

SECTION 30 – SITE DEVELOPMENT PLAN REVIEW

(Effective August 17, 2000)
(Revised effective February 19, 2009)

30.01 Title

Site Development Plan Review

30.02 Purpose and Intent

Ensure and maintain development practices and patterns to protect the public health and safety of the community and to properly advance the long-term community vision and planning goals set forth in the LeRoy Township Comprehensive Plan. Establishing these regulations will create a planning process to achieve the following:

- Promotion of an integrated approach toward site design/development with emphasis upon building design, landscaping and screening, layout, environmental conservation and existing zoning regulations;
- Provide assurance that a single development and/or one built in phases be completed in accordance with the approved site plan;
- Ensure sites are properly designed for traffic circulation and emergency access;
- Promote the public health and safety for the residents of LeRoy Township.

30.03 Requirement

1. A site development plan is required to be submitted for any use or development involving the new construction, reconstruction, or expansion of structures in the B-1, B-2, and I Districts or non-residential uses permitted in the Residential Use Districts. This includes any existing or previously approved development that proposes to modify a use or site, including expanding the floor areas of the permitted use, or changing the use which requires an increase in the amount of parking or a change in the site's traffic circulation.
2. If a Conditional Use Permit is required, this section and Section 14, Conditional Use Permit, of the Zoning Resolution must be followed.
3. No construction activity as defined herein shall commence for any application until the site plan has been submitted and approved in accordance with these regulations and the zoning permit is issued.

30.04 Informal Review Process

It is recommended, (but not required) that, prior to incurring significant expense associated with preparing and submitting a detailed site plan application for consideration, the prospective applicant meets for an informal review with the LeRoy Township Zoning Inspector or his/her designated representative, and the LeRoy Township Zoning Commission.

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1. The purpose is to discuss early and informally with the applicant the intent and effect of current zoning regulations and the criteria and standards necessary to meet approval. This may include any potential variance requests that need to be filed with the LeRoy Township Board of Zoning Appeals.
2. To aid in the discussion, the potential applicant should prepare a discussion plan, drawn approximately to scale, showing the relationship of the development to surrounding properties, location of buildings, and parking areas, internal circulation patterns, proposed size of buildings and uses to be included in the development.
3. Requests for informal review process that are made at least fourteen (14) days prior to the next meeting of the LeRoy Township Zoning Commission will be placed on the agenda of the next regularly scheduled meeting. The applicant is encouraged to pre-schedule the meeting with the LeRoy Township Zoning Inspector, however the commission will, given adequate time, schedule a special meeting date to accommodate the applicant for the fee set by the LeRoy Township Trustees in the Township's Fee Schedule.
4. No action shall be taken at such an informal meeting and no discussions, opinions, suggestions, or recommendations discussed at the informal review meeting shall be relied upon by the applicant to indicate subsequent approval or disapproval of the plan
5. At the discretion of the Zoning Inspector or LeRoy Township Zoning Commission, other agencies with appropriate technical advice may attend the meeting or provide relevant information pertaining to the proposed project.

30.05 Site Development Plan Application and Submission Requirements

All applications shall be submitted to the LeRoy Township Zoning Inspector. The application shall be filed by the owner, a group of owners acting jointly, or an authorized agent acting on behalf of land owners(s). Each application will be accompanied by the required application fee in accordance with the current LeRoy Township fee schedule. Additional fees may be incurred by the applicant for the cost of plan review by professional consultants, when deemed appropriate and/or retained by the Township.

The application shall include eleven (11) copies of the following:

1. *Letter of description and justification:* Letter shall include description of existing and proposed use(s) and building(s), with details that might be considered important such as, type of business, customer traffic, external effects and other pertinent information, and the reason why the proposed site plan is in the public interest.

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2. *Letter of approved variance(s):* Documentation of variances must be submitted. Variances must be granted prior to the application for site plan approval.
3. *Site Plan with following information:* The plan must be prepared, signed and sealed by an Ohio licensed professional engineer, land surveyor, or architect and shall include the following:
 - a. Title, date, north arrow and scale.
 - b. Name, address, telephone and fax numbers of the owner or authorized agent, developer, surveyor, engineer, and other consultants.
 - c. Clearly identified boundary lines, corner pins, and dimensions of the subject parcel, including land survey data and parcel numbers and right-of-way lines.
 - d. Zoning and land use of subject site and adjacent parcels.
 - e. Location and width of all existing and proposed rights-of-way, roadways and driveways, curb cuts, pedestrian paths, public transit stops and parking areas within the site. Include location of parking spaces for disabled drivers. Traffic flow map indicating ingress/egress patterns and internal circulation routes.
 - f. Existing and proposed sanitary facilities indicating pipe size, grades, invert elevations and locations of manholes.
 - g. Existing and proposed water facilities include line sizes and locations and hydrant locations where applicable.
 - h. Storm water management provisions in accordance with all regulatory agencies.
 - i. Location and elevations of existing hydrologic features, including natural or man-made surface drainage ways, flood plains and wetlands. Riparian setbacks in accordance with Section 31 shall be included.
 - j. All known wooded areas, soils of local importance, and known and/or suspected cemeteries, historical or archeological sites.
 - k. Widths, locations, uses and grantees of all existing and proposed easements and utility lines. Location of all other utilities including, but not limited to, natural gas, cable TV, electric and telephone.

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- l. Location and size of existing and proposed freestanding identification, advertising, and traffic control devices.
- m. Location of all existing and proposed structures, building heights, uses, gross floor area, location of entrances, and loading points within 100' of site. Include architectural renderings and elevation drawings of dominant building(s) on the site, which accurately reflects the conditions , as they will appear upon completion of the development.
- n. Location of all existing and proposed fences and walls, and other screening features with cross-sections.
- o. Location of mechanical equipment, trash enclosures, backflow devices, and services areas.
- p. Existing and proposed topographic contours at two (2) foot intervals within 100 feet of proposed site.
- q. Vicinity map.
- r. The following data block must also be included on the site plan:
 - Land area within property lines: (acres, square feet)
 - Gross floor area: (square feet)
 - Number of buildings:
 - Number of stories:
 - Maximum height of buildings:
 - Total building coverage area: (% square feet)
 - Hard surface area: (% square feet)
 - Present zoning:
 - Proposed uses:
 - Permitted maximum sign area: (square feet)
 - Proposed sign area:
 - Parking spaces required:
 - Handicap parking required:
 - Handicap parking provided:
 - Interior parking lot landscaping required:
 - Interior parking lot landscaping provided:
 - Loading spaces required:
 - Loading spaces provided:(Show parking calculations below the data block)
- s. Written verification from appropriate agency that sufficient water and sanitary sewer capacity exists to accommodate the proposed development. If an on-site sewage disposal system is proposed, correspondence from the Lake County General Health District and/or Ohio EPA is required.

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- t. Proposed landscaping and screening plans indicating the location and nature of existing and proposed vegetation, landscaping and screening elements. Design shall be in accordance with parking and buffer requirements set forth in the LeRoy Township Zoning Resolution.
- u. Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development, and maintenance of the land, and the improvements thereon.
- v. Proposed timetable and schedule for the development of the site.
- w. Any other items required by the LeRoy Township Zoning Commission or Zoning Inspector to assist in a complete and proper review of the proposed site plan, including but not limited to a traffic impact study.
- x. Landscaping and screening requirements shall be in accordance with Section 26 of the Resolution.

30.06 Approval Process

1. *Review for Completeness:* The Zoning Inspector or his/her designated representative shall, within fourteen (14) days of receiving the site plan application, review application to determine the accuracy and compliance with the applicable regulations and submission requirements.

Once an application is officially accepted, it shall be placed on the agenda of the LeRoy Township Zoning Commission.

2. *Plan Distribution:* The Zoning Inspector shall distribute the application to the following for review and comment.
 - a. Regulatory agencies that have statutory authority to subsequently review and approve any aspect of the development.
 - b. Other agencies, which at the discretion of the Township Trustees, that may have appropriate technical advice.
 - c. All appropriate local Township officials and departments, including the Zoning Commission, Fire Department, etc.
 - d. Appropriate professional consultants retained by the Township.

All reports, comments, or expert opinions shall be returned to the Zoning Inspector.

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3. *Transmission to the Zoning Commission:* The site plan application and all reports or comments prepared by the individuals in Section 30.06, 2 above shall be compiled by the Zoning Inspector and transmitted to the LeRoy Township Zoning Commission.
4. *Zoning Commission Review Criteria:* In reviewing the site plan, the Zoning Commission shall determine that the plan complies with all applicable requirements of this Zoning Resolution and the following review criteria:
 - a. The site plan shows a proper relationship exists between thoroughfares, service roads, driveways, and parking areas, and the requirements of the Zoning Resolution.
 - b. The development will result in a harmonious grouping of buildings within the proposed development and in relationship to existing and proposed uses on adjacent property.
 - c. The development will preserve and be sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Zoning Resolution.
 - d. All development features, including the principal buildings, open spaces, service roads, driveways, and parking areas are so located and related as to minimize the possibility of any adverse effects upon adjacent development.
 - e. Grading, surface drainage and sediment control provisions will comply with all applicable agency regulations and requirements including the Lake County Soil and Water Conservation District, Ohio Environmental Protection Agency, Army Corp of Engineers and the Lake County Engineer.
 - f. The design and construction standards of all private streets and any public improvements will comply with the provisions of all applicable agencies, including the Lake County Engineer and Lake County Utilities Department.
 - g. Maximum possible privacy for adjacent residential properties shall be provided through good building design and landscaping according to the requirements set forth in the Zoning Resolution.
 - h. Where applicable, design of buildings shall be developed in accordance with the LeRoy Township Design Standards. On all site plans, consideration shall be given to the relationship of adjacent development in terms of building height, mass, texture, lines and patterns, compatible integration and character. Design Standards are in accordance with the most current Zoning Resolution.

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- i. Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography.
 - j. On-site circulation shall be designed to provide for adequate fire and police protection, and safe and efficient pedestrian and vehicular circulation.
 - k. Roadway systems, service areas, parking areas, entrances, exits, and pedestrian walkways within the development are designed to have access to public streets in a manner that minimizes traffic hazards or congestion.
 - l. Down lighting shall be used and designed as to create neither a hazard nor a nuisance to adjacent properties and uses.
 - m. Trash storage and other outdoor storage areas shall be screened from adjacent streets and property in accordance with Section 26 of the Zoning Resolution.
 - n. If the proposed development is to be carried out in phases, each phase shall have adequate provision for vehicular and pedestrian access, parking, landscaping, and seeding of applicable open space areas and other improvements to serve the development. Each phase shall be provided with temporary or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property.
5. *Design Standards:* All Site plans shall conform to the following design standards:
- a. All proposed water and sanitary sewer improvements shall be designed and constructed in accordance with the standards and requirements of the Lake County Department of Utilities, the Lake County General Health District, and the Ohio Environmental Protection Agency.
 - b. Development features, including buildings, parking areas, driveways, etc., shall be so located and designed as to minimize adverse impacts on the adjacent properties. Maximum possible visual and auditory privacy for surrounding properties shall be provided through good design and landscaping buffers.
 - c. Building location and placement shall be developed with consideration given to minimizing the removal of trees and changes of topography.

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1. Where located adjacent to residentially zoned property the required 60-foot setback area shall be maintained with natural vegetation and shall have supplemental plantings to provide visual and sound attenuation.
 2. Where adjacent to other non-residentially zoned land, the maximum lot coverage by buildings, parking, drives, and other improvements shall be no greater than ninety percent (90%). The remaining ten percent (10%) or more of the site shall be landscaped with grass and plant material or retained in a natural state with vegetative cover.
 - d. Parking and service areas shall be screened from view from adjoining residentially zoned properties. Screening of parking areas and service areas shall be provided by means of landscaping, ornamental walls, fences, or similar means.
 - e. In commercial parking areas, visual relief shall be provided by means of landscape dividers and/or islands.
 - f. Drives, travel lanes, and parking areas shall be designed with limited access to public thoroughfares to provide for pedestrian vehicular safety both in the right-of-way and on the site. On-site circulation shall provide for adequate access by emergency vehicles.
 - g. Storm runoff provisions shall be designed based on a minimum ten (10) year frequency design storm and the storm drainage calculation submitted with the site plan. The proposed outlet for storm drainage shall be identified and an evaluation made of its capacity to accommodate the projected flows. Where adequate capacity to handle projected flows does not exist in the existing systems, or where there is no acceptable outlet, the applicant shall provide for either improvement of the receiving draining facility or on-site detention of sufficient capacity and design to reduce post-development storm runoff to pre-development levels for all design storms of ten-year frequency or less.
6. *Zoning Commission Action:*
1. LeRoy Township Zoning Commission shall either:
 - a. Approve the site plan as submitted; or

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- b. Conditionally approve the site plan subject to the inclusion of specific conditions not originally included in the plan as submitted. Such conditions may include, but not be limited to, improvements to the general lot layout, open space arrangement, or on-site control of access to streets.
 1. The Zoning Inspector shall issue a letter to the Applicant within 7 days from the meeting date specifically stating the conditions placed upon the application.
 - c. Deny the site plan because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Commission shall identify the deficiencies and suggest modifications to the site plan that, if made, may bring the site plan into compliance.
 1. The Zoning Inspector shall issue a letter to the Applicant within 7 days from the meeting date specifically stating the decision of the Zoning Commission.
 - d. The Zoning Commission shall act within sixty (60) days from the date the application was determined to be complete, or an extended period as mutually agreed upon by the applicant and Zoning Commission.
2. Actions by the applicant:
 - a. A modified site plan may be resubmitted for consideration by the Zoning Commission at a regularly scheduled meeting. The Zoning Inspector shall transmit such plans to the Zoning Commission, which shall be reviewed in accordance with the criteria set forth in Section 30.06, 4.
 - b. Upon conditional approval of the site plan, the developer shall prepare and submit to the Zoning Inspector a final site plan. The final site plan shall include any modifications required by the Zoning Commission during the site plan approval procedures. The Zoning Permit will not be issued until conditions placed on the site plan by the Zoning Commission are met and included by the applicant in the final site plan.
 3. Actions by the Zoning Inspector:
 - a. Upon approval of the site plan as described in Section 30.06, 6, a, the Zoning Inspector shall issue a Zoning Permit for the proposed use.

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7. *Expiration of Plan Approval:* An approved site plan shall remain valid for a period of twelve (12) months following the date of the issuance of the Zoning Permit, unless the LeRoy Township Zoning Commission authorizes a longer period at the time of approval.

If, at the end of that time, construction of the development has not commenced, then approval of the site plan shall expire and be of no effect unless resubmitted and re-approved in accordance with this Section 30. Construction is deemed to have commenced when all necessary excavation and piers or footings of one or more principal buildings included in the site plan, or relevant phase thereof have been completed. If after two years from the approval of the application, site plan is fifty percent (50%) or less, complete the approved site plan shall be voided and a new application must be submitted to continue.
8. *Deviation from Plan:* Any deviations or alterations from the approved Final site plan by the LeRoy Township Zoning Commission are prohibited. Upon determination that alterations to the approved plan are necessary, the applicant shall immediately notify the Zoning Inspector who shall make a determination whether or not the applicant shall resubmit the site plan and newly determined alterations to the Zoning Commission for the purpose of amending the approval.
9. *Appeal Process:* If the Application and the Proposal are denied, the applicant may appeal to the Lake County Courts for a judgment or the Applicant may resubmit a site-plan proposal with appropriate modifications to the LeRoy Township Zoning Commission in accordance with Section 30.05 of the Zoning Resolution.
10. *Final Plan to be Submitted:*
 1. Within sixty (60) days from the final inspection/acceptance of the new construction, reconstruction, or alteration, the owner and /or engineer shall furnish an authentic set of marked up "As Built" drawings to the LeRoy Township Inspector as a permanent record. These "As Built" drawings shall be composed from, but limited to, all authorized inspector's notes and shall show the installation of all underground utilities and front, side and rear setbacks relative to each structure insofar as the installation shall have differed from the approved engineer's drawings.