

**EAGLE CREEK HIGHLANDS
PLANNED RESIDENCE DISTRICT (PRD)
DEVELOPMENT TEXT**

Background and Introduction:

This Development Text relates to and is an integral part of a Planned Residence District (PRD) Application for a Zoning Amendment (the above referenced Application together with all supporting materials filed in connection therewith is referred to herein as the “Application”) filed by Pulte Homes of Ohio, LLC, as Applicant (the “Applicant”), pertaining to approximately 86± acres located to the west of Interstate 71, south of U.S. 36/SR 37 and east of 3 B’s & K Road in the City of Sunbury, Delaware County, Ohio (the “Property”), to be developed as a 239 lot residential subdivision known as “Eagle Creek Highlands” (the “Development”) that will be a continuation of the Eagle Creek Development recently zoned PRD by the City of Sunbury. The Application is being filed pursuant to Section S81.15.07 of the City of Sunbury Revised Zoning Ordinance of 2018, as amended to date – Planned Residence District (PRD), as in effect on November 7, 2023 (the “Zoning Ordinance”). The rezoning is governed and controlled by the Zoning Ordinance as in effect on November 7, 2023. All references herein to ZC Sections or ZC Articles refer to applicable Sections or Articles of the Zoning Ordinance. All “Tab” references herein are to the applicable Tab No. of the Application.

This Development Text relates to the Application filed by the Applicant and is an integral part of the Application required by ZC Section 81.15.07.5(b) and constitutes the text required thereby. To the extent a matter required by ZC Section 81.15.07.5(b) is required to be stated in textual form and is not otherwise stated herein, but is otherwise contained in other text or drawings contained in the Application, such text shall be deemed incorporated herein by this reference.

As contemplated by ZC Section 81.15.07.1, the Application proposes rezoning the Property into a well-organized residential area taking into account unique natural factors, contemporary land use concepts and a balanced residential environment necessary to meet these needs while preserving and enhancing the health, safety and general welfare of the inhabitants of the City of Sunbury.

The Property is currently owned by the following parties:

- William R. Rogers II and Lorie Lynn Lotzgeselle – 27.996± acres located at 1415 S. Three Bs&K Road, Galena, Ohio 43021, Delaware County Parcel # 41723001037001

- William Rogers Trustee and Patricia Rogers Trustee, of the William Rogers and Patricia Rogers Family Trust Agreement UTA 7-3-06 – 5.004 ± acres located at 1409 S. Three Bs&K Road, Galena, Ohio 43021, Delaware County Parcel # 417230010307000
- Mary Rogers Trusler, Trustee U/A Dated 14th day of August, 2009 - 28 ± acres located at Three Bs&K Road, Galena, Ohio 43021, Delaware County Parcel #41732001002000
- John A. Rogers - 25 ± acres located at 1609 Three Bs&K Road, Galena, Ohio 43021, Delaware County Parcel #41732001002002

Applicant is in contract to purchase all of the Property from the foregoing property owners.

Relationship to and Compliance with Comprehensive Plan:

The Application is in keeping with the spirit and intent of the City of Sunbury Comprehensive Plan approved November 2, 2016 (the “Comp Plan”) for the following reasons:

- The Development is a “Traditional Neighborhood Design” as recommended throughout the Comp Plan, with homes designed on small lots with grid streets and designed as a walkable neighborhood.
- The Development is designed as a single-family neighborhood and will provide for a Homeowners’ Association to maintain the open space.
- The Development will be a walkable community providing its residents access to nearby parks and connectivity to proposed adjacent neighborhoods.

Section S81.15:07 - PLANNED RESIDENCE DISTRICT (PRD)

1. PURPOSE - Sunbury recognizing that with increased urbanization and population growth comes increased demands for well-organized residential areas which take into account unique natural factors, contemporary land use concepts, and a balanced residential environment, hereby provides for the Planned Residence District intending hereby to promote the variety and flexibility of land development for residential purposes that are necessary to meet these demands while still preserving and enhancing the health, safety and general welfare of the inhabitants of the municipality.

2. APPLICATION - The provisions of this section of the Zoning Ordinance shall apply to all lands of the municipality regardless of the size of the parcel being developed, which are to be developed in a balanced residential environment.
3. PERMITTED USES - Within the Planned Residence District (PRD) the following uses, developed in strict compliance with the approved development plan and standards, shall be permitted:

- a) Residential structures of any type, either single family or multi-family, cluster, patio, common wall or any reasonable variation on the same theme.

The Development will be limited to 239 single-family residential structures with a mix of ranch and two-story homes. The Homeowners' Association for the Property will be an extension of the Homeowner's Association for the Eagle Creek Development to the North and will provide for maintaining the open space, walking trails and parks located throughout the Development and the Eagle Creek Development.

- b) Non-residential uses of a religious, cultural, educational or recreational nature or character to the extent that they are designed and intended to serve the residents of the Planned Residence District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located in such proximity to the major thoroughfares as to permit access without burdening residential streets.

As noted above, the Homeowner's Association for the Development will be an extension of the Homeowner's Association for the Eagle Creek Development to the North and will provide access to all residents of both Developments to all open space and amenities.

- c) Commercial uses to the extent that said uses are totally self-contained within the multi-family residential structures and are designed solely for the purpose of providing service to that or adjoining residential structures. No commercial use shall be established prior to the substantial occupancy by the residents it is designed or intended to serve.

- d) Temporary structures in accordance with S81.14.03(B).

- e) Home occupations in accordance with S81.14.03(C).

4. CONDITIONAL USES - Within this zoning district the following uses may be permitted, subject to the conditions and restrictions imposed by the Sunbury Planning and Zoning Commission pursuant to the provisions of S81.11.27 et. seq. Conditionally permitted uses

shall be considered and declared abandoned if said uses are discontinued for a period in excess of six (6) months.

- a) Kindergarten or Child Care Facilities in accordance with S81.14.03(L).
 - b) Family Care Home in accordance with S81.14.03(J).
 - c) Model home(s) so long as the business conducted is limited to the residential structures and lots within the PRD. The model home shall be ready for occupancy as a residential structure before any permit is issued. The restrictions in S81.14.03(C) shall be modified to apply whenever possible. **There will be a minimum of one and a maximum of three model homes at any one time used as a conditional use in accordance with this Section. Off street parking lot on platted lots (or open space) will be permitted as an accessory use to such model homes to provide safe off-street parking for prospective customers or buyers of lots and homes.**
 - d) Other uses of like or similar nature which promotes the purpose of this district.
5. PROCEDURE - In addition to any other procedures set out in this Ordinance, all applications for amendments to the zoning map to re-zone lands in this district shall follow the procedures hereinafter set forth:
- a) Application - The owner or owners of lots under the jurisdiction of the Sunbury Planning and Zoning Commission may request that the zoning may be amended to include such tracts in the Planned Residence District in accordance with the provisions of this ordinance.
 - 1) The applicant is encouraged to engage in informal consultations with the Sunbury Planning and Zoning Commission prior to formal submission of a development plan and request for an amendment to the zoning map; it being understood that no statement by Officials of Sunbury, Ohio, shall be binding upon either.

The Applicant made an informal presentation to the Sunbury Planning and Zoning Commission for the proposed Development on September 28, 2023.
 - b) Development Plan - Fifteen (15) copies of the development plan shall be submitted with the application, which plan shall include in text and map the following:

The Applicant has submitted fifteen (15) copies of the Application and all supporting materials to the City of Sunbury. This Development Text and other materials included in the Application constitute the Development Plan required by ZC Section 81.15.07.5(b).

- 1) The proposed size, location, and the total number of units to be developed in the Planned Residential Development.

The Development is approximately ±86 acres located on the west side of Interstate 71, south of U.S. 36/SR 37 and east of 3 B's & K Road in the City of Sunbury, Delaware County, Ohio and will consist of 239 single family residential units. There are planned to be, generally, 200 – 52'x130' lots (of which at least 25% will be a minimum of 54' wide), 21 – 56'x130' lots, and 18 60'x130' lots. There will be a minimum of one and a maximum of three model homes at any one time. Off street parking on platted lots (or open space) will be permitted as an accessory use to such model homes to provide safe off-street parking for prospective customers or buyers of lots or homes. Up to 10% of lots may have a minimum depth of no less than 125 feet to provide flexibility as site plans are refined for final platting and final engineering.

- 2) The general development character of the tract including property boundaries, the limitations or controls to be placed on residential and related uses, probable lot sizes, density levels, and other development features including landscaping, and the proposed location, size and use of the non-residential portions of the tract, including usable open space, parklands, playgrounds and other areas and spaces, including their suggested ownership.

The project is designed to be an extension of the Eagle Creek Development to the north and as a single-family neighborhood with varying lot sizes to accommodate different housing style options. The Development will consist of public streets and subdivided single-family home lots within the boundaries of the Development, as depicted on the Preliminary Development Plan (Tab No. 7). Uses will be limited to single family home occupancy. The proposed Development will blend seamlessly with similar Sunbury neighborhoods (including Eagle Creek) by matching similar design elements such as sidewalks, bike/walking paths, tree-lined streets, similar front yard setbacks, open space areas, landscaping and entry features. The Development will consist of 239 single-family homes at a gross density of 2.78 dwelling units per acre, being generally 200 – 52'x130' lots (of which at least 25% will be a minimum of 54' wide), 21 – 56'x130' lots, and 18

60'x130' lots. See Tab No. 7 – Typical 52' Lot, Typical 56' Lot and Typical 60' Lot. The entire Development will be landscaped as depicted on Tab No. 10.

Approximately ±22.89 acres, or 26.61% of the Development, will be dedicated open space, which will be owned and maintained by the Homeowner's Association, being an extension of the Homeowner's Association for the Eagle Creek Development to the north. Buffering areas adjacent to 3 B's & K Road and Interstate 71 are included in this open space and will be restricted as such. Considering the fact that all open space, save the open space fronting 3 Bs & K Road, is connected by a continuous 8' wide bike/walking path, approximately 15.61± acres or in excess of 68.20% of the dedicated open space will be suitable for active recreation. See Tab No. 13 - Open Space Plan. The open space contains a variety of both passive and active recreational activities. There are 8-foot (minimum) wide multi-use bike/walking paths connecting open spaces and along the buffer to the eastern edge of the Development. The more southerly central open space contains a variety of activities including a shelter, splash pad, tot lot, pickleball courts and a perimeter path. The southeasternmost open space contains a fenced dog park. Throughout the Development are various other open space preserves and bike/walking paths to provide connectivity between various portions of the Development, the Eagle Creek Development to the north and to future adjacent neighborhoods.

- 3) Architectural design criteria for all structures and criteria for proposed signs with proposed control procedures.
Architecture will provide for high-quality, single-family homes. External building materials will comply with ZC Section 81.16.01(23)(B)(c). The only signage for the Development will be street signs and an entry feature at the entrance along 3 B's & K Road, as more particularly shown on Preliminary Entry Feature Plan Tab No. 11.
- 4) The proposed provisions for water, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness.
All required utility providers have provided "will serve" letters for the Development (See Tab No. 18). CESO Inc. has provided a Preliminary Utility Plan for the Development (See Tab No. 19).

- 5) The proposed pedestrian and vehicular traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically and otherwise.

Tab No. 7 – Preliminary Development Plan depicts all roadways, sidewalks, bike/walking paths and vehicular traffic patterns for the Development and their relationship to existing conditions. All streets within the Development will be public. The City of Sunbury will be responsible for the upkeep of these streets, including, but not limited to, snow plowing and salting, street cleaning or resurfacing and repair. Sidewalks will be concrete and located on both sides of the public street except where a shared use bike/walking path is installed in lieu of a sidewalk. All bike/walking paths shall be asphalt and maintained by the Homeowners Association.

- 6) The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable.

The Development will provide street and bike/walking path connectivity to proposed residential neighborhoods to the north and south, including the Eagle Creek Development to the North. The Development and the Eagle Creek Development will have the same Homeowner’s Association to provide continuity between the two developments.

- 7) The location of school, park, and other community facility sites, if any.

None anticipated at this time other than Development’s internal neighborhood park, pocket parks and bike/walking paths together with those within the Eagle Creek Development to the north.

- 8) The proposed time schedule for development and probable uses of surrounding areas.

The project will be developed in four phases (two of which will be divided into a phase A and B). See Tab No. 8 – Phasing Plan. Construction of Phase I for the single family is schedule to begin in January 2025 or upon final approval of engineering plans for Phase I. Subsequent phases will occur consecutively until all homes are sold.

The property to the north was recently zoned by the City of Sunbury for the Eagle Creek Development, which will share open space and a Homeowner’s Association with the Development. The property to the south of the Development will likely be similar residential if developed in the future, therefore making this proposed Development a good transitional use. Road connectivity and bike/walking paths will be used to

tie the Development together with the surrounding proposed areas. The area to the west, across 3K's & B Road, is owned by private residential landowners and will likely remain undeveloped and natural.

- 9) If the proposed timetable for development includes developing the land in phases, all phases to be developed after the first, which in no event shall be less than ten (10) acres or the whole tract (whichever is smaller), shall be fully described in textual form in a manner calculated to give Sunbury Officials definitive guidelines for approval of future phases.
The Development is anticipated to be developed in four phases as shown on Tab No. 8 - Phasing Plan. This is subject to refinement to be determined at the Preliminary Plat.

Final phasing will be determined and confirmed with the Preliminary Plat.

- 10) The ability of the applicant to carry forth its plan by control of the land and the engineering feasibility of the plan.
The Applicant is in contract to purchase the Property on which the Development is to occur. The Development has been annexed into the City of Sunbury. Water and sanitary sewer services shall be available to the Development according to Del-Co Water and the County Engineer – See Tab No. 18.
- 11) Specific statements of divergence from the development standards in Section S81.16.01 and S81.15.07 and justification therefore.
The Applicant is requesting the following divergences, all of which are consistent with divergences granted by the City on the Eagle Creek Development to the North:

Divergence Request #1: Section S81.15:07 6(a) – PRD Development Standard. INTENSITY OF USE - The maximum density shall be 2.5 dwelling units per gross acre of area within the area to be developed, unless the physical boundaries of land or existing developments adjacent thereto on adjoining lands establish an atmosphere inconsistent with the above maximum density of 2.5 dwelling units per gross acre.

The Applicant is requesting an increase in maximum density to 2.78 dwelling units per gross acre of area. Section S81.15.07.6(a) limits maximum density in a PRD Development to 2.5 dwelling units per gross acre unless increased density is permitted by divergence based on certain conditions outlined therein, including bonuses for: (1) property being

directly adjacent and easily accessible to major thoroughfares, which the Property is, and (3) property developed in a high quality of building design and site design, which the Property will be. Based on such conditions, Applicant respectfully requests that the Sunbury Planning and Zoning Commission recommend that Sunbury Council grant additional density for the above standards of quality found to exist. The proposed Development of 2.78 dwelling units per gross acre requires only 0.28 units of bonus density to be justified and granted by Sunbury Council.

Divergence Request #2: Section S81.15.07(6)(a)(4)(a) – PRD Development Standard. INTENSITY OF USE – For purposes of development within the Planned Residence District in Sunbury, Ohio, the maximum density for any single acre within the development shall be as follows: (a) Single Family: A maximum of 3 units on any single acre within the development.

The Applicant is requesting a divergence to allow units in excess of three units on any single acre. In accordance with the Development Plan, there will be more than 3 units *on any single acre*, consistent with other existing developments in the City of Sunbury, including the Eagle Creek Development adjacent to the north.

Divergence Request #3: Section S81.15.07 6(d)(1) – PRD Development Standard. FRONT YARD SET BACK – All dwellings shall have a setback from the right of way line of forty feet. If the right of way of the adjoining street or road is less than sixty (60) feet, no building shall be located closer than seventy-five (75) feet to the center line of said road or street.

The Applicant is requesting a reduction resulting in a front setback of twenty-five (25) feet on all lots. The Applicant believes potential homebuyers will prefer a larger rear yard over a larger front yard, allowing more outdoor space for patios, decks and three-season rooms. Twenty-five (25) feet is large enough to allow cars to park in the driveway without encroaching on the sidewalk. In addition, the reduced front setback is consistent with other surrounding neighborhoods such as the Eagle Creek Development, Sunbury Meadows Section 3 Phase B with 25 feet and Sunbury Meadow Section 5 Part 2 with 30 feet. Applicant respectfully requests that a divergence permitting twenty-five (25) feet setback from the edge of the right of way be justified and granted by the City of Sunbury.

Divergence Request #4: Section S81.15.07 6(d)(2) – PRD Development Standard. SIDE YARD SET BACK – No single family dwelling shall be located closer than seven (7) feet minimum to any side lot line, and a total side yard

setback of fourteen (14) feet minimum or twenty percent (20%) of the lot width, whichever is greater.

Applicant is requesting a reduction resulting in a side yard setback of six (6) feet minimum to any side lot line, and a total side yard setback of twelve (12) feet minimum.

Divergence Request #5: Section S81.15.07 6(d)(3) – PRD Development Standard. REAR YARD SET BACK – A rear yard of not less than forty (40) feet shall be maintained on all parcels within this district.

The Applicant is requesting a reduction resulting in a rear yard setback of thirty-five (35) feet for all lots with an additional allowance for non-conditioned rooms, patios and decks to encroach up to ten (10) feet into the rear yard setback, but in no event should structures or any such features be located closer than twenty-five (25) feet from the rear lot line. The Applicant believes homebuyers will value space for three-season rooms, patios and decks provided by this allowance.

Divergence Request #6: Section S81.15.07 6(h) MAXIMUM LOT COVERAGE – On no lot or parcel shall a building be constructed which covers more than twenty-five percent (25%) of the lot area. No combination of buildings shall be constructed which cover more than thirty percent (30%) of the lot area.

The Applicant is requesting an increase in the allowable lot coverage to 50% maximum for the 52' and 56' lots and 51% maximum for the 60' lots. Granting this divergence will allow a better quality home and one that is consistent with those in similar neighborhoods in Sunbury.

Divergence Request #7: Section S81.16.01 7. – General Development Standards. STRUCTURE SEPARATION – no building shall be located closer than twenty-five (25) feet to another structure unless the adjacent walls of both structures are masonry in which event said buildings shall be no closer than fifteen (15) feet. No building shall be located closer than fifteen (15) feet to another building unless one of said structures has, as its exterior facing wall, a fire wall, free of any opening and capable of stopping the spread of any fire. The provisions herein shall not apply to a residential garage servicing a single family residential residence.

The Applicant is requesting, at a minimum, twelve (12) feet of separation between fee simple single-family residential dwellings. The additional cost

necessary to comply with this standard must be reflected in the price of the new homes. Since similar homes in nearby neighborhoods mostly do not have exterior side facing masonry or fire walls, an inconsistency in appraised values will result that cannot be overcome within the projected housing market.

The Ohio Residential Building Code allows homes to be 10' apart with unlimited openings in side walls and allows 6' separation with no openings. All homes will comply with applicable building code requirements in this regard.

Divergence Request #8: Section S81.16.22. – General Development Standards. TREE PRESERVATION – This Section deals with a number of regulations concerning tree preservation upon development of the Property.

The Applicant will generally comply with all Zoning Code requirements concerning tree preservation, but is requesting that for purposes of required tree replacement, dead, diseased and undesirable species of trees (e.g. ash trees) not be required to be counted as trees requiring replacement and street trees and homeowner lot trees be counted for purposes of tree replacement.

- 12) Evidence of the applicant's ability to post a bond if the plan is approved assuring completion of public service facilities to be constructed within the project by the developer.

After approval of the plats, building plans, and engineering plans, and before construction begins, any sureties required from the Applicant will be submitted to the City of Sunbury as required by their procedures.

6. **DEVELOPMENT STANDARDS** - In addition to any other provisions of this ordinance the following standards for arrangement and development of lands and buildings are required in the Planned Residence District.

- a) Intensity of Use - The maximum density shall be 2.5 dwelling units per gross acre of area within the area to be developed, unless the physical boundaries of land or existing developments adjacent thereto on adjoining lands establish an atmosphere inconsistent with the above maximum density of 2.5 dwelling units per gross acre. Increased densities may be recommended by the Sunbury Planning and Zoning Commission and granted by the Sunbury Council if it is determined that any of the following conditions exist:

- i. If the property is directly adjacent and easily accessible to major thoroughfares.
- ii. If the property is directly adjacent and easily accessible to publicly controlled and maintained community recreational facilities or service facilities.
- iii. If the property is developed in a high quality of building design and site design.
- iv. If the property is developed to include major community services such as churches and schools.

The Sunbury Council may grant zoning incentives of up to one (1) unit per gross acre for each of the above standards of quality found to exist, however, the total density for the entire area of the development shall not exceed seven (7) units per gross acre.

For purposes of development within the Planned Residence District in Sunbury, Ohio, the maximum density for any single acre within the development shall be as follows:

1. Single Family: A maximum of 3 units on any single acre within the development.
2. Two Family and Townhouse: A maximum of 8 units on any single acre within the development with a maximum of 4 units side by side and connected with a common wall.
3. Two Story Apartment: A maximum of 8 units on any single acre within the development with a maximum of 4 units side by side and connected with a common wall.

The Applicant is proposing 239 single family homes at a gross density of 2.78 dwelling units per acre.

- b) Required Square Footage - 1450 square feet, exclusive of basement, porches, and garages.

The Development will comply with this standard. Homes to be constructed range from 1,500± SF to 3,300± SF, see Architecture Tab No. 16.

c) Open Space - Open space shall be in compliance with Section 81.16.01(21).

The Development will comply with this standard. See Tab No. 13 – Open Space Plan. Approximately 22.89 acres or 26.61% of the Development will be open space. All of the open space will be owned and maintained by the Homeowners’ Association. Approximately 15.61± acres or in excess of 68.20% of the open space will be suitable for active recreation.

d) Arrangement of Structures - The physical relationship of dwelling units and their minimum yard space shall be determined in accordance with the following:

i. Set Back - All dwellings shall have a setback from the right of way line of forty (40) feet. If the right of way of the adjoining street or road is less than sixty (60) feet, no building shall be located closer than seventy-five (75) feet to the center line of said road or street.

The Applicant is requesting a divergence from the forty feet front setback requirement in order to establish a front setback of twenty-five feet from the edge of the right of way line, fifty feet from the centerline of the right of way for all lots. See ZC Section 81.15.07.5(b)(11).

ii. Side Yards - No single family dwelling shall be located closer than seven (7) feet minimum to any side lot line, and a total side yard setback of fourteen (14) feet minimum or twenty percent (20%) of the lot width, whichever is greater. For all other structures within the Planned Residential District the side yard shall be not less than one sixth (1/6) of the sum of the height of the structure and length of the wall most nearly parallel to the side lot line but in no case shall said structure be closer than fifteen (15) feet to the lot line within development except as follows:

1. In the event that the walls are solid and without windows, said building shall not be closer than fifteen (15) feet to the adjoining structure, and
2. In the event said wall has windows said structure shall not be closer than twenty-five (25) feet to the adjoining structure without regard to lot lines. In no case shall any building be located closer than fifteen (15) feet to the outside perimeter line of the planned area. The requirements for side yards herein shall apply to the principal structures but shall not be interpreted as prohibiting designs of single family structures normally referred to as common wall, cluster, patio or other variations on the same theme.

The Applicant is requesting a divergence from these standards.

iii. Rear Yards - A rear yard of not less than forty (40) feet shall be maintained on all parcels within this district.

The Applicant is requesting a divergence from the forty feet rear setback requirement in order to meet the market demands and allow the possibility for homeowners to have non-conditioned rooms, decks and or patios.

iv. Building Height Limits - No building in this district shall exceed thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure. Church spires, domes, flag poles, elevator shafts, and windmills are exempted from any height regulation and may be erected to any safe height. No aerial antenna or tower shall be permitted to extend more than twenty-five (25) feet over the highest point of the principal residence on the premises.

The Development will comply with this standard.

e) Landscaping - All yards, front, side, and rear, shall be landscaped and all organized open spaces or non-residential use areas shall be landscaped. Such landscape plans shall be submitted with the subdivision plat and shall be subject to approval in the same manner required of the subdivision plat. Also, landscaping standards shall be in strict compliance with Sections 81.06.03, 81.18.11, 81.16.20 and 81.16.21.

The Development will comply with this standard. Landscaping shall be in accordance with the Landscape Plan Tab No. 10.

f) Site Development - To the maximum extent possible, all natural drainage courses, vegetation, and contours in excess of six percent (6%) shall be maintained.

The Development will comply with this standard. The Development shall maintain to the maximum extent possible all natural drainage courses, vegetation and contours.

g) The Sunbury Planning and Zoning Commission and/or Sunbury Council may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed; landscaping, development, improvement, and maintenance of common open space; and any other pertinent development characteristics.

h) Maximum Lot Coverage - On no lot or parcel shall a building be constructed which covers more than twenty-five percent (25%) of the lot area. No combination of buildings shall be constructed which cover more than thirty percent (30%) of the lot area.

The Applicant is requesting a divergence from this standard.

- i) Signs – may be permitted, subject to the conditions and restrictions imposed by the Sunbury Planning and Zoning Commission.

The Development will comply with this standard. A sign plan will be submitted with the Subdivision Plat.

- j) Lighting - may be permitted, subject to the conditions and restrictions imposed by the Sunbury Planning and Zoning Commission.

The Development will comply with this standard. A lighting plan will be submitted with the Subdivision Plat.

SECTION S81.16.01 - General Development Standards

All development standards set forth in this Section shall be complied with except to the extent divergences therefrom have been approved as above provided.

- 1. GENERAL - It is the purpose of these development standards to set forth certain general rules to be adhered to regardless of type or classification of development. They are designed to insure that the general welfare of citizens of Sunbury, Ohio be protected and enhanced. These development standards apply throughout the municipality. If a conflict exists between these standards and more specific standards prescribed in any individual zoning district, the specific provisions of the zoning district in question shall prevail. The standards set forth herein are to be considered minimum standards to be augmented by standards set forth elsewhere in this Ordinance or prescribed or agreed to by the landowner in any rezoning or variance.

Maximum Lot Coverage on any lot or parcel in R-1, R-2, R-3, R-4, or R-5 zoning district shall a building be constructed which covers more than twenty-five percent (25%) of the lot area.

The Applicant is requesting a divergence from this standard.

- 2. DESIGN STANDARDS FOR OFF-STREET PARKING

Parking - Off-street parking shall be provided, at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the standards set forth in Section S81:16-02 of the Ordinance.

There are no off-street parking areas proposed within this Development other than parking spaces adjacent to cluster box units (“CBU”), and temporary parking lots as accessory uses for model homes as more specifically set forth below in Section S81.16.01(3). All parking areas will comply with Section S81.16.01 Design Standards for Off-Street Parking. Parking and location of CBUs is subject to approval of local USPS Growth Manager.

3. SPECIFIC OFF-STREET PARKING REQUIREMENTS.

There are no off-street parking areas proposed within this Development other than the following: 3 parking spaces at each CBU and temporary parking lots as an accessory use for model homes. Parking and location of CBUs is subject to approval of local USPS Growth Manager.

4. DESIGN STANDARDS FOR OFF-STREET LOADING AND UNLOADING

There are no off-street loading and unloading areas proposed for this Development.

5. SPECIFIC OFF-STREET LOADING AND UNLOADING REQUIREMENTS

There are no specific off-street loading and unloading areas proposed for this Development

6. EXCEPTIONS TO HEIGHT LIMITATIONS.

The Development will comply with Section S81.15.07(6)(d)(4) no building will exceed 35 feet.

7. STRUCTURE SEPARATION.

No building shall be located closer than twenty-five (25) ft. to another structure unless the adjacent walls of both structures are masonry in which event said buildings shall be no closer than fifteen (15) ft. No building shall be located closer than fifteen (15) feet to another building unless one of said structures has, as its exterior facing wall, a fire wall, free of any opening and capable of stopping the spread of any fire. The provisions herein shall not apply to a residential garage servicing a single family residential residence.

Each single family home and attached garage will be placed on a lot at least six (6) feet from the side lot line resulting in at least twelve (12) feet of separation between structures. Applicant may or may not install masonry on the side walls of the homes and therefore is requesting a divergence from this requirement. The Structure Separation requirements shall conform to Ohio Residential Code.

8. SANITARY SEWER REQUIREMENTS AND POLLUTION CONTROL.

All uses shall be conducted in conformance with regulations promulgated by the Environmental Protection Agency and the Village of Sunbury. Prior to the issuance of any zoning certificate, evidence of compliance with said regulations shall be presented to the zoning inspector.

The Development will comply with this standard.

9. WATER IMPOUNDMENTS.

All water impoundments such as ponds, lakes or swimming pools shall be constructed and developed in compliance with the following standards:

- a) No impoundment shall be located closer than twenty-five (25) feet to the right of way line or fifty-five (55) feet of the center line of any adjacent public right of way.
- b) All installed swimming pools, or the entire property upon which it is located, shall be walled or fenced to prevent uncontrolled access by individuals from the street or from adjacent properties. Said fences or walls shall be solid wood, chain link or masonry, and not less than five (5) feet in height and shall be maintained in good condition with a self-locking gate.

The Development will comply with this standard. There are several ponds proposed to manage storm water runoff and the size and location of which are shown on Tab No. 7 – Development Plan.

10. PUBLIC NUISANCE REGULATIONS.

- a) Prevention of Nuisance. Every structure or use subject to the provisions of the Zoning Ordinance shall be located, arranged and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property.
- b) Required Limits. The following limits of development and operation are provided to control hazardous, obnoxious or other nuisance activity of uses subject to the provisions of the Zoning Ordinance.
 - 1) Noise. Noise or vibration shall be so controlled that at the property line on which such noise or vibration is produced it will not be at a level above that normally perceptible from other development in the area or from the usual street traffic observed at the street right-of-way line of the lot, except occasional blast or shock required in normal operation and produced in such manner as not to create a hazard.
 - 2) Dust. Dust or particulate matter shall be so controlled as not to produce a hazardous or obnoxious situation beyond the property lines of the lot on which such dust or particulate matter is produced.
 - 3) Odor or fumes. Odor or noxious fumes shall be so controlled as not to be offensive nor to create a hazard.
 - 4) Glare. Glare or heat from processing or other activity or lighting shall be so screened as not to be perceptible beyond the property lines of the lot on which such glare or heat is produced.

The Development will comply with this standard.

11. LANDSCAPING.

All uses and improvements in the municipality should pay close attention to maintenance of proper landscaping as soon as possible after completion of construction of the principal structures or improvements. Maintenance of ground cover at all times is encouraged to

prevent erosion. Replacement of trees, removed during the land clearing, should be accomplished as soon as possible.

The Development will comply with this standard.

12. CONDITION OF PREMISES; WASTE ACCUMULATION.

The Development will comply with this standard.

No person, firm, or other property owners or residents shall:

- a) Cause or permit waste, garbage, trash or any debris such as lumber and building materials, unused tires or other material to accumulate or remain on their property except as follows:
 - 1) Trash and garbage properly located for normal and regular pickup, provided that no such items shall be permitted to remain exposed to open view beyond normal pickup times.
 - 2) All trash and debris associated with or resulting from the construction of either residential or commercial structures permitted hereby shall be contained on the construction site in a stable and secure enclosure. The permit holder shall maintain the enclosure and site so as to control litter and debris at all times and remove and dispose of the debris in an approved landfill. The enclosure shall be removed from the site within ten days of issuance of the occupancy permit or within ten days of cessation of active construction work.
- b) Permit commercial vehicles or non-private passenger vehicles exceeding four to be parked or remaining in open view upon the premises of a residential neighborhood except in connection with repair or construction work being undertaken at the premises and only during such periods of repair or construction.
 - 1) All motor vehicles at the premises, whether private, passenger, commercial or other, shall be parked on driveways or paved areas or concealed from public view in private garages, carports, etc. No motor vehicles shall be parked in required yard areas of residential neighborhoods.
 - 2) All such motor vehicles in public view on the premises shall be in operating condition and in compliance with all motor vehicle safety, equipment and registration and licensing laws displaying proper tags and validation stickers.
 - 3) Motor homes, trailers, boats and other non-private passenger vehicles shall, as nearly as practicable, be concealed from public view.
- c) Fail to keep the exterior of all residential and commercial premises in good condition, and well maintained, including painting, if necessary, and such persons shall, within a reasonable time, after notice, remove or remedy all unsightly, dirty and unsafe conditions.

- d) Keep all vacant lots mowed as often as necessary in keeping with the character of the neighborhood to prevent pestilence, insect infestation, and to discourage use of the property for dumping or landfill purposes.
 - 1) All such vacant property shall be kept free of hazardous and unhealthful accumulations of water and other conditions affecting the health and welfare of residents of the Municipality.
 - 2) In those instances where such vacant property is being used contrary to Municipal zoning laws and other ordinances, the property owner, upon notice, shall take appropriate remedies to prevent such unlawful uses in cooperation with Municipal officials.
 - 3) All vacant lots shall be kept seeded or maintained in such manner as to prevent erosion of the property and excess drainage onto adjoining lands and kept free of trash and debris.

13. CORRECTIVE ACTION BY MUNICIPAL OFFICIALS.

- a) All violations of this section which remain uncorrected after not less than ten days' notice to the owner or resident, may be corrected by the Municipality, or by any person, firm or organization selected by the Municipality, and the costs thereof shall be paid by the owner of such property within thirty days.
- b) Any such charges which remain unpaid for the thirty days may be collected in any manner provided by law and shall be certified by the Administration to the Auditor of each county wherein such property may be located to be charged as a lien against the property.
- c) Violations occurring on construction sites may result in the issuance of a stop-work order until the site is brought into compliance.

14. PENALTY.

Whoever violates any provision of this section, in addition to any other cost or charge is guilty of a minor misdemeanor. Each day that such violation continues shall constitute a separate offense.

15. APPEALS.

Any person affected or aggrieved by this section may appeal a decision of the Manager or the Code Enforcement Officer directly to Council, and the decision of Council shall be final.

16. DRAINAGE.

All construction within this municipality shall be accomplished in a manner consistent with maintenance of good surface drainage. In all improvements or uses where submittal of drainage plans is not specifically required every reasonable effort shall be made to insure that proper drainage on the subject property and adjacent or servient properties is maintained or improved. In no event shall any person interdict or interfere with any

existing tile or surface drain channel unless it is determined that such tile or channel can be removed or relocated without interfering with the drainage on adjacent properties.

The Development will comply with this standard.

17. FLOOD PLAIN REGULATION.

No part of the Development is within the 100 year floodplain per FEMA map – Tab No. 19.

18. DAMAGE AND/OR DESTRUCTION AND REBUILDING

a) Upon damage of any nature to a building in any zoning classification covered by the Zoning Ordinance of 1997 and subsequent amendments thereto, in which any building structure would be unusable, uninhabitable, unsafe, or not fit to use as a home, business, a manufacturing plant, or any other type of use, said building must be removed completely from the premises within six (6) months of said damage.

b) If the owner, lessee, or other interested persons having a right to reconstruct desires to do so instead of removing said building or buildings, they shall have an additional six (6) months to begin to construct or rebuild said buildings, with the total of a and b above to be one (1) year, upon application to the Sunbury Planning and Zoning Commission for approval.

The Development will comply with this standard.

19. STREET TREE PLANTING REQUIREMENTS

The following are street tree planting requirements for all zoning districts:

a) It shall be required that all subdividers or developers plant trees along public streets of their developments in such a manner, type, quantity and location as approved by the Village of Sunbury. In no case shall said trees be species included on the list of prohibited trees as set forth by the Village of Sunbury Tree and Landscape Commission. A copy of the prohibited tree list is on file at the Office of the Zoning Inspector. Said trees shall be set back as required by the Zoning and Commission outside of the public right-of-way of sufficient depth to minimize interference with public sidewalks and keep leaves and related tree debris from public streets.

The developers/builder shall be required to maintain the trees for one year after the trees are planted and to replace any tree which dies within such one-year guarantee period. Upon completion of the street tree planting, the landscape contractor shall contact the Village of Sunbury Zoning Inspector for inspection. The guarantee period shall begin after the approval of the Zoning Inspector. A final inspection shall be made at the end of the guarantee period. All trees not

exhibiting a healthy, vigorous growing condition, as determined by the Village's inspection, shall be replaced at the expense of the developer or builder and the one year guarantee period shall begin again for the trees which are replaced.

The developer/builder shall be required to provide a bond to the Village of Sunbury covering the cost of street trees, to be effective during the guarantee period.

The Development will comply with this standard.

20. STREET LIGHTING

The Applicant's preference for street lighting will be presented to the City of Sunbury in the final development plan and prior to submitting the Subdivision Plat for review and comment.

21. OPEN SPACE REQUIREMENTS

a) Minimum Common Open Space - A portion of the total project area shall be devoted to common open space in proposed subdivisions and planned unit developments as follows:

1) The amount of land, a percentage of each residential subdivision or planned unit development exclusive of streets, which shall be required to be deeded and dedicated shall be 20% of the project area. In commercial, office, and industrial districts the amount of land dedication shall be determined by the Village of Sunbury based on estimated population and recreational opportunities to service the community.

The Development will comply with this standard. ±22.89 acres or 31.49% of the net site area (after excluding 3 Bs & K right-of-way and internal roadways) will be devoted to open space.

2) A minimum of 10% of the land to be dedicated as a requirement of this section shall be reasonably adaptable for use for park and recreation purposes and shall be at a location convenient to the people to be served. Factors used in evaluating the adequacy of proposed park and recreation areas shall include size and shape, topography, geology, tree cover, access and location.

The Development will comply with this standard. Dedicated open space will be 22.89 acres or 26.61%, of which approximately 15.61 acres will be suitable for park and recreational purposes. These areas are demarcated on Tab No. 13 – Open Space Plan. The Applicant is proposing bike/walking

paths throughout the Development to provide pedestrian linkages between areas.

- 3) Council, upon recommendation from the Planning Commission, may reduce the land dedication requirement for those recreational areas or facilities which are provided by the owner within the subdivision as a part of the development or in cases where lower density development is anticipated.

A reduction in the open space requirements has not been requested by the Applicant.

- 4) Council may, upon recommendation from the Planning Commission, require or accept cash in lieu of the required land dedication. A cash dedication shall be at a rate established every two years by resolution of Council based upon the recent real estate transactions to determine an estimated average value of land per acre with public improvements completed thereon. The decision to accept cash in lieu of parkland shall be made with regard to the availability of Village park and recreational facilities and by the population generated by the proposed subdivision.

- 5) Cash received in lieu of parkland dedication shall be placed in a special fund for the development of parks and recreational facilities.

- b) Open Space Requirements- The required common open space shall comply with the following: **The Development will comply with this standard. See Tab No. 13 – Open Space Plan.**

- 1) The common open space shall be located and designed to:

- a. Be sufficiently aggregated to create large areas of planned open space;
- b. Conserve significant natural features to the extent practicable;
- c. Be easily accessible to residents of the subdivision;
- d. Generally, be not less than 100 feet in width at any point except for short segments which provide visual and pedestrian connections between larger open space areas;
- e. Be interconnected with open space areas on abutting parcels wherever possible, by open space corridors.

- 2) Land area devoted to the following shall not be included as meeting the common open space requirement:

- a. Public street right-of-ways, private roads and parking areas;

- b. Required setbacks between building, parking areas and project boundaries and between building and public or private streets unless the required setback is contiguous to and part of a larger area of open space;
 - c. Required spacing between buildings and between buildings and parking areas;
 - d. Private yards within subdivided lots;
 - e. The land area within 15 feet of all dwelling units;
- 3) Areas designated for common open space purposes may be:
- a. Preserved as wetlands, woodlands, lakes or ponds, historic sites, environmentally sensitive areas, or similar conservation oriented area; or
 - b. Used for outdoor active or passive recreation including in-ground pools, tennis courts, etc. but shall not include the area for recreation building or related parking.
- 4) Any common open space intended to be devoted to recreational activities shall be of a usable size and shape for the intended purpose as determined by the Planning Commission. Where deemed appropriate by the Planning Commission, recreation areas shall be provided with sufficient parking and appropriate access.
- 5) Legal instruments setting forth the ownership and perpetual maintenance or the required common open space by the developer, homeowners' association or similar entity shall be submitted to the Village Solicitor or Village Attorney for review and approval.
- 6) Such common open space, including any recreational facilities proposed to be constructed in such space, shall be clearly shown on the development plan.
- 7) The Village may determine that private recreational facilities or common open space provided as a part of a subdivision are of equivalent value to provide in part open space and recreational opportunities for residents of the proposed development that would otherwise need to be provided by the Village. In such case, the Planning Commission may waive all or a portion of the requirement for the dedication of land for public purposes. In making such a decision, the Planning Commission shall consider:
- a. The type and size of facilities provided;
 - a. The availability of the facilities to the residents;
 - b. The likelihood that such facilities will lessen the need for additional public parks and public open space for the residents.
- All common open space shall be prohibited from further subdivision or development by deed restriction or other agreement in a form acceptable to the Village's Attorney.

- 8) Subject to such permanent prohibition as set forth above, common space in a subdivision may be owned by an association or by a similar entity acceptable to the Village. The Village may, but shall not be required to, accept dedication in the form of fee simple ownership of the common open space.

22. TREE PRESERVATION

The Developer has surveyed the wooded portions of the site. See Existing Tree Index and Tree Preservation Plan on Tab No. 14. Trees shall be replaced on site, and shall include trees located in open areas, buffers, and entry features, and shall be no less caliper inches than those required. For purposes of required tree replacement, notwithstanding provisions of the Zoning Ordinance, dead, diseased and undesirable species of trees (e.g ash trees) shall not require to be counted as trees requiring replacement and street trees and homeowners lot trees shall be counted, thereby resulting in no additional tree replacement being required.

- a) Purpose - The purpose of the tree preservation regulations established in this section are to conserve energy, promote clean air quality, reduce noise, improve surface drainage, minimize flooding, provide visual buffers, enhance the visual and aesthetic quality of the community, increase property value and to promote the preservation and replacement of trees that may otherwise be damaged or removed during land development and building construction.
- b) Definitions
 - 1) Caliper: The diameter of the tree trunk.
 - 2) Drip Line: A perpendicular line that extends downward from the outermost tips of the tree branches to the ground.
 - 3) Major Tree: A tree with a caliper (diameter) greater than 6 inches measured 24 inches above the ground.
 - 4) Tree Preservation Area: An area designated in which all trees shall not be removed and shall be preserved and protected during all phases of construction. This area shall be designated on the final plat or site plan with restrictions noted regarding the removal of trees.
- c) Tree Survey, Preservation and Replacement Plan - A tree survey, preservation and replacement plan shall be prepared and submitted to the Planning and Zoning Commission for approval. The Village of Sunbury Tree and Landscape Commission shall also review the plan and provide comments to the Planning and Zoning Commission. The tree survey and replacement plan shall contain the following information:

- 1) The location, common name and size of all existing major trees. When a site exceeds five (5) acres, an estimate of the number and size of major trees on a site may be submitted at the discretion of the Planning and Zoning Commission. In preparing this estimate, techniques such as site photographs, aerial photography, site visits to check average density may be permitted;
- 2) Identify the tree preservation areas, including all major trees that will remain on site after the construction and development is completed;
- 3) Indicate protective measures and restrictions to be taken during construction for the tree preservation areas described above. This shall include, but not be limited to the following:
 - a) Temporary fencing around the drip line of the tree;
 - b) No soil disturbance, clearing, grubbing, grading or stockpiling of soil shall occur within the drip line of the tree;
 - c) No change in grade within the drip line of the tree;
 - d) No redirection of surface runoff towards the tree preservation area;
 - e) No trenched installation of utilities within the drip line of the tree. Utilities within the drip line shall be bored a minimum of 24 inches in depth below the root system.
- 4) Identify all major trees that will be removed as permitted by this section;
- 5) The location, common name and size of all major replacement trees to be planted on the site as required by this section.
- 6) Replacement trees shall be located in accordance with Ordinance 2008-30.
- 7) The replacement trees shall be in addition to and coordinated with any landscaping or screening requirements. **Provided that street trees and homeowner lot trees shall be permitted to be counted towards replacement trees.**

d) Major Tree Preservation and Removal

- 1) Every possible effort shall be made to preserve natural vegetation areas. The design of any proposed development, streets, lots, utilities, structures and parking areas shall avoid the unnecessary removal of heavily wooded areas.
- 2) All major trees shall be preserved in their current location and condition unless such trees are exempted as follows:
 - a) The tree is located within a public right-of-way;
 - b) The tree is located within a utility easement;

- c) The tree is within the footprint of a proposed structure, or within fifteen (15) feet from the drip line of the tree to the perimeter of such structure;
 - d) The tree is located within the access drive or walk area for a permanent residential unit;
 - e) A tree which is diseased, damaged, interferes with utility lines, or is an inappropriate or undesirable species as approved by the Village Planning and Zoning Commission.
- 3) The approval to remove a major tree does not remove the property owner's responsibility to replace the removed major tree in accordance with this section.
- e) Major Tree Replacement
 - 1) Each major tree removed during the course of any development or building construction shall be replaced by the owner with trees that have a total caliper (diameter) equal to or greater than the total caliper of the major tree removed. In no case shall any replacement tree have a trunk diameter less than two (2.0) inches, measured twenty-four (24) inches above the ground.
 - 2) Tree replacement will not be required on developed single-family residential lots except where a tree has been removed from a Tree Preservation Area.
 - 3) Replacement tree species types must be approved by the Planning and Zoning Commission and be in accordance with Ordinance 2008-30.
 - 4) Should tree replacement be determined by the Planning and Zoning Commission to be inappropriate, a sum suitable to complete the required replacement shall be paid to the Village for use by the Parks and Recreation Committee as deemed appropriate.
- f) Maintenance Requirements
 - 1) The owner shall be required to maintain all replacement trees for a two (2) year period after the planting.
 - 2) Any replacement tree that dies or does not exhibit proper growth within the two year maintenance period, shall be replaced by the owner with one (1) year upon notification by the Village.
- h) Penalties
 - 1) Failure to replace a major tree or submit fees as required, within one year of the approval of the application, shall be subject to Section S81.06.08.

23. ARCHITECTURAL REVIEW

All building permits in compliance with the zoning code shall be subject to an architectural review, performed by a reviewing agent appointed by the Village of Sunbury.

A. Site Considerations

1. Goal - Maintain the rural village character of Sunbury.
All new and renovated structures should be design-integrated with their neighbors, creating pleasing vistas so all entities are enhanced and one does not reduce the value of another.
The Development will comply with this standard.
2. Roads and Drives
In existing developments, driveway New driveways and parking lots should be encouraged to utilize alley entrances whenever possible. Residential driveways should be designed to provide the least amount of surface area. Commercial and industrial drives should be paved with brick, asphalt or concrete.
The Development will comply with this standard.
3. Parking
New businesses should be encouraged to provide parking in the rear to accommodate the minimum number of spaces required in the zoning code. Surface material should be brick, asphalt or concrete.
Does not apply.
4. Sidewalks
Sidewalks are required in all residential, commercial and industrial areas. Sidewalks shall be in compliance with Chapter 905 of the Codified Ordinances. Tree lawns shall be in compliance with the Subdivision Regulations. Interior sidewalks shall be required in all private developments regardless of zoning classification in which multiple units access a common parking area to provide pedestrian access between units and to adjacent sidewalks along the public right-of-way and/or private drive. Sidewalks are also required along both sides of private drives.
The Development will comply with this standard, except where bike/walking paths are located along the public street right-of-way, where sidewalks will not be required.
5. Setbacks

Typically residential structures are set back 20 feet from the street, while commercial structures are separated from the street by the sidewalk. New construction should follow the setback lines appropriate to its location and purpose as defined in the Subdivision Regulations.

The Applicant is proposing a front setback of 25 feet for all lots.

B. Architectural Considerations

1. Residential

- a.) Building Types-Buildings in close proximity to each other should have a similar theme dealing with architectural styles.
- b.) Roof Types- Single story buildings will be required to have pitched roofs with gable or hip ends. Roof materials shall be shingles, cedar shakes, slate or synthetic slate, and metal standing seam. A minimum of 4-in-12 slope are required, however steeper slopes are preferred. Flat roofs are not recommended, but may be considered if they are concealed by parapet walls
- c.) Building Materials- Exterior walls shall utilize natural materials such brick, wood, stone, cultured stone, stucco and efis, cementious siding, and architectural grade vinyl. Building color ranges and materials shall present a uniformity of theme within the immediate area.

The Development will comply with this standard.

The exterior cladding of the front elevation of the homes cannot be constructed solely of stucco. If stucco is used in the front elevation it must be blended with stone, brick, cultured stone, EIFS, wood (or cementitious fiber such as HardiePlank) or architectural grade vinyl siding, or a combination thereof. A minimum of 25% of the exterior cladding of the front elevation of a home must be natural materials that are different than architectural grade vinyl.

All homes will have a roof pitch of 6/12 on the main structures of the home (accent features such as porches and dormers may have less than 6/12 roof pitch), all front windows will be wrapped with a minimum of four (4) inch wood trim, cement fiber board or engineered wood siding, such LP® Smartside® (except when the windows are surrounded by stone or brick) and the garage doors will either have raised panels or decorative accents.

Exterior finishes containing high gloss or high chroma colors are prohibited on all structures within the property. The same or similar front elevations and/or color treatment shall not be repeated for any home location within one (1) lot on either side or directly across the street from the subject home.

- d.) Doors & Windows- Suggested trim for these openings and other design treatments are wood, stone, ornamental exterior plaster, formed metal or plastic. These materials may also be considered for application on fascias, soffits and vents.

The Development will comply with this standard.

- e.) Improvements such as landscaping; lighting; fencing; parking location, planning and orientation; access roads; lawn areas; pools; terraces; patios; decks; flagpoles; etc. will all be under review for design compatibility, not only with the project itself, but also with its surroundings.

The Development will comply with this standard.

Section S81.17.01 - SIGN AND BILLBOARD REGULATION

The proposed development will comply with this Section. Proposed sign information such as location, size, and style will be submitted with the Subdivision Plat.

ADDITIONAL DEVELOPMENT AGREEMENTS:

1. The Development will join a New Community Authority established by the City, so long as the NCA charge does not exceed 4 mils.
2. Prior to any site development activities occurring on the Property:
 - a. Applicant and City will negotiate and enter into a mutually acceptable Development Agreement pertaining to the development of the Property.
 - b. Applicant will receive all required engineering approvals and subdivision regulation approvals from the City of Sunbury. In addition, the Applicant shall receive the approvals from the applicable agencies required for infrastructure not owned or within the jurisdiction of the City of Sunbury, which includes but not limited to sanitary sewer and appurtenances, water lines and appurtenances and a turn lane and improvements to 3B's & K Road.