

SUBDIVISION REGULATIONS

FOR

RICHLAND COUNTY, OHIO

ADOPTED: JULY 1976

AMENDED: FEBRUARY 1982

AMENDED: MAY 1986

AMENDED: JULY 1997

AMENDED: DECEMBER 2005

PREPARED BY: THE RICHLAND COUNTY REGIONAL PLANNING COMMISSION

TABLE OF CONTENTS

ARTICLE I ..... 1  
 TITLE, SCOPE AND JURISDICTION ..... 1  
     SECTION 100.0 OFFICIAL NAME ..... 1  
     SECTION 100.2 JURISDICTION ..... 1  
     SECTION 100.3 ADMINISTRATION ..... 1  
     SECTION 100.4 INTERPRETATION ..... 1  
     SECTION 100.5 SEPARABILITY ..... 1  
     SECTION 100.6 RELATION TO OTHER LAWS ..... 2  
     SECTION 100.7 AMENDMENTS ..... 2

ARTICLE II ..... 3  
 CONSTRUCTION OF LANGUAGE AND DEFINITIONS ..... 3  
     SECTION 200.0 CONSTRUCTION OF LANGUAGE ..... 3  
     SECTION 200.1 DEFINITIONS ..... 3

ARTICLE III ..... 11  
 SUBDIVISION PROCEDURES ..... 11  
     SECTION 300.0 PURPOSE ..... 11  
     SECTION 300.1 MINOR SUBDIVISION ..... 11  
     SECTION 300.2 MAJOR SUBDIVISION REVIEW PROCEDURE .... 13  
     SECTION 300.3 PRELIMINARY PLAN STAGE ..... 14  
     SECTION 300.4 FINAL SUBDIVISION PLAT STAGE ..... 16

ARTICLE IV ..... 22  
 DESIGN STANDARDS ..... 22  
     SECTION 400.0 PURPOSE ..... 22  
     SECTION 400.1 PHYSICAL CONSIDERATIONS ..... 22  
     SECTION 400.2 MINOR SUBDIVISION ..... 22  
     SECTION 400.3 MAJOR SUBDIVISION ..... 23

ARTICLE V ..... 41  
 ADMINISTRATION AND ENFORCEMENT ..... 41  
     SECTION 500.0 ADMINISTRATION ..... 41  
     SECTION 500.1 RECORDING OF PLAT ..... 41  
     SECTION 500.2 SALE OF LAND WITHIN SUBDIVISIONS ..... 41  
     SECTION 500.3 REVISION OF PLAT AFTER APPROVAL ..... 42  
     SECTION 500.4 FILING, PLAN REVIEW, AND INSPECTION FEES .. 42  
     SECTION 500.5 PENALTIES ..... 42  
     SECTION 500.6 VARIANCES (Note Appendix Form 10) ..... 43  
     SECTION 500.7 APPEAL ..... 45

ARTICLE VI ..... 46

REQUIREMENTS FOR OPEN SPACE AND PLANNED UNIT DEVELOPMENTS .	46
SECTION 600.0    GENERAL .....	46
SECTION 600.1    STANDARDS .....	46
SECTION 600.2    CONFORMITY TO EXISTING STREETS AND THOROUGHFARE PLAN .....	46
SECTION 600.3    PUBLIC STREETS .....	46
SECTION 600.4    STAGING OF RESIDENTIAL PLANNED DEVELOPMENT .....	46
SECTION 600.5    COMMON OPEN SPACE GUARANTEE .....	47
SECTION 600.6    STAGING OF NONRESIDENTIAL CONSTRUCTION .....	48
SECTION 600.7    CONDOMINIUMS .....	48
ARTICLE VII .....	49
REPEAL .....	49
SECTION 700.0    REPEAL .....	49
ARTICLE VIII .....	50
ENACTMENT .....	50
SECTION 800.0    ENACTMENT .....	50
APPENDICES .....	51
APPENDIX 1 .....	52
Richland County Jurisdiction of Subdivision Regulations .....	52
APPENDIX 2A .....	53
SUBDIVISION REGULATIONS .....	53
APPENDIX 2B .....	54
APPENDIX 2C .....	55
APPENDIX 2D .....	56
EXAMPLES .....	56
APPENDIX 2E .....	57
APPENDIX 2F .....	58
APPENDIX 2G .....	59
APPENDIX 3 .....	60
APPENDIX 4A .....	61

APPENDIX 4B .....	62
APPENDIX 5 .....	63
TYPICAL PRELIMINARY SUBDIVISION PLAT .....	63
APPENDIX 6A .....	64
APPLICATION FOR FINAL PLAT APPROVAL .....	64
APPENDIX 6B .....	65
APPENDIX 7 .....	66
TYPICAL FINAL SUBDIVISION PLAT .....	66
APPENDIX 8A .....	67
REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON THE SUBDIVISION PLAN .....	67
APPENDIX 8B .....	68
OWNER'S DEDICATION OF DRAINAGE EASEMENTS .....	68
APPENDIX 8C .....	69
APPENDIX 8D .....	70
APPENDIX 8E .....	71
APPENDIX 9 .....	72
EXTENSION AGREEMENT FOR APPROVAL OR DISAPPROVAL OF SUBDIVISION PLAT BY REGIONAL PLANNING COMMISSION .....	72
APPENDIX 10A .....	73
APPLICATION FOR SUBDIVISION VARIANCE .....	73
APPENDIX 10B .....	74
APPENDIX 11 .....	75
EXAMPLES IN DETERMINING LOT DEPTH .....	75

ARTICLE I

TITLE, SCOPE AND JURISDICTION

ARTICLE I

TITLE, SCOPE AND JURISDICTION

SECTION 100.0      OFFICIAL NAME

The official name of these Regulations shall be "Subdivision Regulations of Richland County, Ohio," and shall be referred to herein as "These Regulations."

SECTION 100.1      PURPOSE

These Regulations are adopted by Richland County, Ohio, for the purpose of protecting the health, safety and general welfare of residents of the County; and to regulate the development of subdivided lands; to promote the proper arrangement of streets and lots; to provide direct and proper access for individual parcels to streets through ownership; to provide for the adequate and convenient provision of open spaces, utilities, and access to service and emergency vehicles; to insure adequate provision of water, drainage, sewer and other sanitary facilities; and to provide for the administration of these Regulations to insure the equitable processing of all subdivision plats by providing uniform standards and procedures for observance by both the approving authority and the subdivider.

SECTION 100.2      JURISDICTION

These Regulations shall be applicable to all subdivision of land within the unincorporated area of Richland County except land within three (3) miles of the Corporation limits of those cities having jurisdiction over platting. If land under consideration is near the boundary line, check the large scale map at the Richland County Regional Planning Commission Office. (See Appendix Form 1)

SECTION 100.3      ADMINISTRATION

These Regulations shall be administered in accordance with Section 500, Article V.

SECTION 100.4      INTERPRETATION

The provisions and requirements of these Regulations shall be construed to be minimum requirements and nothing herein shall prohibit the subdivider from exceeding these minimum requirements.

SECTION 100.5      SEPARABILITY

If any section, paragraph, clause, phrase, or part of these Regulations is for any reason held invalid by a court of competent jurisdiction, such judgement shall not affect the validity of

the remaining provisions of these Regulations or the application of those provisions to any person or circumstances.

SECTION 100.6      RELATION TO OTHER LAWS

The provisions of these Regulations shall supplement any and all laws of the State of Ohio, ordinances of the County, or any and all rules promulgated by authority of such law relating to the purpose or scope of these Regulations. When the requirements or provisions of these Regulations differ with the requirement of any other lawfully adopted rules, regulations or ordinances, the more restrictive regulations shall apply.

SECTION 100.7      AMENDMENTS

These Regulations may be amended following public hearings and other requirements as specified in Section 711.10 of the Ohio Revised Code.

ARTICLE II

CONSTRUCTION OF LANGUAGE AND  
DEFINITIONS

## ARTICLE II

### CONSTRUCTION OF LANGUAGE AND DEFINITIONS

#### SECTION 200.0 CONSTRUCTION OF LANGUAGE

The following rules of construction shall apply to the provision of these Regulations:

- I. The particular shall control the general.
- II. In case of any difference of meaning or implication between the provisions of these Regulations and any caption or illustration, the provisions shall control.
- III. The word "shall" is always mandatory and not discretionary. The word "may" or "should" is permissive.
- IV. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- V. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or units connected by the conjunction "and", "or", "either/or", the conjunction shall be interpreted as follows:
  - A. "And" indicates that all connected items, conditions, provisions or events shall apply.
  - B. "Or" indicates that the connected items, conditions, provisions, or events may apply singly but not in combination.
- VI. Terms herein not defined shall have the meaning customarily assigned to them.

#### SECTION 200.1 DEFINITIONS

1. ALLEY: A quantity of land dedicated to the public to provide a private or secondary means of access to the back or side of properties otherwise abutting on a street and having a minimum width of twenty (20) feet.
2. BLOCK: Subdivided property surrounded by, but not separated by, one or more of the following man-made or physical land features: private and public dedicated street, unsubdivided acreage, rivers or streams, or by any other physical feature which prevents continuity of development.

SECTION 200.1 DEFINITIONS (CONTINUED)

3. **COMPREHENSIVE PLAN:** Is the Comprehensive Plan made and adopted by the Regional Planning Commission and hereinafter amended and supplemented, including graphic and written proposals showing the general location of streets, parks and other open spaces, schools, public land uses and private land use development in Richland County and on file in the Office of the Recorder of Richland County, Ohio, and in the Office of the Regional Planning Commission.
4. **COUNTY:** Richland County, Ohio.
5. **CUL-DE-SAC:** Is a street having one (1) outlet open to vehicular traffic and the other end permanently terminated by a vehicular turn-around.
6. **DEAD-END STREET:** Is a street temporarily having only one (1) outlet open to vehicular traffic and not provided with a vehicular turn-around.
7. **EASEMENT:** A quantity of land over which a liberty, privilege, or advantage is granted by the owner to the public, a corporation, or particular person for a specific use or purpose.
8. **FLOOD PLAIN:** Is that land which has been or may hereafter be covered by flood waters including but not limited to the regulatory flood. For the purpose of these Regulations, the Regulatory Flood shall be deemed to be a flood of 100-year frequency.
9. **IMPROVEMENTS:** Grading, street surfacing, curbs and gutters, sidewalks, crosswalks, water mains, sanitary sewers, storm sewers, drainage facilities and structures, street lights, street trees, and the appropriate appurtenances required to render land suitable for the use proposed.
10. **LOT:** A division of land separated or intended to be separated from other divisions of land by description on a record subdivision plat, recorded survey map, or by metes and bounds for the purpose of sale, lease or separate use.
11. **LOT, CORNER:** A lot at the point of intersection of and abutting on two (2) or more intersecting streets.
12. **LOT DEPTH:** The distance between 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 or the perpendicular distance between a straight line connecting the foremost points of the side lot lines in front and a parallel line passing through the furthest most point of the lot, whichever is the shortest. (See Appendix Form 11)
13. **LOT, DOUBLE FRONTAGE:** A lot other than a corner lot, that abuts onto more than

SECTION 200.1 DEFINITIONS (CONTINUED)

- one (1) street.
14. LOT, INTERIOR: A lot other than a corner lot.
15. LOT LINES: Are the lines defining the boundaries of a lot as described below:
- (1). Front Lot Line: In the case of an interior lot, it is the line separating said lot from the street right-of-way line. In the case of a corner lot or double frontage lot, it is the line separating said lot from either street right-of-way line.
  - (2). Rear Lot Line: The lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than thirty (30) feet long lying farthest from the front lot line and wholly within the lot.
  - (3). Side Lot Line: Any lot line other than the front or rear lot line.
16. LOT WIDTH: The distance between the side lot lines along a line parallel to the street right-of-way line at any point outside the street right-of-way.
17. MAJOR THOROUGHFARE PLAN: Is a plan showing the location of limited access highways, major and minor arterial thoroughfares and collector thoroughfares, as adopted by the Regional Planning Commission, on file in the office of the Regional Planning Commission, and in the office of the Recorder of Richland County, Ohio.
18. MINIMUM BUILDING SETBACK LINE: An imaginary line between the front and rear lot lines and parallel to the street right-of-way line and at such distance from the right-of-way line as required by the minimum front yard setback requirement in the applicable zoning district in which it is located. In the event that there is no applicable zoning such distance shall be 60' from and parallel to the centerline of the street. On a cul-de-sac such distance shall be 30' from and parallel to the street right-of-way line.
19. OPEN SPACE DEVELOPMENT: Is any subdivision of land which has both individual building sites and common open space areas, such as park and recreation areas; and is planned, designed and organized as a unified development capable of providing a variety of residential dwellings.
20. PEDESTRIAN WALKWAY: A dedicated public right-of-way limited to pedestrian use.
21. PERFORMANCE BOND: An agreement by and between the subdivider and a bonding company in favor of the County, or an instrument approved by the County between the subdivider and the County, for the amount of the estimated construction cost guaranteeing

SECTION 200.1 DEFINITIONS (CONTINUED)

the completion of the required improvements according to the specifications set forth in these Regulations, within the time prescribed by the above agreement.

22. **PLANNED UNIT DEVELOPMENT:** Is any subdivision of land where both individual building sites and common property devoted to parks, playgrounds or school sites is designed and organized to be capable of satisfactory use and operation as a self-contained residential area. A Planned Unit Development may include shopping centers and planned industrial park developments.
23. **PRELIMINARY PLAN:** A drawing for the purpose of study of a major subdivision and which, if approved, permits proceeding with the preparation of a subdivision plat.
24. **PROFESSIONAL ENGINEER:** A person registered to practice professional engineering by the State Board of Registration as specified in Chapter 4733 of the Ohio Revised Code.
25. **PROFESSIONAL SURVEYOR:** A person licensed to practice surveying by the State of Ohio Board of Registration under Chapter 4733 of the Ohio Revised Code.
26. **PUBLIC RESERVATION:** A portion of a subdivision which is set aside for public use and made available for public use and acquisition.
27. **PUBLIC UTILITY:** Any person, firm, association, corporation, trust, board, commission or other legal entity, duly authorized to furnish under State, County, or municipal regulations to the public: gas, steam, electricity, sewerage disposal and treatment, communication, telegraph, transportation, water or waste disposal.
28. **REGIONAL PLANNING COMMISSION:** The Richland County Regional Planning Commission.
29. **RESERVE STRIP:** A strip of land parallel to, or at the end of, and abutting a thoroughfare controlling the means of access onto a property.
30. **RIGHT-OF-WAY:** An area or strip of land on which an irrevocable right of passage is taken or dedicated and accepted for public use.
31. **STREET OR ROAD, PRIVATE:** Is an approved right-of-way, improved and maintained by the abutting property owners or by an association of property owners, excluding off-street parking areas, driveways, and driveways to off-street parking areas, in existence prior to the adoption of these regulations or developed under these regulations, and which provides for vehicular, pedestrian and utility access to abutting properties.

SECTION 200.1 DEFINITIONS (CONTINUED)

32. **STREET OR ROAD, PUBLIC:** Is a right-of-way, which has been properly dedicated, improved and accepted for public use, and which provides for vehicular, pedestrian and utility access to abutting properties.

For the purpose of these Regulations, STREET OR ROAD shall be further classified by function as follows:

- (1). **MAJOR ARTERIAL THOROUGHFARE:** A street or road which is intended to carry the major portion of traffic entering and leaving an urban area and also significant intra-urban travel, such as between communities or between major urban centers. Major Arterials should form the boundaries of residential neighborhoods, but should not penetrate the neighborhoods. Service to abutting lands is a subordinate function to the provision of travel service. Spacing should be at one and one-half (1½) to two (2) mile intervals except within the central business area.
- (2). **MINOR ARTERIAL THOROUGHFARE:** A street or road which is intended to interconnect with and augment the Major Arterial Thoroughfare System and to provide service to trips or moderate length and provide intra-community continuity. Such thoroughfares provide a lower level of traffic service than Major Arterial Thoroughfares and place greater emphasis on land access, although the movement of through traffic remains primary. Minor Arterial Thoroughfares should also form the boundaries of, but not penetrate residential neighborhoods. Spacing should be at three-fourth (3/4) to one (1) mile intervals except within the central business area.
- (3). **COLLECTOR THOROUGHFARE:** A street or road which is intended to collect traffic from the local streets within the neighborhood and channel it into the arterial system. Conversely, Collector Thoroughfares may penetrate the neighborhood to distribute traffic from the arterial system to local streets and thus to the ultimate destination. The Collector Thoroughfare should provide both land access and through traffic service. Spacing should be at one-fourth (1/4) to one-half (1/2) mile intervals.
- (4). **LOCAL:** A street or road which is intended primarily to provide access to abutting properties. Through traffic should be discouraged. Spacing is at blocks.
- (5). **CUL-DE-SAC:** A type of local street or road which is open only at one end, with provision for a turn-around at the closed end. The primary function is land access to abutting properties. Spacing, wherever appropriate.
- (6). **BOULEVARD:** A street or road on which traffic flow is divided into each

SECTION 200.1 DEFINITIONS (CONTINUED)

direction by a median strip which is usually landscaped with grass and plantings. A Boulevard may serve the function of an arterial thoroughfare, collector thoroughfare, or local street depending upon its relationship with the overall transportation system.

33. SUBDIVIDER: Any individual, firm, association, corporation, trust or any legal entity, commencing proceedings under these Regulations to subdivide land within Richland County, Ohio.
34. SUBDIVISION:
- (1). For the purposes of these regulations, subdivision shall mean:
- (A) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax role into two or more parcels for the purpose, whether immediate or future, of transfer of ownership, when:
- (i) Any one of such parcels after division is less than five acres; or
  - (ii) The parcels so created by the division are five acres or more and involve or create new streets (public or private) or easements of access to an existing public dedicated street.
  - (iii) The parcel or parcels so created involve a sale or exchange between adjoining owners and result in the creation of an additional building site.
- (B) The improvement of any one or more parcels of land for residential and 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.
- (C) A division or allocation of land as open spaces for common use to owners, occupants, or leaseholders, or as easements for the extension and maintenance of public sewer, water, storm drainage, or other public facilities.
- (2). The following, although within the definition of a subdivision hereunder, shall be exempt from the requirements of these regulations:
- (A) The division or partition of land into one or more parcels of five acres or

SECTION 200.1 DEFINITIONS (CONTINUED)

more each not involving any new streets (public or private) or easements of access to an existing public dedicated street.

- (B) The division of land when the parcel or parcels so created involve the sale or exchange between adjoining property owners that does not create additional building sites.
- (3). A division of land deemed to be a subdivision hereunder shall meet the requirements of a minor or a major subdivision, all as set forth in these regulations, unless specifically exempted therefrom by these regulations or subjected to a variance after application and approval.
- (4). For the purpose of determining the existence of a subdivision described above, the following definitions shall apply:
- (A) New Streets (public or private) shall include, but not be limited to, and in addition to the normal use of such term, a strip or parcel of land of less than 60 feet in width used or intended to be used, in whole or in part, as a means of ingress and egress to an existing dedicated street from one or more of the parcels created by a division of land whether or not such strip or parcel of land is owned by one or more of the owners of such parcels.
  - (B) Easements of Access shall include a means of ingress and egress created by grant, reservation, or prescription from an existing public dedicated street to one or more of the parcels created by a division of land.
  - (C) Building Site shall mean as to a sale or exchange between adjoining landowners, a parcel created having sufficient size and location to constitute a building site under applicable zoning regulations. In the absence of such zoning regulations, a parcel shall be considered a building site if it has at least 25 feet fronting on a public dedicated street and an average width of at least 25 feet. Any sale or exchange between adjoining land-owners determined not to create a new building site will not exempt any future transfer of such parcel from these regulations if such future sale or exchange will in fact create or be intended to create a new building site.
- 35A. SUBDIVISION, MINOR: A subdivision of a parcel along an existing street not involving the opening, widening, or extension of any street or road, and involving no more than five (5) lots after the original tract has been completely subdivided and provided that the same is not contrary to applicable platting, subdividing or zoning regulations.

SECTION 200 DEFINITIONS (CONTINUED)

- (1) An "original tract" within the meaning of this section is a contiguous quantity of land held in common ownership which has not been platted by the existing owner or owners.
  - (2) "Completely subdivided" as used in this section means a tract which is divided into as many lots as the subdivider intends for that tract.
  - (3) The further division of an original tract which has been previously divided into five (5) lots requires the replatting of the original tract.
- 35B. SUBDIVISION, MAJOR: Is any subdivision that does not meet the definition of a minor subdivision. Open Space and Planned Unit Developments shall be defined as major subdivisions for the purposes of these Regulations.
36. SUBDIVISION PLAT: Is the final map or drawing upon which the subdivider's plan of subdivision is presented to the Regional Planning Commission for approval.
- NOTE: Appendix Forms 2 - A, B, C, D, E, F provide examples and clarification of subdivisions.
37. SURVEY: For the purpose of these regulations, is a boundary survey performed by a professional surveyor which complies to the "Minimum Standards for Boundary Surveys in the State of Ohio."

ARTICLE III

SUBDIVISION PROCEDURES

ARTICLE III

SUBDIVISION PROCEDURES

SECTION 300.0 PURPOSE

The purpose of this Article is to specify the steps that a subdivider shall follow to subdivide land in the jurisdictional boundaries of Richland County, Ohio, as set forth in Article I, Section 100.2 of these Regulations.

SECTION 300.1 MINOR SUBDIVISION (Note Appendix 2A - 2F for examples and clarification)

- I. Plat approval of a minor subdivision is not required if the proposed subdivision of a parcel of land meets all of the following conditions:
  - A. The proposed subdivision is located along an existing street or road and does not involve the opening, widening, or extension of any street or road.
  - B. The proposed subdivision involves no more than five (5) lots after the original tract has been completely subdivided. "Completely subdivided" as used in this section means a tract which is divided into as many lots as the subdivider intends for the tract.
  - C. The proposed subdivision is not contrary to applicable zoning or subdivision regulations.

NOTE: The further division of an original tract which has been previously divided into five (5) lots requires the replatting of the original tract.

NOTE: Design Standards, Article IV, Sections 400, 400.1 and 400.2 are to be met even though plat approval is not required when a minor subdivision meets conditions A thru C above.

- II. Any person proposing to create a subdivision which meets all of the foregoing conditions shall submit the following information to the Tax Map Department of the Richland County, Ohio Engineer's Office for approval without plat.
  - A. The conveyance documents, all copies thereof, together with two copies of a survey drawing and legal description of the parcel or parcels involved, prepared by a professional surveyor. The survey shall meet the Minimum Standards for Boundary Surveys in the State of Ohio and include the following:

SECTION 300.1 MINOR SUBDIVISION (CONTINUED)

1. Location of the proposed subdivision: tract, boundaries, township, section number, north arrow and a scale.
  2. Location of all existing streets on or abutting the parcel to be subdivided, existing buildings, individual water supply and sewage disposal system, and pertinent easements of record.
  3. Lot lines with width and depth dimensions in feet and the areas of all parcels being created by the division in acres.
  4. The location and dimensions of the original tract.
  5. The location, widths and other dimensions of proposed easements, parks and other open spaces.
  6. Names of recorded owners of the parcel to be subdivided, date of survey, and certification and seal of the professional surveyor to the effect that the survey made by him balances and closes and that all dimensions and geodetic details are accurate and correct.
- B. Affidavit of Compliance provided by the approving authority. (See Appendix Form 3)
- III. After the Tax Map Department of the Richland County, Ohio, Engineer's Office is satisfied that such proposed subdivision is not contrary to Section 300.1, Paragraph I A through C, of these Regulations, the same shall be approved upon presentation of an instrument of conveyance of said parcel or parcels and the same shall be stamped "Approved: No Plat Required". In the event the approving authority is not satisfied that the proposed subdivision complies with these Regulations, then the person proposing the same shall submit the above information to the Director-Secretary of the Richland County Regional Planning Commission. The Richland County Regional Planning Commission, acting through its Zoning and Subdivision Review Committee, shall, within seven (7) working days after submission of the information required in Section 300.1, Paragraph I and II, review such information and if the proposed subdivision is in accordance with these Regulations, as are specifically applicable, they shall approve the same as a minor subdivision and upon presentation of an instrument of conveyance for the parcel or parcels, shall stamp thereon, "Approved by the Richland County Regional Planning Commission; No Plat Required" and have it signed by its Clerk, Secretary, or other official as may be designated by it. In its consideration of the proposed subdivision, the Richland County Regional Planning Commission may require such other information as is pertinent to its determination hereunder.

SECTION 300.1 MINOR SUBDIVISION (CONTINUED)

- IV. Upon approval of the proposed subdivision, the survey shall be recorded in the office of the Richland County Recorder with the recording of the instrument of conveyance. Failure to file such approved survey within one year of approval shall void the approval.

SECTION 300.2 MAJOR SUBDIVISION REVIEW PROCEDURE

I. Preapplication Conference

The subdivider may wish to consult with the staff of the Richland County Regional Planning Commission, the County Engineer, the County Sanitary Engineer, or the Mansfield-Richland County Health Department to avail himself of their advice and assistance in interpreting the purpose and effect of these Regulations and the requirements and standards contained herein.

II. Subdivision Review and Approval

Major subdivisions shall be reviewed and approved in two stages:

A. Preliminary Plan Stage

B. Final Plat Stage

However, in those instances where a development has been approved in accordance with the provisions of adopted zoning resolutions governing Open Space and Planned Unit Development, then only the Final Plat Stage requirements as set forth in Section 300.4 shall apply.

III. Submission to Ohio Director of Transportation

Before any plat is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway, or a highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the Director of Transportation. The Commission shall not approve the plat for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Commission that he shall proceed to acquire the land needed, then the Commission shall refuse to approve the plat. If the Director of Transportation notifies the Commission that acquisition at this time is not in the public interest, or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Commission shall, if the plat is in conformance with all provisions of these Regulations, approve the plat.

SECTION 300.3      PRELIMINARY PLAN STAGE

The preliminary plan stage requires the subdivider to provide all information deemed necessary to enable the Regional Planning Commission to determine that the proposed layout is in conformity with these Regulations. This step also insures that the subdivider will not be required to expend additional money without some indication that his Final Plat will eventually be approved.

- I.      The subdivider must submit an application for preliminary plan approval. It is recommended that this plan be prepared by a person capable of furnishing all the data required by Section 300.3, II.
  - A.      Two (2) copies of the Application for Preliminary Plan Approval (See Appendix Form 4);
  - B.      Seven (7) copies of the Preliminary Plan prepared by a qualified, professional engineer or professional surveyor, along with a reproducible tracing;
- II.     The Preliminary Plan Contents

The Preliminary Plan shall be drawn at a minimum scale of one hundred (100) feet to the inch (1"=100') and shall be drawn on one or more sheets no larger than 24 X 36 inches in size. When drawn on several sheets, an index sheet showing the entire subdivision and match points on each sheet shall be provided. The Preliminary Plan shall contain the following information: (Note Appendix Form 5)

- A.      The name of the proposed subdivision (which shall not duplicate the name of another subdivision in Richland County).
- B.      The location of the proposed subdivision by township, range, section, tract or other surveys.
- C.      Names, addresses and phone numbers of the property owner, developer and/or engineer or surveyor who prepared the Preliminary Plan.
- D.      Scale of the Plan, North Point, and date of survey.
- E.      The boundary lines of the proposed subdivision showing bearings, dimensions and acreage, based on available data.
- F.      The location, right-of-way and pavement widths of all existing streets on and adjacent to the subdivision.

SECTION 300.3 PRELIMINARY PLAN STAGE (CONT.)

- G. The existing topography within the boundaries of the subdivision at an interval of two (2) foot contours.
- H. The location and extent of all significant physical features of the site including water courses, lakes (natural and man-made), marshes, tree coverage and other significant natural features.
- I. The location of all existing sewers, water lines, power transmission lines, pipelines and other utilities within and adjacent to the tract.
- J. The location, width, and purpose of all other easements or right-of-ways.
- K. The present zoning classification of the tract and adjacent parcels and proposed zoning changes if any.
- L. Required building setback lines with dimensions.
- M. The proposed arrangement of all lots, numbers and approximate dimensions of each lot.
- N. The location and size of all parcels to be reserved or dedicated for public use.
- O. Development summary including: total acreage, number of lots, average lot size, and acres in streets, public sites and other public uses.
- P. A vicinity map, on or accompanying the plan, indicating the relationship of the proposed subdivision to existing subdivisions, existing and proposed thoroughfares, and the proposed connections between existing and proposed streets and roads.

III. Submission of Preliminary Plan

Upon determination by the Regional Planning Commission that the Preliminary Plan has been properly submitted in accordance with the procedures and requirements of Section 300.3,I. the Regional Planning Commission shall accept the Preliminary Plan as being officially submitted and it shall be so dated.

IV. Transmission of the Preliminary Plan

The Secretary of the Regional Planning Commission shall transmit a copy of the Preliminary Plan to the members of the Zoning and Subdivision Review Committee of the Regional Planning Commission for their review and recommendation.

### SECTION 300.3 PRELIMINARY PLAN STAGE (CONT.)

The Secretary of the Regional Planning Commission shall transmit additional copies of the Preliminary Plan to the County Engineer, County Sanitary Engineer, County Health Department and to school boards and utility companies, as he deems necessary, for their review and comment.

The Zoning and Subdivision Review Committee shall make their review and recommendation to the Secretary of the Regional Planning Commission within fifteen (15) days from the date of transmission of the plan to that body.

#### V. Effect of Preliminary Plan Approval

Approval of a Preliminary Plan by the Regional Planning Commission is not an acceptance of the Subdivision Plan for record, but only an expression of approval of a general plan as a guide for the preparation of a final subdivision plat for approval and recording upon fulfillment of all requirements of these Regulations.

Approval shall be effective for a maximum period of twelve (12) months unless upon application by the subdivider, the Regional Planning Commission grants an extension. If a final Subdivision Plat has not been submitted for approval within the time period, another Preliminary Plan must be submitted in accordance with these Regulations.

### SECTION 300.4 FINAL SUBDIVISION PLAT STAGE

#### I. Final Subdivision Plat Required

The subdivider, after receiving approval of the Preliminary Plan for the proposed subdivision, shall submit a Final Plat of the proposed subdivision and drawings and specifications of all improvements required therein. The Final Plat shall have incorporated all of the changes required by the Regional Planning Commission in their review of the Preliminary Plan. Otherwise, it shall conform to the Preliminary Plan. The Final Plat may be submitted for approval in sections provided that a Preliminary Plan has been approved for the entire subdivision. The Final Plat shall be prepared by a licensed land surveyor and supplementary improvement plans and specifications shall be prepared by a Professional Engineer.

The following information shall be submitted to the Regional Planning Commission for Final Subdivision Plat approval:

- A. Two (2) copies of the Application for Final Plat Approval (See Appendix Form 6).
- B. Six (6) copies of the Final Subdivision Plat and a reproducible tracing;

SECTION 300.4 FINAL SUBDIVISION PLAT STAGE (CONT.)

- C. Six (6) copies of Final Plat Improvement Drawings;
- D. One (1) copy of protective covenants, if common property and/or improvements (private streets) are part of the plat;
- E. One (1) copy of performance guarantees approved by the County Prosecutor and reviewed by the County Engineer;
- F. A receipt indicated payment of Plat filing fees (See Section 500.4);
- G. Plan checking and field inspection fees (See Section 500.4).

II. Contents of the Final Subdivision Plat Drawing

The subdivision plat shall be drawn in ink on tracing cloth or mylar on sheets and shall be held to a minimum of 18 X 24 inches and a maximum of 24 X 36 inches outside dimensions, and shall be drawn at a minimum scale of one hundred (100) feet to one (1) inch. When necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. When on several sheets, match points shall be shown. The Subdivision Plat shall show the following: (Note Appendix Form 7)

- A. Identification
  - 1. Proposed name of the subdivision, township, tract and original lot or section number.
  - 2. Location map at 1" = 2000' (U.S.G.S.) scale with north arrow.
  - 3. The name and address of the subdivider, and the professional engineer and/or professional surveyor who prepared the plat with appropriate registration numbers and seals.
- B. Control points: all dimensions, angles and bearings are to be referred to control points, nearest established street line, section lines, or other established points.
- C. Lines and boundaries: centerlines and right-of-way lines of streets, easements, and other rights-of-way; corporation lines; property lines of all lots and parcels with bearings, distances and complete curve data meeting the minimum boundary survey standards for the State of Ohio.
- D. Streets: street names of each street within the proposed subdivision and those adjoining the subdivision; right-of-way width accurately shown with dimensions.

SECTION 300.4 FINAL SUBDIVISION PLAT STAGE (CONT.)

- E. Building setback lines accurately shown with dimensions.
- F. Lot identification: lots shall be numbered in consecutive order, and when the subdivision is submitted in sections, lots shall be numbered consecutively as each section is submitted whether or not the sections are contiguous. Area of each lot shall be shown in acres or square feet.
- G. Total site data: including acreage, number of lots, acres in parks and other public uses.
- H. Land for public use: show boundaries and identify the use of all parcels which are to be dedicated or reserved for public use or easements.
- I. Monuments: location and description of those found, set or to be set.
- J. Names of recorded owners of adjoining unplatted land and reference to subdivision plats of adjoining platted land by name, volume and page of Recorder's Plat Records.
- K. Certification and seal by a professional surveyor to the effect that the plat represents a survey made by him which balances and closes, and that monuments shown thereon exist or shall be set as shown, and that all dimensions and geodetic details are correct.
- L. Notarized certification by the owner or owners of the subdivision and the dedication of streets and other public areas.
- M. Notation for: (Note Appendix Form 8A, B, C, and D)
  - 1. Certification of County Engineer and County Prosecutor that performance guarantees, if required, for the construction of required improvements have been provided.
  - 2. Acceptance of dedication of streets, storm sewers, sanitary sewers, water lines, and rights-of-way by the local governing body for their ownership and future maintenance.
  - 3. Proper notations for transfer and record by the Richland County Auditor and the County Recorder.
  - 4. Approval of plat by Director-Secretary of the Regional Planning Commission, County Sanitary Engineer, Richland County Board of

SECTION 300.4 FINAL SUBDIVISION PLAT STAGE (CONT.)

Health, the Richland County Engineer and the Tax Map Office.

5. Acceptance of all areas of public use by County Commissioners.
  6. Certification of the Richland County Auditor that there are no delinquent taxes or delinquent special assessments against the land contained in the plat.
  7. A notation dedicating or granting the rights to the drainage easements to the County Commissioners for the purpose of future maintenance.
- N. Protective Covenants: If common property and/or improvements (private streets) are a part of the plat, then the developer or persons seeking approval of such plat shall, prior to such approval, provide and submit to the Regional Planning Commission copies of protective covenants, easements and documents to be recorded, providing for the ownership, maintenance, repair and financing of the common property and/or improvements. Reference to these protective covenants shall be included in all deeds conveying the lots and lands described within the subdivision plat.

The maintenance and repair of common property and/or improvements shall not be the responsibility of the public.

III. Improvement Plans and Specifications

Drawings showing cross sections, profile, elevations, construction details, and specifications for all required improvements shall be prepared by a professional engineer. The improvement plans shall be prepared in accordance with the Design Standards set forth in Article IV of these Regulations and the Public Improvement Standards for Richland County, Ohio, adopted by the Richland County Commissioners.

If it becomes necessary to modify improvements as approved due to unforeseen circumstances, the subdivider shall inform the County Engineer in writing of the conditions requiring the modifications, and receive written approval of said modification.

IV. Transmission of Subdivision Plat

The Secretary of the Regional Planning Commission shall present to the Zoning and Subdivision Review Committee the Subdivision Plat documents which meet the requirements of Section 300.4, II, at the next meeting after he determines that all the required documents have been submitted. The Zoning and Subdivision Review Committee shall make their review and recommendations within fifteen (15) days from

SECTION 300.4 FINAL SUBDIVISION PLAT STAGE (CONT.)

the date of transmission. The Secretary shall present the Subdivision Plat, written recommendations, and documentation to the Regional Planning Commission at the next regular meeting of the Regional Planning Commission following the date the Subdivision Plat was acted on by the Zoning and Subdivision Committee.

V. Regional Planning Commission Action

- A. The Regional Planning Commission shall take action within thirty (30) days after submission for approval.
- B. If the same cannot be done within the 30 day period, the Commission may obtain from the applicant an agreement for additional time.
- C. If the Subdivision Committee rejects the plat or needs more information, then the application should be denied within the thirty (30) day period stating the inadequacies of the plat and advise that the applicant can refile at a later date. (See Appendix Form 9)

Approval of a Subdivision Plat may be given in one of the two following ways:

1. Before Construction of Improvements

The Regional Planning Commission may give final approval before all required improvements are installed, provided that a construction agreement and performance bond or other guarantee or security acceptable to the County Prosecutor and County Engineer and provided for the purpose of assuring installation of the improvements is provided. The amount of such performance guarantees shall be sufficient to cover the cost of all improvements based on approved detailed engineering plans, an estimate approved by the County Engineer. Upon receipt of the County Engineer's notification and determination that all the requirements of these regulations have been met, the Regional Planning Commission shall give final approval and shall indicate such approval and date on the tracing of the final Subdivision Plat.

2. After Construction of Improvements

After the subdivider has obtained conditional approval as indicated in this Section, and has installed all required improvements to the satisfaction of the County Engineer, the County Engineer shall certify that the improvements have been satisfactorily installed in compliance with the approved plans and the construction agreement. Upon receipt of the

SECTION 300.4 FINAL SUBDIVISION PLAT STAGE (CONT.)

County Engineer's notification and determination that all the requirements of these Regulations have been met, the Regional Planning Commission shall give final approval and shall indicate such approval and date on the tracing of the final Subdivision Plat.

ARTICLE IV

DESIGN STANDARDS

ARTICLE IV

DESIGN STANDARDS

SECTION 400.0 PURPOSE

The following provisions describe the design principles and standards which a subdivider shall be required to follow in the layout of a subdivision. These principles and standards shall be carried out in compliance with the following: this Resolution, other regulations of the State or County, and the specifications for each of the various improvements as may be required by the County Engineer and the Richland County Health Department, according to the nature of the improvements.

SECTION 400.1 PHYSICAL CONSIDERATIONS

I. Natural Physical Features

Major and minor subdivisions shall be planned to take advantage of the topographic conditions of the land, to economize in the construction of public facilities, and services, and to reduce the amount of grading and minimize the destruction of trees, lakes, water courses, and topsoil.

SECTION 400.2 MINOR SUBDIVISION

I. Lots

A. Zoning Conformance

The lot size, width, depth, and the minimum building setback lines shall conform to the existing zoning regulations of the unincorporated area.

B. Lot Width

The width of the lot shall at no point be less than 60' outside the street right-of-way.

When existing zoning regulations permit a lot split for construction of a common wall two family dwelling with a zero side lot line setback, the width of the lot shall at no point be less than 35' outside the street right-of-way.

C. Lot Depth

No lot depth shall exceed three and one-half (3½) times the lot width. The width,

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

for this purpose, shall be the width where the side lot lines intersect with the street right-of way. (See Appendix 11)

When existing zoning regulations permit a lot split for construction of a common wall two family dwelling with a zero side lot line setback, the split lots individually are exempt from this requirement.

D. Access to Streets

The subdivision of land shall be such as to provide each lot with frontage and access on a public street or private street as defined in these regulations.

II. Storm Sewers

The subdivision shall comply with the Richland County Stormwater Management Rules and Regulations.

III. Water Supply and Sanitary Sewers

Where public or community water supply and sanitary sewer facilities are not available, individual water wells and sanitary sewer disposal facilities shall be provided for each lot in the subdivision as required by the Mansfield-Richland County Health Department or other agency having jurisdiction in accordance with the Ohio Revised Code.

SECTION 400.3 MAJOR SUBDIVISION

I. Required Improvements

The improvements which are hereby required shall be designed, furnished, and installed by the subdivider in accordance with the provisions of these Regulations and other regulations of the State and County. The required improvements shall be installed before a subdivision plat is approved, or in lieu thereof, financial guarantees for such installation shall be approved prior to approval of a subdivision plat. The subdivider shall provide and install within the proposed survey or subdivision, the minimum improvements set forth in Table 1 which follows:

Notes to Schedule of Required Improvements

- A. Grading required for lots, blocks, and streets
- B. Pavement is required, specifications vary with classification of street. Refer to the Public Improvement Standards for Richland County, Ohio.

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

- C. The type of required improvement is subject to review and approval of the County Engineer.
- D. The type of required improvement is subject to review and approval of the Regional Planning Commission.
- E. See Sections 400.3, VIII.B and 400.3, VIII.C of these Regulations for exceptions.
- F. Closed storm drainage system shall be required with curb and gutter.

TABLE 1  
SCHEDULE OF REQUIRED IMPROVEMENTS

## SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

### II. Streets

#### A. Arrangement

The arrangement, character, extent, width, and location of all streets shall conform to the Land Use and Thoroughfare Plan of current adoption. The design of the proposed streets shall provide for both the continuation of existing streets and access to adjacent unplatted lands so that the entire area can be served with a coordinated street system.

#### B. Street Classifications

1. Major Arterial Thoroughfares shall be planned for the continuation of movement of fast traffic entering or leaving the urban area, or between points of heavy traffic generation and from one section of a community to another. Major Arterials should have few intersections with local streets and collector thoroughfares. These thoroughfares should be spaced at least one and one-half (1½) miles apart.
2. Minor Arterial Thoroughfares should interconnect with and augment the major arterial system. Minor Arterials should provide for intra-community trips and movement of traffic from heavy traffic generators to major arterial thoroughfares. Minor Arterials should contain few intersections with local streets. These thoroughfares should be spaced at least three-fourths (¾) mile apart.
3. Collector Thoroughfares shall provide a traffic route from local streets to arterial thoroughfares. Collector streets normally contain a relatively large number of intersections with major or minor arterial streets. These streets should be spaced at least one-fourth (¼) mile apart.
4. Local Streets shall provide direct and full access to each lot and shall be laid out so their use by through traffic will be discouraged.
5. Service Drives may be required along existing or proposed major or minor arterial streets to provide access to lots along such thoroughfares. Service Drives shall be designed to provide a secondary means of access.

#### C. Street Right-of-Way Widths and Grades

Dedication of right-of-way for public use shall be required along existing streets involved in the subdivision as well as streets that are being developed as part of

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

the subdivision. Right-of-way dedications along existing streets shall comply with Table 2 and shall consider existing right-of-way width and type.

For street right-of-way width and grade requirements see Table 2 on the following page.

TABLE 2

Street Classification	Minimum Right-of-Way	Minimum Pavement Width	Maximum Degree of Curvature	Minimum Radius of Curvature	Maximum Percent of Grade	Minimum Percent Grade
Major Arterial Thoroughfare	100' a.	b.	3°	1,910'	4.0%	0.6%
Minor Arterial Thoroughfare	80' a.	b.	5°	1,150'	5.0%	0.6%
Collector Thoroughfare	60' a.	30'	8°	717'	6.0%	0.5%
Local Street (Commercial or Industrial)	60' a.	30'	10°	575'	7.0%	0.5%
Local Residential (Multiple Family)	50' a., e.	24'	10°	575'	7.0% c.	0.5%
Local Residential Streets and Cul-de-Sacs	50' a., e.	24'	20°	290'	7.0% c.	0.5%

## NOTES TO SCHEDULE:

- a. Where a Boulevard-type street is proposed, the minimum right-of-way shall be increased by an amount equal to the width of the proposed median.
- b. Requirement will vary with design speed and capacity. To be determined by the County Engineer.
- c. Maximum may be greater due to topography if in accord with the application of standard engineering practice. To be approved by the County Engineer.
- d. Right-of-way line of street.
- e. A 10' wide utility easement shall be required along both sides of street right-of-way.

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

D. Half Streets

Half Streets shall be prohibited.

E. Dead End Streets

1. Permanent dead end streets shall be designed with cul-de-sacs and shall not be longer than eight hundred (800) feet and shall be provided at the closed end with a turn-around having an outside pavement diameter of at least one hundred (100) feet, and a street right-of-way line diameter of at least one hundred and twenty (120) feet.
2. Temporary dead end streets which do not exceed eight hundred (800) feet in length or which are extended to the boundary of a subdivision to provide for their proper continuance at such time as the adjacent land is subdivided shall be terminated with a T-type turn-around within a sixty (60) foot right-of-way or a standard cul-de-sac. Portions of the cul-de-sac right-of-way in this case may be temporary. The T-type turn-around shall extend the entire width of the right-of-way and shall have a minimum width of fifteen (15) feet along the property line with flared portions rounded by a minimum radius of fifteen (15) feet.
3. If the street extends only one lot depth past a street intersection, no turn around is required.

F. Private Streets

Private streets shall meet all requirements for public streets.

The Regional Planning Commission may require certain streets within a development to be public if it is determined that traffic connections to adjacent lands, plats or development are required for adequate circulation.

G. Reserve Strips

Reserve strips controlling access shall be prohibited except where their control is definitely placed in the County under conditions approved by the Regional Planning Commission.

H. Alignment

1. Horizontal

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

- a. Street Jogs -- street jogs with a centerline offset of less than one hundred and fifty (150) feet shall not be permitted.
- b. Intersections -- streets shall be laid out to intersect as nearly as possible at right angles and no street shall intersect any other street at an angle of less than eighty (80) degrees. Whenever possible, four-way intersections of local residential streets should be avoided, and T-type intersections are to be encouraged. Multiple intersections involving junctions of more than two (2) streets shall be avoided.
- c. Intersection Approaches -- minimum stopping site distances shall conform to the following requirements:

<u>Speed Limit</u>	<u>Road Type</u>	<u>Minimum Stopping Site Distance Required</u>
25 mph	Residential roads within the subdivision	150'
35 mph	Access roads into or out of the subdivision including industrial roads	250'
55 mph	Existing County and Township roads outside municipalities	550'
45 mph	Other roads when approved by the County Engineer	400'

- d. Reverse Curves -- between reverse curves there shall be a tangent at least one hundred (100) feet long on major and minor arterial and collector thoroughfares.

2. Vertical

- a. Grade at Intersection -- approaches to intersection shall be reduced to a grade not exceeding three (3) percent for a distance of at least

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

one hundred (100) feet.<sup>1</sup>

I. Street Names

No street names shall be used which will duplicate or be confused with the names of existing streets within the County. Street names shall be subject to approval by the Regional Planning Commission. All new streets shall be named in the following manner:

<u>General Direction</u>	<u>Long Street</u>	<u>Short Street**</u>
North and South	Streets	Places
East and West	Avenues	Courts
Diagonal	Roads	Ways
Curving	Drives	Circles

\*\*Less than 1,000 lineal feet in length

NOTE: The use of the name "Boulevard" may be used by new streets having a median strip separating the opposing flow of traffic.

- J. Whenever Boulevard streets are proposed, the Subdivider or developer shall submit to the Regional Planning Commission a written agreement for the maintenance of all median strips and the lawn areas and plantings therein. Maintenance shall be the responsibility of the developer or an association of homeowners whose lots abut onto the proposed Boulevard.

III. Easements

A. Utility Easements

Electric and telephone lines shall be buried if located at the front of lots. Easements centered on rear or side lot lines shall be provided for utilities and shall be at least twelve (12) feet wide. Utilities may be buried at the side or rear of lots.

Ten (10) feet wide utility easements shall be required along both sides of those streets that have less than a 60' right-of-way.

---

<sup>1</sup>Maximum grade at intersections may be exceeded due to steep topography in accordance with the application of standard engineering practice.

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

B. Drainage Way Easements

Where a subdivision is traversed by a drainage way, a storm water easement or drainage right-of-way, a public easement conforming substantially with the lines of such drainage shall be provided. The easement or right-of-way shall be sixteen (16) feet wide or of such further width as necessary and shall generally follow rear and side lot lines.

IV. Blocks

A. Block lengths shall not exceed eighteen-hundred (1,800) feet or be less than four hundred (400) feet.

B. Pedestrian walkways, with right-of-way not more than twelve (12) feet wide, may be required across blocks where the Regional Planning Commission deems that pedestrian access to schools, playgrounds, parks, open space, shopping centers, and other community facilities are necessary.

V. Lots

A. Zoning Conformance

The lot size, width, depth, and the minimum building setback lines shall conform to the existing zoning and Health Department regulation of the appropriate jurisdiction.

B. Corner Lots

Corner lots shall have extra width to permit appropriate building setback from and orientation to both streets.

C. Access to Streets

The subdivision of land shall be such as to provide each lot with frontage and access on a public street or private street as defined in these regulations.

D. Double Frontage Lots

Residential lots shall not be laid out so that they have frontage on more than one street except:

1. Where lots are adjacent to the intersection of two (2) streets, or,

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

2. Where it is necessary to separate residential developments from major arterial thoroughfares.

Where double frontage lots are created adjacent to major or minor arterial thoroughfares, a reserve strip twelve (12) feet wide along the major thoroughfare shall be deeded to Richland County. The plat shall state that there shall be no right or access across such reserve strip. The Regional Planing Commission may require that a ten (10) foot wide planting screen may be provided along the boundary of the reserve strip.

E. Lot Width

The width of a lot shall at not point be less than 60' outside the street right-way. In the case of a lot adjacent to the vehicular turn-around section of a cul-de-sac, the width of a lot shall no point be less than 60' at or behind the minimum building setback line.

When existing zoning regulations permit a lot split for construction of a common wall two family dwelling with a zero side lot line setback, the width of the lot shall at no point be less than 35' outside the street right-of way.

F. Lot Depth

No lot depth shall exceed three and one-half (3½) times the lot width. The width for this purpose shall be the width where the side lot lines intersect with the street right-of-way. In the case of a lot adjacent to the vehicular turn-around section of a cul-de-sac, the lot width will be measured at the minimum building setback line. (See Appendix 11).

When existing zoning regulations permit a lot split for construction of a common wall to family dwelling with a zero side lot line setback, the split lots individually are exempt from this requirement.

VI. Monuments and Lot Corner Markers

- A. Monuments meeting the minimum standards for boundary surveys in the State of Ohio, in accordance with Chapter 4733-37-03 of the Administrative Code of Ohio, shall be placed on all lot corners, angle points, and points of curves. The roadway centerline may be referenced along the lot lines.

VII. Public Sites and Open Spaces

## SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

The subdivision design shall provide land areas for public use as provided in this Subsection VII and conform to the Commission's Open Space Plan. Open Space Subdivision layout shall be encouraged with ownership and maintenance by the Home Owners Association. Natural features such as scenic views, water bodies, and fine groves of trees shall be given due consideration for their preservation.

### A. Public Building Sites

1. At the preliminary plan stage, the Regional Planning Commission shall notify governmental and public agencies and the political subdivision having jurisdiction within the area to be platted that a subdivision is being proposed. The Regional Planning Commission shall designate a period of twenty-one (21) days within which such agencies and political subdivision shall determine if land within the subdivision is required for their use as a public building site and to so advise the Regional Planning Commission in writing of the proposed use and the area required. If within the designated time such requirement is deemed to exist, the subdivider shall be notified during the preliminary plan stage.
2. If there is no response from an agency or political subdivision within the designated time, then the preliminary plan stage shall continue without further consideration of such sites.
3. If an agency or political subdivision responds with a need for land within the designated time, then the Regional Planning Commission shall forthwith assist with negotiations for the same between the subdivider and the agency or political subdivision in this regard and sites shall be available to the requesting entity by one of the following methods:
  - a. Statutory dedication without compensation to the subdivider
  - b. Statutory dedication with reasonable compensation to the subdivider
  - c. Appropriation by the agency or political subdivision
  - d. Reservation by appropriate legal instrument for acquisition of a period of one (1) year after the approval of the preliminary plan, or for such additional time as may be mutually negotiated. Such reservation shall provide for the specific release of the land from these requirements reverting full legal title to the subdivider, or his successors or assigns if the agency or political subdivision has not

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

obtained a contract to acquire the land or has not filed appropriate proceedings within the one (1) year limitation.

e. Any other method arrived at by mutual agreement

4. Failure of the Regional Planning Commission to notify an agency or political subdivision under Paragraph A above shall not create any rights in such body and shall have the same effect as making no response after being notified and shall not make defective the subsequent subdivision proceedings hereunder.

B. Open Space and Parks

1. There shall be no requirements for a subdivider to provide parks or other open space except as required or specified in applicable zoning regulations or by the open space plan adopted by the Richland County Regional Planning Commission.
2. When a governmental agency (city, village, county, or township) having jurisdiction over the land proposed to be subdivided that is not designated for open space or parks pursuant to the Regional Planning Commission Open Space Plan or applicable zoning regulations desires land within the subdivision for such use, then such government agency within the time designated in the notice under Paragraph I.A. above shall notify the subdivider through the Regional Planning Commission.
3. The governmental agency desiring such land shall specify the quantity, description, location and use (passive or active) of the land so desired and designate the public entity that would be responsible for the development and maintenance of the use and the expense thereof.
4. If a governmental agency specified its desire, as set forth in Paragraph C above, then the Regional Planning Commission shall forthwith assist with negotiations for the same between the subdivider and the governmental agency and land shall be available by one of the following methods:
  - a. Statutory dedication without compensation to the subdivider to the governmental agency qualified to accept the same and to maintain and develop the land.
  - b. Statutory dedication, with reasonable compensation to the subdivider, to the governmental agency qualified to accept the

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

same and to maintain and develop the land.

- c. Reservation by appropriate legal instrument for acquisition of a defined area by the government agency having authority to accept, develop and maintain the same for the specific use for a period of one (1) year after the approval of the preliminary plan. Such reservation shall provide for the specific release of the land from these requirements reverting legal title to the subdivider, or his successors or assigns if the governmental agency so authorized has not obtained a contract to acquire the land or has not filed appropriation proceedings within the one (1) year limitation.
  - d. Any other method arrived at by mutual agreement, including the reservation or grant of land by private deed or covenants for the use of the property owners within the proposed subdivision with provision being made for the development and maintenance thereof.
  - e. The governmental agency may encourage open space subdivisions wherein private property owners through the use of a home owners' association will conserve and maintain open space and recreation areas for the private use of property owners within the subdivision. (For reference, see Section 600.5)
  - f. Failure of the Regional Planning Commission to notify a governmental agency under Paragraph B above shall not create any rights in such agency and shall have the same effect as making no response after being notified and shall not make defective the subsequent subdivision proceedings hereunder.
5. Any reservation of property for a period of one (1) year referred to above shall be null and void if the subdivision plat of which it is part does not receive final approval or is withdrawn by the subdivider before final approval. It is the intent herein not to create a burden on the land if it is not to be subdivided. Any legal instrument creating such a reservation shall so state.

VIII. Utilities

A. Storm Drainage

The design of the subdivision shall provide the necessary means to assure

## SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

complete drainage in and adjacent to the property to be developed or subdivided. Generally, drainage structures and facilities shall be designed for a ten year storm frequency. The subdivider or his engineer shall submit all drainage calculations along with the improvement plans to the Richland County Engineer.

The design of the subdivision shall comply with the Richland County Stormwater Management Rules and Regulations.

When necessary, outlet ditches or closed storm sewers of an approved type and size shall be required as part of the construction. If there are easements or rights-of-way to be obtained by the subdivider for construction and future maintenance, these rights-of-way or easements shall be shown on the final plat. Two copies of the easements shall be furnished to the Engineer of Jurisdiction.

### B. Sanitary Sewers

1. Sanitary facilities shall be designed and constructed by the subdivider as required for the area in which the proposed subdivision is located, for the proper disposal of wastes for each lot.
2. If a subdivision can be reasonably served by the extension of an existing public sanitary sewer as determined by the County Sanitary Engineer, the subdivider shall provide a system of sanitary sewer mains and shall provide lateral connections for each lot.
3. If a subdivision cannot be reasonably served by the extension of an existing public sanitary sewer as determined by the County Sanitary Engineer or Ohio Environmental Protection Agency, then the County Sanitary Engineer or the Ohio Environmental Protection Agency may permit the design and construction of an independent sanitary treatment plant providing complete treatment and a house connection of each lot. The temporary treatment plant shall be abandoned when public truck sewers are installed in that area.
4. If individual sanitary facilities must be installed they are to be on lots of a size as required by the Richland County Health Department and/or by the Ohio Environmental Protection Agency, whichever has jurisdiction, providing such requirements are published statute, law or regulation duly enacted.
5. Pre-treatment of all industrial waste must be as prescribed by the County and will require approval by the County for discharge of the effluent into a

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

County Sanitary or storm sewer system.

If effluent from a waste water treatment plant is discharged into any public water course, approval must be obtained from the Ohio Department of Health and the Ohio Environmental Protection Agency.

C. Water Supply

1. A water system shall be designed and constructed by the subdivider as required for the area in which the subdivision is located and a water tap provided for each lot.
2. Where public water supply is within reasonable distance, as determined by the County Sanitary Engineer, the subdivider shall construct a system of water mains and connect with such public water supply and provide a water tap for each lot.
3. If a subdivision cannot be reasonably served by the extension of an existing public water supply, the Ohio Environmental Protection Agency may permit the installation of a community supply to serve each lot. The subdivider must show reasonable proof that there is a dependable water source available from which this supply can be drawn.
4. Where public or community water supply and sanitary sewer facilities are not available, individual water wells and sanitary disposal facilities shall be provided for each lot in the subdivision if approved by the Ohio Environmental Protection Agency and the Health Department.
5. For major subdivision developments, public water and sanitary sewer facilities shall be furnished by the subdivider for each lot in the subdivision, if those facilities are approved by the Ohio Environmental Protection Agency and the Mansfield-Richland County Health Department and the Richland County Sanitary Engineer.

IX. Extra Size and Off Site Improvements

When streets or utilities are not available at the boundary of a proposed subdivision, thereby necessitating off-site extensions or improvement of streets or utilities and when extra size (greater in size than is required to serve the proposed subdivision) utility lines and streets are required for the proper future growth of an area, the Regional Planning Commission may require as a condition precedent to approval of a preliminary plan and subdivision plat, assurances that such off-site extensions and extra size improvements

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

will be provided in accordance with the following:

- A. Utility extensions from the proposed subdivision shall be installed and constructed in such a location, in such a manner and size as to make their extension usable in accordance with governmental regulations for servicing adjacent areas and with reference to drainage utilities, such adjacent area shall include the downstream area of the particular drainagedistrict and the uphill drainage and extra size line as determined by reasonable engineering standards.
- B. If the Regional Planning Commission, in conjunction with the applicable political subdivision having control of the area, finds that off-site extensions require crossing undeveloped lands and that a special assessment would not be warranted against such lands until some future time, or if a governmental expenditure for such purpose is not then warranted, and if this same condition exists on extra size facilities which will later benefit and enhance other property, then the developer may be required, as a condition to approval, to obtain all necessary easements or rights-of-way. Improvements so constructed shall be dedicated and granted to the public and not maintained under private ownership. All such improvements shall be available for connections by developers of adjoining lands.
- C. To provide for reimbursement to the developer for costs of such installation of off-site extensions and extra size facilities (such costs to include construction costs, all engineering costs properly allocated thereto, and all costs for legal services allocated thereto, and any other costs necessary and proper in determining the entire cost of such improvement), contractual arrangements shall be made between the applicable political subdivision and the developer, approved by the County Engineer, setting forth the total amount of such reimbursement, together with a pro-rata usage reimbursement plan including the nature and method of determining the amount of such reimbursement and the time or times at which the same shall occur. Such contractual arrangements shall be accomplished and completed prior to the improvements being started. It is the intent to secure reimbursement to the developer at such time or times as connections to the off-site improvements are made and extra size facilities are used by developers of adjoining or benefiting lands.

As future development occurs on adjoining or benefiting lands, the original developer shall be reimbursed in accordance with the contractual arrangements referred to above and each successive developer shall exhibit to the Richland County Regional Planning Commission a receipt showing reimbursement prior to final subdivision approval relating to such adjoining or benefiting lands.

- D. The governmental body having jurisdiction may construct and pay for the off-site

SECTION 400.3 MAJOR SUBDIVISION (CONTINUED)

extensions and extra size facilities and assess the costs to the owners benefitted and require a deposit from the developer. The governmental body having jurisdiction may establish a rotary fund to pay for such development costs and not collect the assessments on the intervening land until it is developed.

X. Flood Plain

If any portion of the land within a proposed subdivision may be subject to inundation or flood hazard by storm water, and/or if any portion is within an area designated as flood prone, such fact and that portion shall be clearly indicated on the subdivision plat, provided such requirements are established by published statute, law or regulation duly enacted.

Land subject to flood shall not be platted for residential occupancy or for other such use which may increase danger to health, life or property or which may aggravate the flood hazard.

XI. Street Lighting

Each subdivision is required to have installed and in operation a street lighting system. The lighting system shall be designed to meet the recommendations for the vehicular roadway lighting levels of the Illuminating Engineering Society and will be installed by the public utility responsible for electrical service. Working drawings for this street lighting system must be reviewed by the County Engineer and approved by the Zoning and Subdivision Review Committee at the time of final approval of the Subdivision Plat.

In lieu of a street lighting system installed by the public utility, the developer may install a lighting system using post type yard lights. At least one light with underground wiring shall be installed for each lot or parcel when a new principal building is constructed on the lot or parcel. The post type yard lights shall be installed on private property but within ten (10) feet of the street right-of-way line. Each yard light must be controlled by a photoelectric cell or an electrical timer. The plan for the subdivision showing the location for each post type yard light, etc. must be reviewed by the County Engineer and approved by the Zoning and Subdivision Review Committee at the time of final approval of the Subdivision Plat. The property owners shall be responsible for the ownership, maintenance, repair and power for the post type yard light system, and the Subdivision Plat and/or protective covenants shall include statements as to this requirement.

ARTICLE V

ADMINISTRATION AND  
ENFORCEMENT

ARTICLE V

ADMINISTRATION AND ENFORCEMENT

SECTION 500.0      ADMINISTRATION

These Regulations shall be administered by the following State and/or County Agencies or their designated representatives:

- I.      The Richland County Regional Planning Commission, thru their Director-Secretary, shall act as the coordinating county agency, responsible for receiving, processing and reviewing all minor (except those which meet all requirements of Section 300.1, Paragraph I, A thru C) and major subdivisions as to conformity with zoning and other regulations which affect the division of land, and for approving the design layout of the preliminary plan and final plat.
  
- II.     The Ohio Environmental Protection Agency, County Sanitary Engineer, and the Richland County Health Department, whichever has jurisdiction shall be responsible for reviewing and approving the type of water system, home sewerage disposal system, and sanitary sewer system designed to serve minor and major subdivisions.
  
- III.    The Richland County Engineer shall be responsible for reviewing, inspecting, and approving the improvement plans and installation of streets and other utility systems. The Richland County Engineer shall also be responsible for insuring that the improvement specifications set forth in the Public Improvement Standards for Richland County, Ohio are met as a subdivision is developed in order to assure both soundness of layout and economy of construction and maintenance.
  
- IV.    The Richland County Commissioners shall be responsible for managing all affairs required in connection with the dedication of public rights-of-way and other public sites designated on a minor or major subdivision.

SECTION 500.1      RECORDING OF PLAT

No plat of any subdivision shall be recorded in the office of the County Recorder or have any validity until it has been approved in the manner prescribed herein.

SECTION 500.2      SALE OF LAND WITHIN SUBDIVISIONS

No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before such plat has been approved and recorded in the manner prescribed in these Regulations. The description of such lot or parcel by metes and bounds in the instrument of transfer or other

SECTION 500.2 SALE OF LAND WITHIN SUBDIVISIONS (CONTINUED)

documents used in the process of selling or transferring shall not exempt the transaction from the application of these Regulations.

SECTION 500.3 REVISION OF PLAT AFTER APPROVAL

No changes, erasures, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by and an endorsement is made in writing on a plat, unless the plat is first resubmitted and the changes approved by those public bodies in authority.

SECTION 500.4 FILING, PLAN REVIEW, AND INSPECTION FEES

I. Filing Fees

Make payable to Richland County Regional Planning Commission

MAJOR SUBDIVISION: At the time of submitting the application for final plat approval, the subdivider shall pay a filing fee of \$50.00.

PLANNED UNIT DEVELOPMENT: At the time of submitting for final plat approval, the subdivider shall pay a filing fee of \$100.00.

II. Plan Review and Inspection Fees

Plans, quantities, and an itemized cost estimate prepared by a Professional Engineer shall be submitted to the County Engineer for review and approval for all street, storm sewer, water line, and outlet drainage improvements. The same shall be required for sanitary sewers and sewage treatment to be submitted to the County Sanitary Engineer for his review and approval. A certified check in the amount of 2% of the approved construction cost estimates or \$1,000.00, whichever is larger, shall be deposited with the County Commissioners to pay the costs of field inspection of said construction to assure its conformance with the approved plans. The check shall be made out to the Clerk of the County Commissioners. A record shall be kept of the actual costs incurred by the County Engineer and the County Sanitary Engineer for said inspection and shall be charged against the amount deposited and any remaining money shall be returned to the Developer.

The Engineer of Jurisdiction must be notified 48 hours before work commences on any improvements.

SECTION 500.5 PENALTIES

The following penalties shall apply to the violations of these Regulations:

SECTION 500.6 VARIANCES (CONTINUED)

- I. Whoever violates any rule or regulation adopted by the Board of County Commissioners for the purpose of setting standards and requiring and securing the construction of improvements within a subdivision, or fails to comply with any order pursuant thereto, is creating a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action at suit of the County or any citizen thereof. Whoever violates these Regulations shall forfeit and pay not less than one hundred (100) dollars nor more than one thousand (1,000) dollars. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Richland County.
- II. A County Recorder who records a plat contrary to the provisions of these Regulations shall forfeit and pay not less than one hundred (100) dollars, nor more than five hundred (500) dollars to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of Richland County.
- III. Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than one hundred (100) dollars, nor more than five hundred (500) dollars 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 of transfer shall not serve to exempt the seller from the forfeiture provided in this section.
- IV. Any person who disposes of, offers for sale or lease for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of these Regulations are complied with, shall forfeit and pay the sum of not less than one hundred (100) dollars, nor more than five hundred (500) dollars for each lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the County Treasurer for the use of the County.

SECTION 500.6 VARIANCES (Note Appendix Form 10)

1. The Planning Commission may grant variances from the strict application of these regulations in specific cases where unusual topographical or other exceptional conditions require such modification and where such strict application would result in practical difficulty or unnecessary hardship that would unreasonably deprive the owner of the reasonable use of the land involved or place unreasonable restrictions or requirements upon the owner's intended subdivision when the same would not be detrimental to the public interest and would not impair the intent of these regulations, the desirable development of the neighborhood or community, the Comprehensive Plan or the applicable Zoning Ordinances; provided, however, that a mere financial hardship shall not be sufficient to establish a hardship hereunder for the granting of a variance.

SECTION 500.6 VARIANCES (CONTINUED)

2. In granting any variance, the Planning Commission shall prescribe any conditions that it deems to be necessary or desirable as will, in its sole judgment, secure substantially the objective of the standards or requirements so varied or modified.
3. No variance in the strict application of any provision of these regulations shall be granted, however, except upon written application and hearing following a resolution specifically setting forth the finding of special circumstances giving rise to the variance, together with any conditions found necessary or desirable by the Planning Commission. Further, no such variance shall be granted unless the Planning Commission finds:
  - (A) That there are unusual topographical or other exceptional conditions fully described in the findings applying to the proposed subdivision for which the variance is sought.
  - (B) That for the reasons set forth in the findings, the granting of the variance is necessary to avoid practical difficulties or unnecessary hardship that would unreasonably deprive the owner of the reasonable use of the land or place unreasonable restrictions or requirements upon the owner's intended subdivision; that the variance as granted by the Planning Commission is the minimum variance that will accomplish the purpose.
  - (C) That the granting of the variance will be in harmony with and not impair the general intent and purpose of these regulations and not be detrimental to the public interest or contrary to the desirable development of the neighborhood or community.
  - (D) The Planning Commission shall consider all factors including, but not limited to, the physical condition of the land; the complexity of and number of parcels involved in the proposed subdivision; effect on adjacent property, neighborhood, and community; the likelihood of involvement with future subdivision or requests therefor; the presence or absence of public or private streets; the necessity of easements of access and the description, size, maintenance, and control thereof including whether or not such easement of access can be used for the benefit of any other land; acceptability of conditions to avoid future conflict with these regulations; the preparation of such survey, drawings, and descriptions as may be required by the Planning Commission; and the unusual and nonrepetitive nature of the condition sought to be remedied through the requested variance.
4. Requests for variance will be submitted in writing to the Planning Commission on forms prescribed for that purpose. Each application shall refer to the provisions of these Regulations to which a variance is sought and the grounds upon which it should be granted. The allowance or disallowance of the variance request shall be by resolution in

SECTION 500.6 VARIANCES (CONTINUED)

the manner set forth above. The Planning Commission may require that reference to such resolution be contained on any deed or instrument of conveyance arising out of the transaction for which the variance was sought.

SECTION 500.7 APPEAL

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

ARTICLE VI

REQUIREMENTS FOR PLANNED  
DEVELOPMENTS

## ARTICLE VI

### REQUIREMENTS FOR OPEN SPACE AND PLANNED UNIT DEVELOPMENTS

#### SECTION 600.0 GENERAL

Planned Developments are separate entities with a distinct character which is intended to be in harmony with surrounding developments. Projects which are designed solely to circumvent these Regulations or other applicable zoning resolutions shall not be approved. The project must clearly demonstrate that natural features are being preserved, that amenities are being provided which would enhance the liveability of the project and that such attributes of the project could not be achieved with strict adherence to these Regulations. A minimum of 50 acres is suggested for a planned unit development to allow sufficient flexibility and imaginative design.

#### SECTION 600.1 STANDARDS

A major element of the Planned Development is privately owned or publicly owned common property within the development. These developments usually contain such features as an internal park network abutting home sites, recreational facilities, and preservation of natural amenities. A Home Owners' Association should be established to provide for the maintenance of all properties held in common.

#### SECTION 600.2 CONFORMITY TO EXISTING STREETS AND THOROUGHFARE PLAN

Whenever a Planned Development abuts or contains an existing or proposed major thoroughfare, the standards, as contained in these Regulations, shall be applicable. If a Planned Development abuts or contains an existing minor residential street, it must meet the requirements of these Regulations.

#### SECTION 600.3 PUBLIC STREETS

The Planning Commission may require certain streets within Planning Developments to be public if it determines that the project density necessitated the use of public streets and that traffic connections to adjacent plats or developments are required for adequate circulation.

#### SECTION 600.4 STAGING OF RESIDENTIAL PLANNED DEVELOPMENT

Each stage of a Planned Development must be so designated so as to stand independently of future related stages in the event of all of 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. The Planning Commission shall not approve the Final Development Plan for any stage of the Planned Development unless the average of the allowable

SECTION 600.4 STAGING OF RESIDENTIAL PLANNED DEVELOPMENT  
(CONTINUED)

dwelling units per stage, up to and including the stage which is to be approved, does not exceed by more than ten (10) percent the average number of dwelling units per stage which is allowable for the entire Planned Development.

SECTION 600.5 COMMON OPEN SPACE GUARANTEE

Common open space, privately owned shall require provisions for maintenance and the financing of such maintenance to insure its continuity, conservation, maintenance and preservation in order to prevent its diversion and deterioration in the manner hereinafter set forth. Publicly owned common open space shall be the responsibility of the governmental entity approving as accepting same on the plat.

If privately owned common property is a part of the plan, then the developer shall establish an open space development plan which shall include such plats, agreements, protective covenants, easements and documents to be recorded providing for the ownership, maintenance and financing of such maintenance for the common open space, together with the documents establishing a home owners association for the maintenance of all properties held in common.

In the event that the owner established to own, develop and maintain the common open space, or any successor, shall at any time after the establishment of the open space development, fail to maintain the common open space in reasonable order and condition in accordance with the plan, or permit it to deteriorate so as to constitute a public nuisance, then the governmental unit having jurisdiction over the same (hereinafter called "governmental unit") may serve written notice upon such owner or upon the residence of the open space development area setting forth the manner in which the owner has failed to maintain the common open space in reasonable condition or has permitted a public nuisance to develop. Such notice shall include a demand that such deficiencies be cured within thirty (30) days thereof and shall state the date and place of hearing thereon before the governmental unit to be held within fifteen (15) days after the notice. At such hearing the governmental unit may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be cured. If the deficiencies set forth in the original notice or in the modifications hereof are not cured within said thirty (30) days or any extension thereof, the governmental unit, in order to prevent further deterioration or to abate the public nuisance, may enter upon the common open space and maintain the same until the owner established for such purpose resumes its responsibility. Such entry maintenance and abatement upon the common open space shall not vest in the governmental unit any rights to use the common open space for any other purpose, nor shall such entry constitute a dedication.

To provide for the costs of such maintenance and abatement by the governmental unit, the developer or the owner established to own the common open space shall simultaneously with the execution of the unit plan grant to the governmental unit a conservation easement vesting in the

SECTION 600.5 COMMON OPEN SPACE GUARANTEE (CONT.)

governmental unit all of the rights necessary to carry out the term of this section, as well as all of the rights of the developer or the owner of the open space to collect dues or assessments from the property owners within the development, which dues and assessments, or a reasonable substitution therefore, for the maintenance of the common open space shall be an obligation upon the property owners by virtue of such conservation easement or recorded protective covenants, as well as any articles of incorporation or bylaws of any owners association to hold title to the common open space.

SECTION 600.6 STAGING OF NONRESIDENTIAL CONSTRUCTION

If a Planned Development contains nonresidential uses, these uses may be constructed first, but only if the Planning Commission finds--and records its finding on the Final Development Plan--that the nonresidential uses are consistent with the Comprehensive Plan for the community even though the residential area of the Planning Development is not built or not completed.

SECTION 600.7 CONDOMINIUMS

Chapter 5311 of the Ohio Revised Code provides for the recording of ownership of condominiums. Condominium ownership does not excuse compliance with these Regulations whenever appropriate.

ARTICLE VII

REPEAL

ARTICLE VII

REPEAL

SECTION 700.0      REPEAL

From and after the date of these Regulations taking effect, all Regulations, ordinances and parts of ordinances of the County of Richland, State of Ohio, and the Regional Planning Commission in conflict herewith are hereby repealed.

ARTICLE VIII

ENACTMENT

ARTICLE VIII

ENACTMENT

SECTION 800.0      ENACTMENT

These Regulations cited as "Subdivision Regulations for Richland County, Ohio," shall take effect and be in force from and after its enactment by the Richland County Regional Planning Commission, and shall take effect and be in force from and after the earliest period allowed by law.

Moved by:      Robert Cunning

Seconded by:      Thomas Beck

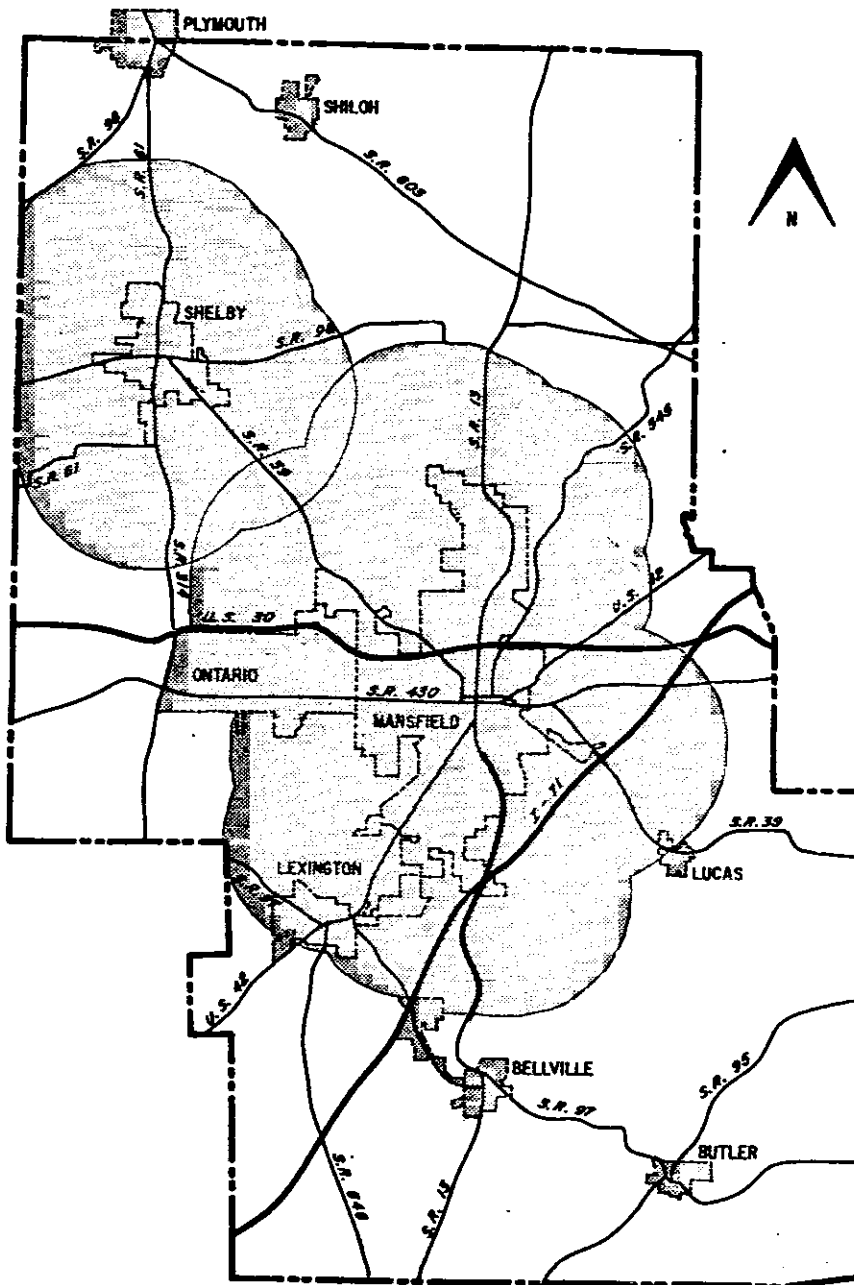
Passed by:      Unanimous Vote, May 28, 1997



Date: 8/13/97      \_\_\_\_\_  
Richland County Regional Planning Commission President

\_\_\_\_\_  
Richland County Regional Planning Commission Executive Director

## APPENDICES

APPENDIX 1



-  Richland County Jurisdiction of Subdivision Regulations
-  Areas Exempt from Richland County Subdivision Regulations

## APPENDIX 2A

### SUBDIVISION REGULATIONS

Regulates the division of land, its planning and development into what is known as a subdivision.

Section 300.1 Minor Subdivision

Section 300.2 Major Subdivision

However, land divided under certain specifications or conditions is NOT classified as a subdivision and therefore, the regulations of Section 300.1 and 300.2 do not apply.

### DIVISION OF LAND THAT IS A SUBDIVISION

1. When a parcel of land shown as a unit or contiguous units on last preceding tax role is divided into two (2) or more parcels, sites or lots, any one of which is less than five (5) acres for the purpose, now or in the future, for transfer of ownership.
2. Improvement of one or more parcels for residential and commercial or industrial structures involving the allocation of land for opening, widening or extending streets, except private streets for industrial structures.
3. Division or allocation of land as open spaces, for owners occupants or tenants common use, or as easements for public sewer, water, storm drainage or other public facilities.

### DIVISION OF LAND NOT A SUBDIVISION

1. Some divisions of land are not subdivisions.
2. If a division of land is not a subdivision, then the regulations do not apply and no plat is required.
3. The following divisions are not subdivisions:
  - a. Division of a parcel into two or more parcels, all of which are five (5) acres or more, not involving new streets (public or private) or easements of access.
  - b. Sale or exchange of parcels between adjoining land owners, if no additional building sites are created.
  - c. Transfer of an existing piece of land as a whole that has been previously recorded by metes and bounds description.
  - d. Normally the transfer of a lot that is recorded as a lot in a major subdivision. The transfer of a part of such a lot will not be a subdivision unless it is less than five (5) acres and involves new streets (public or private) or easements of access or unless it creates additional building sites and is not a sale or exchange between adjoining land owners.

## APPENDIX 2B

The land to be divided is a subdivision-then the owners will have to proceed with formal platting requirements, Section 300.2 major subdivision unless the division of land meets the minor subdivision category Section 300.1 (O.R.C. Section 711.131)

If the minor subdivision criteria are met - no plat is required and the conveyance (deed) shall be stamped "approved - no plat required" a drawing may be required. The regulations provided a simplified procedure.

If the criteria for a minor subdivision are not met - then the major subdivision requirements must be followed - unless a hardship exists to qualify for a variance.

### WHAT IS A MINOR SUBDIVISION?

1. It is a division of land that:
  - a. Must be a division of a parcel along an existing street; and
  - b. Must not involve the opening, widening or extension of any street or road; and
  - c. Must involve no more than five (5) lots after the original tract has been completely subdivided; and
  - d. Must not be contrary to applicable platting, subdividing, or zoning regulations.

O.R.C. Section 711.131 regulations set forth other requirements to be met by a minor subdivision.

2. Keep these definitions in mind:
  - a. The full definition of a minor subdivision (above)
  - b. Original tract:
    - (1) A contiguous quantity of land held by one person - or in common ownership - which has not been platted by the existing owner - this means:

- Based on O.A.G. Opinion 71-083
- (a) A tract can be original to one person and not to another
  - (b) "Original" does not mean initial source
  - (c) Permits subdivision through successive ownership

## APPENDIX 2C

### 3. Completely subdivided:

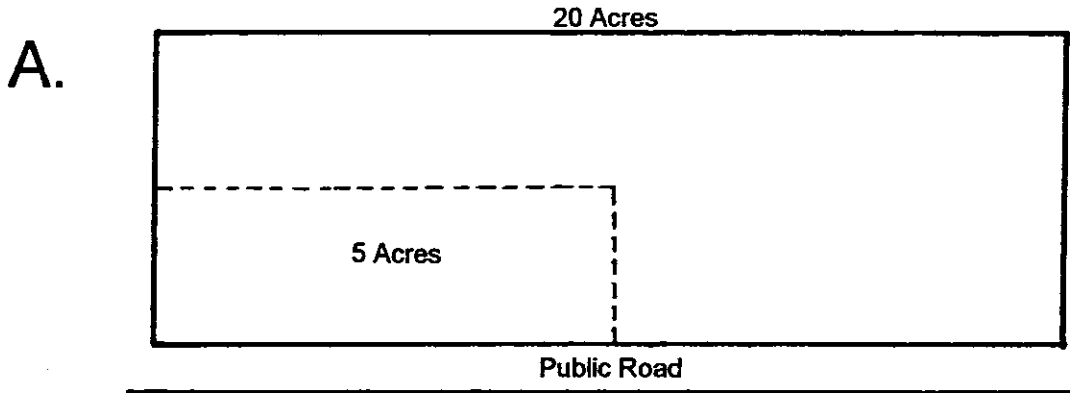
- a. When a tract is divided into as many lots as that subdivider intends for the tract.
- b. A specific subdivider may later decide to increase the number of lots in a subdivision--but to do so--and assuming there are more than five (5) lots as a result, it would be necessary to replat the original tract.
- c. It is possible for a tract to be "completely subdivided" and then be further subdivided by a party who purchases or takes title to a parcel in a subdivision large enough to be divided.

### 4. The Ohio Attorney General has concluded:

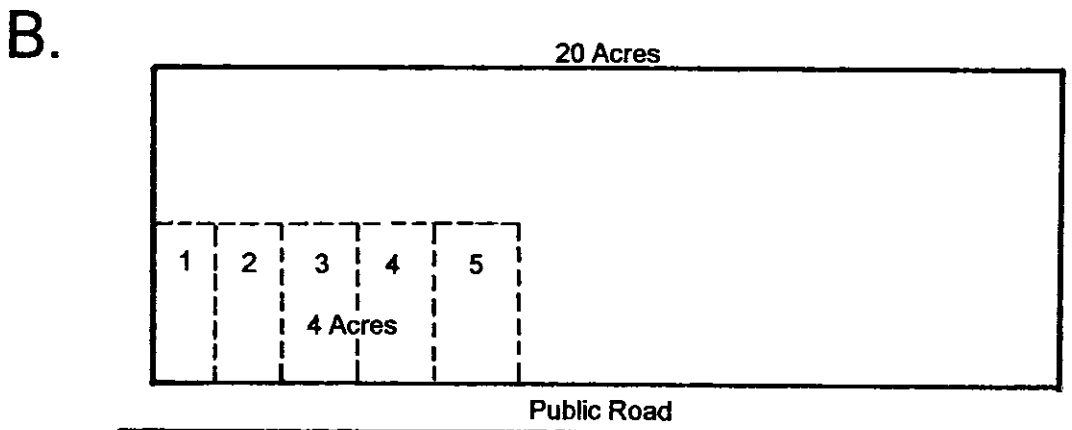
- a. Tract--a contiguous quantity of land undivided by lot lines.
- b. Original--Contemplates a tract which has not been divided under its present ownership.
- c. Original Tract--a contiguous quantity of land held by one person or in common, which has not been platted by the existing owner.
- d. The phrase "involving no more than 5 lots after the original tract has been completely subdivided," applies only to the necessity for replatting to accomplish changes in an already subdivided tract.

APPENDIX 2D

EXAMPLES



1. Mr. **A** Owns 20 A and sells 5 acres to Mr. **B**  
(not a subdivision)



1. **A** owns 20 A and sells 4 acres to **B**.  
(minor subdivision)
2. **B** divides the 4 acres into 5 lots.

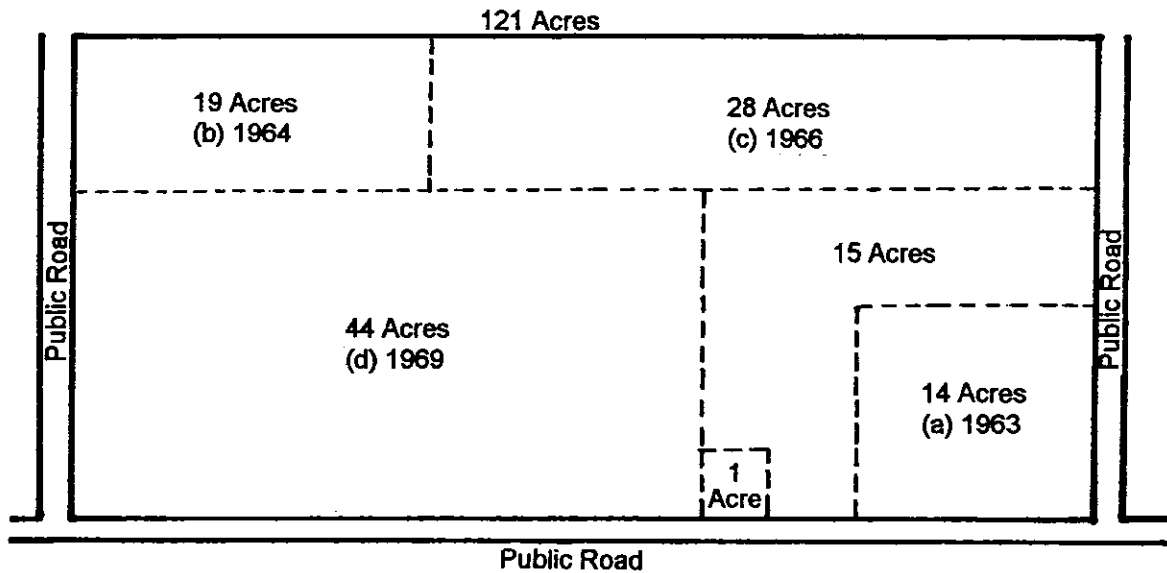
Subdivision--Yes

Minor Subdivision--Yes

**B** is the original tract--not the 20 A

APPENDIX 2E

C.



1. A owns 121 acres and sells as follows:

- (a) 1963 - 14 acres
- (b) 1964 - 19 acres
- (c) 1966 - 28 acres
- (d) 1969 - 44 acres

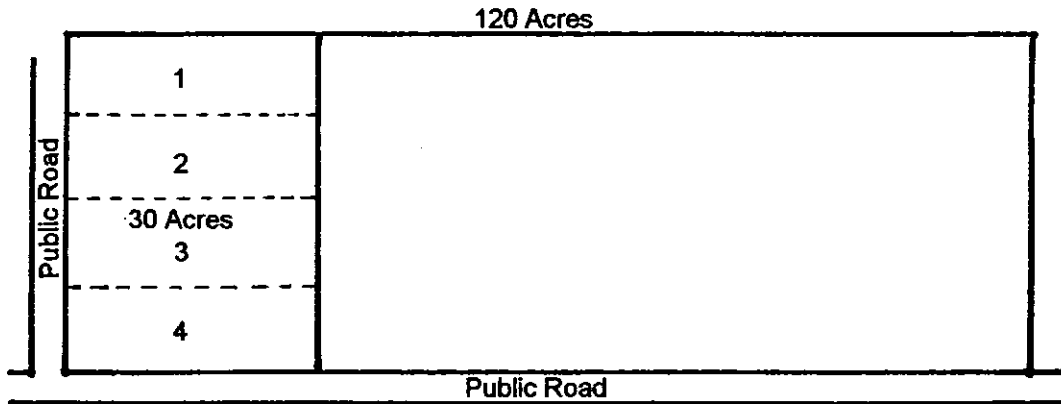
(none of these are subdivisions) each owner

2. A kept 15 acres and in 1972 wanted to sell off 1 acre from the 15 acre parcel

- (a) A Subdivision--Yes
- (b) Is it a minor subdivision? Does it involve no more than 5 lots after the "original tract" has been "completely subdivided?" What is "original tract" 15 acres or 121?
- (c) This would be a minor subdivision and 15 acres is the original tract.

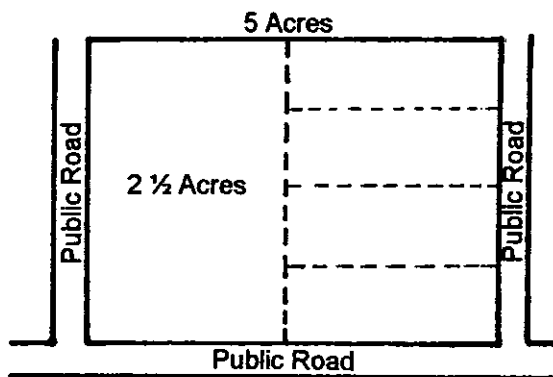
APPENDIX 2F

D.



1. **A** owns 120 A and sells 30 A to **B**.  
(not a subdivision)
2. **B** divides the 30A into 4 lots (not a subdivision unless 1 or more is less than 5A--if so, then a minor subdivision)
3. **B** sells Lot No. 1 and keeps Lots 2, 3 and 4.
4. **B** then divides Lot 2, 3 and 4 each in half creating 6 new lots of 3.75 acres each (This is a major subdivision)

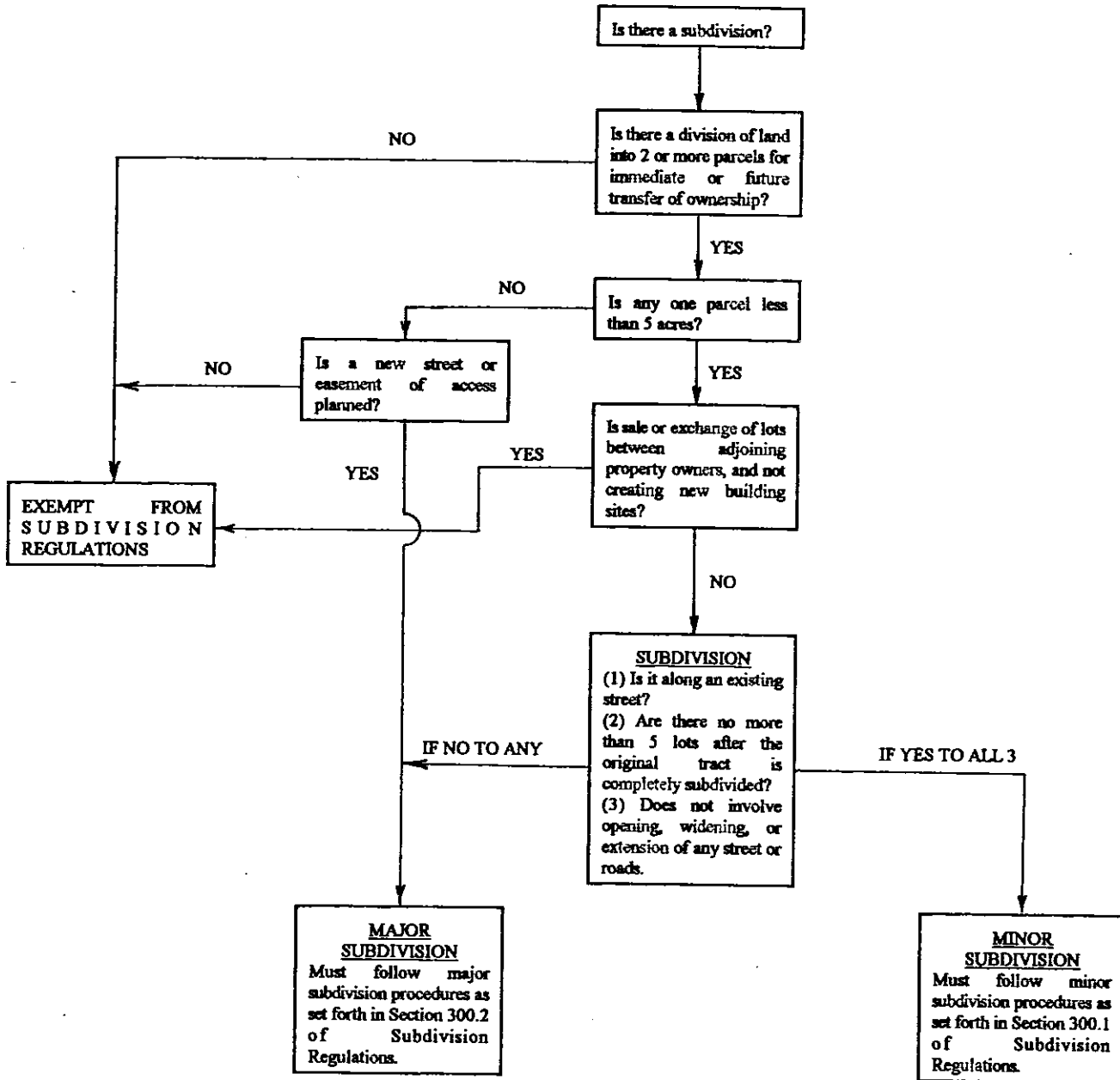
E.



1. **A** owns 5 A and divides into 5 parcels the largest is 2½ A  
(A minor subdivision)
2. **A** sells 2½ A parcel to **B**.
3. **B** divides then 2½ A into five ½ A parcels ... is this a minor or major subdivision? Minor  
What is original tract? The 2½ A, not the 5A.

APPENDIX 2G

This chart may be used as a test to determine whether the division of land is a subdivision, and, if so, whether it is a major or minor subdivision.



APPENDIX 3

STATE OF OHIO :

SS:

AFFIDAVIT OF COMPLIANCE

COUNTY OF RICHLAND:

\_\_\_\_\_, being first duly sworn on oath (or affirm under penalty of perjury) deposes and says that:

1. Affiant is the owner of land proposed to be subdivided in accordance with the survey attached hereto, marked "Exhibit A."
2. The proposed subdivision is of land located along an existing public street and does not involve the opening, widening, or extension of any street or road.
3. The parcel being divided will be divided into no more than five (5) parcels when the original tract is completely subdivided.
4. The proposed subdivision is not contrary to applicable platting, subdividing or zoning regulations and conforms in all respects to the Richland County, Ohio, Subdivision Rules and Regulations and the provisions thereof applicable to "minor subdivisions."

\_\_\_\_\_

Sworn to before me and subscribed in my presence, this \_\_\_\_\_ day of

\_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_

Notary Public

APPENDIX 4A

APPLICATION FOR TENTATIVE APPROVAL OF PRELIMINARY PLAN  
RICHLAND COUNTY REGIONAL PLANNING COMMISSION  
MANSFIELD, OHIO

Date \_\_\_\_\_ Application No. \_\_\_\_\_

1. Name of Applicant \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

2. Name of Surveyor or Engineer \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

3. Name of Subdivision \_\_\_\_\_

4. Locational Description: Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ Other \_\_\_\_\_

(In addition, please attach copy of legal description)

5. Proposed Use \_\_\_\_\_

6. Present Zoning District \_\_\_\_\_

7. Proposed Zoning Changes \_\_\_\_\_

8. Number of Lots \_\_\_\_\_ Area of Parcel \_\_\_\_\_

9. Do you propose deed restrictions? Yes \_\_\_\_\_ No \_\_\_\_\_  
(If "yes," please attach a copy.)

10. What type of sewage disposal do you propose? \_\_\_\_\_  
If an "on lot" type of sewage disposal is proposed, include a letter from the County Board of Health approving a specific type of sewage disposal.

11. List all proposed improvements and utilities and state your intention to install or post a guarantee prior to actual installation.

	Improvement	Installation	Guaran tee
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____
e.	_____	_____	_____

APPENDIX 4B

12. List other materials submitted with this application.

	Item	No.
a.	_____	_____
b.	_____	_____
c.	_____	_____
d.	_____	_____
e.	_____	_____
f.	_____	_____

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Surveyor or Engineer

\_\_\_\_\_  
(For Official Use)

Date Received \_\_\_\_\_

Date of Meeting of Zoning, Subdivision and Land Use Committee \_\_\_\_\_

\_\_\_\_\_  
Action by Committee \_\_\_\_\_

If plan rejected, reason (s) for rejection \_\_\_\_\_

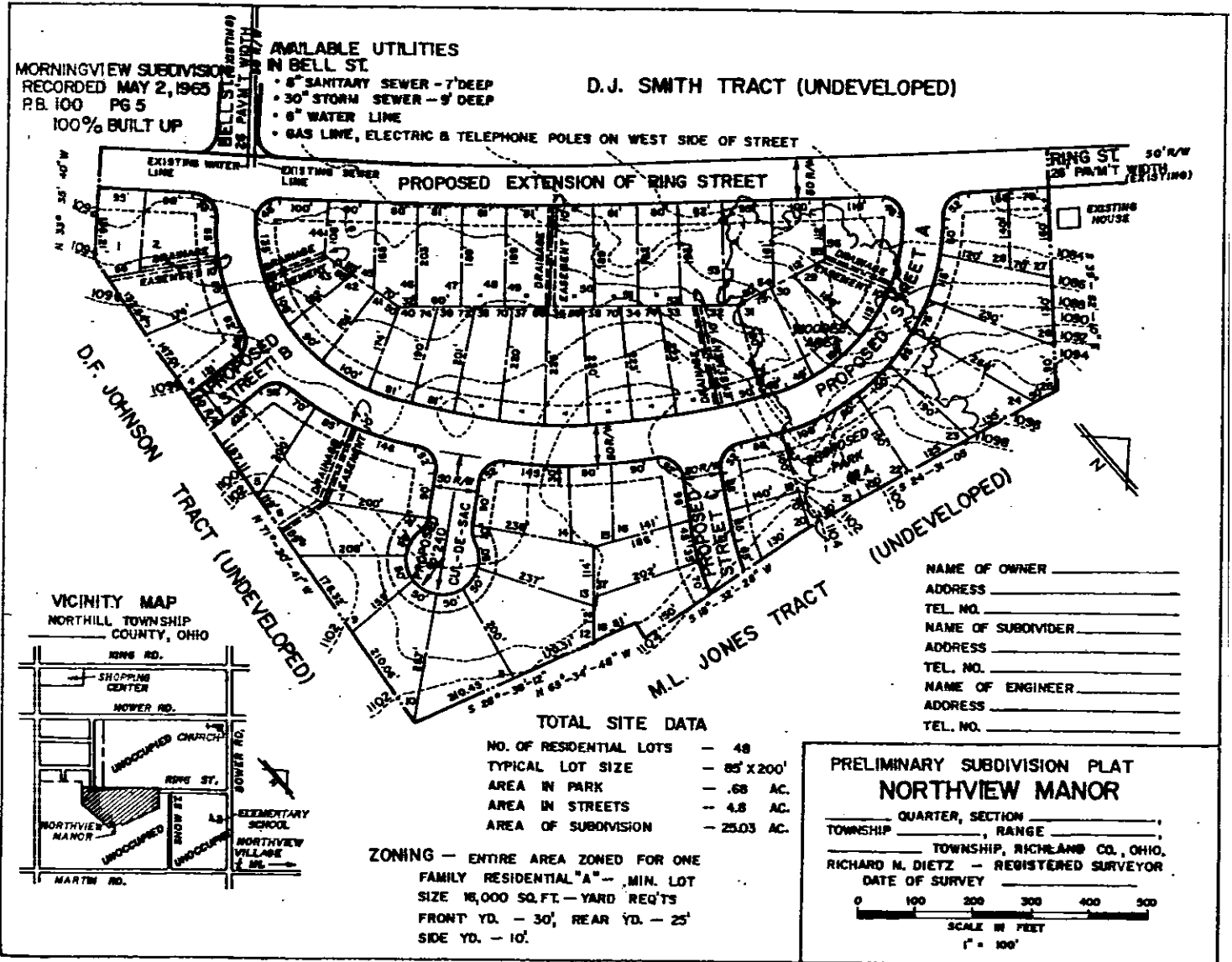
\_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

Chairman \_\_\_\_\_

APPENDIX 5



TYPICAL PRELIMINARY SUBDIVISION PLAT

APPENDIX 6A

APPLICATION FOR FINAL PLAT APPROVAL  
RICHLAND COUNTY REGIONAL PLANNING COMMISSION  
MANSFIELD, OHIO

Date \_\_\_\_\_

Application No. \_\_\_\_\_

1. Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

2. Name of Surveyor or Engineer \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

3. Name of Subdivision \_\_\_\_\_

4. Date Preliminary Plan Approved \_\_\_\_\_

5. Was a zoning change requested? \_\_\_\_\_ Yes \_\_\_\_\_ No

6. If yes, the plat may not be approved until it conforms with the local zoning. Include a certification of zoning compliance if a change was requested.

7. Have all required improvements been installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

If no, include detailed estimates of cost and a statement relative to the method of improvement guarantee. All estimates must be approved by the responsible (municipal, county) official.

8. Do you propose deed restrictions? \_\_\_\_\_ Yes \_\_\_\_\_ No  
(If yes, please attach a final copy.)

9. List other materials submitted with this application.

Item	No.
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____
f. _____	_____

APPENDIX 6B

For Official Use

Date Received \_\_\_\_\_

Plat Fee\$ \_\_\_\_\_ Inspection Fee\$ \_\_\_\_\_

Date of Meeting of Zoning, Subdivision and Land Use Committee \_\_\_\_\_

\_\_\_\_\_

Action by Committee \_\_\_\_\_

If plat rejected, reason (s) for rejection \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

Chairman

-----

Date of Planning Commission Meeting \_\_\_\_\_

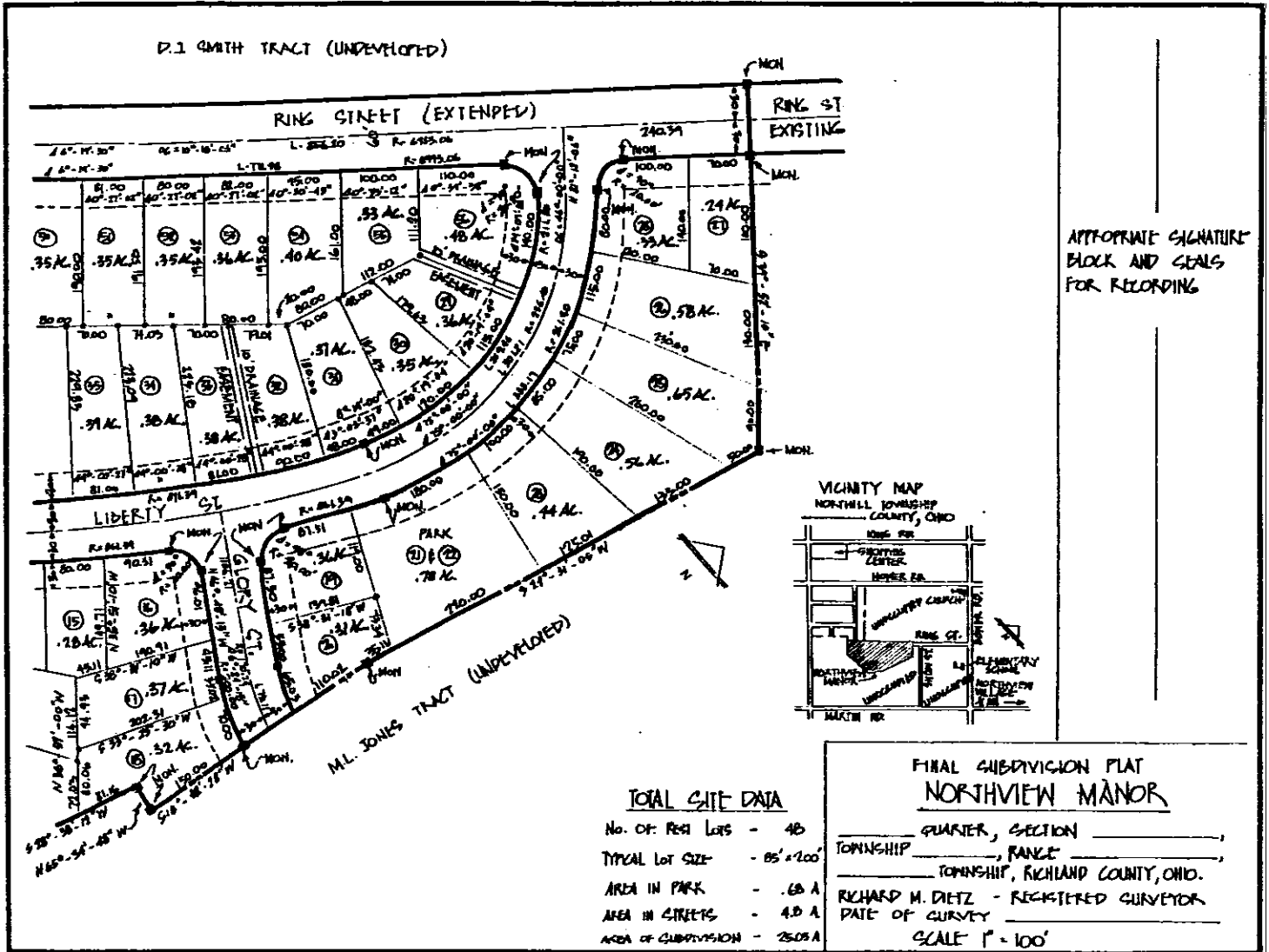
Action by Planning Commission \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

President

APPENDIX 7



TYPICAL FINAL SUBDIVISION PLAT

APPENDIX 8A

REQUIRED STATEMENTS AND SIGNATURES TO BE  
AFFIXED ON THE SUBDIVISION PLAN

SECTION I. Required Statements to be Affixed on the Subdivision Plat:

OWNER'S ACCEPTANCE AND DEDICATION

We, the undersigned owner(s) of the land(s) shown on the within plat, hereby acknowledge the making of said plat to be our free act and deed, and do hereby accept said plat and dedicate the streets as shown to public use forever. In witness whereof, we have set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

Owner (s)

Witness (es)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OHIO, COUNTY OF RICHLAND, S.S.

Before me a notary public is and for said county and state, personally appeared the above owner(s) who then and there acknowledge the making and signing of the within plat to be his free act and deed and for the uses and purposes shown thereon in testimony, whereof I have hereunto set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

Notary Public  
Richland County, Ohio

APPENDIX 8B

OWNER'S DEDICATION OF DRAINAGE EASEMENTS

The owner(s) grant to the Richland County Board of Commissioners and their assigns and heirs the rights to the "Drainage Easements" as shown hereon, for the purpose of construction, maintenance, repair and replacement of storm sewers, culverts, ditches, swales, storm water management facilities (detention basins) and related appurtenances.

SECTION II. Required Signatures:

Certificate of Surveyor

I hereby certify that the notes on the within plat are correct, and that iron pins mark the corners of each lot.

Date \_\_\_\_\_

\_\_\_\_\_

Name

Surveyor No. \_\_\_\_\_

\_\_\_\_\_  
County Engineer Approval

I hereby approve the above plat and dedication. No acceptance of the dedicated streets upon the public road system is meant or implied.

Date \_\_\_\_\_

\_\_\_\_\_

Name

Richland County Engineer

County Sanitary Engineer

I hereby approve the within plat and dedication.

Date \_\_\_\_\_

\_\_\_\_\_

Name

Richland County Sanitary Engineer

APPENDIX 8C

Richland County District Board of Health

I hereby approve the within plat and dedication.

Date \_\_\_\_\_

\_\_\_\_\_  
Name  
Richland County District Board  
of Health

Richland County Regional Planning Commission

I hereby certify that the within plat and dedication were duly approved by the Regional Planning Commission for Richland County, Ohio, at its regular meeting held on the \_\_\_ day of \_\_\_\_\_, 19\_\_.

Date \_\_\_\_\_

\_\_\_\_\_  
Name  
Secretary

County Commissioners Approval

I hereby certify that the within plat and dedication were duly approved by the Board of Commissioners of Richland County, Ohio, at its regular meeting on the \_\_\_ day of \_\_\_\_\_, 19\_\_.

Date \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Richland County Commissioners

Auditor's Transfer

I hereby certify that these platted lands were transferred on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Date \_\_\_\_\_

\_\_\_\_\_  
Richland County Auditor

APPENDIX 8D

County Recorder

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ (time).

Recorded this \_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, in Plat Volume \_\_\_\_, Page \_\_\_\_\_.

Date \_\_\_\_\_

\_\_\_\_\_  
Richland County Recorder

Performance Guarantees - Amount

I hereby certify that a performance guarantee in the amount of \_\_\_\_\_ for the construction of required improvements for the land contained in this plat have been provided and approved as to amount.

Date \_\_\_\_\_

\_\_\_\_\_  
Richland County Engineer

Performance Guarantees - Form

I hereby certify that a performance guarantee in the amount of \_\_\_\_\_ for the construction of required improvements for the land contained in this plat have been provided and approved as to form.

Date \_\_\_\_\_

\_\_\_\_\_  
Richland County Prosecutor

Tax Certification

I hereby certify that there are no delinquent taxes or delinquent special assessments against the lands contained in this plat.

Date \_\_\_\_\_

\_\_\_\_\_  
Richland County Auditor

APPENDIX 8E

Tax Map Office Approval

I hereby certify that this plat has been approved

Date \_\_\_\_\_

\_\_\_\_\_  
Tax Map Office

APPENDIX 9

EXTENSION AGREEMENT FOR APPROVAL OR DISAPPROVAL  
OF SUBDIVISION PLAT BY REGIONAL PLANNING COMMISSION

Pursuant to Section 300.4, Paragraph VI and Section 711.10

Ohio Revised Code, the time for approval or disapproval of the Plat of: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

submitted by \_\_\_\_\_

\_\_\_\_\_

is hereby extended to \_\_\_\_\_, 19 \_\_\_\_.

No plat shall be recorded until it is approved by the Regional Planning Commission and such approval is endorsed in writing on the Plat. The approval of the Planning Commission or the refusal to approve shall be endorsed on the Plat within thirty (30) days after the submission of the Plat for approval, or within such further time as the applying party may agree to.

This agreement constitutes the agreement of the applying party to an extension of time beyond the thirty (30) day period for approval or disapproval.

\_\_\_\_\_

\_\_\_\_\_

Applying Party

Dated: \_\_\_\_\_

Date Plat submitted to Regional  
Planning Commission \_\_\_\_\_

Extended Date: \_\_\_\_\_

APPENDIX 10A

APPLICATION FOR SUBDIVISION VARIANCE

RICHLAND COUNTY REGIONAL PLANNING COMMISSION

MANSFIELD, OHIO

Date \_\_\_\_\_

Application No. \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

1. Locational Description: \_\_\_\_\_  
\_\_\_\_\_

2. Natures of Variance requested: Describe generally the nature of variance. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Justification of Variance: On a separate sheet, please attach a statement relative to why the variance from requirements of the subdivision regulations is requested. Include such items as:

- a. exceptional topographical or other conditions peculiar to this particular parcel of land;
- b. why a literal 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 requested 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.

APPENDIX 10B

\_\_\_\_\_

\_\_\_\_\_

Signature



For Official Use

Date of Meeting of Zoning, Subdivision and Land Use Committee \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Action by Committee \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

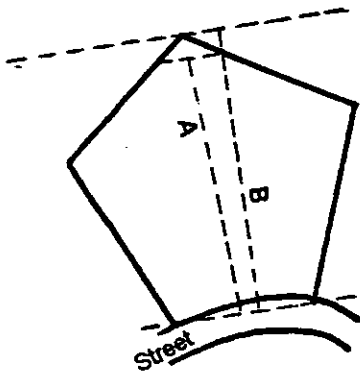
Chairman

APPENDIX 11

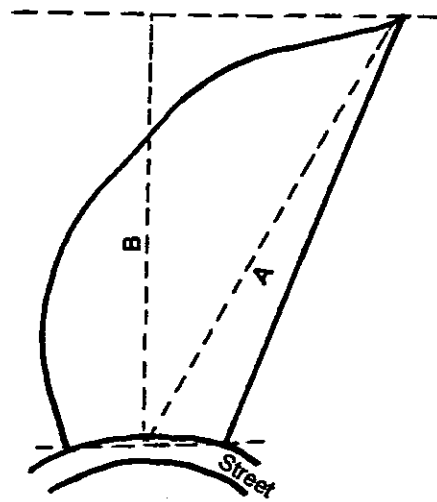
EXAMPLES  
IN DETERMINING LOT DEPTH

**A** = The distance between 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.

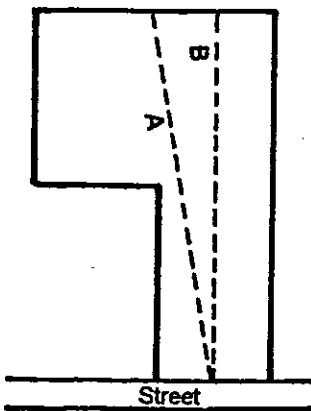
**B** = The perpendicular distance between a straight line connecting the foremost points of the side lot lines in front and a parallel line passing through the furthest most point of the lot.



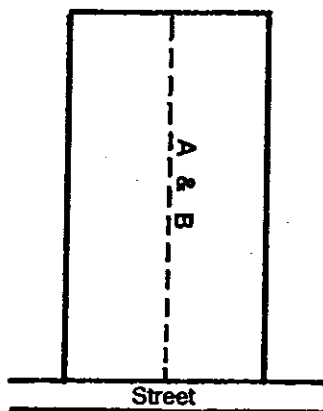
A is the shortest



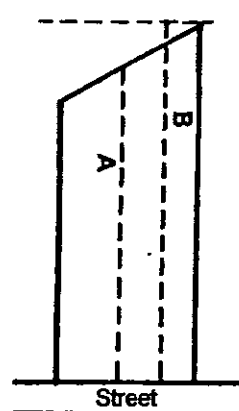
B is the shortest



B is the shortest



Same



A is the shortest