

CHAPTER 1135 Site Plan

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1135.01 SITE PLAN REVIEW.

The site plan review procedures and standards set forth herein provide a consistent and uniform method of review of proposed development plans, to ensure full compliance with the standards contained in this chapter, other applicable chapters of this Code, standard engineering practices, and county, state, and federal rules and laws. The procedures set forth herein are further intended to:

- a. Achieve efficient use of the land;
- b. Protect the traditional character of the city;
- c. Minimize adverse impacts on adjoining or nearby properties;
- d. Address traffic and pedestrian circulation.
- e. Provide a mechanism for review of new development and redevelopment or reuse of existing site to ensure compliance with current standards; and
- f. Encourage cooperation and consultation between the city and the applicant to facilitate development in accordance with the city's land use objectives.

1135.02 PROJECTS REQUIRING SITE PLAN REVIEW.

Prior to the creation of a use, erection of a building, and those conditions cited below, a site plan or administrative plan must be submitted for approval, in accordance with this section. The extent of review for various types of projects is classified into three (3) types generally described below. The table of required review process provides a specific listing of review classifications:

- a. Planning commission review (PCR). Most new development, major, mid-size expansions will require a full site plan (FSP) under section 1135.04, full site plan submittal and review procedures.
- b. Administrative review (AR). Select projects and expansions or changes in use to existing sites will undergo a less formal review and approval process by the Zoning Administrator, City Administrator (or designee), and any others deemed necessary. The Zoning Administrator always reserves the right to send any administratively reviewed plans to the Planning Commission for final determination, especially when

it relates to aesthetics and architecture.

1. Full site plan (FSP). Select medium and small scale projects and expansions, or changes in use to existing sites, are permitted to provide less detailed information than a comprehensive site plan (CSP). The level of information is intended to be proportionate to the extent of the change and yet insure adequate review for compliance with applicable requirements. It is also intended to alleviate the expansion and perpetuation of non-conforming uses, landscaping, and/or structures,
2. Plot site plan (PSP). Select projects, such as one-family and two-family dwellings on an individual lot, only require the submission of a plot plan (PP) given their relatively low level of impact on adjacent land uses, and given that compliance with applicable zoning regulations can be addressed during the building permit review process. Other applicable approvals are still required such as zoning compliance permits, building permits and inspections.

Table of Required Review Process			
	PCR	AR	
Situation/Use	FSP	FSP	PSP
<i>New Development:</i>			
Construction of any nonresidential use or building.		X	
Construction of essential public service buildings and storage areas.		X	
Construction of a multiple family dwelling.	X		
Construction of a one-family or two-family dwelling unit on one (1) lot in a residential zoning district.			X
Minor changes during construction required by municipal, state, or federal departments or agencies.		X	
Planned Unit Developments (PUDs) in accordance with this Chapter 1127	X		
<i>Expansions:</i>			
An increase, change, and/or repaving in parking or loading area without any building changes.		X	
Changes to building height that do not add additional floor area nor exceed the maximum height requirements of Chapter 1125.		X	
Expansion of a one-family or two-family dwelling unit on one (1) lot in a residential zoning district.			X
For non-residential, any increase in the floor area		X	
<i>Changes in Use:</i>			
A change in use to a similar or less intense use provided the site will not require any significant changes in the existing site facilities such as parking, landscaping, lighting, signs, non-motorized pathways or sidewalks unless such action increases, lengthens, or perpetuates a legal non-conformance in which			X

case a full site plan may be require by the Zoning Administrator.			
A change from a nonconforming use to a conforming use, if required by the zoning administrator (or designee).			X
Any change in the use of land or a building to a more intensive use in terms of parking needs, noise, traffic volumes, and similar impacts.		X	
<i>Other Types of Projects:</i>			
Accessory buildings and structures constructed or erected accessory to a permitted one-family or two-family dwelling unit.			X
Accessory buildings associated with multiple-family and non-residential uses.		X	
Accessory open air businesses.		X	
Aesthetic and architectural changes to buildings other than one-family and two-family residential structures.		X	
Non-motorized pathways or sidewalk construction or relocation.		X	
Construction of an entrance feature associated with a residential development.		X	
Home occupations.			X
Internal construction or change in the floor plan that does not increase gross floor area, increase the intensity of use, or affect parking requirements on a site which meets all site design standards of this Chapter.			X
Landscape changes regardless of consistency with the standards of this Chapter.		X	
Modifications to upgrade a non-single family residential building to improve barrier-free design, or to comply with the Americans with Disabilities Act or other federal, state or county regulations.			X
Parking lot improvements provided the total number of spaces will remain constant.		X	
Sign relocation or replacement meeting the dimensional and location standards of this chapter.			X
Non-residential site improvements such as installation of walls, fences, lighting or curbing consistent with the standards of this chapter.		X	
Temporary uses, sales and seasonal events.			X
Utility system improvements not associated with the City of Maumee may be required to submit a full site plan.			X
Waste receptacle relocation or installation of screening around the waste receptacle.		X	
Any use requiring a conditional use not covered by one of the above situations/uses (see Chapter 1134).	X		
Key: PCR = Planning commission review; AR = administrative review; FSP = full site plan; PSP = plot site plan.			

1135.03 SPECIFIC EXEMPTIONS FROM SITE PLAN REVIEW CHAPTER.

The provisions of this Chapter shall not apply to:

- a. The construction or alteration of any structure used exclusively for agriculture, horticulture, or floriculture, that does not involve retail sales and that is not within

or abutting a single family residential zoning district.

1135.04 SITE PLAN SUBMISSION AND REVIEW PROCEDURE.

Full site plan (FSP) submittal and review procedures for planning commission review (PCR). When a full site plan (FSP) is required for planning commission review (PCR), the following procedure will apply, unless otherwise noted in the table of required review process.

- (1) *Pre-application meeting.* For the purposes of identifying major issues related to a project and to discuss questions related to this chapter and other chapters of this Code, the applicant must attend a pre-application meeting with the Zoning Administrator (or designee), and any others deemed necessary. Sufficient information must be submitted prior to the meeting that describes the proposed project. Discussion at this meeting is in no way a formal approval or decision on any aspect of a proposed project.
- (2) *Application.* Any person with legal interest in a lot or parcel may apply for planning commission review (PCR) of a full site plan (FSP) by filing a completed application form, paying the review fee and providing digital (electronic) and hard copies (size and number to be determined by the Zoning Administrator (or designee)) of the FSP, according to the submittal schedule prepared by the Zoning Administrator at the beginning of every calendar year. Required site plan contents are listed in Section 1135.05.
- (3) *Final approval of a full site plan (FSP).* A full site plan requiring approval by the planning commission must complete the following process:
 - a. *Planning commission approval.* The Planning Commission and appropriate city staff will review the full site plan (FSP) for compliance with the standards of this chapter and other appropriate chapters of this Code and statutes. Based upon this review the Planning Commission may either:
 1. Approve the FSP.
 2. Approve the FSP with conditions which the Planning Commission determines are reasonable and necessary to ensure conformance with applicable chapters of this Code and statutes. These conditions must be listed in the motion and noted on the FSP, with the Planning Commission chairperson's signature.
 3. Table the FSP upon determining that it does not meet the standards, spirit and intent of this chapter and other appropriate chapters of this Code and statutes. The Planning Commission will direct the applicant to make modifications and resubmit the FSP. The applicant will be required to prepare a revised FSP, accompanied by a complete list of all changes with a certification (by the applicant or his/her design professional), that no other changes have been made.
 4. Deny the FSP upon determining that it does not meet the standards, spirit and intent of this chapter and other appropriate chapters of this Code and statutes.
 - b. *Implementation of planning commission approval.* The following provisions apply to a full site plan (FSP) which has received the approval of the Planning Commission but not the administrative approval required by subsection (5) of this Section:
 1. The adopted minutes of the planning commission, and the report of the Zoning Administrator (or designee), will serve as the official record of the Planning Commission's decision on a full site plan (FSP), including any conditions of approval. The applicant will be responsible for obtaining a copy of the adopted minutes, and submittal of a revised FSP and related documents which demonstrate compliance with any conditions to the Zoning Administrator (or

designee). Any question on the decision may be made in writing to the planning commission prior to the adoption of the minutes.

2. Upon receipt of approval of the full site plan (FSP) by the Planning Commission, the applicant will have up to six (6) months to submit a final FSP to the Zoning Administrator (or designee). However, the Zoning Administrator may grant a single one time extension of up to one (1) additional 6 month period provided the request is received in writing prior to the expiration date and presents reasonable evidence to the effect that the development has encountered unforeseen non-self-created difficulties. Should neither of the aforementioned provisions be fulfilled, or an extension has expired without construction activity underway, the FSP will be considered null and void.
 3. Full site plan (FSP) approval by the Planning Commission does not preclude the Zoning Administrator (or designee) from enforcing the standards of this Chapter and other appropriate Chapters of this Code and statutes, as well as the city's engineering standards. In all cases other city standards may change the final site plan and development.
- c. *Administrative approval.* Upon the receipt of application of the full and other site plan (FSP) by the developer, architect and/or applicant, the Zoning Administrator (or designee) will review the (FSP) for compliance with the standards of this chapter and other appropriate chapters of this Code and statutes, as well as the city's engineering standards. Based upon this review the Zoning Administrator (or designee) may either:
1. Approve the FSP;
 2. Refer the FSP back to the applicant or his/her design professional for revision because it does not meet the standards, spirit and/or intent of this chapter, other appropriate chapters of this Code and statutes, or the city's engineering standards. The applicant or his/her design professional will be required to prepare a revised FSP, accompanied by a complete list of all changes and certification that no other changes have been made; or
 3. Deny the FSP upon determining that the plans do not meet the standards, spirit and/or intent of this chapter, other appropriate chapters or this Code and statutes, or the city's engineering standards.
- (4) Following approval of the FSP, a digital (electronic) in dwg. and pdf format file determined sufficient by the Zoning Administrator (or designee) must be provided to the city on disk or via email by the applicant.
- (5) A zoning compliance permit will also be required following approval of the final FSP and the final site inspection by the Zoning Administrator, but prior to issuance of a certificate of occupancy.
- (6) Changes to a full site plan (FSP) that has received final approval. The holder of a FSP that has received final approval shall submit an application for an "Amendment to an Approved Site Plan" to the Zoning Administrator (or designee) for any proposed change to an approved Site Plan. The fee for each application shall be determined by the Zoning Administrator based upon the complexity of the proposed changes and the cost incurred by the City in reviewing the proposed changes, but in no case shall the fee exceed the cost of the original application fee. The application shall include two copies and a digital file of the revised site plan clearly showing the proposed changes to the approved Site Plan, and documentation outlying conditions necessitating the changes. Changes to the approved site plan will be permitted only under the following circumstances. In all instances the City Administrator or Zoning Administrator must approve before changes can be implemented:
- a. *Minor amendments.* Minor changes may be approved by the Zoning Administrator (or designee) upon determining that the proposed revisions(s) will not alter the basic

design nor any specific conditions imposed as part of the FSP as originally approved. Minor changes may include the following:

1. Change in the building size of up to thirty-five (35) percent in total floor area in the event of no impact to other site improvements;
2. Movement of buildings or other structures by not more than fifty (50) 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; and
6. Changes required by outside agencies such as county, state or federal departments.

- b. *Major amendments.* A proposed change not determined by the City Administrator, upon consultation with the Zoning Administrator, to be minor must be submitted to the Planning Commission as a site plan amendment and will be reviewed in the same manner as the original application.

The City Administrator, upon consultation with the Zoning Administrator, is the only city official who can approve a change to a full site plan (FSP) that has received the approval of the Planning Commission.

- (7) *Performance guarantee.* The city may require a performance guarantee, as authorized by Section 1145.08, to assure the completion of any improvements shown on the site plan. For the purposes of this section, improvements subject to performance guarantees must include features and actions associated with a project that are considered necessary by the city to protect the natural resources or the health, safety, and welfare of the residents of the city and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage.
- (8) *Administrative submittal and review procedures.* Those applications that qualify for administrative review in accordance with the table of required review process must comply with the following procedure:
- (a) *Pre-application meeting.* For the purposes of identifying major issues related to a project and to discuss questions related to this chapter and other chapters of this Code, the applicant is encouraged to attend a pre-application meeting with the Zoning Administrator (or designee), and any others deemed necessary. Sufficient information must be submitted prior to the meeting that describes the proposed project. Discussion at this meeting is in no way a formal approval or decision on any aspect of a proposed project.
- (b) *Application.* Any person with legal interest in a lot or parcel that qualifies for administrative review under the criteria set forth in subsection (a) of this section may apply by filing a completed application form, paying a review fee, providing a digital (electronic) file determined by the Zoning Administrator (or designee), and hard copies (size and number to be determined by the Zoning Administrator (or designee)) of the full site plan (FSP) or plot site plan (PSP) with the Zoning Administrator (or designee). Required plan contents are listed in section 1135.05.
- (c) *Approval.* Upon review of the application, the Zoning Administrator (or designee) will either:
1. Request specific revisions and re-submittal of the application upon a finding the application does not meet information requirements or does not meet the intent and regulations of this chapter;
 2. Approve the administrative plan, with or without conditions; or

3. Upon determining that the administrative plan does not meet the standards, spirit and intent of this chapter and other appropriate chapters of this Code and statutes, deny the administrative plan.
- (d) *Effectiveness.* Upon administrative plan approval, each project must be under construction within six (6) months after the date of final approval by the Zoning Administrator and be diligently carried on towards completion. If the applicant does not fulfill this provision, the Zoning Administrator may grant one 6 month extension provided the applicant makes application in writing prior to the expiration date and presents reasonable evidence to the effect that the development has encountered non self-created unforeseen difficulties but is then ready to proceed. Should neither of the aforementioned provisions be fulfilled or the one-year extension has expired without construction activity underway, the administrative plan will be considered null and void.
- (e) *Changes to the approved administrative plan.* The holder of an approved administrative plan shall submit an application for an "Amendment to an Approved Site Plan" to the Zoning Administrator (or designee) for any proposed change to an approved Site Plan. The fee for each application shall be determined by the Zoning Administrator based upon the complexity of the proposed changes and the cost incurred by the City in reviewing the proposed changes, but in no case shall the fee exceed the cost of the original application fee. The application shall include two copies and a digital file of the revised site plan clearly showing the proposed changes to the approved Site Plan, and documentation outlying conditions necessitating the changes. The Zoning Administrator (or designee) has the authority to review and approve any changes, per subsection (3) of this Section.
- (f) *Performance guarantee.* The city may require a performance guarantee, as authorized by Section 1145.08, to assure the completion of any improvements shown on the site plan. For the purposes of this section, improvements subject to performance guarantees must include features and actions associated with a project that are considered necessary by the city to protect the natural resources or the health, safety, and welfare of the residents of the city and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage.

1135.05 SUBMISSION REQUIREMENTS.

- (a) *Required site plan contents.* The following data must be included with, and as part of, all applications requiring site plan review:

Table of Required Site Plan Data		
	FSP	PSP
Application Form: The application form must contain the following information: Please note that additional fees may be charged by the Zoning Administrator for review and consulting fees reasonable for checking, review, and testing of submitted items and products.		
Name and address of the applicant and property owner;	X	X

Address and common description of property and complete legal description;	X	X
Dimensions of land and total acreage;	X	X
Zoning on the site and all adjacent properties including those across the street or another public right of way;	X	X
Description of proposed project or use, type of building or structures, and name of proposed development, if applicable;	X	X
Name and address of firm or individual who prepared site plan; (Please note all full site plans must be prepared by a professional licensed architect, engineer, registered surveyor and/or landscape architect)	X	X
Proof of property ownership, or the written authorization of the property owner.	X	X
A signed statement granting the city and/or the Zoning Administrator (or designee) permission to enter the site for the purpose of conducting site improvement inspection; and	X	X
Grid sheet for plot plans.		X
<i>Site Plan Description and Identification Data:</i>		
Site plans (not to exceed, or be less than, 24 inch × 36 inch) must consist of an overall plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 20 feet for property less than 3 acres, 1 inch = 50 feet for property 3 acres or more in size up to 49 acres; or 1 inch = 100 feet for 50 acres or more. More details may be required by the Zoning Administrator with less than 50 or 100 scale;	X	X(1)
Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions;	X	X
Scale and north-point;	X	X(1)
Location map drawn to a separate scale with north-point, showing surrounding land, water features, zoning and streets within a quarter mile;	X	X
Legal and common description of property;	X	X
Identification and seal of architect, landscape architect, engineer, or land surveyor who	X	X

prepared the drawings;		
Zoning classification of petitioner's parcel and all abutting parcels. The location and use of all existing and proposed structures, streets and related appurtenances, within the development and within 200 feet of the site;	X	X
Proximity to section corner and major thoroughfares; and	X	
Total area in acres and square feet.	X	X
Site Data:		
Existing and proposed lot lines, building lines, structures, parking areas and other improvements on the site and within 100 feet of the site;	X	X
Topography on the site and within 100 feet of the site at six (6) inch contour intervals, referenced to a USGS benchmark;	X	
Location of all existing water features and all proposed changes to these existing features. Existing water features include ponds, lakes, drainage courses, drainage control structures, streams, wetlands, and flood plains. Compliance with the City of Maumee Storm Water Management Plan and requirements for Erosion Pollution Control Plans shall be demonstrated pursuant to applicable City, State and Federal requirements;	X	
All existing and proposed easements on site and those abutting;	X	X
Location of exterior lighting (site and building lighting) as well as a photometric plan showing no more than .1 foot candle for commercial and industrial and .05 residential at the property boundary. The plan shall also depict light poles no greater in height, from grade than 12 ft. for residential, 18 ft. for commercial and no more than 22 ft. for industrial;	X	X
Location of trash receptacle(s) and transformer pad(s) and method of screening including materials;	X	X
Recent aerial of the site and surrounding area; and	X	X
Extent of any outdoor sales or display area.	X	
Copies of soil logs and percolation tests if testing is required by the Zoning Administrator	X	X

Access and Circulation:		
Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access agreements/easements;	X	
Opposing driveways and intersections within 250 feet of site;	X	X
Cross section details of proposed roads, driveways, parking lots, sidewalks and non-motorized paths illustrating materials and thickness;	X	
Dimensions of acceleration, deceleration, and passing lanes;	X	
Dimensions of parking spaces, islands, circulation aisles and loading zones (see Chapter 1141);	X	X
Calculations for required number of parking and loading spaces (see Chapter 1141);	X(2)	X(2)
Designation of fire lanes and signage;	X	
Traffic regulatory signs and pavement markings;	X	
Location of existing and proposed sidewalks/pathways within the site or right-of-way and within 100 feet of the site, including those across the street; and	X	X(3)
Location, height, and outside dimensions of all storage areas and facilities.	X	X
Landscape Plans:		
An existing vegetation survey per the requirements of Chapters 966 and 1145;	X	X
The location of existing and proposed lawns and landscaped areas;	X	X
Landscape plan, including location, size, and type of proposed shrubs, trees, and other plant material;	X	
Landscape irrigation plan, per the standards contained in Chapter 1145; and	X	X
A plant schedule, per the requirements of and as defined under "landscaping" in Chapter 1145.	X	
Conceptual Details of Building and Structure Details:		

Location, height, and outside dimensions of all proposed buildings or structures;	X	X(3)
Building floor plans and total floor area;	X(2)	X(2)
Details for accessory structures;	X	X(3)
Location, size, height, and material of construction for all hedges, fences, wall, and berms utilized to meet the screening requirements of Chapter 1136;	X(3)	
Location, size, height, and material of construction for general fencing (see Chapters 1136 and 1142);	X(3)	X(3)
Location and material of construction for swimming pools (see Chapter 1349);	X(3)	X(3)
Building facade elevations for all sides, drawn at an appropriate scale and color (see Chapter 1136);	X(4)	X(4)
Description of exterior building materials and colors (details to be provided during the final site plan review process); and	X(4)	X(4)
Information related to hazardous materials including containment, storage, use, location and any level of involvement.	X	
<i>Conceptual Details Concerning Utilities, Drainage and Related Issues:</i>		
Location of existing sanitary sewers or septic systems and preliminary location of proposed systems;	X	
Location and size of existing water mains, well sites, water service, storm sewers loads, and fire hydrants and conceptual information for proposed water service, water lines serving fire protection equipment, hydrant locations, sizes and fittings;	X	
Preliminary site grading, finished building grades, drainage patterns;	X	
General location and size of storm water retention and detention ponds;	X	
General location of underground storm sewers and drains;	X	
General location of above and below ground gas, electric and telephone lines;	X	

General location of transformers and utility boxes;	X	
Size, height and method of shielding for all site and building lighting; and	X(5)	
Location, size, height, and lighting of all proposed signs.	X(5)	
<i>Additional Information For Multiple-Family Residential:</i>		
The number and location of each type of residential unit (one bedroom units, two bedroom units);	X	
Density calculations by type of residential unit (dwelling units per acre);	X	
Garage and/or carport locations and details, if proposed;	X	
Mailbox clusters;	X	
Location, dimensions, floor plans and elevations of common building(s), if applicable;	X	
Swimming pool fencing detail, including height and type of fence, if applicable;	X	
Location and size of recreation and open space areas; and	X	
Indication of type of recreation facilities proposed for recreation areas.	X	
Key: FSP = full site plan and PSP = plot site plan.		

[Table notes:]

- (1) A scaled, plot plan may be drawn on the grid sheet contained in the application.
 - (2) If needed to determine park and loading requirements (see Chapter 1141).
 - (3) If applicable.
 - (4) If building design standards apply.
 - (5) Requires a photometric study, to the satisfaction of the Zoning Administrator (or designee).
- (b) Additional fees may be required to defray the expenses associated with the public review of the plans, including the need to retain a registered professional engineer, architect, or landscape architect, or other professional consultant to advise the Planning Commission on any or all aspects of the Site Plan.

1135.06 STANDARDS FOR REVIEW.

- (a) *Site plan review criteria.* In the process of reviewing a site plan, the planning commission or Zoning Administrator (or designee) must consider the following criteria and assure that these conditions are met to the extent practicable:
- (1) *Adequacy of information.* The site plan must include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses(s) and structures;
 - (2) *Uses.* The site plan must state that all proposed uses are permitted in the zoning district in which the site is located;
 - (3) *Site design characteristics.* All elements of site design must be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property, and the type and size of buildings. The site must be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this chapter. The site must be designed to conform to all provisions of this chapter. Redevelopment of existing sites must be brought into conformance with all site improvement provisions of this chapter which are relative to and proportionate to the extent of redevelopment, as determined by the Planning Commission or Zoning Administrator (or designee);
 - (4) *Traditional city character/historic preservation.* The City of Maumee is a traditional community with many historic characteristics and features. All site plans within the city must demonstrate that they are in keeping with the character and history of the surrounding residential, commercial, industrial, or mixed-use neighborhood;
 - (5) *Buildings.* Buildings and structures shall be designed so as to limit front yard setbacks and allow for rear yard parking at the discretion of the Zoning Administrator and will meet or exceed setback standards, height and other dimensional standards, and be consistent with applicable building design standards;
 - (6) *Emergency vehicle access.* All buildings or groups of buildings must be arranged so as to permit emergency vehicle access by some practicable means to all vehicles;
 - (7) *Ingress and egress.* Every structure or dwelling unit must be provided with adequate means of ingress and egress via public streets, private roads and walkways;
 - (8) *Pedestrian and vehicular orientation.* The site plan must provide a system for pedestrian circulation that allows pedestrians to safely access the site, circulate within the site, and access adjacent sites and development areas such as neighborhoods. The arrangement of vehicular and pedestrian circulation must respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the city. The width of streets and drives must be appropriate for the volume of traffic they will carry;
 - (9) *Drainage.* Storm water management system and facilities must preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible. Measures must be taken to ensure storm water management techniques follow safe practices to slow and treat drainage before it enters the system and/or leaves the site;
 - (10) *Soil erosion.* The proposed development must include measures to prevent soil erosion and sedimentation;
 - (11) *Exterior lighting.* Exterior lighting must be designed so that it is aimed downward and deflected away from adjacent properties and so that it does not impede the vision of drivers on public streets, adversely impact abutting properties or adversely impact the

natural evening sky. Foot candles and lumen maximums, as published by the Dark Sky Society shall be adhered to as closely as possible. Lighting levels may not exceed half (0.5) a foot-candle beyond any perimeter (exterior) lot line for commercial or industrial and .05 for residential areas;

- (12) *Preservation of natural areas.* The landscape must be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Insofar as practical, natural features and the site topography, viewsheds, historical markers and environmental areas must be incorporated into the proposed site design;
- (13) *Public services.* The scale and design of the proposed development must facilitate the adequate provision of services currently furnished by or that may be required of the city or other public agency including, but not limited to, fire and police protection, storm water management, sanitary sewage removal and treatment, traffic control and administrative services. All new utilities, public or otherwise, must be installed underground;
- (14) *Traffic impact.* The expected volume of traffic to be generated by the proposed use cannot adversely impact existing roads and the circulation thereon. Driveways must be located to minimize conflict with traffic operations on the adjoining road. The number of driveways must be the minimum needed to provide reasonable access to the site;

1135.07 SITE PLAN APPROVAL EXPIRATION.

Site plan approval issued under this section shall lapse within one (1) year unless a certificate of occupancy has been issued. When a Site Plan becomes the subject of litigation, this one (1) year time limit shall be tolled until the action of a court determining the merits of the legal action has become final and the time limit for appeal has expired with no notice of appeal being taken.

1135.08 DEVELOPMENT AGREEMENT

A development agreement signed by the applicant/developer/owner and the City of Maumee is required prior to the issuance of a permit to memorialize all Site Plan, Zoning Code and Building Code requirements. Upon consultation with the City Law Director and the Zoning Administrator, the City Administrator has the authority to sign the development agreement as surety for the completion of all Site Plan, Zoning Code and Building Code requirements. The development agreement shall include, but is not limited to, timelines for planning and construction, building elevation, plans, city incentives, and surety.

1135.09 CONFLICTS

When there is a conflict between Chapter 1135 and another part, chapter or section of the Codified Ordinances of the City of Maumee, the City Administrator, upon consultation with the Zoning Administrator, shall determine which part, chapter or section shall be applicable.