

**HIGHLAND COUNTY
SUBDIVISION
REGULATIONS**
Highland County Planning Commission

December 2005

Supersedes previous regulations dated
August 6, 1996



Introduction

Highland County adopted subdivision regulations in 1969 in the first official implementation of land subdivision control. While the municipalities of Hillsboro and Greenfield had subdivision controls in effect prior to that time, the jurisdiction and enforcement of those controls was limited practice.

The county subdivision regulations were updated in 1980 as an interim measure to stem particular development which was seriously damaging to the environment of Rocky Fork Lake. Those changes were made based on improved knowledge of the soils environment, the transportation needs and the land use plan made for Highland County. The enforcement of the regulations was also improved to curb the practice of land subdivision by private individuals toward which the county government had historically maintained in a laissez-faire attitude. Revisions to the 1980 regulations were made in 1992 and 1996.

In 2004, Highland County adopted a major Comprehensive Plan developed through a four-year study by a citizen based committee with input from Burns, Bertsch & Harris, Inc. consultants. A high priority for implementing the Comprehensive Plan was assigned to updating the county subdivision regulations. A committee of fifteen individuals representing the commissioners, county departments, realtors/developers, independent of engineering and legal consultants and active citizens formed to complete this task. The goals of the committee included:

- Make the subdivision process easier for the developer. This includes upfront review and checklists so all parties are coordinated.
- Utilize current technologies including the county Geographic Information Systems (GIS) and maintaining the regulations in digital format.
- Make future revisions simpler to keep the regulations coordinated with Comprehensive Plan.
- Follow standardized subdivision regulations format developed by the County Engineers Association of Ohio.

While many of the updates in these regulations are procedural, there are two significant additions, First, the County Engineer, in conjunction with real estate consultants, has developed standards for Private Street construction in to encourage development consistent with the Comprehensive Plan. Secondly, these Highland County Subdivision Regulations incorporate changes resulting from passage of Ohio Senate Bill 115 and signed by Governor Bob Taft on January 14, 2005. Significantly this bill established the definition of and review procedures for Large Lot Divisions. (5-20 acres.)

Acknowledgements

Russ Newman	Highland County Commissioner
Rich Graves	Highland County Commissioner
Mike Rector	Highland County Commissioner
Blair Aukeman	Highland County Planning Commission
John Baker	Highland County Planning Commission
Rocky Coss	Attorney, Legal Consultant
Chris Fauber	Highland County Engineers Office
Mark Harp	Geographic Information Systems Manager
Geoff Lowell	Highland County Engineers Office
Rosalind Newman	Highland County Planning Commission Secretary
Dean Otworth	Highland County Engineer
Dave Parry	USDA Soil & Water Conservation District
Tom Purtell	McCarty & Associates, Engineering Consultant
Bonnie Setty	Highland County Map Office
Chris Walker	Walker Real Estate Consultants
Mary Ann Webb	Highland County Board of Health

Preamble

A resolution of Highland County, Ohio enacted in accordance with Chapter 711 of the Ohio Revised Code and for the purpose of protecting the public health, safety, comfort, convenience and general welfare; regulating the development of subdivided areas; promoting the proper arrangement and coordination of streets or other roads in relation to existing or planned streets or roads and to the county or regional plan; providing for the layout of lots; providing for adequate and convenient provision of open spaces, utilities, recreation, and access to service and emergency vehicles; encouraging the avoidance of future congestion of population; providing for adequate provision of water, drainage, sewer, and other sanitary facilities; providing for the administration of these Regulations and defining the powers and duties of the administrative officers; prescribing penalties for the violation of the provisions in this resolution or any amendment thereto; and for the repeal thereof.

Articles #4 thru #10 regarding construction standards for streets and other facilities are separately approved by the Highland County Commissioners as prescribed by Senate Bill 115. The referenced articles are included as part of these Subdivision Regulations.

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Article 1

GENERAL PROVISIONS

Standards

100 Title

These rules, regulations and standards shall be officially known as the “Subdivision Regulations of the County of Highland Ohio,” and shall hereinafter be referred to as “these Regulations.”

101 Policy

- a. It is declared to be the policy of Highland County to consider the subdivision of land and its subsequent development as subject to the control of Highland County, pursuant to any official comprehensive plan (when one exists) for orderly, planned, safe, efficient, and economical development.
- b. Land to be subdivided shall be of such character that it can be used safely for building purposes, and shall not be subdivided until adequate facilities and improvements such as drainage, water, sewerage, and public open space are provided, or a performance bond is filed to assure that the required improvements will be made by the subdivider.
- c. The existing and proposed public improvements shall conform with and be related to the proposals shown in the comprehensive plan, capital improvement program, and development programs of Highland County, and it is intended that these Regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building codes, housing codes, zoning resolutions, the comprehensive plan, and the capital improvement program of Highland County.

102 Purpose

These Regulations are adopted as minimum requirements for the regulation and control of land subdivision within the unincorporated area of the county. These regulations are intended to:

- a. Establish standards for logical, sound, and economical development.
- b. To provide for adequate light, air and privacy, to secure safety from fire, flood, and other danger, to prevent population congestion and overcrowding of the land, to provide orderly expansion and extension of community services and facilities at minimum cost and maximum convenience.
- c. To provide for the proper arrangement of streets and highways in relation to those existing or planned and to provide for the most beneficial relationship between use of land, buildings, traffic, and pedestrian movements.
- d. To improve the quality of life through protection of the total environment, including the

prevention of air, water, light, and noise pollution, the prevention of soil erosion, and the preservation of natural beauty and topography.

- e. To ensure appropriate surveying of land, preparing and recording of plats and the equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both Highland County and developers.
- f. To provide for an orderly expansion and extension of community services and facilities at minimum cost and maximum convenience.

103 Authority

The Ohio Revised Code, Chapter 711, enables the board of county commissioners and the Planning Commission of Highland County to adopt regulations governing plats and subdivisions of land within the unincorporated area of the county.

104 Public Purpose

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of public police power delegated by the state to Highland County pursuant to Chapter 711 of the Ohio Revised Code. The developer shall be in compliance with conditions established by the Planning Commission for design, dedication, improvement, and restrictive use of the land to conform to the physical and economic development of Highland County and the health, safety, and general welfare of the future lot owners of the subdivision and of Highland County generally.

105 Jurisdiction

- a. These Regulations shall be applicable to all subdivisions of land located within the unincorporated area of Highland County.
- b. A city that has adopted a major thoroughfare, parks and public open space plan for the territory within the city limits and for the territory within three miles of the city, or any portion thereof, and has adopted subdivision regulations may exercise extraterritorial jurisdiction for a distance of up to three miles of its corporate limits if county or township zoning is not in effect within the area as provided in Section 711.09 of the Ohio Revised Code. The City Planning Commission may receive advice from the County Planning Commission upon all subdivision plats located within three miles of the corporate limits.
- c. A village located in any county that contains no city that has adopted a major thoroughfare, parks, and public open space plan for territory within the village limits and for territory within one and one-half miles of the village, or any portion thereof, and has adopted subdivision regulations may exercise extraterritorial jurisdiction for a distance of up to one and one-half miles from its corporate limits if county or township zoning is not in effect within the area and no county subdivision regulations are in effect as provided in Section 711.09 of the Ohio Revised Code. The Village Planning Commission, platting commissioner or village council may receive advice from the County Planning

Commission upon all subdivision plats located within one and one-half miles of the corporate limits.

- d. The County Planning Commission and the city with subdivision regulation jurisdiction over unincorporated territory within Highland County may agree, in writing, that the approval of the plat by the city, as provided in Section 711.09 of the Ohio Revised Code, shall be conditioned upon receiving advice from or approval by the Regional or County Planning Commission.
- e. The County Planning Commission may cooperate with any city or village located in Highland County in the review of subdivision plats occurring on lands adjoining the corporation line of said city or village or within a reasonable distance of same. The Regional or County Planning Commission may, as a condition for such cooperation, and in order to carry out these Regulations more effectively, seek an agreement with any city or village. The term of the agreement may permit joint review, by the Regional or County Planning Commission and any city or village, of subdivisions occurring next to or within its corporate limits.
- f. County and Municipal Planning Commissions and other agencies with subdivision approval authority will have to reach agreement on review of lands, proposed for subdivision, which lie partially within and partially outside of the three or one and one-half mile limit area.

106 Relation to Other Laws

- a. The provision of these Regulations shall supplement the laws of the State of Ohio, other resolutions adopted by the Board of County Commissioners or Township Trustees, or the rules and regulations promulgated by authority of such law or resolution relating to the purpose and scope of these Regulations.
- b. No subdivision plat shall be approved for recording until the requirements of these Regulations have been met and certification thereof has been endorsed upon the plat by the appropriate reviewing authority.
- c. Whenever the requirements of these Regulations are at variance with the requirements of other lawfully adopted rules, regulations, or resolutions, the most restrictive or that imposing the highest standard shall govern. These Regulations shall be interpreted as minimum requirements.
- d. Whenever a Township or part thereof has adopted a county or township zoning resolution, under Chapter 303 or 519 of the Ohio Revised Code, all proposed subdivisions shall meet the requirements of said zoning resolution, as well as the provisions of these Regulations.
- e. Whenever any provision of these regulations require compliance with any regulation that is adopted by another governmental entity, the amendment, modification or additions to those regulations by such governmental entity, or by court decision, shall be deemed to have been adopted in total by these regulations. This shall apply to those portions of Articles 4 through 8, that pertain to construction of improvements that require approval by the County Commissioners. If such regulations are modified by County Commissioners, then the

provisions of such articles herein shall be deemed modified in accordance with those modifications by the County Commissioners.

107 Validity and Separability

If, for any reason, any clause, provision or portion of these Regulations shall be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect validity or legality of these Regulations as a whole, or any part thereof, other than the part so held to be invalid. These Regulations shall not abate any legal action pending under prior subdivision regulations and shall not interfere with other applicable laws and regulations or with deed restrictions.

108 Saving Provision

These Regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the county under any section or provision existing at the time of adoption of these Regulations, or as vacating or annulling any rights adopted by any person, firm, or corporation by lawful action of the county except as shall be expressly provided for in these Regulations.

109 Enactment

These Regulations shall become effective from and after the date of their approval, adoption, or amendment by the County Planning Commission and the Board of County Commissioners after public hearing and certification to the county recorder as required by Chapter 711 of the Ohio Revised Code. Henceforth, any other subdivision regulations previously adopted by Highland County shall be deemed to be repealed. These Regulations shall in no way affect any subdivision having received preliminary plan approval prior to the effective date of these regulations or any amendment thereto, provided, however, that no changes to the preliminary plan, as approved, are introduced by the subdivider.

PASSED: _____
(Date)

SIGNED: _____
President of the Board of County Commissioners

ATTEST: _____
County Commissioners Clerk

Article 2

ADMINISTRATION

Standards

200 Administration, Enforcement and Interpretation

These Regulations shall be administered by the County or Regional Planning Commission of Highland County. The Planning Commission, assisted by other government agencies, legal counsel, and through other advice it may solicit, shall administer and enforce these Regulations. Discretionary, conflicting, or disputed aspects of these Regulations shall be interpreted by the planning director or other individual designated by the County Commissioners or Planning Commission.

201 Reservations and Repeals

Upon the adoption of these Regulations, according to law, the Subdivision Regulations of Highland County adopted December 12, 1992, as amended, are hereby repealed, except as to those sections expressly retained in these Regulations.

202 Amendments

The Planning Commission may amend, supplement or change these Regulations in accordance with the appropriate sections of the Ohio Revised Code. However, the Planning Commission may only amend, supplement or change regulations, requiring the actual construction of improvements, or posting of performance guarantees, after review and adoption by the County Commissioners.

203 Variances, Exceptions and Waiver of Conditions

Where, due to exceptional topographic or other physical conditions, the Planning Commission finds that extraordinary and unnecessary hardship may result from strict application of these Regulations, or the purposes of these Regulations may be served to a greater extent by an alternative proposal, it may approve variances, exceptions, and waivers of conditions, provided that they will not be detrimental to the public health, safety, or welfare or injurious to other properties. Variances for roadway specifications and construction standards can only be made by the Board of County Commissioners. Recommendations regarding variances may be provided by the Planning Commission. Such variances regarding roadway specifications and construction standards shall not have the effect of nullifying the intent and purpose of these Regulations, the comprehensive plan, or the zoning resolution, when they exist.

In granting variances or modifications the Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

An application for relief may be denied if an owner requests it merely for his own convenience, such as when the land is not usable due to error or poor assumptions on the owner's part, or when the only supporting evidence is that compliance would add significantly to development costs.

204 Expiration or Extension

Failure to comply with stated time periods of these Regulations shall result in the expiration of the application and associated Planning Commission approvals. Before expiration, the subdivider may provide a letter and extension fee stating why these time periods cannot be met and requesting their extension. The subdivider is solely responsible for knowing expiration dates and meeting or extending them in accordance with these Regulations. **The Planning Commission shall have no duty, obligation or responsibility to remind or notify subdividers of approaching expiration dates.**

205 Voided Applications

An application shall become void and have no rights, standing, or status under these Regulations, upon expiration, withdrawal, or disapproval.

206 Recording of Plat

No plat of any subdivision shall be recorded by the County Recorder or have any validity until said plat has received a final approval in the manner prescribed in these Regulations.

207 Revision of Plat after Approval

No change, modification, or revision shall be made in any plat of a subdivision after approval has been given by the Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Planning Commission.

208 Fees

The Board of County Commissioners shall establish a schedule of fees, charges, expenses, and collection procedures for administration of these Regulations. The schedule of fees shall be posted in the office of the Planning Commission. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal. The subdivider shall be solely responsible for submittal of the plat and payment of fees to the local agency having jurisdiction regarding review and/or approval of proposed improvements, including water and sanitary sewage facilities.

209 Violations and Penalties

Whoever transfers, offers for sale, or leases for a period of more than five years any lot, parcel or tract of land from a plat of a subdivision before such plat has been recorded in the office of the County Recorder or that violates these regulations shall forfeit and pay the sum of not less than ten dollars (\$10) nor more than five-hundred dollars (\$500) for each lot, parcel, or tract of land so sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.

No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these Regulations, nor shall the county have any obligation to issue certificates of occupancy or to extend utility services to any parcel created in violation of these Regulations.

A County Recorder who records a plat contrary to the provisions of these Regulations shall forfeit and pay not less than one-hundred dollars (\$100) nor more than five-hundred dollars (\$500), to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of the county.

210 Appeal

Any person who believes he or she has been aggrieved by these Regulations or the actions of the Planning Commission has all rights to appeal as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section.

Article 3

SUBDIVISION APPLICATION, PROCEDURES AND APPROVAL PROCESS

Standards

300 Purpose

The purpose of this article is to establish the procedure for review and approval of subdivisions, as authorized under Chapter 711 of the Ohio Revised Code. The procedure is intended to provide orderly and expeditious processing of such applications.

301 General Procedure

Before any land is subdivided the owner of the property, or his authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures:

- a. **Lot Split or Minor Subdivision:** These shall be processed by an individual designated by the Planning Commission and require a survey drawing, a deed with a legal description, fees, and may include a sketch plat as recommended by the Planning Commission.
- b. **Platted Subdivision or Major Subdivision:** These involve approval actions by the Planning Commission. The approval process for a major development, whether a subdivision, cluster development, or planned unit development (PUD), is essentially the same, and includes three principal steps: an optional sketch plan, a preliminary plan, and a final plat.

302 Outline of Conditions for Minor Subdivision

Approval without a plat of a minor subdivision may be granted by a designated representative of the Planning Commission if the proposed subdivision of the parcel of land meets all of the following conditions:

- a. The proposed division of a parcel of land as shown on the last preceding tax duplicate as of December 12, 1992, involves no more than five (5) lots, after the original parcel has been completely subdivided, any one of which is less than five (5) acres (inclusive of the remainder parcel).
- b. The proposed subdivision is along an existing public street, and involves no opening, widening or extension of any street or road or public utility.
- c. The proposed division is not contrary to applicable subdivision, zoning or other regulations or has received any necessary variances.
- d. The proposed subdivision is approved by the Zoning Inspector, Health Department, the County Engineer, Ohio Environmental Protection Agency, and others as may be applicable.

- e. The property has been surveyed and a survey drawing and a legal description of the property is submitted with the application.

303 Administrative Procedure and Approval

- a. A minor subdivision or lot split application available at the Planning Commission Office or County Tax Map office shall be filed by the landowner or designated representative. A complete application shall contain a survey drawing, a deed, a legal description for each lot being created, a fee as set forth in these Regulations, and a certification of approval by the local health department, zoning inspector, and others as may be applicable.
- b. After the split has been given approval by any other departments with review responsibility, the deed, a copy of the health department approval and a copy of the survey drawing is then checked by the designated representative of the Planning Commission for its conformity with these Regulations. The designated representative of the Planning Commission shall stamp and sign the deed "approved-no plat required," if the lot in question meets all requirements as specified above, within seven (7) working days after submission.
- c. The deed shall then be taken to the County Auditor for the transfer of property and then to the County Recorder where it will become a legal lot of record. Lot split requests expire if not recorded within (1) year of initial fee payment.
- d. Incomplete or deficient proposals shall be disapproved and the subdivider notified of issues and reasons for the disapproval.

304 Submission Requirements

The application for minor subdivision shall include the following:

- a. The survey shall conform to the minimum standards for boundary surveys in State of Ohio (OAC 4733-37).
- b. Survey boundaries and lot lines drawn on an 18"X 24" sheet and at a scale between 1"=10, and 1"=100. All dimensions shall be shown in feet and hundredths of feet.
- c. Location of monuments and their descriptions.
- d. Location and size of all existing buildings.
- e. Areas within the 100 year floodplain and within floodways, as determined from flood studies or by scaling from mapping provided by the Federal Emergency Management Agency, shall be delineated.
- f. Other items, or provisions deemed necessary by the Planning Commission.

305 Procedure for Large Lot Divisions

305.01 General. The purpose of Section 305 is to establish the procedure for review and approval of Large Lot Divisions as authorized under Section 711.133 of the Ohio Revised Code.

The Procedure for Large Lot Divisions shall be used to request a proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any

street or road, and involving the establishment of any lot ranging in size from not less than five (5) acres to not more than twenty (20) acres. A proposed division of land under and in compliance with this Section 305 shall not be considered a subdivision for purposes of division (B)(1) of Section 711.001 of the Revised Code and need only be approved under the provisions of this Section 305.

An application shall be filed by the landowner or designated representative. In addition to the submittal requirements set forth below, the application shall include survey drawing and legal description, the signed and completed application form, and required fee.

305.02 Pre-Application Conference and Sketch Plan. Prior to filing an application, an applicant is encouraged to request an informal discussion with the Planning Commission Review Committee to discuss the procedure for approval and to familiarize the applicant with applicable requirements. A request for a pre-application conference shall require the submission of a sketch plan no larger than 18" X 24". The sketch plan shall be drawn to a convenient scale of one hundred (100) preferred and not more than two hundred (200) feet to an inch and shall show the following information:

- a. Location or vicinity map showing the distance to the nearest road intersection.
- b. Ownership of property.
- c. Existing and proposed public roads and easements.
- d. Existing structures.
- e. North arrow.
- f. Outline of areas to be divided.
- g. Approximation of proposed lot lines and dimension.
- h. Important natural features and drainage ways.
- i. Information concerning storm drainage, sewage disposal, water supply, and other facilities that impact on the development.

Within a reasonable period of time following submittal of the sketch plan, Planning Commission Review Committee will meet with the applicant to discuss the proposed division. Staff may request a site visit prior to such discussion, in which case, the applicant shall accompany staff on the site visit. Within two (2) weeks following the site visit (or, if none, following the conference with the applicant), committee shall provide written comments to the applicant on the proposed division.

305.03 Survey Requirement. No division of land involving a metes and bounds description shall be approved or exempted unless it is accompanied by a survey and legal description certified by a Professional Surveyor licensed in the State of Ohio. The survey must meet the Minimum Standards For Boundary Surveys, Administrative Code 4733-37, and the survey and description must be approved by the County Engineer or designee.

305.04 Lot Width Requirement. Unless the applicable zoning regulations specifically provide otherwise, all lots created under Section 305 shall have a minimum width on an existing and improved public road measured at the right-of-way line as found in Article 4, Table 1 of these regulations.

305.05 Lot Width to Depth Ratio. Unless the applicable zoning regulations specifically provide otherwise, the maximum depth of a lot measured at the building setback line shall not exceed five (5) times the width of the lot. For purposes of determining these lot measurements see Section 405.

305.06 Application Submittal Requirements. The application shall include the following information and materials:

- a. Topographic contours with intervals no greater than 2 feet at 5% slope, no greater than 5 feet for slopes over 5% and less than or equal to 15% and no greater than 10 feet for slopes greater than 15%. Elevations are to be based upon NAVD 88 (North American Vertical Datum 1988) or NGVD 29 (National Geodetic Vertical Datum 1929) and the nearest benchmark shall be listed and described. The contour layers from the Highland County Geographic Information System (GIS) may be used instead of this requirement.
- b. Existing or proposed building, well and sewage system locations and design.
- c. Soil type delineation, soil borings, test pits, and/or soil scientist report as applicable.
- d. Deed wording addressing lot development, conditions or restrictions.
- e. New or additional roadway easements and/or utility easements. Roadway easements must be conveyed and recorded by a separate instrument prior to the recording of said sub-division of land.
- f. Appropriate floodplain status information showing areas within the 100 year floodplain/ floodway.
- g. Access points in accordance with adopted access management standards or Ohio Department of Transportation driveway approval if access is to a state highway.
- h. Drainage improvements in compliance with applicable County standards.
- i. Written endorsement from health and zoning authorities.
- j. Any existing above ground structures (including rakes and overhangs) located within one hundred (100) feet of a newly created lot line

In addition, all corners of the proposed lots shall be marked with stakes and colored flagging prior to or at the time of filing an application.

305.07 Review and Approval. If the Planning Commission, acting through the Clerk, finds that the proposed division is not contrary to any applicable Zoning, Health, Sanitary, or Access

Management Regulations, adopted under division (B)(3) of Section 307.37 of the Revised Code regarding existing surface or subsurface drainage, including, but not limited to, rules governing household sewage disposal systems or the regulations set forth in this Section 305, it shall be approved in accordance with Section 303 a.b.c. & d.

The burden is upon the applicant to demonstrate compliance with these Regulations. Incomplete or deficient proposals shall be disapproved and the applicant notified of issues and reasons for disapproval. Upon presentation of an approved conveyance of said parcel, the conveyance shall be stamped "Approved by Highland County Planning Commission; No Plat Required under R.C. 711.133," and signed and dated by the Clerk. Deeds shall be recorded within one (1) year from the date of approval, or the approval expires. Upon the expiration of the approval, any proposed division of the subject tract shall be filed and processed as a new application under Section 305.

305.08 Agricultural or Personal Recreational Purposes Exemption. A proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and which meets the acreage requirements set forth in Section 305.01 but which is to be used only for agricultural or personal recreational purposes (defined in Article 12) shall be **exempt** from approval requirements. Upon presentation of a conveyance of such a parcel, the conveyance shall be stamped "Approved by County Planning Commission; No Approval or Plat Required under R.C. 711.133; **FOR AGRICULTURAL OR PERSONAL RECREATIONAL USE ONLY**," and signed and dated by the Clerk.

Nothing in this Section 305 shall be construed as excluding parcels that are exempt under this procedure that are currently being used only for agricultural or personal recreational purposes from the provisions of these Regulations for any future division or partition of those parcels.

When parcels that are exempt from the approval requirements under this Section 305.08 are subsequently to be used for other than agricultural or personal recreational purposes, the Clerk shall first determine that such a parcel complies with the regulations set forth in Section 305.

An exemption under this Section 305.08 shall require a statement, signed by the grantor and grantee, that certifies that the proposed parcel will only be used for agricultural or personal recreational purposes, and that any subsequent change in use shall require that the Clerk first determine that the parcel complies with the then current provision of Section 305.

For purposes of Section 305.08 the terms "agricultural purposes" and "personal recreational purposes" shall be in Article 12:

Agricultural Purposes—a parcel or parcels that are devoted exclusively to commercial animal or poultry husbandry, aquaculture, apiculture, the production for a commercial use of field crops,

tobacco, fruits, vegetables, nursery stock, ornamental trees, sod, or flowers or other similar agricultural uses.

Personal Recreational Purposes—parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit. Owners of such parcels cannot list or use the address of the parcel as a residence address for any purpose, including without limitation, for receiving mail, for voting, or for registration purposes.

Owners of such parcels cannot apply for or receive a permit for a house hold sewage system, nor install, maintain or use such a system on such parcel unless the Clerk of the Commission determines that the parcel complies with the then current Section 305 or successor provision of these regulations.

306 Combining Entire Existing Tax Parcels, Replat, Subdivision Vacations, Plat of Streets, Common Open Spaces, and Easements for Public Utilities

- a. Combining entire existing tax parcels can be accomplished by the County Auditor without Planning Commission approval if the existing parcels have the same deed reference, are adjacent to each other, are not separated by a public roadway, and acreage of all parcels is combined into a single tax parcel by filling out an “Application for Combination” at the auditor’s office listing the tax parcel numbers to be combined.
- b. A subdivider proposing the re-subdivision of a plat previously recorded by the County Recorder shall follow the same procedures required for a major subdivision. Other proposals for the alteration of a plat or the vacating of a plat shall comply with Sections 711.17-711.20 of the Revised Code.
- c. Proposals for the platting of street openings, widening, and extensions; platting of open spaces for common use by owners, occupants, or leaseholders; and easements for the extension and maintenance of public sewer, storm drainage, or other public utilities shall follow the same procedures required for a major subdivision.

307 Transfer of Property between Adjoining Owners

See Resolution 07-11

- ~~a. Where a transfer of property between adjoining owners, which is less than (5) acres in size, results in a residual parcel, which is less than (5) acres, said residual parcel shall be subject to the requirements of these Regulations; and, the transfer of property shall be approved only if the residual meets these Regulations. The grantees’ names on the deed shall match the ownership of the adjacent parcel being enlarged by the transfer. Deeds for combining acreage shall include the notation: “Not to be used as a separate building site or transferred as an independent parcel in the future without Planning Commission Approval.”~~
- ~~b. If the transfer of property is within a recorded subdivision it shall be submitted as a major~~

Resolution No. 07-11

The Highland County Board of Commissioners, Highland County, Ohio met in Regular Session on January 10, 2007 with the following members present:

Michael E. Rector, Rich Graves, Gary Heaton

Mr. Graves moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED by the Board of County Commissioners of Highland County, Ohio that the said Board authorize to amend the following:

307 Transfer of Property between Adjoining Owners

Article 3, Paragraph 307 (a) & (b) be deleted and read as follows:

Whereas, (a) a transfer of property between adjoining owners results in a residual parcel which is less than (20) acres, said residual parcel shall be subject to the requirements of these Regulations, The transfer of property shall be approved only if the residual meets these Regulations. The grantees' names on the deed shall match the ownership of the parcel being enlarged by the transfer, and

Whereas, (b) Deeds for adjoining acreage shall include the notation: Not to be used as a separate building site or transferred as an independent parcel in the future without Planning Commission Approval.

Mr. Heaton seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rector; yea, Mr. Graves; yea Mr. Heaton; yea.

Adopted January 10, 2007.

Rosalind Newman
Clerk of Board

Michael E. Rector
Rich Graves
Gary Heaton
Board of County Commissioners
Highland County, Ohio

~~subdivision if it involves the creation of any subdivision lot as a separate building tract.~~

308 Outline of Conditions for Major Subdivisions

A proposal involving any of the following shall be subject to major subdivision procedures:

- a. More than five (5) lots, any one of which is less than five (5) acres, including the original tract.
- b. Creation, widening or extension of a street or access easement.
- c. Division or allocation of land as a utility or drainage easement.
- d. Subdividing platted land to create additional building lots in a recorded subdivision.

However, any creation of a private easement including common driveways across no more than one parcel for private access and egress to no more than one parcel is also exempt, if (1) such easement is at least 30 feet in width, (2) the deed granting such easement provides that no further division of either parcel can occur if the use of the easement is included in the deed, (3) no public use of such easement can be granted unless it is approved pursuant to these regulations, or is pursuant to laws providing for establishment of public roads, (4) the parcel on which the easement is located has at least 80 feet of road frontage in addition to the amount dedicated to the easement, and (5) both parcels meet the minimum lot width size requirements set forth in Article 4, Table 1.

309 Pre-Application Conference and Sketch Plan (Optional)

- a. Prior to preparing a sketch plan, the subdivider may request an informal discussion with the designated representatives of the Planning Commission to discuss the procedures for approval of the subdivision plan and to familiarize the developer with the comprehensive plan, thoroughfare plan, drainage and sewerage requirements, fire prevention, and the availability of existing utility services.
- b. The application may combine a pre-application conference with the sketch plan. The sketch plan shall include: a completed and signed application form, (7) copies of the sketch plan, and may include a fee as set forth in the appendix.

310 Submission Requirements

Sketch plans (preparation is optional) submitted to the Planning Commission, prepared in pen or pencil, shall be drawn on an 11" x 17" sheet or larger to a convenient scale of not more than one hundred (100) feet to an inch and shall show the following information:

- a. Location or vicinity map showing the distance to nearest road intersection.
- b. Ownership of property and adjacent properties.
- c. Existing and proposed public roads and easements.
- d. Existing structures.
- e. North arrow.
- f. Outline of areas to be subdivided.
- g. Approximation of proposed lot lines.

- h. Important natural features and drainage ways.
- i. A written statement about storm drainage, sewage disposal, water supply, and other facilities that exist in the area and the likely impacts of the development on those systems.
- j. The sketch plan shall incorporate information from the Highland County Geographic Information System (GIS). The sketch plan shall include the following GIS layers: digital ortho-photography, parcels, highways, hydrology, contours, spot elevations, soils, and flood hazard zones.

311 Preliminary Plan (Optional)

The developer may submit a preliminary plan for review and tentative approval prior to the formulation and submittal of detailed construction drawings. The preliminary plan is conducted for the developer's benefit and at his discretion, its submission does not constitute a formal subdivision review pursuant to Section 711.10 of the Ohio Revised Code. With the submission of the preliminary plan, the applicant waives any rights to an approval under Section 711.10 of the Ohio Revised Code until such time as application is made for final subdivision plat review and is submitted to the Planning Commission for review and approval as detailed in these Regulations.

312 Preliminary Plan Form

The preliminary plan application shall contain:

- a. Complete application form available from the Planning Commission.
- b. Signed variance application form and fee set forth in the appendix (if applicable).
- c. Copies of the preliminary plan containing all required information.
- d. One set of conceptual subdivision improvement plans, provided that completed design drawings shall be required at a later time.

The preliminary plan shall be submitted in the following form:

- a. Drawn at a scale between one hundred (100) feet to the inch and ten (10) feet to the inch.
- b. On one or more sheets 24"X 36" or 18"X 24" in size, clearly and legibly drawn.

313 Preliminary Plan Content

The preliminary plan shall contain the following information:

- a. Proposed name of the subdivision, location by Virginia Military Survey patent number.
- b. Boundaries and acreage.
- c. Name, address and telephone number of the owner, subdivider, professional surveyor and/or professional engineer with appropriate numbers and seals.

Date of survey, title, graphic scale of the plat, north point, legend and a vicinity map of a scale not less than 2000 feet to an inch showing the distance to the nearest road intersection.

- e. Name of adjacent subdivisions, owners of adjoining parcels, and location of common

- boundary lines, extended to 200 feet beyond the boundary of the subdivision.
- f. Topographic contours with intervals no greater than 2 feet at 5% slope, no greater than 5 feet for slopes over 5% and less than or equal to 15%, and no greater than 10 feet for slopes greater than 15%. Elevations are to be based upon NAVD 88 (North American Vertical Datum 1988) or NGVD 29 (National Geodetic Vertical Datum 1929) and the nearest bench mark shall be listed and described. The contour layers from the Highland County Geographic Information System (GIS) may be used instead of this requirement.
 - g. Location, width, and names of existing streets, railroad rights-of-way, easements, parks, buildings, corporation, township, and county lines; wooded areas, water courses, drainage patterns, and water bodies. The Highland County Geographic Information System (GIS) may be used to indicate these items. Topographic features within and adjacent to the plat for a minimum distance of 200 feet unless access to adjacent property has been denied the professional surveyor. The contour layers from the Highland County Geographic Information System (GIS) may be used to show this item.
 - i. Location of floodways, floodplains, and other potentially hazardous areas. The Highland County Geographic Information System (GIS) may be used to indicate these items.
 - j. A good faith effort to identify the location of environmentally sensitive areas.
 - k. A good faith effort to identify the soil types, derived from the USDA Soil Survey. The Highland County Geographic Information System (GIS) may be used to indicate this item.
 - l. A good faith effort to identify the layout, number, dimensions of each lot, and setback lines (a note listing setback dimensions may be added in lieu of showing setback lines if the plan will be made more legible).
 - m. Parcels of land reserved for public use or reserved by covenant for residents of the subdivision.
 - n. Point of ingress/egress or driveway locations and the distance to any existing driveway(s).
 - o. Type of water supply and wastewater disposal proposed, approximate locations and dimensions of all proposed utilities and sewer lines, easements, drainage tiles, water mains, culverts, or other underground utilities within the tract or adjacent thereto.
 - p. Known cemeteries, historical or archeological sites.
 - q. Copy of proposed covenants and restrictions, and a schedule outlining the order of development of each section or phase of the subdivision.
 - r. Indicate existing zoning of parcel and adjacent parcels if applicable.
 - s. Copy of Preliminary Plan on a 8 ½" x 11" sheet.

314 Additional Information for the Preliminary Plan

The following information does not apply to all projects and may be requested during the site review or required during review and approval of applications.

- a. Statements of proposed use of lots, giving type and number of dwelling units and/or type of business or industry.
- b. Conceptual plan for commercial and industrial development, showing proposed parking,

loading areas, alleys, pedestrian walkways, streets, points of vehicular ingress/egress to the development and landscape features.

- c. A drawing of all present and proposed grades and facilities for storm water drainage in cases where natural drainage is altered.
- d. A feasibility study on sewer and water facilities for land developments of two or more dwelling units
- e. Screening, buffering and/or noise abatement measures.
- f. Typical cross-sections and centerline profiles for each proposed street, and preliminary engineering designs of any new bridges or culverts proposed in the project.
- g. Other information, studies, items, or provisions deemed necessary or prudent to create buildable sites and to promote the public health, safety, and welfare.

315 Public Hearing

The Planning Commission, prior to acting on a preliminary plan of a subdivision, may hold a public hearing at such time and upon such notice as the Planning Commission may designate.

316 Filing

The preliminary plan shall be considered officially filed after it is examined by the designated representative of the Planning Commission and is found to be in full compliance with the formal provisions of these Regulations. The subdivider shall be notified by mail of official filing, which begins the thirty (30) day review period, and the meeting at which the plan shall be reviewed.

317 Review and Approval of Preliminary Plans

The Planning Commission shall forward copies of the preliminary plan to such officials and agencies as may be necessary for the purpose of study and recommendation. After receipt of reports from such officials and agencies, the Planning Commission shall determine whether the plan will be approved, approved with modifications, or disapproved. The reasons for such disapproval shall be stated in writing.

The Planning Commission shall act on the preliminary plan within thirty (30) working days after filing unless such time is extended by agreement with the subdivider. Approval of the preliminary plan shall be conditioned on compliance with all other applicable resolutions and regulations.

318 Preliminary Plan Expiration

The approval of the preliminary plan by the Planning Commission shall be effective for a maximum period of one (1) year from the date of its approval unless an extension of the approval has been granted in writing by the Planning Commission. If the final plat application is not accepted within one (1) year, the preliminary plan approval shall expire and become void.

319 Preliminary Plan Recall

The designated representative of the Planning Commission may recall unplatted portions of the preliminary plan for consideration, and reapproval, modification, or disapproval by the Planning Commission. A recall may occur if:

- a. Incomplete, inaccurate or fraudulent information influenced approval.
- b. The subdivider has failed to satisfactorily pursue platting or conditions of approval.
- c. Previously unknown or new health, safety or environmental concerns arise.
- d. The subdivider shall be notified by letter no later than 30 days before the recall is scheduled for consideration.

320 Submission to Ohio Department of Transportation

Any plan within (300) feet of the centerline of a state highway for which changes are proposed, or any land within a radius of (500) feet from the point of intersection of said centerline with any public road or highway requires the Planning Commission give notice by registered or certified mail to the Ohio Department of Transportation. If the Ohio Department of Transportation notifies the Planning Commission that it shall proceed to acquire the land needed, the Planning Commission shall refuse to approve the plan. All proposed developments fronting on state and federal highways shall be submitted to the Ohio Department of Transportation.

321 Submission to Township Trustees

Within five days after the submission of a plat for approval, the Planning Commission shall schedule a meeting to consider the plat. It shall send written notice by regular mail to the clerk of the Board of Township Trustees of the Township in which a proposed plat is located. The notice shall inform the trustees of the submission of the proposed plat and of the date, time, and location of any meeting at which the Planning Commission will consider or act upon the proposed plat.

322 Grading of Site Prior to Final Approval

Subsequent to preliminary plan approval, the developer may receive approval from the Planning Commission to begin earth excavation and construction to the grades and elevations required by the approved preliminary plan.

323 Model Homes

For the purpose of allowing the early construction of model homes in a subdivision, the Planning Commission, in its sole discretion, may permit a portion of a major subdivision involving no more than (2) lots to be created in accordance with the procedures for minor

proposed. An application for minor subdivision or lot split shall be submitted to the Planning Commission simultaneously with the preliminary plan for the entire major subdivision. Subsequent to preliminary approval, the model homes may be constructed, subject to such additional requirements as the Planning Commission may require.

324 Final Plat Procedures

Having received the approval of the preliminary plan, if applicable, the subdivider shall submit a final plat application containing all changes required by the Planning Commission in the preliminary plan. The final plat shall be prepared by a Professional Surveyor, and the design for construction of improvements prepared by a Professional Engineer licensed to practice in the State of Ohio. Within five calendar days of submission, staff shall accept and schedule the plat for the next appropriate meeting of the Planning Commission and notify the Township in accordance with Section 711.10 of the ORC and this Section of these Regulations. Notification shall also be given to other appropriate agencies and officials.

A complete application shall contain:

- a. Complete and signed application form available from the Planning Commission with the fee as set forth in the appendix.
- b. Original plat document signed by the subdivider and lienholder with notary and seal and the Professional Surveyor with seal.
- c. Plat, signed by applicable zoning, health, sanitary and other government authorities.
- d. (10) sets of copies of the final plat and one (1) reproducible mylar tracing of the plat.
- e. (4) sets of approved construction drawings and engineering specifications as required for grading, streets, stormwater management, waterline, sanitary sewer, and other improvements. Applicants are encouraged to file the application for final plat approval only after the appropriate authority approves construction drawings and engineering specifications. Failure to do so may result in non-acceptance of the application.
- f. Supplementary and additional information as required by these Regulations.

325 Final Plat Form

The final plat shall be submitted in the following form:

- a. Drawn at a scale between one hundred (100) feet to the inch and ten (10) feet to the inch, inclusively. For subdivisions with lots greater than twenty (20) acres the Planning Commission may approve the use of a larger scale.
- b. Plats shall be on one or more sheets eighteen (18) by twenty-four (24) inches in size and shall be clearly and legibly drawn. The original shall be drawn on reproducible mylar.
- c. No ditto marks shall be used on the final plat and a legend of all symbols and abbreviations used shall be included on the plat.
- d. The Planning Commission shall also require the final plat to be filed in a digital or computer format for all subdivisions involving four (4) or more lots beginning January 1, 2007.

326 Final Plat Contents

The final plat shall contain the following information:

- a. Subdivision name, location by Virginia Military Survey patent number.
- b. The plat shall comply with the Minimum Standards for Boundary Surveys in the State of Ohio and the measurement specifications as contained in Chapter 4733-37 of the Ohio Administrative Code.
- c. A vicinity map showing general location of subdivision at a scale not less than 2000 feet to an inch showing the distance to the nearest intersection.
- d. Name, address and telephone number of owner, subdivider, Professional Surveyor and Professional Engineer with appropriate numbers and seals.
- e. Plat boundaries, based on accurate traverse, with angular and linear dimensions determined by an accurate control survey in the field. All lot lines shall be shown with accurate dimensions in feet and hundredths. The survey shall be tied to the National Geodetic Survey and the Highland County Geodetic Control Survey, if the property is located within 3000 feet of any National Geodetic Survey or Highland County Geodetic Control monument.
- f. Layout, number, dimensions of each lot, and set back lines (a note listing setback dimensions may be added in lieu of showing setback lines if the plat will be made more legible).
- g. Outline of areas to be dedicated or reserved for public or common use of property owners within the plat, and previous lots or blocks and their numbers indicated by a contrasting line style in the case of a replat.
- h. Bearings and distances to the nearest established street lines, or accurate location and description of all monuments.
- i. Names, locations, dimensions, rights-of-way of all existing and proposed streets and railroads within and adjoining the plat. Radii, internal angles, points of curvature, tangent bearings, length of arcs, and lengths and bearing of chords of all streets.
- j. Location, dimensions and purpose of all easements.
An easement as described in Article 4, Section 406 herein, designated as the "Public Utility Easement", shall be located on both sides of the right-of-way of all existing and proposed streets within and adjoining a subdivision. The purpose of the easement is to provide for the placement of sidewalks, water, sewer, gas, electric, telephone, communication lines or other utility lines, stormwater disposal, and to provide for street sight distances and the maintenance and repair of streets or facilities located within the easement.
- k. Location of all streams, rivers, canals or lakes, and flood hazard boundaries of the area.
- l. Base flood elevations as determined by the developer's engineer in areas where such information has not been made available from other sources, may be required by the Planning Commission.

- m. A copy of any restrictive covenants, and other notes, items, restrictions, or provisions required by these Regulations, the Planning Commission or its designated representative, or other plat signing authority.
- n. A statement or table showing total acreage in the subdivision and total acreage of lots, roads, open space, easements and other types of uses.
- o. Spaces for all signatures required by Article 11.
- p. Where a private street or roadway is called for in a subdivision the following statement is required to be "Private Street(s) Not For Public Maintenance."
- q. Where a private street or roadway is called for in a subdivision a statement regarding the maintenance agreement for the private street(s) is required to be shown on the plat.

327 Additional Information for Final Plat

The following information shall be supplied in addition to the above required data:

- a. If a zoning change is involved, certification from the appropriate township or county zoning inspector shall be required indicating that the change has been approved and is in accordance with the requirements of the zoning resolution.
- b. A letter from the permitting agency indicating that a driveway permit has been issued or will be issued by the office of the County Engineer or Ohio Department of Transportation on existing roads.

328 Filing

The final plat shall be filed with the Planning Commission not later than one (1) year after the date of approval of the preliminary plan; otherwise it will be considered void unless an extension is requested by the subdivider and granted in writing by the Planning Commission. The final plat shall be filed at least twenty (20) days prior to the meeting at which it is to be considered.

329 Planning Commission Action

Before any final plat is approved, the Ohio Department of Transportation must be notified as required by Section 319 of these Regulations. Staff shall provide a final plat report to the Planning Commission. The Planning Commission shall act on the final plat within thirty (30) days after filing, unless such time is extended by agreement with the subdivider, the final plat is withdrawn or a delay-of-action is requested and granted. Conditional approval of a final plat shall be limited to minor clerical, mathematical and other nonsubstantive errors as determined by the Planning Commission. If disapproved, the reason shall be stated in the record of the Planning Commission. Failure of the Planning Commission to act upon the final plat within such time shall be deemed an approval of the plat. If disapproved, the subdivider shall make the necessary corrections and resubmit the final plat, within thirty (30) days, to the Planning Commission for its final approval. If a final plat is refused by the Planning Commission, the person .

resubmitting the plat, which the Planning Commission refused to approve, may file a petition within sixty (60) days after such refusal in the Court of Common Pleas of Highland County.

330 Public Improvements

Prior to the granting of approval of the final plat, the Planning Commission may require that all public improvements be installed prior to the signing of the final plat. If the Planning Commission does not require that all public improvements be installed and dedicated prior to signing of the final plat, the Planning Commission shall require that the applicant furnish a performance guarantee for the ultimate installation of said improvements. The requirements, approval and length of term for the performance guarantee shall be determined by the Planning Commission

331 Final Plat Expiration
The subdivider shall record the final plat within 60 days of final approval, otherwise the final plat approval shall expire and become void.

332 Signing, Recordation and Transmittal of Copies of Final Plat

When a final plat has been approved and all conditions for approval have been satisfied, the designated representative of the Planning Commission shall sign the certificate of approval on the original tracing and return the same to the subdivider. The subdivider shall, within 60 days, submit a copy of the approved plat for processing by the county tax map department, County Auditor, and filing with the County Recorder. It shall be the responsibility of the subdivider to gain all necessary certifications before filing the plat with the County Recorder. The subdivider shall provide the Planning Commission with a paper copy of the approved plat. After the plat is recorded, the original plat or an archival reproducible mylar shall be filed with the County Recorder.

333 Final Plat Amendments

Procedures and requirements for changing a Planning Commission-approved final plat (signed, unsigned, recorded or unrecorded) shall be specified by the Planning Commission in keeping with the spirit, intent and purpose of these Regulations. Amendment of the preliminary plan (if one was submitted) may be required before or concurrent with amendment of the final plat. Amendment fees are set forth in the appendix.

Article 4

DESIGN AND CONSTRUCTION STANDARDS

Standards

400 General Purpose

The purpose of good subdivision and site design is to create a functional and attractive development, minimize adverse impacts, and ensure that a project will be an asset to the county and township. To promote this purpose, the subdivision shall conform to this article's standards which are designed to result in a well-planned community without adding unnecessarily to development costs. These design controls shall help insure creation of convenient and safe streets, usable lots, space for public purposes, and will minimize the undesirable features of unplanned, haphazard growth. The Planning Commission has the responsibility for reviewing the design of each subdivision early in its design development to insure that all the requirements of these Regulations are addressed.

401 Suitability of Land

If the Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to poor drainage, flood hazard, topography, inadequate water supply, landslip potential, unstable subsurface conditions due to underground mining or other reasons and other such conditions which may endanger health, life, safety, or property; and, if by any public agencies concerned it is determined that in the best interest of the public the land should not be developed for the purpose proposed, the Planning Commission shall not approve the subdivision unless adequate methods for solving the problems are advanced by the subdivider. For major subdivisions a written statement may be required by the Planning Commission describing characteristics of the development site, such as bedrock geology and soils, topography, flood prone areas, existing vegetation, structures and road networks, visual features, and past and present use of the site.

402 Conformance to Applicable Rules and Regulations

In addition to the requirements established in these Regulations, all subdivisions shall comply with the following:

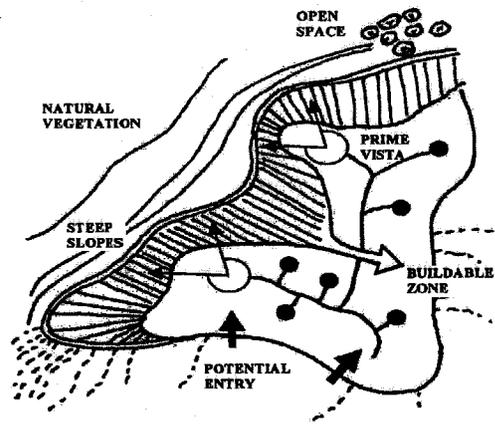
- a. All applicable county or township zoning resolutions and all other applicable laws in which the subdivision is to be located.
- b. The comprehensive plan, public utility plan, and capital improvement programs, including plans for all streets, drainage systems, and parks shown on the comprehensive plan as adopted by the county.
- c. The special requirements of these Regulations and any rule of the health department and/or appropriate state agencies.

- d. The rules of the Ohio Department of Transportation if the subdivision or any lot contained therein abuts a state highway or connected street.
- e. The standards and regulations adopted by the county engineer, and all boards, agencies and officials of the county.

403 Subdivision and Site Design

Design of the subdivision shall take into consideration existing county, municipal and regional comprehensive plans, and shall be based on a site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, to the extent consistent with the reasonable utilization of land, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:

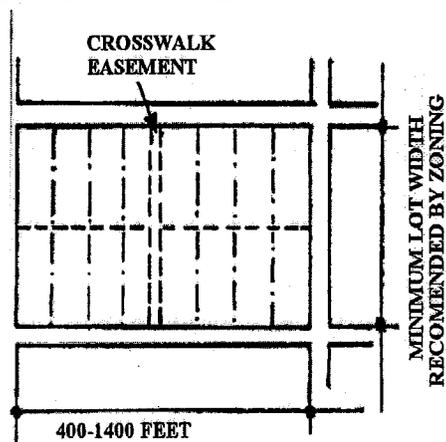
- a. Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Water Pollution Act, as amended; and in Ohio Environmental Protection Agency standards.
- b. Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps.
- c. Steep slopes in excess of fifteen (15) percent unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
- d. Habitats of endangered wildlife, as identified on federal and state lists.
- e. Historically and culturally significant structures and sites, as listed on the National Register of Historical Places.
- f. Land located within 300 feet of an existing oil or gas well. The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings in residential developments shall take into consideration topography, building height, orientation and drainage.



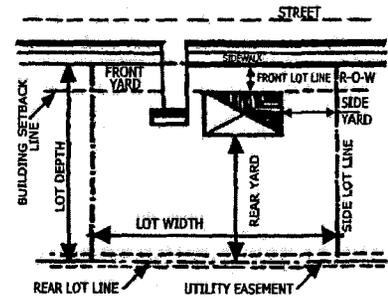
404 Blocks

The following regulations shall govern the design and layout of blocks:

- a. The arrangements of blocks shall conform to the street design criteria set forth in these Regulations.



- b. Blocks shall be arranged to accommodate lots and building sites of the size and character required by these Regulations and any applicable zoning resolution, to provide for adequate community facilities, and with regard of the limitations and opportunities of topography.
- c. Irregularly shaped blocks, blocks intended for cul-de-sacs and loop streets, and blocks containing interior parks and playgrounds may be approved by the planning commission if properly designed and located.
- d. No block shall be larger than (1400) feet and no less than (400) feet. Cross streets shall be provided between blocks.
- e. Where blocks are less than (900) feet in length, a walkway easement not less than (10) feet in width at or near the halfway point of the block may be required between streets. Whenever blocks are longer than 900 feet, crosswalks shall be constructed near the center of the block.
- f. Blocks in the traditional gridiron pattern should consist of two tiers of lots and an easement may be included to separate them.
- g. Through lots (extending from one parallel street to the other) shall be discouraged to avoid problems between adjoining owners, and to reduce the number of streets.



**405 Lot Improvements
Lot Arrangement and Dimensions**

- a. Lot arrangement, design and dimensions shall be such that all lots will provide satisfactory building sites. Driveway access to buildings on the lot shall be from a

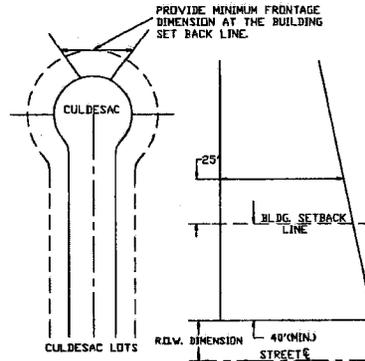
Article 4, Table 1: Minimum Lot Areas and Width Requirements

Development Type	Public Water Available	Central Sewage Treatment Available	Minimum Lot Width (feet)	Minimum Lot Area (per family or business)	Minimum Front Setback Requirements (feet)			
					Arterial Street	Collector Street	Local and Cul-de Sac	Side and Rear Yard
Single, Two, or Three Families	Yes	No	90	1 Acre	40	40	40	10
	No	Yes	80	20,000 sf	40	40	40	10
	Yes	Yes	70	10,000 sf	40	40	40	10
	No	No	100	1 Acre	40	40	40	10
Multi-Family Four or More	Yes	No	Prohibited					
	No	Yes	90	2,700 sf	40	40	40	10
	Yes	Yes	90	2,500 sf	40	40	40	10
	No	No	Prohibited					
Commercial	Yes	No	150	1 acre	50	45	40	10
	No	Yes	90	4,500 sf	50	45	40	10
	Yes	Yes	90	4,500 sf	50	45	40	10
	No	No	150	1 acre	50	45	40	10
Industrial	Yes	No	Prohibited					
	No	Yes	100		50	45	40	10
	Yes	Yes	100		50	45	40	10
	No	No	Prohibited					

NOTE: Lot area does not include road right-of-way. Lot areas may be increased by recommendation of the County Health Department. For slope areas where the average topographic slope is 15% or greater, refer to hillside regulations.

dedicated public street (existing or proposed or on a private street meeting public street standards). Lots shall be properly related to topography and the character of the surrounding development, and shall be in compliance with the county or township zoning resolution and health regulations for the district in which they are located and for the use for which they are intended.

- b. Where a county or township zoning resolution is not in effect, the minimum lot size, width and frontage shall be as specified in Section 405, Table 1. Where soil conditions are of such a nature that proper operation of wells and septic tanks may be impaired, the planning commission, upon recommendation from the health department may increase the size of any or all lots in the subdivision, or may deny approval of the subdivision.
- c. Dimensions of corner lots shall be large enough to allow the erection of buildings, observing the minimum front-yard setback from both streets.
- d. The maximum depth of a lot that contains less than 5 acres shall not be greater than four (4) times the width of the lot. The maximum depths of lots which contain an area of five (5) acres or more shall not be greater than five (5) times the width of the lot. This restriction shall not apply to the panhandle portion of a panhandle lot, however, it shall apply to the remainder of the lot.
- e. Panhandle lots may be developed on a limited basis in subdivisions where individual development of each lot is contemplated and the Planning Commission determines that no future street access through the property will be needed. Panhandle lots may be used to better use irregularly shaped properties or sited with physical limitations, or to eliminate or reduce access to a thoroughfare or collector street.



The maximum number of panhandle lots shall not exceed one panhandle lot per each four lots in a subdivision where the Planning Commission finds that the panhandle lot(s): (1) allow for the more efficient use of irregularly shaped parcels of land, or (2) where the integrated nature of multiple buildings on a site dictates the need for such lots. The Planning Commission may approve additional panhandle lots if evidence is presented that physical hardships prevent development of land using conventional lot design.

The width of the “panhandle” portion of a panhandle lot shall be between (30) feet and (50) feet lots. The natural grade of the “panhandle” shall not exceed 18 percent. The “panhandle” shall be parallel to the closest existing lot line.

The “panhandle” portion of a panhandle lot shall be used only as a driveway, and for utilities. The “panhandle” portion shall be landscaped to be in harmony with other adjacent property. No structures of any kind are permitted in the panhandle portion of the lot.

Panhandle lots shall not be stacked to avoid the construction of a street.

Lot Orientation

- a. Residential lots shall front on a dedicated public street (existing or proposed) or on a private street meeting public street standards. All side lot lines where practicable should be at approximate right angles to street lines or radial to curving street lines, unless a variation from these rules will give a better street or lot plan. Variations are permitted to accommodate barriers such as streams and existing utility easements. However, side lot lines shall not deflect more than (30) degrees from the perpendicular in relation to street centerlines. A side lot line shall maintain the same angle of deflection between the front lot line and the minimum building setback line as established by the zoning resolution or these Regulations.
- b. The lot line common to the street right-of-way shall be the front line. All lots shall face the front line and a similar line across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the sideline of an adjacent lot.

Double Frontage Lots and Access to Lots

- a. Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation. Residential lots abutting arterial or collector streets, where marginal access streets are not desirable or possible to attain, shall be designed as reverse lots or with side lot lines parallel to the major traffic streets. These requirements may be waived by mutual consent of the Planning Commission and the County Engineer.
- b. Lots may not be created by dividing land at the end of stub streets in adjacent subdivisions, such stub streets being intended to promote continuity of street systems in adjoining subdivisions.
- c. Fifty (50) feet (minimum) of additional lot depth or a buffer strip in accordance with the landscape standards herein may be required where a residential lot in a subdivision backs up to a railroad right-of-way, a high pressure gasoline or natural gas line, open drainage ditch, an arterial street or interstate highway, an industrial area or other existing land use which may have a detrimental effect on the residential use of the property, and where no local street is provided at the rear of such lot.

406 Easements

- a. A Public Utility Easement shall be located adjacent to the road right of way line. Utility easements may also be centered on the rear or side lot line as necessary for utility lines. Easements shall give access to every lot, park or public grounds. The Public Utility Easement shall be not less than twenty (20) feet wide. All other utility easements shall be not less than ten (10) feet wide.
- b. Recommendations on the proposed layout of telephone and electric company easements should be sought from all of the utility companies serving the area. It shall be the responsibility of the subdivider to submit copies of the preliminary plan to all appropriate public utility companies.
- c. Easements shall be provided for storm drainage purposes. Such easements shall conform substantially with the lines of any natural water course, channels, streams or creeks which traverse the subdivision or for any new channel which is established to substitute for an existing natural watercourse, channel, stream or creek. Such easements shall be of sufficient width to provide adequate area for maintenance, however shall not be less than twenty (20) feet. Provisions of an easement in no way make any political subdivision responsible for maintenance of storm water facilities. The plat shall specify the entity or person responsible for maintenance of storm water facilities.
- d. Whenever practicable, the utilities shall be placed underground, according to the standards of the appropriate utility company.
- e. The location of mailboxes and similar structures in the right-of-way of a public or private street shall be constructed so as to not create a hazard to the public and shall be constructed pursuant to current AASHTO standards and adopted by the Highland County Commissioners Resolution No. 89-11.
- f. Easements for common driveways are permitted for up to five parcels. If a common driveway is to provide access for more than two parcels, then each parcel must have the minimum road frontage required by Section 405, Table 1, of these regulations. Easements for common driveways shall be a minimum of thirty (30) feet in width and a maintenance agreement specifying the individuals maintenance responsibilities.

407 Standards for Nonresidential Subdivisions

- a. In addition to the principles and standards in these Regulations, the applicant shall demonstrate to the satisfaction of the commission that the streets, parcels, blocks, and lot patterns proposed are specifically adapted to the uses anticipated and take into account other uses in the vicinity.
- b. Proposed industrial parcels shall be suitable in area and dimension to the types of industrial development anticipated.

- c. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- d. Blocks intended for commercial and industrial subdivisions shall be designed specifically for such purposes and shall include adequate provision for parking, loading and delivery services. Such blocks shall not be less than (250) feet in width and not less than (500) feet in length.
- e. Lots intended for other non-residential use shall be specifically noted and designed for such purposes, and shall have adequate provisions for off-street parking, setbacks, and loading and unloading areas.

Article 5

STREET DESIGN AND CONSTRUCTION STANDARDS

Standards

500 General

These Regulations shall control the manner in which the road system is arranged on the land to permit the safe, efficient, and orderly movement of traffic; to meet, but not exceed, the needs of the present and future population; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.

501 Conformity to Development Plans and Zoning

No subdivision shall be approved unless the area to be subdivided has frontage on and access from an existing street on the official thoroughfare map, or if there is no official thoroughfare map and in accordance to the Access Management Plan, unless such street is an existing state, county, or township highway, road or a street shown upon a plat approved by the Planning Commission and recorded in the County Recorder's Office. Such street or highway must be suitably improved as required by these Regulations or guaranteed, with a performance bond, to be improved as required by these Regulations. In addition, no final plat of land within an existing zoning district shall be approved unless it conforms with requirements of the zoning district.

502 Official Road Design Standards

Design standards and required improvements to arterial streets and roads are contained in Article 5, Table 1. Construction design criteria of these streets are to be determined by the county engineer when such streets abut or cross the proposed subdivision. Certain improvements may be waived upon recommendation of the county engineer and after review and approval by the Planning Commission. In all cases right-of-way dedications shall be required for streets leading to new subdivisions.

Article 5, Table 1: Street Design Standards for Arterial Roads				
R/W Width (feet)	Sidewalks (feet)	Planting Strip (feet)	Median (feet)	Pavement Width (feet)
70	5	8	None	44
82	5	5	14	48
90	5	9	14	48
120	5	12	14	72

When developing along one side of an existing street or roadway included in the official thoroughfare plan, the subdivider shall be responsible for construction or replacement of the entire existing pavement, in accordance with the requirements of the County Engineer.

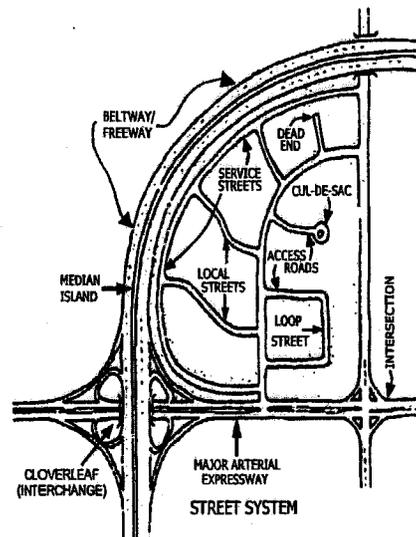
503 Street Names

Street name signs or numbers of a type in use throughout the county shall be erected by the subdivider at all intersections. Names of new streets shall not duplicate or nearly duplicate those of existing or platted streets, irrespective of the use of the suffix "street," "avenue," "circle," "boulevard," "drive," etc., and shall be displayed at each street intersection with street signs of the type established by the county. When a new street is a direct extension of an existing street, the name shall remain the same.

Sign color shall conform with county or township requirements. Street names shall be subject to the approval of the planning commission. The subdivider is responsible for the cost of purchasing and installing all signage.

504 Street and Circulation System Design

- a. The arrangement, character, extent, and location of all streets shall conform to the thoroughfare plan of the county; such streets shall be considered in their relation to existing and planned streets, topographic conditions, public convenience and safety, and in their relation to the proposed uses of land to be served by such streets. The planning commission reserves the right to disapprove any street plan which does not represent good design or does not insure continuity of the existing street system.
- b. The road system shall be designed to serve the need of the neighborhood and to discourage through traffic in the interior of such subdivision. Residential driveway access shall not be permitted onto principal arterials. Major subdivisions shall be designed to discourage residential driveway access onto major arterial and collector roadways by using access roads. Minimizing driveway access points or curb cuts by using access roads shall be encouraged.



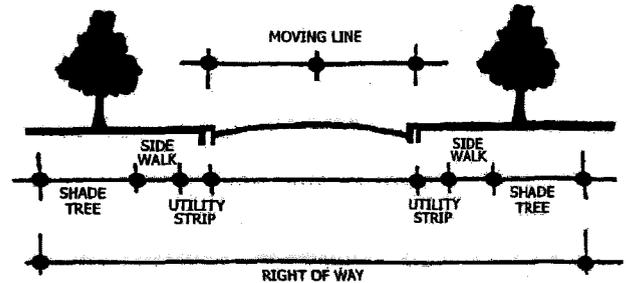
There shall be no private streets, lanes, or ways nor any private easement used for the purpose of primary access to any subdivision, including subdivisions exempt from platting under Ohio Revised Code Section 711.131 unless constructed and maintained to Section 515 of these regulations. The cost of maintenance of such private streets, roadways and easements shall be borne equitably by benefiting property owners. Proper legal steps shall be taken to guarantee the continuing maintenance of such streets, roadways and easements.

505 Street Vacation

The planning commission shall not recommend the vacation of any street dedicated to and accepted by the public if such vacation will adversely affect the proper functioning of the existing street system or any future street plan prepared by, or approved by, the planning commission. The procedure to vacate a street or alley may be found in Ohio Revised Code Section 5553.01.

506 Rights-of-Way

- a. The right-of-way shall be measured from lot line to lot line and shall be sufficiently wide to contain the cart way, curbs, sidewalks, utilities, graded areas and shade trees, if required.
- b. The right-of-way of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street.
- c. The right-of-way for roads shall be in accordance with the major thoroughfare plan, and shall provide for future development.

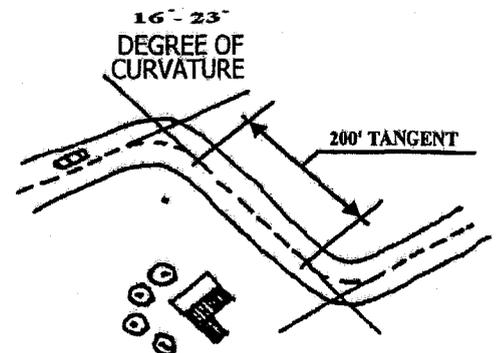


Street Type	R-O-W Width (feet)	Street Type	R-O-W Width (feet)
Major Arterial	120-300	Local Street/Road	50-80
Minor Arterial	80-100	Access Street	50-80
Major Collector	80	Alley	20-30
Minor Collector	80	Cul-de-Sac	50 Radius
Local Industrial	60-80	Private	50

507 Horizontal Alignment

When there is an angle of deflection of more than one (1) degree between two (2) centerline tangent sections of a residential street, the following conditions shall be met:

- a. The preferred maximum degree of curvature (D) is $16^{\circ} 00'$.
- b. The maximum allowable degree of curvature shall be $23^{\circ} 00'$.
- c. Sight conditions shall be such that a minimum stopping sight distance of two hundred (200) feet is provided.



A minimum tangent length of two hundred (200) feet shall be introduced between reverse curves.

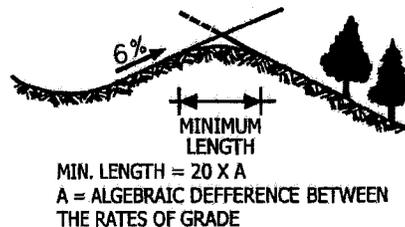
Where Degree of Curvature is defined as: $D = 5,730.28/R$

Where R = Radius of the curve. Design criteria for other than residential streets shall meet the requirements of the County Engineer.

508 Vertical Alignment

All changes in grade in residential streets shall be connected by vertical curves, the minimum length of which satisfies the following requirements:

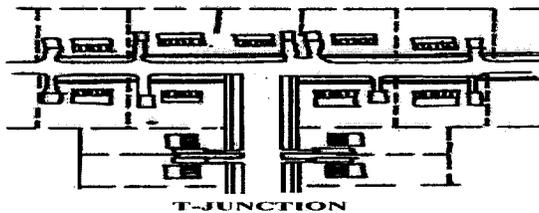
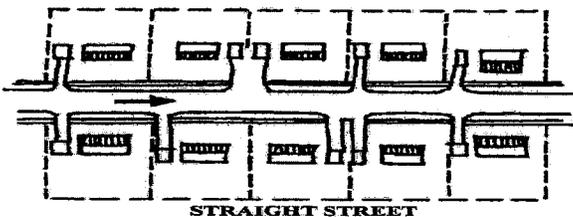
- a. Twenty (20) times the algebraic difference in the rate of grade.
- b. A minimum stopping sight distance of two hundred (200) feet.
- c. The appropriate maximum gradient as specified in the "Street Design Standards" contained in Table 4 shall not be exceeded. No street grade shall be less than 0.6 percent and in no case shall a street grade on collector or arterial street be more than three (3) percent within one hundred (100) feet of an intersection. Lesser classification of streets shall in no case have a street grade in excess of five (5) percent within one hundred (100) feet of an intersection. For slopes, refer to hillside regulations.



509 Special Street Types

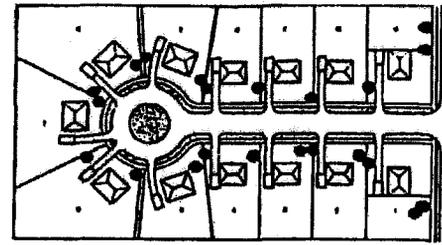
The following requirements shall apply to special street types:

- a. One way streets: One-way streets are permitted in new subdivisions if the Planning Commission determines that such streets are properly integrated with the existing and proposed street system in the area.



- b. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as a segment of a continuing street plan subject to extension into undeveloped acreage. Temporary dead-end streets shall extend to the boundary of such undeveloped acreage and shall be provided with an interim turnaround satisfactory to the planning commission in design. The planning commission shall reserve the right to limit the length of such a dead-end street based on principles of proper planning, and the Planning Commission may require a street along the boundary between a proposed subdivision and the undeveloped acreage to provide for future development.

- c. Cul-de-sac streets shall not exceed a length of three thousand (3,000) feet measured to the center of the radius of the turnaround. The terminus may be circular with a minimum turn about radius of forty (40) feet and a property line radius of at least fifty (50) feet measured from a point on the street centerline. Other termini types, such as "T's" or vegetated islands, are acceptable and subject to review and approval by the County Engineer and Planning Commission. Cul-de-sacs may exceed twelve hundred (1,200) feet with an intermediate turnaround depending upon the total number of lots served by the road.

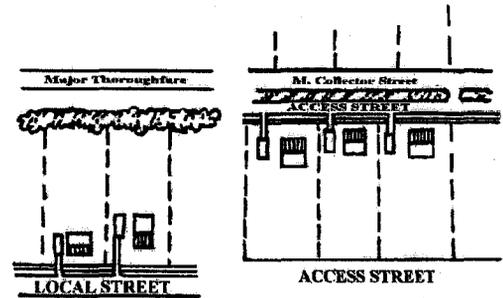


CUL-DE-SAC

Additional turnouts will be required on cul-de-sac streets as follows:

<u>LENGTH</u>	<u>#ADDITIONAL</u>
0-1199	0
1200-1799	1
1800-2399	2
2400-3000	3

- d. The dedication of new half-streets shall not be permitted. If a parcel to be subdivided exists adjacent to a dedicated or platted and recorded half-width street or alley, the other half width of such street or alley falling within the proposed subdivision shall be platted, provided that in the opinion of the Planning Commission such right-of-way is necessary for the proper development of the area.
- e. Where a subdivision adjoins an arterial street, a marginal access street shall be designed to control access from lots fronting on it. Points of access to the arterial street shall be spaced at a minimum of thirteen hundred twenty (1320) feet. A planting strip having a minimum width of twenty (20) feet shall be provided between the pavement of the marginal access street. The minimum width of the marginal access right-of-way shall be fifty (50) feet. In addition, the Planning Commission may also require the provision of buffer planting strips, the platting of loop streets or cul-de-sacs connected to such parallel streets, or any combination thereof.
- f. Easements or reserve strips controlling access to streets shall be prohibited except where deemed necessary by the Planning Commission and where their control is definitely placed with the county.
- g. In subdividing land along existing streets or roads and within a proposed subdivision, provisions for the dedication of land for one or more access streets to undeveloped land not fronting on an existing street or road shall be incorporated. Said access streets shall be spaced not less than four hundred (400) feet, nor more than one thousand four hundred (1,400) feet apart.



h. Alleys may be approved in residential subdivisions when justified by subdivision street design, to provide vehicular access to parking areas. Alleys may be approved in commercial and industrial subdivisions if no other provisions can be made for adequate service access. The minimum widths for alleys shall be twenty (20) feet and they shall be dedicated to the public. Alley intersections, sharp changes in alignment, and dead-ends shall not be permitted unless extreme conditions would warrant.

510 Street Design Standards for all Streets Except Cul-de-Sacs and Loop-Type Local Streets

The design and improvement standards contained in Article 5, Table 3 are minimums for all local streets and collector streets, except cul-de-sacs and loop-type streets, in residential subdivisions.

Article 5, Table 3: Street Design Standards for Local and Collector Streets						
Terrain Classification	LOCAL			COLLECTOR		
	Level	Rolling	Hilly	Level	Rolling	Hilly
Right-of-Way (ft.)	50-80	50-80	50-80	80-100	80-100	80-100
Pavement Width	20	20	20	24	24	24
Minimum Stopping Sight Distance (feet)	200	200	200	250	250	250
Maximum Grade	4%	8%	15%	4%	8%	15%
Maximum Spacing when intersected with an arterial (ft)	—	—	—	1320	1320	1320
Maximum Center Line Radius of Streets with an angle of turn of:						
(1) Between 80° and 100°	50	50	50			
(2) Not less than 80° or more than 100°	200	200	200			
Minimum Center Line Radius	—	—	—	350	350	350
* A Public Utility Easement twenty (20) feet in width shall be required along each side of the street right-of-way for these streets.						
Note: Exceptions to the standards contained in this table are permitted under certain conditions for large lots. Hillside lots with grades of more than 15% are also subject to exceptions as provided under Article 10, Hillside Regulations.						

Article 5, Table 4: Street Design Standards for Cul-de-Sacs and Loop-Type Streets			
Terrain Classification	Level	Rolling	Hilly
Right-of-way (ft.)	50-80	50-80	50-80
Pavement Width	20	20	20
Minimum Stopping Sight Distance (feet)	250	200	200
Maximum Grade	4%	8%	15%
Maximum cul-de-sac length	1200-3000	1200-3000	1200-3000
Maximum cul-de-sac radius (row)	50	50	50
Maximum cul-de-sac radius (pavement)	40	40	40
Maximum Center Line Radius of Streets with an angle of turn of:			
(1) Between 80° and 100°	50	50	50
(2) Less than 80° or more than 100°	200	200	200
*A public utility easement twenty (20) feet in width shall be required along each side of the street right-of-way for these streets.			

Article 5, Table 5: Intersection Design Standards			
Terrain Classification	Level	Rolling	Hilly
Maximum Approach Speed (mph)	25	25	25
Clear Sight Distance (ft, length along each approach leg)	90	90	70
Vertical Alignment with Intersection	crown	5% maximum	5% maximum
Minimum Angle of Intersection Streets	60* degrees		
Minimum Curb Radius (ft)			
a. local-local	20 - all classes		
b. local-collector	30 - all classes		
c. collector-collector	35 - all classes		
d. collector, marginal access-arterial	40 - all classes		
Minimum Centerline Offset of adjacent intersection (ft)			
a. local-local	150 - all classes		
b. local-collector	150 - all classes		
c. collector-collector	200 - all classes		
d. collector, marginal access-arterial	1320 - all classes		
*This should be considered an absolute minimum.			

511 Street Design Standards for Cul-de-Sac and Loop-Type Streets

The design and improvement standards contained herein are minimum for cul-de-sac and loop type local streets in a residential subdivision. All such streets shall be designed and constructed in accordance with standards as specified in Table 5. Cul-de-sacs are required whenever a street is intended to be permanently dead-ended.

512 Intersection Design Standards

The design and improvement standards for intersections are suggested minimums for all street intersections in subdivisions. All such intersections shall be designed and constructed in accordance with standards as specified in Table 6. Multiple intersections involving junctions of more than two (2) streets shall not be permitted. Proposed streets shall intersect one another as nearly at right angles as topography or other limiting factors will permit. No intersection of streets on angles less than sixty (60) degrees shall be approved.

513 Streets for Commercial Subdivisions

Streets serving business developments and accessory parking areas shall be planned to connect with arterial streets so as not to generate traffic on local streets. The intersection of driveways from parking areas with arterial or collector streets shall be located so as to cause the least possible interference with traffic movement on the streets, and shall be located not less than one hundred (100) feet from the intersection of an arterial or collector street with any other street, and shall be spaced not less than two hundred (200) feet from each other. The Planning Commission may require marginal access streets to provide safety and convenience.

514 Streets for Industrial Subdivisions

Collector streets for industrial subdivisions shall be planned to serve industrial areas exclusively and shall connect with arterial streets so that no industrial traffic will be directed into any residential streets. The intersections of service streets from parking areas, with arterial or collector streets shall not be less than one hundred (100) feet from the intersections of the arterial or collector street with any other street. Streets shall be planned to be extended to the boundaries of any adjoining land planned for industry, except if severe physical conditions prevent this or if the Planning Commission finds such extension is not in accord with the approved plan of the area.

515 Private Streets

Private Streets shall be designed and constructed in a manner that ensures that the street will safely and adequately meet the traffic demands generated by the Subdivision. Private Streets shall meet the following requirements:

515.01 Minimum Pavement Width Standards for Private Streets

The minimum pavement width requirements for Private Streets in a Subdivision are as follows:

Minimum Required Pavement Width:	16 Feet for 12 lots or less
	18 Feet for 13 lots and over
Minimum Required Ingress/Egress Easement:	50 Feet

515.02. Minimum Street Width Requirement Waiver

The minimum street width requirement may be waived if the applicant can satisfactorily demonstrate that a reduction in street width will result in at least one or more of the following outcomes:

- a. The reduction in width would result in the preservation of valuable natural features present on the site, such as trees, lakes, ravines, or any other environmentally sensitive areas.
- b. The proposed reduction in width of the private street would further strengthen the positive relationship between the development and the natural features unique to the project site.
- c. Physical barriers located on the site necessitate a reduction in width of the roadway as proposed (i.e. steep slopes, wetlands, lakes, topographical challenges), provided that a mechanism exists to alleviate potential circulation problems for lots utilizing the Private Street for access.

515.03 Pavement Materials

Pavement materials and pavement thickness for Private Streets in all Subdivisions shall be designed and constructed in conformance with the minimum requirements listed below. Construction inspection will be administered by the Highland County Engineer as found in Section 806.

Private streets shall have one of the following pavement sections:

- (a) 12" of Item 304 with an bituminous surface of triple chip and seal. See typical section in Appendix K.
- (b) 9" of Item 304 with an asphalt surface course of 2" of Item 448. See typical section in Appendix K.

515.04. Private Street Grade

Private Streets shall meet minimum requirements for street grade or radii as per Subdivision Street Standards found in Section 510 of these regulations.

515.05 Private Street Recording

All private streets shall be noted on the record plat, and shall be labeled with the following statement:

"Private street(s), not for public maintenance."

515.06. Private Street Maintenance Agreement

All lots utilizing the Private Street for access shall be provided with a maintenance agreement, to be noted on the plans and on the Record Plat. Provisions for maintenance shall be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained. A Homeowners Association or other appropriate method for maintenance shall be established to maintain the private street system.

515.07. Adjacent Property

Private streets should not be planned to be extended into adjacent property unless they become public or unless otherwise deemed appropriate by the Planning Commission, or their designated representative.

516 Driveways

- a. Common Driveways are permitted for up to five parcels. If a common driveway is to provide access for more than two parcels, then each parcel must have the minimum lot width required by Article 4, Table 1 of these regulations, and such driveway must be shown to be necessary due to the particular topography or other site conditions.
- b. All private easements including common driveways shall have a provision in the subdivision and deed of the parcels on which the easement is located and those entitled to use thereof for common maintenance and repair, which shall contain at a minimum such language as has been approved by the Planning Commission.
- c. Access roads or vehicular ways within subdivisions containing single family attached dwelling units or multi-family dwellings shall be considered streets and designed and constructed according to these Regulations.
- d. A driveway permit or letter indicating the access point as approved shall be obtained from the office of the County Engineer or Ohio Department of Transportation. Proof of such permit shall be submitted with the final plat, or plat dedication shall include a statement requiring all lot owners to apply for a driveway permit prior to development.
- e. Driveways shall have a maximum grade of (15) percent. Curb cuts for straight curb and the flare for rolled curbs shall be three (3) feet wider than the driveway on each side. The subdivider or developer shall place the approved drainage structures under intersecting driveways when required. Driveways shall be designed so as to drain into the roadside ditch and not onto the roadway surface.

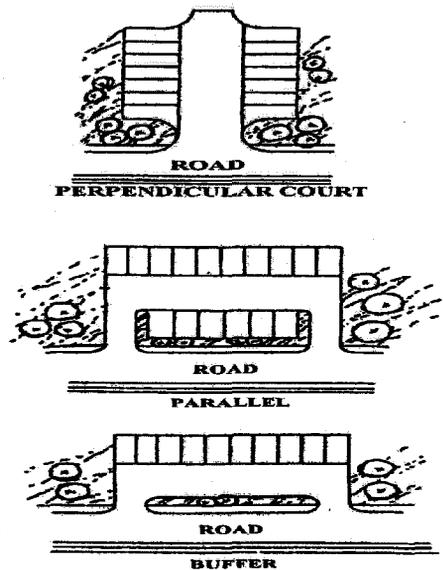
Article 5, Table 6, Table 1: Recommended Driveway Dimensions			
	Residential	Commercial	Industrial
Minimum Width	10	15	20
Maximum Width	30-50	40-50	40-50
Turn Radius Minimum	10	15	25
Turn Radium Maximum	25	50	50
Minimum Angle of Intersection	60	60	60

The minimum width of commercial driveways is intended to apply to one-way operation. In high-pedestrian activity areas, such as in a business district or in the same block with an auditorium, school or library, the maximum basic width should be 30 feet. The width is intended to be measured along the right-of-way line. The maximum radius for major generator driveways should be much higher than the values shown. Minimum acute angle is measured from edge of pavement, and generally based on one-way operation. For two-way driveways, and in high pedestrian activity areas, the minimum angle should be 70 degrees.

517 Off Street Parking (applies where no zoning is in effect)

Number of Spaces

An adequate number of off-street parking spaces shall be required in all developments to accommodate residents and visitors. Because the parking requirements included in Article 5, Table 6 are for peak needs, the planning commission may designate areas that will serve as temporary parking areas. These would include grassy areas with an adequate aggregate base to be used as overflow parking during peak parking periods.



Size of Spaces

Each off-street parking space shall measure nine (9) feet in width by eighteen (18) feet in length. Parking spaces for the physically handicapped shall measure twelve (12) feet in width. For every 25 spaces, there must be at least one (1) handicapped accessible space, labeled and signed for such use.

Parking Areas

- Off-street parking areas shall be located within a reasonable walking distance of the buildings they are designed to serve.
- Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to ensure ease of mobility, ample clearance, and emergency vehicle and pedestrian access.
- Parking areas shall be screened along lot lines bordering institutional or residential uses and along streets. Native trees and shrubs shall be planted wherever possible.

- d. The width of all aisles providing direct access to individual parking stalls shall be in accordance with the requirements specified below. Only one-way traffic shall be permitted in aisles serving single-row parking spaces placed at an angle other than ninety degrees.

Article 5, Table 7: Recommended Parking Requirements	
One/Two Family Dwellings	2 spaces/DU.
Townhouses and Multiple Family	2 spaces/DU.
Mobile Homes	2 spaces/unit.
Office Uses	2 spaces plus 1 space for each 200 sq. ft. of usable floor area.
Office Uses	1 space for each 100 sq. ft. of usable floor area.
Industrial Uses	1 space for employee in the largest working shift.
Churches and Temples	1 space for each 3 seats.
School	2 per classroom, but not less than 1 per teacher and staff
Restaurant	1 per 3 seats
Fast-Food Establishment	1 per 30 sq. ft. of usable floor area
Retail Store	1 per 200 sq. ft. of usable floor area
Shopping Center Under 400,000 sq. ft.	4 per 1,000 sq. ft. of usable floor area
Shopping Center 400,000-599,999 sq. ft.	4.5 per 1,000 sq. ft. of usable floor area
Shopping Center 600,000+ sq. ft.	5 per 1,000 sq. ft. of usable floor area
Medical Center	1 per 250 sq. ft. of usable floor area
Note: Where and if these standards conflict with applicable zoning regulations, the zoning regulation's standards shall apply.	

518 Sidewalks and Graded Areas

- a. Sidewalks may be required in all subdivisions by the planning commission. Where the average lot line frontage is 100 feet or less, sidewalks may be required on both sides of the street. Where not be required. the average lot line frontage is greater than 100 feet, sidewalks may only be required on one side of the street. Where the average lot line frontage is greater than 150 feet, sidewalks may not be required.
- b. In conventional developments, sidewalks shall be placed in the right-of-way, parallel to the street, unless an exception has been permitted to preserve topographical or natural features or to provide visual interest, or unless the applicant shows that an alternative pedestrian system provides safe and convenient circulation. In commercial and in high-density residential areas, sidewalks may abut the curb.

- c. Pedestrian-way easements ten (10) feet wide may be required by the planning commission through the center of blocks to provide circulation or access to schools, playgrounds, shopping or other community facilities.
- d. Sidewalks shall measure four (4) feet in width; wider widths may be necessary near pedestrian generators and employment centers. Where sidewalks abut the curb and parked cars overhang the sidewalk, widths shall be five (5) feet. The width of graded areas shall be the same as for sidewalks.
- e. Sidewalks and graded areas shall be constructed according to the specifications set forth in these Regulations.
- f. Public sidewalks may be required for industrial lots, subject to the approval of the planning commission.
- g. Maintenance shall be the responsibility of the property owner.

519 Street and Walkway Lighting

The planning commission may require the sub divider to install street lights in accordance with standards and specifications of the county engineer, with consultation provided by the local electric utility company, in each residential subdivision which contains a majority of lots with an individual lot width of one hundred (100) feet or less at the front property line. Such lights shall be located at each street intersection within the subdivision and at other locations deemed necessary by the County Engineer. Streetlights shall be designed, with appropriate lamps and reflectors, to minimize light pollution.

520 Monuments, Markers, and Pins

At least four permanent markers shall be set in each plat and iron pins shall be set on all lot corners. For lot corners, the reinforcing bars 5/8" x 30" are acceptable. The permanent markers shall be a 5/8" steel rod or larger running through a concrete block at least six (6) inches in diameter and at least thirty (30) inches long, and the bottom of such concrete block shall be set at least thirty (30) inches deep, below finish grade, and the points at which they may be found shall be designated on the plat. The iron pins shall conform to the "minimum standards for Boundary Surveys in the State of Ohio", Chapter 4799-37-03 monumentation.

All monuments shall be identified on the final plat and shall be in place at the time the roads and other improvements are inspected for acceptance by the Planning Commission and County Engineer. A minimum of two (2) permanent markers are required in major subdivisions involving one (1) lot, and four (4) permanent markers involving two (2) or more lots.

521 Culverts and Bridges

- a. Where natural drainage channels intersect any street right-of-way, it shall be the responsibility of the subdivider to have satisfactory bridges and/or culverts constructed. Where culverts are required, minimum requirements shall be observed as follows:
- b. All culverts shall extend for an adequate distance to accommodate the required roadway embankment slopes. The cover over the culvert and its capacity shall be determined by the developer's Professional Engineer and approved by the County Engineer. Depending on the existing drainage conditions, half head walls may be required. Where driveway culverts are wholly or partially in the street right-of-way, they shall have a minimum length of thirty (30) feet and minimum diameter of twelve (12) inches. The driveway culverts shall be laid so as to maintain the flow lines of the ditch or gutter.

522 Street Improvements

All streets and thoroughfares shall be graded to their full width, including side slopes, and improved in conformance with the standards given or referred to in these Regulations. These standards are considered minimum and are subject to change where deemed necessary. All materials and construction procedures shall be in accordance with the current Construction and Materials Specifications of the State of Ohio Department of Transportation or the specifications on file in the County Engineers Office, whichever are more stringent.

523 Street Width

Minimum street pavement widths shall conform to the standards of these Regulations. Where pavement widths greater than those specified are deemed necessary by the County Engineer and approved by the Planning Commission, the county shall not bear the extra cost of providing the width beyond the requirements of these regulations.

524 Street Subgrade

- a. The subgrade shall be free of sod, vegetative or organic matter, soft clay, and objectionable materials for a depth of at least two (2) feet below the finish surface.
- b. The subgrade shall be properly rolled, shaped, and compacted in accordance with the State of Ohio Department of Transportation Specifications. All soft areas shall be removed and replaced with suitable material to achieve the required approval. Backfills over sewers, culverts and underground utilities in the roadway shall also meet the specifications in ODOT's Construction and Material Specifications.
- c. Sub-base grade tolerance shall be no more than one (1) inch in sixteen (16) feet, and shall be subject to the approval of the County Engineer.

- d. Where granular sub base is not a part of the pavement design, and rock, shale or coal is encountered, the subgrade shall be excavated to a depth of 2 feet below the surface of the subgrade for the cross section width of the roadway between points 1 foot beyond the shoulders. The additional excavation shall be filled with suitable embankment material.
- e. Where granular sub base is a part of the pavement design, and rock, shale or coal is encountered, the subgrade shall be excavated to a depth of 18 inches below the sub base for the cross section width of the roadway between points 1 foot beyond the shoulders. The additional excavation shall be filled with suitable embankment material.
- f. Approval of the sub-grade must be obtained from the County Engineer prior to the application of the base course.

525 Street Base Course

The developer has the option of using any of the following base courses, based on recommendations of the county engineer as to soil and traffic conditions: aggregate, bituminous aggregate, asphalt concrete, or equally suitable base course. Thickness shall be determined by the County Engineer, and approved by the Planning Commission, based upon the physical properties of the base course used and the physical properties of the roadbed.

526 Street Surface Course

Upon the expiration of the established maintenance period for the base course, the surface course shall be constructed using either asphalt concrete, bituminous mix or portland concrete cement. Specific material and thickness recommendations shall be determined by the County Engineer based upon traffic conditions.

527 Portland Cement Concrete Pavement

If the sub divider elects to construct streets totally out of portland cement concrete or if such pavement is required by the County Engineer, thicknesses of six (6) inches for local and collector streets and seven (7) inches for arterial, commercial and industrial streets shall be required, and shall meet the current Plain Portland Cement Concrete pavement specifications of the Ohio Department of Transportation.

The Planning Commission may require pavements of greater thickness, upon the recommendation of the county engineer, based upon his or her evaluation of the subgrade, traffic, and wheel load conditions.

528 Full-Depth Asphalt Pavement

If streets are to be constructed out of “full-depth” asphalt, an asphalt pavement in which asphalt aggregate mixtures are used for all courses above the subgrade may be necessary. The county engineer will determine pavement thicknesses. For local streets pavements may vary from four (4) to seven (7) inches depending upon subgrade conditions. For collector streets, pavements may vary from five (5) to nine (9) inches, and for arterial and industrial streets from six (6) to eleven (11) inches, depending upon the engineer’s recommendation.

529 Street Curbs and Gutters

The requirements for curbs and gutters will vary according to the character of the area and the density of development. In areas with substantial flash flooding or heavy rain run-off, curbs shall be required on all streets designed for areas where the existing or anticipated residential density of the area surrounding the proposed subdivision equals or exceeds three (3) dwelling units per net acre. In commercial developments, or where other similar intensive urban uses exist or are anticipated, curbs shall be required.

Where curbs exist on abutting properties, their extension shall be required throughout the proposed subdivision. Curbs and gutters shall be constructed in conformance with the current Constructions and Material Specifications of the State of Ohio Department of Transportation.

530 Open Ditches and Slopes

Open ditch construction for roadside drainage shall be permitted in low density areas, and constructed according to Ohio Department of Transportation specifications. Minimum depth of ditches shall be two (2) feet below the edge of pavement, and one (1) foot minimum at top of hill and toe of bank. All ditches shall be protected against erosion. Curlex or approved equal shall be used in ditches up to 2.5%. Sod or Rip-Rap shall be used in the bottom and sides of ditches up to 5%, and tile or paved gutters shall be used in ditches over 5%.

531 Street Construction Standards

Street construction design is based upon the California Bearing Ratio (C.B.R.) value of the soil subgrade. Where more than one soil type of varying CBR value occurs on the proposed street, design shall be made on the basis of the lowest CBR. While actual on-site testing is recognized as a proper method of determining CBR values, the use of soil types utilized may be utilized in lieu of on-site testing as a satisfactory substitute. For purpose of street construction standards, Article 5, Table 8, shows three (3) classifications of soil with its engineering design calculation.

Article 5, Table 8: Minimum Pavement Composition (thickness expressed in inches)													
	C.B.R.	Local Street (5)			Collector Street (10)			Minor Arterial			Major Arterial & Industrial (75)		
		4	5	7	4	5	7	4	5	7	4	5	7
Aggregate Base	304	12"	12"	12"	8"	8"	8"						
	301				5"	4"	4"						
	402	2"	2"	2"									
	404	1 1/2"	1 1/2"	1 1/2"	2"	1 1/2"	1 1/2"						
Deep Strength	301	5"	4 1/2"	4 1/2"	6"	4 1/2"	4 1/2"	6"	5 1/2"	4 1/2"	7"	6"	6"
	402							1 1/4"	1 1/4"	1 1/4"	1 1/2"	1 1/2"	1 1/2"
	404	2"	2"	2"	2"	2"	2"	2"	2"	2"	2"	2"	2"
Concrete Base	305	6"	6"	6"	6"	6"	6"	6"	6"	6"	6"	6"	6"
	404	1 1/4"	1 1/4"	1 1/4"	1 1/4"	1 1/4"	1 1/4"	1 1/2"	1 1/4"	1 1/2"	1 1/2"	1 1/2"	1 1/2"
Concrete Pavement	452	6"	6"	6"	6"	6"	6"	7"	7"	7"	7"	7"	7"

C.B.R. = California Bearing Ratio (a measure of soil-bearing capacity 301 = Bituminous aggregate base 304 = Aggregate base 305 = Portland cement concrete base (5.5 bag mix) 402 = Asphalt concrete 404 = Asphalt concrete 407 = Tack coat (RS-1) 408 = Prime coat (RC-30, MC-70, RT-2, or RS-2) 452 = Plain Portland cement concrete pavement (6.5 bag mix)

Note: The number in parentheses is the design traffic number and is the "n" number of 18,000 lb. equivalent loads per day. When it is possible this loading will be exceeded, the county engineer may elect to change the roadway design specification. All monuments and iron pins shall be identified on the final plat, and shall be in place at the time the roads and other improvements are inspected for acceptance by the planning commission and county engineer.

532 Street Construction Standards

Standard Subdivision Street Plan Submissions shall include the following components as a minimum submission for subdivision street approval to the County Engineer:

Title Sheet	Schematic Plan
Typical Section	General Notes
General Summary	Sub summaries and Calculations
Storm water pollution prevention plan (if needed)	Plan and Profile
Cross-Sections	Drainage Structures (if needed)
Right-of-Way	Soil profile/Foundation investigations

Article 6

UTILITY DESIGN AND CONSTRUCTION STANDARDS

Standards

600 General

A professional engineer, licensed in Ohio, shall design any plans for public water supply, stormwater and wastewater facilities.

601 Water Supply

- a. Where a public water supply is reasonably accessible or required because of groundwater pollution problems, the subdivision shall be provided with a complete water distribution system including a connection for each lot. Appropriately spaced fire hydrants may be required by the planning commission. Public water distribution and public well systems shall meet the requirements of the Ohio Environmental Protection Agency, as cited in the Ohio Revised Code.
- b. Where public water supply is not available, as determined by the Planning Commission and the county health department, or not required, the subdivider shall supply acceptable evidence of the availability of water. The subdivider may be required to drill one (1) or more test wells in the area to be platted. Individual private wells shall be located at least ten (10) feet from property lines; fifty (50) feet from all septic systems, ten (10) feet from all closed sewer lines, and shall not be located within any areas within the 100-year flood plain. If no zoning is in effect, the minimum lot area requirements of these regulations shall apply. In all cases where it has been determined that individual water supplies from private wells are not feasible, a public water distribution system shall be required. The location and construction of all private water supplies must comply with Ohio Administrative Code 3701-28.

- c. When a public water main is accessible, the developer shall install adequate water facilities subject to the specifications of the Ohio Environmental Protection Agency and the county health department. Depending on the

Article 6, Table 1: Water Supply Extensions	
Size of Development	Distance
1 Unit	200 Feet
2 Units	400 Feet
3 Units	600 Feet
4 Units	800 Feet
5-15 Units	1,000 Feet

- number of housing units, residential subdivisions shall be connected to an existing public or community water supply system if such service is available within the distances defined in Article 6, Table1.
- d. Expansion of public water facilities outside of areas planned for urban growth should be limited. Utility expansion into agricultural preservation categories 1 and 2 should be limited.

602 Fire Protection

- a. Fire hydrants with two and one half (2 1/2) inch outlets and one (1) large pumping connection shall be provided by the subdivider in all subdivisions with adequate public water supplies.
- b. Hydrants shall be located between property lines and curbs with all outlets facing or parallel to the street. Hydrants shall be placed at the corners of all blocks and at midblock for blocks exceeding eight hundred (800) feet in length. Hydrants shall also be required at the entrance and end of all cul-de-sacs exceeding four hundred (400) feet in length.
- c. Hydrants shall be spaced to provide necessary fire flow. The average area per hydrant shall not exceed 120,000 square feet. In addition, hydrants shall be spaced so that each residence shall be within 600 feet of a hydrant.
- d. A hydrant shall be located at all low points and at all high points with adequate means of drainage provided.
- e. The type of hydrant and control valves and the location of the hydrant shall be approved by the fire chief or person responsible for the fire protection for political subdivision in which the plat is located.
- f. The minimum size of any water line serving any hydrant shall not be less than six (6) inches in diameter and shall be on circulating water lines. The size and location of water lines shall be approved by the County Engineer, the fire chief, or person responsible for the fire protection. All water lines installed shall be of an approved fire rating.
- g. Where no public water supply is available, the Planning Commission may require fire ponds with dry hydrants.
- h. A schedule for annual maintenance and testing of the hydrant system shall be provided along with the plans.

603 Sanitary Sewers

- a. Where an adequate public sanitary sewer system is reasonably accessible in the determination of the Planning Commission, public sanitary sewers shall be installed to adequately serve all lots, including lateral connections to the public system. Public sewer system extensions shall meet the requirements of the Ohio Environmental Protection Agency and county standards. Combinations of sanitary sewers and storm sewers shall be prohibited.

b. Where a public sanitary sewer system is not reasonably accessible, the subdivider may provide a central treatment plant for the subdivision, provided that such central treatment plant is installed in accordance with Ohio Environmental Protection Agency requirements and county standards. Lots may be served by individual disposal systems only with approval of county health officials and the Ohio Environmental Protection Agency. Where the installation of individual disposal systems is considered, the individual lots must meet the criteria established by the County Health Department for approval. The location and construction of all sewage disposal systems must comply with Ohio Administrative Code 3701-29.

Article 6, Table 2: Sanitary Sewer Extensions	
Size of Development	Distance
1 Unit	200 Feet
2 Units	400 Feet
3 Units	600 Feet
4 Units	800 Feet
5-15 Units	1,000 Feet

c. Depending on the number of housing units, residential subdivisions shall be connected to an existing public sanitary

sewer system if public service is available within the distances defined in Article 6, Table 2. This requirement shall only apply to new construction.

d. For developments with more than 15 units and located within one mile of an existing public sanitary sewer system, adequate justification shall be provided as to why they should not provide a connection to the existing public sewer system. Expansion of public sewer facilities outside of areas planned for urban growth should be limited. Utility expansion into agricultural preservation land use categories one (1) and two (2) should be limited.

604 Design Criteria for Sanitary Sewers

Sanitary sewer improvements will be designed in conformance with Recommended Standards for Wastewater Facilities (current edition) as approved by GLUMRB (Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers). Construction plans submitted to the Highland County Planning Commission will be accompanied by an OEPA issued permit-to-install.

605 Drainage and Storm Sewers

All storm drainage design shall be planned and executed so as to preserve natural topographic features and vegetative cover, to minimize change to existing topography, and to preserve natural drainage systems.

- a. Natural drainage channels with easements of adequate width shall be provided as determined by the county engineer and approved by the Planning Commission. Storm drainage from lots, including drain tile around basements, shall not be permitted to discharge into any sanitary sewer facility, but shall connect to an adequate drainage outlet.
- b. The subdivider shall construct all necessary facilities including underground pipe, inlets, catch basins, or open drainage ditches, as determined by the planning commission, to

provide for the adequate disposal of subsurface and surface water and maintenance of natural drainage courses. The best available technology shall be used to minimize off-site stormwater runoff, increase onsite filtration, encourage natural filtration functions, simulate natural drainage systems, and minimize off-site discharge of pollutants to ground and surface water. Best available technology may include measures such as retention basins, recharge trenches, porous paving and piping, contour terraces, and swales. Stormwater management shall follow the standards established in Rainwater and Land Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection, Second Edition, 1996 (Department of Natural Resources, Division of Soil and Water Conservation) or any later version that is published as an update. Subdivision development shall not increase the rate of runoff and an increase in the volume of runoff shall require a reduction in the rate of runoff.

- c. When necessary, outlet ditches of closed sewers of an approved type and size shall be required as part of the construction. If same is across private property, rights-of-way or easements shall be obtained by the subdivider or developer for the construction and future maintenance. These rights-of-way or easements shall be shown on the construction plans. Whenever possible, post development drainage patterns shall be the same as pre-development drainage patterns. The design of streets and grading shall be such that runoff from roofs, driveways and other impervious surfaces will be collected in ditches and/or gutters in short runs three hundred (300) feet to four hundred (400) feet in length. The runoff shall then be diverted from the surface, if not already underground, into storm sewers or a natural water course. Streets shall be located away from water courses unless storm sewers are to be installed. The channel downstream of the subdivision shall be improved adequately by the developer to convey the storm runoff from the subdivision and across the adjacent property owner so that damages from flooding are minimized.
- d. The subdivider shall guard against the creation or continuation of swampy areas or stagnant pools, unless they are a component of a designed wetlands open space. The Planning Commission may require fill, swale, and/or channel improvements in order to forestall such problems.
- e. Adequate measures for the protection of open and closed drainage channels shall be provided. Maintenance easement widths shall be determined by the County Engineer. The velocity flow on an open ditch shall not exceed four (4) feet per second in soil ditches or six (6) feet per second in turf gutters. Paved gutters will be required if velocities of flow are greater than those specified, or if it is otherwise likely that destructive erosion will result. Drainage ditches shall not be permitted to discharge into any sanitary sewer facility.
- f. No water course shall be altered in such a way as to change the amount or direction of flow; no fill, building or structures shall be situated in natural water courses unless provision is made for the flow of water in a manner satisfactory to the County Engineer.

606 Electric, Gas, and Telephone Improvements

- a. Electric and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, electric, and street lighting wires, conduits, and cables shall be constructed underground except in cases where the County Engineer determines that topographic, bedrock, or underground water conditions would result in excessive costs to the subdivider.
- b. Overhead utility lines where permitted shall be located at the rear of all lots unless the county engineer, upon the recommendation of utility company, provides reasons that justify the location of easements at another location. The width of the easement per lot shall be not less than ten (10) feet and the total easement width shall be not less than twenty (20) feet.
- c. Whenever a sanitary sewer line and electric and/or telephone line are each placed underground in the same utility easement, the total easement width shall be not less than twenty (20) feet.
- d. Whenever a major gas transmission line is on or adjacent to property proposed to be subdivided, adequate measures shall be taken to insure that all buildable sites are at a minimum safe distance from the transmission line easement, as recommended by the gas transmission company and the Public Utilities Commission of Ohio.

607 Oversize and Offsite Improvements

The County Commissioners, with advice provided by the Planning Commission, may require that utilities, pavements, and other land improvements for the proposed subdivision be designed oversized, and/or with extensions provided, to serve nearby land which is an integral part of the neighborhood service or drainage area as determined by the county engineer and/or sanitary engineer.

The subdivider shall be required to pay for all other oversize improvements that pertain to roadways, sanitary sewers, waterlines and storm drainage requirements inherent to the plat and shall be required to pay for oversized improvements where such over sizing has been required for conformance with the comprehensive plan of the county.

Article 7

ENVIRONMENTAL AND LANDSCAPING DESIGN AND CONSTRUCTION STANDARDS

Standards

700 Purpose

Landscaping shall be provided as part of the site plan and subdivision design for planned unit developments and for commercial, industrial, and medium and high density residential subdivisions. Careful thought shall be given as to how best to preserve existing plant material at the site. Landscaping may include plant materials such as trees, shrubs, ground covers, perennials, and annuals, and other materials such as rocks, water, sculpture, art, walls, fences, paving materials and street furniture.

701 Public Sites, Open Space and Recreation

- a. Where a park, playground, school, public access to water frontage, or other proposed public property, which is shown in the comprehensive plan (if one exists), is located in whole or in part in a proposed subdivision, the planning commission may request the dedication of such area within the subdivision or that provision be made for the acquisition of such area by the proper agency within a period of two (2) years or other mutually acceptable period.
- b. The Planning Commission, in conjunction with the County Commissioners may require that land area totaling three percent (3%) of the land included in the plan of the subdivision be conveyed to the county or township for park purposes. In lieu of the conveyance for park purposes, the Planning Commission may, in conjunction with the County Commissioners require the subdivider to pay a mutually agreed upon amount of money for the purchase of agricultural easements or maintenance of a park in the vicinity of the subdivision and likely to be used by the subdivision residents.
- c. Where a large-scale subdivision or planned unit development is proposed, the Planning Commission may require that consideration be given to sites for schools, parks, playgrounds, and other such areas for common use and that provisions be made for such reservation or acquisition by the proper agency.
- d. The Planning Commission may reserve the right to deny approval to a subdivision if such subdivision disregards the preservation of natural features such as wooded areas, water courses, beaches, areas of natural or historical significance and similar irreplaceable assets which add value to residential development and the community.

702 Flood Areas and Storm Drainage Ditches

All subdivisions shall comply with current county floodplain regulations on file in the Planning Commission Office. Appropriate measures shall be taken to elevate buildings to required levels. A proposed subdivision may be denied if access to the subdivision is periodically blocked by floodwaters. Flood control or storm drainage facilities shall be provided as follows:

- a. Access to flood control or storm drainage ditches and channels shall be provided by easements of not less than twenty (20) feet in width, located on one side of the flood control or drainage ditch, channel or similar facilities.
- b. Flood control or storm drainage easements containing underground facilities shall have a minimum width of twenty (20) feet.
- c. Whenever a flood control or storm drainage ditch or channel has a depth of five (5) feet or more, or a bank slope of two (2) feet horizontal to one (1) vertical or steeper, a five (5) foot high masonry wall or a five (5) foot high chain link fence may be required by the Planning Commission.

703 Soil Erosion Requirements

- a. In the development of a subdivision, the developer shall not cause or allow earth-disturbing activities that can pollute a public or private surface ditch, subsurface drainage, stream, river or lake. The developer shall also, to the greatest extent possible, take steps so that sediment will not be deposited onto an adjoining property. Adequate control of soil erosion and sedimentation, through the use of best management practices with both temporary and permanent measures, shall be used during all phases of clearing, grading, and construction to conserve soil resources and to maintain existing water quality. Sediment control shall follow the standards and specifications in Rainwater and Land Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection, Second Edition, 1996 (Department of Natural Resources, Division of Soil and Water Conservation).
- b. When a proposed development area consists of one (1) or more acres of earth-disturbing activities, the owner of record shall develop and submit to the Soil & Water Conservation District for review and approval, a soil erosion and sedimentation control plan. Such a plan shall contain sufficient information, drawings and notes to describe how soil erosion and off-site sedimentation will be kept to a minimum, both during and after construction. A copy of such plan shall be filed with the Planning Commission.
- c. When a proposed development area involves less than one acre, it is not necessary to submit a soil erosion and sedimentation control plan; however, the developer shall comply with the standards and specifications in Rainwater and Land Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection, Second Edition, 1996 (Department of Natural Resources, Division of Soil and Water Conservation). Upon request, submittal of specific soil erosion and sedimentation prevention measures to be or being implemented may be required to determine compliance.

- d. Soil erosion and sedimentation control plans shall be certified by a Professional Engineer registered in the State of Ohio before being submitted to the Soil and Water Conservation District and the planning commission for review and approval.

704 Landscape Plan

A landscape plan shall be submitted with each site plan application for planned developments, commercial, industrial, and/or high density residential subdivisions, unless an exception is granted by the planning commission pursuant to these Regulations. The landscape plan shall identify existing and proposed trees, shrubs, and ground covers; natural features such as rock outcroppings; and other landscaping elements. Where existing plants are to be retained, the applicant shall include in the plans proposed methods of protecting them during construction.

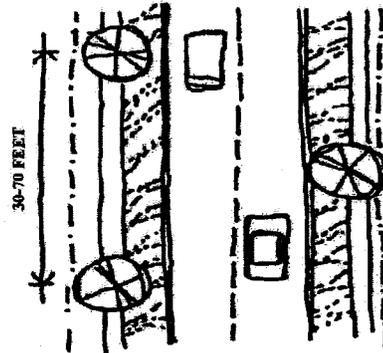
705 Site Protection and General Planting Requirements

- a. **Topsoil Preservation:** Topsoil shall be temporarily stored and later redistributed on all regraded surfaces so as to provide at least (4) inches of even cover to all disturbed areas of the development and shall be stabilized by seeding or planting.
- b. **Removal of Debris:** All stumps and other tree parts, litter, brush, weeds, excess or scrap building materials or other debris shall be removed from the site and disposed of in accordance with the law. No tree stumps, or portions of tree trunks or limbs shall be buried anywhere in the development. If trees and limbs are reduced to chips, they may be used as mulch in landscaped areas, subject to approval by the Planning Commission.
- c. **Protection of Existing Plantings:** Maximum effort should be made to save fine or exceptional plant specimens. No material or temporary soil deposits shall be placed within four (4) feet of shrubs or ten (10) feet of trees designated on the landscape plan to be retained. Protective barriers or tree wells shall be installed around each plant and/or group of plants that are to remain on the site. Barriers shall not be supported by the plants they are protecting, but shall be self supporting. They shall be a minimum of four (4) feet high and constructed of a durable material that will last until construction is completed. Snow fences and silt fences are examples of acceptable barriers.
- d. **Slope Plantings:** Landscaping of all cuts and fills and/or terraces shall be sufficient to prevent erosion, and all roadway slopes steeper than one (1) foot vertically to three (3) feet horizontally shall be planted with ground cover appropriate for the purpose and for soil conditions, water availability, and environment.
- e. **Additional Landscaping:** In residential developments, besides the screening and street trees required, additional plantings or landscaping elements may be required throughout the subdivision where necessary for climate control, privacy, or other reasons in accordance with the landscape plan approved by the planning commission taking cost constraints into consideration. In non-residential developments, all areas of the site not occupied by buildings and required improvements shall be landscaped by the planting of grass or other ground cover, shrubs, and trees as part of the landscape plan approved by the Planning Commission.

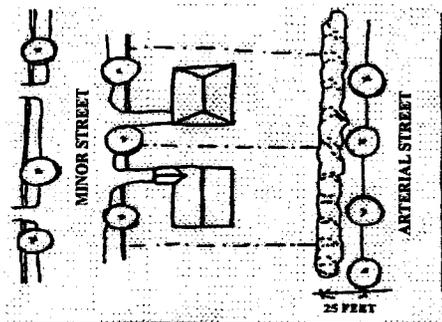
- f. **Planting Specifications:** Deciduous trees shall have at least a two-inch caliper at planting. Size of evergreens and shrubs shall be allowed to vary depending on setting and type of shrub. All trees, shrubs, and ground covers shall be planted according to accepted horticultural standards. Dead and dying plants shall be replaced by the developer during the following planting season.
- g. **Plant Species:** The plant species selected shall be hardy for the climate and appropriate in terms of function and size.

706 Buffering

Buffering is the provision of an area between different land uses that attempts to minimize negative environmental impacts from one to the other. Buffers shall provide a year-round visual screen in order to minimize adverse impacts. They may consist of fencing, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. Every



developer shall provide sufficient buffering when topographical or other barriers do not provide reasonable screening and when the planning commission determines that there is a need to shield (1) neighboring properties from any adverse external effects of a development; or (2) the development from negative impacts of adjacent uses such as streets or



railroads. In high-density developments, when building design and siting do not provide privacy, the planning commission may require landscaping, fences, or walls to screen dwelling units for privacy. Buffers shall be measured from side and rear property lines, excluding driveways. Plant materials shall be sufficiently large and planted in such a fashion that a year-round screen at least eight (8) feet in height shall be produced within three (3) growing seasons. All plantings shall be installed according to accepted horticultural standards.

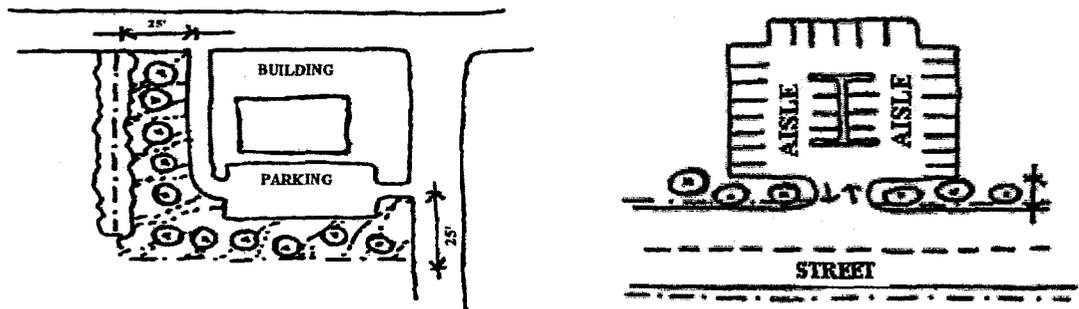
Article 7, Table 1: Buffer Strip Width	
Parking lots, garbage collection, utility areas, and loading and unloading areas	5 feet width minimum
All other land uses	25 feet width minimum

707 Maintenance

Plantings shall be watered regularly and in a manner appropriate for the specific plant species through the first growing season, and dead and dying plants shall be replaced by the applicant during the next planting season. No buildings, structures, storage of materials, or parking shall be permitted within any buffer area. Buffer areas shall be maintained and kept free of all debris, rubbish, weeds, and tall grass.

708 Parking Lot Landscaping

- a. In parking lots, at least five percent (5%) of the interior parking area shall be landscaped with plantings. Parking lot street frontage screening and perimeter screening shall be a minimum of five (5) feet wide. Planting required within the parking lot is exclusive of other planting requirements, such as shade trees planted along the street.



- b. Landscaping should be located in protected areas, such as along walkways, in center islands, at the ends of bays, or between parking stalls. All landscaping in parking areas and on the street frontage shall be placed so that it will not obstruct sight distance. Plantings in parking areas and on streets shall pay particular attention to sun position during the summer months so that maximum cooling effects can be gained from well-placed trees.
- c. A mixture of hardy flowering and/or decorative evergreen and deciduous trees may be planted. The evergreens should be used along the perimeter of the lot for screening, and the deciduous trees for shade within the lot. The area between trees shall be mulched or planted with shrubs or ground cover. Any area that will be under the overhang of vehicles shall be mulched or covered with paving material.

709 Paving Materials

Design and choice of paving materials used in pedestrian areas shall consider such factors as function, climate, characteristics of users, availability, cost, maintenance, glare, drainage, noise, appearance, and compatibility with surroundings. Acceptable materials shall include, but are not limited to, concrete, brick, cement pavers, asphalt, and stone.

710 Walls and Fences

Walls and fences shall be erected where required for privacy, screening, separation, security, erosion control, or to serve other necessary and reasonable functions. The design and materials used shall be functional and compatible with existing and proposed site architecture. No fence or wall shall be so constructed or installed as to constitute a hazard to traffic or safety.

Article 8

REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS

Standards

800 Improvement and Cost Estimate Information

Before the signing of the final plat, all applicants shall be required to complete, to the satisfaction of the County Engineer, County Health Department or other appropriate agency, all the streets, sanitary improvements, and other public improvements, including lot improvements on the individual lots, as listed on the preliminary plan and engineering plans and as construction-certified on the final plat. When required improvements are not completed, the sub divider shall insure their completion with a performance guarantee acceptable to the Planning Commission and board of County Commissioners.

All required improvements shall be made by the developer, at his or her expense, and cost estimates for various materials and labor shall be provided as requested by a Professional Engineer licensed in the State of Ohio. The developer shall dedicate public improvements to the local government, free and clear of all liens and encumbrances on the dedicated property and public improvements.

801 Performance Guarantee for Installation and Maintenance of Improvements

To guarantee the construction and/or maintenance of required improvements prior to the approval and recording of the final plat, the sub divider shall be required to provide a performance guarantee in one or a combination of the following arrangements:

- a. Performance Bond, Certified Check, or Irrevocable Letter of Credit: The sub divider shall post a bond, executed by a surety company, or a certified check or irrevocable letter of credit equal to the estimated cost plus ten (10) percent of the required improvements. The bond shall be in favor of the board of county commissioners, and shall guarantee construction of the improvements according to the plans and specifications approved by the Planning Commission. The term of the bond shall not exceed two (2) years plus a one (1) year maintenance period for a total of three (3) years. The Planning Commission may grant an extension where due cause can be shown. The bond amount can be reduced to a percentage of its original amount during the one year maintenance period. Under no circumstances shall the required performance bond, cash deposit or irrevocable letter of credit be tied to or be considered a portion of the developer's financing for the development.

b. Deposit: The subdivider may make a deposit with the County Treasurer, with a responsible escrow agent, or with a trust company. The deposit shall be money or negotiable bonds in an amount equal to the estimated cost plus ten (10) percent of the required improvements. If a cash deposit is made, an agreement may be executed to provide payments to the contractor or the sub divider from the deposit as the work progresses and is approved by the responsible county officials.

802 Temporary Improvements

The applicant shall build and pay for all temporary improvements required by the Planning Commission and shall maintain those temporary improvements for the period specified by the Planning Commission.

Prior to construction of any temporary facility or improvement, the developer shall file with the planning commission a separate performance guarantee in an amount equal to the estimated cost of the temporary facilities, which shall ensure that the temporary facilities will be properly constructed, maintained and removed.

803 Extension of Time

If the construction or installation of any improvements or facility, for which guarantee has been made by the developer in the form of a performance bond, cash deposit, or irrevocable letter of credit, is not completed within two (2) years from the date of final approval of the recorded plat, the developer may request the Board of County Commissioners to grant an extension of six (6) months, provided he can show reasonable cause for inability to complete said improvements within the required two (2) years. The request shall be accompanied by revised cost estimate of construction to be completed.

804 Failure to Complete Improvements

In case the subdivider fails to complete the required public improvements work within such time period as required by the conditions or guarantees as outlined above, the board of county commissioners may proceed to have such work completed and reimburse itself for the cost thereof by appropriating the cash deposit, certified check, surety bond, or by drawing upon the letter of credit, or shall take the necessary steps to require performance by the bonding company.

805 Progressive Installation

After the preliminary plan of a proposed subdivision has been approved by the Planning Commission, the sub divider may improve a part of the entire area and submit a final plat for that improved portion to the Planning Commission for approval.

806 Inspection of Improvements

The Planning Commission shall coordinate with the County Engineer, County Health Department, or other appropriate agency to provide for inspection of required improvements during construction and ensure their satisfactory completion. The applicant shall pay to the Planning Commission an inspection fee, and shall notify proper administrative officials at least twenty-four (24) hours before each phase of the improvements is ready for inspection. The Planning Commission may waive the requirement for inspection fees to be paid by the developer. Work requiring periodic inspections and an inspection schedule shall be finalized by the developer and inspectors before any work begins. If, in the opinion of the inspector, installations are improper or inadequate, the inspector shall issue a stop order. The developer may appeal the inspector's findings to the County Engineer and/or Sanitary Engineer within forty-eight (48) hours. Failure to comply with the inspector, County and/or Sanitary Engineer's directive, will be deemed a violation of these Regulations subject to having the approved final plat invalidated by the Board of County Commissioners.

807 Completion of Work and Reduction of Security

As required improvements are completed, the Board of County Commissioners may, with concurrence of the County Engineer and Planning Commission, reduce the amount of the performance bond, cash deposit, or irrevocable letter of credit, in the following increments: 25%, 50%, and 75%. The remaining twenty-five (25%) will be held for a one year maintenance period. Performance bonds, cash deposit, or irrevocable letter of credit for roads, storm drainage, water and sanitary sewer improvements shall not be released independently.

808 Acceptance of Streets, Storm Drainage, Sanitary Sewer and Water Distribution Improvements for Use and Maintenance by the Public

The subdivider shall have properly constructed and maintained all required improvements at the time he requests their acceptance by the Board of County Commissioners. Upon completion of all improvements, the developer shall request that the County Engineer perform an inspection for conditional acceptance. After the inspection, the County Engineer will do one of the following:

- a. Issue a letter to the Board of County Commissioners, with a copy to the developer, recommending conditional acceptance and the amount of a maintenance bond.
- b. Issue a letter to the developer, with a copy to the Board of County Commissioners listing items of work necessary to accomplish satisfactory completion of the improvements.

Upon completion of the improvements and conditional acceptance by the Board of County Commissioners, the developer shall furnish a maintenance guarantee in the amount of 25% of the total performance guarantee. The subdivider shall be responsible for routine maintenance of all improvements and shall repair all failures due to faulty construction as soon as they become

apparent. Said subdivider shall also make repairs due to erosion or abuse by utility companies installing utilities and shall repair all failure, for all other reasons, during the one (1) year period. He shall restore the improvements at the end of the maintenance period. The improvements will be eligible for final acceptance one year after the conditional acceptance. The maintenance bond shall remain in effect until final acceptance by the Board of County Commissioners. Before the Board of County Commissioners will release the maintenance bond or maintenance fund, the developer shall submit a sworn statement that all bills and financial obligations incurred for maintenance or restoration of the subdivision improvements have been fully paid. One year after conditional acceptance, the developer shall, after restoring all improvements to an acceptable condition, and after all monies are paid, request that the County Engineer perform an inspection for final acceptance. After the inspection, the County Engineer will do one of the following:

- a. Issue a letter to the Board of County Commissioners, with a copy to the developer, recommending final acceptance of the improvements and release of maintenance bond(s).
- b. Issue a letter to the developer, with a copy to the Board of County Commissioners, listing items of work necessary to accomplish before the recommendation for final acceptance can be made.

ARTICLE 9

PLANNED UNIT DEVELOPMENT

Standards

900 General Statement

The planned unit development is a contiguous area to be planned and developed as a single entity containing one or more structures to accommodate residential, commercial and/or industrial uses in accordance with applicable zoning resolutions. Zoning approval of a planned unit development does not constitute subdivision approval. The procedure for approval of planned unit developments are subject to the approval procedure specified by Article 3 of these Regulations.

901 Purpose of Planned Unit Development

Planned unit development of land may be permitted in order to provide a means for a more desirable physical development pattern than would be possible through the strict application of zoning regulations and subdivision regulations. The Planning Commission will permit certain variety and flexibility in land development to encourage the subdivider to adjust design to irregular topography, economize in the construction of utilities, and create architectural variation as well as attractive and usable buildings and building sites.

902 Uses Permitted

Compatible residential, commercial, industrial, public and quasi-public uses may be combined, provided that the proposed location of the commercial or industrial uses will not adversely affect or disregard adjacent property, public health, safety, and the general welfare. A variety of housing and building types is encouraged by permitting a higher per acre housing density and a reduction in lot dimensions and yard and building setbacks, compared with conventional development standards.

903 General Requirements

- a. The gross area of the tract to be developed under the planned unit development approach shall comprise not less than five (5) acres, unless otherwise approved by the planning commission.
- b. The total ground area occupied by buildings and structures shall not exceed eighty (80) percent of the total ground area, unless previous development in the neighborhood has a greater ground coverage, in which case the plan may increase the ground coverage of buildings and structures to correspond with the average coverage in the neighborhood.
- c. A minimum of (10) percent of the land developed shall be reserved for open space and similar uses such as an internal park network, recreational facilities, and preservation of natural features.

- d. The minimum lot size shall be not less than (70) percent of the lot area per family or use which would be otherwise be required under these Regulations. Lot widths and required yards may be reduced to (80) percent of the requirements of these Regulations.
- e. The design of the internal circulation system shall provide convenient access to dwelling units and non-residential facilities, separation of vehicular and pedestrian traffic, shall be adequate to carry anticipated traffic, including access for emergency vehicles.

904 Open Space

The amount of open space reserved in the planned unit development shall either be held in corporate ownership by the owners of the project area, for the use of those who buy property, be held by an association of property owners within the development.

Public utility or water course easements are not acceptable for open space dedication unless such land is usable as a trail and approved by the Planning Commission.

905 Management of Common Property

A homeowner's association, or in the case of non-residential development, an owners association, shall be established to provide for the maintenance of all facilities and/or properties held in common within planned unit developments. These shall include, but not be limited to, private streets and walkways, private recreational facilities, common lots and open space areas. The developer shall submit evidence as to the financial ability of the homeowners association to maintain any property or facilities held in common ownership, including the estimated annual cost of maintaining all common properties and facilities; the estimated monthly fee which shall be assessed to each residential property; and an estimate of the value of the dwelling units which will be constructed within the planned unit development. Any homeowners association and accompanying regulations shall be reviewed and approved by the county prosecutor.

906 Open Space Improvement Guarantee

At the time of the application for final plat approval, the subdivider shall provide:

- a. A performance guarantee in accordance with Section 801 of these Regulations, in the amount of the estimated cost of the proposed improvements.
- b. A maintenance guarantee, in accordance with Section 801 of these Regulations, in such amount as determined and approved by the planning commission that shall be arranged for a period of year from the date of acceptance of the improvements.

907 Conformity to Existing Streets and Thoroughfare Plan

Whenever a planned unit development abuts or contains an existing or proposed major thoroughfare or minor existing street, the roadway standards as contained in these Regulations shall be applicable.

908 Public Streets

The Planning Commission may require certain streets within the planned unit development be public if it determines that the project density necessitates the use of public streets for adequate circulation.

909 Private Streets

Private streets may be permitted in planned unit developments and shall meet the construction requirements of these Regulations. Private streets shall be owned and maintained by abutting property owners and other persons to whom the streets provide access.

910 Staging of Residential Planned Unit Development

- a. Each stage of a planned unit development must be so designed so as to stand independently of future related stages, in the event future stages are not constructed. The construction and provision of all the common open spaces and public and recreational facilities which are shown on the final development plan must proceed at the same rate as the construction of dwelling units.
- b. If a planned unit development contains non-residential uses, these uses may be constructed first, but only if the planning commission approves such construction on the final development plan.

Article 10

HILLSIDE REGULATIONS

Standards

1000 General

These Regulations apply to all hillside areas. A hillside is defined as sloping ground with an average slope of more than fifteen (15) per cent. The subdivider shall submit detailed information concerning geologic conditions, soil types, and underground water level in order that a determination can be made by the Planning Commission as to the safety of development of the particular site. New development shall maintain existing levels of slope stability and not increase the potential for slope failure. Development in hillside areas shall follow the technical standards and specifications in Rainwater and Land Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection, Second Edition, 1996 (Department of Natural Resources, Division of Soil and Water Conservation).

1001 Determination of Average Slope

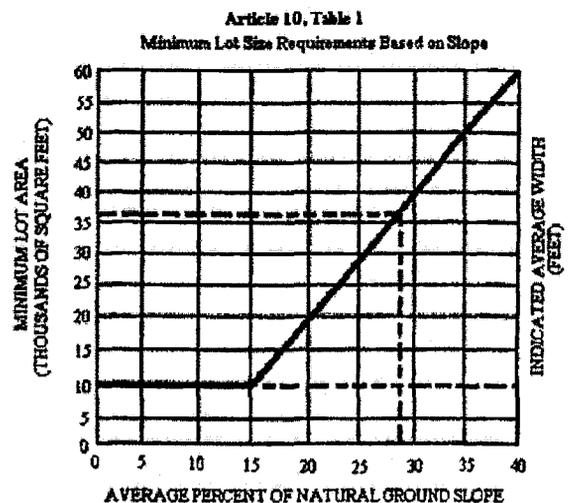
The average slope for any hillside development shall be determined by the Planning Commission during the time of preliminary subdivision design. Determination will be on an area-by-area basis with each lot sized according to the average slope falling within each area.

1002 Minimum Lot Requirements for Single Family Homes

The minimum lot requirements in the graph designated as Article 10, Table 1 shall be used to determine the minimum lot area for a single family home. The average per cent of slope is determined by the planning commission. The lot area in thousands of square feet shall then be determined by charting the average natural ground slope and the minimum lot area. Rounding shall be made to the nearest five (5) foot frontage interval.

1003 Grading Plan and Controls

The grading plan shall show contour lines at ten (10) foot intervals where the average slopes exceed fifteen (15) per cent and at five (5) foot intervals where slopes are less than fifteen (15) per cent. Elevations are to be based on the sea level datum (USGS), if available. Lot layout and the approximate dimensions shall be shown for each lot and each building site. Engineering data shall show the existing topography and the approximate finished grades, location and size of each building site, lot layout and lot dimensions, and finished grade of streets prior to consideration of the final plat.



EXAMPLE: As indicated above, the minimum lot size for a single-family house on a lot with public sewer and an average slope of 28 percent is 36,000 s.f. The minimum lot width is 101 feet. The resulting lot depth is 355 feet.

NOTE: The more restrictive of this table and Table 1 section 405 shall apply.

1004 Cuts and Fills

Cut and fill slopes shall be designed, constructed, and maintained in a manner that will maximize stability and minimize erosion. Consideration shall be given to length and steepness of slope, soil type, upslope drainage area, and groundwater conditions when determining appropriate drainage management and slope stabilization measures.

Rock or similar irreducible material with a maximum dimension greater than eight (8) inches, organic materials, and construction and demolition debris shall be prohibited from fills, unless such fills are intended and approved by the County Engineer as mass rock fills or disposal fills.

Fills shall be compacted in eight-inch lifts to a density that is appropriate for the intended use. That density shall be determined by laboratory analysis of the fill material prior to its placement.

The horizontal distance from the top and from the toe of an existing or proposed unrestrained cut or fill slope to the nearest existing or proposed structure, property line, or paved surface shall be at least one-half (1/2) the vertical height of the cut or fill, unless local geology or character of materials indicates that a different distance is appropriate.

No land shall be graded, cut or filled so as to create a slope exceeding a vertical rise of one (1) foot for each two and one half (2 1/2) feet of horizontal distance between abutting lots, unless a retaining wall of sufficient height and thickness is provided to retain the graded bank. Major cuts, excavation, grading, and filling, that materially changes the site and its relationship with surrounding areas or materially affects such areas, shall not be permitted if such excavation, grading, and filling will result in a slope exceeding a vertical rise of one (1) foot for each two and one half (2 1/2) feet of horizontal distance between abutting lots or between adjoining tracts of land, except where adequate provision is made to prevent slides and erosion by cribbing and retaining walls.

1005 Compaction of Fill

All fill underlying a proposed roadway shall be compacted to a density of ninety-eight (98) percent or greater. Inspection of fill shall be conducted by the county engineer. Where required by the County Engineer and approved by the Planning Commission, the subdivider shall have fill material tested by a responsible testing company at the subdivider's expense.

1006 Retaining Walls

Retaining walls may be required whenever topographic conditions warrant or where necessary to retain fill or cut slopes within the right-of-way. Such improvements shall require the approval of the County Engineer.

1007 Minimum Hillside Requirements

The following regulations shall govern the front yard, side yard, street right-of-way and pavement requirements in hillside subdivisions:

Group	Slope	Front Yard Setback (feet)	Side Yard in % of Lot Width	Right of Way	Pavement
1	15-20%	40'	10%	50'	24'
2	26-30%	40'	10%	50'	20'
3	31%-over	40'	10%	50'	20'

1008 Street Alignment

The following regulations shall govern street alignment:

- a. Vertical profile grades shall be connected by vertical curves up to fifteen (15) percent, but only for short, straight stretches.
- b. Waiver of visibility requirements may be given subject to the approval of the Planning Commission upon recommendation of the County Engineer.
- c. Waiver of vertical curve requirements may be given subject to the approval of the Planning Commission upon recommendation of the county engineer.

1009 Driveways

The maximum grade on that portion of a driveway within a public right-of-way shall not exceed fifteen (15) percent. Each drive shall provide sufficient space and distance to turn around prior to entering the street. When the average slope on a lot will exceed fifteen (15) percent, the driveway location shall be shown on the preliminary plan (or final plat if no preliminary plan was submitted). Driveways shall be designed and constructed so as to drain into the roadway ditch and not onto the roadway surface.

The area of the driveway adjacent to the roadway shall drain away from the roadway.

Article 11

REQUIRED STATEMENTS AND SIGNATURES

TO BE AFFIXED ON THE PLAT

1100 Required Statements

Some or all of the following statements, or similar appropriate statements, may be required to be affixed on the subdivision plat. The Planning Commission may require modifications to the statements. All signatures, except the signatures of the county auditor, county recorder, and the Planning Commission shall be obtained prior to approval of the subdivision plat by the planning commission.

A. Deed Reference

Situated in Virginia Military Survey No. _____, _____ Township, Highland County, Ohio, containing ___ acres and being (part or) the same tract as conveyed to _____ and described in the deed recorded in Deed (Official Records) Book ___ Page ___, County, Ohio.

B. Owner's Consent and Dedication

We, the undersigned, being all the owners and lien holders of the lands herein platted, do hereby voluntarily consent to the execution of the said plat and do dedicate the streets, parks or public grounds as shown hereon to the public use forever. Any "Public Utility Easements" as shown on this plat are for the placement of sidewalks and for the maintenance and repair of streets. This easement and all other easements shown on this plat, unless designated for a specific purpose, are for the construction, operation, maintenance, repair, replacement or removal of water, sewer, gas, electric, telephone, cable television, or other utility lines or services, stormwater disposal and for the express privilege of cutting, trimming or removing any and all trees or other obstructions within said easement, or immediately adjacent thereto, to the free use of said easements or adjacent streets and for providing ingress and egress to the property for said purposes and are to be maintained as such forever. No buildings or other structures may be built within said easements, nor may the easement area be physically altered so as to (1) reduce clearances or either overhead or underground facilities; (2) impair the land support of said facilities; (3) impair ability to maintain the facilities; or (4) create a hazard.

The above public utility easements are for the benefit of all public utility service providers including, but not limited to

(List all applicable public utility service providers in sentence form)

(Signature of owner, all lien holders and two witnesses for each signature required)

C. Certificate of Notary Public

State of Ohio, S.S.

Be it remembered that on this ___ day of _____, 20__ before me the undersigned, a Notary Public in and for said State, personally came _____ (and _____), who acknowledged the signing and execution of the foregoing plat to be their voluntary act and deed.

In testimony whereof, I have set my hand and Notary Seal on the day and date above written.

(Signature) _____

(Print name here) _____

NOTARY PUBLIC

State of Ohio

My commission expires _____

D. Certificate of Surveyor

I hereby certify that this plat is an accurate and complete survey made by me (under my supervision, on date) and that all monuments and lot corner pins are (or will be) set as shown.

(Signature) _____

(Print name and registration number here)

Professional Surveyor

E. Highland County Planning Commission Approval

This plat was approved by the Highland County Planning Commission on this _____ day of _____, 20 ____.

President

F. Zoning Inspector Approval (If Applicable)

(_____ TOWNSHIP) ZONING INSPECTOR

I hereby approve this plat on this ___ day of _____, 20 ____.

(_____ Township) Zoning Inspector

G. Highland County Engineer Approval

I hereby approve this plat on this ___ day of _____, 20 ____.

County Engineer

H. Highland County Board of Commissioners' Approval

I hereby approve this plat on this ____ day of _____, 20 ____.

Commissioner

Commissioner

Commissioner

ATTEST: _____
Clerk, Board of Highland County Commissioners

I. Sewage Disposal Approval (If applicable)

I hereby approve this plat on this ____ day of _____, 20 ____.

County Sanitary Engineer

J. Highland County Board of Health Department

I hereby approve this plat on this ____ day of _____, 20 ____.

Highland County Health Department

K. Highland County Auditor's Transfer

Transferred on this ____ day of _____, 20 ____.

By _____
Deputy Highland County Auditor

L. Highland County Recorder

File No. _____

Received on this ___ day of _____, 20___ at _____ .M.

Recorded on this ___ day of _____, 20___ at _____ .M.

Recorded in Plat Book No. _____, Page _____.

Fee _____.

By _____
Deputy Highland County Recorder

M. Certificate of Ownership

We, _____ and _____ do hereby certify that we are the owners of the property described in the above caption and that all legally due taxes have been paid, and that as such owners, we have caused the said above described property to be surveyed and subdivided as shown. (Signature of owners, and two witnesses for each signature required)

Certificate of Notary Public

State of Ohio, S.S.

Be it remembered that on this ___ day of _____, 20___ before me the undersigned, a Notary Public in and for said State, personally came _____ (and _____), who acknowledged the signing and execution of the foregoing plat to be their voluntary act and deed.

In testimony whereof, I have set my hand and Notary Seal on the day and date above written.

(Signature) _____

(Print name here) _____

NOTARY PUBLIC

State of Ohio

My commission expires _____

N. Drainage Statement

The County Engineer assumes no legal obligation to maintain or repair any open drainage ditches or channels designated as "drainage easements" on this plat. The easement area of each lot and all improvements within it shall be maintained continuously by the lot owner. Within the easements, no structure, planting, fencing, culvert, or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through the watercourse.

Article 12

DEFINITIONS

Interpretation of Terms or Words

For the purpose of these Regulations, certain terms or words used herein shall be interpreted as follows:

- a. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- b. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- c. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- d. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
- e. The word "lot" includes the words "plot or parcel."
- f. The word "County" where used shall mean the County adopting these Regulations and its legal entities.

B. Glossary

Agricultural Purposes: A parcel or parcels that are devoted exclusively to commercial animal or poultry husbandry, aquaculture, apiculture, the production for a commercial use of field crops, tobacco, fruits, vegetables, nursery stock, ornamental trees, sod, or flowers or other similar agricultural uses.

Alley: See Thoroughfare.

Block: That property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream, or between any of the foregoing and any other barrier to the continuity of development.

Block Frontage: Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway, or other definite barrier.

Board: The board of county commissioners.

Building: A structure designed to be used as a place of occupancy, storage or shelter.

Building Site: A parcel under separate deed or description containing less than 5 acres and having road frontage.

Comprehensive Development Plan: A plan or any portion, thereof, adopted by the planning commission and the county commissioners showing the general location and extent of present and proposed physical facilities, including housing, industrial, and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Condominium: Condominium means and includes the land, together with all buildings, improvements, and structures thereon, all easements, rights and appurtenances belonging thereto, and all articles of personal property which have been submitted to the provisions of Chapter 5311 of the Ohio Revised Code and which is subject to said Chapter 5311.

Corner Lot: See Lot Types.

Covenant: A written promise or pledge.

Cul-de-sac: See Thoroughfare.

Culvert: A transverse drain that channels under a bridge, street, or driveway.

Dead-end Street: See Thoroughfare.

Density: A unit of measurement; the number of dwelling units per acre of land.

Gross Density: the number of dwelling units per acre of the total land to be developed.

Net Density: the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Density, Low Residential: Land to be utilized for residential purposes, including public housing, and industrialized units, which does not exceed two (2) dwelling units per gross acres.

Density, Medium-Low Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed four (4) dwelling units per gross acre. For the purpose of street design requirements, the medium-low density residential classification shall be considered as medium density.

Density, Medium Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed eight (8) dwelling units per gross acre.

Density, Medium-High Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed sixteen (16) dwelling units per gross acre. For the purposes of street design requirements, the medium-high density residential classification shall be considered as high density.

Density, High Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed thirty-two (32) dwelling units per gross acre.

Develop: To make a development; also to do any grading or filling of land, whether undeveloped or already subdivided, so as to change the drainage or the flow of water, or to do any work upon the land that is capable of serving as a subdivision or development of building sites in the future.

Developer: Any individual, subdivider, firm association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.

Driveway: A vehicular travelway used to provide access from a street to dwelling units or commercial or industrial activities. Driveways are designed for low travel speeds and are often used as, or are integral with, parking areas for vehicles.

Dwelling Unit: Space within a building comprising living, dining, sleeping and storage rooms as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.

Easement: A grant by the property owner of the use of a strip of land by the public, a corporation, or other persons, for specified purposes.

Engineer: Any person registered to practice professional engineering by the state board of registration as specified in Section 4733.14, Ohio Revised Code.

Environmental Protection Agency: Ohio Environmental Protection Agency (E.P.A.)

Erosion: The wearing away of the earth's soil surface by water, wind, gravity, or any other natural process.

FEMA: The Federal Emergency Management Agency.

Final Plat: A revised version of the preliminary plan showing exact locations of lot lines, rights-of-way, easements, and dedicated areas. The final plat is recorded in the office of the County Recorder.

Flood: An overflowing of water, from watercourses, onto land which is normally dry.

Flood, 100-Year: The temporary inundation of normally dry land areas by a flood that is likely to occur once every 100 years (i.e., that has a one percent (1%) chance of occurring each year, although the flood may occur in any year.)

Flood Plain: Any land area susceptible to be inundated by water from the base flood. The term refers to that area designated as subject to flooding from the base flood (100-year flood) on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development.

Geographic Information System (GIS): A geographic information system (GIS) software used to manipulate, store, retrieve, view, and analyze spatial data. All features in a spatial data base are comprised of graphic elements (points, lines, or polygons) linked to a table that uniquely identifies each feature and its location in a coordinate system. Data can be mapped and analyzed, and linked to attribute data in one-to-one or many-to-one relationships. As used in these regulations GIS refers to the Highland County GIS.

Global Positioning System (GPS): GPS was developed by the United States Department of Defense to allow the military to accurately determine their precise location anywhere in the world. GPS is a satellite-based global navigation system that consists of (a) a constellation of 24 satellites in orbit 11,000 nautical miles above the Earth, (b) several on-station (i.e., in-orbit) spares, and © a ground-based control segment. The satellites transmit signals that are used for extremely accurate three-dimensional (latitude, longitude, and elevation) global navigation (position determination), and for the dissemination of precise time. GPS-derived position determination is based on the arrival times, at an appropriate receiver, of precisely timed signals from the satellites that are above the user's radio horizon.

Grade: The amount of rise or descent of a sloping land surface, usually measured as a percent where the numbered percent represents the amount of vertical rise or fall, in feet, for every 100 feet horizontally. For example, a one foot vertical rise over one hundred horizontal feet represents a one percent slope.

Health Department: City-County Health District.

Highway Director: The Director of the Department of Transportation.

Improvements: Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control for drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

Land Contract: A legal agreement between a landowner and another person or persons interested in purchasing real property owned by the landowner, wherein the landowner agrees to receive regular payments, at specified intervals for a specified period of time, from the purchaser and at the end of the specified time period agrees to transfer ownership of the property to the purchaser.

Large Lot Division: A division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving the establishment of any lot ranging in size from not less than five (5) acres to not more than twenty (20) acres. A Large Lot Division shall not be considered a Subdivision for purposes of division (B) (1) of Section 711.001 of the Revised Code and need only be approved under the provisions of Article 3 of these regulations.

Letter of Credit: A written statement from a bank or loan company, written against the good standing of a developer, guaranteeing necessary funds, the amount to equal a professional engineer's cost estimate for subdivision improvements, to complete such improvements should the developer fail to complete them within the time frame and conditions as specified in the subdivision approval agreements. (See also, Performance Bond or Surety Bond)

Location Map: See Vicinity Map.

Lot: For purposes of these regulations, a lot is a parcel of land that is:

- a. A single lot of record;
- b. A portion of a lot of record;
- c. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Lot Area: The area of a lot computed exclusive of any portion of the right(s) of way of any public or private street.

Lot Depth: The mean horizontal distance between the front and rear lines of a lot.

Lot Frontage: The front of a lot shall be constructed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under Yards in this section.

Lot Measurements: A lot shall be measured as follows:

- a. **Depth of a lot:** The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- b. **Width of a lot:** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line, provided, however, that the width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width.

Lot of Record: A lot which is part of a subdivision recorded in the office of the county recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types: Terminology used in these regulations with reference to corner lots, interior lots and through lots is as follows:

- a. **Corner Lot:** A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
- b. **Interior Lot:** A lot other than a corner lot with only one frontage on a street.
- c. **Through Lot:** A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
- d. **Reversed Frontage Lot:** A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
- e. **Panhandle/Flag Lot:** A lot whose only frontage on a public street is through a narrow strip of land which is generally wide enough to accommodate a driveway, but too narrow to accommodate any structures. The narrow strip of land is referred to as the panhandle.

Lot Width: The horizontal distance between side lot lines measured along the required building setback line. When the street line is curved, the measurement shall be made on the arc, on or parallel to the curve of the street line.

Major Subdivision: See "Subdivision"

Major Thoroughfare Plan: The Comprehensive Plan adopted by the County Regional Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the unincorporated area of the county.

Maintenance Bond: An agreement by a subdivider or developer with the county guaranteeing the maintenance of physical improvements for a period of one (1) year from the release of the performance bond.

Minor Subdivision: A division of a parcel of land that does not require a plat to be approved by a planning authority according to Section 711.131. Also known as Lot Split.

Monuments: Iron bases or iron pipes which will be set at all lot or parcel corners within the subdivision.

Open Space: An area open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, swimming pools, tennis courts, and any other recreational facilities that the planning commission deems permissive. Streets, structures for habitation, and the like shall not be included.

Out Lot: Property shown on a subdivision plat outside of the boundaries of the land which is to be developed and which is to be excluded from the development of the subdivision.

Owner: Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these Regulations.

Pad: A building site prepared by artificial means, including, but not limited to, grading, excavation, or filling, or any combination thereof.

Parcel: Any piece of land described by a current deed.

Parking Space, Off-Street: For the purpose of these Regulations, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Performance Bond or Surety Bond: An agreement by a developer with the county for the amount of the estimated construction cost (as approved by county commissioners and county engineer) guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement. (See also, Letter of Credit)

Performance Guarantee: Any security that may be accepted by a municipality as a guarantee that the improvements required as part of an application for development that are satisfactorily completed.

Person: An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

Personal Recreational Purposes: Parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit. Owners of such parcels cannot list or use the address of the parcel as a residence address for any purpose, including without limitation, for receiving mail, for voting, or for registration or titling of vehicles.

Owners of such parcels cannot apply for or receive a permit for a household sewage system, nor install, maintain or use such a system on such parcel unless the Clerk of the Commission determines that the parcel complies with the then current Section 305 or successor provision of these regulations.

Planned Unit Development: An area of land, in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot size and setbacks, than those restrictions that would normally apply under these Regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans.

Plat: The map, drawing, or chart on which the developer's subdivision is presented to the planning commission for approval, to the county recorder (final) for recording.

Preliminary Plan: The initial proposal, including both narrative and site design information, intended to provide the planning commission with an understanding of the manner in which the site in question is to be developed.

Private Street: A street that has not been duly accepted by the County or State for public use or maintenance.

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public entity have a right, or which are dedicated, whether improved or not. (See Right-of-Way)

Replat: A subdivision or plat, the site of which has heretofore been platted or subdivided with lots or parcels of land. It may include all or any part of a previous subdivision or plat.

Reserve Strip: An area of land adjacent to a public right-of-way which is retained in ownership by the subdivider for the purpose of denying access to the adjacent land.

Right-of-Way: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features (required by the topography of treatment) such as grade separation, landscaped areas, viaducts, and bridges. (See Public Way)

Setback Line: A line established by the subdivision regulations generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure, other than an accessory building, may be located above ground.

Sewers, Central or Group: An approved sewage treatment system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sewers, On-Site: A septic tank or similar installation on an individual lot which for the treatment of sewage, and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic. See Walkway.

Sketch Plan: An informal drawing which shows how a developer proposes to subdivide a property and which gives sufficient site information for the planning commission representatives to offer suggestions for site development.

Slippage Potential: The potential which land has to move, under the force of gravity, should it be disturbed during construction activity.

Stopping Sight Distance: The distance down a roadway for which a motorist is able to have unobstructed sight. Stopping sight distance is reduced by vertical and horizontal road curvature, fixed objects on the side of the road, and overhanging vegetation.

Subdivider: Any individual, developer, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to affect a subdivision of land hereunder for himself or for another.

Subdivision: The division of any parcel of land shown as a unit or contiguous units on the last preceding tax duplicate as of December 12, 1992 prior to the effective date of these Regulations, into two or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than twenty (20) acres not involving any new streets or easements of access and the sale or exchange of parcels between adjoining lot owners, where such a sale or exchange does not create additional building sites, shall be exempted.

OR

The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

However, any creation of a private easement including common driveways across no more than one parcel for private access and egress to no more than one parcel is also exempt, if (1) such easement is at least 30 feet in width, (2) the deed granting such easement provides that no further division of either parcel can occur if the use of the easement is included in the deed, (3) no public use of such easement can be granted unless it is approved pursuant to these Regulations, or is pursuant to laws providing for establishment of public roads, (4) the parcel on which the easement is located has at least 80 or 90 feet for road frontage in addition to the amount dedicated to the easement, and (5) both parcels meet the minimum lot size requirements set forth in Article 4, Table 1. All private easements shall have a provision in the deed creating it for common maintenance and repair.

Surveyor: Any person registered to practice surveying by the State Board of Registration as specified in Section 4733.02, of the Ohio Revised Code. Also Professional Surveyor.

Tract: The term is used interchangeably with the term lot, particularly in the context of subdivisions, where one "tract" is subdivided into several "lots."

Technical Review Committee: A committee of representatives of the county engineer's office, the city/county health department, the planning commission, and the county planner who shall meet with developers or property owners proposing a major subdivision, a commercial or industrial subdivision, or a minor subdivision on which a technical review member requires additional information. The technical review committee shall offer advice and assistance to the planning commission.

Terrain Classification: Terrain within the entire area of the preliminary plat is classified as level, rolling, hilly, or hillside for street design purposes. The classifications are as follows:

- a. **Level:** Land which has a cross slope range of four (4) percent or less;
- b. **Rolling:** Land which has a cross slope range of more than four (4) percent but not more than eight (8) percent;

c. Hilly: Land which has a cross slope range of more than eight (8) percent but not more than fifteen (15) percent;

d. Hillside: Land which has a cross slope range of more than fifteen (15) percent.

Thoroughfare, Street, or Road: The full width between property lines bounding every dedicated travelway, with a part thereof to be used for vehicular traffic and designated as follows:

a. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street. Design speed is 10 miles per hour.

b. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route. Design speed is generally 55 miles per hour.

c. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions. Design speed is generally 35 miles per hour.

d. Cul-de-Sac: A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround. Design speed is generally 25 miles per hour.

e. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.

f. Local Street: A street primarily for providing access to residential, commercial, or other abutting property. Design speed is generally 25 miles per hour.

g. Loop Street: A type of local street each end of which terminated at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than three thousand (3000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.

h. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street.)

Through Lot: See Lot Types.

Variance: A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the county in order to better locate and orient the area in question.

Watershed: The drainage basin in which the subdivision drains or that land whose drainage is affected by the subdivision.

Wetland: An area of land, as defined by the federal definition at the time of preliminary plan submission, inundated by water for a portion of each year resulting in the land possessing unique soil and vegetative types.

Yard: A required open space other than a court unoccupied and unobstructed by any structure from three (3) feet above the general ground level of the graded lot upward, provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstructions of visibility.

a. Yard, Front: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.

b. Yard, Rear: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.

c. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Zoning Inspector: The zoning inspector of the county or township, appointed by the board of county commissioners or the board of township trustees.

Article 13

APPENDICES

Appendix A - Schedule of Subdivision and Parcel Transfer Fees

Subdivision Fees are payable to: Highland County Planning Commission

Adjoining Land Application Fee:	\$25.00
Minor Subdivision Application Fee:	\$25.00 per lot
Large Lot Division Application Fee:	\$50.00
Large Lot Division w/ Ag or PRP Exemption:	\$50.00
Major Subdivision Application Fee:	\$100.00 + \$25.00 per lot
Variance Application Fee:	\$25.00 per app.
Highland County Subdivision Regulations	\$5.00 per copy

Other Development Fees:

Most Property development projects require permits and inspections by the Highland County Health Department and by the Highland County Engineer. Fees for those county services are determined by and payable to those respective departments.

**Appendix B - Application for Minor Subdivision Approval
Pursuant to Ohio Revised Code 711.131**

Five completed and executed copies of this application supplemented with applicable required information must be filed with the County Planning Commission. Such applications will be assigned a file number and sent to the office of County Engineer and Health Department for review and comments. A review for compliance with county and township zoning resolutions will also be conducted by the Planning Commission. Separate application shall be submitted for each lot subdivided.

One copy of the application, together with the actions taken by the Planning Commission will be returned to the applicant or his/her agent.

NAME OF APPLICANT OR AGENT _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____ TELEPHONE _____

NAME OF GRANTOR _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____ TELEPHONE _____

NAME OF GRANTOR _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____ TELEPHONE _____

Township in which transfer is to take place _____

Section _____ Size of Parcel _____

(For use of the County Engineer Only)

Date Received _____ Date Reviewed _____

County Engineer Comments _____

County Engineer

(For Health Department Use Only)

Date Received _____ Date Reviewed _____

Action: _____

Supervising Sanitarian

Comments _____

(For Use of the Planning Commission Only)

Date Received _____ Date Reviewed _____

Action: _____

Fees Due \$ _____

Fees Paid \$ _____

Date Paid _____

Comments _____

Director

Appendix C - Application for Major Subdivision Approval

NAME OF DEVELOPMENT

Sketch plan _____ Preliminary plan _____ Final plat _____

General Information:

Owner _____

Address _____

Phone: Home _____ Business _____

Applicant _____

Address _____

Phone: Home _____ Business _____

Engineer or Surveyor _____

Address _____

Phone: Home _____ Business _____

Development Data:

Location _____

Existing Zoning _____

Proposed Use _____

Number of Lots _____

Total Acreage _____

Minimum Lot Size _____

Linear Feet of New Street _____

Water Supply: _____ Public System _____ On lot System _____

Sewerage System: _____ Public System _____ On lot System _____

ACTION:

Sketch Plan:

Comments _____

Preliminary Plan:

Approved: _____

Rejected: _____

Comments _____

Final Plat:

Approved: _____ Plat Recorded with County: _____

Exhibits Submitted

- _____ Sketch Design Plan
- _____ Preliminary Plan
- _____ Final Plan Feasibility Study
- _____ Street Profile and Cross Sections
- _____ Drainage Plan
- _____ Performance Bond
- _____ Deed Restrictions
- _____ Other

(For Official Use Only)

Distribution of Plan

- _____ County Engineer
- _____ Dept. of Health
- _____ Zoning Dept.
- _____ Township
- _____ ODOT
- _____ OEPA
- _____ Water Co.
- _____ Sewer District
- _____ School District
- _____ Other

Appendix D - Application for Subdivision Variance

Date Application Prepared _____ Fee _____ Application Number _____

A variance is a modification of the strict terms of the relevant regulations where such modifications will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

APPLICANT NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____ TELEPHONE _____

Location of property under consideration (Address and/or description):

Nature of variance required: (Describe generally the nature of the variance)

- Justification of variance:** On a separate sheet, please attach a statement explaining why the variance from requirements of the subdivision regulation is required. Include such items as:
- a. Exceptional topographical or other conditions peculiar to this particular parcel or land.
 - b. Why the strict interpretation of the regulations would deprive the applicant of rights enjoyed by other property owners.
 - c. That the peculiar conditions do not result from previous actions of the applicant.
 - d. That the required variance is the minimum variance that will allow a reasonable division of the land.
 - e. A sketch of the area showing the location and characteristics of the requested variance.

I certify that all information contained in this application and its supplements is true and correct.

DATE _____ SIGNATURE _____

(For Official Use Only)

Date Application Received _____

Planning Commission Action _____ Approved _____ Disapproved _____

Description of Action _____

Fee Received: YES _____ AMOUNT _____ NO _____

Comments: _____

Appendix E - Preliminary Plan Checklist

Subdivision Name: _____

Owner: _____

Reviewer: _____

Date: _____

The following items (do, do not) conform with the requirements of the Highland County Subdivision Regulations. Items not conforming are explained on the reverse side of this checklist.

Does	Does Not	Items
1. _____	_____	Application form complete
2. _____	_____	Variance application form complete (if necessary)
3. _____	_____	One original preliminary plan/appropriate # of copies complete
4. _____	_____	One set of preliminary subdivision improvement plans complete
5. _____	_____	Sheet size and map scale
6. _____	_____	Proposed name (no duplication) and location
7. _____	_____	Name, address, & phone # of owner, subdivider, professional engineer, and professional surveyor with appropriate numbers and seals
8. _____	_____	Scale of plat, north point, legend, and vicinity map of scale not less than 1"=2000'
9. _____	_____	Names of adjacent subdivisions, owners of adjoining parcels, and locations of common boundary lines within 20 feet of the subdivision boundaries
10. _____	_____	Topographic contours (2 feet for <5% slopes, 5 feet for >5%-15% slopes, and 10 feet for >15% slopes)
11. _____	_____	Locations, widths, and names of existing streets, railroad R/W's, easements, parks, buildings, corporation and township lines, wooded areas, water courses, drainage patterns, water bodies, and topographic features within and around the subdivision for 200 feet from its borders
12. _____	_____	Locations of floodways, floodplains, underground mines that may subject to subsidence and other potentially hazardous areas
13. _____	_____	Locations of environmentally sensitive areas
14. _____	_____	Soil types from USDA soils map
15. _____	_____	Layout, numbers, dimensions of lots, and setback lines
16. _____	_____	Parcels reserved for public use or for use by residents of subdivision
17. _____	_____	Points of ingress/egress to the subdivision and locations of proposed future access way locations for adjacent lands
18. _____	_____	Type of water supply and wastewater disposal systems, locations and dimensions of proposed utilities, utility easements, sewer lines, water mains, culverts, drainage tiles, or other underground utilities within or adjacent to the tract
19. _____	_____	Locations of cemeteries, historical, or archaeological sites
20. _____	_____	Copy of proposed covenants and restrictions and an anticipated schedule of construction

The following information does not apply to all subdivisions and may be requested during the preliminary plan phase.

Does	Does Not	Items
21. _____	_____	Statements of proposed use of lots with type and number of dwelling units and/or type of business or industry
22. _____	_____	Conceptual plan for commercial or industrial development showing proposed parking, loading areas, alleys, pedestrian walk ways, streets, points of vehicular ingress/egress to the development, and landscape features
23. _____	_____	Drawing of present and proposed grades and facilities for storm water drainage in cases where natural drainage is altered
24. _____	_____	Feasibility study on water and sewer facilities
25. _____	_____	Screening, buffering, and/or noise abatement measures
26. _____	_____	Cross sections and centerline profiles for each proposed street and preliminary engineering designs for any bridges or culverts proposed in the project
27. _____	_____	Other information deemed necessary or prudent to create buildable sites or to promote the public health, safety, and welfare and railroads within and adjoining the plat. Radii, internal angles, points of curvature, tangent bearings, length of arcs, and lengths and bearing of chords of all streets

Appendix F - Final Plat Checklist

Subdivision Name: _____

Owner: _____

Reviewer: _____

Date: _____

The following items (do, do not) conform with the requirements of the Highland County Subdivision Regulations. Items not conforming are explained on the reverse side of this checklist.

Does	Does Not	Items
1. _____	_____	Application form complete
2. _____	_____	Variance application form complete (if necessary)
3. _____	_____	One original final plat/appropriate # of copies complete
4. _____	_____	One original set of subdivision improvement plans and required # of copies complete with name, address and phone number of the professional engineer with appropriate number and seal
5. _____	_____	Sheet size and map scale
6. _____	_____	Proposed name (no duplication) and location
7. _____	_____	Name, address, & phone # of owner, subdivider, and professional surveyor with appropriate numbers and seals
8. _____	_____	Date of survey, scale of plat, north point, and acreage
9. _____	_____	Plat boundaries based on a field boundary survey, as defined in Ohio Administrative Code (OAC) 4733-37, all lot numbers and lines shown with accurate dimensions in feet and hundredths
10. _____	_____	Building front, rear, and side setback lines with dimensions
11. _____	_____	Outline of areas to be dedicated or reserved for public use or common use by subdivision residents and outlines of previous lots or blocks and their numbers, indicated by a contrasting line style, in the case of a replat
12. _____	_____	Bearings and distances to the nearest established street lines and accurate location and description of all monuments
13. _____	_____	Names, locations, dimensions, rights-of-way of all existing and proposed streets and railroads within and adjoining the plat. Radii, internal angles, points of curvature, tangent bearings, length of arcs, and lengths and bearing of chords of all streets
14. _____	_____	Purposes, locations, and dimensions of all easements
15. _____	_____	Locations of all water bodies and flood hazard boundaries.
16. _____	_____	Base flood elevations have determined by a professional engineer when necessary
17. _____	_____	The owners of record, acreage, deed book and page references for all abutting metes and bounds tracts and the names of all abutting subdivisions, with lot lines, lot numbers and plat book and page references
18. _____	_____	A copy of any restrictive covenants, and other notes, items, restrictions, or provisions required by the subdivision regulations or the county
19. _____	_____	If a zoning change is involved, certification from the appropriate township or county zoning inspector
20. _____	_____	A letter from the permitting agency indicating that a driveway permit has been issued or will be issued by the office of the county engineer, township trustees, or Ohio Department of Transportation on existing roads
21. _____	_____	Final plat was submitted within 12 months of preliminary plan approval

Appendix G - Subdivision Environmental Review Checklist

Subdivision Name: _____

Owner: _____

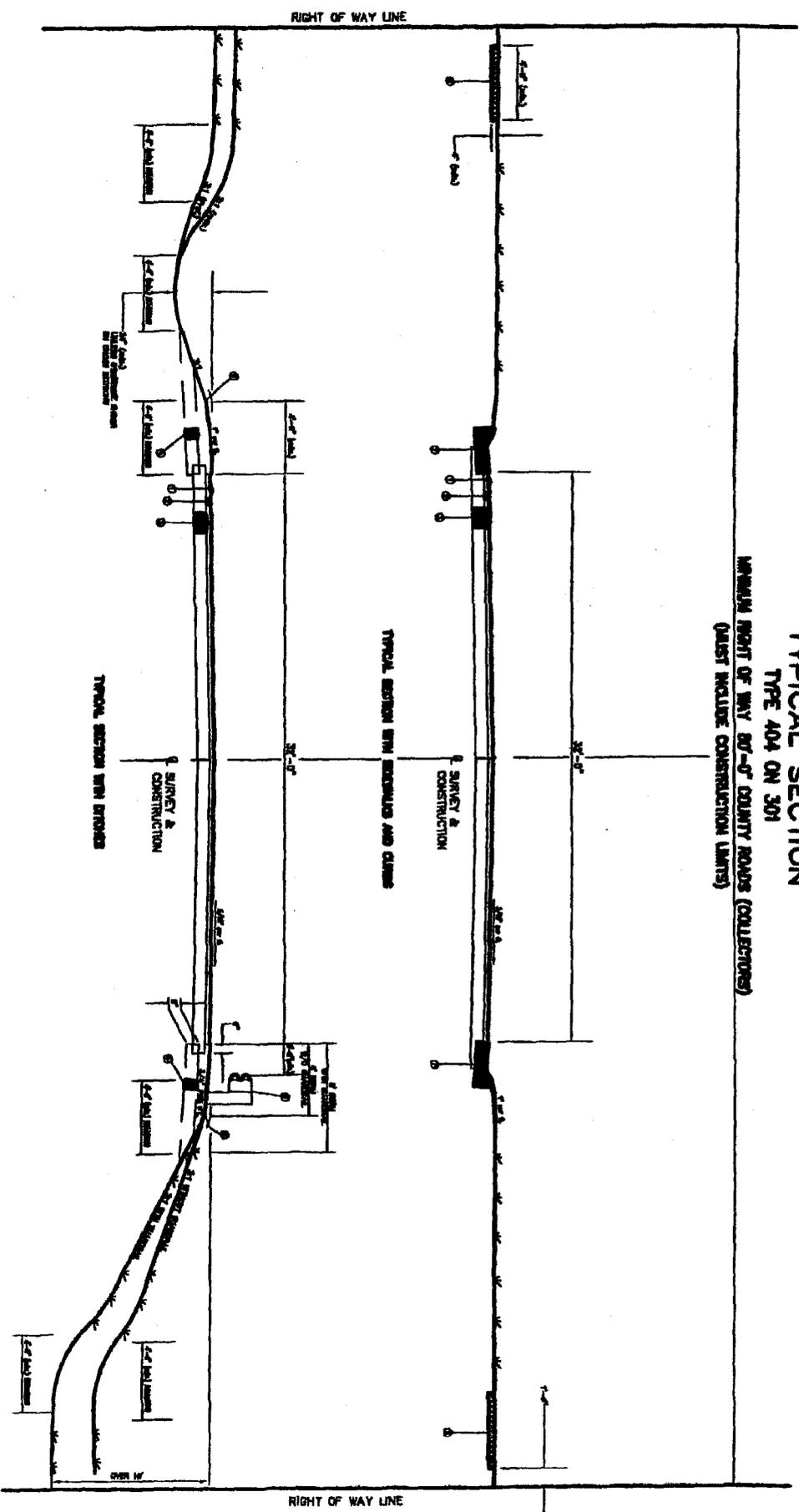
Date: _____

The following questions should be answered as part of the sketch plan and preliminary plan process. By giving serious consideration to the issues posed by the questions, environmental problems posed by subdivision creation can be minimized.

	YES	NO
1. Does the subdivision conflict with any existing plans?	_____	_____
2. Does the subdivision affect the use of a recreation area, an area of important visual value, or preempt a site with potential recreation or open space value?	_____	_____
3. Will any unique natural or manmade features in the subdivision area be disturbed?	_____	_____
4. Do the engineering plans follow state-recommended guidelines for erosion control?	_____	_____
5. Do the engineering plans follow state-recommended guidelines for stormwater management?	_____	_____
6. Do the engineering plans adequately protect against geologic hazards, particularly land slippage and unstable soils?	_____	_____
7. Does the subdivision change existing topography or involve construction on any floodplain, natural drainage course, or watercourse? Are cuts and fills adequately engineered?	_____	_____
8. Is the subdivision one of a series of cumulative actions, which, although individually small, may as a whole have significant environmental impact?	_____	_____
9. Does the subdivision area serve as a habitat, food source, nesting place, crossing, wintering area, source of water, etc. for any wildlife species?	_____	_____
10. Are there any rare or endangered plant species in the subdivision area?	_____	_____
11. Could the subdivision change existing features of any stream frontage or greenbelt areas?	_____	_____
12. Will the subdivision remove substantial amounts of vegetation, including ground cover?	_____	_____
13. Will the subdivision affect the hydrology of the region?	_____	_____
14. Will the subdivision serve to encourage development of presently undeveloped areas or intensify development of already developed areas? Have adequate measures been taken to plan for this development?	_____	_____
15. Is there appreciable opposition to the subdivision or is it likely to be controversial?	_____	_____
16. Will the subdivision create new or aggravate existing health or safety hazards?	_____	_____
17. Will the subdivision generate significant amounts of dust or odor?	_____	_____
18. What will be the effects on traffic volumes and flow in the vicinity of the subdivision?	_____	_____
19. Will the subdivision contribute to the loss of agricultural land?	_____	_____
20. Have adequate measures been taken to minimize pollution of the air, water, and soil? Measures shall consider the subdivision's future impacts of noise pollution; light pollution; air pollution from dust; water pollution from chemical applications, soil erosion, and human effluent, and soil pollution from chemical applications and human effluent.	_____	_____

**APPENDIX H
TYPICAL
PREAPPLICATION SKETCH
APPENDIX I
TYPICAL
PRELIMINARY SUBDIVISION PLAN
APPENDIX J
TYPICAL
FINAL SUBDIVISION PLAN
APPENDIX K
TYPICAL SECTIONS**

TYPICAL SECTION
TYPE 404 ON 301
MINIMUM RIGHT OF WAY 80'-0" COUNTY ROADS (COLLECTORS)
(MAINT INCLUDE CONSTRUCTION LIMITS)



LEGEND

- ① 104, 1 1/2" ASPHALT CONCRETE SURFACE COURSE, AC-20
- ② 402, 2" ASPHALT CONCRETE LEVELING COURSE, AC-20
- ③ 301, 7" BITUMINOUS BASE
- ④ 606, AGGREGATE DRAIN 606, SUBGRADE, TYPE 5
- ⑤ 608, SEEDING & MULCHING
- ⑥ TYPE 3 CONCRETE CURB AS PER DOT STANDARD DWG. BT-51 CONCRETE SIDEWALK (SEE GENERAL NOTE)

ALL MATERIALS AND WORKMANSHIP SHALL COMPLY WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS. PAVING MUST BE CONSTRUCTED UPON AN APPROVED SUBGRADE. SUBGRADE EVALUATION AND ESTABLISHMENT. MINIMUM DESIGN LOADING REQUIREMENTS WILL BE HS-20-44.



THESE DRAWINGS CONFORM TO THE MINIMUM DESIGN REQUIREMENTS SET FORTH IN THE HIGHLAND COUNTY PLANNING COMMISSION'S SUBDIVISION REGULATIONS FOR COLLECTOR STREETS.

MINIMUM STANDARDS FOR RECONSTRUCTING LOCAL ROADS IN HIGHLAND COUNTY

1. PAVEMENT BUILDUP AS SHOWN ON THIS STANDARD IS CONSIDERED TO BE THE MINIMUM ALLOWABLE FOR LOW VOLUME ROADS OF LESS THAN 400 A.D.T. OF NORMAL TRAFFIC. GREATER TRAFFIC VOLUMES OR MORE THAN 100 BAC TRUCKS WILL REQUIRE PAVEMENTS DESIGNED FOR ANTICIPATED TRAFFIC.
2. GEOMETRIC DESIGN SHALL CONFORM TO THE STANDARDS OF THE OHIO DEPARTMENT OF TRANSPORTATION LOCATION AND DESIGN MANUAL FOR NEW RURAL CONSTRUCTION, USE LOCAL ROADS FOR TOWNSHIP ROADS AND COLLECTOR ROADS FOR COUNTY ROADS.
3. MINIMUM DESIGN SPEEDS FOR NEW CONSTRUCTION SHALL BE THE LEGAL SPEED OR GREATER - DESIGN EXCEPTIONS MAY BE APPROVED BY THE COUNTY ENGINEER WHERE MEETING THIS CRITERIA IS DIFFICULT TO ACHIEVE OR OF EXCESSIVE COST.



HIG-CRO-000

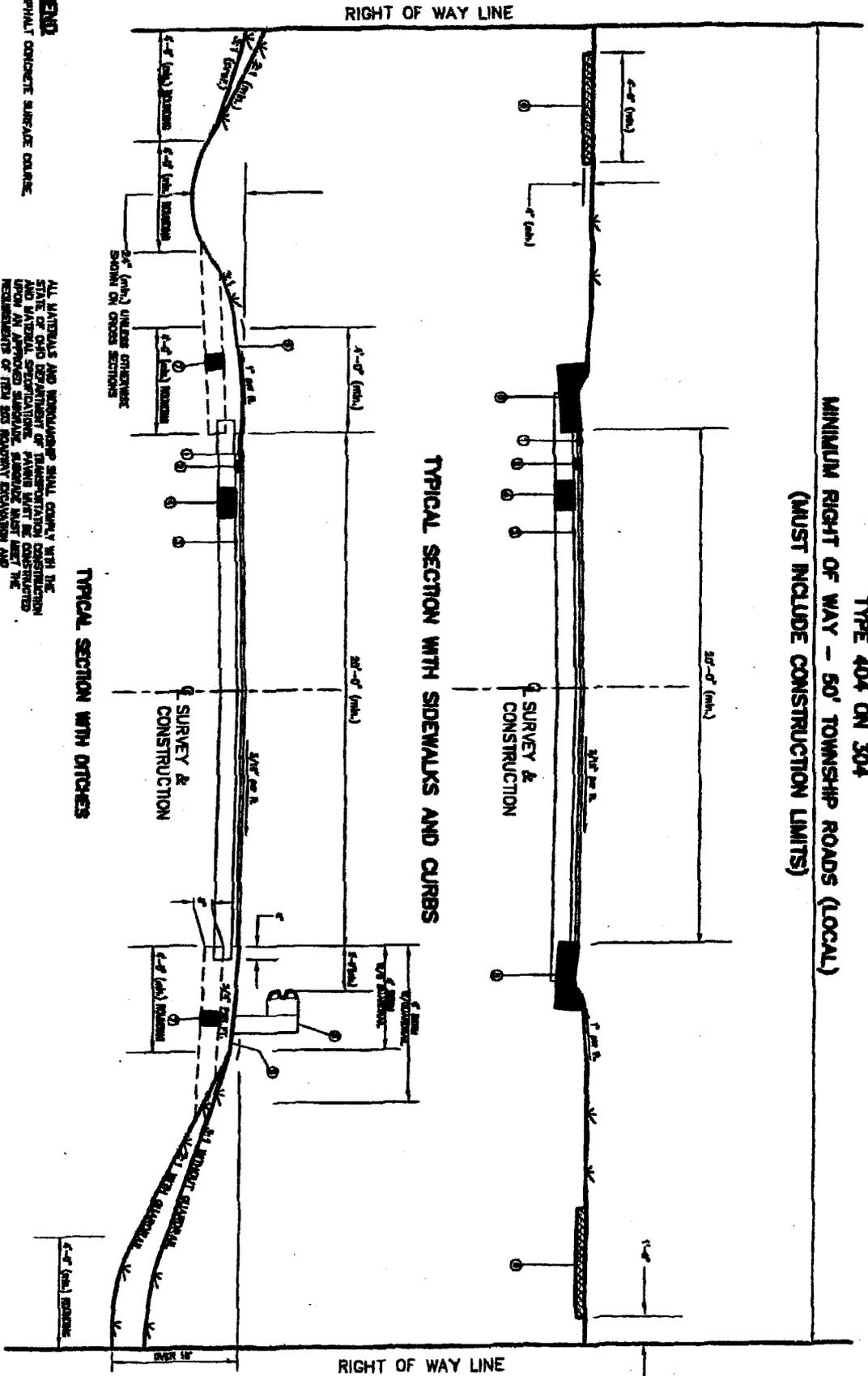
TYPICAL SECTION
 COUNTY ROAD
 HIGHLAND COUNTY

DESIGN WM	DRAWN GM	APPROVED DO	DATE 02-93
CHECKED DO	REVIEWED	REVISION DATE 09-2003	

P. Dean Otworth P.E., P.S.
 Highland County Engineer

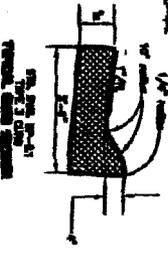


TYPICAL SECTION
TYPE 404 ON 504
MINIMUM RIGHT OF WAY - 50' TOWNSHIP ROADS (LOCAL)
(MUST INCLUDE CONSTRUCTION LIMITS)



- LEGEND**
- ① 404.1 1/4" ASPHALT CONCRETE SURFACE COURSE 1/2-20
 - ② 404.2 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ③ 404.3 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ④ 304.4 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑤ 304.5 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑥ 304.6 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑦ 304.7 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑧ 304.8 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑨ 304.9 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑩ 304.10 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑪ 304.11 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑫ 304.12 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑬ 304.13 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑭ 304.14 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑮ 304.15 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑯ 304.16 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑰ 304.17 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑱ 304.18 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑲ 304.19 ASPHALT CONCRETE LANDING COURSE 1/2-20
 - ⑳ 304.20 ASPHALT CONCRETE LANDING COURSE 1/2-20

ALL MATERIALS AND WORKMANSHIP SHALL COMPLY WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION STANDARDS AND SPECIFICATIONS. THE DESIGNER SHALL BE RESPONSIBLE FOR THE VERIFICATION OF FIELD TEST REQUIREMENTS AND THE RECOMMENDATIONS OF FIELD TEST REQUIREMENTS SHALL BE HS-20-14.



MINIMUM STANDARDS FOR RECONSTRUCTING LOCAL ROADS IN HIGH AND COUNTY

1. PAVEMENT BUILDUP AS SHOWN ON THIS STANDARD IS CONSIDERED TO BE THE MINIMUM ALLOWABLE FOR LOW VOLUME ROADS OF LESS THAN 400 FT OF ROADWAY TRAFFIC. GREATER TRAFFIC VOLUMES OR MORE THAN ONE LANE TRUCKS WILL REQUIRE PAVEMENTS DESIGNED FOR ANTICIPATED TRAFFIC.
2. SECTIONING DESIGN SHALL COMPLY TO THE STANDARDS OF THE OHIO DEPARTMENT OF TRANSPORTATION ROADWAY AND COLLECTOR ROADS FOR COUNTY ROADS.
3. MINIMUM DESIGN SPEEDS FOR NEW CONSTRUCTION SHALL BE THE LOCAL SPEED OR GREATER - DESIGN SPEEDS MAY BE APPROVED BY THE COUNTY ENGINEER WHEN MEETING THE CRITERIA IS DIFFICULT TO ACHIEVE OR OF EXCESSIVE COST.



HIG-TR0-000

TYPICAL SECTION
 TOWNSHIP ROAD
 HIGHLAND COUNTY

DESIGNED BY	DATE	APPROVED BY	DATE
DD	02-23	DD	02-23
REVISION	NO.	DATE	
DD	01	02-2003	

F. Dean Otworth P.E., P.S.
 Highland County Engineer



