intended purpose. Membership in the owners' association or such other similar organization, or ownership as a unit owner in a condominium shall, by deed restriction, be mandatory for any owner within each residential Development.

- > **DEED RESTRICTIONS/COVENANTS:** Deed restrictions and covenants must be provided by the applicant of each Final Development Plan associated with each residential Development and approved by the Zoning Commission to further regulate the intended use of these Natural Open Spaces and Common Open Spaces. Prior to the sale, lease, or occupancy of any residential structure in a Development of which it is a part, deed restrictions and covenants for said Development must be recorded. Such covenants shall restrict the Natural Open Spaces to their natural conditions and Common Open Spaces to the uses specified in each Final Development Plan and provide for the maintenance of the Common Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership. The restrictions and covenants shall require the Common Open Spaces to remain accessible to all residents and guest of residents within each residential Development.
- > Attached and detached residential units will have access to Common Open Space in the Development of which they are a part either by sidewalks or walking trails.

USE OF RESIDENTIAL UNITS AS MODEL UNITS

Model units, defined as residential units used as sales offices by builders/developers to display the builder/developer's product, are permitted subject to the following restrictions:

1. Lighting: All exterior lighting must be fully shielded down-lighting, so that no lighting shall be cast onto adjoining residential units that is not otherwise permitted in this text. Off street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.
2. Parking: Each model unit shall provide two (2) off street parking spaces in close proximity to the model unit to be used by the public. A driveway serving the model unit may be used for two (2) parking spaces.
3. Screening: Landscaping for a model unit shall be approved by the Township and installed prior to the use of a model unit.
4. Model Unit Sign: Etna Township may approve one (1) model unit sign provided the following conditions are met:
 - a) The sign shall not exceed sixteen (16) square feet per side with thirty-two (32) square feet maximum total display area;
 - b) The overall height of the sign shall be no more than four (4) feet above grade;
 - c) The model unit sign shall be located in the model unit's yard area;
 - d) The model unit sign must be removed when the model unit is discontinued as a sales office.

STREET TREES REQUIRED IN ALL DEVELOPMENTS/USES THAT HAVE PRIVATE STREETS:

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private road frontage on at least one side of the street. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

STREET LIGHTING REQUIRED IN ALL DEVELOPMENTS/USES THAT HAVE PRIVATE STREETS:

All private streets shall require lighting that is uniform in each Development and must be of white light, maximum height of twenty (20) feet, placed in equal lineal distances along the private road frontage with fully shielded downward cast lighting.

REQUIREMENT IN ALL DEVELOPMENTS/USES THAT HAVE PRIVATE STREETS:

Private streets in a Development shall interconnect and provide at least one (1) access point to a public street. The Final Development Plan shall provide that construction of private streets shall be in accordance with the following requirements: (i) the minimum width of the right of way and street pavement shall not interfere on availability for utilities and safety for pedestrian and vehicular traffic, (ii) the pavement thickness and material used shall be constructed in accordance with the Licking County Subdivision Regulations for public streets, and (iii) an owners' association, other such similar organization formed for the maintenance of the Development, or the unit owners association of a condominium shall be required to own, maintain, and repair said private streets.

PEDESTRIAN CIRCULATION SYSTEM REQUIRED FOR ALL DEVELOPMENTS/USES:

A pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to each Development and shall provide connections to contiguous pedestrian circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township. Sidewalks that interconnect with the bike and walking path circulation system shall be extended to residential units not directly accessed by a bike and/or walking path.

EXTERIOR DESIGN STANDARDS/REQUIREMENTS FOR ALL DEVELOPMENTS/USES:

All structures will have an exterior design consistent with the exterior design of other structures in the Development of which they are a part. The exterior design of structures in each Development shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other architectures in the community. Deed restrictions, recorded prior to the construction of any structure in a Development, shall require that the exterior of all structures shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

BUFFERING:

Buffering shall be required as provided in Article 16 of the Resolution.

LOT SIZES, SETBACKS AND YARDS FOR ALL DEVELOPMENTS/USES:

- >Setbacks: All structures shall be setback forty (40) feet from the edge of pavement on private streets, and forty (40) feet from the street right of way on public streets. No structure shall be closer than fifteen (15) feet from a side or rear property line.
- >Minimum side, rear, internal yards for attached and detached homes for the elderly: (1) No multi-family structure or single family detached unit shall be closer than thirty (30) feet to another multi-family structure or single family detached unit or fifteen (15) feet from a side or rear property line;
- >Lot sizes for detached single family dwellings and non-residential structures: Every lot shall have a minimum width of one hundred (100) feet and a minimum lot area of not less than one (1) acre (43,560 square feet) exclusive of road right-of-way, and shall be in addition to any easement of record.

HEIGHT FOR ALL DEVELOPMENTS/USES:

No structure shall exceed thirty-five (35) feet in height. (As defined in the Resolution: **Building, Height:** *The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip or gambrel roofs.*)

PARKING REGULATIONS FOR ALL DEVELOPMENTS/USES:

At the time of construction of any improvement in a Development, off-street parking shall be provided with adequate provisions for ingress and egress. Parking requirements for permanent parking in all Developments shall be as regulated in Article 11 of the Resolution.

LANDSCAPING FOR ALL DEVELOPMENTS/USES:

Yards and all improved spaces and non-residential use areas shall be landscaped in accordance with a landscape plan showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for each Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES:

Centralized water and sanitary sewer service is available and shall be extended/constructed in each Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

(“B”) Approximately 7.0 Acres located at the south border of the west acreage contiguous to home sites in Cumberland Trail and bordered on its west side by the Woods and Stream, and on its northeast corner by the Wetland:

PERMITTED USES: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21, detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)(SEE *); detached single family dwellings; accessory uses (As defined in the Resolution: *Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.*)

* “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” as permitted herein, shall be developed in accordance with the definition of “housing for older persons,” as that term is defined under 42 USC 3607(b)(2)(C). Specifically, the development of “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” must:

(1) Be intended and operated for occupancy by persons 55 years of age or older; and,

- a. At least eighty percent (80%) of the occupied units shall be occupied by at least one person who is 55 years of age or older; and,
- b. The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent that the housing is in fact operated and for occupancy by persons 55 years of age or older; and,
- c. The housing facility or community complies with Title 24, Part 100, subpart e of the Code of Federal Regulations.

On or before thirty (30) days after the final approval of this PMUD zoning text amendment, the owner of the West Side shall prepare and record a restrictive covenant stating that detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care are permitted to be developed in area "B" of the PMUD on the condition that they are developed in accordance with the PMUD zoning text and PMUD plan requirements applicable to detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care, and that said development shall be developed under the regulations governing "housing for older persons" as that term is defined under the Fair Housing Act, as may be amended from time to time, under applicable federal and state regulations, and that said regulations shall be enforced by the developer, the owners' association, such other organization formed for the management of the community, or by the unit owners as tenants in common under a condominium plan. Said restriction shall also provide that said restriction shall run with the land until and unless the PMUD zoning text is amended to permit otherwise in accordance with the requirements of the Etna Township Zoning Resolution.

RESIDENTIAL DENSITY:

- > applicable to: detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care: Four (4) residential units per acre;
- > Applicable to: detached single family dwellings: One (1) detached single family dwelling per acre.

SQUARE FOOTAGE OF RESIDENTIAL UNITS

- >Floor area of detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care shall have a minimum floor area of twelve hundred (1200) square feet.
- >Floor area of each detached single family dwelling shall have a minimum floor area of eighteen hundred (1800) square feet.

(Floor Area of a Residential Building: The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use and the exterior areas of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.)

DESIGN CRITERIA: (It is understood that the 7.0 acres will be developed with a single plan which shall be referred to herein as the "Development".)

OPEN SPACE REQUIREMENTS FOR DEVELOPMENTS OF DETACHED HOMES FOR THE ELDERLY THAT ARE RETIREMENT HOMES WITHOUT NURSING CARE AND SENIOR CITIZEN'S HOMES WITHOUT NURSING CARE AND DETACHED SINGLE FAMILY DWELLINGS:

In addition to any acreage of the Woods and Stream included in each Development, which provides a Natural Open Space, at least 10% of the gross developable acreage in the residential Development will be developed and used for Common Open Space (As defined in the Resolution: *Common Open Space: Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.*)

OWNERS' ASSOCIATION: Prior to the sale, lease, or occupancy of any residential structure in the Development, the Natural Open Space and Common Open Space shall be conveyed to an owners' association, to such other similar organization formed for the maintenance of the Development, or owned by unit owners as tenants in common under a condominium plan. The Natural Open Space and Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Natural Open Space to a continuation of its natural condition and Common Open Space to the uses specified in the Final Development Plan and provide for maintenance of Common Open Space in a manner which insures its continuing use for its intended purpose. Membership in the owners' association or such other similar organization, or ownership as a unit owner in a condominium shall, by deed restriction, be mandatory for any owner within the Development.

>**DEED RESTRICTIONS/COVENANTS:** Deed restrictions and covenants must be provided by the applicant of the Final Development Plan and approved by the Zoning Commission to further regulate the intended use of these Natural Open Spaces and Common Open Spaces. Prior to the sale, lease, or occupancy of any residential structure in the Development, deed restrictions and covenants for the Development must be recorded. Such covenants shall restrict the Natural Open Spaces to their natural conditions and Common Open Spaces to the uses specified in the Final Development Plan and provide for the maintenance of the Common Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership. The restrictions and covenants shall require the Common Open Spaces to remain accessible to all residents and guest of residents within the Development.

>Each residential unit will have access to Common Open Space in the Development either by sidewalks or walking trails.

USE OF RESIDENTIAL UNITS AS MODEL UNITS

Model units, defined as residential units used as sales offices by builders/developers to display the builder/developer's product, are permitted subject to the following restrictions:

1. Lighting: All exterior lighting must be fully shielded down-lighting, so that no lighting shall be cast onto adjoining residential units that is not otherwise permitted in this text. Off street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.
2. Parking: Each model unit shall provide two (2) off street parking spaces in close proximity to the model unit to be used by the public. A driveway serving the model unit may be used for two (2) parking spaces.
3. Screening: Landscaping for a model unit shall be approved by the Township and installed prior to the use of a model unit.
4. Model Unit Sign: Etna Township may approve one (1) model unit sign provided the following conditions are met:
 - a) The sign shall not exceed sixteen (16) square feet per side with thirty-two (32) square feet maximum total display area;
 - b) The overall height of the sign shall be no more than four (4) feet above grade;
 - c) The model unit sign shall be located in the model unit's yard area;
 - d) The model unit sign must be removed when the model unit is discontinued as a sales office.

STREET TREES REQUIRED IN THE DEVELOPMENT ALONG PRIVATE STREETS:

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private road frontage on at least one side of the street. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

STREET LIGHTING REQUIRED IN THE DEVELOPMENT ALONG PRIVATE STREETS:

All private streets shall require lighting that is uniform in the Development and must be of white light. Said lighting shall require matching exterior lighting fixtures placed on matching decorative posts along private streets at fifty-foot intervals on the opposite side of the road from the required trees.

REQUIREMENT IN THE DEVELOPMENT REGARDING PRIVATE STREETS:

Private streets in the Development shall interconnect and provide at least one (1) access point to a public street. The Final Development Plan shall provide that construction of private streets shall be in accordance with the following requirements: (i) the minimum width of the right of way and street pavement shall not interfere on availability for utilities and safety for pedestrian and vehicular traffic, (ii) the pavement thickness and material used shall be constructed in accordance with the Licking County Subdivision Regulations for public streets, and (iii) an owners' association, other such similar organization formed for the maintenance of the Development, or the unit owners association of a condominium shall be required to own, maintain, and repair said private streets. No vehicle access will be extended from the Development to Cumberland Trail.

PEDESTRIAN CIRCULATION SYSTEM REQUIRED FOR THE DEVELOPMENT:

A pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to the Development and shall provide connections to contiguous pedestrian circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township. Sidewalks that interconnect with the bike and walking path circulation system shall be extended to residential units not directly accessed by a bike and/or walking path.

EXTERIOR DESIGN STANDARDS/REQUIREMENTS FOR THE DEVELOPMENT:

All structures will have an exterior design consistent with the exterior design of other structures in the Development. The exterior design of structures the Development shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other architectures in the community. Deed restrictions, recorded prior to the construction of any structure in the Development shall require that the exterior of all structures shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

BUFFERING:

Buffering shall be required as provided in Article 16 of the Resolution.

LOT SIZES, SETBACKS AND YARDS:

- >Setbacks: All structures shall be setback forty (40) feet from the edge of pavement on private streets, and forty (40) feet from the street right of way on public streets. No structure shall be closer than fifteen (15) feet from a side or rear property line.
- >Minimum side, rear, internal yards for detached homes for the elderly: (1) No detached single family unit shall be closer than thirty (30) feet to another detached single family unit or fifteen (15) feet from a side or rear property line;
- >Lot sizes for detached single family dwellings: Every lot shall have a minimum width of one hundred (100) feet and a minimum lot area of not less than one (1) acre (43,560 square feet) exclusive of road right-of-way, and shall be in addition to any easement of record.

HEIGHT FOR THE DEVELOPMENT:

No structure shall exceed thirty-five (35) feet in height. (As defined in the Resolution: **Building, Height:** *The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip or gambrel roofs.*)

PARKING REGULATIONS FOR THE DEVELOPMENT:

At the time of construction of any improvement in the Development, off-street parking shall be provided with adequate provisions for ingress and egress. Parking requirements for permanent parking in the Development shall be as regulated in Article 11 of the Resolution.

LANDSCAPING FOR THE DEVELOPMENT:

Yards and all improved spaces shall be landscaped in accordance with a landscape plan showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for the Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES:

Centralized water and sanitary sewer service is available and shall be extended/constructed in the Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

(“C”) Approximately 19.3 acres located at the northeast side of the west acreage and bordering SR310:

PERMITTED USES & PROHIBITED USES:

Permitted: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21, retail, professional, and business uses as permitted in Article 9, Section 905 (Professional-Research-Office District) and Section 906 (Local Business District) of the Resolution, accessory uses (As defined in the Resolution: ***Accessory Use or Structure***: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.)

Prohibited: automobile driving schools (NAICS Code 611692), car washes (NAICS Code 811192), landscaping services (NAICS Code 561730), and elementary and secondary schools (NAICS Code 611110).

CONDITIONAL USES: uses permitted as conditional uses in Article 9, Section 905 (Professional-Research-Office District) and Section 906 (Local Business District) of the Resolution

MAXIMUM SQUARE FOOTAGE: Buildings used for permitted uses under Retail Trade in Section 906 (Local Business District) of the Resolution shall contain no more than 16,250 gross square feet of floor area per building.

DESIGN CRITERIA: (Whether designed by a single plan or multiple plans, the 19.3 acres shall be referred to as the "Development").

SETBACK AT SR310

SETBACK AT SR310: A 150' setback from the right-of-way shall be maintained along SR310 and shall be improved with a bike and walking path providing connections to contiguous circulation systems in the West Side Developments with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township.

BUILDING & IMPROVEMENT FACADES:

All buildings located next to SR310 (those buildings that are the first buildings west of SR310 along its corridor) shall have a façade that faces SR310. All other buildings shall have facades that face the location of the pedestrian's main access/entry thereto. Pedestrian access shall be permitted on all sides of the building including at the façade. Service/delivery entries shall be on the west, south or north side of all buildings.

SERVICE STRUCTURES & SCREENING

No utilities, dumpsters, mechanicals or other service structures may be placed in front of the building façade unless existing prior to construction or required by applicable regulations. Service structures shall be screened. Service structures shall include but not be limited to loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site. Service structures may be grouped together; however, screening height shall be based upon the tallest of the structures. Roof top mechanical units must be screened to the full height of the unit.

SCREENING OF SERVICE STRUCTURES: A continuous (having 100 percent opacity) planting, hedge, fence, wall of earth, which would enclose any service structure on all sides is required, unless such structure must be frequently moved, in which case screening on all but one side is required. The height of the screening material shall be one foot more than the height of the enclosed structure, but shall not be required to exceed 12 feet in height. Whenever a service structure is located next to a building wall, perimeter landscaping material or vehicular use area landscaping material, such walls or screening material, may fulfill the screening requirement for that side of the service structure if that wall or screening material is of sufficient height to meet the height requirement set out in this section. Plant material used to screen a service structure shall be an evergreen species which retains its needles throughout the year. Deciduous plant material cannot be used to fulfill this screening requirement. The height of the

evergreen plant material at installation must be equal to, or greater than, two-thirds of the height of the service structure(s), and meet the height and opacity requirements within four years. No interior landscaping shall be required within an area screened for service structures. Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening material on these sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.

PARKING

Parking shall not dominate the Development as viewed from SR310 and shall be located to the south, west or north side of structures that face SR310 unless permitted otherwise in accordance with the approved Final Development Plan. Shared parking in the Development is permitted. Parking and loading facilities shall be designed in accordance with Article 11 of the Resolution. At the time of construction of any improvement in the Development, off-street parking shall be provided with adequate provisions for ingress and egress.

BUILDING DESIGN, SCALE & ACCESS

Buildings shall have a neighborhood design, being human in scale, permitting and promoting pedestrian walking access by means of improved sidewalks and paths that connect to residential developments. A network of concrete sidewalks shall provide access to buildings in the Development. All sidewalks providing access to buildings in the Development shall have, or be connected to a sidewalk that has at least one access point to a paved walking/biking trail that extends to other paved walking/biking trails in the PMUD. In addition to sidewalks, a pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to the Development and shall provide connections to contiguous circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township.

Each building shall be related to other buildings in the Development with respect to connections, building placement, landscaping, screening, and green space. Store windows and entries will face and be served by the pedestrian access-ways. All buildings in the Development will have a uniform exterior design. Deed restrictions shall be recorded that require that the exterior of all buildings shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

HEIGHT LIMIT: No building shall be erected or enlarged to exceed two and one-half (2 ½) stories or thirty-five (35) feet.

LOT AREA, WIDTH & DEPTH: Every lot shall have minimum width of one hundred (100) feet and minimum lot area of not less than one-half (.5) acre (21,780 square feet) exclusive of public road right of way and shall be in addition to any easement of record.

FRONT YARD: There shall be a front yard of not less than twelve (12) feet in depth.

SIDE YARD: There shall be side yards of not less than twelve (12) feet on each side.

REAR YARD: There shall be a rear yard of not less than twelve (12) feet in depth.

STREET LIGHTING

All access-ways that provide connection from the public access to and from each building or building cluster, and all bike and walking trails, shall require lighting that is uniform in the Development and must be of white light, maximum height of twenty (20) feet, placed in equal lineal distances along the private street, access-way, or walking and bike trail frontage with fully shielded downward cast lighting. Cross access easements will be established for said access-ways when needed.

STREET TREES

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private street and access-way frontage on at least one side of the street or access-way. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

BUFFERING:

Buffering shall be required as provided in Article 16.

SIGNAGE

Signage shall be uniform in design in the Development and as regulated in Article 12 of the Resolution.

LANDSCAPING

All improved spaces that are not used for parking, access, or structures shall be landscaped in accordance with a landscape plan uniform for the Development showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for the Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES

Centralized water and sanitary sewer service is available and shall be extended/constructed in the Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

EAST SIDE:

The East Side shall be divided as follows into separate use and restrictive areas for zoning purposes:

("D") Approximately 11.9 acres located on the east side of SR310 fronting on SR310:

PERMITTED USES: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21, business and professional uses as permitted in Article 9, Section 905 (Professional-Research-Office District), and Section 906 (Local Business District) of the Resolution, accessory uses (As defined in the Resolution: *Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.*)

CONDITIONAL USES: uses permitted as conditional uses in Article 9, Section 905 (Professional-Research-Office District) and Section 906 (Local Business District) of the Resolution

MAXIMUM SQUARE FOOTAGE: Buildings used for permitted uses under Retail Trade in Section 906 (Local Business District) of the Resolution shall contain no more than 16,250 gross square feet of floor area per building.

DESIGN CRITERIA: (Whether designed by a single plan or multiple plans, the 11.9 acres shall be referred to as the "Development").

SETBACK AT SR310

SETBACK AT SR310: A 150' setback from the right-of-way shall be maintained along SR310 and shall be improved with a bike and walking path providing connections to contiguous circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township.

OPEN SPACE

At least 30% of the gross developable acreage in the Development will be developed and used for Common Open Space (As defined in the Resolution: **Common Open Space:** *Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.*)

OWNERS' ASSOCIATION: Prior to the sale, lease, or occupancy of any structure in the Development, the Common Open Space shall be conveyed to an owners' association, to such other similar organization formed for the maintenance of the Development, or owned by unit owners as tenants in common under a condominium plan. The Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Common Open Space to the uses specified in the Final Development Plan and provide for maintenance of Common Open Space in a manner which insures its continuing use for its intended purpose. Membership in the owners' association or such other similar organization, or ownership as a unit owner in a condominium shall, by deed restriction, be mandatory for any owner within the each Development.

DEED RESTRICTIONS/COVENANTS: Deed restrictions and covenants must be provided by the applicant of the Final Development Plan and approved by the Zoning Commission to further regulate the intended use of the Common Open Spaces. Prior to the sale, lease, or occupancy of any structure in the Development, deed restrictions and covenants for said Development must be recorded. Such covenants shall restrict Common Open Spaces to the uses specified in the Final Development Plan and provide for the maintenance of the Common Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership.

BUILDING & IMPROVEMENT FACADES:

All buildings located next to SR310 (those buildings that are the first buildings east of SR310 along its corridor) shall have a façade that faces SR310. All other buildings shall have facades that face the location of the pedestrian's main access/entry thereto. Pedestrian access shall be permitted on all sides of the building including at the façade. Service/delivery entries shall be on the west, south or north side of all buildings.

SERVICE STRUCTURES & SCREENING

No utilities, dumpsters, mechanicals or other service structures may be placed in front of the building façade unless existing prior to construction or required by applicable regulations. Service structures shall be screened. Service structures shall include but not be limited to loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site. Service structures may be grouped together; however, screening height shall be based upon the tallest of the structures. Roof top mechanical units must be screened to the full height of the unit.

SCREENING OF SERVICE STRUCTURES: A continuous (having 100 percent opacity) planting, hedge, fence, wall of earth, which would enclose any service structure on all sides is required, unless such structure must be frequently moved, in which case screening on all but one side is required. The height of the screening material shall be one foot more than the height of the enclosed structure, but shall not be required to exceed 12 feet in height. Whenever a service structure is located next to a building wall, perimeter landscaping material or vehicular use area landscaping material, such walls or screening material, may fulfill the screening requirement for that side of the service structure if that wall or screening material is of sufficient height to meet the height requirement set out in this section. Plant material used to screen a service structure shall be an evergreen species which retains its needles throughout the year. Deciduous plant material cannot be used to fulfill this screening requirement. The height of the evergreen plant material at installation must be equal to, or greater than, two-thirds of the height of the service structure(s), and meet the height and opacity requirements within four years. No interior landscaping shall be required within an area screened for service structures. Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening material on these sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.

PARKING

Parking shall not dominate the Development as viewed from SR310 and shall be located to the south, east or north side of structures that face SR310 unless permitted otherwise in accordance with the approved Final Development Plan. Shared parking in the Development is permitted. Parking and loading facilities shall be designed in accordance with Article 11 of the Resolution. At the time of construction of any improvement in the Development, off-street parking shall be provided with adequate provisions for ingress and egress.

BUILDING DESIGN, SCALE & ACCESS

Buildings shall have a neighborhood design, being human in scale, permitting and promoting pedestrian walking access by means of improved sidewalks and paths. A network of concrete sidewalks shall provide access to buildings in the Development. All sidewalks providing access to buildings in the Development shall have, or be connected to a sidewalk that has at least one access point to a paved walking/biking trail that extends to other paved walking/biking trails in the PMUD. In addition to sidewalks, a pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to the Development and shall provide connections to contiguous circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township.

Each building shall be related to other buildings in the Development with respect to connections, building placement, landscaping, screening, and green space. Store and office windows and entries will face and be served by the pedestrian access-ways. All buildings in the Development will have a uniform exterior design. Deed restrictions shall be recorded that require that the exterior of all buildings shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

HEIGHT LIMIT: No building shall be erected or enlarged to exceed two and one-half (2 ½) stories or thirty-five (35) feet.

LOT AREA, WIDTH & DEPTH: Every lot shall have minimum width of one hundred (100) feet and minimum lot area of not less than one-half (.5) acre (21,780 square feet) exclusive of public road right of way and shall be in addition to any easement of record.

FRONT YARD: There shall be a front yard of not less than twelve (12) feet in depth.

SIDE YARD: There shall be side yards of not less than twelve (12) feet on each side.

REAR YARD: There shall be a rear yard of not less than twelve (12) feet in depth.

STREET LIGHTING

All access-ways that provide connection from the public access to and from each building or building cluster, and all walking and bike trails, shall require lighting that is uniform in the Development and must be of white light, maximum height of twenty (20) feet, placed in equal lineal distances along the private road frontage with fully shielded downward cast lighting. Cross access easements will be established for said access-ways when needed.

STREET TREES

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private street and access-way frontage on at least one side of the street or access-way. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

BUFFERING:

Buffering shall be required as provided in Article 16.

SIGNAGE

Signage shall be uniform in design in the Development and as regulated in Article 12 of the Resolution.

LANDSCAPING

All improved spaces that are not used for parking, access, or structures shall be landscaped in accordance with a landscape plan uniform for the Development showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for the Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES

Centralized water and sanitary sewer service is available and shall be extended/constructed in the Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

(“E”) Approximately 11.3 acres located east of the 11.9 acres:

PERMITTED USES: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21, detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)(SEE *); detached single family dwellings; accessory uses (As defined in the Resolution: *Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.*)

* “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” as permitted herein, shall be developed in accordance with the definition of “housing for older persons,” as that term is defined under 42 USC 3607(b)(2)(C). Specifically, the development of “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” must:

- (1) Be intended and operated for occupancy by persons 55 years of age or older; and,
 - a. At least eighty percent (80%) of the occupied units shall be occupied by at least one person who is 55 years of age or older; and,

- b. The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent that the housing is in fact operated and for occupancy by persons 55 years of age or older; and,
- c. The housing facility or community complies with Title 24, Part 100, subpart e of the Code of Federal Regulations.

On or before thirty (30) days after the final approval of this PMUD zoning text amendment, the owner of the East Side shall prepare and record a restrictive covenant stating that detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care are permitted to be developed in area "E" of the PMUD on the condition that they are developed in accordance with the PMUD zoning text and PMUD plan requirements applicable to detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care, and that said development shall be developed under the regulations governing "housing for older persons" as that term is defined under the Fair Housing Act, as may be amended from time to time, under applicable federal and state regulations, and that said regulations shall be enforced by the developer, the owners' association, such other organization formed for the management of the community, or by the unit owners as tenants in common under a condominium plan. Said restriction shall also provide that said restriction shall run with the land until and unless the PMUD zoning text is amended to permit otherwise in accordance with the requirements of the Etna Township Zoning Resolution.

RESIDENTIAL DENSITY:

- > applicable to: detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care: Four (4) residential units per acre;
- > applicable to: detached single family dwellings: One (1) detached single family dwelling per acre.

SQUARE FOOTAGE OF RESIDENTIAL UNITS

- >Floor area of detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care shall have a minimum floor area of twelve hundred (1200) square feet.
- >Floor area of each detached single family dwelling shall have a minimum floor area of eighteen hundred (1800) square feet.

Floor Area of a Residential Building: *The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use and the exterior areas of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.)*

DESIGN CRITERIA: (Whether designed by a single plan or multiple plans, the residential development shall be referred to as the "Development")

OPEN SPACE

At least 30% of the gross developable acreage in the Development will be developed and used for Common Open Space (As defined in the Resolution: **Common Open Space:** *Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.*)

OWNERS' ASSOCIATION: Prior to the sale, lease, or occupancy of any residential unit in the Development, the Common Open Space shall be conveyed to an owners' association, to such other similar organization formed for the maintenance of the Development, or owned by unit owners as tenants in common under a condominium plan. The Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Common Open Space to the uses specified in the Final Development Plan and provide for maintenance of Common Open Space in a manner which insures it continuing use for its intended purpose. Membership in the owners' association or such other similar organization, or ownership as a unit owner in a condominium shall, by deed restriction, be mandatory for any owner within the Development.

DEED RESTRICTIONS/COVENANTS: Deed restrictions and covenants must be provided by the applicant with the Final Development Plan associated with the residential Development and approved by the Zoning Commission to further regulate the intended use of the Common Open Spaces. Prior to the sale, lease, or occupancy of any residential unit in the Development, deed restrictions and covenants for the Development must be recorded. Such covenants shall restrict the Common Open Spaces to the uses specified in the Final Development Plan and provide for the maintenance of the Common Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership. The restrictions and covenants shall require the Common Open Spaces to remain accessible to all residents and guest of residents within the Development. Each residential unit will have access to Common Open Space in the Development either by sidewalks or walking trails.

USE OF RESIDENTIAL UNITS AS MODEL UNITS

Model units, defined as residential units used as sales offices by builders/developers to display the builder/developer's product, are permitted subject to the following restrictions:

1. **Lighting:** All exterior lighting must be fully shielded down-lighting, so that no lighting shall be cast onto adjoining residential units that is not otherwise permitted in this text. Off street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.
2. **Parking:** Each model unit shall provide two (2) off street parking spaces in close proximity to the model unit to be used by the public. A driveway serving the model unit may be used for two (2) parking spaces.

3. Screening: Landscaping for a model unit shall be approved by the Township and installed prior to the use of a model unit.
4. Model Unit Sign: Etna Township may approve one (1) model unit sign provided the following conditions are met:
 - a) The sign shall not exceed sixteen (16) square feet per side with thirty-two (32) square feet maximum total display area;
 - b) The overall height of the sign shall be no more than four (4) feet above grade;
 - c) The model unit sign shall be located in the model unit's yard area;
 - d) The model unit sign must be removed when the model unit is discontinued as a sales office.

STREET TREES REQUIRED IN THE DEVELOPMENT ALONG PRIVATE STREETS:

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private road frontage on at least one side of the street. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

STREET LIGHTING REQUIRED IN THE DEVELOPMENT ALONG PRIVATE STREETS:

All private streets shall require lighting that is uniform in the Development and must be of white light. Said lighting shall require matching exterior lighting fixtures placed on matching decorative posts along private streets at fifty-foot intervals on the opposite side of the street from the required trees.

REQUIREMENT IN THE DEVELOPMENT REGARDING PRIVATE STREETS:

Private streets in the Development shall interconnect and provide at least one (1) access point to a public street. The Final Development Plan shall provide that construction of private streets shall be in accordance with the following requirements: (i) the minimum width of the right of way and street pavement shall not interfere on availability for utilities and safety for pedestrian and vehicular traffic, (ii) the pavement thickness and material used shall be constructed in accordance with the Licking County Subdivision Regulations for public streets, and (iii) an owners' association, other such similar organization formed for the maintenance of the Development, or the unit owners association of a condominium shall be required to own, maintain, and repair said private streets.

ACCESS FROM THE DEVELOPMENT TO CAMERON CHASE SUBDIVISION:

Any vehicular access from the Development to Cameron Chase, whether public or private, shall provide calming features that slow and/or restrict vehicular access to and from Cameron Chase. Said calming features shall be designed and constructed as required by Etna Township and the Licking County Planning Commission.

PEDESTRIAN CIRCULATION SYSTEM REQUIRED FOR THE DEVELOPMENT:

A pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to the Development and shall provide connections to contiguous pedestrian circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township. Sidewalks that interconnect with the bike and walking path circulation system shall be extended to residential units not directly accessed by a bike and/or walking path.

EXTERIOR DESIGN STANDARDS/REQUIREMENTS FOR THE DEVELOPMENT:

All structures will have an exterior design consistent with the exterior design of other structures in the Development. The exterior design of structures in the Development shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other architectures in the community. Deed restrictions, recorded prior to the construction of any structure in a Development, shall require that the exterior of all structures shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

BUFFERING:

Buffering shall be required as provided in Article 16 of the Resolution.

SETBACKS AND YARDS FOR THE DEVELOPMENT:

- > Setbacks: All structures shall be setback forty (40) feet from the edge of pavement on private streets, and forty (40) feet from the street right of way on public streets. No structure shall be closer than fifteen (15) feet from a side or rear property line.
- > Minimum side, rear, internal yards for detached homes for the elderly: (1) No single family detached unit shall be closer than thirty (30) feet to another single family detached unit or fifteen (15) feet from a side or rear property line;
- > Lot sizes for detached single family dwellings and non-residential structures: Every lot shall have a minimum width of one hundred (100) feet and a minimum lot area of not less than one (1) acre (43,560 square feet) exclusive of road right-of-way, and shall be in addition to any easement of record.

HEIGHT FOR THE DEVELOPMENT:

No structure shall exceed thirty-five (35) feet in height. (As defined in the Resolution: **Building, Height:** *The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip or gambrel roofs.*)

PARKING REGULATIONS FOR THE DEVELOPMENT:

At the time of construction of any improvement in the Development, off-street parking shall be provided with adequate provisions for ingress and egress. Parking requirements for permanent parking in the Development shall be as regulated in Article 11 of the Resolution.

LANDSCAPING FOR THE DEVELOPMENT:

Yards and all improved spaces shall be landscaped in accordance with a landscape plan showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for the Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES:

Centralized water and sanitary sewer service is available and shall be extended/constructed in the Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

Requirements for Fire Hydrants & Surface Drainage:

All fire hydrant locations and spacing will be in compliance with the West Licking Joint Fire District (see attached Regulations). The Final Development Plan shall be developed with the WLJFD representatives' review and comment so that all concerns are addressed. All surface drainage will be handled in accordance with the requirements of the OEPA. Also, the Phase II requirements for water quality and quantity control relative to site construction run-off as described in the NPDES permit will be adhered to.

Design of Reserve Areas, Open Spaces & their Uses and Maintenance:

The West side provides more than 12 acres of Natural Open Space (Woods, Stream, Wetland). In addition to the Natural Open Space, each residential development in the west acreage is required to provide Common Open Space totaling at least 10% of its gross developable acreage. The East side has no Natural Open Space, and therefore, the professional office, local business, and residential development in the east acreage is required to provide Common Open Space of at least 30% of its gross developable area, thereby resulting in Common Open Spaces in the east acreage totaling 30% of the gross developable eastern acreage. In all residentially and commercially used developments, the developer shall form a homeowners association or such other organization, or condominium unit ownership to oversee and control the Open Spaces in accordance with Ohio Revised Code Section 5312. All open spaces shall be designed in accordance with the design criteria delineated above.

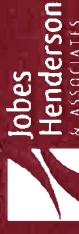
JBW "PMUD" USE MAP



JBW Properties LLC

A Proposed Planned Mixed-Use Development
 in Etna Township, Licking County, Ohio

Prepared By:



Breaking Ground | Breaking Boundaries

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West Licking Joint Fire District - Construction Regulations

For Appendix A, B, C, and D

Fire Protection Regulations

The West Licking Joint Fire District has the following regulations concerning the proposed developments or buildings located in the West Licking Fire District in accordance with the Ohio Fire Code.

SECTION 3-FIRE HYDRANTS

Maximum distance between fire hydrants is 500 feet.

1. Fire hydrants shall be provided no less than 20 feet nor more than 50 feet of all intersecting streets.
2. One fire hydrant shall be provided within 150 feet of the terminus of a public or private dead end street, stub street, common access drive, or cul-de-sac.
3. Fire hydrants shall not require the opening of a valve for the fire hydrants to provide the required fire flows needed.
4. Hydrant flow testing, as recommended per NFPA 291, shall be conducted and documented to ensure that the minimum fire flow is available. These tests shall be conducted at the expense of the owner. The West Licking Fire District shall have the option of witnessing these tests.
5. Hydrant and water line plans will be submitted to the West Licking Fire District. All plans submitted shall be full size with scale indicated.
6. Minimum water line size for a fire hydrant shall be 6 inches. If the water line is a dead end line and exceeds 600 feet in length or has two or more hydrants on the line, an 8 inch pipe size is required.
7. Minimum branch size for a fire hydrant shall be 6 inches.
8. Hydrants shall have;
 - One 5 inch Storz connection.
 - Two 2.5 inch inch hose connections.
 - NFPA National Standard fire hose threads.
9. Additional fire hydrant requirements;
 - Set depth so that breakaway flange is within 6 inches above finish grade.
 - Steamer connection shall be facing road.
 - Check each hydrant to ensure that there is no leakage at breakaway flange and that water freely drains through the weep hole when shut off.
 - Private hydrants shall have the bonnets painted dark blue.
 - Private hydrants connected to a non-potable water source shall have the bonnets painted white.
10. Fire hydrants shall be in service and a letter received from the local water department and a certificate of completion from the installation contractor prior to construction above grade level.

THE ABOVE RULES AND REGULATIONS ARE IN ADDITION TO ALL FEDERAL, STATE, COUNTY, LOCAL, AND NATIONAL CODES AND STANDARDS

Note: These regulations were as of 12-2017, the developer is responsible for verify with West Licking Joint Fire District on the current regulation.