ARTICLE 8

DEVELOPMENT PLAN REVIEW

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8.01 PURPOSE: The purpose of this Article is to provide adequate review of proposed developments in those zoning districts where the uses are of such a nature, because of their size, scale or effect on surrounding property, that review of specific plans is deemed necessary to protect the public health, safety and general welfare of the community.

Development Plan Review is required for permitted uses in the B-2 District.

8.02 DEVELOPMENT PLAN REVIEW REQUIRED: Review of a general development plan and/or final development plan shall be conducted as a prerequisite to the submittal of an application for a zoning certificate and in compliance with the following:

(a) **General Development Plan.** A general development plan that indicates the general concept of development for an entire site, including the general location of use areas, open space and circulation patterns, shall be required for the following:

(1) Reserved

(2) Applicants for projects in the B-2 District may, but are not required, to submit a general development plan.

(b) **Final Development Plan.** A final development plan that indicates, among other things, the exact location of buildings, parking areas, access drives, signs, and outdoor storage areas, shall be required for the following:

(1) Reserved

(2) New construction of all permitted and conditional uses in the B-2 "Village" Retail District.

(3) Any existing or previously approved development meeting the criteria of subsections (b)(2) above that proposes to alter, reconstruct, or otherwise modify a use or site; including expanding the floor area of the permitted use, or changing the use which requires an increase in the amount of parking or a change in the site's circulation.

8.03 PREAPPLICATION MEETING ENCOURAGED: The applicant is encouraged to meet with the Zoning Inspector, prior to submitting an application for general development plan review or final development plan review. The meeting allows informal discussion with the applicant for the purpose and effect of these zoning regulations and the criteria and standards contained within.

8.04 GENERAL DEVELOPMENT PLAN SUBMISSION REQUIREMENTS: An application for general development plan review shall include a plan for the entire area of the proposed project. Eight (8) sets of the application and the application fee shall be submitted to the Zoning Inspector. The general development plan shall include the following, unless items are determined by the Zoning Inspector to be inapplicable or unnecessary and are waived in writing by the Zoning Inspector:

(a) The location of all existing structures and access points.

(b) The general location of existing buildings, parking and access drives on parcels within 100 feet of the site.

(c) The general location of all fee simple lots (if part of the project), development areas for other uses, parking areas, and access points.

(d) Existing and proposed topography, major vegetation features, and wooded areas.

(e) The general layout of the proposed internal road system, indicating the proposed right-of-way of all proposed public roads. 11/19/13

(f) A summary table showing total acres of the proposed development, the number of acres devoted to each type of use, including roads and open space, and the number of dwelling units by type. 11/19/13

(g) Proposed phases, if the project is to be developed in stages.

(h) Other information for the evaluation of the general development plan as deemed necessary by the Zoning Inspector.

8.05 FINAL DEVELOPMENT PLAN SUBMISSION REQUIREMENTS: An application for final development plan review shall be required for each phase of development. The application fee and three (3) sets of the application and the application fee shall be submitted to the Zoning Inspector. The application shall include the following maps, plans, designs and supplementary documents, unless items are determined by the Zoning Inspector to be inapplicable or unnecessary and are waived in writing by the Zoning Inspector.

(a) An accurate legal description prepared by or certified by a registered surveyor of the state.

(b) A property location map showing existing property lines, easements, utilities and road rights-of-way. 11/19/13

(c) A final development plan, prepared by a qualified professional and drawn to an appropriate scale, indicating the following:

(1) Proposed lots for single-family detached dwellings.

(2) Use, location and height of existing and proposed buildings and structures, other than proposed units on fee simple lots. The final building location shall be determined by a registered engineer.

(3) Location of all public rights-of-way and private roads. 11/19/13

(4) Location and configuration of off-street parking areas and loading areas; arrangement of internal and in-out traffic movement including access roads and drives; and lane and other pavement markings to direct and control parking and circulation.

(5) Proposed and existing fences, walls, signs and lighting.

(6) Location and layout of all proposed and existing outdoor storage areas including storage of waste materials and location of trash receptacles.

(7) Sanitary sewers, water and other utilities including fire hydrants, as required, and proposed drainage and stormwater management.

(8) Dimensions of all buildings, setbacks, parking areas, drives and walkways.

(d) Maps showing existing and proposed grading contours, wooded areas, wetlands and other environmental features.

(e) Preliminary architectural plans for the proposed development or use, showing exterior elevations and building floor plans, prepared by a professional architect and/or engineer (plans shall contain their respective seal).

(f) Proposed landscaping and screening plans indicating the description of the location and nature of existing and proposed vegetation, landscaping and screening elements, as well as any existing trees to be removed.

(g) Summary table showing total acres of the proposed development; number of acres devoted to each type of use including roads and open space; and number of dwelling units by type. 11/19/13

(h) Documentation that the proposed development or use conforms or will conform to all applicable sanitary sewer, water, grading, surface draining, floodplain and wetland regulations, if applicable.

(i) Other information for the evaluation of the final development plan as deemed necessary by the Zoning Inspector.

8.06 REVIEW FOR COMPLETENESS: The Zoning Inspector shall review each submitted application to determine accuracy and compliance with the applicable district regulations and submission requirements. If the application is deemed insufficient, the Zoning Inspector shall notify the applicant of necessary changes. When the application is deemed complete and the application 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.

8.07 DEVELOPMENT PLAN REVIEW PROCEDURES: Development plans, both general and final, shall be reviewed according to the following procedures.

(a) **Review of Development Plans.** The Zoning Inspector shall review the submitted application for completeness according to Section 8.06 and, when determined complete, shall distribute the application as follows.

(1) **Review by Zoning Inspector.**

a. Reserved

b. The Zoning Inspector shall review all development plans according to the appropriate criteria set forth in Section 8.08 or Section 8.09.

c. When deemed necessary to adequately review and evaluate the proposed development, the Zoning Inspector may request additional information from the applicant.

(2) **Review by Auburn Township Fire Department and Other Public Entities.** The application may be transmitted to appropriate township departments and other public agencies for review and comment. Any reports or comments shall be compiled and reviewed by the Zoning Inspector.

(3) **Review by Consultants.** The application may be transmitted to appropriate professional consultants retained by the Township for review and comment. Any reports, comments, or expert opinions shall be compiled and reviewed by the Zoning Inspector.

(4) **Review by Geauga County.** If the project includes a subdivision which is subject to review by Geauga County, or otherwise requires County approval, the final development plan shall be transmitted to the County Planning Commission or other affected County departments for informal review and comment.

(b) **Action by Zoning Inspector.** The Zoning Inspector shall act on applications.

(1) The Zoning Inspector shall make one of the following actions:

a. Approve the development plan as submitted.

b. Approve the development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to:

1. For General Development Plans - improvements to the general lot layout, open space arrangement or on-site control of access to roads. 11/19/13

2. For Final Development Plans – improvements to the lot layout, open space arrangement, on-site control of access to roads or landscaping specifications. 11/19/13

c. Deny the development plan because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Inspector shall indicate the deficiencies and modifications to the development plan that, if made, would bring the development plan into compliance.

(2) The Zoning Inspector shall act within 60 days from the date the application was determined complete, or an extended time period as may be agreed upon, by the applicant, approve, approve with conditions or deny it.

(c) **Action by Zoning Inspector.** The Zoning Inspector shall act on applications for all permitted uses in the B-2 "Village" Retail District.

(1) The Zoning Inspector shall act within 60 days from the date the application was determined complete or an extended period as may be agreed to by the applicant to approve, approve with conditions or deny it.

a. The application may be transmitted to appropriate professional consultants retained by the Township for review and comment. Any reports, comments, or expert opinions shall be compiled and reviewed by the Zoning Inspector.

b. In the event that no reports, comments, or expert opinions are received by the Zoning Inspector within 60 days from the date the application was determined complete and the applicant does not agree to an extension, the Zoning Inspector shall make a decision at the end of the 60 day period.

(2) The Zoning Inspector shall make a decision except as otherwise noted in subsection (1) above. The development plan shall be:

a. Approved as submitted; or

b. Approved subject to specific conditions not included in the plan as submitted, such as, but not limited to, on-site control of access to roads and landscaping specifications; or 11/19/13

c. Denied because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Inspector shall indicate the deficiencies and modifications to the development plan that, if made, would bring the development plan into compliance.

8.08 REVIEW CRITERIA FOR GENERAL DEVELOPMENT: In reviewing plans, the Zoning Inspector shall determine that the development plan complies with the following criteria.

(a) **General Development Plan.** For a general development plan, the Zoning Inspector shall determine that:

(1) The appropriate use of property within and adjacent to the area will be safeguarded.

(2) The general layout of lots, groupings of buildings, and circulation systems within the proposed development are comparable with existing and proposed uses on adjacent property.

(3) The proposed development plan is in accordance with all applicable Auburn Township zoning regulations.

(b) **Reserved**

8.09 REVIEW CRITERIA FOR B-2 "VILLAGE" RETAIL DISTRICT DEVELOPMENT: In reviewing plans for development within the B-2 District, the Zoning Inspector shall determine that the development plan complies with the following criteria.

(a) **General Development Plan.** For a general development plan, the Zoning Inspector shall determine that:

(1) The appropriate use of property within and adjacent to the area will be safeguarded.

(2) The general layout of buildings, parking and circulation systems within the proposed development are comparable with existing and proposed uses on adjacent property.

(3) The proposed development plan is in accordance with all applicable Auburn Township zoning regulations.

(b) **Final Development Plan.** The application is intended to be the basis and standard for the eventual and complete development of the site and should ensure appropriate and compatible future development by others and therefore, for a final development plan, the Zoning Inspector shall determine that:

(1) Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property.

(2) Buildings are in proportion and scale with existing structures and spaces in the surrounding area.

(3) Buildings enhance the creation of a small-scale "village" environment and are constructed according to the regulations set forth for the B-2 District in this Resolution.

(4) The development will be sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Resolution.

(5) Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, water courses and drainage areas, and shall comply with the applicable regulations in this Resolution.

(6) If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage.

(7) The proposed development plan is in accordance with all applicable Auburn Township zoning regulations.

8.10 EXPIRATION OF DEVELOPMENT PLAN APPROVAL: An approved development plan shall remain valid for a period of twelve (12) months following the date of its approval.

(a) **General Development Plan.** If, at the end of that time, a final development plan has not been submitted to the Zoning Inspector, then approval of the general development plan shall expire and shall be of no effect unless resubmitted and reapproved in accordance with this Article.

(b) **Final Development Plan.** If, at the end of that time, construction of the development has not begun, then approval of such final development plan shall expire and shall be of no effect unless resubmitted and reapproved in accordance with the procedures set forth in this Article. Construction is deemed to have begun when all necessary excavation and piers or footings of one or more principal buildings included in the plan have been completed.

8.11 FEES. Fees are as established by the Township Trustees. See also Section 6.01(c).

8.12 SIGNIFICANCE OF AN APPROVED FINAL DEVELOPMENT PLAN; PLAN REVISIONS: An approved final development plan shall become (for the proposed development) a binding commitment of the specific elements approved for development. The approved final development plan may be transferred to another person, corporation, or group of individuals or corporations prior to the issuance of a zoning certificate. All construction and development under any zoning certificate shall be in accordance with the approved final development plan. Any departure from such plan shall be considered a violation of this Resolution. Any changes in an approved final plan shall be resubmitted for approval in accordance with this Article.