

SECTION 720
Development Plan Review

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720.1 PURPOSE.

The purpose of Section 720 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, morals and general welfare of the community.

720.2 DEVELOPMENT PLAN REVIEW REQUIRED.

Review of a general development plan and/or final development plan shall be conducted in compliance with the following:

- A. General Development Plan. A general development plan that indicates the general concept of development for an entire development site, including the general location of use areas, open space and circulation pattern:
1. Shall be required for all proposed Planned Residential Developments.
 2. Shall be required for all proposed rezoning to a MUPD Overlay District at the time of rezoning. The General Development Plan shall be adopted simultaneously with the zoning amendment.
 3. Shall be required for all multi-phased developments, or developments that include two or more buildings.
 4. Applicants for other types of projects 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. All proposed Planned Developments following review and approval of a general development plan.
 2. New construction of all permitted uses in commercial, office and industrial districts;
 3. New construction of all conditional uses;
 4. Any existing or previously approved development meeting the criteria of B2 or B3 that proposes to alter, reconstruct or otherwise 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.

720.3 INFORMAL REVIEW OF PROPOSAL ENCOURAGED.

It is recommended that, prior to going to the expense of preparing and submitting a detailed development plan review application for approval, a prospective applicant meet for informal review with the Zoning Administrator, or his/her designated representative, or the Zoning Commission.

- 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.
- B. To aid the discussion, the Applicant should prepare a plan, drawn approximately to scale, showing the relationship of the development to surrounding properties, locations of buildings and parking areas, internal circulation pattern, proposed sizes of buildings, and proposed uses to be included in the development.
- C. Requests for informal review by the Zoning Commission that are made at least seven days prior to the next meeting of the Zoning Commission will be placed on the agenda of such meeting.
- D. No action shall be taken at such a meeting and no discussions, opinions, suggestions, or recommendations discussed at the preapplication meeting shall be relied upon by the applicant to indicate subsequent approval or disapproval of the plan.

720.4 GENERAL DEVELOPMENT PLAN SUBMISSION REQUIREMENTS.

An application for general development plan review shall include a plan for the entire area of the proposed project. The application may be filed by the developer on behalf of the landowner, or by a group of owners of the land within the development area acting jointly. The application including the required plans, submitted with the requisite number of copies, and the application fee shall be submitted to the Zoning Administrator. Applications for a general development plan review shall disclose all uses and their general locations proposed for the development and shall include the following maps, plans, designs and supplementary documents, unless specific item(s) are determined by the Zoning Administrator to be inapplicable or unnecessary and are waived in writing by the Zoning Administrator (All maps and plans shall be drawn to an appropriate scale):

- A. A property location map.
- B. The location of existing structures within the development area and access points.
- C. The general location of existing buildings, parking and access drives on parcels within 100 feet of the site.
- D. A topographic survey of the proposed development area, with contour lines at two-foot intervals.
- E. Existing major vegetation features, wooded areas and large isolated trees, one foot or more in diameter.
- F. Delineation of rivers and streams and their related river or stream bank, ponds, and water courses; the riparian setback in compliance with Section 540; the floodway boundary and floodway elevation as delineated by the Federal Emergency Management Agency; and the location of wetlands (and potential wetlands).
- G. Delineation of existing drainage patterns on the property, existing wells and well sites;
- H. The general location of development areas identified by use, including any fee simple lots and restricted open space areas if part of the proposed project.
- I. The general layout of the proposed circulation system for vehicles and pedestrians, other proposed public ways, access points, and the parking and service system.
- J. A summary table showing total acres of the proposed development, the number of acres devoted to each type of use including streets and open space and the number of dwelling units by type.
- K. Proposed phases if the project is to be developed in stages indicating the phase(s) during which any common facilities are anticipated to be constructed.
- L. Area of proposed land disturbance and preliminary tree removal/preservation plan as required in Section 710.10.

- M. Such other reasonable information as the Zoning Commission may require in order to evaluate the general concept of the proposed development.
- N. The following items are required for Planned Residential Developments, in addition to the other items identified in Sections 720.4A through M:
 - 1. Areas or structures of known historic significance;
 - 2. Existing views and identification of unique vistas;
 - 3. The location, size, number of units, and density of cluster areas;
 - 4. Natural features to be conserved and any required buffer areas; and
 - 5. Any proposed recreational facilities.

720.5 FINAL DEVELOPMENT PLAN SUBMISSION REQUIREMENTS.

An application for final development plan review shall be required for each phase of development. The application including the required plans, submitted with the requisite number of copies, and the application fee shall be submitted to the Zoning Administrator. The application shall include the following maps, plans, designs and supplementary documents, unless items are determined by the Zoning Administrator to be inapplicable or unnecessary and are waived in writing by the Zoning Administrator.

- 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 street rights-of-way;
- C. A final development plan, prepared by a qualified professional and drawn to an appropriate scale, indicating the following:
 - 1. Proposed fee simple 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;
 - 3. Location of all public rights-of-way and private streets;
 - 4. Location and configuration of off-street parking areas and loading areas; the 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, 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 storm water management;
 8. Dimensions of all buildings, setbacks, parking areas, drives and walkways.
 9. A topographic survey of the proposed development area, with contour lines at two-foot intervals.
 10. Existing vegetation features, including large isolated trees, one foot or more in diameter, wooded areas, wetlands and other environmental features;
 11. A final tree removal/preservation plan as required in Section 710.10.
- 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 engineer, architect, or surveyor (which shall contain their respective seal).
- F. Proposed landscaping and screening plans indicating the preliminary description of the location and nature of existing and proposed vegetation, landscaping and screening elements and 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 streets and open space; number of dwelling units by type;
- H. For a phased development, a proposed schedule for completion of improvements that are designed to relate to, benefit or be used by the entire development. Such schedule shall be submitted with the first phase and shall relate completion of such improvements to completion of one or more phases of the development.
- I. A road culvert permit when required by Section 710.9.
- J. A letter from the appropriate public agency(s) stating that the proposed development or use conforms or will conform to all applicable sanitary sewer, water, grading and surface draining, floodplain and wetland regulations, if applicable.
- K. Other information necessary for the evaluation of the final development plan as deemed necessary by the Zoning Administrator.
- L. Review Fees: The applicant shall deposit a certified check payable to Springfield Township in the amount established by the schedule of fees, to be credited to the general fund for the exclusive use of defraying any expenses incurred by the Township for items such as: the cost of services in connection with reviewing the plan and preparing reports, the publication and mailing of public notices in connection therewith, and any other reasonable expenses directly attributable thereto. Upon completion of action on the Final Development Plan, any unexpended balance shall be returned to the developer.

- M. The following items are required for Planned Residential Development, in addition to the other items identified in subsections A- L:
1. Location of building envelopes within which dwelling units are to be constructed, and lot lines for single-family detached dwellings.
 2. The substance of covenants, grants of easements, or the restrictions proposed to be imposed upon the use or maintenance of land and buildings. If the proposed project is a phased development, such documentation shall be submitted with each phase.

720.6 DEVELOPMENT PLAN REVIEW PROCEDURES.

General development plans and final development plans shall be reviewed according to the following procedures:

- A. Review. The Zoning Administrator shall review the submitted application for completeness in accordance with Section 710.4, and when determined complete shall distribute the application according to the following:
1. Distribution of Plans.
 - a. The Zoning Administrator shall distribute all applications for Planned Developments to the Zoning Commission and Summit County Department of Development, Planning Division.
 - b. The Zoning Administrator may seek the advice of the Zoning Commission on all other applications requiring development plan review:
 - c. The Zoning Commission may request that the applicant supply additional information deemed necessary to adequately review and evaluate the proposed development.
 - d. The Zoning Commission shall review the proposed general development plan at one or more of its public meetings.
 - e. The application shall 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 Administrator, and when applicable, transmitted to the Zoning Commission prior to the time of the Commission's review.
 2. Review by Consultants. The application may be transmitted to appropriate professional consultants for review and comment. Any reports, comments, or expert opinions shall be compiled and reviewed by the Zoning Administrator and transmitted to the Zoning Commission prior to the time of the Commission's review. The cost of the consultant's review shall be borne by the applicant.

B. Review Criteria for Planned Developments. In reviewing plans for Planned Developments, the Zoning Commission shall determine:

1. For a general development plan, that:
 - a. The appropriate use and value of property within and adjacent to the area will be safeguarded.
 - b. 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.
 - c. The development will have adequate open spaces that meet the objectives of the Township's Comprehensive Plan and Zoning Resolution.
2. For a final development plan, that:
 - a. The development plan shows a proper relationship exists between thoroughfares, service roads, driveways and parking areas, and the requirements of this Resolution.
 - b. 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.
 - c. 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 Resolution.
 - d. 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.
 - e. Grading, surface drainage and sediment control provisions comply with all applicable sections of the Summit County Code for Subdivision Development.
 - f. The design and construction standards of all private streets and any public improvements shall conform to the provisions of the Summit County Code for Subdivision Development.
 - g. Maximum possible privacy for adjacent residential properties shall be provided through good design and use of the proper building materials and landscaping according to the requirements set forth in this Resolution.
 - h. The architectural design of buildings shall be developed with consideration given to the relationship of adjacent development in terms of buildings height, mass, texture, materials, lines and patterns, and character.
 - i. Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography. Additional tree plantings shall be required on certain sites, according to the Tree Preservation requirements set forth in Section 550.

- j. On-site circulation shall be designed to provide for adequate fire and police protection, and safe and efficient pedestrian and vehicular circulation.
- k. 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.
- l. Lighting shall be designed as to create neither a hazard nor a nuisance to adjacent properties and uses.
- m. Trash storage and other outdoor storage areas shall be screened from adjacent streets and property.
- n. The final development plan shall substantially conform to any general development plan approved for the site.
- o. If the proposed development is to be carried out in phases, each phase has adequate provision for vehicular and pedestrian access, parking, landscaping, and seeding of restricted 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.

C. Action By Zoning Administrator for Applications for Permitted Uses in Commercial, Office and Industrial Districts.

- 1. The Zoning Commission may make a recommendation to the Zoning Administrator. In the event the Zoning Commission fails to make a recommendation within 60 days from the date the application was determined complete and the applicant does not agree to an extension of the time for review by the Zoning Commission, the Zoning Administrator shall make a decision without a recommendation from the Zoning Commission at the end of the 60 day period.
- 2. The Zoning Administrator shall review all recommendations from the Zoning Commission.
- 3. The Zoning Administrator shall act on the development plan by:
 - a. Approving the development plan submitted; or
 - b. Approving the development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to, improvements to the general lot layout, open space arrangement or on-site control of access to streets; or
 - c. Denying the development plan because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Administrator shall indicate the reason(s) for the denial.

D. Action By Zoning Commission for Planned Developments. The Zoning Commission shall act on applications for planned developments.

1. The Zoning Commission shall:
 - a. Approve the development plan as submitted; or
 - 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 streets;
 - 2) For Final Development Plans – improvements to the lot layout, open space arrangement, on-site control of access to streets, or landscaping specifications.
 - c. Deny the development plan because the proposed plan does not meet the requirements and purposes of these regulations. When denied, the Zoning Commission shall indicate the reason(s) for the denial.
2. Failure of the Zoning Commission to act within 60 days from the date the application was determined complete, or an extended period as may be agreed upon, shall, at the election of the applicant be deemed a denial of the development plan.

720.7 FINANCIAL GUARANTEE.

A performance bond or other financial guarantee shall be placed with the Township Trustees at the time of application for a zoning certificate except as otherwise provided in the Summit County Subdivision Regulations.

- A. The purpose of the bond is to insure that the buildings and other development improvements constructed or installed are done so are in conformance with the approved development plan including the approved landscaping, pavement requirements and other development standards approved on the development plan.
- B. The financial guarantee shall be in an amount equal to either (1) the estimated cost of installing said amenities, or (2) 10 percent of the estimated cost of the total project, whichever is greater. In a phased project, this applies to each individual phase.
- C. The financial guarantee shall not be returned until the Zoning Administrator has determined that the development is completed in compliance with all aspects of the approved development plan.

720.8 EXPIRATION OF DEVELOPMENT PLAN APPROVAL.

An approved development plan shall remain valid for a period of 12 months following the date of its approval. The Zoning Commission may authorize an extension upon request.

- A. General Development Plan. If, at the end of that time, a final development plan has not been submitted to the Zoning Commission, then approval of the general development plan shall expire and shall be of no effect unless resubmitted and reapproved in accordance with Section 720.
- 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 Section 720. Construction is deemed to have begun when all necessary excavation and piers or footings of one or more principal buildings included in the plan shall have been completed.
- C. Return of Financial Guarantee. In the event approval of a final development plan expires according to subsection B, any performance bond or other financial guarantee shall be returned to the applicant.

720.9 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 building permit. All construction and development under any building permit shall be in accordance with the approved final development plan. Any departure from such plan shall be a violation of this Zoning Resolution. Any changes in an approved final plan shall be resubmitted for approval in accordance with Section 720.

720.10 REVISIONS TO ASSOCIATION DOCUMENTS APPROVED BY TOWNSHIP'S LEGAL ADVISOR.

Whenever a homeowner's association, community association, condominium association or similar legal entity amends those portions of their bylaws or code of regulations that pertains to maintenance obligations or access to common areas within a planned residential development, multi-family development or attached single-family development, such amendment shall be submitted to the Township's legal advisor for review and approval. Failure to obtain approval of such amendment shall be deemed a violation of this Zoning Resolution.