

CHAPTER 1185
Planned Districts

1185.01 Plan submission and information.
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CROSS REFERENCES

Planning Commission – see CHTR. Art. XI; P. & Z. 1125.01

1185.01 PLAN SUBMISSION AND INFORMATION.

(a) The owner or option holders of any tract of land within a Planned District shall submit a plan for the use and development of all or part of such tract for the purpose of a use provided for within such District subject to the requirements set forth within the Zoning Code for such District and as set forth within this Chapter 1185. A Planned Development may include design elements that do not meet the minimum requirements, loading requirements, area requirements, height requirements, and site design requirements specified in the corresponding zoning district, subject to the approval of Council as specified in this Chapter 1185.

(b) Such plan shall indicate the following:

- (1) Be drawn to scale.
- (2) Show boundaries of property to be developed.
- (3) Show existing topography with contour intervals of not less than five (5) feet.
- (4) Show location of all trees with a caliper of four (4) inches or more.
- (5) Show the proposed size, location, use and arrangement of buildings, parking areas (with proposed arrangement of stalls and number of cars), entrance and existing driveways and their relation to existing and proposed streets, proposed landscaping, proposed signs, and all other significant features of the proposed development.
- (6) Show elevations and perspective views indicating proposed architectural character.
- (7) Show grading and drainage plans with sufficient control grades to clearly indicate developer's intent.
- (8) Indicate location, type, use and size of structures within 200 feet of property development.
- (9) Provide for dedication of any right of way for the widening or extension of any major streets.
- (10) Indicate the stages, if any, which will be followed in construction.
(Ord. 2003-1. Passed 3-13-03.)

1185.02 REVIEW BY PLANNING COMMISSION.

The plan shall be referred to the Planning Commission for study and report and recommendation. The criteria used by the Commission shall include the same as for special uses as set forth in Section 1183.05. Written notice shall be given prior to formal consideration by the Planning Commission on any proposed plan to all property owners within 200 feet of the boundary of the premises under consideration. If no report is transmitted by the Commission

within sixty (60) days of notification, the Council may take action without further awaiting such report. After the Commission approves or disapproves the plans, the report and plans shall then be submitted to the Council for their consideration and action. The Commission's recommendations shall state the reasons for approval or disapproval and how the application relates to the requirements of the Planned District.
(Ord. 2003-1. Passed 3-13-03.)

1185.03 FINAL ACTION BY COUNCIL.

(a) Council may approve the plan after receiving the report of the Planning Commission (provided that if such report is not received within sixty (60) days after such report is requested by Council, then Council may act without such report), and after a public hearing. The criteria used by Council shall include the same (where applicable) as for special uses as set forth in Section 1183.05. In case of an adverse report by the Planning Commission, such amendment, supplement, change, modification or repeal shall not become effective except by a favorable vote of at least five members (5) of Council.

(b) Installation of facilities/features required to protect and preserve the character and value of surrounding residential properties shall be completed before occupancy permits will be issued.

(c) In any approved plan is not substantially developed in accordance therewith within one (1) year from the date of the rezoning, Council may institute an extension or a revocation of all or a part of such plan approval.

(d) Compliance with Plan. Structures, improvements and landscaping shall be built or installed and maintained in accordance with the plan as approved herein by Council. This will be in respect to all requirements of such plan and shall include, but not be limited to, the location of the structures, layout and improvement of off-street parking and loading areas, location and width of driveways, ingress and egress to and from the site, grading, location and planting of landscaped areas and fencing and location and design of lighting and signs. Once such structures, improvement and landscaping have been built or installed, it shall be the duty of the owner or agent of the property, buildings or premises to maintain such structures, improvements and landscaping in accordance with the plan approved herein.

(e) Building permits shall be issued by the Chief Building Official or authorized inspector and shall be exempt from the provisions of Chapter 1131.

(f) Following adoption of the ordinance by Council, the owner of the real estate shall cause a deed of acceptance of the development plan and the ordinance approving such plan to be recorded with the Recorder of Hamilton County.

(g) The Planning Commission has jurisdiction to approve appropriate variations from the development plan provided that the variations shall remain in harmony with the general purpose and intent of the development plan and the approving ordinance.

(h) Any application for a substantial variation, to be determined by the Planning Commission, from a development plan as previously approved shall be considered a new development plan and is subject to all procedures as detailed in Chapter 1185.
(Ord. 2003-1. Passed 3-13-03.)

1185.04 ENFORCEMENT AND PENALTY.

This Chapter is subject to enforcement and penalty as specified in Chapter 1129.