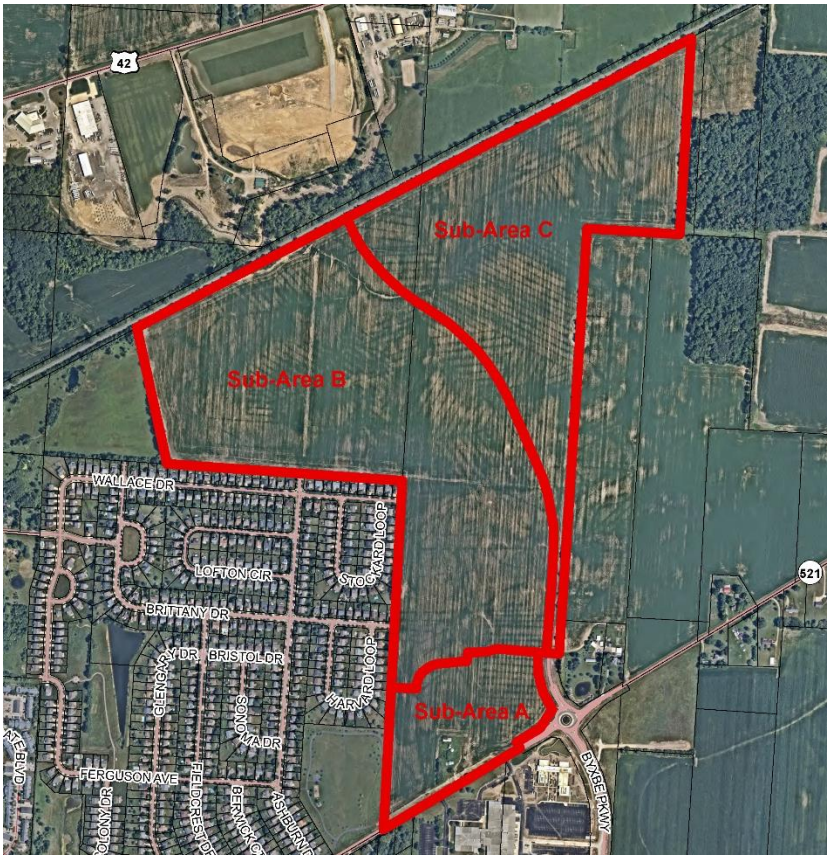
PLANNED MIXED USE OVERLAY
DEVELOPMENT TEXT
NORTHWOOD
DELAWARE, OHIO
NOVEMBER 1, 2023



DISCLAIMER

In the event of an actual conflict between this Development Text and any exhibit to this Development Text or any item in the notebook of which this Development Text is a part, the provisions of this Development Text shall prevail, and such exhibit or other item shall be deemed amended to conform to the conflicting provision in this Development Text.

1. DESCRIPTION OF DEVELOPMENT

Metro Development LLC (the "Applicant") seeks to rezone 230.7+/- acres located adjacent to Kilbourne Road to the northwest of its intersection with Byxbe Parkway to a Planned Mixed Use Overlay District (PMUD) zoning classification. The development will be comprised of single-family units as well as multi-family development with at least two

different product types. Subarea A will include multi-family development of up to 360 units in three-story buildings. Subarea B will provide for the development of up to 357 single-family detached homes. Subarea C will allow for the development of up to 451 units in single-story attached and/or detached patio home buildings with the possibility of some two-story townhomes being integrated into the development plan.

2. GENERAL DEVELOPMENT STANDARDS

A. **Purpose and Intent.** It is the intent of the Applicant to collectively provide a planned development with a high-quality mix of residences, site improvements, and amenities while providing for the extension of Byxbe Parkway from Kilbourne Road to subarea vehicular entry points as shown on the preliminary development plan. This Development Text and the accompanying preliminary development plan provide the zoning requirements for this development.

B. **Development Standards.** All development within this PMUD shall comply with the standards in this Development Text. To the extent that a standard or requirement in this Development Text conflicts with a standard or requirement in the City's Codified Ordinances, the standard or requirement in this Development Text shall govern. If this Development Text is silent on a particular standard or requirement that is addressed in the Codified Ordinances, then the standard or requirement in the Codified Ordinances shall apply to this PMUD. All references to the Codified Ordinances shall be to the Codified Ordinances as they exist on the date when this Development Text first becomes legally effective.

C. **Approval Process.** Unless otherwise outlined in the Zoning Code, the approval process for review of development proposals shall require approval of a preliminary development plan and one or more final development plans, as well as preliminary and final subdivision plats when necessary by the Codified Ordinances or other applicable law. The zoning text, preliminary development plan, and related documents and plans which are approved as part of the rezoning application shall establish the zoning requirements and standards for this PMUD. The zoning application, preliminary development plan, and related documents and plans, as well as preliminary and final plats, shall require review by Planning Commission followed by a decision of City Council. Final approvals for the design and construction of this development shall be in accordance with the then-current Chapter 1129: Procedures.. Given the size of this PMUD and the scope of the project, multiple final development plans and plats may be submitted over time for different aspects and/or phases of development.

For purposes of this Development Text, the terms "preliminary development plan" and "final development plan" shall be deemed to include all plans, documents, and other supporting materials that are required to be filed along with an application for approval thereof pursuant to Chapter 1147 of the Codified

Ordinances.

D. **Major Modifications.** Unless otherwise outlined in the Zoning Code, once a Final Development Plan has been approved in accordance with the regulations of Chapter 1129, any subsequent major modification to that plan shall only be permitted by resubmission and approval of a revised Final Development Plan through the procedures set forth in the Zoning Code. Major modification for the purposes of this text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

   a. Any major change in the use or occupancy other than those uses specifically listed in this text.

   b. Major change in the approved location of land uses and/or buildings and building sizes of more than 10%.

   c. Substantial alteration of the basic geometry of the street layout and/or operation characteristics of any element of the approved access points and parking facilities, or systems of pedestrian paths that result in a change in operating characteristics or character.

E. **Minor Modifications.** Unless otherwise outlined in the Zoning Code, once a Final Development Plan has been approved in accordance with the regulations of Chapter 1129, any subsequent minor modification to that plan shall only be permitted by resubmission and approval by the Director of Planning and Community Development of a revised Final Development Plan. Minor modification for the purposes of this text shall mean any modification of the approved Final Development Plan, as determined by the Director of Planning & Community Development, that results in:

   a. Any modification that is not considered a major modification by this Zoning Text or by determination of the Director of Planning & Community Development.

   b. Any minor change to the use or occupancy of the structures onsite other than those uses specifically allowed in this text or any minor changes to the approved site layout.

   c. Minor alteration of the basic geometry of the street layout and/or operation characteristics of any element of the approved access points and parking facilities, or systems of pedestrian paths that result in a change in operating characteristics or character.

   d. Minor structural alterations that do not alter the overall design intent

of the building.

F. **Tree Preservation, Removal and Replacement.** The project does not contain any tree stands or individual trees of any significance, as it is currently farmed. Tree removal and replacement requirements shall be determined in the Final Development Plan stage and shall conform to the requirements of the then-current Chapter 1168 unless otherwise approved as part of a final development plan. Tree removal and replacement shall be evaluated and completed on a subarea-by-subarea basis. Any trees cleared within the right-of-way for Byxbe Parkway shall not be subject to any replacement requirements, nor shall any trees cleared for the placement of stormwater management basins.

G. **Byxbe Parkway.** Byxbe Parkway shall be extended from its current terminus at Kilbourne northward to serve the development within this PMUD in two phases: one to serve Subarea B, and one to serve Subarea C. Additional right-of-way shall be dedicated to the City within the PMUD to the north of the terminus of the portion of the extension of Byxbe Parkway that is needed to serve development within the PMUD to the railroad tracks located along the northern boundary of this PMUD. This right-of-way shall be maintained by a Homeowner's Association or other management group for this development until such time as Byxbe is extended to the railroad tracks. This street shall have a minimum right-of-way width of 160 feet and a minimum pavement width of 36 feet. Development within Subarea A shall be permitted prior to a final plat being approved for Byxbe Parkway since its vehicular access is being provided from Kilbourne Road.

3. **SUBAREAS - GENERALLY.** This PMUD is separated into three (3) subareas to represent the distinct areas of development.

A. **Subarea A:** Subarea A consists of 22.88+/- acres located in the southeastern portion of the PMUD, to the northwest of and adjacent to the intersection of Kilbourne Road and Byxbe Parkway. Primary vehicular access to and from this subarea shall be provided along Kilbourne Road. The proposed plan designates this tract of land to include a maximum of 360 multi-family units which are "flats" in three-story walkup buildings.

B. **Subarea B:** Subarea B includes 124.49+/- acres extending from Kilbourne Road on the south to the railroad tracks on the north, extending from the PMUD's western boundary eastward to the planned extension of Byxbe Parkway. This subarea will be a single-family subdivision consisting of a maximum of 357 homes.

C. **Subarea C:** Subarea C is comprised of 83.38+/- acres located in the northeastern portion of the PMUD, with its eastern boundary being the same as the eastern boundary of the PMUD, its northern boundary being the railroad tracks, and its western boundary being the Byxbe Parkway extension. This subarea will include a maximum of 451 units in single-story attached and/or detached patio home buildings and/or two-story townhomes.

4. **SUBAREA A.** The following use and development standards and requirements shall apply to Subarea A.

A. **USES.** Permitted uses for Subarea A are as follows:

1. Multi-family dwelling units consisting of apartment flats.

2. Accessory uses and structures which are customary for multi-family developments. Such uses and structures may include, but not be limited to, attached and detached garages; open space; recreational uses; and gathering or grilling areas.

3. Private community center/clubhouse with an outdoor pool and other amenities typical of a multi-family residential development which serve residents of the multi-family community within Subarea A. Marketing and leasing offices for the community within Subarea A shall be permitted to be operated from this structure.

4. Home occupations associated with a principal use.

B. **Density.** A maximum of 360 residential units shall be permitted in this subarea, as well as one private community center/ clubhouse.

C. **Setbacks and Building Height.**

1. **Kilbourne Road**. There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the edge of right-of-way of Kilbourne Road, as measured after any required dedication of right-of-way for that street to the City as provided elsewhere in this text.

2. **Byxbe Parkway**. There shall be a minimum pavement and building setback of 70 feet from the edge of right-of-way of Byxbe Parkway.

3. **Other Perimeter Boundaries.** From any perimeter boundary of this subarea which does not abut a public street, there shall be minimum pavement and building setback of 35 feet.

4. **Minimum building separation**. There shall be a minimum distance between buildings of 20 feet.

5. **Maximum building height**. There shall be a maximum building height of 45 feet in this subarea, measured in accordance with relevant requirements of the Codified Ordinances. Buildings shall have a maximum of three stories.

D. **Lot and Unit Standards.**

1. **Minimum lot area**. The minimum lot area shall be 5 acres.

2. **Minimum lot width and frontage**. The minimum lot width and public street frontage for each lot shall be 100 feet.

3. **Maximum lot coverage**. The maximum lot coverage in this subarea shall be 80%. The term "lot coverage" shall mean the percentage of the gross acreage within the subarea on which buildings, structures, pavement, and other impervious surfaces are located.

4. **Dwelling Unit Requirements**. Each dwelling unit shall provide for the following minimum floor area exclusive of basements, unfinished attic spaces, garages, and any attached or detached accessory buildings.

Minimum Floor Square Footage	
Multi-Family	
1. One Bedroom Unit	680 sf
2. Two Bedroom Unit	950 sf
3. Three bedroom unit	1,200 sf

E. **Architecture.** Architectural standards are intended to create a cohesive and unified design throughout the subarea. Each building (multi-family and private clubhouse building) shall be consistent in overall design, color, material, and architectural pattern as determined through the final development plan review process. Designs for buildings shall be substantially similar to the preliminary architectural renderings that have been submitted along with the preliminary development plan and shall comply with the following requirements:

1. **Exterior Material and Trim Standards.** The architectural design/patterns of multi-family buildings and the private clubhouse building shall be similar and may be repeated from one building to the next to unify the project into a single architectural style. Similarities shall include window styles and patterns, 6:12 roof pitches, use and mix of exterior materials, and building massing.

2. **General Standards:**

A. The color palette for exterior materials shall consist of natural colors,

including but not limited to white. Additional colors may be used as accents but may not be high gloss colors.

B. Permitted exterior materials shall include brick, stone, or cultured stone, vinyl siding, and engineered siding products (including cementitious fiberboard and other engineered siding products approved by the City of Delaware, e.g., HardiPlank™). Gutters (and the material by which they are attached to a building), downspouts, soffits, shutters, garage, and entrance doors may be of man-made materials such as metal, vinyl, or aluminum. No concrete or split face block shall be permitted, except for the basement or foundation walls.

C. Buildings fronting Byxbe Parkway and Kilbourne Road shall have the majority of the elevation constructed of brick or stone with vinyl used as an accent material. HardiPlank™ or equivalent could be substituted for the vinyl siding to meet natural material requirements as well. Any limestone on the buildings shall be Delaware blue vein or equivalent as approved by Staff.

D. EIFS and Stucco or similar products are prohibited as primary exterior materials. EIFS may be used as a secondary trim material.

E. Treated lumber shall be painted or stained.

F. Any exposed foundation walls more than 12" high shall be faced with brick or stone.

G. Roofs shall have dimensional asphalt shingles.

H. The principal roof structure shall have an eave overhang of not less than 12 inches with return.

I. Windows shall be of vertical or square proportion. Accent windows may be circular, half-round, or octagonal and are limited to one per elevation unless used in a pair. The side elevations will not require windows.

J. Any detached garages shall contain architectural elements consistent with the design of multi-family buildings.

K. Dumpsters and trash compactors shall be completely screened on all four sides using walls or fencing with access via a gate.

F. **Parking Requirements**

1. Multi-family dwelling units shall provide dedicated off-street parking at a minimum ratio of 1.85 spaces per dwelling unit. Parking spaces may be provided in paved lots or in attached or detached covered garages.

2. A minimum of 8 parking spaces shall be provided for the exclusive use of visitors to the private community center/clubhouse.

3. No on-street parking shall be permitted on Kilbourne Road or Byxbe Parkway.

G. **Vehicular and Pedestrian Access.**

1. **Access**. Vehicular access to and from this subarea will be provided at two full turn movement access points along Kilbourne Road. No vehicular access to and from this subarea shall be permitted along Byxbe Parkway, other than emergency access.

2. **Private Drives**. All internal vehicular access routes within this subarea shall be private drives which shall be owned and maintained by the owner of the multi-family community in this subarea. The minimum aisle width for all private streets shall be 24 feet. Vehicular parking may be located directly adjacent to private drives.

3. **Sidewalks**. Concrete sidewalks shall be installed to provide efficient pedestrian connections to building entrances. These private sidewalks shall be a minimum of 4 feet in width and shall be maintained by the owner of the multi-family community within this subarea.

4. **Leisure Trails**. Asphalt leisure trails with a minimum width of 5 feet shall be provided in the general location shown in the preliminary development plan, with specific locations to be approved as part of a final development plan. Leisure trails shall be installed and maintained by the owner of the multi-family community in this subarea

5. **Asphalt Multi-Use Paths.** Asphalt multi-use paths a minimum of 8-feet wide shall be installed on the north side of Kilbourne Road and on the west side of Byxbe Parkway.

H. **Buffering, Landscaping, Open Space and Screening Commitments.**

1. **Open Space**. Open space in this subarea shall be owned and maintained by the owner of the multi-family community located within it.

2. **Ponds**. Retention or detention basins shall be provided for the purposes of managing stormwater. The locations and general characteristics of the basins are shown on the preliminary development plan. The final locations and designs of the basins shall be as approved in a final development plan.

3. **Street Trees**. Street trees shall be provided along the north side of Kilbourne Road and along the west side of Byxbe Parkway. Trees shall be spaced at an average distance of one tree per 40 linear feet.

4. **Mounding**. Mounding shall be installed in the locations which are generally shown in the preliminary development plan and as specifically approved in a final development plan. Mounds shall be installed to an average minimum height of 10 feet and shall include grass and plantings of trees as shown on the landscape plans along the western boundary of the subarea adjacent to existing single-family residences. located off-site. Trees planted on the mounds shall contain evergreen trees. Additional mounding along the northern, eastern, and southern boundaries shall consist of mounds from 3 feet to 5 feet in height as shown on the preliminary development plan and be landscaped in accordance with the landscape plans. A landscaping plan for mounds shall be submitted for review and approval as part of a final development plan.

I. **Signage.** Signage shall be designed and installed in accordance with Exhibit F-5, which shall be considered an approved Sign Plan for the subdivision. Proposed alterations to the approved Plan shall follow the Major/Minor Modification standards outlined in this Text.

1. **Buildings**. Building signage to identify building and/or unit numbers shall be permitted.

2. **Generally**. Specific standards for permitted signage shall be submitted for review and approval as part of a final development plan and, where applicable, shall comply with the requirements of this Development Text. Standards and requirements for signage shall be in accordance with relevant provisions of the Codified Ordinances unless specifically set forth in this text or otherwise approved in a final development plan. Signage shall require a permit in accordance with Chapter 1165.

J. **Lighting and Utilities.**

1. **Lighting**. Lighting shall be provided in accordance with Chapter 1158 of the Codified Ordinances. All lighting shall be cut off and recessed.

2. **Utilities**. All new utilities shall be installed underground.

3. **Solar panels**. Solar panels shall be permitted on buildings or may be ground-mounted in this subarea, provided that ground-mounted solar panels shall be clearly accessory to the primary use of this subarea (i.e., multi-family development).

5. **SUBAREA B.** The following use and development standards and requirements shall apply to Subarea B.

A. **USES.** Permitted uses for Subarea B are as follows:

1. Single-family dwelling units.

2. Accessory uses and structures which are customary for single-family developments. Such uses and structures may include, but not be limited to, attached and detached garages; open space; recreational uses; and gathering or grilling areas.

3. Private community center/clubhouse with or without an outdoor pool and other amenities typical of a planned single-family residential development which serves residents of the single-family community within Subarea B. Marketing and sales offices for the community within Subarea B shall be permitted to be operated from this structure.

4. Home occupations associated with a principal use.

5. A maximum of four (4) model homes shall be permitted to be operated until such time as homes have been constructed on all lots in this subdivision. Each model home shall be approved through the approved process outlined in the Codified Ordinances. No occupancy of a model home shall be permitted until the home has been connected to operable public sanitary sewer lines and public water lines. Temporary paved parking may be provided on any lot which is adjacent to a lot containing a model home, provided that such parking shall be removed by the developer once the model home is no longer being used for marketing and sales purposes.

6. Farming/agricultural uses, but only within phases of the subdivision which are not being developed. Once development within this zoning district is complete, these uses shall no longer be permitted.

B. **Density.** A maximum of 357 residential units shall be permitted in this subarea, as well as one private community center/clubhouse.

C. **Subarea Perimeter Setbacks; Building Height.**

1. **Byxbe Parkway**. There shall be a minimum pavement and building setback of 70 feet from the edge of right-of-way of Byxbe Parkway.

2. **Railroad Tracks**. There shall be a minimum pavement and building setback of 80 feet from the edge of the right-of-way of the existing railroad tracks along the northern boundary of Subarea B.

3. **Other Perimeter Boundaries**. From any perimeter boundary of this subarea which does not abut a public street or the railroad tracks, there shall be minimum pavement and building setback of 25 feet.

4. **Maximum building height**. There shall be a maximum building height of 35 feet in this subarea, measured in accordance with relevant requirements of the Codified Ordinances.

D. **Lot and Unit Standards.**

1. **Minimum lot areas and widths**. Minimum lot areas and lot widths in this subarea shall be as follows:
   a. 5,250 square feet for up to 128 lots. These lots shall have a minimum lot width of 42 feet as measured at the minimum building setback line and a minimum lot depth of 125 feet;
   b. 6,240 square feet for all other lots. These lots shall have a minimum lot width of 52 feet as measured at the minimum building setback line and a minimum lot depth of 120 feet;
   c. Corner lots shall be oversized by 30%.

2. **Individual lot setbacks**. The following setback requirements shall apply to individual lots in this subarea:
   a. Front yards. There shall be minimum front yard setback of 25 feet from the edge of right-of-way for all lots. Stoops, steps, and porches shall be permitted to encroach a maximum of 6 feet into the minimum front yard setback line.
   b. Rear yards. There shall be a minimum rear yard setback of 25 feet for all lots, provided that decks, screened porches, morning rooms, and patios shall be permitted to encroach a maximum of 12 feet into the required minimum rear yard setback. Pools shall be setback at least 10-feet from all property lines.
   c. Side yards. The minimum side yard setback shall be 6 feet. Eaves and overhangs shall be permitted to encroach a maximum of 12 inches into the minimum side yard setbacks for each home type. At-grade window wells and garage service door entry pads shall be permitted to encroach a maximum of 3 feet into the required side yard.

3. **Maximum lot coverage**. The maximum lot coverage on each lot shall be 80%. The term "lot coverage" shall mean the percentage of the gross acreage within the subarea on which buildings, structures, pavement, and other impervious surfaces are located.

4. **Dwelling Unit Requirements**. Each dwelling unit shall provide for the following minimum floor area exclusive of basements, unfinished attic spaces, garages, and any attached or detached accessory buildings.

Minimum Floor Square Footage	
Single-Family	
1. One story home	1,400 sf[(a)]
2. Two story home	1,700 sf[(a)]
[(a)] Plus an additional 200 square feet for each additional bedroom over three (3).	

E. **Phasing.** Lots will be developed and homes will be constructed in phases as detailed in the Phasing Plan that accompanies this text and are based on market conditions as they are known on the date when the preliminary development plan is approved. Revisions may be made to the phasing plan as part of any final development plan application if necessary or desirable for engineering reasons or based on market conditions.

F. **Architecture.** Unless otherwise modified within this Development Text, all dwellings shall meet the minimum building design requirements of Codified Ordinances Chapter 1171, R-3 District standards for detached single-family dwellings and the additional standards as described below for each type of lot size and shall be consistent with elevations submitted with the preliminary development plan.

1. **Architectural character**. The architectural characteristics of the homes to be constructed in this subarea are to be reflective of the architectural exhibits that accompany this text. These exhibits are intended to be used as a guide in terms of defining the styles and designs of homes. A number of home designs will be used to meet market demand and to provide diversity in terms of home sizes and exterior appearances and finishes, subject to the requirements of this text. The same home design shall not be constructed on lots that are adjacent to or directly across the street from one another. A lot shall be deemed to be directly across the street from any other lot that is located in whole or in part between two imaginary straight-line extensions of the side lot lines for the first lot which extend to the opposite site of the public right-of-way on which the first lot has frontage. The design of the private community center/clubhouse to be provided in this subarea shall be reviewed and approved as part of a final development plan. The building shall be one, one and one-half, or two

stories in height and shall have a design that is complimentary to the architecture of homes in this subarea.

2. **Exterior Material and Trim Standards.** Cementitious siding, vinyl, brick, brick veneer, stone and stone veneer shall be permitted as primary exterior façade materials. Permitted trim materials include wood, PVC, vinyl, EIFS, and aluminum. Gutters (and the material by which they are attached to the home), downspouts, soffits, shutters, garage, and entrance doors may be of man-made materials such as metal, vinyl, or aluminum. No concrete or split face block shall be permitted. The roofs of all homes shall have dimensional shingles.

3. **General Standards:**

   a. The permitted color palette for homes shall consist of earth tones including (but not limited to) whites, blues, tans, greens, and grays, but shall not be of a high-chroma color. Additional colors may be used as accents but may not be high gloss or high-chroma colors.

   b. All primary roof pitches on front and rear facing gabled elevations shall be a minimum of 5:12. All primary roof pitches on side facing gabled elevations shall be a minimum of 6:12. All other accessory elevations shall be a minimum roof pitch of 3-1/2:12.

   e. All home elevations shall be reviewed and approved by the Director of Planning & Community Development to establish compliance with the Building Design requirements of this Development Text and approved final development plans.

   f. Front elevations among different homes shall include a variety of styles, colors, and/or material types of materials and shall meet the varied locations requirement of Chapter 1171 of the Zoning Code.

   g. Overhangs and rakes shall be a minimum of 8-inches.

   h. Lintels and sills in masonry walls shall be brick soldier course, limestone, or sandstone, along with other manufactured stone products.

   i. Although porch railing and column details are encouraged to vary from home to home, porch columns shall have a minimum 6 x 6-inch cross section or diameter. Treated lumber shall be painted or stained, except when used on outdoor decks.

   j. All homes shall provide an identifiable entry with entry coverings and stoops being a minimum of 3 feet deep or the minimum necessary per building code regulations, whichever is greater. If a home has a porch

as opposed to a stoop as determined by the Director of Planning & Community Development, it shall be a minimum of 5 ft. deep.

k. All garage doors facing a public street shall be architecturally upgraded to include design elements consistent with the design of the home and development.

l. The Homeowner Association covenants shall not preclude the use of solar panels located upon primary house structures**.**

G. **Parking Requirements**

1. **Homes**. Each home shall have either a two-car or three-car garage. All homes shall be required to have a minimum of two (2) off-street parking spaces on the driveway but located outside of street rights-of-way.

2. **On-street parking**. On-street parking shall be permitted on one side of each street on the side that is opposite the side where fire hydrants are located. No on-street parking shall be permitted on Byxbe Parkway.

3. **Private Clubhouse**. A minimum of 8 off-street parking spaces shall be provided for a private clubhouse in this subarea if one is provided.

H. **Vehicular and Pedestrian Access.**

1. **Access**. Vehicular access to and from this subarea will be provided at two full turn movement locations where new public streets will intersect with Byxbe Parkway. Internal vehicular circulation within this subarea shall occur using public streets. Each home and lot shall be front-loaded from a public street.

2. **Public Streets**. All public streets within this subarea shall be of curb and gutter construction and shall be constructed to required public specifications unless otherwise described in this text or approved as part of the plans that accompany this text. The required minimum right-of-way width for Byxbe Parkway shall be 160 feet. Pavement for Byxbe Parkway shall be no less than 36 feet in width measured from face of curb to face of curb. The required minimum right-of-way width for all other public streets shall be 60 feet, and pavement shall be no less than 28 feet in width measured from face of curb to face of curb.

3. **Sidewalks**. Concrete sidewalks with a minimum width of 5 feet shall be installed along both sides of all public streets. Sidewalk shall be installed on the east side of Byxbe Parkway.

4. **Leisure Trails**. Asphalt leisure trails with a minimum width of 5 feet shall be provided in the general locations shown in the preliminary development plan, with specific locations to be approved as part of a final development plan. Leisure trails shall be installed by the developer of this subarea and shall be maintained by the developer or a homeowners' association at its expense.

5. **Asphalt Multi-Use Path.** An asphalt multi-use path a minimum of 8-feet wide shall be installed on the west side of Byxbe Parkway and shall be maintained by the City.

I. **Buffering, Landscaping, Open Space and Screening Commitments.**

1. **Open Space**. All open space in this subarea shall be owned and maintained by the developer or a forced and funded homeowners' association.

2. **Ponds**. Retention or detention basins shall be provided for the purposes of managing stormwater. The locations and general characteristics of the basins are shown on the preliminary development plan. The final locations and designs of the basins shall be as approved in one or more final development plans.

3. **Street Trees**. Street trees shall be provided along the west side of Byxbe Parkway and on both sides of all private streets. Trees shall be spaced at an average distance of one tree per 40 linear feet. Street tree plans shall be approved by the Shade Tree Commission.

4. **Lot Trees.** A minimum of one deciduous tree that is a minimum of two inches in caliper at the time of planting shall be planted in the yard area of each home in this subarea.

5. **Mounding**. Mounding shall be installed in the locations which are generally shown in the preliminary development plan and as specifically approved in one or more final development plans. Mounds shall be installed to an average minimum height of 3 feet and shall include grass and tree plantings. Trees planted on the mounds shall contain a mixture of evergreen and deciduous trees. A landscaping plan for mounds shall be submitted for review and approval as part of one or more final development plans. A landscaping plan for mounds shall be submitted for review and approval as part of one or more final development plans.

J. **Signage.** Signage shall be designed and installed in accordance with Exhibit F-5, which shall be considered an approved Sign Plan for the subdivision. Proposed alterations to the approved Plan shall follow the Major/Minor Modification standards outlined in this Text.

1. **Model homes**. Specific standards for signage for model homes shall be submitted for review and approval through the standard and customary process outlined in the Codified Ordinances.

2. **Generally**. Standards and requirements for signage which are not addressed in this Development Text shall be in accordance with relevant provisions of the Codified Ordinances unless specifically set forth in this text or otherwise approved in one or more final development plans. Signage shall require a permit in accordance with Chapter 1165.

K. **Lighting and Utilities.**

1. **Generally**. Lighting shall be provided in accordance with Chapter 1158 of the Codified Ordinances. All light fixtures shall be cut off and recessed.

2. **New utilities**. All new utilities shall be installed underground.

3. **Solar panels**. Solar panels shall be permitted on buildings or may be ground-mounted in this subarea, provided that ground-mounted solar panels shall be clearly accessory to the primary use of this subarea (i.e., single-family development).

L. **Miscellaneous.**

1. **Pools/Spas**. Above-ground swimming pools shall be prohibited. All swimming pools and spas shall be located in the rear yard, within the building setback lines of single-family lots, and shall be completely screened from adjoining properties.

2. **Equipment Storage**. Storage of all maintenance equipment shall be within garages or other permitted storage structures.

3. **Mailboxes**. Due to federal postal rules and regulations, individual mailboxes are no longer permitted to be located to the front of each lot. Instead, cluster mailbox units shall be utilized. The locations for these CMUs and their anticipated designs are generally shown in the preliminary development plan but shall be finalized at the time of review and approval of one or more final development plans and be in accordance with USPS and City regulations.

4. **Homeowners' Association**. The developer of this subarea shall create a forced and funded homeowners' association (an "HOA") which shall charge assessments no less frequently than annually and shall maintain open spaces and other features of common interest to homeowners in this subarea. A declaration of covenants, conditions, and restrictions shall be recorded before any lots within the community are transferred to third

parties which shall require the payment of these assessments and adherence to other requirements as are customarily applied to residential communities, as determined by the developer in its reasonable discretion and provided that such requirements are consistent with the requirements of this text.

6. **SUBAREA C.** The following use and development standards and requirements shall apply to Subarea C.

A. **USES.** Permitted uses for Subarea C are as follows:

1. Attached patio homes in buildings containing at least two and no more than eight units.

2. Detached patio homes

3. Two-story attached townhomes.

4. Accessory uses and structures which are customary for multi-family or single-family developments. Such uses and structures may include, but not be limited to, attached and detached garages; open space; recreational uses; gathering or grilling areas, and mailbox kiosks.

5. Private community center/clubhouse with or without an outdoor pool and other amenities typical of a planned multi-family or single-family residential development which serves residents of the community within Subarea C. Marketing and sales offices for the community within Subarea C shall be permitted to be operated from this structure.

6. Home occupations associated with a principal use.

7. A maximum of six (6) model units shall be permitted to be operated until such time as units have been constructed on all lots in this subdivision. The location of each model unit shall be approved as part of a final development plan. No occupancy of a model unit shall be permitted until the home has been connected to operable public sanitary sewer lines and public water lines. Temporary paved parking may be provided on any lot which is adjacent to a lot containing a model unit, provided that such parking shall be removed by the developer once the model unit is no longer being used for marketing and sales purposes.

8. Farming/agricultural uses, but only within phases of the subarea which are not being developed. Once development within this zoning district is complete, these uses shall no longer be permitted.

B. **Density.** A maximum of 451 residential units shall be permitted in this subarea, as well as up to two private community centers/clubhouses.

C. **Subarea Perimeter Setbacks; Building Height.**

1. **Byxbe Parkway**. There shall be a minimum pavement and building setback of 70 feet from the edge of right-of-way of Byxbe Parkway.

2. **Railroad Tracks**. There shall be a minimum pavement and building setback of 80 feet from the edge of the right-of-way of the existing railroad tracks along the northern boundary of Subarea C.

3. **Other Perimeter Boundaries**. From any perimeter boundary of this subarea which does not abut a public street or the railroad tracks, there shall be minimum pavement and building setback of 25 feet. Patios may encroach up to 5 feet into this setback.

4. **Maximum building height**. There shall be a maximum building height of 35 feet in this subarea, measured in accordance with relevant requirements of the Codified Ordinances. All buildings and attached or detached patio homes shall be one or one and one-half stories in height, and townhomes shall be two stories.

D. **Lot and Unit Standards.**

1. **Minimum lot width and frontage**. The minimum lot width shall be 100 feet. All or some buildings and homes may be located on the same lot or parcel. A lot or parcel shall not be required to have frontage on a public street if the lot or parcel has vehicular access to a public street through another parcel or lot that is under common ownership or based on a recorded easement providing the owner of that lot or parcel with a perpetual right of vehicular ingress and egress over and through an adjacent parcel or lot to a public street.

2. **Maximum lot coverage**. There shall be no maximum lot coverage in this subarea. The term “lot coverage” shall mean the percentage of the gross acreage within the subarea on which buildings, structures, pavement, and other impervious surfaces are located.

3. **Dwelling Unit Requirements**. Each dwelling unit shall provide for the following minimum floor area exclusive of basements, unfinished attic spaces, garages, and any attached or detached accessory buildings.

Minimum Floor Square Footage	
1. One-bedroom unit	800 sf
2. Two-bedroom unit	1,000 sf
3. Three-bedroom unit	1,200 sf

4. **Building setbacks**. Each building and home in this subarea will be located on a lot or parcel with other buildings or homes, and therefore there are no individual lot or parcel lines from which setbacks for buildings or units can be measured. Instead, buildings and homes shall meet the requirements for setbacks in Section 6.C above as well as the following:

Building Setbacks	
Building end to building end:	20 feet[a]
Building end to building rear:	20 feet[a]
Building rear to building rear:	20 feet[b]
Face of building to private street / sidewalk:	25 feet[c]
[a]side entry porch may encroach	
[b]rear patio may encroach	
[c]porches and side elevations of buildings shall have a 15-foot minimum setback	

E. **Phasing**. Buildings and homes will be developed and constructed in phases as detailed in the Phasing Plan that accompanies this text and are based on market conditions as they are known on the date when the preliminary development plan is approved. Revisions may be made to the Phasing Plan as part of any final development plan application if necessary or desirable for engineering reasons or based on market conditions.

F. **Architecture**. Unless otherwise modified within this Development Text, all dwellings shall meet the minimum building design requirements of relevant provisions of the Codified Ordinances related to the pertinent housing type and the additional standards as described below for each type of unit and shall be consistent with elevations submitted with the preliminary development plan.

1. **Architectural character**. The architectural characteristics of the homes to be constructed in this subarea are to be reflective of the architectural exhibits that accompany this text. These exhibits are intended to be used as a guide in terms of defining the styles and designs of homes. The designs of private community centers/clubhouses to be provided in this subarea shall be reviewed and approved as part of a final development plan. Such buildings shall be one, one and one-half, or two stories in height and shall have a design that is complimentary to the architecture of homes in this subarea.

2. **Exterior Material and Trim Standards.** Cementitious siding, vinyl, brick, brick veneer, stone and stone veneer shall be permitted as primary exterior façade materials. Permitted trim materials include wood, PVC, vinyl, EIFS, and aluminum. Gutters (and the material by which they are attached to the home), downspouts, soffits, shutters, garage, and entrance doors may be of man-made materials such as metal, vinyl, or aluminum. No concrete or split face block shall be permitted. The roofs of all homes shall have dimensional shingles.

3. **General Standards:**
   a. The permitted color palette for homes shall consist of earth tones including (but not limited to) whites, blues, tans, greens, and grays, but shall not be of a high-chroma color. Additional colors may be used as accents but may not be high gloss or high-chroma colors.

   b. All primary roof pitches on front and rear facing gabled elevations shall be a minimum of 5:12. All primary roof pitches on side facing gabled elevations shall be a minimum of 6:12. All other accessory elevations shall be a minimum roof pitch of 3-1/2:12.

   c. All home elevations shall be reviewed and approved by the Director of Planning & Community Development to establish compliance with the Building Design requirements of this Development Text and approved final development plans.

   d. Front elevations among different homes shall include a variety of styles, colors, and/or material types of materials and shall meet the varied locations requirement of Chapter 1171 of the Zoning Code.

   e. Overhangs and rakes shall be a minimum of 8-inches.

   f. Lintels and sills in masonry walls shall be brick soldier course, limestone, or sandstone, along with other manufactured stone products.

   g. Although porch railing and column details are encouraged to vary from home to home, porch columns shall have a minimum 4 x 4-inch cross section or diameter. Treated lumber shall be painted or stained, except when used on outdoor decks.

   h. The management association regulations shall not preclude the use of solar panels located upon primary house structures**.**

G. **Parking Requirements**

1. **Homes**. Each home shall have a two-car garage. All homes shall be required to have a minimum of two (2) off-street parking spaces on the driveway but located outside of street rights-of-way.

2. **On-street parking.** No on-street parking shall be permitted on Byxbe Parkway or on private roads.

3. **Private Clubhouses.** A minimum of 8 off-street parking spaces shall be provided for each private clubhouse in this subarea.

H. **Vehicular and Pedestrian Access.**

1. **Access**. Vehicular access to and from this subarea will be provided at two full turn movement locations where new private roads within this subarea will intersection with Byxbe Parkway will intersect with Byxbe Parkway. Internal vehicular circulation within this subarea shall occur using private roads. Each home and lot shall be front-loaded from a private road.

2. **Byxbe Parkway**. Byxbe Parkway shall be constructed to required public specifications unless otherwise described in this text or approved as part of the plans that accompany this text. The required minimum right-of-way width for Byxbe Parkway shall be 160 feet. Pavement for Byxbe Parkway shall be no less than 36 feet in width measured from face of curb to face of curb.

3. **Private Roads**. Private roads within this subarea shall be a minimum of 24 feet from face of curb to face of curb. No on-street parking shall be permitted. Maintenance of the private roads shall be the responsibility of the owner of the subarea or a forced and funded homeowners' association.

4. **Sidewalks**. Concrete sidewalks with a minimum width of 4 feet shall be installed to provide pedestrian circulation routes between all units and community amenities within this subarea.

5. **Leisure Trails**. Asphalt leisure trails with a minimum width of 5 feet shall be provided in the general locations shown in the preliminary development plan, with specific locations to be approved as part of a final development plan. Leisure trails shall be installed by the developer of this subarea. All other leisure trails in this subarea shall be maintained by the developer or a homeowners' association at its expense.

6. **Asphalt Multi-Use Path.** An asphalt multi-use path a minimum of 8-feet wide shall be installed on the west side of Byxbe Parkway and shall be maintained by the City of Delaware.

I. **Buffering, Landscaping, Open Space and Screening Commitments.**

1. **Open Space**. Open space shall be located generally the locations and orientations indicated on the Preliminary Development Plan. There shall be tot lots, benches, gazebos, playgrounds, and/or other active open space amenities in some of the open space, the details of which shall be determined in the final approval stages for each sub-area. All open space in this subarea shall be owned and maintained by the developer or a forced and funded homeowners' association.

2. **Ponds**. Retention or detention basins shall be provided for the purposes of managing stormwater. The locations and general characteristics of the basins are shown on the preliminary development plan. The final locations and designs of the basins shall be as approved in one or more final development plans.

3. **Street Trees**. Street trees shall be provided along the east side of Byxbe Parkway and on both sides of all private roads. Trees shall be spaced at an average distance of one tree per 40 linear feet.

4. **Mounding**. Mounding shall be installed in the locations which are generally shown in the preliminary development plan and as specifically approved in one or more final development plans. Mounds shall be installed to an average minimum height of 3 feet and shall include grass and tree plantings. Trees planted on the mounds shall contain a mixture of evergreen and deciduous trees. A landscaping plan for mounds shall be submitted for review and approval as part of one or more final development plans.

J. **Signage.** Signage shall be designed and installed in accordance with Exhibit F-5, which shall be considered an approved Sign Plan for the subdivision. Proposed alterations to the approved Plan shall follow the Major/Minor Modification standards outlined in this Text.

1. **Model units**. Specific standards for signage for model homes shall be submitted for review and approval through the standard and customary process outlined in the Codified Ordinances.

2. **Generally.** Standards and requirements for signage which are not addressed in this Development Text shall be in accordance with relevant provisions of the Codified Ordinances unless specifically set forth in this text or otherwise approved in one or more final development plans.

K. **Lighting and Utilities.**

1. **Generally**. Lighting shall be provided in accordance with Chapter 1158 of

the Codified Ordinances. All fixtures shall be cut off and recessed.

2. **New utilities**. All new utilities shall be installed underground.

3. **Solar panels.** Solar panels shall be permitted on buildings or may be ground-mounted in this subarea, provided that ground-mounted solar panels shall be clearly accessory to the primary use of this subarea (i.e., multi-family development).

L. **Miscellaneous.**

1. **Pools/Spas**. Swimming pools and spas shall be prohibited except near the private community center/clubhouse.

2. **Equipment Storage**. Storage of all maintenance equipment shall be within garages or other permitted storage structures.

3. **Mailboxes**. Due to federal postal rules and regulations, individual mailboxes are no longer permitted to be located to the front of each lot. Instead, cluster mailbox units shall be utilized. The locations for these CMUs and their anticipated designs are generally shown in the preliminary development plan but shall be finalized at the time of review and approval of one or more final development plans. and be in accordance with USPS and City regulations.

4. **Overall Development Signage.** A sign identifying the overall development within this PMUD shall be permitted to be located to the northwest of the roundabout at Kilbourne Road and Byxbe Parkway. The size and specifications of this sign shall be in accordance with Exhibit F-5.

ORDINANCE NO. 23-93

AN ORDINANCE APPROVING A REZONING AMENDMENT FROM A-1 (AGRICULTURAL DISTRICT) TO A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR NORTHWOOD ON APPROXIMATELY 230.67 ACRES LOCATED ON THE NORTHWEST CORNER OF THE STATE ROUTE 521 AND BYXBE PARKWAY ROUNDABOUT.

WHEREAS, the Planning Commission at its meeting on December 6, 2023 recommended approval of a Rezoning Amendment from A-1 (Agricultural District) to A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District) for Northwood on approximately 230.67 acres located on the northwest corner of the State Route 521 and Byxbe Parkway roundabout. (PC Case 2023-4256)

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. Rezoning Amendment from A-1 (Agricultural District) to A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District) for Northwood on approximately 230.67 acres located on the northwest corner of the State Route 521 and Byxbe Parkway roundabout, is hereby confirmed, approved, and accepted with the following condition:

1. Any change of use or major modification of the plan shall require conformance to all provisions of the Development Text.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

PASSED: April 22, 2024 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: _____ _____
CITY CLERK MAYOR