

**SECTION XXXVI SITE PLAN REVIEW**

(All Sections 6/15/2007, except as noted)

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|---------------------------|--|
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**36.01 Title**

Site Plan Review (SPR)

**36.02 Purpose and Intent**

The purpose of the site plan review requirements is to 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 Township Comprehensive Plan. Establishing these regulations will create a planning process to achieve the following:

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

**36.03 Requirement**

- A. A site 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, BX, GB, THN, THC, RD-2, M, S, or R-3 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 area of the permitted use, increasing the number of dwelling units in a multi-family development, or changing the use which requires an increase in the amount of parking or a change in the site's circulation. (Amended 6/19/2009)
- B. If a Conditional Use Permit is required, this section and Section XIII, Conditional Use Permit, of the Zoning Resolution must be followed and reviewed by the Board of Zoning Appeals. Conditional Use Permit applications proposed in the GB, Gateway Business District and BX, Business Interchange District, will be subject to design review by the Zoning Commission.
- C. 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.

### 36.04 Informal Review Process

It is recommended that, prior to incurring any expense associated with preparing and submitting a detailed site plan application for consideration, the prospective applicant meets for an informal review with the Zoning Inspector or his/her designated representative. At the discretion of the Zoning Inspector, proposed projects may be subject to an informal review at a regularly scheduled Zoning Commission meeting.

- A. The purpose is to discuss early and informally with the applicant the intent and effect of these zoning regulations and the criteria and standards contained within. This may include any potential variance requests that need to be filed with the Board of Zoning Appeals.
- B. 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.
- C. Requests for informal review process that are made at least ten (10) days prior to the next meeting of the 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 Zoning Inspector.
- D. No action shall be taken at such a meeting and no discussions, opinions, suggestions, or recommendations discussed at the informal review meeting shall be relied upon by the applicant to indicate any potential and subsequent approval or disapproval of the plan.
- E. At the discretion of the Township, other agencies with appropriate technical advice may attend the meeting.

### 36.05 Site Plan Application and Submission Requirements

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

Application shall include fifteen (15) copies of the following:

- A. Letter of description and justification: Letter should 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.
- B. Letter of approved variance(s): Variances must be granted prior to the application for site plan approval. If applicable, correspondence from the Township Board of Zoning Appeals is required to confirm the details of the granted variance.

- C. Site Plan with the 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:
1. Title, date, north arrow and scale.
  2. Name, address, telephone and fax numbers of the owner or authorized agent developer, surveyor, engineer and other consultants.
  3. Clearly identified boundary lines, corner pins and dimensions of the subject parcel, including land survey data and parcel numbers, right-of-way lines and right-of-way names.
  4. Zoning and land use of subject site and adjacent parcels.
  5. Location, size or width of all existing and proposed roadways and driveways, curb cuts, parking areas, pedestrian paths, road rights-of-way, and public transit stops within the site. Include location of parking spaces for disabled drivers. Traffic flow map indicating ingress/egress patterns and internal circulation routes.
  6. Existing and proposed sanitary facilities indicating pipe size, grades, invert elevations and locations of manholes.
  7. Existing and proposed water facilities including line sizes and locations and hydrant locations.
  8. Storm water management provisions in accordance with all regulatory agencies.
  9. Location and elevations of existing hydrologic features, including natural or man-made surface drainage ways, flood plains and wetlands.
  10. Wooded areas, soils of local importance, and known and/or suspected cemeteries, historical or archeological sites.
  11. 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.
  12. Location and size of existing and proposed freestanding identification, advertising and traffic control devices.
  13. Location of all existing and proposed structures, building heights and dimensions, 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.
  14. Dimensions of all building setbacks and building spacing.
  15. A Landscaping Plan identifying the following and in accordance with Section XXXVIII, Landscaping & Screening Requirements, of the Zoning Resolution:
    - a. Outline of all buildings and impervious surface areas.
    - b. Location of all existing and proposed landscaping, fences and walls, and other screening features with cross-sections.

- c. Species, size and condition of all new trees, shrubs, plants, sod and ground cover.
  - d. Area calculations for all areas used towards landscaping and buffer areas.
  - e. Legend showing all plant materials, species and common names, sizes, and symbol used on plan, including exact area of coverage.
  - f. Contour lines at one foot intervals, indicating the location of berms, mounds, detention/retention areas and swales.
  - g. Phasing lines, if the landscaping is to be installed in more than one season.
  - h. Irrigation system plans (if applicable).
16. Location of mechanical equipment, trash enclosures, backflow devices, and services areas.
  17. Existing and proposed topographic contours at one foot intervals within 100 ft. of the proposed site.
  18. Vicinity map.
  19. 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)
    - Proposed streets:
    - 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:
    - Building setbacks (front, side and rear)
    - Building spacing
    - Permitted maximum sign area: (square feet)
    - Proposed sign area
    - Parking area (square feet)
    - Parking spaces required:
    - Parking spaces provided:
    - 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)
  20. 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.

21. Proposed landscaping and screening plans indicating the location and nature of existing and proposed vegetation, landscaping and screening elements. Design should be in accordance with parking and buffer requirements set forth in the Township Zoning Resolution.
22. 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.
23. Proposed timetable and schedule for the development of the site.
24. Any other items required by the 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.

### **36.06 Approval Process**

- A. Review for Completeness: The Zoning Inspector or his/her designated representative shall, within ten (10) days of receiving the site plan application, review the application to determine the accuracy and compliance with the applicable regulations and submission requirements. When the application is deemed sufficient and the fee has been paid, the Zoning Inspector shall officially accept the application for consideration of the action(s) requested on the date such determination is made.

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

- B. Plan Distribution: The Zoning Inspector may distribute the application to the following for review and comment.
  1. Regulatory agencies that have statutory authority to subsequently review and approve any aspect of the development.
  2. Other agencies which, at the discretion of the Township, may have appropriate technical advice.
  3. Appropriate local Township officials and departments.
  4. Appropriate professional consultants retained by the Township.

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

- C. Transmission to the Zoning Commission: The site plan application and all reports or comments prepared by the individuals in Section 36.06.B above shall be compiled by the Zoning Inspector and transmitted to the Zoning Commission.
- D. Zoning Commission Review Criteria: In reviewing the site plan, the Zoning Commission shall determine that the plan complies with the applicable requirements of this Zoning Resolution and the following review criteria:
  1. The site plan shows a proper relationship exists between thoroughfares, service roads, driveways and parking areas, and the requirements of the Zoning Resolution.

2. 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.
3. 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.
4. 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.
5. The site shall be planned to accomplish a desirable transition with the streetscape, and to provide for adequate planting, pedestrian movement and parking areas. Stormwater and water quality measures shall be integrated in the design of parking lots and roof water run off to assure that the runoff water quality is maintained or improved. Incorporation of Best Management Practices (B.M.P.) such as rain gardens and or bio retention basins shall be used. (9/24/1974; Amended 12/15/2006)
6. 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, Stormwater Management Department and the Lake County Engineer.
7. 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.
8. 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.
9. Where applicable, design of buildings shall be developed in accordance with the Concord 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 Section XXXVII of the Zoning Resolution.
10. Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography.
11. On-site circulation shall be designed to provide for adequate fire and police protection, and safe and efficient pedestrian and vehicular circulation.
12. 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.
13. Lighting shall be designed as to create neither a hazard nor a nuisance to adjacent properties and uses.

14. Trash storage and other outdoor storage areas shall be screened from adjacent streets and property in accordance with Sections XXII and XXXVIII of the Zoning Resolution, as applicable.
15. 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.

E. Zoning Commission Action:

1. Zoning Commission shall either:
  - a. Approve the site plan as submitted; or
  - 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.
    - i. The Zoning Inspector shall issue a letter to the applicant within 7 days specifically stating the conditions placed upon the application. Or,
  - 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.
    - i. The Zoning Inspector shall issue a letter to the applicant within 7 days specifically stating the decision of the Zoning Commission.
    - ii. 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 36.06. D.
2. 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. Upon approval of the final site plan, the Zoning Inspector shall issue a Zoning Permit for the proposed use. (Amended 7/16/2010)
4. 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.

F. Expiration of Plan Approval:

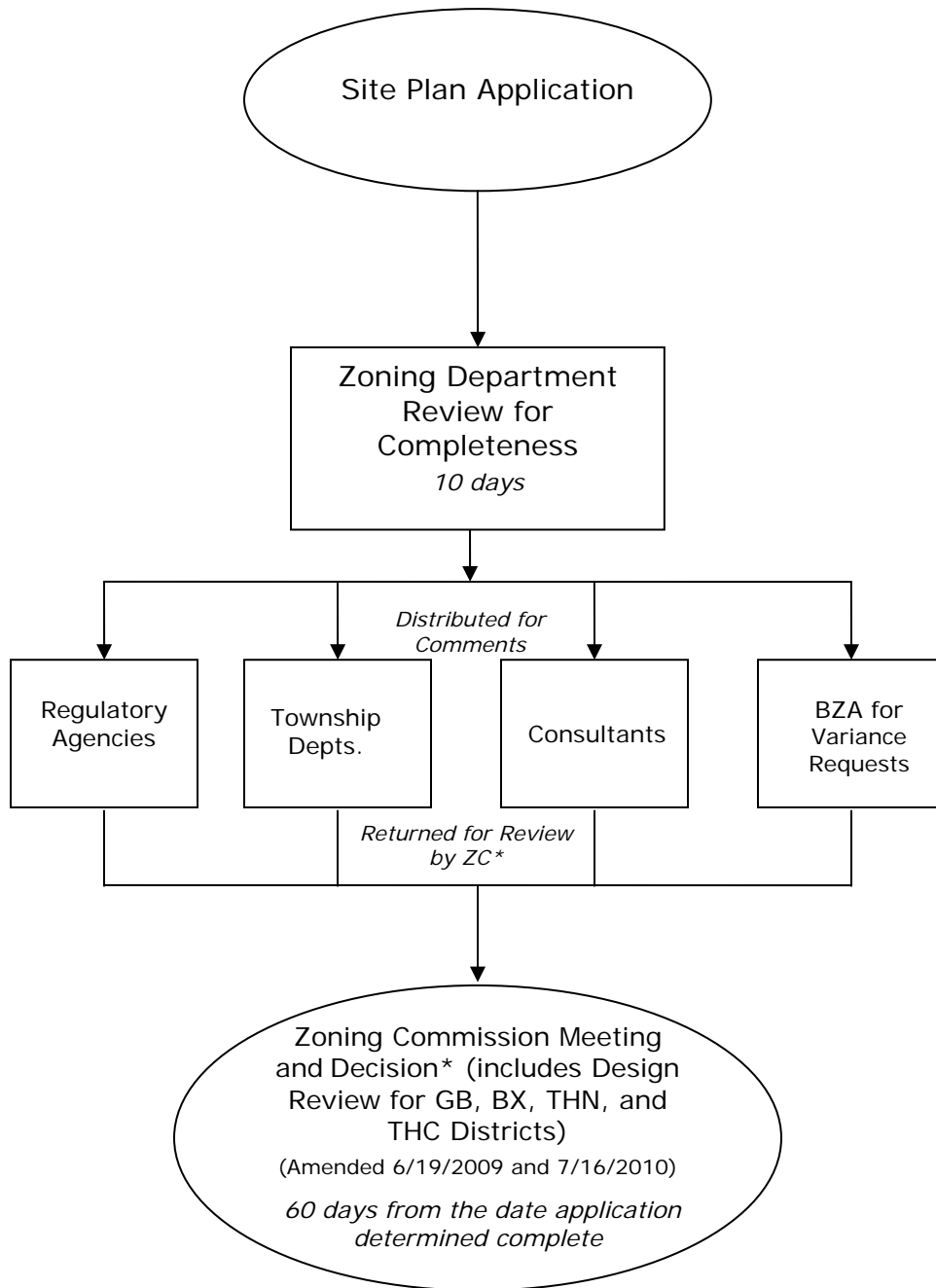
1. If the applicant fails to submit a final site plan to the Zoning Inspector within 2 years of the conditional approval date by the Zoning Commission, the plan approval shall expire and the applicant shall be required to resubmit the site plan review application in accordance with Section XXXVI.
2. An approved final site plan shall remain valid for a period of twelve (12) months following the date of the issuance of the Zoning Permit. 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. 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.

(Amended 7/16/2010)

- G. Deviation From Plan: Any deviations or alterations from the approved site plan by the Concord Township Zoning Commission are prohibited. Upon determination that alternations 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.

Note: A flow chart is provided on the following page as a summary of the site plan review procedures set forth in Section XXXVI. In the event there is a conflict between the procedures set forth in Sections 36.01 through 36.06 and the following chart, the procedures in Sections 36.01 through 36.06 shall apply.

### Flow Chart for Site Plan Review



\*Proposed Conditional Uses to be reviewed by the Board of Zoning Appeals.