

Chapter 27

SITE PLAN REVIEW AND APPROVAL

27.01 PURPOSE.

The purpose of zoning as set forth in Section 519.02 of the Ohio Revised Code is to protect public health, safety and welfare. This chapter sets requirements; guidelines and procedures for site plan review. In developments for which site plan reviews are required, though generally suitable for location, in a particular district or on a particular site, are because of their nature, size, or other indicators of probable impact, capable of adversely affecting the purposes of this Zoning Resolution unless careful consideration has been given to critical design elements. The Board finds that all requests for zone change have a significant impact on the Zoning Resolution and the developments set forth below also have a substantial impact such as to require site plan review.

- A. It is the purpose of this Chapter to insure that all developments are reviewed for compatibility with the regulations and intent of this Zoning Resolution, Township policies and plans, and good site planning practices.

27.02 APPLICABILITY:

Site plan review and approval is required for the following:

- A. Any zone change application, except those initiated by the Township; or
- B. Any development involving:
 - 1. Any non-farming or non-single family development in the “A” Agricultural District,
 - 2. Any development in the ‘R-1’, ‘R-2’, or ‘R-3’ Residence District which is not single-family development,
 - 3. All development in the following districts:
 - a. “O-1” Office Business District
 - b. “B-1” Neighborhood Business District
 - c. “B-2” General Business District
 - 4. Developments in the following Districts:
 - a. “T” Mobile Home park
 - b. “H” Resort District
 - c. “I” Planned Industrial Park

27.03 SITE PLAN REVIEW PROCEDURES AND REQUIREMENTS:

The Township shall review all required site plans using the following procedures, standards, limitations and guidelines. Site plans submitted for review shall demonstrate the proposed development meets the guidelines and performance standards set forth in the Zoning Resolution. The site plan shall contain sufficient detailed information about existing and proposed site conditions to allow an informed decision to be made by the Community Development Director, Zoning Commission, Township Trustees, and County Planning Commission as may be required concerning the general acceptability of the proposed development.

To be considered complete, a site plan shall identify and provide all the information Required under Section 27.05.

Prior to filing an application for site plan review, an applicant may request a pre-application conference with the Community Development Director for the purpose of reviewing the proposed plan and requirements for submittal.

At the time of the filing of an application for site plan review, the applicant is required to pay the required site plan review fee in accordance with the Township's effective schedule of fees.

Upon receipt of an application for site plan review under Section 27.02 (A), the following review shall occur:

- A. Step 1 - The applicant shall submit 6 copies of the site plans to the Community Development Director.
- B. Step 2 - The Community Development Director shall:
 1. Transmit copies of the site plan application to the following entities:
 - a. The Township Administrator,
 - b. The appropriate county and state review agencies, and
- C. Step 3 - The Community Development Director shall within thirty (30) days collect reports from the appropriate review agencies and will prepare a staff report for presentation to the Zoning Commission.
- D. Step 5 - The Township Zoning Commission shall then take all steps necessary to complete the zone change process as set forth in Revised Code Section 519.12.

For site plan review under Section 27.02 (B) the following steps shall occur:

- A. Step 1 - The applicant shall submit 6 copies of the site plan to the Community Development Director.
- B. Step 2 -The Community Development Director shall:
 - 1. Transmit copies of the site plan application to the following entities:
 - a. The Township Administrator,
 - b. The appropriate county and state review agencies
- C. Step 3 - The Community Development Director then shall within ten (10) days of receipt of reports and recommendations prepare a report on the proposed site plan and shall either approve, disapprove or approve with conditions the submitted site plan. If approved, a Zoning Certificate may be issued for the proposed project.
- D. Step 5 - The applicant can then take whatever action the applicant deems to be appropriate with respect to the decision of the Community Development Director's including an appeal to the Board of Zoning Appeals in accordance with Chapter 29 of the Zoning Resolution.

27.04 SITE PLANNING GUIDELINES

In reviewing the site plan, the Community Development Director shall determine whether the site plan as proposed meets the requirements of the Zoning Resolution for the particular district to which the site plan applies. In making this determination the Community Development Director's review of the site plan shall be based on, but not limited to, the following standards:

- A. General
 - 1. The site plan shall reflect all Township plans and policies affecting the site, including neighborhood plans, key area plans, master concept plans or previously adopted planned unit development plans; and
 - 2. The site, plan should be consistent with the statement of intent for the zoning district in which it is located or proposed.
- B. Site Planning/Open Space and Green Areas
 - 1. To the extent possible the natural topographic and significant landscape features of the site shall be incorporated into the development in order to preserve the site's natural resources and enhance its visual character;

2. Where appropriate, the design of green areas should incorporate plant materials to define space, provide screening and privacy, define views, serve as focal points, and soften views of buildings and pavement.

C. Grading and Drainage:

1. Grading should be performed with sensitivity to existing topography and other natural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.
2. Drainage shall be designed and constructed so as to not detrimentally affect adjacent properties. These systems shall provide for the safety and convenience of occupants and protection of dwellings, other development and usable lot areas from water damage, flooding, and erosion.

D. Circulation

1. The streets, access and parking system shall provide for the smooth safe, convenient and functional movement of vehicles and pedestrians both on and off site.

2. Circulation shall:

- a. Minimize the conflict between pedestrian and vehicular traffic, and
- b. Minimize the number of vehicular turning movements and points of Vehicular conflict, particularly at access points,

3. Vehicular Access:

- a. Acceleration, deceleration and/or left turn lanes may be required if the Township finds that they are necessary to preserve safety and/or the traffic-carrying capacity of the existing street.
- b. The Township may require a traffic impact study if one or more of the following conditions exist:
 - If the proposed development or redevelopment may increase the number of trips entering or leaving the property by ten percent or more:
 - If the proposed development or redevelopment may adversely change the type of traffic generated within the property, for example, addition of truck traffic;

- The scale or use of the proposed development might cause deterioration of service levels on the street and/or deterioration of safety or service levels at intersections in the vicinity.
- The proposed development is in the vicinity of a street or intersection with a history of safety and/or accident problems; and
- The geometry of existing or proposed improvement might cause a safety hazard.

4. Site Distance Triangles:

- a. All sites shall be designed so that plants and structures on the site do not interfere with the safe movement of motor vehicle traffic, bicycles or pedestrians.
- b. The site distance triangle should be determined in accordance with the most recent relevant and applicable standards. The sight distance triangle should vary depending on the design speed of the street and the width of the street.

E. Pedestrian Circulation

1. Sidewalks and/or pedestrian paths shall be constructed and located in order to provide a convenient safe, and visible pedestrian path between parking area and building entrance. Whenever a pedestrian path or bike path traverses a parking lot, a safe and efficient pedestrian system shall be clearly designated.

F. Lighting

1. On site exterior lighting should provide illumination adequate to permit safe nighttime activities.
2. All roadway, parking lot, and walkway lights shall be shielded so that substantially all the directly emitted light falls within the property line.

G. Buffer Yards

1. The purpose of a buffer yard is to minimize friction between non-compatible land uses, and to protect the public health and safety through the reduction of air, noise and visual pollution. The amount and type of screening material required shall be based on the intensity of the proposed land use.

2. Where vegetative and/or topographic conditions that provide a natural screening and buffer exist before development of properties in question, every effort shall be made to retain such conditions. In such cases, additional screening may not be required, if provision is made for maintenance of such areas.
3. If a wall or fence is used as part of the buffer yard, the wall or fence must be of solid, opaque construction. Chain link fence with wood or vinyl slats will not be permitted to satisfy the buffer yard requirements.
4. The minimum width of a buffer yard shall be fifteen (15) feet measured from the property line into the lot, unless otherwise regulated in the Resolution.
5. Buffer yard landscaping shall be diverse consisting of both deciduous and non-deciduous trees and shrubs. Deciduous trees shall have a minimum caliber of 2.5 inches at the time of planting. Evergreen trees shall be a minimum of 6 feet in height at the time of planting. Shrubs and hedges shall be a minimum of 3 feet at planting and must have a mature height of 6 feet within four years of planting.
6. Earth mounds may be required as part of the buffer yard. The mounds shall be designed with physical variations in height. The landscaping material installed on the earthen mound shall be arranged to accentuate the physical variation of the mound and achieve a natural appearance.
7. No part of any buffer yard shall be used for active recreation, parking or other interior access drives.
8. Where the minimum setback for the applicable zoning district differs from the required buffer yard, the more restrictive standard shall apply.

27.05 SITE PLAN REQUIREMENTS:

- A. All applications for site plan review shall be accompanied by:
 1. A completed application form provided by the Community Development Director of Miami Township;
 2. The required site plan review fee in accordance with the Miami Township fee schedule; and
 3. Six (6) copies of the site plan.
- B. For site plans less than 25 acres, the site plan shall be drawn for the subject property to a scale not smaller than one (1) inch equals one hundred (100) feet, to be considered complete. For sites larger than 25 acres, an appropriate scale should be used. All site plans shall be dated and shall include the following information as required by this Resolution:
 1. All property lines, shape and dimension of the lot to be built upon showing directional bearings and distances, adjacent land ownership and streets, and location with reference to identifiable street intersection. For site plans under Section 27.02 (B) identification of adjacent property owners is not required.

2. Name of development, legal description of property, north arrow, scale, acreage name and address of record owner and engineer, architect or land planner, or the person responsible for preparing the site plan;
3. Vicinity map locating the subject property in Miami Township. Each vicinity map and site plan shall be oriented with parallel north arrows. North arrow shall be oriented to the top of the page;
4. The total lot area of the subject property,
5. The present zoning of the subject property and all adjacent properties;
6. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated, or abandoned,
7. Existing topography, and approximate delineation of any topographical changes shown by contour with appropriate intervals to ensure accurate review,
8. The location of every existing and proposed building with number of floors and gross floor area;
9. Any modifications, changes and additions to existing building(s), including floor area, heights and setbacks;
10. Delineation of all existing and proposed nonresidential uses in the project:
 - Commercial uses - location and type of all uses including approximate number of acres, gross floor area and heights of buildings,
 - Open Space-Recreation -the approximate amount of area proposed for open space, including the location of recreational facilities, and identification of unique natural features to be retained, and/or
 - Other public and semi-public uses location and type of all uses, including approximate number of acreage, and height of buildings;
11. The proposed finished grade(s) of new buildings supplemented where necessary with spot elevations:

12. Location and dimensions of all curb cuts, driving aisles, off-street parking and loading and/or unloading spaces including number of spaces and of stalls:
13. Location of proposed pedestrian walkways, identifying approximate dimensions:
14. Location of proposed streets, identifying approximate dimensions of pavement, right-of-way and grades;
15. Location of all existing and proposed water, sanitary sewer, and storm drainage lines, indicating approximate pipe sizes. Indication should also be given regarding the provision of electric and telephone service;
16. Limits of existing flood hazard areas within and adjacent to the property, accurately showing the limits of building encroachments and earth fill within this area, with 100 year water surface elevations and proposed finished floor elevations denote;
17. Identification of the soil types and geologic formations on the subject property, indicating anticipated problems and proposed methods of handling said problems;
18. Existing and proposed location(s) of outdoor lighting, signs, screen plantings, fences, and landscaping. Any existing woodlands of mature vegetation, and any other significant natural features, such as water bodies, drainage courses, wetlands, and wildlife habitats, must be included, and every good faith effort made to preserve, maintain, and enhance same;
19. Location and screening or other description to indicate control and handling of solid waste. Indicate dumpster pad where dumpster is to be used:
20. A schedule of development, including the staging and phasing of:
 - a. Streets and other public facility improvements in order of priority,
 - b. Dedication of land to public use or set aside for common ownership, and
 - c. Nonresidential buildings and uses, in order of priority,
21. Elevations of all faces of buildings and structures at an appropriate scale for the graphic representation of the materials employed. Such elevations must also indicate:

- a. Heights of buildings and structures;
 - b. Roofs and overhangs; and
 - c. Special design features; and
22. Additional information or engineering data, in such form and content as necessary to determine that the site plan meets the standards of this Chapter and other requirements and performance standards of the of the Zoning Resolution for Miami Township and of other public agencies in Clermont County to ensure proper integration of the proposed project in the area and the prevention adverse and undesirable impacts on the community.
- C. The aforementioned information required for site plan review may be combined in any suitable and convenient manner as long as the data required is clearly indicated and comprehended.
- D. Depending an the nature of the site plan review application, one or more of the aforementioned site plan requirements may be waived by the Township Community Development Director. To obtain a waiver the applicant must submit a statement to the Community Development Director indicating reasons why the requirements should be waived. Community Development Director may grant waivers only when the material supplied by the applicant clearly demonstrates that the required information is unnecessary for a full and adequate review of the impact, the proposed development shall have on the existing character of the neighborhood and/or the spirit of the Zoning Resolution. The decision of the Community Development Director with respect to the waiver is subject to review upon appeal to the board of Zoning Appeals.

27.06 REVISIONS OF SITE PLAN AFTER APPROVAL

No changes, erasures, modifications or revisions shall be made to any site plan after approval has been given unless said changes, erasures, modification or revisions are first submitted to and approved by the Community Development Director. In determining whether to permit revision of the site plan after approval, the Community Development Director shall proceed as follows: for minor modifications, which are defined as follows: with respect to Section 27.05 (B) (9) a 10 percent change in existing buildings, floor area, height, and setbacks, and any change under Section 27.05(B) (2) (3) (15), (16), or (17), the Community Development Director may permit these changes upon the determination that the change does not adversely impact on adjacent property owners. For major modifications, which are any changes in use or in Section 27.05 (1) (4-8) (10-14) and (18-22) the applicant must submit a new site plan, which will be reviewed in accordance with the procedures in Chapter 27.

For developments which are designed to be built in phases and for which further review of the site plan was approved under Section 27.02 (A), further review of the site plans shall be in accordance with paragraph 1 of this section.

27.07 COMPLIANCE AND ENFORCEMENT

It shall be incumbent upon the Community Development Director or his/her duly authorized representative to make all inspections and certifications necessary to ensure that development occurs in accordance with the approved site plan.

In the event that the Community Development Director finds that a construction in accordance with the site plan is not being done, he/she shall issue a stop work order. It shall be incumbent upon the contractor or developer to correct those items that are in violation before construction may resume. All action required to bring development into compliance with the approved site plan shall be at the developer's, builder's, contractor's, or owner's expense.

27.08 EXPIRATION

If substantial construction has not been initiated within a period of twelve (12) consecutive months from the date of approval of the site plan, said site plan shall be deemed null and void. The Community Development Director may extend the construction period if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicant's control: and that prevailing conditions have not changed appreciably to render the approved site plan obsolete.