



Beavercreek

DEVELOPMENT PROCESS MANUAL

Planning & Development | June 2022

PURPOSE

This manual is intended to provide a general overview of the procedures, which must be followed when seeking to make physical or legal changes to property within the City of Beavercreek. **The information contained herein is not intended to be used as a replacement for the City's land use regulations or guidance from City staff, but rather as a user-friendly quick reference guide.** For more specific information, please contact the Planning and Development Department.

THE PLANNING AND DEVELOPMENT DEPARTMENT

The [Planning and Development Department](#) provides assistance and direction in the development and maintenance of the community and the built environment according to the standards set by City Council through the enforcement of the City's development regulations.

The Department's responsibilities include current planning functions such as reviewing and processing applications for development, zoning, variances, and conditional uses; inspection of all development for zoning compliance; and enforcement of the property maintenance code. Additionally, the department performs long range planning activities.

THE PRE-APPLICATION MEETING

Prior to submitting an official application for new development, a potential applicant shall discuss the application with the Planning and Development Staff. This can be done in a formal meeting or through a phone, email, or teleconference discussion. This step is intended to allow the applicant the opportunity to provide an overview of the development proposal, and for the staff to outline city plans, policies, and regulations affecting the development. Through this process, potential issues of concern may be identified and addressed prior to official submission.

DECISION-MAKING BODIES

The City Council has established two citizen-based bodies to assist in the administration of the City's land use regulations: The Planning Commission and the Board of Zoning Appeals. The Planning Commission reviews requests for rezoning, Planned Unit Developments (PUDs), Conditional Uses, Administrative Site Plan Review and Approval Applications (ASRAs) and new subdivisions. Their responsibilities include making recommendations to City Council, which has ultimate approval authority for all applications except subdivisions and minor modifications to PUDs.

The Board of Zoning Appeals hears requests for variances to the Zoning Code and applications for Wireless Telecommunications Towers. BZA decisions may be appealed to Council.

Normally, the Planning Commission meets the first Wednesday of each month and the Board of Zoning Appeals meets the second Wednesday of each month. City Council meets the second and fourth Monday of each month and all bodies meet in City Council Chambers on the second floor of City Hall at 6 p.m.

DEVELOPMENT REVIEW PROCESSES

Applications for development of land within the City of Beavercreek are governed by the City's Zoning Code and Subdivision Regulations, available at beavercreekohio.gov.

These regulations ensure that new development is compatible with the surrounding community and maintain and improve the character of established neighborhoods.

Proposed development must apply for approval through at least one of five separate processes: conventional rezoning, Planned Unit Development (PUD) rezoning, Administrative Site Plan Review and Approval (ASRA), Conditional Use Approval, and/or subdivision review. Each of these is described below with regard to applicability, process time, fees, and procedures.

CONVENTIONAL REZONING APPLICATION

When is conventional rezoning applicable?

The City currently has 17 different conventional zoning districts classifications, each of which has restrictions with regard to minimum lot size, building size and location, off-street parking, signs, and other environment, health, and safety standards. The [Zoning Map](#) for the City of Beavercreek can be found on the City of Beavercreek website.

Application must be made for conventional rezoning in order to use property for an activity not permitted with the current zoning district of the property, when the proposed development is not subject to Planned Unit Development requirements (described below).

How long does the approval process normally take?

The answer depends on the complexity of the application, but generally, a decision is made by City Council within three months.

What is the application fee?

Please consult the current Planning and Development [fee schedule](#) available on the City of Beavercreek website.

What is the procedure to apply?

1. Meet with Planning Staff before applying, to discuss the proposal and to receive professional advice on potential issues and overall project viability.
2. An [application for rezoning](#) along with all additional required information as outlined in the application checklist must be submitted to the Planning and Development Department prior to the deadline in order to begin the rezoning process. Deadlines can be found in the Planning and Development Calendar.

How is the rezoning process conducted?

1. The Planning and Development Department coordinates review of the application to determine if sufficient information has been submitted in accordance with the zoning code requirements. If sufficiently complete, the application will be deemed officially filed and will be scheduled for a

public hearing before the Planning Commission. If necessary, the application is sent to various departments and agencies for review and comment.

2. If necessary, staff holds a review meeting with the applicant to review the submission and go over any changes that may need to be addressed prior to the public hearing. This meeting generally includes staff from the Fire Department, Engineering Department, Sanitary Engineering, and other agencies. If not in attendance, those agencies will usually provide comments, which are forwarded on to the applicant.
3. Public notice is sent by the Clerk to all property owners within 500 feet of the site and published in the Xenia Gazette.
4. The Planning Commission then considers the application at its monthly meeting. This meeting consists of a brief applicant presentation, staff report, public hearing, and Planning Commission discussion and action (approval, approval with conditions, disapproval, or tabling). The clerk then forwards that recommendation on to City Council.
5. Following the decision of Planning Commission, the Clerk sets a date for the City Council public hearing. Public notices are again sent out to property owners within 500 feet of the site and published in the media prior to the hearing.
6. The City Council holds a public hearing for the application. This meeting consists of a brief applicant presentation, staff report, public hearing, and City Council discussion and action. Council may deny the application or introduce an ordinance to rezone the property and move for a second reading.
7. The second reading of the ordinance occurs at the next regularly scheduled City Council meeting. Council takes action to adopt or deny the ordinance by a majority vote.
8. If adopted, the ordinance becomes effective and zoning is changed 30 days after passage.
9. If a citizen referendum petition, signed by 10 percent of qualified voters in the last municipal election, is submitted during the 30-day waiting period, the Council decision is placed on the ballot of the next general election for decision by Beavercreek voters.

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION

What is a Planned Unit Development?

The Planned Unit Development zoning classification is intended to provide applicants with more flexibility in the design and development of land by relaxing conventional zoning district regulations. The intent is to allow more efficient use of land and greater public benefit by encouraging ingenuity and imagination. Types of planned unit development districts include R-PUD (residential), C-PUD (commercial), MX-PUD (mixed use) and I-PUD (industrial).

The PUD process is a two-step process: The first step is the rezoning. The second is the Specific Site Plan, outlined in the next section.

When is a PUD required?

An applicant may voluntarily request a PUD zoning classification when a departure from conventional zoning standards is desired. However, a development must be zoned as a PUD in the following cases:

- When the total gross area of the development is ten acres or more in size and not appropriately zoned
- Exceptions to the PUD requirement include:

- Detached single-family developments in residential zoning districts with less than 100 lots
- Developments submitted under RP-1 or ORP-1 zoning district requirements
- Developments proposed for A-1 zoned property and all of the uses proposed for the development are permitted by A-1 zoning

How is the PUD process conducted?

1. Meet with Planning Staff before applying, to discuss the proposal and to receive professional advice on potential issues and overall project viability.
2. The Planning and Development Department coordinates review of the [Planned Unit Development application](#) to determine if sufficient information has been submitted in accordance with the zoning code requirements. If sufficiently complete, the application will be deemed officially filed and will be scheduled for a public hearing before the Planning Commission. If necessary, the application is sent to various departments and agencies for review and comment.
3. If necessary, staff holds a review meeting with the applicant to review the submission and go over any changes that may need to be addressed prior to the public hearing. This meeting generally includes staff from the Fire Department, Engineering Department, Sanitary Engineering, and other agencies. If not in attendance, those agencies will usually provide comments, which are forwarded on to the applicant.
4. Public notice is sent by the Clerk to all property owners within 500 feet of the site and published in the Xenia Gazette.
5. The Planning Commission then considers the application at its monthly meeting. This meeting consists of a brief applicant presentation, staff report, public hearing, and Planning Commission discussion and action (approval, approval with conditions, disapproval, or tabling). The clerk then forwards that recommendation on to City Council.
6. Following the decision of Planning Commission, the Clerk sets a date for the City Council public hearing. Public notices are again sent out to property owners within 500 feet of the site and published in the media prior to the hearing.
7. The City Council holds a public hearing for the application. This meeting consists of a brief applicant presentation, staff report, public hearing, and City Council discussion and action. Council may deny the application or introduce an ordinance to rezone the property and move for a second reading.
8. The second reading of the ordinance typically occurs at the next regularly schedule City Council meeting. Council takes action to adopt or deny the ordinance by a majority vote.
9. If adopted the ordinance becomes effective and zoning is changed 30 days after passage.
10. If a citizen referendum petition, signed by 10 percent of qualified voters in the last municipal election, is submitted during the 30-day waiting period, the Council decision is placed on the ballot of the next general election for decision by Beaver Creek voters.

PUD SPECIFIC SITE PLAN (SSP)

Once the PUD rezoning process is complete, the next step is the approval of a Specific Site Plan (SSP). The SSP must substantially conform to the PUD zoning plan, concept, and conditions of approval and should include all items outlined in the [Specific Site Plan checklist](#). The site plan goes through all of the same steps as the PUD process above, except that the process stops at step 6, with only one public hearing and a decision that goes into effect immediately.

Per section 158.064 of the City's zoning code, an applicant may apply for concurrent review of both the rezoning request and the specific site plan. In that case, the applicant submits both applications simultaneously and both applications may proceed through a single stage review process. However, the Planning Commission and City Council take separate action on each application.

What if changed need to be made to an approved specific site plan?

Once a specific site plan has been approved within a PUD, any changes to that plan must receive formal approval by the City. Modifications to an approved site plan are classified as major, minor, and incidental as determined by the Planning Director.

Major modifications require a public hearing at both Planning Commission and City Council. Minor modifications require a review and decision by the Planning Commission with no public hearing. Incidental modifications may be approved administratively by the Planning Director or the Planning Commission as determined by the Planning Director.

ADMINISTRATIVE SITE PLAN REVIEW AND APPROVAL (ASRA) APPLICATION

When is an ASRA required?

An ASRA is required in these instances:

- When the total gross area of development is ten or more acres in size, appropriately zoned, and not subject to PUD applicability
- Less than ten acres in size and not subject to PUD applicability, and the site exhibits limited points of access, is located within a PDA or Corridor Planning Area on the Land Use Map, or involves more than one main building on a lot

How long does the process normally take?

Typically, 6 weeks from formal submission, but timing can vary depending on meeting dates.

What is the application fee?

Please consult the current Planning and Development [fee schedule](#) available on the City of Beavercreek website.

How is the ASRA process conducted?

1. Meet with Planning Staff before applying, to discuss the proposal and to receive professional advice on potential issues and overall project viability.
2. The Planning and Development Department coordinates review of the [ASRA application](#) to determine if sufficient information has been submitted in accordance with the zoning code requirements. If sufficiently complete, the application will be deemed officially filed and will be scheduled for a public hearing before the Planning Commission. If necessary, the application is sent to various departments and agencies for review and comment.
3. If necessary, staff holds a review meeting with the applicant to review the submission and go over any changes that may need to be addressed prior to the public hearing. This meeting generally includes staff from the Fire Department, Engineering Department, Sanitary Engineering, and other

agencies. If not in attendance, those agencies will usually provide comments, which are forwarded on to the applicant.

4. Public notice is sent by the Clerk to all property owners within 500 feet of the site and published in the Xenia Gazette.
5. The Planning Commission then considers the application at its monthly meeting. This meeting consists of a brief applicant presentation, staff report, public hearing, and Planning Commission discussion and action (approval, approval with conditions, disapproval, or tabling). The clerk then forwards that recommendation on to City Council.
6. Following the decision of Planning Commission, the Clerk sets a date for the City Council public hearing. Public notices are again sent out to property owners within 500 feet of the site and published in the media prior to the hearing.
7. The City Council holds a public hearing for the application. This meeting consists of a brief applicant presentation, staff report, public hearing, and City Council discussion and action. Council may deny the application or introduce a motion to approve the application and once approved it become effective immediately.

CONDITIONAL USES

Conditional uses are reviewed and approved by the Planning Commission with a public hearing.

How long does the process normally take?

Typically, 1 month from formal submission, but timing can vary depending on meeting dates.

What is the application fee?

Please consult the current Planning and Development [fee schedule](#) available on the City of Beavercreek website.

How is the Conditional Use process conducted?

1. Meet with Planning Staff before applying, to discuss the proposal and to receive professional advice on potential issues and overall project viability.
2. The Planning and Development Department coordinates review of the [Conditional Use application](#) to determine if sufficient information has been submitted in accordance with the zoning code requirements. If sufficiently complete, the application will be deemed officially filed and will be scheduled for a public hearing before the Planning Commission. If necessary, the application is sent to various departments and agencies for review and comment.
3. If necessary, staff holds a review meeting with the applicant to review the submission and go over any changes that may need to be addressed prior to the public hearing. This meeting generally includes staff from the Fire Department, Engineering Department, Sanitary Engineering, and other agencies. If not in attendance, those agencies will usually provide comments, which are forwarded on to the applicant.
4. Public notice is sent by the Clerk to all property owners within 500 feet of the site and published in the Xenia Gazette.
5. The Planning Commission then considers the application at its monthly meeting. This meeting consists of a brief applicant presentation, staff report, public hearing, and Planning Commission

discussion and action (approval, approval with conditions, disapproval, or tabling). The decision goes into effect immediately.

SUBDIVISION AND LOT SPLIT APPLICATIONS

When must a subdivision application be made?

A **subdivision** application is required for the division of a parcel of land into two or more lots for sale, development, or lease. If a proposed development has several phases to be approved over time, with no previously approved specific site plan, a preliminary plan is required (see subdivision regulations).

A **replat** application is required for the reconfiguration of property lines within a previously approved and recorded subdivision. This includes the division of one lot into two or more lots or the combination of two or more lots into one.

A **survey record** application is required for the reconfiguration of property lines not within a platted subdivision that does not create an additional buildable lot and which is solely for the transfer of land between adjoining property owners.

How long does the approval process normally take?

For a subdivision or replat that must receive Planning Commission approval, it typically takes one month. Lot combinations and survey records typically 3-5 business days.

What is the application fee?

Please consult the current Planning and Development [fee schedule](#) available on the City of Beavercreek website.

What is the procedure to apply for a subdivision or replat that creates new lots?

1. The Planning and Development Department coordinates review of the application to determine if sufficient information has been submitted in accordance with the [subdivision application checklist](#) and the subdivision regulations. If sufficiently complete, the application will be deemed officially filed and will be scheduled for review before the Planning Commission. If necessary, the application is sent to various departments and agencies for review and comment.
2. If necessary, staff holds a review meeting with the applicant to review the submission and go over any changes that may need to be addressed prior to the meeting. This meeting generally includes staff from the Fire Department, Engineering Department, Sanitary Engineering, and other agencies. If not in attendance, those agencies will usually provide comments, which are forwarded on to the applicant.
3. The Planning Commission then considers the application at its monthly meeting. This meeting consists of a staff report and Planning Commission discussion and action (approval, approval with conditions, disapproval, or tabling). The decision goes into effect immediately.
4. The applicant must submit to the Planning and Development Department, one reproducible Mylar with all signatures addressing all conditions of approval.
5. If necessary, the City Engineer must approve the site constructions drawings.
6. The record plan is signed by the Planning Commission Chairman.

7. The record plan is then taken to Greene County Regional Planning by the applicant, if water and/or sewer easements are to be accepted by the County Commissioners, for their signatures. (If not, this step is skipped)
8. The record plan is returned to the City along with all agreements, fees, and bonds and signed by the Planning Director. The Mylar must be recorded at Greene County within 60 days of the Planning Director's signature.

What is the procedure to apply for replats for lot combination?

1. The applicant must submit a complete [subdivision replat application](#) to the Planning and Development Department.
2. Staff reviews the application, solicits input from other departments if necessary, and returns comments to the applicant.
3. The applicant submits a Mylar, with all required changes to the Planning Director for signature, which is then released to the applicant to be recorded at Greene County.

What is the procedure to apply for a survey record?

1. The applicant must submit a complete [survey record application](#) to the Planning and Development Department.
2. Staff reviews the application, solicits input from other departments if necessary, and returns comments to the applicant.
3. The applicant submits a Greene County Surveyors Record on Mylar with a legal description, with all required changes to the Planning Director for signature, which is then released to the applicant to be recorded at Greene County

LAND USE PLAN AMENDMENT

An amendment to the City's [Land Use Plan](#) is required when an applicant desires to use property in a manner that is not consistent with the plan. An applicant seeking an amendment to the Land Use Plan submits their request by letter to the Planning Commission. At the next public meeting, the Planning Commission reviews the request and votes to direct staff to undertake an analysis of the request or votes to not pursue an amendment.

In the rare occasion the Planning Commission directs staff to undertake an analysis of the request, staff will study the request, prepare a report, and make a recommendation that is presented to Planning Commission during a public hearing on the proposed amendment at the next meeting. The decision of the Planning Commission is forwarded to City Council for public hearing and final decision by ordinance.

RELEVANT CONTACTS

City of Beavercreek Engineering Department - (937) 427-5512
Greene County Auditor - (937) 562-5065
Greene County Sanitary Engineer - (937) 562-7450
Greene County Building Department - (937) 562-7420
Beavercreek Township Fire Department - (937) 426-1213