

VILLAGE OF OBETZ
RECORD OF ORDINANCES



ORDINANCE: 37-15

PASSED: June 22, 2015

AN ORDINANCE AMENDING CHAPTER 1137 OF THE CODIFIED ORDINANCES RELATED TO THE SUBMITTAL OF SITE PLANS, ENGINEERING PLANS, AND STORMWATER MANAGEMENT PLANS

WHEREAS, the Village of Obetz reviews site plans, engineering plans, and stormwater plans as a part of all new development and redevelopment; and

WHEREAS, the Village desires to clarify when different types of plans must be submitted and the level of review required for each type of plan; and

WHEREAS, the Village desires to streamline its site planning review process; and

WHEREAS, the Village is required to follow the Ohio Environmental Protection Agency's stormwater management guidelines; and

WHEREAS, the Village desires to update its stormwater management plan submittal process to be consistent with these guidelines; and

WHEREAS, the Planning and Zoning Commission held a public hearing on May 13, 2015 to review the proposed modifications; and

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed zoning modifications;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:

Section 1. Chapter 1137 is hereby amended to read as follows:

CHAPTER 1137

SITE DEVELOPMENT PLANS, ENGINEERING PLANS, AND STORMWATER POLLUTION PREVENTION PLANS

1137.01 PURPOSE AND INTENT.

The requirements provided for herein are intended to manage and direct the built environment in order to promote good planning and site development; reduce and mitigate environmental and service impacts resulting from development; ensure that infrastructure improvements meet the requirements of the Village; ensure that the requirements of the United States Environmental Protection Agency and Ohio Environmental Protection Agency are met; and to protect the public health, safety, and general welfare of the Village.

~~_____ (a) Site development plans are intended to ensure ample provisions for the efficient use of land and to promote high standards in the layout, design, landscaping and construction of development. They are further intended to supplement the provisions of the subdivision regulations and to further the purposes and provisions of this code for developments other than subdivision developments.~~

~~_____ (b) The purposes of this chapter are to state the specific additional requirements applicable to the development of land in certain zoning districts, and to prescribe the standards for the preparation and submission of site development plan drawings and for the design and construction of required improvements.~~

1137.02 SITE PLANS DEFINED.

Site Plans are required for most new construction and redevelopment projects. There are two types of Site Plans (1) Major Site Plans; and (2) Minor Site Plans. The type of Site Plan required depends on the scope of the project.

(a) Major Site Plans. Major Site Plans require approval of the Planning and Zoning Commission. A Major Site Plan is required and shall be submitted for any of the following:

- (1) A development involving new building construction with the exception of one or two family residential and accessory structures; developments located in a planned district which has an approved Final Development Plan; and an accessory building associated with non-single family residential uses which require a Conditional Use Permit.**
- (2) A development involving an addition of more than 25 percent of the gross floor area of a structure.**
- (3) A development involving the construction of more than 10,000 square feet of impervious surface;**
- (4) A development that is adjacent to or that includes any waterway;**
- (5) Any development adjacent to an existing residential zoning district;**
- (6) A development which conflicts with an adopted municipal plan;**
- (7) The redevelopment of a non-conforming site or site which does not meet the current development standards of the zoning district in which it is located or the modification of existing buildings, parking, or curb cuts at the site;**
- (8) The addition or modification of three or more curb cuts;**
- (9) A development which generates sufficient volumes of traffic, unusual patterns, or types of traffic that result in lowering the level of service of affected streets or intersections as determined by the Zoning Administrator and/or Director of Engineering; or,**
- (10) Unusual or unique developments that in the professional opinion of the Zoning Administrator and/or Director of Engineering warrant review of the Planning and Zoning Commission even if the project does not warrant Major Site Plan review.**

(b) Minor Site Plans. Minor Site Plans are approved by the Zoning Administrator and do not require action of the Planning and Zoning Commission. A Minor Site Plan is required and shall be submitted for the following:

- (1) A development involving an addition of 25 percent or less of the gross floor area of a structure provided the amount of square footage does not exceed 50,000 square feet;**
- (2) A development involving the construction or modification of an impervious surface (including parking lots) up to and including 10,000 square feet;**
- (3) The addition or modification of up to two curb cuts;**
- (4) The addition or modification of dock doors;**

- (5) Modification of no more than 50 percent of the landscaping approved as a part of a Major Site Plan or other previously approved landscape plan; and,
- (6) Modification of a site's stormwater retention or detention areas.

~~1137.02 SITE DEVELOPMENT PLANS REQUIRED.~~

~~A site development plan is required and shall be submitted for the following:~~

- ~~(a) Any use or development, involving new construction, reconstruction or expansion of structures, in all zoning districts except single family detached dwelling units or duplexes in residential districts.~~
- ~~(b) Any development in which automobile parking spaces are to be used by more than one (1) establishment.~~
- ~~(c) When a change is proposed in the exterior elements of a previously approved site development plan.~~
- ~~(d) When an existing residential use is proposed for change to a commercial, industrial, or multi-family residential use.~~
- ~~(e) All public and/or semi-public buildings and institutions.~~

1137.03 MAJOR SITE PLANS APPROVAL PROCESS.

(a) **Application and Submittal Requirements.** An application for a Major Site Plan shall be filed on a form provided by the Village. The applicant shall pay a fee in accordance with the adopted fee schedule. Major Site Plans shall meet the submittal requirements kept on file at the Village. The Zoning Administrator may waive any items if not applicable to the project.

(b) **Procedure.** An application for a Major Site Plan shall be submitted to the Zoning Administrator who shall review it for completeness and compliance with the Codified Ordinances. Major Site Plans that do not comply with the Codified Ordinances shall not be placed on the Planning and Zoning Commission's agenda. Submittal shall be thirty (30) days prior to the meeting date at which the Major Site Plan will be reviewed by the Planning and Zoning Commission.

(c) **Action and Effect.** Upon approval of a Major Site Plan, the Zoning Administrator shall sign and return a copy of the approved Plan. The approval is valid for twelve months from the signature date unless a Building Permit has been obtained for construction. A single extension, not to exceed six (6) months, may be given by the Planning and Zoning Commission upon written request by the applicant. The Planning and Zoning Commission has the discretion to deny the extension.

The Planning and Zoning Commission may attach conditions to the approval of the Major Site Plan in order to preserve the public health, safety and welfare of Obetz.

~~1137.03 PREPARATION.~~

~~(a) Site development plans shall be prepared by persons professionally qualified to do such work. Final site plans shall be certified by an engineer duly registered by the State of Ohio, and include a boundary survey certified by a land surveyor duly registered by the State of Ohio.~~

~~(b) Every site plan shall show the name of the development, the name and address of the owner and developer, north point, date, scale, and number of sheets.~~

~~(c) Site development plan may be prepared on one (1) or more sheets to show clearly the information required by this section and to facilitate the review and approval of the plan. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.~~

~~(d) Site development plans shall be prepared at a scale of one (1) inch equals fifty (50) feet or larger. No sheet shall exceed thirty six (36) inches in size. Ten (10) copies shall be submitted to the Zoning Inspector for all developments.~~

~~(e) Profiles must be submitted on standard plan profile sheets. Special studies as required may be submitted on standard cross section paper and shall have a scale of one (1) inch equals fifty (50) feet horizontally and one (1) inch equals five (5) feet vertically. No sheet size shall exceed thirty six (36) inches. Floodplain limit studies required by this Zoning Code shall be shown on all profile sheets with reference to properties affected and center line of stream.~~

~~(f) All horizontal distances shown on the site plan shall be in feet and decimals of a foot to the closest one tenth (0.1) of a foot; and all bearings in degrees to the nearest ten (10) seconds.~~

1137.04 MINOR SITE PLAN APPROVAL PROCESS.

(a) Application and Submittal Requirements. An application for a Minor Site Plan shall be filed on a form provided by the Village. The applicant shall pay a fee in accordance with the adopted fee schedule. Minor Site Plans shall meet the submittal requirements kept on file at the Village. The Zoning Administrator may waive any items if not applicable to the project.

(b) Procedure. Within twenty-one (21) days of filing a complete application, the Zoning Administrator shall approve, approve with conditions, or deny the Minor Site Plan. If the Minor Site Plan is denied, the Zoning Administrator will list the reasons why the Minor Site Plan was denied. If a Minor Site Plan is denied, the applicant may appeal the decision using the process outlined in 1183.04(c).

Upon review, the Zoning Administrator may also determine that the project does not meet the requirements for Minor Site Plan review and require the applicant to seek a Major Site Plan. If the applicant is required to seek Major Site Plan approval, the Zoning Administrator will notify the applicant and seek the required additional information.

(c) Action and Effect. Upon approval of a Minor Site Plan, the Zoning Administrator shall sign and return a copy of the approved plan. The approval is valid for twelve months from the signature date unless a Building Permit has been obtained for construction. A single extension, not to exceed six (6) months, may be given by the Zoning Administrator upon written request by the applicant. The Zoning Administrator has the discretion to deny the extension.

The Zoning Administrator may attach conditions to the approval of the Minor Site Plan in order to preserve the public health, safety and welfare of Obetz.

~~**1137.04 APPROVAL PROCESS.**~~

~~(a) All site plans must be approved by the Planning and Zoning Commission. Site plans shall be submitted to the Zoning Inspector who shall review them for compliance with this chapter. Submittal shall be thirty (30) days prior to the meeting date at which the plans will be reviewed by the Planning and Zoning Commission accompanied by a fee as stipulated by ordinance.~~

~~(b) Final site plans to be submitted to the Planning and Zoning Commission shall be based on a previously approved preliminary plan except where such requirement is waived by the Planning and Zoning Commission for good cause.~~

~~(c) The Planning and Zoning Commission shall act on site plans presented to it within a reasonable time and the developer shall be advised as to the decision of the Planning and Zoning Commission by letter and/or legible markings and notes on the plan. Said decision~~

~~shall be final. Final approval shall be shown by the signature of the Zoning Inspector on the final plans.~~

~~(d) Prior to final approval of the site plan, the developer shall post any required bonds and shall present any dedication or easement plats for approval prior to recordation.~~

~~(e) Approval of a final site plan by the Planning and Zoning Commission shall expire twelve (12) months from the date of such approval unless building permits have been obtained for construction in accordance therewith. A single extension, not to exceed six (6) months, may be given by the Planning and Zoning Commission upon written request by the applicant.~~

~~(f) Approval of the site development plan by the Zoning Inspector after bonding approval by the Engineer constitutes authorization to proceed with site improvements within the area proposed under the site plan.~~

~~(g) The Planning and Zoning Commission may attach conditions to the approval of the site development plan as may be reasonable required by the public health, safety and welfare.~~

1137.05 ENGINEERING PLANS.

(a) Engineering Plans. An Engineering Plan, prepared by persons professionally qualified to do such work, is required and must be approved by the Director of Engineering. Engineering Plans may be submitted concurrently with Minor Site Plans. A Preliminary Engineering Plan must be approved prior to approval of a Major Site Plan pursuant to Section 1137.05(b) of the Codified Ordinances. Engineering Plans are required for the following:

- (1) Any project involving paving or grading;**
- (2) Any project involving the addition or modification of water, sewer, or storm sewer lines or stormwater infrastructure;**
- (3) Any project involving the creation of a new curb cut or the modification of an existing curb cut;**
- (4) Engineering plans are not required for one and two family dwelling and accessory units.**

(b) Preliminary Engineering Plans. The submittal and approval of a Preliminary Engineering Plan ensures engineering standards can be met prior to proceeding through the development process. A Preliminary Engineering Plan shall be submitted to the Director of Engineering prior to submitting a Major Site Plan to the Planning and Zoning Commission if the project requires an Engineering Plan. The Planning and Zoning Commission will not take action on a Major Site Plan prior to the approval of a Preliminary Engineering Plan by the Director of Engineering.

The submittal and approval of a Preliminary Engineering Plan is not required for projects that do not require a Major Site Plan.

(c) Application and Submittal Requirements. All Engineering Plans shall be submitted to the Director of Engineering. Engineering Plans shall meet the submittal requirements kept on file in the Office of the Director of Engineering. The Director of Engineering may waive any items if not applicable to the project.

(d) Procedure. Within twenty-one (21) days of filing an Engineering Plan for review, the Director of Engineering shall determine if the Engineering Plan complies with the standards of the Municipality. The applicant shall modify the Engineering Plan until it complies with the standards of the Municipality and requirements of the Director of Engineering.

(e) Action and Effect. Upon approval of an Engineering Plan, the Director of Engineering shall sign and return a copy of the approved Plan. The approval is valid for twelve months from the signature date unless a Building Permit has been obtained for

construction. A single extension, not to exceed six (6) months, may be given by the Director of Engineering upon written request by the applicant. The Director of Engineering has the discretion to deny the extension.

The Director of Engineering may attach conditions to the approval of an Engineering Plan in order to preserve the public health, safety and welfare of Obetz.

~~1137.05 PRELIMINARY SITE PLANS.~~

~~It is strongly recommended that, prior to submitting any plans, the applicant meet with Municipal officials regarding plan requirements. Every preliminary site plan submitted in accordance with this chapter shall contain the following information:~~

- ~~(a) Location and acreage of various types of land use.~~
- ~~(b) Location, names, and dimensions of proposed and existing streets, buildings, easements and drainageways.~~
- ~~(c) Preliminary plans for the provision of utilities, including but not limited to, the methods for handling drainage, water supply, and sewage disposal.~~
- ~~(d) Proposed parking layout including ingress and egress.~~

1137.06 STORMWATER POLLUTION PREVENTION PLANS.

Stormwater Pollution Prevention Plans shall be submitted to the Director of Engineering when construction activities disturb one acre or more, including smaller sites that are part of a larger common plan of development which meets this threshold. All Stormwater Pollution Prevention Plans shall meet the requirements of the United States Environmental Protection Agency's Construction General Permit and State Of Ohio Environmental Protection Agency's Construction General Permit. Stormwater Pollution Prevention Plans shall be standalone documents and shall not be included on the Engineering Plans.

~~1137.06 FINAL SITE PLANS.~~

~~At the time of preliminary site plan review, the following data shall be contained on the final site plan.~~

- ~~(a) The owners, zoning, and present use of adjoining lands.~~
- ~~(b) Location of all minimum building setback lines.~~
- ~~(c) Location, type, and size of vehicular ingress and egress to the site.~~
- ~~(d) A boundary survey.~~
- ~~(e) Location, type, size and height of all fencing, screening, and buffering where required by this Code.~~
- ~~(f) Existing topography with a maximum two (2) foot contour intervals and the proposed finished grading by contour.~~
- ~~(g) Provisions for the adequate control of erosion and sedimentation indicating the proposed temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading and construction.~~
- ~~(h) All off street parking and parking bays, loading spaces and walkways indicating type of surfacing and showing the number of parking spaces provided and the number required.~~
- ~~(i) Number of floors, floor area, height and location of each building, and proposed general use for each building. In a multi-family residential building, the number, size, and type of dwelling units shall be shown.~~
- ~~(j) Building elevations depicting actual composition and architectural style for all proposed structures.~~
- ~~(k) Provisions for the adequate disposition of natural and storm water on and off-site, in accordance with current design criteria and construction standards of Obetz including, but not limited to, the calculation of the contributing drainage area in acres and the location, size, type and grade of ditches, catch basins, inlets, pipes, and other drainage structures.~~
- ~~(l) All existing and proposed sanitary sewer facilities indicating all pipe sizes, types, grades, invert elevations, location of manholes, and such other data as may be deemed necessary by the Municipal Engineer.~~

- ~~_____ (m) All existing and proposed water facilities including all water mains, their sizes, valves and fire hydrant locations.~~
- ~~_____ (n) The location of any proposed refuse removal pads.~~
- ~~_____ (o) Location and size of all recreation and open space areas.~~
- ~~_____ (p) A landscaping and lighting plan.~~
- ~~_____ (q) Floodplain limits which shall be established by Flood Hazard Maps on file with the Zoning Inspector and/or engineering methods.~~
- ~~_____ (r) The location, width, size, and intended purpose of all easements and right-of-way and whether they are to be publicly or privately maintained. A plan copy, suitable for recording, shall be submitted showing any rights of way and/or easements for public dedication.~~
- ~~_____ (s) The following data relative to all existing and proposed streets:~~
 - ~~_____ (1) Location~~
 - ~~_____ (2) Width~~
 - ~~_____ (3) Names~~
 - ~~_____ (4) Curve data~~
 - ~~_____ (5) Grades~~
 - ~~_____ (6) Site distances~~
- ~~_____ Typical sections shall be provided for all proposed streets or travel ways.~~
- ~~_____ (t) Location and type of all signs.~~
- ~~_____ (u) Building materials and elevations.~~
- ~~_____ (v) Such other relevant data as the Planning and Zoning Commission may require.~~

1137.07 REQUIRED IMPROVEMENTS AND DESIGN STANDARDS.

(a) All improvements required by this Chapter shall be installed at the cost of the developer and in accordance with ~~design and construction standards of Obetz.~~ **All site design shall take into consideration all existing local plans for Obetz.**

(b) ~~Prior to approval of any site plan~~ **Upon approval of the Engineering Plans**, there shall be executed by the owner or developer ~~and submitted with the site plan~~ an agreement to construct such required physical improvement as are located within public rights-of-way or easements or as are connected to any public facility in form and substance as approved by the Municipality, together with a bond with surety, cashier's check or escrow account in the amount of the estimated cost of the required improvements as submitted by the developer and approved by the ~~Municipal Engineer~~ **Director of Engineering**. The aforesaid agreement and bond or condition shall be provided for completion of all work covered thereby within the time to be determined by the ~~Municipal Engineer~~ **Director of Engineering**, which time may be extended upon written application by the owner or developer, signed by all parties (including sureties) to the original agreement. The ~~Municipal Engineer~~ **Director of Engineering** may also require a restoration bond. Said bond shall be to insure repair of any damage done to existing curb, gutter, sidewalk, street pavement, landscaping, or other items within the right-of-way adjacent to a project. The amount of said bond shall be as determined by the ~~Municipal Engineer~~ **Director of Engineering** based on his estimate of potential damage. **The Administrator may waive the bond requirements for any project.**

(c) All street construction standards and geometric design standards shall be in accord with those specified by the ~~subdivision~~ regulations of Obetz except where specifically modified by the ~~Municipal Engineer~~ **Director of Engineering**.

(d) Private vehicular travel lanes or driveways designed to permit vehicular travel on the site and to and from adjacent property and parking areas shall be constructed not less than twenty (20) feet in width **except where specifically modified by the Director of Engineering.**

(e) Adequate drainage for the disposition of storm and natural waters both on and off-site shall be provided. The extent of both on-site and off-site treatment shall be approved by the ~~Municipal Engineer~~ **Director of Engineering**. **A Stormwater Maintenance Agreement shall be executed between Obetz and the property owner prior to completion of the**

stormwater management infrastructure and issuance of a Certificate of Occupancy for any phase of the property.

(f) Water service shall be based on the requirements of the ~~Utilities Superintendent and the Municipal Engineer~~ **Director of Engineering**.

(g) Sanitary sewer facilities shall be constructed in accordance with the requirements of the ~~Utilities Superintendent and the Municipal Engineer~~ **Director of Engineering**.

(h) In the preparation of site development plans, consideration will be given to provide suitable areas for parks, schools, open space, and other areas of public recreational use, especially when such facilities are proposed in ~~the area under consideration of the Comprehensive Plan of the Municipality~~ **the municipal Comprehensive Plan or other planning documents**.

(i) Fire hydrants shall be located within one hundred and fifty (150) feet of any proposed structure as approved by the ~~Municipal Engineer~~ **Director of Engineering** and the appropriate Fire Department.

(j) Provision shall be made for sidewalks and pedestrian walkways which will enable patrons, residents and/or tenants to walk safely and conveniently from one building to another within the site and to building and/or uses on adjacent sites ~~as well~~. Sidewalks shall be constructed in accordance with Municipal standards and the requirements of the ~~Municipal Engineer~~ **Director of Engineering**.

(k) Landscape planting, screening, buffering, fences and other physical improvements shall be provided in accordance with ~~Chapter 1167~~ **the Codified Ordinances**.

(l) To the maximum extent possible, development shall be located to preserve the natural features of the site; to avoid areas of environmental sensitivity; and to minimize negative impacts and alteration of natural features.

(l) All improvements that will ultimately be dedicated and become a part of the Municipality owned infrastructure system shall be inspected full-time during construction by the Municipality or their authorized representative. The costs of such inspection shall be paid by the developer.

1137.08 ADMINISTRATION AND ENFORCEMENT.

(a) No permit shall be issued by any administrative officer for the construction of any building or improvement requiring a permit in any area covered by a site development plan, **Engineering Plan, or Stormwater Pollution Prevention Plan** except in conformity with the provisions of this chapter and duly approved ~~site development plans~~. No construction or site improvements shall be initiated until the site plan, **engineering plan, and/or Stormwater Pollution Prevention Plan** has been approved.

(b) Any site development may be revised and such revisions shall be accomplished in the same manner as the original approval, provided, however, that minor technical changes which do not substantially alter the original site plan may be authorized by the Zoning ~~Inspector~~ **Administrator**.

(c) Upon satisfactory completion of the required improvements the ~~Municipal Engineer~~ **Director of Engineering** shall release any remaining bonds.

ORDINANCE: 37-15

PASSED: June 22, 2015

Section 2: This Ordinance is shall take effect at the earliest time permitted by law.

Passed this 22 day of June, 2015.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

D. Greg Scott
D. Greg Scott, Mayor

Angela Kirk
Angela Kirk, Council President Pro Tem

APPROVED AS TO FORM

Eve M. Ellinger
Eve M. Ellinger, Esq., Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 37-15 was duly posted at 8:00 AM (time) on the 6 day of July, 2015, at the Obetz Government Center, as well as on the Obetz website.



Stacey Boumis
Stacey Boumis, Clerk

7/6/15
Date