HAGY PROPERTY
PLANNED MIXED-USE DEVELOPMENT DISTRICT
(PMUD)
ZONING TEXT AMENDMENT
Updated August 11, 2020

In accordance with section 1900 of the Etna Township Zoning Resolution ("Resolution"), this Planned Mixed-Use Development (PMUD) zoning text and attached preliminary development plan exhibits are submitted under 1903(B) and the inherent flexibility of planned unit development and Ohio planned district law. Subject to final approval, the attached plan exhibits are hereby incorporated into and made part of this PMUD zoning text to establish regulatory commitments and governance for this PMUD district applicable to the subject property and parcels identified. Planned mixed uses are presented with design standards written for this particular subject tract and a PMUD is proposed to produce a high-quality development, with integrated uses that could not be replicated under standard zoning districts.

Upon final approval of this Hagy Property PMUD zoning text amendment by Etna Township, development of the herein described property shall remain in strict compliance with this PMUD text and approved final development plans as hereafter approved or modified in accordance with sub-section 1903,(B) of the Etna Township Zoning Resolution ("Resolution") and Articles 10 through 16 in the Resolution shall apply to this PMUD unless otherwise modified by this text or the specified regulation/standards conflict with this PMUD text in which case this PMUD text and the approved final development plan shall govern and take precedence.

SIZE, LOCATION AND PROJECT OVERVIEW FOR PMUD:

Applicant: Pulte Homes of Ohio, LLC

Developers: Pulte Homes of Ohio, LLC, 475 Metro Place South, Ste. 200, Dublin, OH 43017

Engineer/Planner: Joe Looby, EMH&T 5500 New Albany Road, Columbus Ohio, 43054

Property: 153.508 acres, project area Palmer Road (Site area - acreage less R/W dedication of 1.77 ac)

Tax Parcel Nos.: 010-016860-00.000 (38.00 ac, 14141 Palmer Road, SW, Etna, OH); 010-017262-00.000 (106 ac, 13541 Palmer Road SW, Etna, OH); 010-017268-00.000 (10 ac, 14097 Palmer Road SW, Etna, OH)

The Hagy Tract Planned Multi-Use District (PMUD) consists of approximately 155.281+/- survey acres and 153.508+/- acres after proposed right-of-way dedication, is located south of Palmer Road SW, north of the Fairfield/Licking County boundary line, west of Mink Road SW
and east of I-70 and shall be developed under this uniform zoning text. All three existing parcels are currently zoned Planned Residential Conservation District and are currently farmed, with existing residences and accessory buildings.

For reference, the subject property is located adjacent to the proposed development are the following:

- To the West – Undeveloped, wooded acreage, along with large lot, single-family homes.
- To the North – Large lot single-home with farmland and a partially completed townhome condominium development.
- To the East – Subdivision style development.
- To the South – Subdivision style development across the Fairfield County line.

**USE OF ENVIRONMENTALLY SENSITIVE AREAS:**

**Environmentally Sensitive Areas:** Six wetlands of approximately .53 acres have been field identified on site and have been classified as Palustrine Emergent (PEM) and are category 1 wetlands. There are no isolated wetlands on the site. Subject to final engineering and the final development plan, portions of site wetlands may be mitigated through the Army Corps of Engineers or the Ohio Environmental Protection Agency permitting and regulations, whichever agency has jurisdiction based on type and classification of specific wetland. Wetlands to remain shall have an undisturbed, natural buffer of 25 feet measured from edge of the delineated wetland, and be located in land dedicated to Natural/Conservation Open Space as defined herein and preserved in their natural state, free of any earth disturbing activities and allowed to function as a natural wetland.

None of the site is in the FEMA 100-year flood plain or flood hazard zone. The locations of slopes greater than twenty (20) percent are identified on Exhibit B, Open Space Areas. The wooded area on site that is to be preserved is approximately 4.5 acre.

Any environmentally sensitive areas identified when the Final Development Plan is submitted shall be accommodated in accordance with Section 1903.C.2.b of the PMUD.

**DENSIY CALCULATIONS:**

Applicant Pulte is requesting to rezone the property to Planned Mix Use District (PMUD), with a uniform and consistent development text, standards and density calculations that shall apply to the entire 153.508+/- acre tract. The proposed development shall consist of a total 365 total residential units and recreational open space. 203 units shall be detached traditional single-family homes, as defined herein, and 162 units shall be detached patio homes (44% of the site), (as defined herein), on fee simple lots. The traditional single-family home lots (as defined herein) will be a minimum of 60 feet x 140 feet, with at least 50% of these lots to be 64 feet or wider at the building line to support three car garages, subject to final engineering adjustments. The patio homes will be a minimum of 55 feet x 135 feet in order to provide a variety of lots and home sizes. The development will have a gross density of +/-2.37 du/ac and a net density of +/-2.96 du/ac. All homes shall have a minimum two-car garage. The homes and lot sizes are designed to meet changing demands in the housing market for updated and amenitized homes on more manageable lot sizes with greater common open space. Such lot sizes and quality homes equate to value in the market, while allowing the community to structure recreational open spaces in larger configurations for more common enjoyment, to preserve natural areas
and to buffer neighboring properties. With such lot sizes and development pattern, the percentage of open space that is preserved, +/-37.0% (or 57.0 acres), is more than twice that required by typical residential codes (15%) and exceeds many traditional large lot developments.

Acreage

153.508 site (net of R/W dedication)
123.068 +/- net dev. acres

Number of Single-Family Homes
203

Number of Patio Homes
162

Open Space Areas/(Percentage)
57.0 +/- acres (37.0%)

Right of Way Acres
1.77 +/- acres

Net Density
2.960 +/- du/ac;

Gross Density
2.37 +/- du/ac

Net Density Calculations: The net developable acreage is that remaining after deducting the following existing and planned land characteristics from the gross acreage, as provided under the Etna Township Zoning Resolution for residential planned district uses:

20.46 acres – Right-of-way for streets and utilities
0.30 acres – Jurisdictional wetlands
0.00 acres – Floodplains within a FEMA 100-year floodplain
0.11 acres – Slopes greater than twenty percent
0.00 acres – Utility rights-of-way and easements (existing)
9.57 acres – All bodies of water including retention or detention ponds.
30.44 acres Total

PERMITTED LAND USES:

Within the site the following uses, when developed in strict compliance with the approved PMUD Text and standards, may be permitted:

A. Detached traditional single-family homes and detached patio style/empty nester single family homes, as both defined herein.

B. All lots in the development shall be used for single-family residential purposes and open space features and amenities depicted on the attached exhibits and subject to approval of the final development plan. All lots shall meet the requirements set forth in this text. Not more than one home is permitted on each lot. Permitted improvements on lots shall consist of room additions and structures which include an attached garage, an uncovered and covered and/or enclosed patio, pergolas and privacy yard fences both as specified for individual lots and to protect in-ground swimming pools as needed and as further described herein and in the Declaration of Covenants, Conditions, Easements and Restrictions (the "Homeowners’ Association Documents").

C. Home occupations in accordance with the Etna Township Zoning Resolution.

D. Accessory uses as permitted per section 1005 of the Etna Township Zoning Resolution, subject to any additional limitations of this PMUD text are allowed within this
PMUD.

E. Cluster mailbox locations are permitted subject to United States Parcel Service ("USPS") regulations and local Postmaster approval. (See definition herein)

F. Common Open Space – Open space designed specifically to benefit the residents of the planned development through aesthetics, buffering, paths and amenities, recreational areas, entrance features, etc. Common Open Space is intended to be fully open and available for use by all residents of the planned development and includes improved, recreational, natural and conservation open spaces as set forth and defined herein.

G. Up to four model units (two traditional single-family models and two patio home models) for sales and display of homes shall be permitted. See model home standards under definitions section below.

H. Agricultural activities shall be permitted until infrastructure improvements are completed for each phase of development.

I. Permitted swimming pools must be in-ground construction and fenced in accordance with the requirements and provisions of the Etna Township Zoning Resolution and applicable health and safety regulations and as further specified herein.

J. Spas/hot tubs maybe permitted as long as they are fenced and screened from the adjoining property owners. All swimming pools and spas/hot tubs shall be located in the rear yard and no closer than fifteen (15') feet from the rear and side yard property lines, and in accordance with the requirements and provisions of the Etna Township Zoning Resolution. Swimming pools and spas shall be drained, refilled and maintained in accordance with the requirements and provisions of the Etna Township Zoning Resolution and applicable health and safety regulations.

K. Fencing on Lots: As further defined herein under “Other Standards.”

L. Back yard gardens for household consumption, as defined herein, are permitted.

PROHIBITED LAND USES:

A. Uses not specifically modified and/or approved in this PMUD text shall be prohibited.

B. Outdoor storage of inoperable or unlicensed vehicles or trailers for a period exceeding seven (7) days in any calendar year is prohibited. Said vehicles if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.

C. No trailer of any type, boats, motor homes, or other recreational vehicles shall be parked in front of the front setback line on any parcel within this district for more than seventy-two (72) hours in any ten (10) day period. If a dwelling is located on said lot, the front setback line shall be considered to be the front wall of the dwelling even if said dwelling is located behind the minimum front setback line established by this code or the restrictions on the plat or subdivision.

D. No motor home, mobile home, or camper of any type may be occupied.

E. No mobile home shall be placed or occupied in the district.
F. Except if approved by the Board of Trustees as part of the open space program for the subdivision, agricultural uses and/or activities are prohibited in subdivisions that meet the requirements of Ohio Revised Code §519.21(B). Notwithstanding the foregoing, current farming operations may continue during the phasing of development construction. Back yard gardens for household consumption are not prohibited under the standards of this text.

G. No trash, debris or discarded materials that create an eyesore, hazard or nuisance to the neighborhood or general public shall be permitted to accumulate on any lot or portion thereof.

H. Above ground swimming pools shall be prohibited. No spa/hot tub measuring more than fifty (50) square feet shall be constructed or maintained above the finished grade of the lot on which it is located.

I. Yard or lot perimeter fences are prohibited except as otherwise provided under the permitted uses section herein.

**REQUIREMENTS FOR FIRE HYDRANTS AND SURFACE DRAINAGE:**

All fire hydrant locations and spacing shall be in compliance with the West Licking Joint Fire District (WLJFD, see attached regulations).

All surface drainage shall be designed in accordance with the requirements of the OEPA and the Licking County Soil Erosion and Stormwater Regulations. 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.

Storm water calculations, sizing and design shall be subject to final development plan approval and based on final engineering approval by the Licking County Engineer’s Office. Detention/Retention facilities, wet or dry, shall be designed to appear natural in character and where ponds are wet, shall include planting on the edge and a naturalized shape. Where installed, all storm water retention ponds shall be constructed by the developer and shall include the installation of a safety bench or ledge within the ponds with the design coordinated with the Licking County Engineer’s Office. An operation and maintenance plan for storm water facilities must be submitted as part of the final development plan and approved by the Board of Trustees. Storm water facilities serving multiple parcels and/or allowing for pass through drainage from adjoining parcels shall be a part of a drainage maintenance district per the Licking County Subdivision Regulations. Functional pond aeration/fountains sized at ½ HP per ¼ acre, or equivalent, shall be included in all wet retention ponds. The final development plan exhibits shall detail locations of pond fountains and/or aeration. The stormwater retention ponds, facilities, lines, structures and fountains/aeration shall be maintained by the HOA.

**UTILITYs:**

Centralized water and sanitary sewer shall be extended/constructed with this development as required by Fairfield County Utilities and or Southwest Licking Community Water Sewer District, their successors and assigns. Existing sewer and water lines are shown on preliminary utility plan exhibit E.

All new utilities shall be underground except for telephone and cable pedestal and electric transformers.
Waterline:

Water service shall be provided by the Southwest Licking Sewer and Water District through multiple connections to the existing water lines on the east and north sides of the site. Water line locations are depicted on preliminary plans and shall be installed per the approved final engineering plans.

Sanitary Sewer:

Sanitary sewer service shall be provided by Fairfield County Utilities through connection(s) to existing lines to the south of the site. Sanitary sewer line locations are depicted on preliminary plans.

Public Service:

Fire and EMS service shall be provided by West Licking Joint Fire District and law enforcement shall be provided by the Licking County Sheriff.

Note: The open space area designations in this text and approved final development plans are subject to the allowance for the placement of utilities, utility crossings, storm water facilities, and tree plantings, along with ongoing maintenance as necessary but no build areas shall be restored after such placement and otherwise be kept in a natural state.

DESIGN OF OPEN SPACES:

The development includes open spaces consisting of +/- 57.0 acres, being approximately 37.0% percent of the site. Open space calculations are subject to adjustment based on final surveys, final engineering and final development plan approval. All open spaces and related amenities are to be owned by the HOA and conveyed by the developer to the HOA. The open spaces are intended for passive and active recreation and enjoyment of preserved natural features, as well as to establish and protect trees, wooded areas, streams wetlands and other natural features.

Common Open Space: Open space is designed specifically to benefit the residents of the planned development through aesthetics, buffering, park and recreation areas, entrance features, and protected areas, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development and includes improved, recreation, natural and conservation open space. Furthermore, the Common Open Space shall be restricted by the regulations in sub-section 1705.C.2.

Common Open Space can be improved or natural/conservation in character as defined herein:

1. Improved Open Space – Upon approval of the PMUD Text and final development plan by the township, the following improved open space uses and improvements are permitted as defined:
   a. Active and Recreational structures and activities, such as minimum six-foot wide pedestrian pathways, open spaces which may be used for non-organized and not for profit recreational activities and gathering areas.
   b. Accessory service buildings, cluster mailboxes and structures incidental and pertinent to the outdoor recreational use set forth.
herein, where said accessory service buildings and structures are necessary to the pursuit of a permitted recreational use on the premise. Accessory structures may include gazebos, shelters, pavilions, trellises, benches and/or playground equipment, incidental to active open space, and are depicted on Landscape Plan exhibits. Such structures shall be permanently located as commitments on the final development plan.

c. Several Shared Use Green Areas are depicted on Landscape Plan exhibits and are designed for outdoor gathering and may include path connections, benches, or shelter structures in a community park like setting.

2. Natural Open Space - Open space which is restricted to passive uses such as walking and such other recreation that does not alter any of the natural features of the area. Natural Open Space can include existing open spaces or planned open spaces such as detention/retention ponds or other storm water facilities. Land designated as Natural Open Space shall not be improved or developed, except as provided within this text and attached plan exhibits. Such natural open spaces may include:

   a. Conservation areas that are to be protected in their natural state, including wetlands, wooded areas of approximately +/- 4.48 acres and five existing streams. Conservation open space shall be included in the definition of and part of the natural open space areas and shall be generally protected and undisturbed, subject to the provisions of this text. Wetlands and wooded areas shall be located in such designated conservation open space areas and protected in their unaltered state, except as allowed under this text. Within protected wooded areas, dead or dying trees may be maintained in keeping with good forestry practices and to prevent hazards. Wetlands buffers may be established or enhanced, and multi-use paths may be installed and maintained within such conservation areas.

   b. Pedestrian pathways, shelters, pavilions, and benches are permitted in conservation areas. The materials that are used for such structures shall resistant to rot and weather. Measures will be taken to provide for sediment and erosion control during construction.

   c. Informational signage pertaining to Natural Open Space areas and conservation education as determined by Homeowners Association (HOA) which complies with Article 12 of the Zoning Resolution.

Open space is designed with both natural areas protection and enjoyment and for more active recreation along an extensive multi-use path system of approximately 1.8 miles. Benches and shelter structures are included at strategic path locations as depicted on the Landscape Plan exhibit to create areas of interest and respite. Open space fencing is located on the Landscape Plan exhibit, along roadways, at the community entrances and at the rear of properties to define open spaces as needed. Such benches, shelters and fence locations are to be finally determined at the time of the final development plan.
The improvements/amenities located within the open spaces and depicted in plan exhibits shall be constructed at such time as the phase or section that includes each open space is developed and platted. These shall include the entry features and improvements along Palmer Road and other enhancements to multi-use paths or buffer areas depicted as plan exhibits.

Exact tree stands, trees and natural areas such as wetlands that are meant to be preserved shall be placed in protected open space locations to be designated as conservation no build/no disturb zones. Such conservation no build/no disturb zones shall be delineated on the final development plan as they are subject to adjustment based on utility placement at the time of final engineering. After the completion of the development infrastructure, and subject to ongoing utility maintenance needs, the existing trees in common open space shall not be disturbed or removed except for dead or decayed trees that pose a danger to the health, safety and welfare of the public or homeowners.

**Perimeter Property Buffers:** The Palmer Road frontage treatment and the buffers provided to the existing housing developments to the east and south are generally depicted on plan exhibits. The perimeter buffers and Palmer Road frontage are estimated at +/-12.5 acres, with this amount to be finalized based on final engineering and final development plan approval. Perimeter buffer commitments include the following:

- **West:** 25 ft minimum. (perimeter boundary to proposed lot lines)
- **East:** 75 ft minimum. (perimeter boundary to proposed lot lines)
- **South:** 75 ft minimum. (perimeter boundary to proposed lot lines)
- **North:** Along Palmer Road, from internal road in front of Patio Homes: Minimum 75ft

Perimeter open spaces are designed to provide buffers for neighboring properties and preserve trees and other natural features. Such perimeter areas and wooded acreages are to be enforced as "no build zones" by the homeowner's association, subject to final engineering and utility locations, grading and storm and sanitary sewers placement and maintenance. Additional trees shall be added to the perimeter buffers at a rate of one tree per proposed lot. Prairie grasses will be installed in the perimeter buffers and allowed to reach mature height with mowing once or twice per year to create a naturalized meadow. The Palmer Road Buffer shall be installed between homes, internal streets and the Palmer Road right-of-way and shall consist of undulating mounds which may range from approximately three feet to eight feet in height and shall include breaks for positive drainage, shade trees, and evergreens as depicted on the Landscape Plan exhibit and to be finalized on the final development plan.

**Entry Features:** A conceptual or thematic community entry feature and design are depicted on attached entryway plans. Entry features shall include ground mounted signs, decorative fences, accent lights and a mix of perennial, deciduous and evergreen plants to create a low impact, rural aesthetic. Final design and details are to be provided at the time of the final development plan.

**Open Space per Section:** Open space shall be interspersed in each quadrant and development phase as depicted on plan exhibits. Once completed, each phase of the development shall include at least 25% of total open space to be accessible and useable to all residents within the development for active recreational or passive use and natural area enjoyment. Individual phases may have more or less open space, but must total a minimum of +/-37.0% upon project completion.
Open Space to be Owned and Maintained by the Community HOA:

The developer shall form a homeowners' association to oversee and maintain the Open Space in accordance with Ohio Revised Code Section 5312. Membership in the owners' association shall, by deed restriction, be mandatory for any owner within the Development. Deed restrictions and covenants must be provided by the applicant with the PMUD Text associated with the residential Development and must be approved by the Board of Trustees to further regulate the intended use of the of the Open Spaces. Prior to the sale or occupancy of any residential home in the Development, deed restrictions and covenants for the Development must be recorded. Such covenants shall restrict the Open Spaces to the uses specified in the PMUD Text and provide for the maintenance of the Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership.

Open space provisions in this text and/or community homeowners' association covenants and deed restrictions shall meet the requirements of the Zoning Resolution with regard to permanent ownership of open space, maintenance and intended uses. Prior to the open spaces being transferred to the HOA they will be maintained by the developer. The open spaces shall remain as open space in perpetuity with effective protections and enforcement rights as reflected in covenants and deed restrictions, this text and/or included on plat commitments.

PRELIMINARY TRAFFIC IMPACT ANALYSIS, ACCESS POINTS, VEHICULAR AND PEDESTRIAN CIRCULATION SYSTEM:

Vehicular: Traffic impact information in the form of turn lane analysis and traffic volume data has been provided, and is under review by the regulating agencies. All traffic related commitments and required roadway improvements shall be finalized as part of the final approved development plan and engineering plan approval process. The development will have two (2) vehicular access street connections to the north from Palmer Road. Internal street connections shall connect the development to the existing subdivision to the south across the Fairfield/Licking County boundary at Cape Code Way and Olde Poste Road, and to east at Faneuil Hall Road. A future stub street is provided to the west. At the planned roadway connections to existing "stub streets" subdivisions, the developer shall make a good faith effort to explore the approval of the design and installation of traffic calming features or techniques to slow and or reduce traffic flow. Such traffic calming may include, but may not be limited to traffic circles internal to the development and narrowing techniques, such as "chicanes" as depicted on preliminary development plans. Any such traffic calming shall be coordinated with the applicable county engineers' offices and the Township Trustees as appropriate.

Pedestrian: The development shall consist of sidewalks on both sides of the street installed per county development standards where placed in rights-of-way unless otherwise provided herein. All sidewalks in the public right-of-way shall meet county subdivision regulations and standard designs. Notwithstanding the foregoing, along single-loaded or un-loaded streets in areas where multi-purpose asphalt paths exist, sidewalks shall be eliminated along said portions of such single-loaded or un-loaded streets. A minimum six (6) foot wide multi-purpose asphalt path shall be installed as depicted on development plan exhibits and subject to final development plans along Palmer Road for future east and west connection. Internal paths are
to be built as shown on development plan exhibits, subject to final development plans, along
with sidewalk connections, to allow pedestrian access to open spaces throughout the site. All
sidewalks in the front or side of homes shall be maintained by the individual lot owners.
Sidewalks and paths that are adjacent to or located within open spaces shall be maintained by
the homeowners’ association. Streets, sidewalks and traffic control shall conform to Licking
County Standards. All sidewalks shall be five (5) feet in width and ADA compliant. All sidewalks
and multi-purpose paths shall be installed at the time of construction of the phase of
development in which they are located. A mowed area of a minimum six (6) foot on each side of
the multi-purpose paths shall be maintained by the homeowners’ association.

SIGNAGE

Permanent signage shall be provided at the entrances from Palmer Road and shall conform to
article 12 of the township zoning resolution, unless modified under this text. One freestanding
permanent subdivision entrance sign shall be permitted at each entrance to the development
from Palmer Road.

Such permanent entrance signage shall be ground mounted and shall be incorporated into other
entry feature details, such as fencing and lighting as shown and approved on final development
plan exhibits. Entry signage shall identify the, to-be decided, name of this Hagy development.

Temporary marketing signage shall be allowed as follows:

As an accessory use to the permitted temporary commercial activity of land development, two
free-standing, temporary signs, one at each entrance along Palmer Road, with maximum sign
areas of 32 square feet each and a maximum height of eight (8) feet may be permitted during
the development of a subdivision. Such signs shall require a zoning permit and fee and shall be
removed within the following periods of time, whichever comes first: a) A period not to exceed 5
years (A new zoning permit may be obtained for one additional 5 year period.); or b) Until 20
days following the completion of construction.

Signage related to marketing and model homes are defined separately herein.

DESIGN STANDARDS FOR THE DEVELOPMENT, LOT STANDARDS AND HEIGHT

Development and Lot Standards are based on the inherent flexibility of planned district
law and the purposes of the PMUD section of the zoning resolution. PMU districts recognize
the character of any area is always evolving. Home value, design integrity and quality of
construction and materials are main determinants of area character. This PMUD shall meet
market demand for manageable lot sizes and greater common and perimeter open space under
the following quality development standards. Such standards will achieve positive market
pricing that is projected to enhance existing home values and the character of the area.

- Single-Family Phases: 84.28 ac; 203 Total Lots
  60' x 140' (minimum)

- Patio Homes Phases: 69.22 ac; 162 Total Lots
  55' x 135' (minimum)
• Lot Size
  - Minimum Lot Width (at the Building Line) 60 ft (SF Homes)/55 ft (Patio)
  - Minimum Lot Areas
    - 8,400 square feet (SF Homes)
    - 7,425 square feet (Patio Homes)

Note: In addition to these minimum lot widths, at least 50% of the traditional single family lots shall be 64 feet or wider at the building line to support three car garage options subject to final engineering adjustments.

• Building Setbacks

- Front (Building Line) 30 feet for Single-Family and 25 feet for Patio Homes*

*Where a home contains a front porch that extends beyond the foremost front façade of the home, such front porch area may encroach the front setback, but such porch shall not encroach more than five (5) feet beyond the front building line. In no event shall a porch or structure be closer than 15 feet from the right-of-way line. In all cases, garage driveways shall be 20 feet in length measured from the garage to the right of way.

- Minimum Side Yard

  A minimum 15 feet between homes, configured at 9 feet on one side and 6 feet on the other with one foot (1') encroachment allowance
  (See notes ** and ***)

**Encroachments may include (but not be limited to); eaves, overhangs, cantilevered bay windows or chimneys, window wells, patios, porches, and the like. It is the intent of this provision to permit encroachments for elements of the house that do not have a permanent foundation, such that any such item(s) may encroach into the side yard by up to one foot (1'). An additional exception may be granted for basement egress window wells which may encroach up to three feet (3') into a side yard setback.

***On corner lots, for the portion of the lot that is the side lot line,(i.e.: not the direction where the front of the home is oriented), the building setback line on such portion or side of the lot shall be twenty feet (20').

• Minimum Rear Yard 30 feet Single Family and Patio Homes lots

• Minimum Home Size

One-story 1,200 square feet (excluding garage)
Two-story 1,700 square feet (excluding garage)

- Maximum Lot Coverage 45% for Single-Family, 60% for Patio Homes
- Maximum Building Height 35 feet
- Driveway Setback 3 feet minimum

ARCHITECTURAL CRITERIA

Architectural Standards:

- Exterior Finishes for all Homes: All homes shall have exterior finishes consisting of brick, stone, cultured stone, wood, stucco cementitious fiber siding, Hardie Plank and vinyl siding with a minimal nominal thickness of 0.40 gauge.

- Exterior Paint Colors: Earth tones and neutral colors shall predominate as the overall color scheme for the homes, and on exteriors for the siding, doors, shutters, facias, cornices, soffits and miscellaneous trim, however, accent colors that are complementary and/or are part of an overall architectural style shall also be permissible.

- No building shall be erected, altered, placed or permitted to remain in any lot that would exceed two and one-half (2-1/2) stories in height or thirty-five (35) feet from the finish grade of the building.

- Porches: Front porches shall be encouraged, but not required on the homes based on their architectural style.

- Chimneys: Direct vent and cantilevered chimneys are permitted as well as wood burning fireplaces with a foundation. All chimneys shall have the appearance of brick, stone.

- Windows: Windows located on all four sides of the house must be treated in the same manner as the windows at the front of the house. All windows shall be traditional single, fixed, double hung or casement style.

- Shutters: Exterior shutters may be solid paneled (raised panel) or louvered and have a color pattern that is consistent and harmonious with the accent colors and style of home when utilized.
• **Garages:** All homes shall have a minimum of two (2) car attached garage. All homes will have a minimum of four (4) parking spaces on each lot, two (2) within the garage and two (2) in front of the garage.

• **Shingles:** All homes shall have three-tab or dimensional type asphalt shingles.

• **Skylights and Roof-top Solar Panels:** Skylights in the roof and roof-top solar panels are permitted provided they are not located at the front façade of the home and are not visible from the street.

• **Gutters and Downspouts:** Gutters and downspouts may be constructed of extruded aluminum. All drainage from the gutters and downspouts shall be underground and either taken to the street or other drainage facilities subject to the approval of Licking County. Walkcarts may have rear downspouts which drain to the rear yard swales.

**OTHER STANDARDS**

• **All permitted swimming pools and spas/hot tubs** shall be located in the rear yard and no closer than fifteen (15') feet from the rear and side yard property lines, and in accordance with the requirements and provisions of the Etna Township Zoning Resolution. Swimming pools and spas shall be drained, refilled and maintained in accordance with the requirements and provisions of the Etna Township Zoning Resolution and applicable health and safety regulations.

• **Mailboxes:** Cluster mailbox locations shall be incorporated into the final development plan in available open spaces or other locations as may be incorporated into the site and to be located as approved by the local postmaster and under United States Postal Services regulations cluster mail box locations shall not interfere with the visibility and function of intersections, crosswalks, mid-block crossings or driveways, subject to postal regulations.

• **House Numbers:** House numbers shall be located consistently throughout the development, clearly on the front of the homes (or on attached garages) and in a location readily visible from the street.

• **Fencing On Lots - Pools and Rear Yard:** Permitted pool fencing for in-ground swimming pools shall be permitted on lots, where it is required by law to surround an in-ground swimming pools as further defined herein. Such fencing shall be code compliant and shall further be in accordance with the Etna Township Zoning Resolution. Generally, such "pool fencing" shall enclose an area not in excess of two (2) times the water surface of the swimming pool. Pool fences shall be constructed of metal or aluminum with a black finish.). Other rear yard fencing is permitted on lots as privacy and security fencing not to exceed forty-eight (48) inches in height and designed in a singular and cohesive style, to be further specified in the homeowners’ association documents. Any
pool fencing and on-lot fencing shall be constructed of the style in accordance with the homeowners' association documents and specifications. No chain link fences are permitted. Fencing shall not obstruct or impede the drainage and/or flood routing on the lot. All other yard or perimeter fences are prohibited except as provided under this paragraph.

PHASING PLANS

The project shall be phased, with size and location of phases to be determined during the Final Development Plan submittal and approval process. The development will be constructed in multiple phases with the first phase (or phases) to be located along Palmer Road. The developer anticipates moving forward with the first two phases in 2021 and subsequent phases will be developed based on market conditions. A conceptual phasing plan has been included as part of the zoning application plan exhibits, however such phasing plan and specific commitments with each phase may be adjusted based on final engineering requirements and the location and numbers of lots in any phase may be adjusted accordingly. Additionally, such sections or phases of the development may be “sub-phased” from time to time so as to allow smaller phases of development to occur based on market conditions and demand. Any existing structures, including houses or barns and their associated improvements, such as walkways and driveways, shall be removed in the future as phases are developed; said existing structures and homes may remain until such time as it is necessary for removal based on development. All existing septic and wells will be abandoned per the regulations of the Licking County Department of Health.

STREET TREES AND LANDSCAPING

Street Trees: Deciduous, broad leaf street trees are provided with a minimum caliper of two (2.0) inches at planting and planted one for every lot along street areas where houses are present, with two trees planted for each corner lot, and planted and spaced appropriately on streets where homes are not present. (See Landscape Plan exhibit for street tree planting depiction.) Trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees. Street Trees shall be planted in accordance with the Etna Township Street Tree Policy. Tree lawns located within the street right-of-way between the edge of pavement of the street and the street right-of-way shall be maintained by the contiguous lot owner. Tree lawns will be planted with grass.

Naturalistic tree/landscape planting which aggregates plantings in areas, rather than spacing plantings at defined intervals or lines shall be provided along Palmer Road. All landscaping shall comply with Article 16 of the resolution (Buffering, Landscaping, and Resource Preservation) and is depicted on Landscape Plan exhibits. Typical landscaping committed for each home is depicted on Home Landscaping, Exhibit G. See Landscape Plan exhibit for Shade Trees, Ornamental Trees and Evergreen Trees planting commitments in open spaces and perimeter areas.

Retention Ponds and multi-use paths shall have a naturalistic tree planting around them as generally depicted on the Landscape Plan exhibits. Pond and path trees may be grouped naturally as shown on attached exhibits, rather than planted in lines. Front yards, and all improved open spaces or non-residential use areas shall be landscaped under a plan developed as seen on Exhibit G for a typical lot.
STREET LIGHTING

Street Lights: If required by the township or county, street lighting must be of white light, maximum height twenty (20) feet, with fully shielded downward cast lighting.
Entry lighting: Low-voltage shielded up-lighting may be located within entry reserves as accent lighting for the entry sign and landscaping.
Exterior Home Lighting: Low-voltage shielded up-lighting may be used on the exterior of the home and landscaping as accent lighting. Outdoor lighting for safety, security and walkways to and from the home shall be cut-off shielded down-lighting.

DEFINITIONS

1. “Traditional single-family” homes generally mean homes with living spaces and bedrooms divided on multiple stories, with larger yard areas and designed for occupancy by adults and children.

2. “Patio style/empty nester” homes generally mean homes with most living space and the “Owner’s Suite” or “Master Bedroom” on the first floor, with some flexible second story space offered, and with designs and features that are generally found to be appealing to homebuyers seeking primarily single-story homes, i.e. “first floor living”.

3. Backyard Gardens: As a permissible use under this text, a common produce garden of not more than 200 square feet located within the rear yard lot area only and grown exclusively for personal and/or family consumption without sale of produce.

4. Cluster Mailboxes: Mailboxes grouped or co-located on the site in a manner required under United States Postal Service regulations and local postmaster approvals.

5. Palustrine Emergent - PEM (The PEM label does not meet the Federal Wetland Classification Standard, but is used in historic and/or scalable data for description purposes):

P System PALUSTRINE: The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt.

EM Class EMERGENT: Characterized by erect, rooted, herbaceous hydrophytes, excluding mosses and lichens. This vegetation is present for most of the growing season in most years. These wetlands are usually dominated by perennial plants.

6. Model Homes, defined under this text as residential-type structures used as sales offices by builders/developers and to display the builder's/developer's product. Model homes may be furnished within, since their purpose is to display to prospective buyers the builder/developer
features (such as exterior siding treatment, roofing materials, interior trim, moldings, floor coverings, etc.), in the environment of a completed home. Model homes may be staffed by the builder/developer sales force. Model homes shall be subject to the following restrictions:

a. Lighting: All exterior lighting, except for security lighting, must be fully shielded down-lighting, so that no light shall be cast onto adjoining residential properties. All 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.

b. Parking: All model homes shall provide off-street paved parking for the public. The number of required parking spaces shall be four (4) per model home. The driveway of the model home may be utilized for not more than two (2) parking spaces.

c. Screening: Landscape drawings shall be required and show adequate landscaping and screening from adjoining residential lots, together with the clear marking of the boundaries of the model home lot.

d. Termination of Use: The use of model homes shall terminate when zoning permits have been issued for ninety-five percent (95%) of the lots.

e. Model Home Signage: The following model home signage and other details shall be permitted in two separate areas, where two model homes are grouped together on two lots (4 lots total) in two separate model row locations:

   i.) See Exhibit F: Model Home Plan for model home row configuration with signage, parking, lighting and flagpole. The arrangement of the model home shown, as well as signage, parking, lighting and flagpole is conceptual and may change with the final selection of model lot locations. Signage shall be permitted as follows:

   ii.) A-Frame sign – corrugated PVC panel.

   iii.) Brochure box – PVC with vinyl graphics.

   iv.) Home Gallery Sign – Double sided, ground level, aluminum cabinet, 36" x 72", ground mounted lighting.

   v.) Hours Sign – Hours graphics, White Vinyl of glass door of Model Home entry, 15"x12".

   vi.) Sold and Available Lot Signs – One permitted per lot, during the sales process. Corrugated PVC 24"x30".

   vii.) Unit Signage – Located at each decorated model (4 total). Double-sided, ground mounted, aluminum cabinet, 20"x36".

   viii.) Model Directional Signage – Double-sided, ground mounted, aluminum cabinet, 24"x24".

   ix.) Model Home Parking – Double-sided, ground mounted aluminum cabinet, 20"x24".
x.) Lighting Fixtures For Model Parking Lot — Black fixture, 150 watt HPS, ground mounted on 20’ maximum pole.

xi.) Flag Pole — To display American Flag and developer’s logo flag. 20’ high flag pole with ground mounted light. (See Exhibit F for lighting specs.)