

## CHAPTER 30: SITE PLAN REVIEW

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### 30.01 ~~Site Plan Review~~ Procedures

- (A) ~~Procedures:~~ The site plan approval procedures of this Chapter are instituted to provide an opportunity for the Village of Maineville's Planning Commission to review the proposed development, alteration, and use of a site in relation to drainage, pedestrian and vehicular circulation, parking, structural relationships, utilities, screening, accessibility, and other site design elements. The purpose of this Chapter is to establish procedures and standards that provide a consistent method of review of site plans, and to ensure full compliance with the standards contained in this Ordinance and other applicable Ordinances.
- (B) Flexible review standards have been established to ensure that the type of review and amount of required information is proportional to the project's scale and use intensity. It is the further purpose of this Chapter to protect natural resources, minimize adverse impacts on adjoining or nearby uses and land, encourage cooperation and consultation between the Village and the applicant, and facilitate development in accordance with the Village's Comprehensive Plan.
- (C) All development shall conform to the Village of Maineville Unified Development Manual.

### 30.02 Applicability

- ~~(B) — The following development projects and uses districts shall require submission and approval of a site plan prior to establishment, construction, expansion or structural alteration of any structure or use:~~
- ~~(1) — All structures and uses in the Residential Districts R-1, R-2, R-3 and RR other than:~~
- ~~(a) — Farming and active agricultural uses, as defined in the Definitions chapter.~~
- ~~(b) — One (1) single family dwelling and its customary accessory structures on a single residential lot of record.~~
- ~~(2) — All non-residential, two family, and multiple family structures and uses in the DC Downtown Core District and DS, Downtown Support District.~~
- ~~(3) — All structures and uses in the NB Neighborhood Business District.~~
- ~~(4) — All structures and uses in the M-I Light Industry District.~~
- ~~(5) — Construction, expansion or alteration of a PUD, Planned Unit Development Overlay District or CDO, Conservation Design Overlay shall be subject to development plan approval in~~

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~~accordance with the procedures and standards of Chapter 14, Planned Unit Development Overlay District and Chapter 15, Conservation Design Overlay District.~~

~~(6) All structures and uses in the Floodway or Floodway Fringe area located within 500 feet of the 100-year floodplain, as defined by Section 16.~~

(A) Site Plan Review is not required for the following:

- (1) Single-family and two-family dwellings;
- (2) Change in the ownership of any land or structure;
- (3) Exterior or interior maintenance and repair of any existing use structure;
- (4) Re-occupancy of any building or re-use of any structure with a previously permitted use;
- (5) Interior alteration of a building used for an approved principal or accessory use;
- (6) Exterior alteration of a building used for an approved principal or accessory use which does not expand the building footprint by more than twenty-five (25) percent compared to the building footprint within the past five (5) years; and
- (7) A change of occupancy within the same use category, provided no modification of the site is proposed or required by the standards of this Code, such as an increase in the number of required parking spaces or sufficient landscape buffering, and that such change maintains compliance with all applicable requirements of this Code.

(B) An additional building may be constructed if that building:

- (1) Will not expand the total footprint of all existing buildings by more than ten (10) percent compared to the building footprint within the past five (5) years;
- (2) Will not increase a parcel's acreage;
- (3) Will not produce concerns regarding the environment or traffic;
- (4) Has access from a public road; and
- (5) Meets approval from the Zoning Inspector.

### 30.03 Site Plan Review Procedure

~~(C) Site Plan Review Procedure:~~ Site plans shall be reviewed in accordance with the following:

- (A1) Application. The owner of an interest in land for which site plan approval is sought or the owner's designated agent shall submit a completed application form and sufficient copies of a site plan to the Village, along with appropriate review fees, as determined by Village Council. Any application or site plan that does not satisfy the information requirements of this Section shall be considered incomplete, and shall be returned to the applicant.

- (B2) **Technical Review:** Prior to Planning Commission consideration, the Zoning Inspector shall distribute copies of the site plan and application to designated Village officials and the Village consultants for review and comment. The Zoning Inspector or Planning Commission may also distribute copies of the site plan and application to other local agencies or departments with jurisdiction for comment.
- (C3) **Planning Commission Consideration of the Site Plan:** The Planning Commission shall review the site plan, together with any reports and recommendations from Village officials and consultants, and other reviewing agencies. The Planning Commission shall make a determination based on the requirements of this Ordinance and the standards of Section 30.011~~L~~, Standards for Site Plan Approval. The Planning Commission is authorized to table, approve, approve subject to conditions or, deny the site plan as follows:
- (1a) **Tabling:** Upon determination by the Planning Commission that a site plan is not sufficiently complete for approval or denial, failure of the applicant to attend the meeting or upon request by the applicant, the Planning Commission may postpone consideration until a later meeting.
- (2b) **Denial:** Upon determination that a site plan does not comply with the standards and regulations set forth in this Ordinance, or would require extensive revisions to comply with said standards and regulations, the site plan shall be denied.
- (3e) **Approval:** Upon determination that a site plan is in compliance with the standards of this Ordinance, the site plan shall be approved.
- (4e) **Approval Subject to Conditions:** The Planning Commission may approve a site plan, subject to any conditions necessary to address necessary modifications; ensure that public services and facilities can accommodate the proposed use; protect significant site features; ensure compatibility with adjacent land uses; or otherwise meet the intent and purpose of this Ordinance. Such conditions may include the need to obtain variances, or approvals from other agencies.
- (D4) **Recording of Site Plan Action:** Planning Commission action on the site plan shall be recorded in the Planning Commission meeting minutes, stating the name and location of the project, most recent plan revision date, and conditions or grounds for the Planning Commission's action.
- (1a) After the Planning Commission has taken final action on a site plan, the Zoning Inspector shall clearly mark three (3) copies of the site plans APPROVED or DENIED, as appropriate, with the date that action was taken and any conditions of approval.
- (2b) One (1) marked copy will be returned to the applicant, the second copy will be given to the Zoning Inspector, and the third copy shall remain on file at the Village offices.

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**30.04 Outside Agency Permits or Approvals**

~~(D) — Outside Agency Permits or Approvals:~~ The applicant shall be responsible for obtaining all necessary permits or approvals from applicable outside agencies, prior to the start of development or construction on the site.

### 30.05 Construction Plans

~~(E) — Construction Plans:~~ Where detailed construction or engineering plans are required by the Village, Warren County or another agency with jurisdiction, the applicant shall submit a copy of such plans to the Zoning Inspector for review. The Zoning Inspector or designated Village consultants shall verify that the site design and improvements shown on the construction or engineering plans are consistent with the approved site plan, except for changes that do not materially alter the approved site design, or that address any conditions of site plan approval. Construction or engineering plans that are not consistent with the approved site plan shall be subject to review and approval by the Planning Commission as an amended site plan, prior to the start of development or construction on the site.

### 30.06 Approval of Phased Developments

~~(F) — Approval of Phased Developments:~~ The Planning Commission may grant approval for site plans with multiple phases, subject to the following:

- ~~(A1)~~ The site design and layout for all phases and outlots shall be shown on the site plan to ensure proper development of the overall site.
- ~~(B2)~~ Improvements associated with each phase shall be clearly identified on the site plan, along with a timetable for development. Development phases shall be designed so that each phase will function independently of any improvements planned for later phases.
- ~~(C3)~~ Each future phase shall be subject to a separate site plan review by the Planning Commission, and shall be required to meet all applicable Ordinance standards effective at the time of such review.

### 30.07 Site Plan Resubmission

~~(G) — Site Plan Resubmission:~~ A site plan that has been denied may be revised by the applicant to address the reasons for the denial and then resubmitted for further consideration. The resubmitted site plan shall be subject to the same requirements, review fees, and approval procedures as a new application for site plan approval.

### 30.08 Expiration of Site Plan Approval

~~(H) — Expiration of Site Plan Approval:~~ Site plans shall expire three hundred sixty five (365) days after the date of approval. Upon written request received by the Village prior to the expiration date, the Planning Commission may grant one (1) extension of final approval for up to one (1) year, provided that site conditions have not changed in a way that would affect the character, design or use of the site, and that the approved site plan remains in conformance with all applicable provisions of this Ordinance.

### 30.09 Rescinding Site Plan Approval

~~(I) — Rescinding Site Plan Approval:~~ Site plan approval may be rescinded by the Planning Commission upon determination that the site has not been improved, constructed or maintained in compliance with approved permits, site plans, or conditions of site plan approval. Such action shall be subject to the following:

- ~~(A1)~~ **Public Hearing:** Such action may be taken only after a public hearing has been held in accordance with the Ohio Revised Code, at which time the owner of an interest in land for which site plan approval was sought, or the owner's designated agent, shall be given an opportunity to present evidence in opposition to rescission.
- ~~(B2)~~ **Determination:** Subsequent to the hearing, the decision of the Planning Commission with regard to the rescission shall be made and written notification provided to said owner or designated agent.

### 30.10 Revisions to Approved Site Plans

(A) Minor Modifications: The following are considered minor modifications allowable for approval by the Zoning Inspector:

- (1) Changes made during development to improve safety, protect natural features, and/or accommodate unanticipated site constraints or to comply with further requirements of other authorities. These changes should not affect surrounding property or the approved plan layout.
- (2) Changes in landscaping species that is consistent with the standards of this Code and that do not reduce the total amount of landscaping or buffering required.
- (3) Change in the boundary or arrangement of a structure that does not violate minimum zoning required setbacks nor affect locations of other components of the approved site plan requirements or conditions.
- (4) Adjustments in the alignment of vehicular and pedestrian access and circulation components for purposes of improved safety or to eliminate conflict with other components in the site which will not create off-site conflicts.
- (5) Reduction in signage or changes in lighting which will not negatively affect off-site properties.

~~(B) Major Modifications:~~~~Revisions to Approved Site Plans:~~ The Zoning Inspector may administratively review minor revisions to an approved site plan or forward such plans to the Village Consultants for a determination, provided that such changes do not materially alter the approved site design, intensity of use or demand for public services. Revisions to an approved site plan that are not considered by the Zoning Inspector to be minor shall be reviewed by the Planning Commission as an amended site plan. Any proposed change to a site plan that does not meet the minor modification qualification criteria specified above in subsection (A) shall be considered a major modification and is subject to approval of a revised site plan by the Planning Commission.

### 30.10 Compliance with an Approved Site Plan

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- (A~~K~~) ~~Compliance with an Approved Site Plan:~~ It shall be the responsibility of the landowner, and the owner or operator of the use(s) for whom site plan approval has been granted, to develop, improve and maintain the site, including the use, structures, and all site elements in accordance with the approved site plan and all conditions of approval, until ~~the property is razed, or~~ a new site plan is approved. Failure to comply with the provisions of this Section shall be considered a violation of this Ordinance, ~~and shall be subject to the requirements of Chapter 1.~~
- (B~~1~~) The Zoning Inspector or designee shall make periodic investigations of developments for which site plans have been approved. Noncompliance with the requirements and conditions of the approved site plan shall be considered a violation of this Ordinance, and shall constitute grounds for the Planning Commission to rescind site plan approval.

### 30.11 Standards for Site Plan Approval

~~(L) Standards for Site Plan Approval:~~ The following criteria shall be used as a basis upon which site plans will be reviewed and approved, approved with conditions, or denied:

- (A~~1~~) **Adequacy of Information:** The site plan includes all required information in a complete and understandable form, provides an accurate description of the proposed uses, and complies with all applicable Ordinance requirements.
- (B~~2~~) **Site Appearance and Coordination:** The site is designed in a manner that promotes the normal and orderly development of surrounding lands, and all site design elements are harmoniously organized in relation to topography, adjacent facilities, traffic circulation, building orientation, and pedestrian access.
- (C~~3~~) **Preservation of Site Features:** The site design conserves natural features to the extent feasible. Such features may include wetlands, topography, tree rows and hedgerows, wooded areas, and significant individual trees.
- (D~~4~~) **Access and Circulation:** Drives, streets, parking, site access and other vehicle-related elements are designed to minimize traffic conflicts on adjacent streets and promote safe and efficient traffic circulation within the site. In addition, adequate pedestrian access has been provided, which is in compliance with barrier-free access standards.
- (E~~5~~) **Parking and Loading:** Off-street parking lots and loading areas are arranged and located to accommodate the intensity of proposed uses, minimize conflicts with adjacent uses, and promote shared-use of common facilities where feasible.
- (F~~6~~) **Landscaping and Screening:** Landscaping and screening are provided in a manner that adequately buffers adjacent land uses and screen off-street parking, mechanical appurtenances, loading and unloading areas and storage areas from adjacent residential uses and public rights-of-way.
- (G~~7~~) **Exterior Lighting:** All exterior lighting fixtures are designed, arranged and shielded to minimize glare and light trespass, prevent night blindness and vision impairments, and maximize security.
- (H~~8~~) **Impact upon Public Services:** The impact upon public services (including utilities, streets, police and fire protection, public schools and public sidewalks/pathways) will not exceed the existing or planned capacity of such services.

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**(I9) Drainage and Soil Erosion:** Adjoining lakes, rivers, streams, lots, and road rights-of-way will not be adversely impacted by stormwater runoff and sedimentation.

**(J10) Emergency Access and Vulnerability to Hazards:** All sites and buildings are designed to allow convenient and direct emergency access and the level of vulnerability to injury or loss from incidents involving hazardous materials or processes will not exceed existing or planned emergency response capabilities.

**30.12 Required Information for Site Plans**

~~(M) Required Information for Site Plans:~~ The following information in [Table 30.1](#) shall be included with all site plan review applications, except where the Planning Commission determines that certain information is not necessary or applicable to the review:

<b>TABLE 30.1: MINIMUM REQUIRED SITE PLAN INFORMATION</b>	
<b>SITE PLAN DESCRIPTIVE INFORMATION</b>	
Name, address, telephone and facsimile numbers of the applicant (and landowner, if different from applicant) and firm or individual preparing the site plan; and the property location (address, lot number, tax identification number). <b>Plans must be signed and sealed.</b>	<input type="checkbox"/>
Existing and proposed use(s) and existing zoning of the land and surrounding parcels (including across road rights-of-way).	<input type="checkbox"/>
Location, dimension of buildings and structures within 100 feet of the property lines.	<input type="checkbox"/>
Address, legal description, and tax identification number of the parcel, with the gross and net land area.	<input type="checkbox"/>
<b>SITE PLAN DATA AND NOTES</b>	
Site plans shall be drawn to an engineer’s scale appropriate for a sheet size of at least 30 by 36 inches. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be provided.	<input type="checkbox"/>
Location map with north-arrow.	<input type="checkbox"/>
Size and dimensions of proposed and existing structures, including gross and usable floor area, number of stories, and overall height.	<input type="checkbox"/>
Calculations for parking, residential density or similar Ordinance requirements.	<input type="checkbox"/>
<b>EXISTING CONDITIONS</b>	
Location of soil types and existing drainage courses, floodplains, lakes, streams, drains, and wetlands, with surface drainage flow directions, include significant trees and wooded areas.	<input type="checkbox"/>
Dimensions of all property lines, showing the relationship of the site to abutting properties. If the site is part of a larger parcel, the plan should indicate the boundaries of total land holding.	<input type="checkbox"/>
Existing site features, including significant natural and historical features, structures, driveways, fences, walls, signs, and other improvements with notes regarding their preservation or alteration.	<input type="checkbox"/>
<b>SITE PLAN DETAILS</b>	

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Location, dimensions, setback distances, and use(s) of all proposed improvements.	<input type="checkbox"/>
Locations and descriptions of all existing and proposed easements and rights-of-way for utilities, access, and drainage.	<input type="checkbox"/>
Identification of areas involved in each separate phase, if applicable.	<input type="checkbox"/>
An exterior lighting plan with all existing and proposed lighting locations, heights from grade, specifications, lamps types, and methods of shielding; a photometric plan that shows foot-candles at the lot lines may be requested by the Planning Commission or Zoning Inspector.	<input type="checkbox"/>
Locations and methods of screening for any waste receptacles; ground-mounted generators, transformers, and mechanical (HVAC) units; and similar devices.	<input type="checkbox"/>
Outdoor sales, display or storage locations and method of screening, if applicable.	<input type="checkbox"/>
<b>BUILDING DETAILS</b>	
Building façade elevations for any proposed principal building, drawn to an appropriate scale, dimensioned, and indicating height of building, type and color of building materials.	<input type="checkbox"/>
Building floor plans.	<input type="checkbox"/>
<b>ACCESS AND CIRCULATION</b>	
Dimensions and centerlines of existing and proposed rights-of-way, names of abutting streets, and the dimensions and type of paving materials for all roads, parking lots, curbs, sidewalks, and other paved surfaces.	<input type="checkbox"/>
Locations and dimensions of vehicle access points, and distances between adjacent or opposing driveways and street intersections.	<input type="checkbox"/>
Parking space and maneuvering aisle dimensions, pavement markings, traffic control signage, designation of fire lanes, and location and dimension of loading areas.	<input type="checkbox"/>
<b>SCREENING AND LANDSCAPING</b>	
Landscape plan, including location, size, quantity and type of proposed shrubs, trees, ground cover (including grass) and other live plant materials, the location, size and type of any existing plant materials that will be preserved, and methods of irrigation with source of water.	<input type="checkbox"/>
Plant list for proposed landscape materials, with quantities, sizes, and heights of proposed plant materials; botanical and common names; and methods of installation.	<input type="checkbox"/>
Landscape maintenance plan, including notes regarding on-going replacement of dead or diseased plant materials.	<input type="checkbox"/>
Proposed fences, walls or other screening devices, including typical cross-section, materials and height above grade.	<input type="checkbox"/>
<b>UTILITIES, DRAINAGE, AND ENVIRONMENTAL INFORMATION</b>	
Grading plan, with existing and proposed topography at a minimum of two (2) foot contour levels, drainage patterns and a general description of grades within 100 feet of the site to indicate stormwater runoff.	<input type="checkbox"/>
<b>ADDITIONAL REQUIRED INFORMATION</b>	



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Other information as requested by the Zoning Inspector or Planning Commission to verify that the site and use are in accordance with the purpose and intent of this Ordinance and the Village's Master Plan.