

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2025-22**

**REPEAL AND REPLACE CHAPTER 1268 "SITE PLAN REVIEW" OF THE ZONING
CODE FOR THE VILLAGE OF YELLOW SPRINGS**

WHEREAS, at the recommendation of the Planning and Zoning Administrator, Planning Commission has considered amendments to Chapter 1268 that removes unclear statements and clarifies the type of application required for a site plan review; and

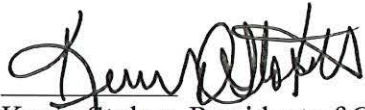
WHEREAS, following a Public Hearing on the matter, Planning Commission recommends approval of these text amendments to Council,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Chapter 1268 "Site Plan Review" of the Codified Ordinances of the Village of Yellow Springs, Ohio is hereby repealed in its entirety.

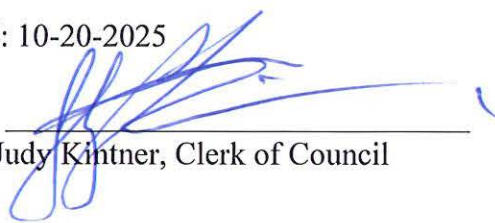
Section 2. A new Chapter 1268 of the Codified Ordinances of the Village of Yellow Springs, Ohio is hereby enacted to read as set forth in Exhibit A, with deletions in ~~strikethrough~~, and additions **bolded and underlined**.

Section 3. This ordinance shall be in force and effect at the earliest period allowed by law.



Kevin Stokes, President of Council

Passed: 10-20-2025

Attest: 

Judy Kintner, Clerk of Council

ROLL CALL:

Stokes _Y_

DeVore Leonard _Y_

Housh _Y_

Brown _Y_

Gustafson _ABSENT_

CHAPTER 1268
Site Plan Review

- 1268.01 Purpose.
- 1268.02 Applicability.
- 1268.03 Exemptions.
- 1268.04 Application and review.
- 1268.05 Site plan requirements.
- 1268.06 Review standards.
- 1268.07 Conditions.
- 1268.08 Changes to an approved site plan.
- 1268.09 Expiration.

1268.01 PURPOSE.

The purpose of this chapter is to establish a uniform set of requirements for the planning and design of developments within the Village in order to achieve the following objectives: to determine compliance with the provisions of this code; to promote the orderly development of the Village; ~~to prevent depreciation of land values~~; to ensure a consistent level of quality throughout the community; to ensure a harmonious relationship between new development and the existing natural and man-made surroundings; to achieve the goals and principles of the Comprehensive Plan and Vision, as adopted by Village Council: Yellow Springs and Miami Township; to promote consultation and cooperation between applicants and the Village in order that applicants may accomplish their objectives in the utilization of land, consistent with the public purposes of this code and the comprehensive plan and vision.

1268.02 APPLICABILITY.

Application for a Site plan review shall be required, as applicable, under the following conditions, unless exempted by Section 1268.03:

(a) **Level A Review.** The Zoning Administrator shall review site plans in connection with the creation of a use or the erection of a building or structure in any of the following circumstances:

(1) Any permitted use within any zoning district, if the proposed building is less than 5,000 square feet.

(2) Additions to existing buildings or parking areas in any zoning district.

(3) Changes in the use of any existing building in any zoning district; provided the use is a permitted use in that zoning district.

(4) ~~When, in the opinion of the Zoning Administrator, a project which otherwise qualifies for Level A site plan review may have a negative impact on surrounding properties,~~ **The Zoning Administrator may, at their discretion, submit the site plan to the Planning Commission for review. In such cases, the Planning Commission shall follow the review procedure for Level B site plans and may require any additional information needed to make an informed decision.**

(b) **Level B Review.** The Planning Commission shall act upon all site plans, other than those provided for Level A review, in connection with the creation of a use or the erection of a building or structure in any of the following circumstances:

(1) Any permitted use within any zoning district occupying a building of 5,000 square feet or more.

(2) Any conditional use in any district.

(3) Any Planned Unit Development.

(4) As otherwise required by this code.

1268.03 EXEMPTIONS.

Site plan review shall not be required for a single- or two-family dwelling on a lot on which there exists no other building or use, for an addition to any existing single-family dwelling, or for any home occupation, ~~or~~ any accessory structure in a residential district, any fence, and any attached deck. However, a plan for mitigating stormwater using the Appendix: Stormwater Guidelines for Low Impact Development in the Planning Code shall be required. Structures may not be built within 7.5 feet of 7,200 volt distribution lines and an inspection by the Village's Public Works Department is required prior to zoning approval. Relocation of lines will require aid to construction at the expense of the developer.

1268.04 APPLICATION AND REVIEW.

The process of reviewing a site plan shall be as follows:

(a) Level A reviews shall be performed by the Zoning Administrator as follows:

(1) Five copies of a complete site plan and an electronic version, in a format specified by the Village, shall be submitted to the Zoning Administrator along with an application for that purpose and a fee, as established by the Village Council.

(2) The Zoning Administrator shall review the site plan for completeness, and shall obtain comments from Village departments or other relevant review agencies or consultants.

(3) The Zoning Administrator shall consider the site plan, any comments received, and the applicable standards of this code, and shall either approve the site plan, as submitted, if all applicable requirements and standards have been met; approve the site plan with conditions; or deny approval of the site plan, if applicable requirements and standards have not been met.

(4) The reasons for the Zoning Administrator's action, along with any conditions that may be attached, shall be stated in writing and provided to the applicant.

(5) If approved, two copies of the site plan shall be signed and dated by the Zoning Administrator and the applicant. One copy shall be kept on file with the Village and one copy shall be returned to the applicant or his or her designated representative. If the plan is approved with conditions, two copies of the revised site plan shall be submitted reflecting those conditions and shall be signed and dated by the applicant and Zoning Administrator. One copy shall be kept on file with the Village and one copy shall be returned to the applicant or his or her designated representative, prior to issuance of any permits.

(b) Level B reviews shall be performed by the Planning Commission as follows:

(1) Ten copies of a complete site plan and an electronic version, in a format specified by the Village, shall be submitted to the Zoning Administrator, along with an application for that purpose and a fee, as established by the Village Council.

(2) The Zoning Administrator shall review the site plan for completeness, and shall obtain comments from the Village departments or other relevant review agencies or consultants.

(3) Once the Zoning Administrator determines that the site plan is complete, the site plan shall be transmitted to the Planning Commission for consideration at its next meeting. The Zoning Administrator shall not be required to submit any site plan for review which was submitted less than 20 days prior to the next regularly scheduled Planning Commission meeting. Comments, if any, from Village departments or others shall be transmitted to the Planning Commission prior to its review of the site plan.

(4) The Planning Commission shall consider the site plan and shall either approve the site plan, as submitted, if all applicable requirements and standards have been met; approve the site plan with conditions; or deny approval of the site plan if applicable requirements and standards have not been met. The Planning Commission review shall be based on the requirements of this chapter, comments received from Village departments and others, and, specifically, the review standards of Section 1268.06.

(5) If approved, two copies of the site plan shall be signed and dated by the chairperson of the Planning Commission and the applicant. One copy shall be kept on file with the Village and one copy shall be returned to the applicant or his or her designated representative. If the plan is approved with conditions, two copies of the revised site plan shall be submitted reflecting those conditions and shall be signed and dated by the applicant and the Planning Commission chairperson, one copy shall be kept on file with the Village and one copy shall be returned to the applicant or his or her designated representative, prior to issuance of any permits.

1268.05 SITE PLAN REQUIREMENTS.

(a) Required Content. Each site plan submitted shall contain the following information, as applicable:

<i>Table 1268.05 Required Site Plan Content</i>		
<i>Required Information</i>	<i>Level A</i>	<i>Level B</i>
General Information		
Date, north arrow, and scale	X	X
Name and firm address of the professional individual responsible for preparing site plan	X	X
Name and address of the property owner or petitioner	X	X
Location sketch	X	X
Legal description of the subject property	X	X
Size of subject property in acres or square feet	X	X
Boundary survey	X	X
Preparer's professional seal		X
Existing Conditions		
Existing zoning classification of subject property	X	X
Property lines and required setbacks (dimensioned)	X	X
Location, width and purpose of all existing easements	X	X
Location and dimension of all existing structures on the subject property	X	X
Location of all existing driveways, parking areas and total number of existing parking spaces on subject property	X	X
Abutting street right-of-way width	X	X
Location of all existing structures, driveways, and parking areas within 300 feet of the subject property's boundary		X
Existing water bodies (rivers, creeks, wetlands, etc.)	X	X
Existing landscaping and vegetation on the subject property		X
Size and location of existing utilities	X	X
Location of all existing surface water drainage facilities	X	X
Proposed Development		
Location and dimensions of all proposed buildings	X	X
Location of all proposed drives (including dimensions and radii), acceleration/deceleration lanes, sidewalks, walls, fences, signs,	X	X

exterior lighting, curbing, parking areas (including dimensions of a typical parking space and the total number of spaces to be provided), and loading and unloading areas		
Type and location of exterior mechanical equipment and published operating noise level of the equipment.	X	X
Setbacks for all buildings and structures	X	X
Recreation areas, common use areas, dedicated open space and areas to be conveyed for public use		X
Flood plain areas and basement and finished floor elevations of all buildings		X
Landscape plan (showing location of proposed materials, size and type)		X
Layout and typical dimensions of proposed parcels and lots		X
Number of proposed dwelling units (by type), including typical floor plans for each type of unit		X
Number and location (by code, if necessary) of efficiency and one, two and three or more bedroom units		X
All deed restrictions or covenants		X
Brief narrative description of the project including proposed use, existing floor area (square feet), size of proposed expansion (square feet), and any change in the number of parking spaces	X	X
Engineering		
Proposed method of handling sanitary sewage and providing potable water	X	X
Location and size of proposed utilities, including connections to public sewer and water supply systems	X	X
Location and spacing of fire hydrants and Fire Department connections		X
Location and type of all proposed surface water drainage facilities	X	X
Grading plan at no more than two-foot contour intervals		X
Proposed streets (including pavement width, materials, and easement or right-of-way dimensions)		X
Building Details		
Typical elevation views of all sides of each building type		X
Gross and net floor area	X	X
Elevation views of building additions	X	X
Building height	X	X
Additional Information		
Any other information required by the Zoning Administrator or Planning Commission and/or Board of Zoning Appeals to demonstrate compliance with other applicable provisions of this zoning code	X	X

(b) Information Waiver. Specific requirements of either a Level A or B site plan may be waived by the respective reviewer (Zoning Administrator or Planning Commission) where it is determined that such information is not applicable to the subject request.

1268.06 REVIEW STANDARDS.

A site plan shall be approved only upon a finding of compliance with the following standards:

(a) The site plan must comply with all standards of this chapter and all applicable requirements of this code and all other applicable laws and regulations.

(b) The site must be designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.

(c) The site must be designed so as to minimize hazards to adjacent property, and to reduce the negative effects of traffic, noise, smoke, fumes and glare to the maximum extent possible.

(d) Unless a more specific design standard is required by the Village through a different code, all uses and structures subject to site plan review shall comply with the following design standards:

(1) Traffic circulation. The number, location, size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, and circulation within the site. In reviewing traffic features, the number, spacing, and alignment of existing and proposed access points shall be considered relative to their impact on traffic movement on abutting streets and adjacent properties.

(2) Storm water. Storm water detention and drainage systems shall be designed so that the removal of surface waters will not adversely affect neighboring properties or public storm water drainage systems. Storm water shall be removed from all roofs, canopies and paved areas in accordance with Section 1226.06 (a)(7) Storm Water Management Systems or Appendix: Stormwater Guidelines for Low Impact Development in the Planning Code, whichever applies.

(3) Landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing unnecessary tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping, buffers or greenbelts may be required to ensure that the proposed uses will be adequately buffered from one another and from surrounding property. Topsoil shall be left intact or stored on site, using best management practices, for site restoration upon completion of the project.

(4) Screening. Where nonresidential uses abut residential uses, appropriate screening shall be provided, in accordance with Chapter 1270, so as to shield residential properties from noise, headlights, lighting and glare.

(5) Lighting. Lighting shall be designed to minimize glare on adjacent properties and public streets. As a condition of site plan approval, reduction of lighting during non-business hours may be required.

(6) Utility service. All utility service shall be underground, unless impractical.

(7) Exterior uses. Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, utility buildings and structures, and similar accessory areas shall be located to have a minimum negative effect on adjacent properties, and shall be visually and acoustically screened, if reasonably necessary, to ensure compatibility with surrounding properties.

(8) Emergency access. All buildings and structures, including any Fire Department, connections shall be readily accessible to emergency vehicles.

(9) Water and sewer. Water and sewer installations shall comply with all Village specifications and requirements.

(10) Signs. Permitted signs shall be allowed, in accordance with Chapter 1266, and shall be located to avoid creating distractions, visual clutter and obstructions for traffic entering or exiting a site.

1268.07 CONDITIONS.

Conditions which are designed to ensure compliance with the intent of this code and other regulations of the Village may be imposed on site plan approval.

1268.08 CHANGES TO AN APPROVED SITE PLAN.

Changes to an approved site plan shall be permitted only under the following circumstances:

(a) The holder of an approved site plan shall notify the Zoning Administrator of any proposed change to an approved site plan.

(b) Changes to a Level A site plan may be approved by the Zoning Administrator.

(c) Minor changes to a Level B site plan may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design or any specified conditions imposed as part of the original approval. Minor changes shall include the following:

(1) Reduction in building size or increase in building size up to 5% of total approved floor area.

(2) Movement of buildings or other structures by no more than ten feet.

(3) Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.

(4) Changes in building materials to a comparable or higher quality.

(5) Changes in floor plans which do not alter the character of the use.

(6) Changes required or requested by the Village or County, State, or Federal regulatory agency in order to conform to other laws or regulations.

(d) A proposed change to a Level B site plan, not determined by the Zoning Administrator to be a minor change, shall be submitted to the Planning Commission as a site plan amendment, and shall be reviewed in the same manner as the original application.

1268.09 EXPIRATION.

Site plan approval shall expire 24 months after the date of approval, unless substantial construction has been commenced and is continuing. The Zoning Administrator, in the case of a Level A site plan, or the Planning Commission, in the case of a Level B site plan, may grant one extension of up to 12 additional months; provided the applicant requests, in writing, an extension prior to the date of expiration of the site plan. The extension shall be approved if the applicant presents reasonable evidence to the effect that the development has encountered unforeseen difficulties beyond the control of the applicant, and the project will proceed within the extension period. If the above provisions are not fulfilled or the extension has expired prior to construction, the site plan approval shall become null and void.