

**ARTICLE 38  
SITE PLAN REVIEW**

**38.01 PURPOSE**

It is the purpose of this Article to ensure that all developments are reviewed for compatibility with the regulations and intent of this Zoning Resolution, Township policies and plans, and good site planning practice.

**38.02 APPLICABILITY**

Site plan review and approval shall be required for any use in Batavia Township, except for agriculture, single-family dwellings, or developments approved as a Planned Development pursuant to Article 36. This includes new construction and expansions of existing developments.

Site plan review shall apply to any collective substantial expansion of existing structures, except those uses exempted from review. Substantial expansion of existing structures shall be defined based on the criteria established below:

When Existing Structure is...	A Substantial Expansion is...
0 - 1,000 Square feet	50% or Greater
1,001 - 10,000 Square feet	40% or Greater
10,001 - 25,000 Square feet	30% or Greater
25,001 - 50,000 Square feet	20% or Greater
50,001 Square feet and larger	10% or Greater

**38.03 PROCEDURE**

A. Pre-Application Meeting.

An informal meeting among applicant, Township Zoning Administrator, and other Township staff members may be held to discuss the proposed project before it is officially submitted for review. The developer shall prepare a “sketch” plan to be used as a basis for discussion.

B. Application.

The applicant shall submit the required number of copies of the site plan review application and plans to the Zoning Administrator. To be considered complete, a site plan application shall identify and provide all information required under Section 38.04. The Zoning Administrator shall transmit copies of both to the Township Administrator and the appropriate County and State review agencies.

C. Review.

The Township and appropriate County and State review agencies shall review the site plan and prepare a report identifying compliance or non-compliance with the regulations of this Resolution and other applicable regulations.

D. Decision.

The Township Zoning Administrator shall within twenty working days of receipt of the reports and recommendations, either approve or deny the site plan application. If approved, a Zoning Certificate may be issued. If denied, the Zoning Administrator shall state the reasons for the action taken. If the application is denied, the applicant may submit a new site plan for review in accordance with this Section or the applicant may appeal the decision to the Board of Zoning Appeals in accordance with Article 5 of this Resolution.

#### **38.04 SITE PLAN CONTENTS**

A. All applications for site plan review shall be accompanied by:

1. A completed application form.
2. The required site plan review fee.
3. The required number of site plans.

A. For sites less than twenty five (25) acres, the site plan shall be drawn for the subject property to a scale no smaller than one (1) inch equals one hundred (100) feet to be considered complete. For sites larger than twenty five (25) acres, an appropriate scale should be used. All site plans shall be dated and shall include the following information, in any suitable and convenient manner as long as the data is clearly indicated and legible, and includes the following:

1. All property lines, shape and dimensions of the lot to be built upon showing directional bearings and distances, adjacent land ownership, streets, and location with reference to identifiable street intersections.
2. Name of development, legal description of property, north arrow, scale, acreage, name and address of record, and the person responsible for preparing the site plan (engineer, architect, land planner, etc.).

3. Vicinity map locating the subject property in Batavia Township. Both vicinity map and site plan shall be oriented with parallel north arrows.
4. The total lot area of the subject property, indicating both gross area and net area (excluding right-of-way).
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, including future right-of-way.
7. Existing topography and approximate delineation of any topographical changes shown by contour with appropriate intervals to ensure accurate review. Plans shall indicate existing and proposed drainage patterns and locations of existing or proposed storm water control on the site.
8. The location of existing and proposed buildings with number of floors and gross floor area, including setbacks from property lines and/or existing and proposed rights-of-way, and between proposed buildings.
9. Delineation of all existing and proposed uses in the project.
10. The proposed finished grade(s) of new buildings supplemented where necessary with spot elevations.
11. Location and dimensions of all curb cuts, driving aisles, off-street parking, drive-through stacking spaces, and loading and / or unloading spaces including number of spaces, angle of stalls, etc., with dimensions indicating setback from existing and proposed property lines and rights-of-way. Locations of cross access easements shall be illustrated if applicable
12. The locations of existing buildings on adjacent property, and locations of existing driveways within 200 feet of the property.
13. Location of proposed pedestrian walkways identifying approximate dimensions.
14. Location of proposed streets, identifying approximate dimensions of pavement, right-of-way widths, and grades.

15. Location of all existing and proposed water, sanitary sewer, and storm drainage lines indicating approximate pipe sizes and service provider. Indication should also be given regarding the provision of electric and telephone service and locations of equipment boxes, switch stations, transformers or similar equipment on the site.
16. Limits of existing flood hazard areas within and adjacent to the property, accurately showing the limits of building encroachment and earth fill within this area, with 100 year water surface elevations and proposed finished floor elevations denoted.
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. Proposed lighting levels shall be demonstrated by the submission of a photometric plan illustrating proposed lighting fixture styles, lamp types, pole heights, and fixture locations, including building-mounted units.
19. Existing and proposed location(s) of signs. Proposed signs shall be illustrated on a plan showing the proposed location, dimension, height, and area of all signs for the development.
20. Existing and proposed location(s) of buffer plantings, fences, walls 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 identified.
21. Location and screening or other description to indicate control and handling of solid waste. Indicate dumpster pad where dumpster is to be used, and screening to be provided, including setback dimension from property lines.
22. Location of proposed landscaping and plantings in compliance with any streetscape, buffer or parking area planting requirements. Indicate the proposed size, name, type, quantity and location of landscape material.
22. Elevations of all faces of buildings and structures, including walls and fences, at an appropriate scale for the graphic representation of the materials employed. Such elevations must also indicate heights of buildings and structures; roofs and overhangs; and building material and color.

23. A traffic impact analysis that includes average daily and peak hour estimates and proposed public right-of-way improvements.
24. Additional information or engineering data, in such form and content as necessary, to determine that the site plan meets the standards of this Article and other requirements and performance standards of the Zoning Resolution for Batavia Township and of other public agencies in Clermont County, to ensure proper integration of the proposed project in the area and the prevention of adverse and undesirable impacts on the community.

### **38.05 WAIVER OF SITE PLAN REQUIREMENTS**

Depending on the nature of the site plan review application, one or more of the aforementioned site plan requirements may be waived by the Zoning Administrator. To obtain a waiver, the applicant must submit a statement to the Zoning Administrator indicating reasons why the requirements should be waived. The Zoning Administrator 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 existing character of the neighborhood and / or the spirit of the Zoning Resolution. The decision of the Zoning Administrator with respect to the waiver is subject to review upon appeal to the Board of Zoning Appeals.

### **38.06 SITE PLAN REVIEW CRITERIA**

In reviewing the site plan, the Township Zoning Administrator shall determine whether the proposed development meets all requirements of the Zoning Resolution, including but not limited to, those of the particular zoning district in which the development would be located, and regulations for supplemental regulations, off-street parking and loading regulations, signs, landscaping and other provisions.

### **38.07 REVISIONS OF SITE PLAN AFTER APPROVAL**

No changes, erasures, modification, or revisions shall be made to any site plan after approval has been given unless said changes, erasures, modifications or revisions are first submitted to and approved by the Zoning Administrator. In determining whether to permit revision of the site plan after approval, the Zoning Administrator shall proceed as follows:

- A. Minor modifications are defined as a ten (10%) percent change in approved building floor area, height, setbacks, and any change regarding open space, green areas, grading and drainage, circulation, lighting, or buffering. The Zoning Administrator may permit these changes upon determination that the change does not adversely impact upon the adjacent

property owners. The Zoning Administrator cannot grant reductions in development standards that require approval of the Board of Zoning Appeals.

- B. Major modifications shall include all other changes not addressed in subsection (A) above and shall require the applicant to submit a new site plan for review in accordance with the procedures in Section 38.03.
- C. For developments that are designed to be built in phases and for which the final site plan was approved under this Section, further review of the site plans shall be in accordance with this Section.

### **38.08 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 Zoning Inspector may extend the construction period if sufficient proof can be demonstrated that the applicant's control and that prevailing conditions have not changed appreciably to render the approved site plan obsolete. Such extension shall be requested in writing by the applicant.

### **38.09 SITE PLAN REVIEW FEES**

A fee shall be required for site plan review applications. The applicant shall be responsible for the expenses incurred by the Township in the site plan review. If revisions, modifications or resubmission of material or plans is required, additional plan review fees may be required.