



FAIRFIELD COUNTY SUBDIVISION REGULATIONS

FAIRFIELD COUNTY, OHIO

BOARD OF COUNTY COMMISSIONERS
FAIRFIELD COUNTY REGIONAL PLANNING COMMISSION

FAIRFIELD COUNTY SUBDIVISION REGULATIONS

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1. GENERAL CONSIDERATIONS

1.1 TITLE

These Regulations shall be known and may be cited and referred to as the "Fairfield County Subdivision Regulations," and shall hereinafter be referred to as "these Regulations."

1.2 PURPOSE

These Regulations are adopted as minimum requirements for the regulation and control of land subdivision within the unincorporated area of the county. The further purpose of these Regulations is to enforce and implement the then current Fairfield County Land Use Plan. These Regulations are intended to:

- A. Establish standards for the construction of any and all public improvements as herein required.
- B. Provide for adequate light, air and privacy, to secure safety from fire, flood, and other danger, to prevent population congestion and overcrowding of the land, and to provide for the orderly expansion and extension of community services and facilities.
- C. Provide adequate urban and suburban development patterns and to provide for the proper arrangement of streets and highways in relation to those existing or planned and to provide for the most beneficial relationship between the use of land, buildings, traffic and pedestrian movements.
- D. Protect and improve the quality of life through the protection of the total environment, including the prevention of air, water, light, and noise pollution, the prevention of soil erosion, and the establishment and preservation of natural systems required for the proper management of water and biological diversity.

Ensure the appropriate surveying of land, preparing and recording of plats and the equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both Fairfield County and developers.

1.3 DEFINITION OF SUBDIVISION.

1.3.1 DEFINITIONS

A subdivision is "the division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted"; or: (Reference ORC 711.001 (B) (1))

A subdivision is the improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants, or lease holders or as easements for the extension and maintenance of public sewer, potable water, stormwater and drainage, electricity, telephone, telecommunications or other public facilities. (Reference ORC 711.001(B) (2))

Provided the state law should be changed which would affect the definition of "Subdivision" said change shall be made a part of these Regulations the same as if adopted by the Fairfield County Regional Planning Commission and the Fairfield County Commission. Said change shall become effective on the date the revised state law becomes effective.

A lease of a portion of a tract of land or lot for a period of more than five (5) years is considered a subdivision for the purpose of these Regulations. Said lease may be exempt from these Regulations if the Commission determines the intent is not to violate said Regulations even though it may not comply with said Regulations. (Reference ORC 711.15)

1.4 DIVISIONS OF LAND WHICH DO NOT CONSTITUTE A MINOR SUBDIVISION.

1.4.1 EXEMPT LOT SPLITS

Any subdivision of land in which all lots or parcels resulting therefrom that contain 5.01 acres or more and do not involve any new street or easement of access are exempt from subdivision regulations under ORC 711.001 (B)(1)(a) and do not constitute a minor subdivision, provided no lots containing less than 5.01 acres are created prior to the parcels being shown on the next proceeding tax roll. (It is emphasized that lots or parcels resulting therefrom that contain 5.01 acres or more and involve any new street or easement of access are subject to these Regulations and shall be considered "major subdivision".) An exempt lot split must, however, comply with the following:

A metes and bounds description of parcels containing 5.01 acres or more and an approved form of conveyance meeting the requirements for property transfer by the Fairfield County Auditor's and Engineer's Offices shall be required for RPC processing. The metes and bounds description must be accompanied by a survey and legal description certified by a professional surveyor licensed in the State of Ohio. The survey must meet the Minimum Standards for Boundary Surveys, Administrative Code 4733-37 and must be approved by the County Engineer or designee.

Parcels containing 5.01 acres or more shall meet the frontage requirements of the zoning resolution affecting said parcels, however, in no case shall said parcel have less than 60 ft. of frontage.

The County Engineer or designee shall review parcels containing 5.01 acres or more that are proposed on a county road or within 750 feet of any intersection. The Ohio Department of Transportation shall review/approve parcels containing 5.01 acres or more that are proposed on a State Highway System. Townships may request by resolution that parcels containing 5.01 acres or more proposed on township roads be

submitted to the township for access review/approval. These reviews will be conducted to promote health and safety by ensuring adequate access and sight distance are available.

Tracts containing 5.01 acres or more will not be approved as residential building sites but will be processed to determine whether or not they are exempt from the Fairfield County Subdivision Regulations, to insure that a proper survey and description are presented, and to ensure that adequate access and sight distance are available. To be exempt from the regulations, a tract must have a minimum of 5.01 acres and have frontage on a public road or frontage on an easement of record, which was recorded prior to January 1, 1974. When such tracts meet the above requirements and comply with minimum frontage requirements of the respective zoning resolution, they shall be stamped as exempt from the Fairfield County Subdivision Regulations.

Parcels containing 5.01 acres or more shall be subject to the processing fee set forth in Section 14.11.1 of Appendix B.

Any rejection by the staff of the applicant's contentions is subject to appeal to the Subdivision Regulations Committee. Appeals shall be fully documented by the applicant and shall be submitted in writing within 30 days of the staff's written decision. The filing fee set forth in Section 14.6 of the Appendix B shall be required on any appeal. This fee is not in lieu of any normal processing or filing fees, which may be required. Any decision of the Subdivision Regulations Committee may be appealed to the Regional Planning Commission without an additional fee, provided the appeal is submitted in writing within 30 days of the Subdivision Regulations Committee decision.

In determining whether or not a tract containing 5.01 acres or more is fronting on an existing public street or easement, only officially recorded documents shall be utilized. If the documents involved were not recorded on or before December 31, 1973, they shall not be considered valid except for plats with recorded public streets.

When a tract of 5.01 acres or more is transferred from an original ownership of less than 10.02 acres it is not an exempt split, because a nonexempt tract of less than 5.01 acres will be created, which shall be processed according to Title II of these Regulations.

1.4.2 EXEMPT TIED LOT SPLITS

The sale or exchange of parcels of land between adjoining property owners, whereby the original parcel is not reduced below the requirements of this or any other regulations, and in the opinion of the Regional Planning Commission a new building site is not created, shall be exempt from these Regulations. However, a metes and bounds description of the exempt tied split and an approved form of conveyance meeting the requirements for property transfer by the Fairfield County Auditor's and Engineer's Offices will be required for RPC processing. The metes and bounds description must be accompanied by a survey and legal description certified by a Professional Surveyor licensed in the State of Ohio. The survey must meet the Minimum Standards for Boundary Surveys, Administrative Code 4733-37 and must be approved by the County Engineer or designee.

The sale or exchange of parcels of land to an adjoining property owner whereby such parcel or tracts of land does not meet subdivision requirements or other applicable regulations, and which, in the opinion of the Regional Planning Commission, creates a

new building site pursuant to Section 711.001 (B) (1) of the Ohio Revised Code, shall not be exempt from these Regulations. In such instances, the transfer of such property shall only be approved when: a) the parcel being created is combined with the existing parcel of the property owner purchasing said parcel in such a manner whereby both tracts are incorporated into one tract of record within a single deed, or b) the documents of transfer shall contain the following statement: "This parcel shall not be utilized as a separate building site unless approved by the existing planning agency with platting authority over the area. Unless such approval is obtained, this parcel shall be used in conjunction with the parcel recorded in Volume ____ Page ____, Deed Records, Fairfield County, Ohio." Such exchange of parcels of land between adjoining land owners shall be subject to the processing fee set forth in Section 14.11 of Appendix B.

For the purpose of this section of these Regulations, consistent with ORC 711.001 (B) (1), a new building site shall be defined as a parcel or tract of land which is capable of physically accommodating a building or structure of such a nature so as to be used independent of any other structure or use, notwithstanding any other regulations which may prohibit or restrict the use of said parcel as a building site.

1.5 AUTHORITY.

The Fairfield County Regional Planning Commission, hereinafter known as the "Regional Planning Commission", and the Board of Fairfield County Commissioners, are authorized to adopt rules and regulations governing plats and subdivisions of land within its jurisdiction by virtue of Chapter 711 of the Ohio Revised Code.

1.6 JURISDICTION.

These regulations shall be applicable to all subdivisions hereinafter made of land located within the unincorporated areas of Fairfield County other than land within the extraterritorial jurisdiction area of a City as provided in Section 711.09 of the Ohio Revised Code. The Regional Planning Commission shall have the power of final approval of plats.

1.6.1 DEFINING COUNTY JURISDICTION

Whenever a City within Fairfield County has adopted a Major Thoroughfare Plan and a Park and Public Open Space Plan for the territory within the City limits and for the territory within a three mile sphere of influence of the City, has adopted subdivision regulations, and is exercising extra-territorial jurisdiction, the City Planning Commission may cooperate and agree by written agreement that the approval of a plat by the City Planning Commission as provided in Section 711.10 of the Ohio Revised Code, shall be conditioned upon receiving advice from or approval by the Regional Planning Commission.

The Regional Planning Commission shall assume jurisdiction over land within the extraterritorial jurisdiction area of any City, which has not fulfilled the requirements of Section 711.09 and is not exercising extraterritorial jurisdiction. Said requirements consist of certifying to the County Auditor a Thoroughfare and Open Space Plan for the extraterritorial jurisdiction area and certifying to the Auditor appropriate Subdivision Regulations.

Requirements for construction of improvements and the specifications therefore within the extraterritorial jurisdiction area of any City shall be approved by the Fairfield County Board of Commissioners and performance guarantees for improvements within this area shall be made payable to the Fairfield County Board of Commissioners. Said improvements shall be subject to the recommendations and inspection of the County Engineer and the County Sanitary Engineer or designees.

At such time as five (5) cities are located, entirely or partially, within Fairfield County, the Regional Planning Commission shall assume authority for subdivision control of all unincorporated areas in Fairfield County as provided in Section 711.09 of the Ohio Revised Code.

1.7 INTERPRETATION.

In their interpretation and application, the provisions of these Regulations shall be held to be minimum requirements. It is not intended by these Regulations to interfere with, or abrogate, or annul any easements, covenants, or other agreements between parties unless they violate these Regulations. When two specific provisions of these Regulations conflict, or a provision of these Regulations conflict with any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards shall apply except as provided in Section 1.6.1 of these Regulations.

1.8 INCORPORATION OF COUNTY CONSTRUCTION STANDARDS.

These Regulations shall be administered in conjunction with then current Fairfield County Stormwater Design Manual, Fairfield County Roadway Design Manual, Fairfield Water, Drainage, and Sewer Regulations and the Fairfield County Construction and Material Specifications, and Fairfield County Wellhead Protection Plan which standards and specifications are incorporated herein by reference.

1.9 ADMINISTRATION.

These Regulations shall be administered by the Fairfield County Regional Planning Commission.

1.10 ADOPTION.

These regulations shall become effective after the necessary public hearings, adoption by the Fairfield County Board of Commissioners and the Regional Planning Commission and certification to the County Recorder in accordance with Chapter 711.10 of the Ohio Revised Code. All or any previous subdivision regulations now in effect shall be deemed to be repealed upon adoption of the rules contained herein.

1.11 AMENDMENT.

These regulations may be amended in accordance with the same procedure as stated in Section 1.10 of these Regulations, subject to the exception contained in Section 1.13.

1.12 SEPARABILITY.

The invalidation of any clause, sentence, paragraph, or section of these Regulations by a court of competent jurisdiction shall not affect the validity of the remainder of these Regulations either in whole or in part.

1.13 APPENDIX B AND C DEFINED.

Appendix B and C of these Regulations are administrative in nature and, therefore, not an adopted section of these Regulations. Therefore, they are subject to change by resolution of the Regional Planning Commission only.

1.14 PRIVATE STREETS.

All subdivisions, whether they involve private or public streets, shall be subject to normal platting procedures, standards, and specifications except as may be modified in unusual circumstances by the Regional Planning Commission after obtaining recommendation from the County Engineer. Prior to the allowance of any private street there shall be established a non-profit corporation or association with specific by-laws, funding, and other necessary powers to insure the proper maintenance of the private street. Private streets are to be discouraged under normal platting procedures.

1.15 PARTITIONS.

Wherever land is to be divided by the process of partition in court pursuant to Section 5307.06 of the Ohio Revised Code, all petitions for the partition shall be submitted to the Regional Planning Commission which shall take action thereon within thirty (30) days or within such additional time as agreed upon by the petitioners.

1.16 LAND CONTRACTS.

Land may be placed under land contract in cases where an entire existing parcel is involved and no action is required by the Fairfield County Regional Planning Commission under these Regulations. If action is required by the Fairfield County Regional Planning Commission under these Regulations, the subdivision of land must be approved in accordance with these Regulations and recorded prior to placing the land under contract.

2. MINOR SUBDIVISION PROCEDURES

2.1 DEFINITION.

Subdivisions involving five (5) lots (4 lots plus the residual) or less which do not involve opening, widening, or extending streets or establishing new public easements, are hereinafter referred to as "minor subdivisions". Minor subdivisions are further described as parcels created by "metes and bounds" descriptions and shall comply with sections 2.2 thru section 2.11.

2.1.1 MINOR SUBDIVISION POLICIES

A parcel consists of all land shown as a unit or as contiguous units on the last preceding tax roll.

Per Section 711.131 of the Ohio Revised Code, a proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving no more than 5 lots (4 lots plus the residual) after the original tract has been completely subdivided, may be submitted without a plat.

Original tracts divided by public road right of way will be considered as separate parcels for the purpose of these Regulations.

Minor subdivisions shall not be granted which have their frontage on the terminal end of a street that is designed for further extension.

Each deed shall be stamped with a flood hazard determination by the Regional Planning Commission staff based upon the Special Purpose Flood Damage Prevention Regulations for Fairfield County.

Minor Subdivisions shall not be granted within any floodway noted in the latest flood hazard studies completed within Fairfield County.

2.2 SURVEY REQUIREMENT.

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

2.3 FRONTAGE REQUIREMENT.

Minor subdivision lots shall meet township zoning regulations or have a minimum of one hundred twenty-five (125) feet of continuous frontage (whichever is greater) on an existing improved public road measured at the right-of-way line. Where existing central water and sewer serve the proposed parcel(s), then the township zoning regulations may reduce the required frontage.

2.4 MINIMUM LOT SIZE.

The minimum lot size of any minor subdivision shall be thirty thousand (30,000) square feet or as required by township zoning and/or the Fairfield County Health Department, whichever is greater.

2.5 MINIMUM DEPTH OF FRONTAGE.

The required lot frontage for any parcel subject to minor subdivision regulations shall be maintained for a minimum depth of at least 60 feet from the right-of-way line.

2.6 MINIMUM WIDTH

The minimum width of any parcel subject to minor subdivision requirements shall not be less than 60 feet from the right-of-way line to the midpoint of the overall lot depth.

2.7 SUBMISSION AND REVIEW REQUIREMENTS FOR MINOR SUBDIVISIONS**2.7.1 REVIEW AGENCY APPROVAL.**

Approval from the following review agencies may be required as indicated below in order to promote the public health, safety, and welfare when subdividing land through the minor subdivision process. These agencies may have additional requirements, in addition to these Regulations, if the agency determines such requirements are necessary to promote public health and safety.

- A. The County Sanitary Engineer or designee shall review all proposed minor subdivisions to determine whether public water and/or sewer serve or will serve the proposed lot(s).
- B. The Fairfield County Health Department shall review/approval all minor subdivisions where existing public water and/or sewer services are not provided to determine that the proposed lot(s) are adequate for on-site water and/or sewer system(s).
- C. The County Engineer or designee shall review/approve all minor subdivisions proposed on a county road or within 750 feet of any intersection. The Ohio Department of Transportation shall review/approve all minor subdivisions proposed along a State Highway System. Townships may request by resolution that minor subdivisions proposed along township roads be submitted to the township for access review/approve prior to Regional Planning approval.
- D. The official approval of the township relative to compliance with zoning regulations shall be necessary where the minimum zoning requirements are in doubt.

2.7.2 ITEMS REQUIRED FOR SUBMISSION TO REGIONAL PLANNING

- A. All corners of the proposed lot(s) must be temporarily staked prior to submitting an application to Regional Planning so that the required review agencies can easily identify the location of the proposed lot(s).
- B. A completed application for a minor subdivision must be submitted to the Regional Planning Commission. An application is considered complete when it includes all approvals required in 2.7.1 and contains the following:

- i. A proposed land division vicinity map or copy of the tax map for that area; and
- ii. An approved survey and legal description prepared in accordance with Section 2.2; and
- iii. A Location Map certified by a Professional Surveyor. The Location Map may be combined with the survey or may be a separate drawing. The Location Map must include the following:
- iv. All newly created lot lines for all proposed lot(s) and the residual; and
- v. All adjoining public roads; and
- vi. Any existing above ground structures (including rakes and overhangs) located within 80 feet of a newly created lot line. The minimum standards shall be the minimum standards for a Mortgage Location Survey in the State of Ohio, Administrative Code Chapter 4733-38; and
- vii. Any existing points of access; and
- viii. The Federal Insurance Rate Map (FIRM) Number, Effective Date, and Flood Zone Designation (for each proposed lot); and
- ix. The State, County, Township, Range, Township Name, and Section Number; and
- x. The dimensions of the newly created lot(s) and acreage; and
- xi. Signature, Seal and Date.
- xii. An approved form of conveyance meeting the requirements for property transfer by the Fairfield County Auditor's and Engineer's Offices; and
- xiii. All applicable fees are paid; and
- xiv. Any other material or information the Regional Planning Commission finds necessary for the review of the minor subdivision.

2.8 MINOR SUBDIVISION APPROVAL

Per Section 711.131 of the Ohio Revised Code, if the Regional Planning Commission, acting through its authorized agent is satisfied that such proposed division is not contrary to applicable platting, subdividing or zoning regulations, it shall, within seven (7) working days after submission of a completed application, approve such proposed division. On presentation of an approved conveyance of said parcel and other necessary data required in Section 2.7.2, the same shall be stamped, "Approved, Fairfield County Regional Planning Commission," and signed by a duly authorized agent.

2.9 FEES AND WITHDRAWAL PROCEDURE.

Once submitted and accepted, fees shall be non-refundable. Prior to the Fairfield County Regional Planning Commission action, any accepted application may be withdrawn by letter. A withdrawn application becomes void, requiring a new application and fee for further consideration.

2.10 PROCESSING AND RECORDING.

2.10.1 PROCESSING

Upon determination that the conveyance of a parcel can be approved a processing fee as set forth in Appendix B, Section 14.11.1 will be required from the applicant prior to final approval.

2.10.2 RECORDING

The approval of the Regional Planning Commission shall be void if the documents of transfer are not recorded within sixty (60) days from the date of approval, unless an extension, not to exceed 90 additional days, is granted by RPC staff. No additional fee will be required for this extension. Re-approval thereafter by the Regional Planning Commission shall be subject to the processing fee as set forth in the Appendix B, Section 14.11.1.

RPC staff may deny the above mentioned time extension if changes have been made to the originally approved minor subdivision. RPC staff may also deny the time extension if amendments to these Regulations have been made or are pending that may affect the original approval of the minor subdivision.

2.11 APPEAL.

Upon determination by staff that a minor subdivision will not be approved, an applicant may appeal this decision to the Regional Planning Commission. Appeals shall be fully documented by the applicant and shall be submitted in accordance with Section 11.6

The filing fee set forth in Section 14.16 of the Appendix B shall be required on any appeal. This fee is not in lieu of any normal processing or filing fee, which may be required for minor subdivision review. Any decision of the Regional Planning Commission shall be submitted in accordance with Section 11.5

3. MAJOR SUBDIVISIONS

3.1 DEFINITION.

SUBDIVISIONS INVOLVING MORE THAN FIVE (5) LOTS OR INVOLVE THE OPENING, WIDENING, OR EXTENSION OF STREETS, and as defined under Section 1.3.1 of these regulations. [Reference ORC 711.001 (B) (1) and (2)]

3.2 PRE-SUBMISSION GUIDANCE.

Prior to preparing a preliminary plan, it is strongly recommended that the subdivider seek the counsel of the Regional Planning Commission's staff at the outset by submitting a sketch plan, the contents of which are described in paragraph 3.2.1 below. The Regional Planning Commission's staff may request other agencies, such as the County Engineer's office, County Utilities Department, County Health Department, and Soil and Water Conservation District to review the sketch plan. The agencies shall have ten (10) business days, excluding Fairfield County observed holidays, after the date of receipt of the plan by each agency from the Regional Planning Commission to review and comment on the sketch plan. The staff acting for the Regional Planning Commission shall inform the subdivider that the sketch plan as submitted does or does not meet the objectives of these regulations. If the sketch plan does not fulfill the objectives of these regulations, the reason along with the suggested modifications shall be given to the subdivider. Multiple sketch plans for the same site will not be reviewed, unless significant layout changes have been made, as determined by the Regional Planning Commission staff.

3.2.1 SKETCH PLAN.

The sketch plan may be a freehand drawing in pencil drawn generally to scale showing the land in relation to the surrounding area. Existing and proposed streets, lots, and other features shall be shown. Sufficient information pertaining to topographic data should be presented for the staff and other agencies to evaluate the plan.

3.3 PRELIMINARY PLAN AND DATA.

The subdivider having determined to proceed with a preliminary plan, shall submit the items set forth below to obtain preliminary approval. All items submitted shall be prepared by either a registered surveyor and/or a registered professional engineer, as is appropriate. The number of days that all the necessary items shall be submitted to the staff prior to a regularly scheduled meeting of the Regional Planning Commission and the necessary number of copies of each item is set forth in the Appendix B, Sections 14.1 and 14.2. A preliminary plan shall cover the entire contiguous ownership of the applicant unless the applicant specifically states in writing that he does not intend to develop a portion of his ownership within the next three years, or an exception to the requirements of this section is requested by the applicant, along with the documented reasons, and is granted by the Regional Planning Commission.

3.3.1 APPLICATION.

An application, as contained in Appendix C, shall be filed. Copies of the application form may be obtained from the office of the Regional Planning Commission.

3.3.2 PRIVATE COVENANTS.

A proposed set of private covenants shall be filed if the subdivider intends to incorporate them in his recorded plat.

3.3.3 VICINITY SKETCH.

A vicinity sketch shall be incorporated showing the location of the proposed subdivision in relation to the existing street pattern, drainageways, and developed land in the surrounding area within a one-mile radius.

A dated letter from the zoning inspector stating minimum lot size and frontage requirements for the proposed subdivision, may be required when the minimum zoning requirements are in doubt.

3.3.4 PRELIMINARY STORM DRAINAGE PLAN.

A preliminary storm drainage plan shall be filed with the staff in accordance with the latest edition of the Fairfield County Stormwater Manual. The developer or his engineer is encouraged to contact the Soil Conservation Service and/or the Ohio Department of Natural Resources for assistance in determining the flood plain limits and watershed areas.

3.3.5 WASTEWATER DISPOSAL AND WATER SYSTEMS.**A. On-Site Wastewater Disposal and On-Lot Water Wells.**

1. If the use of on-site wastewater treatment systems is proposed, a soil report and supplemental soil map as required by the Fairfield County Health Department shall be submitted with the preliminary plan.
2. When on-lot water wells are proposed, a letter from the Ohio Department of Natural Resources (ODNR), Division of Surface Water regarding water availability for the proposed subdivision shall be submitted with the preliminary plan.
3. The Fairfield County Health Department, as part of the preliminary plan review, will review the plans in regard to on-lot water and wastewater treatment systems. The Fairfield County Health Department requires a separate application and review fee, which shall be submitted directly to the Health Department. A copy of the Fairfield County Health Department's application showing the date the application and fees were received by the Health Department must be submitted to the RPC office with the preliminary plan.

B. Extension of Public Sanitary Sewer System.

Where an adequate public sanitary sewer system is reasonably accessible as determined by the County Sanitary Engineer, public sanitary sewer shall be installed to adequately serve all lots. All sanitary sewer improvements shall meet the requirements of the Ohio Environmental Protection Agency and the County Utilities Department.

3.3.6 SUBDIVISION NAME.

The name of the subdivision as established for preliminary plan submission shall not duplicate or be similar to the name of any other subdivision within Fairfield County, except as hereinafter provided:

- A. The proposed subdivision is contiguous or adjacent to an existing subdivision of the same or similar name; and
- B. The developer is the same as that of the contiguous or adjacent subdivision; and
- C. In the opinion of the Commission the similarity will not result in confusion or hardship.

3.3.7 PRELIMINARY PLAN.

A preliminary plan, prepared by either a registered professional surveyor and/or a registered professional engineer, as is appropriate, of the proposed subdivision shall be drawn at a scale of any one-tenth (1/10) portion of one hundred (100) feet to the inch and shall be on one or more sheets 18 x 24 or 24 x 36 inches in size. All drawings, which are submitted as part of the preliminary plan, shall be drawn at the same scale. The preliminary plan shall be prepared in accordance with the latest editions of the Fairfield County Stormwater Manual, Fairfield County Roadway Design Manual, and Fairfield County Wellhead Protection Plan, Water, Drainage, and Sewer Regulations and the Fairfield County Construction and Material Specifications. The preliminary plan shall contain the following information.

- A. Proposed name of the subdivision, subject to the provisions of Section 3.3.6.
- B. Location by section, range, and township.
- C. A north point and a bar scale of plan.
- D. The boundaries of the entire proposed subdivision shall be drawn in heavy continuous lines, including lengths and bearings, with its acreage.
- E. Zoning classification of the tract and adjoining properties and a description of proposed zoning changes, if any.
- F. Names of adjacent subdivision and owners of adjoining parcels of unsubdivided land.
- G. Plan view layout for entire proposed subdivision.

H. Location Map

- I. Locations, widths, and names of existing streets, railroad rights-of-way, easements, parks, permanent buildings, and corporation and township lines; location of wooded areas, wetlands, contours and other significant topographic and natural features within and for 200 feet adjacent to the tract being subdivided. In those cases where proposed subdivision is located near or within an intermittent or perennial stream, a separate drawing shall be provided showing the total upstream drainage area, based on USGS quadrangle data as a minimum.
- J. Wetlands, delineated in accordance with the federal and/or state agency with jurisdictional authority. The U.S. Army Corps of Engineers, Huntington District, is the agency with jurisdictional authority over wetland area delineation and all delineations by the developer must be approved prior to approval of construction plans.
- K. Existing sewers, water lines, gas lines, culverts, and other underground structures, and power transmission poles and lines, within and for 200 feet adjacent to the tract being subdivided.
- L. Existing contours at an interval of not greater than two (2) feet if the slope of the ground is five (5) percent or less and not greater than five (5) feet where the slope is more than five (5) percent. Elevations are to be based on U.S.G.S. datum. The engineer or surveyor shall certify or obtain a certification from others that the topographic data has been obtained from acceptable field or aerial methods. The date of the field work or of the aerial photography will be included in the certification. Topographic data may be waived on subdivisions of five (5) or fewer lots where in the opinion of the Executive Director, upon consultation with the County Engineer, the data is not required.
- M. The location of the bench mark used to determine the contour lines.
- N. Sanitary Sewer Easements shall be provided for future centralized sanitary sewers in new subdivisions initially proposing individual on-site wastewater treatment systems. A preliminary gravity sanitary sewer layout, based on existing topography, shall be submitted as part of a preliminary plan for a subdivision.
- O. Approximate location, widths, and names of proposed streets and drainage easements. Street names shall not duplicate or be similar to the name of any other street in Fairfield County.
- P. Building setback lines with dimensions.
- Q. Approximate location and dimensions of all proposed utility and sewer lines, showing their connections with the existing system.
- R. Layout, temporary numbers, and approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not at ninety (90) degree angles, the width at the setback line shall be shown.
- S. Parcels of land or areas to be reserved or donated for public use or to be reserved by covenant for residents of the subdivision.

- T. Names, addresses, and phone numbers of the owner, subdivider, and registered professional engineer and/or registered professional surveyor who prepared the plan.
- U. Soils types with soil descriptions of each map unit must be incorporated into the preliminary plan and to the scale of said plan. Soil types shall be designated as listed in the latest Soil Survey of Fairfield County (U.S.D.A. Natural Resources Conservation District Service), if central sewers are provided. If on-lot wastewater treatment systems are proposed, soil types shall be designated as listed on the supplemental soil map. Assistance in interpretation may be obtained from the Fairfield Soil and Water Conservation District Office. The County Engineer's Township Aerial Maps shall not be used for obtaining soil information, due to inherent errors in the maps resulting from photographic distortions.
- V. When on-lot water and/or wastewater treatment systems are proposed, the preliminary plan shall also include the following information in addition to the above mentioned information to ensure that there is adequate lot area to accommodate house, wells, leach fields, driveways, etc. on each lot. Unless otherwise required by the Fairfield County Health Department's, the locations of house, wells, leach fields, driveways, etc. shown on the preliminary plan are for illustrative purposes only.
 - 1) Proposed preliminary locations for dwelling and driveway locations on each lot.
 - 2) Proposed primary well locations with isolation distances, as well as any required alternative well locations and isolation distances.
 - 3) Primary and secondary leaching locations to scale, along with septic tank location for each lot.
 - 4) Any required gradient drains including connection into the collector tile system.
 - 5) A preliminary collector drain layout (plan view) and associated drainage easements (if gradient drains are required).
 - 6) Any other information required by the Fairfield County Health Department.

PRELIMINARY PLAT CHECKLIST

SUBDIVISION: _____

DATE: _____

This list is not all inclusive, but is to be used as a guideline for submittals and reviews.

		DESCRIPTION	REMARKS
		Fees paid.	
		20 copies of plat. The proposed subdivision shall be drawn at a scale of any one-tenth (1/10) portion of one hundred (100) feet to the inch and shall be on one or more sheets 18 x 24 or 24 x 36 inches in size.	
		Name of Subdivision.	
		Vicinity sketch showing the location of the proposed subdivision in relation to the existing street pattern, drainageways, and developed land in the surrounding area within a one mile radius.	
		Location by township, section, and range.	
		A north point and a bar scale of plan.	
		The boundaries of the entire proposed subdivision shall be drawn in heavy continuous lines, including lengths and bearings, with its acreage.	
		Zoning classification of the tract and adjoining properties and a description of proposed zoning changes, if any.	
		Names of adjacent subdivision and owners of adjoining parcels of unsubdivided land.	
		Plan view layout for entire proposed subdivision.	
		Location Map.	

		Locations, widths, and names of existing streets, railroad rights-of-way, easements, parks, permanent buildings, and corporation and township lines; location of wooded areas, wetlands, contours and other significant topographic and natural features within and for 200 feet adjacent to the tract being subdivided. In those cases where proposed subdivision is located near or within an intermittent or perennial stream, a separate drawing shall be provided showing the total upstream drainage area, based on USGS quadrangle data as a minimum	
		Wetlands, delineated in accordance with the federal and/or state agency with jurisdictional authority.	
		Existing sewers, water lines, gas lines, culverts, and other underground structures, and power transmission poles and lines, within and for 200 feet adjacent to the tract being subdivided.	
		Existing contours at an interval of not greater than two (2) feet if the slope of the ground is five (5) percent or less and not greater than five (5) feet where the slope is more than five (5) percent. Elevations are to be based on U.S.G.S. datum. The engineer or surveyor shall certify or obtain a certification from others that the topographic data has been obtained from acceptable field or aerial methods. The date of the field work or of the aerial photography will be included in the certification.	
		The location of the bench mark used to determine the contour lines.	
		Sanitary Sewer Easements shall be provided for future centralized sanitary sewers in new subdivisions initially proposing individual on-site wastewater treatment systems. A preliminary gravity sanitary sewer layout, based on existing topography, shall be submitted as part of a preliminary plan for a subdivision.	
		Approximate location, widths, and names of proposed streets and drainage easements.	
		Building setback lines with dimensions.	
		Approximate location and dimensions of all proposed utility and sewer lines, showing their connections with the existing system.	

		Layout, temporary numbers, and approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not at ninety (90) degree angles, the width at the setback line shall be shown.	
		Parcels of land or areas to be reserved or donated for public use or to be reserved by covenant for residents of the subdivision.	
		Names, addresses, and phone numbers of the owner, subdivider, and registered professional engineer and/or registered professional surveyor who prepared the plan.	
		Soils types with soil descriptions of each map unit must be incorporated into the preliminary plan and to the scale of said plan. Soil types shall be designated as listed in the latest Soil Survey of Fairfield County, if central sewers are provided. If on-lot wastewater treatment systems are proposed, soil types shall be designated as listed on the supplemental soil map. Two copies of the soil report and supplemental soil map.	
		<p>When on-lot water and/or wastewater treatment systems are proposed, the preliminary plan shall also include the following information:</p> <ol style="list-style-type: none"> 1. Proposed preliminary locations for dwelling and driveway locations on each lot. 2. Proposed primary well locations with isolation distances, as well as any required alternative well locations and isolation distances. 3. Primary and secondary leaching locations to scale, along with septic tank location for each lot. 4. Any required gradient drains including connection into the collector tile system. 5. A preliminary collector drain layout (plan view) and associated drainage easements (if gradient drains are required). <p>Any other information required by the Fairfield County Health Department.</p>	
		An application shall be filed with the Regional Planning Commission, including the filing fee.	
		A proposed set of private covenants shall be filed if the subdivider intends to incorporate them in his recorded plat.	

		<p>A preliminary storm drainage plan (5 copies) shall be filed with the staff. This item shall consist of the approximate arrangement of the drainage system and streets, origin and proposed destination of storm water, the proposed drainage facilities, and the approximate flood plain limits of major drainageways. The developer or his engineer is encouraged to contact the Soil Conservation Service and/or the Ohio Department of Natural Resources for assistance in determining the flood plain limits and watershed areas.</p>	
		<p>If the use of on-site wastewater treatment systems is proposed, a soil report and supplemental soil map as required by the Fairfield County Health Department shall be submitted with the preliminary plan.</p>	
		<p>When on-lot water wells are proposed, a letter from the Ohio Department of Natural Resources (ODNR), Division of Surface Water regarding water availability for the proposed subdivision shall be submitted with the preliminary plan.</p>	
		<p>If the use of on-site water and/or wastewater systems is proposed, the Fairfield County Health Department requires a separate application and review fee, which shall be submitted directly to the Health Department. A copy of the Fairfield County Health Department's application showing the date the application and fees were received by the Health Department must be submitted to the RPC office with the preliminary plan.</p>	
		<p>Where an adequate public sanitary sewer system is reasonably accessible as determined by the County Sanitary Engineer, public sanitary sewer shall be installed to adequately serve all lots. All sanitary sewer improvements shall meet the requirements of the Ohio Environmental Protection Agency and the County Utilities Department.</p>	

3.3.8 FILING.

The preliminary plan shall be considered officially filed on the day all the necessary items have been received complete by the Regional Planning Commission and shall be so dated. A filing fee as established by the Regional Planning Commission, shall be charged as indicated in the Appendix B, Section 14.11.

3.3.9 PUBLIC HEARING.

The Regional Planning Commission on its own initiative or upon petition by neighboring property owners may, prior to acting on a preliminary plan of a subdivision, hold a public hearing thereon at such time and upon such notice as the Regional Planning Commission may designate.

3.3.10 SUBMISSION TO THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION.

- A. Before any plan 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 the Department of Transportation or of any land within a radius of five hundred (500) feet from the point of intersection of said centerline with a public road or highway, the Regional Planning Commission shall give notice, by registered or certified mail to the Director of the Department of Transportation. The Regional Planning Commission shall not approve the plan for one hundred twenty (120) days from the date the notice is received by the Director. If the Director notifies the Commission that he shall proceed to acquire the land needed, then the Regional Planning Commission shall refuse to approve the plan. If the Director notifies the Regional Planning Commission that acquisition at this time is not in the public interest or upon expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director and the property owner, the Regional Planning Commission shall, if the plan is in conformance with the provisions of these regulations, approve the plan. (Reference ORC 5511.01).
- B. If the subdivider so desires, the Regional Planning Commission may give tentative approval and allow the developer to proceed with development of his final plat. However, it shall be clearly understood that the developer proceeds at his own risk and the tentative approval will be withdrawn if the Director of the Department of Transportation proceeds to acquire the land.

3.3.11 APPROVAL OF PRELIMINARY PLAN.

The procedures for handling and approving of preliminary plans are set forth in Appendix B, Section 14.1-14.6.

3.3.12 APPROVAL PERIOD.

- A. A preliminary plan shall be submitted for examination and/or reapproval if a complete final plat application (see Appendix C for example) for the first phase is not submitted within two (2) years of preliminary plan

approval. The approval of a final plat for the first phase of the subdivision shall serve to extend the preliminary plan approval five (5) years from the date the final plat for the first phase is recorded. The preliminary plan shall be void unless an extension is requested prior to the expiration of the time limit.

- B. Any violation of the terms or conditions of a preliminary approval or of other requirements of these regulations shall be cause for the Regional Planning Commission to repeal said approval upon certification of said violation(s) to the Regional Planning Commission by its staff or other public officials.
- C. A filing fee as established by the Regional Planning Commission shall be charged as indicated in Appendix B, Section 14.11 for all extensions of the time limit for preliminary plans. One extension of a preliminary plan for a period not to exceed one year may be granted by the RPC Director provided there is no change in the land or surrounding area. Further extensions must be granted by the Regional Planning Commission and shall be for a period of one year.

3.4 FINAL PLAT AND CONSTRUCTION DATA.

The subdivider having received approval of a preliminary plan of the proposed subdivision and having submitted the necessary copies of the revised preliminary plan as set forth in Appendix B, Section 14.6, shall submit the items set forth below to obtain final approval. The number of days that all of the necessary items shall be submitted to the staff prior to a regularly scheduled meeting of the Regional Planning Commission and the necessary number of copies of each item is set forth in Appendix B, Section 14.7. The final plat shall conform to the approved preliminary plan.

3.4.1 APPLICATION.

An application, an example of which is contained in Appendix C, shall be filed. Copies of the application form may be obtained from the office of the Regional Planning Commission.

3.4.2 IMPROVEMENT PLANS.

The final construction drawings and specifications for improvements shall be prepared by a registered professional engineer. The plans shall include master grading plan, cross sections, plans, profile views, construction details, a storm drainage plan, and erosion and sedimentation plans in accordance with the latest editions of the Fairfield County Stormwater Design Manual and Fairfield County Roadway Design Manual. Separate drawings shall be made for streets and storm drainage (Engineer's Office) and water and sanitary sewers (Sanitary Engineer's Office). Final approval of erosion and sedimentation plans shall be by the Regional Planning Commission based on recommendations from the Fairfield Soil and Water Conservation District, County Sanitary Engineer, and the County Engineer. The Utilities Department, in conjunction with the Fairfield Soil and Water Conservation District, has responsibility for enforcing stormwater controls and permitting in Fairfield County, including sediment and erosion control plans.

A legal description and the acreage of the plat shall be incorporated on the plat. (Metes and bounds) Every plat shall be superimposed on a survey of the lands of the dedicators from which such plat is drawn and shall contain an accurate background drawing

(dashed lines) of any metes and bounds description of the land of the dedicators from which such plat is drawn.

3.4.3 FINAL PLAT FORM.

The final plat shall be legibly drawn in water-proof ink on tracing cloth or other material of equal permanence. It shall be drawn at a scale of one hundred (100) feet to the inch and shall be on one or more sheets 18 x 24 inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown. Drawings shall meet or exceed the standards set forth in Section 14.21 of the Appendix B.

3.4.4 NAME OF SUBDIVISION - FINAL PLAT.

The name of the subdivision identifying the final plat shall be the same as that for which the preliminary plan was approved. When the final plat consists of a portion of the preliminary plan, it shall identify said portion by the suffix "Section" and the appropriate numerical reference.

3.4.5 FINAL PLAT CONTENTS.

The final plat shall contain the following information in addition to the requirements of Section 3.4.3.

- A. Name of the subdivision, subject to the provisions of Section 3.4.4. -
- B. Locations by section, town, range, township, county, and state.
- C. A bar scale and north point.
- D. All linear dimensions shall be accurate and expressed to the 0.01 of a foot and angular measurements to the 0.10 of a minute.
- E. Radii, internal angles, points of curvature, tangent bearings, and supplementary angles as necessary for all applicable streets within the plat area.
- F. Street names. Said names shall not duplicate or be similar to the name of any other street in Fairfield County. (See Section 4 for designation of suffix.)
- G. Building setback lines with setback dimensions.
- H. Easements for public use, services, utilities, and drainage with dimensions and appropriate bearings.
- I. Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.
- J. The acreage of the dedicated and/or reserved areas within the plat for school, park, and playground purposes.
- K. All lot lines with the necessary distances and bearings or angles.
- L. The location of all proposed or existing monuments within the plat. (See Section 5.6).
- M. The location and identification of all adjacent rights-of-way, lots, and easements.

- N. Key Map.
- O. The boundary line of the area being subdivided with accurate dimensions and bearings. All dimensions both linear and angular shall be determined by an accurate control survey in the field which must balance and close within the limit of one (1) in ten thousand (10,000) before balancing the survey. Calculations shall be furnished to the County Engineer.
- P. A known reference point shall be accurately tied to the line-of the subdivision by distances and bearings and any municipal, township, county, or section lines traversing a plat or immediately adjacent thereto shall be shown.
- Q. A notarized acknowledgment by the owner or owners of the adoption of the plat, dedication of streets and other public areas and to the fact that all monuments will be placed.
- R. Certification by a surveyor, registered in the State of Ohio, that the plat represents a survey made by him and that all monuments shown as placed on the plat are placed.
- S. A statement of approval by the Regional Planning Commission.
- T. A statement of approval by the Fairfield County Health Department. (Where on-site wastewater facilities are utilized.)
- U. Statement of acceptance of the dedication by the County Commission.
- V. Statements by the County Auditor and Recorder as to the transfer of land and recording of the plat.
- W. Statement of approval and/or review of the plat by the County Engineer.
- X. A list of private covenants, if utilized.

****SEE TITLE VII FOR COMPLETE LISTING OF APPLICABLE STATEMENTS.***

FINAL PLAT CHECKLIST

SUBDIVISION: _____

DATE: _____

This list is not all inclusive, but is to be used as a guideline for submittals and reviews.

		DESCRIPTION	REMARKS
		Fees paid. 100% final cost or 70% of final plat fee is required for construction drawings. 30% due with final plat submittal.	
		Final construction drawings and specifications for improvements (10 copies) shall be prepared by a registered professional engineer. The plans shall include master grading plan, cross sections, plans, profile views, construction details, a storm drainage plan, and erosion and sedimentation plans in accordance with the latest editions of the Fairfield County Stormwater Design Manual and Fairfield County Roadway Design Manual. Separate drawings shall be made for streets and storm drainage (Engineer's Office) and water and sanitary sewers (Sanitary Engineer's Office).	
		A legal description and the acreage of the final plat shall be incorporated on the plat. (Metes and bounds) Every plat shall be superimposed on a survey of the lands of the dedicators from which such plat is drawn and shall contain an accurate background drawing (dashed lines) of any metes and bounds description of the land of the dedicators from which such plat is drawn.	
		The final plat shall be legibly drawn in water-proof ink on tracing cloth or other material of equal permanence. It shall be drawn at a scale of one hundred (100) feet to the inch, and shall be on one or more sheets 18 x 24 inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown.	
		The name of the subdivision identifying the final plat shall be the same as that for which the preliminary plan was approved.	

		Locations by section, town, range, township, county, and state.	
		Fees paid. 100% final cost or 70% of final plat fee is required for construction drawings. 30% due with final plat submittal.	
		Final construction drawings and specifications for improvements (10 copies) shall be prepared by a registered professional engineer. The plans shall include master grading plan, cross sections, plans, profile views, construction details, a storm drainage plan, and erosion and sedimentation plans in accordance with the latest editions of the Fairfield County Stormwater Design Manual and Fairfield County Roadway Design Manual. Separate drawings shall be made for streets and storm drainage (Engineer's Office) and water and sanitary sewers (Sanitary Engineer's Office).	
		A legal description and the acreage of the final plat shall be incorporated on the plat. (Metes and bounds) Every plat shall be superimposed on a survey of the lands of the dedicators from which such plat is drawn and shall contain an accurate background drawing (dashed lines) of any metes and bounds description of the land of the dedicators from which such plat is drawn.	
		The final plat shall be legibly drawn in water-proof ink on tracing cloth or other material of equal permanence. It shall be drawn at a scale of one hundred (100) feet to the inch, and shall be on one or more sheets 18 x 24 inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown.	
		A bar scale and north point.	
		All linear dimensions shall be accurate and expressed to the 0.01 of a foot and angular measurements to the 0.10 of a minute.	
		Radii, internal angles, points of curvature, tangent bearings, and supplementary angles as necessary for all applicable streets within the plat area	
		Street names, which shall not duplicate or be similar to the name of any other street in Fairfield County.	

		Building setback lines with setback dimensions.	
		Easements for public use, services, utilities, and drainage with dimensions and appropriate bearings.	
		Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.	
		The acreage of the dedicated and/or reserved areas within the plat for school, park, and playground purposes.	
		All lot lines with the necessary distances and bearings or angles.	
		The location of all proposed or existing monuments within the plat.	
		The location and identification of all adjacent rights-of-way, lots, and easements.	
		Key Map.	
		The boundary line of the area being subdivided with accurate dimensions and bearings. All dimensions both linear and angular shall be determined by an accurate control survey in the field which must balance and close within the limit of one (1) in ten thousand (10,000) before balancing the survey.	
		A known reference point shall be accurately tied to the line-of the subdivision by distances and bearings and any municipal, township, county, or section lines traversing a plat or immediately adjacent thereto shall be shown.	
		A notarized acknowledgment by the owner or owners of the adoption of the plat, dedication of streets and other public areas and to the fact that all monuments will be placed.	
		Certification by a surveyor, registered in the State of Ohio, that the plat represents a survey made by him and that all monuments shown as placed on the plat are placed.	
		A statement of approval by the Regional Planning Commission.	
		A statement of approval by the Fairfield County Health Department. (Where on-site wastewater facilities are utilized.)	

		Statement of acceptance of the dedication by the County Commission.	
		Statements by the County Auditor and Recorder as to the transfer of land and recording of the plat.	
		Statement of approval and/or review of the plat by the County Engineer.	
		A statement of approval by the Fairfield County Utilities Department.	
		A statement of approval by the applicable township zoning administrator/inspector.	
		A list of private covenants, if utilized.	
		20 copies of final plat shall be submitted.	
		Four (4) copies of the engineer's approved estimate of cost of all required improvements shall be submitted.	

3.4.6 FILING.

The final plat shall be filed with the Regional Planning Commission no later than twenty-four (24) months after the date of approval of the preliminary plan. The final plat shall be considered officially filed on the day all the necessary items have been received by the Regional Planning Commission and shall be so dated. A filing fee as established by the Regional Planning Commission shall be charged as indicated in Appendix B, Section 14.11. -

3.4.7 APPROVAL AND RECORDING.

- A. The staff of the Regional Planning Commission shall notify the subdivider by mail of the final action of the Regional Planning Commission within five (5) working days of said action. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Regional Planning Commission and a copy of said record shall be forwarded to the subdivider. If a plat is refused by the Regional Planning Commission, the person submitting the plat which the Regional Planning Commission refused to approve may file a petition within sixty (60) days after such refusal in the Court of Common Pleas of Fairfield County to reconsider the action of the Regional Planning Commission. A final plat shall be acted upon within thirty (30) days or as agreed upon by the subdivider and the Regional Planning Commission, or the plat will be considered approved.
- B. Upon approval of a plat by the Regional Planning Commission, the subdivider shall record the plat in the Office of the Recorder of Fairfield County, Ohio, within one hundred and eighty (180) days after the date of approval of the final plat unless the Regional Planning Commission agrees to an extension. If the plat is not recorded within said time limit, or an extension has not been applied for, the plat shall be considered void. Where a plat is granted conditional approval, RPC approval will not be considered effective until such time as all conditions have been satisfied; however, the approval period for filing purposes (180 days) shall commence at the time of conditional approval.
- C. Extensions of the time limit must be requested in writing and shall be accompanied by the filing fee set forth in Section 14.15.2 of Appendix B. One extension of a final plat may be granted by the RPC Director provided there is no change in the plat or surrounding area. However, further approvals must be granted by the Regional Planning Commission.
- D. All final plats shall be submitted to the Regional Planning Commission no less than one (1) working day before certification by the Director. Improvement assurance as set forth in Title V are to be fully executed and copies provided to the Regional Planning Commission prior to certification of the final plat by the Director of the Regional Planning Commission.
- E. The inspection fee as set forth in Section 14.18.1 of Appendix B is to be provided to the Regional Planning Commission prior to construction or certification of the final plat.

- F. At the time of submission to the Regional Planning Commission of a final plat for certification by the Director, a reproducible reduction at the scale of 1" = 400' of the plat shall be furnished to the Regional Planning Commission.
- G. At the time of submission to the RPC of a final plat for certification by the Director, or prior to the start of construction, six (6) signed and approved sets of all construction drawings shall be furnished to the Regional Planning Commission for appropriate distribution.

CONSTRUCTION DRAWING CHECKLIST

SUBDIVISION: _____

DATE: _____

This list is not all inclusive, but is to be used as a guideline for submittals and reviews.

		DESCRIPTION	REMARKS
		Ten copies of construction drawings along with three copies of the stormwater report submitted to RPC	
		Construction drawings and specifications for improvements are prepared by a registered professional engineer	
		Construction drawings include a master grading plan	
		Construction drawings include cross sections	
		Construction drawings include a plan & profile view	
		Construction drawings include construction details	
		Construction drawings include a storm drainage plan	
		Construction drawings include an erosion and sedimentation plans.	
		Separate drawings shall be made for streets and storm drainage (Engineer's Office)	
		Separate drawings shall be made for water and sanitary sewers (Sanitary Engineer's Office)	

3.5 REPLAT

Any alteration or addition to a recorded plat will require a replat. The Executive Director of the Regional Planning Commission shall determine if a Type 1 or Type 2 replat is required as defined below. The applicant may appeal the Executive Director's decision to the Regional Planning Commission in accordance with Section 11.6. The replat shall be submitted and approved in accordance with Sections 14.7 – 14.9 of Appendix B. The appeal of the Regional Planning Commission's decision on a replat should follow the appeal process in Section 11.5 of the Subdivision Regulations.

3.5.1 TYPE 1 REPLAT

Type 1 includes any creation of a new lot line that creates new or additional lots, new roads or an adjustment that impacts the existing road, infrastructure, and grading configuration. Any portion of land not platted as a lot or platted as a "reserve" will have to be replatted as Type 1 to become a lot.

3.5.2 TYPE 2 REPLAT

Type 2 includes any creation and or removal of any easements as well as right-of-way dedication. In addition to, the removal of any lot line that does not create any new lot(s). Any change required that impacts language or restrictions on that plat will fall under the Type 2 replat.

4. DESIGN STANDARDS AND REQUIREMENTS

4.1 APPLICABILITY

The design standards and requirements of Title IV of these regulations shall apply to all subdivisions of land as defined in Section 3.1 of these regulations. All public improvements undertaken relative to any subdivision as defined in Section 3.1 shall conform to the improvement standards of Title V of these regulations and the Fairfield County Construction Standards and Specifications as applicable.

4.2 ARRANGEMENT OF STREETS.

The arrangement, character, width, and location of all arterial and collector thoroughfares or extensions thereof shall conform with the Major Thoroughfare Plan of Fairfield County. Thoroughfares not contained in the aforementioned plan shall conform to the recommendations of the Regional Planning Commission based upon the design standards set forth in Section 4.10.1 through 4.10.6 inclusive, and Section 5 of Appendix B.

4.3 ZONING CONFORMANCE.

No final plat of land within the area in which an existing zoning resolution is in effect shall be approved unless it conforms with such resolution.

4.4 SUITABILITY OF LAND.

If the Regional Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to drainage, flooding, topography, inadequate water supply, schools, transportation facilities, and other such conditions which may be detrimental to the general public's health or welfare, and, if from investigations conducted by the public agencies concerned, it is determined that, in the best interest of the public, the land should not be developed for the purpose proposed, the Commission shall not approve the land for subdivision unless adequate methods are advanced by the subdivider for solving the problems that will be created by the development of land.

4.5 LAND SUBJECT TO FLOODING.

Lands subject to flooding shall be defined as all lands, adjacent to a watercourse, which are subject to inundation by the 100-year recurrence interval flood. To determine what portion of his land may be subject to flooding, the subdivider shall use flood plain information reports prepared by one of the following agencies: (1) the Ohio Department of Natural Resources; (2) the United States Corp of Army Engineers; (3) the United States Department of Agriculture Natural Resource Conservation Service. In the absence of such detailed reports, the limits of land subject to flooding shall be determined by the subdivider's engineer, using soils maps (available from the Fairfield Soil and Water Conservation District Office), in conjunction with recent topographic maps. The results of this determination shall be submitted for review and approval by the Regional Planning Commission prior to submission of the preliminary plan. Said approval shall be

based on recommendations from the County Engineer and the Fairfield, County Soil and Water Conservation District. Soils normally subject to flooding are designated on United States Department of Agriculture – Natural Resource Conservation Service Web Soil Survey.

TABLE I

<u>Map Symbol</u>	<u>Mapping Unit Name</u>
AcAO	Algiers Silt Loam
AdAO	Algiers Silty Clay Loam
CkAO	Chagrin Fine Sandy Loam
CmAO	Chagrin Silt Loam
EaAO	Eel Loam
EbAO	Eel Silt Loam
GaAO	Genesee Loam
GbAO	Genesee Silt Loam
LaAO	Lobdell Fine Sandy Loam
LbAO	Lobdell Silt Loam
MgAl*	McGary & Fitchville Silt Loam
OcAO	Orrville Silt Loam
OdAO	Orrville Silt Loam
RbAO	Ross Silt Loam
SaAO	Shoals Silt Loam
ScAO	Sloam Silt Loam
SdAO	

** In Table I for Rushcreek and Berne Townships Only*

TABLE II

<u>Map Symbol</u>	<u>Mapping Unit Name</u>
MgAl	McGary & Fitchville Silt Loam
MhAO	McGary & Sebring Silt Loam
MoAO	Montgomery Silt Loam
MpAO	Montgomery Silty Clay Loam
WgAO	Westland Silt Loam
WhAO	Westland Silty Clay Loam

All soils designated by the symbols in the above tables indicate the possibility of flooding. The soils listed under Table I indicate the probability of more frequent flooding than do those listed under Table II.

Where a subdivider determines there is sufficient doubt as to the flooding of a particular portion of land which is specified as flood plain, he may have a flood hazard or other appropriate study prepared by technically qualified personnel. This data will be submitted to the Regional Planning Commission, which, after consultation with the Fairfield Soil and Water Conservation District and/or the Ohio Department of Natural Resources, will make a final determination as to whether the land in question should be determined as flood plain in the implementation of these regulations.

The Regional Planning Commission shall not allow any subdivision of land on lands subject to flooding (hereafter to be referred to as "Flood Plains") except as specified in Section 4.5.3 - 4.5.7 of these regulations.

4.5.1 BUILDING SITE IMPROVEMENTS FOR FLOOD PLAINS.

- A. No subdivision or part thereof shall be approved if proposed subdivision development in a floodway will, individually or collectively, significantly increase flood flows, heights, or damages.
- B. No subdivision or part thereof shall be approved for floodway fringe areas which will substantially affect the storage capacity of the flood plain.
- C. Building sites, residences, motels, resorts, and similar uses for human occupation, shall not be permitted in floodway areas. Sites for these uses may be permitted outside the floodway if the sites are elevated to a height of at least one (1) foot above the 100 year base flood elevation (bfe) or provisions otherwise made for elevating or adopting structures to achieve the same result. Required fill areas must extend fifteen feet beyond the limits of intended structures, and, if the subdivision is not to be sewerred, must include areas for waste disposal.
- D. Building sites for structures other than residences outside floodway areas shall ordinarily be filled as provided in Section 4.5.5.C. However, the Regional Planning Commission may allow subdivisions of areas for commercial and industrial use at a lower elevation if the subdivider agrees to protect the uses through structural flood-proofing as specified in Section 4.5.5.C.
- E. When the Regional Planning Commission determines that only part of a proposed plat can be safely developed, it shall limit development to that part and shall require that the method of development is consistent with its determination.
- F. When the subdivider does not intend to develop the plat and the planning agency determines that restrictions are necessary for future safe development, it may require the subdivider to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on the face of the final recorded plat.

4.5.2 DRAINAGE FACILITIES.

Drainage Facilities shall be designed in accordance with the latest edition of the Fairfield County Stormwater Design Manual.

4.5.3 STREETS.

Streets shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.

4.5.4 CONDITIONS ATTACHED TO PLAT APPROVAL.

The Regional Planning Commission may attach conditions including but not limited to the following to the approval of plats for areas subject to development hazards.

- A. Construction and modification of wastewater disposal, water supply, and drainage facilities to meet the standards of these regulations and to promote the health, safety, and general welfare.
- B. Requirements for construction or channel modification, dikes, levees, and other protective measures.
- C. Imposition of operational controls, sureties, and deed restrictions enforceable by the Regional Planning Commission to restrict the types and design of uses. Such restrictions may include flood-proofing of intended uses, subject to the individual approval of the Regional Planning Commission at the time such uses are constructed, through Items 4.5.5.C.(I) through 4.5.5.C.(XII) below. Refer to the latest edition of the Special Purpose Flood Damage Prevention Regulations for Fairfield County Manual.
 - I. Anchorage to resist flotation and lateral movement.

- II. Installation of watertight doors, bulkheads, and shutters, or similar methods of construction.
- III. Reinforcement of walls to resist water pressures.
- IV. Use of paints, membranes, or mortars to reduce seepage of water through walls.
- V. Addition of mass or weight to structures to resist flotation.
- VI. Installation of pumps to lower water levels in structures.
- VII. Construction of water supply and wastewater treatment systems so as to prevent the entrance of flood waters.
- VIII. Pumping facilities or comparable practices for subsurface drainage systems for buildings to relieve external foundation wall and basement flood pressures.
- IX. Construction to resist rupture or collapse caused by water pressure of floating debris.
- X. Installation of valves or controls on sanitary and storm drains which will permit the drains to be closed to prevent back-up of wastewater and storm waters into buildings or structures. Gravity drainage of basements may be eliminated by mechanical devices. Installation of such devices shall be in accordance with the latest edition of the Fairfield County Floodplain Manual.
- XI. Location of all electrical equipment, circuits, and installed electrical appliances in a manner which will assure they are not subject to flooding and to provide protection from inundation.
- XII. Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety, and welfare in a manner which will assure that the facilities are situated at elevations above the height associated with the flood protection elevation or are adequately flood-proofed to prevent flotation of storage containers, or damage to storage containers which could result in the escape of toxic materials into flood waters.

4.5.5 WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. These regulations shall not create liability on the part of Fairfield County, the Fairfield County Regional Planning Commission, or any officer or employee thereof for any flood damages that result from reliance on these regulations or any administrative decision lawfully made thereunder.

4.6 SOILS NOT SUITABLE FOR SUBDIVISION DEVELOPMENT WITHOUT CENTRAL WASTEWATER FACILITIES.

The Regional Planning Commission, upon recommendation from the Fairfield County Health Department and Soil and Water Conservation District, shall determine if soils are suitable for subdivision without central wastewater disposal facilities. The soil suitability ratings for on-lot wastewater treatment systems as outlined in the then current Fairfield County Soil Potential for On-Lot Treatment for Household Wastewater shall be utilized in making this determination.

4.7 SOILS NOT SUITABLE FOR SUBDIVISION DEVELOPMENT.

The Regional Planning Commission shall not allow subdivision of land on soils indicated in Table IV.

TABLE III

<u>Map Symbol</u>	<u>Mapping Unit Name</u>
CbAO	Carlisle Muck
WaAO	Wallkill Silt Loam
WbAO	Wallkill Silty Clay Loam
WkAO	Willette Muck

Lands with the soils indicated above may be incorporated in subdivisions provided said soils are utilized for open space or under other special conditions when approved by the Regional Planning Commission.

4.8 EROSION AND SEDIMENT CONTROL PLAN AND RUNOFF DETENTION.

An erosion and sediment control plan shall be developed in accordance with the latest edition of the Fairfield County Stormwater Design Manual. Final plats which are a portion of a larger preliminary plan shall submit an erosion and sediment control plan regardless of the number of lots or acreage. *(Contents of Section 4.8 have been deleted; All Erosion and Sediment Control Plan and Runoff Detention will now refer to the Stormwater Design Manual).*

4.9 DRAINAGE.

- A. No subdivision shall be approved by the Regional Planning Commission unless there is an adequate outlet for storm water in accordance with the latest edition of the Fairfield County Stormwater Design Manual.
- B. No natural drainage course shall be altered and no fill, buildings, or structures shall be placed in it unless provision is made for in accordance with the latest edition of the Fairfield County Stormwater Design Manual.
- C. Whenever any changes are contemplated for any natural watercourse within a Conservancy District, the plans must also be approved by said District.

- D. A storm drainage plan in accordance with the latest edition of the Fairfield County Stormwater Design Manual shall be filed with the Regional Planning Commission.

4.10 STREETS.

4.10.1 DEDICATION.

- A. The necessary rights-of-way for widening or extensions of all thoroughfares, as delineated by the Thoroughfare Plan shall be dedicated. The width to be dedicated be in accordance with the latest edition of the Fairfield County Roadway Design Manual.
- B. When a subdivision involves land fronting on an existing County or Township Road, dedication shall be made so that said half section of road, abutting the proposed subdivision, shall conform to the right-of-way half in accordance with the latest edition of the Fairfield County Roadway Design Manual.
- C. Streets other than those on the Thoroughfare Plan shall be classified in accordance with the procedures set forth in the latest edition of the Fairfield County Roadway Design Manual. The Regional Planning Commission shall make the final determination as to the classification of any street upon which there is disagreement as to its classification.
- D. Approval and recording of a plat shall not constitute acceptance for public maintenance by the public of the improvements of a street, highway, or right-of-way shown upon the plat. Acceptance of an improvement for public maintenance can only be made upon approval and acceptance by the County Engineer.

4.10.2 ARRANGEMENT.

A. Major Traffic Arteries.

Shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.

B. Continuity.

Shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.

C. Traffic.

Shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual. Local streets shall be configured so that their use by through traffic will be discouraged.

D. Cul-De-Sac.

The maximum length of a cul-de-sac shall be 600 feet measured from the middle of the turn around to the near edge of the intersecting right-of-way. All dead-end streets shall be terminated with a turn around with a minimum right-of-way radius of 65 feet or greater. The street right-of-way line and the diameter of the turn

around shall be joined by a radius of not less than 65 feet (see Exhibit 1, Appendix A).

E. Temporary Turn Arouds.

1. Where streets are extended to the boundary of a subdivision to provide their proper continence at such time as the adjacent land is subdivided, they shall be terminated in a bulb style temporary turn around as illustrated is in Exhibit 1, Appendix A.
2. If a street extends only one lot depth past a street intersection, no turn around is required.

4.10.3 ALIGNMENT.

Alignment shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.

4.10.4 WIDTH.

Shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual. prior to January 28, 2003.

4.10.5 CLASSIFICATION.

Streets shall be classified in accordance with the latest edition of the Fairfield County Roadway Design Manual and the Fairfield County Thoroughfare Plan. Existing streets shall be classified in accordance with the Fairfield County Thoroughfare Plan. New streets shall be classified in accordance with the Fairfield County Roadway Design Manual.

4.10.6 STREET NAMES.

The names of new streets shall be named in accordance with the Fairfield County Roadway Design Manual.

4.11 CURBS, GUTTERS, AND SIDEWALKS.

- A. Curbs and gutters shall be required in all subdivisions where the lots average one hundred (100) feet of frontage or less, as determined by the-preliminary plan. Curbs and gutters shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.
- B. The Regional Planning Commission may require walks, curbs, and gutters to be constructed where they are essential to better circulation or as access to schools, playgrounds, and shopping areas and other facilities. Walks, curbs, and gutters shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.
- C. Sidewalks shall be required in all subdivisions within one mile of a school provided there is access from the site to the school as determined by the Regional Planning Commission. Sidewalks shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.
- D. Curb ramps meeting the current requirements of the American Disabilities Act are required for all subdivisions having sidewalks. Curb ramps are required to be constructed at the same time as the curb and gutter for the subdivision. Curb ramps

will generally be constructed within the limits of crosswalk markings. Curb ramps and drainage inlet shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.

4.12 BLOCKS.

Blocks shall not exceed fifteen hundred (1500) feet in length except where topographical conditions require longer blocks.

4.12.2 CROSSWALKS.

Where blocks are over seven hundred fifty (750) feet, a crosswalk, the right-of-way of which shall not be less than ten (10) feet, shall be required, if in the opinion of the Regional Planning Commission, this facility is necessary to provide proper pedestrian circulation.

4.12.1 FRONTAGE.

All lots shall have their full frontage on a public street. The minimum frontage shall not be less than sixty (60) feet at the right-of-way line.

4.12.2 MINIMUM LOT SIZES.

- A. Where public sewer and water are not provided, the minimum lot size shall be not less than 30,000 square feet and the minimum width measured at the building line shall not be less than one hundred twenty-five (125) feet.
- B. Where public sewer is provided, but public water is not available, the minimum lot size shall be not less than 20,000 square feet and the minimum width measured at the building line shall not be less than one hundred (100) feet.
- C. Greater lot width and area may be required by the Fairfield County Health Department dependent upon the results of percolations tests or the method of wastewater treatment systems proposed to be used in the subdivision.
- D. Where public sewer and water are provided, the minimum lot size shall be not less than 5,000 square feet and the minimum width measured at the building line shall not be less than fifty (50) feet.
- E. Where public sewer and water are provided, the minimum width of a corner lot, as measured across the least width of the lot at the building line shall be eighty (80) feet.

4.12.3 DOUBLE FRONTAGE.

Double frontage lots, other than corner lots and lots backing onto major traffic arteries, shall be discouraged. When the Commission requires that lots shall back onto a major traffic artery, the depth shall be one hundred fifty (150) feet. A one (1) foot easement shall be required along the backline of said lots across which there shall not be any right of vehicular access. The above stipulation of this easement shall be indicated in the Dedications and Acknowledgment Section of the final plat.

4.12.4 LOT LINES.

Side lot lines shall be approximately at right angles to the street, or radial to curved streets. Curved side or rear lot lines shall be discouraged. The Regional Planning Commission may waive this requirement in special circumstances such as topographical conditions or configuration of original tract.

4.12.5 LOT SHAPE AND PROPORTION.

All lots should be approximately rectangular in shape and should not have a depth in excess of 2 1/2 times its average width.

4.12.6 SETBACKS.

- A. All required minimum building setback lines for front yards shall be measured from the legally dedicated street or road right-of-way.
- B. The minimum building setback line shall be thirty-five (35) feet. The minimum side street building setback line shall be thirty (30) feet.
- C. Setback lines shall be established in accordance with Table IV, Appendix A.

4.13 EASEMENTS.

4.13.1 MINIMUM EASEMENT WIDTH.

Utility easements shall have a minimum width of fifteen (15) feet or such additional width as may be necessary for access to the utilities involved. Easements shall, when possible, follow the side and/or rear lot lines.

4.13.2 OPEN DRAINAGE EASEMENTS.

Open Drainage easements shall be in accordance with the latest edition of the Fairfield County Stormwater Design Manual. Open Drainage easements shall be restricted from use by utilities unless approved by the County Engineer.

4.13.3 CLOSED DRAINAGE EASEMENTS.

Closed Drainage easements shall be in accordance with the latest edition of the Fairfield County Stormwater Design Manual. Closed Drainage easements shall be restricted from use by utilities unless approved by the County Engineer.

4.13.4 SANITARY SEWER EASEMENTS.

Sanitary Sewer Easements shall be restricted from use by utilities unless approved by the Sanitary Engineer.

4.14 UTILITIES.

- A. Underground utilities are encouraged in all subdivisions within Fairfield County.
- B. Underground utilities shall be required by the Regional Planning Commission on all developments containing fifty (50) or more lots, as determined by a preliminary plan.
- C. In any subdivision where the minimum lot size is less than thirty thousand (30,000) square feet, excluding streets and public or semi-public areas, centrally located wastewater treatment facilities shall be required. In any subdivision where the minimum lot size is less than twenty thousand (20,000) square feet, excluding streets and public or semi-public areas, centrally located water and wastewater treatment facilities shall be required. However, when determined by the Regional Planning Commission, upon recommendation from the Fairfield County Health Department, that the development of the area without centrally located sewer and water could be detrimental to the public health and welfare whether due to the particular development under consideration or due to adjacent subdivisions or features such as unsatisfactory soil conditions, central sewer and/or water facilities may be required. (Reference: Section 4.13.2)
- D. Any subdivision with fifty (50) or more lots with an average lot size -of less than one acre as determined by a preliminary plan, shall be served by central water. Where central water service is provided, the County may require sufficient land, as determined by the County Sanitary Engineer, to be set aside for future expansion of the well field and/or proper treatment facilities.
- E. Major utilities shall be placed in the street right-of-way, except under special circumstances, the Regional Planning Commission may waive this requirement when recommended by the County Engineer or the County Sanitary Engineer.

4.15 PUBLIC SITES AND OPEN SPACES.

- A. Areas which are suitably located and are adequate in size for parks, playgrounds, or schools, as determined by the Approved Comprehensive Plan, or by the proper government agency if an appropriate plan has not been adopted, shall be made available to the aforementioned agency involved. The agency involved shall either acquire by payment of reasonable compensation or execute a purchase agreement for the area in question within six (6) months of the date of the preliminary approval of the plan, provided the agency so involved has notified the Regional Planning Commission prior to preliminary approval of their intention to purchase, or the reservation shall be voided and the site released back to the subdivider.
- B. In all "major subdivisions", as set forth under Title III of these regulations, the developer shall pay a recreation fee as set forth in Section 3.6 of the Appendix to these regulations. The recreation fee shall be transferred to the Fairfield County Board of Park Commissioners for utilization in developing parks and open space in Fairfield County.

4.16 TREES.

Normally, all existing trees shall be removed from the street right-of-way. Trees, when planted, shall be located outside the street right-of-way or any easement that may be adjacent to the street and planted in such a manner as not to impair visibility at any corner. However, special consideration will be given to boulevards and other streets which have large right-of-ways. It is strongly recommended that all subdividers plant trees on each lot and make a strong effort to preserve existing trees in conformity with good aesthetic practices.

4.17 MASTER GRADING PLAN.

The master grading plan shall reflect changes in before-and-after contours. The grading plan shall show contour lines at five (5) foot intervals where average slopes exceed fifteen (15) percent and at two (2) foot intervals where slopes are less than fifteen (15) percent. Elevations shall be based on mean sea level datum (U.S.G.S.). The approximate dimensions shall be shown for the site as well as finished grade of streets prior to acceptance of final plat.

4.18 NON-RESIDENTIAL SUBDIVISIONS.

Non-residential subdivisions shall include industrial tracts, and may include neighborhood, community, and regional commercial tracts.

4.18.1 CONFORMANCE TO GENERAL PLAN.

The street and lot layout of a non-residential subdivision shall be appropriate to the land use for which the subdivision is proposed, and shall conform to the appropriate land use plans, as may be adopted.

4.18.2 PRINCIPLES AND STANDARDS.

In addition to the principles and standards in these regulations which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of

the Regional Planning Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed.

- A. Proposed industrial and commercial parcels shall be suitable in area and dimensions for the type of development anticipated.
- B. Street right-of-ways and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereon, however, in no case shall they be less than set forth in Table V, Appendix A.
- C. Special requirements may be imposed by the Regional Planning Commission upon recommendation by the County Engineer with respect to street, curb, and gutter and sidewalk location, design, and construction.
- D. Special requirements may be imposed by the Regional Planning Commission upon recommendation by the County Engineer and/or Sanitary Engineer with respect to the installation of public utilities.
- E. Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed non-residential subdivision, including the provision of extra depth in parcels backing up on existing or potential residential, recreational, or public development.
- F. Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, or connected to streets intended for predominantly residential traffic.

5. IMPROVEMENT STANDARDS AND SPECIFICATIONS

5.1 APPLICABILITY

The improvements in all subdivisions located in unincorporated areas of Fairfield County shall conform to Fairfield County specifications except in the extraterritorial jurisdiction area where a City has adopted subdivision regulations, the City specifications may apply provided they are approved by the Board of Fairfield County Commissioners. The improvements required by these regulations shall be designed, furnished and installed by the subdivider. The subdivider shall be responsible for the cost of any or all tests required by the County Engineer or the County Sanitary Engineer to establish that any material utilized or any and all improvements meet the specifications of these regulations. Subdivisions shall be provided the same improvements whether or not the streets are public or private except in special situations as approved by the Regional Planning Commission such as planned unit developments with adequate controls.

5.2 STREETS.

Streets shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.

5.3 CURB, GUTTER, AND SIDEWALKS.

Curb, gutter, and sidewalk shall be designed in accordance with the latest edition of the Fairfield County Roadway Design Manual.

5.4 DRAINAGE.

Drainage shall be designed in accordance with the latest editions of the Fairfield County Stormwater Design Manual.

5.5 CENTRAL WATERLINES/SANITARY SEWERS AND ON-LOT WATER AND WASTEWATER SYSTEMS.

- A. All central waterlines and sanitary sewers shall be designed in accordance with the requirements of the agency having jurisdiction over the system. The County design requirements are contained in the "Fairfield County Water, Drainage and Sewer Regulations", and the "Fairfield Construction and Material Specifications". Waterlines and Sanitary Sewers must be approved by the County Sanitary Engineer.
- B. All subdivisions proposing on-lot water and wastewater systems shall also be designed to meet the requirements of the agency having jurisdiction over the review of such systems. The requirements for major residential subdivisions proposing on-lot water and wastewater systems are contained in Regulation 17 of the Fairfield County Health Department Regulations.

5.6 PERMANENT MONUMENTS AND MARKERS.

- A. Permanent monuments shall be accurately set and established at all points of deflection of the outside boundaries of the plat, on one street line of all streets that intersect the outside boundary lines, at diagonal opposite corners of each street intersection, on one street line at the beginning and end of all curves, at all points of deflection of street lines, and at such other points as are necessary to establish definitely all lines of the plat as determined by the County Engineer. In general, permanent monuments shall be placed at all critical points necessary to correctly layout any lot in the subdivision.
- B. The location of all monuments must be staked upon demand of the County Engineer or the County Sanitary Engineer.
- C. At least four (4) of the permanent monuments in subdivisions having ten (10) or less lots, and not less than six (6) in subdivisions having over ten (10) lots shall be of the following constructions.
- D. One-fourth (1/4) inch steel rods set in and running through concrete at least four (4) inches in diameter and at least thirty (30) inches long. The bottom of such block shall be set at least thirty (30) inches below finished grade in the subdivision, and the be found shall be designated on the plat. An alternate method for establishing the above mentioned concrete monuments shall be by drilling a 6" x 30" hole filling said hole with concrete and inserting a one-fourth (1/4) inch steel rod in proper position before the concrete has set up.
- E. All other permanent monuments shall be solid iron pins of at least one (1) inch diameter and at least thirty (30) inches long.
- F. Markers shall be three-fourths (3/4) inch steel rod eighteen (18) inches in length, or more. Markers shall be placed at each corner of all lots and at all angles in property line where permanent monuments are not already located. The markers shall be flush with the finish grade or counter sunk to afford protection from being disturbed.

5.7 BACKFILL.

Storm sewers, water lines, sanitary sewers, culverts, and utility lines within the dedicated right-of-way shall be backfilled with compacted granular material to within six (6) inches of the subgrade of the existing ground in accordance with Item 304, Ohio Department of Transportation Construction and Material Specifications.

5.8 MISCELLANEOUS.

- 5.8.1** Prior to any construction there shall be a pre-construction conference between the County Inspector, the contractor, the developer, and the project engineer. The pre-construction conference will only be conducted after submission by the developer of the following: signed construction drawings for all subdivision improvements (roadways, sanitary sewer, water and storm drainage); construction material submittals; paid inspection fees; a signed development agreement between the Fairfield County Commissioners and the subdivision developer; a schedule of construction activities provided by the developer.

- 5.8.2** Upon the completion of any construction and prior to acceptance by the County, the Design Engineer shall provide the County a letter which certifies the construction is in conformance with the construction plans and specifications, the Fairfield County Water, Drainage, and Sewer Regulations, Construction and Material Specifications, General Notes and Standard Drawings, and the Fairfield County Subdivision Regulations, Fairfield County Roadway Design Manual, and Fairfield County Stormwater Design Manual.
- 5.8.3** The subdivider is strongly encouraged to employ adequate and appropriate traffic and hazard controls during construction. It is emphasized that no streets or public improvements within the street right-of-way shall be the responsibility of any public body or official prior to formal acceptance by the County. Until such time as said improvements have been approved and accepted, the subdivider shall assume full responsibility and/or liability for all publicly dedicated areas and improvements thereon. The developer shall agree to indemnify and hold harmless the County until such time as the public improvements are accepted by the County.

6. DEVELOPMENT AGREEMENT, IMPROVEMENT ASSURANCES, INSPECTION, AND INSPECTION FEES

6.1 DEVELOPMENT AGREEMENT.

A development agreement shall be executed between the developer and the Fairfield County Board of Commissioners prior to the recording of an approved final plat or commencing construction of public improvements under Section 6.3.

6.2 CONSTRUCTION (IMPROVEMENT) ASSURANCES.

On proposed subdivisions, new lots shall not be sold or permanent buildings erected thereon until the subdivision plat has been recorded. Before certification of the final plat for recording, the developer shall guarantee the installation of required improvements in accordance with these regulations by adhering to one of the methods listed in Section 6.4 and payment of the inspection fee set forth in Appendix B, Section 14.18.1

6.3 CONSTRUCTION PRIOR TO FINAL PLAT APPROVAL AND CERTIFICATION.

Required public improvements may be installed prior to final approval or certification of a final plat provided as follows:

- A. The preliminary plan has been approved by the Regional Planning Commission; and
- B. The County Engineer, County Sanitary Engineer, and the Fairfield Soil and Water Conservation District have approved the final construction plans; and
- C. The erosion and sediment control plan has been approved by the Regional Planning Commission and FSWCD; and
- D. The required development agreement has been executed; and
- E. The required inspection fee has been paid.

6.4 CONSTRUCTION ASSURANCES.

As an alternative to the construction and approval of required public improvements prior to recording of the final plat, an acceptable performance assurance equal to one hundred (100) percent of the engineer's approved estimated cost of all required improvements shall be deposited with the Fairfield County Board of Commissioners, subject to the specific provisions of Section 6.3 A through E, as applicable.

- A. A PERFORMANCE (CONSTRUCTION) BOND may be provided in favor of the Fairfield County Board of Commissioners. Said bond shall be without time limit. Said bond may be reduced by seventy-five (75) percent of the actual construction completed prior to conditional approval and acceptance of the improvements, upon recommendation of the County Engineer and/or Sanitary Engineer.
- B. A CERTIFIED CHECK for one hundred (100) percent of the cost of the improvements may be deposited with the Fairfield County Board of Commissioners. The certified

check shall be accompanied by a contract between the developer and the payee stating the terms and conditions under which the check may be cashed if the developer fails to complete the required improvements within the specified time limit.

- C. A developer may arrange to have an amount equal to one hundred (100) percent of the cost of the required improvements, held in escrow. Said escrow agreement shall be in the form provided by the County and will state the terms and conditions under which the funds will be distributed if the developer fails to complete the improvements within the specified time limit.
- D. An irrevocable letter of credit from an institution acceptable to the Board of Fairfield County Commissioners in the amount of one hundred (100) percent of the cost of required improvements may be used to guarantee performance. Said letter of credit may be for a specified time period; however, said letter of credit must be renewed and/or extended at least three months in advance of the expiration date. No letter of credit will be accepted for less than a one year period.

6.4.1 Provisions shall be made in the case of a bond, certified check, escrow agreement, or letter of credit whereby the subdivider, his heirs, successors, or agents shall complete and comply with all applicable terms, conditions, provisions, and requirements of these regulations.

6.4.2 TIME LIMIT.

If the guarantee of installing the requirement improvements of a plat has been made in the form of a bond, certified check, escrow agreement, or other guarantee, the time limit for the completion of said improvements shall be two (2) years, said time period may be extended by the County Commission when conditions warrant. At the termination of the aforementioned period, the County may use as much of the bond, check, escrow agreement, or other guarantee, as is necessary to complete the improvements.

6.5 INSPECTION.

Inspection of each phase of work shall be made by the County Inspectors, or their designated agents.

- 6.5.1 The subdivider shall give seventy-two hours' notice, excluding weekends and County holidays, to the County Inspectors for any inspection to be conducted. The subdivider shall furthermore ensure that no work shall be covered or obscured prior to inspection and acceptance by the County Inspectors.
- 6.5.2 The developer shall, prior to certification of the final approval of the plat or prior to the start of construction, whichever occurs first, pay the amount set forth in Section 4.1 of Appendix B of the regulations to cover the cost of inspection of the improvements to the subdivision. As the project progresses, if additional inspection money is required, it will be requested by a letter showing how the inspection fee has been used up to that time. Any inspection money remaining after acceptance of the project will be returned to the payee with the exception of One-Thousand Five Hundred Dollars (\$1500.00) which will be retained for the Maintenance Inspection which is conducted prior to release of the Maintenance Bond.

Before conditional acceptance is made on any phase of a subdivision, a walkthrough inspection of the improvements shall be conducted between the County review agencies and the developer. The walkthrough shall only take place when all construction activities associated with the subdivision have been completed and all utilities including water, sanitary sewer, natural gas and electric service have been installed and tested. A punch list of any deficiencies shall be compiled by the County review agencies and submitted to the developer. The developer shall then correct all deficiencies.

6.6 MAINTENANCE BOND.

Prior to acceptance of any improvements within a phase of a subdivision, the developer shall furnish the County Commission a maintenance bond, certified check, or other acceptable guarantee that shall be held for a minimum of three (3) years to ensure that the improvements are in satisfactory condition. If the build out condition is not met within the three (3) year period, an additional 2-year extension on the maintenance guarantee is required. If within said period defects appear in the improvements which are determined by the County Inspectors to be the fault of the contractor or developer said defects shall be repaired to the satisfaction of the County Inspectors at the expense of the developer. In the event the developer fails to make required maintenance within two (2) months of a request to do so, the above-mentioned guarantee shall be forfeit. Said guarantee shall be ten (10) percent of the total improvement cost of that phase. Subdivisions receiving conditional acceptance prior to January 1, 2020, will be subject to a five (5) year maintenance period.

If succeeding phases of an approved subdivision will be using an existing road in that subdivision for access and that is the only entrance to that phase, an additional maintenance bond, certified check, or other acceptable guarantee will be required to cover any damage to the public improvements in the preceding phase. The County Inspector shall determine the adequacy of an additional guarantee. This additional guarantee will not be required if the maintenance guarantee(s) for the applicable preceding phase(s) do(es) not expire prior to the acceptance of the public improvements for the additional phase(s) using the existing road in that subdivision.

The County Engineer shall make an evaluation of the existing road prior to the start of construction activities in the succeeding phases. An evaluation may be made at the completion of each succeeding phase to determine damage.

6.7 IMPROVEMENTS (DEFINED).

Improvements shall include the total cost of developing a subdivision including all work called for in construction and erosion plans.

7. REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON FINAL PLAT

The following statements shall be affixed on the final plat, as appropriate and applicable. All signatures on the final plat shall be with permanent black ink.

7.1 DESCRIPTION. (*METES AND BOUNDS*)

Situated in Section _____, Township _____, Range _____, Fairfield County, Ohio, containing _____ acres. (*Full Metes and Bounds Description*)

7.2 NOTARIZED OWNERS' DEDICATION AND ACKNOWLEDGMENT.

We, the undersigned, being all the owners and lien holders of the land platted herein, do voluntarily consent to the execution of said plat, and dedicate the streets hereon, comprising a total of _____ acres, to the public use forever.

7.2.1 UTILITY EASEMENTS: Utility easements shown on this plat are for the construction, operation, maintenance, repair, replacement, or removal of utility lines and services, and for the express privilege of removing any and all trees or other obstructions to the free use of said utilities and for providing ingress and egress to the property for said purposes and are to be maintained as such forever.

7.2.2 UTILITY AND SANITARY SEWER EASEMENTS: Utility and sanitary sewer easements shown on this plat are for the construction, operation, maintenance, repair, replacement, or removal of utility and sanitary sewer lines and services, and for the express privilege of removing any and all trees or other obstructions to the free use of said utilities and for providing ingress and egress to the property for said purposes and are to be maintained as such forever.

7.2.3 SANITARY SEWER EASEMENTS: Easements designated as Sanitary Sewer Easements on this plat are for the construction, operation, maintenance, repair, replacement, or removal of sanitary sewer lines and services, and for the express privilege of removing any and all trees, fencing, or other obstructions to the free use of said sewers and for providing ingress and egress to the property for said purposes and are to be maintained as such forever. No other utilities are to be placed or constructed in designated Sanitary Sewer Easements.

7.2.4 DRAINAGE EASEMENTS: An easement is hereby granted for the purpose of construction, operation, reconstruction, usage, and maintenance of storm drainage swales, ditches and underground piping and appurtenant works on any part of easement areas designated "Drainage Easement" hereon including the right to construct, clean, repair, keep unobstructed, and care for said sewers, swales, ditches, piping and appurtenant structures, together with the right of access to the said areas for said purpose. No above grade structures, dams, fencing, or other obstructions to the flow of storm water runoff are

permitted within the drainage easement areas as delineated on this plat, except those shown on the approved construction drawings.

7.2.5 DRAINAGE AND SANITARY SEWER EASEMENTS: An easement is hereby granted for the purpose of construction, operation, reconstruction, usage, and maintenance of storm drainage swales and sanitary sewers, ditches and underground piping and appurtenant works on any part of easement areas designated "Drainage and Sanitary Sewer Easement" hereon including the right to construct, clean, repair, keep unobstructed, and care for said sewers, swales, ditches, piping and appurtenant structures, together with the right of access to the said areas for said purpose. No above grade structures, dams, fencing, or other obstructions to the flow of storm water runoff are permitted within the drainage and sanitary sewer easement areas as delineated on this plat, except those shown on the approved construction drawings, unless approved by the Fairfield County Engineer and the Fairfield County Sanitary Engineer.

7.2.6 WATER LINE EASEMENTS: Easements designated as Water Easements on this plat are for the construction, operation, maintenance, repair, replacement, or removal of water lines and services, and for the express privilege of removing any and all trees or other obstructions to the free use of said water lines and for providing ingress and egress to the property for said purposes and are to be maintained as such forever. No other utilities are to be placed or constructed in designated Water Easements.

7.2.7 The following note is required on the plat of the subdivision when a drainage maintenance district is established:

DRAINAGE MAINTENANCE DISTRICT: A Maintenance Agreement for drainage facilities is a part of the improvement plans of the above real estate (subdivision) and the obligation to pay the maintenance fees shall pass with the Title to the property. There shall be inserted in each deed passing Title to any of the land herein by the owner or developer the words:

"Title to the fee includes the obligation to pay the drainage maintenance fee assessed, or to be assessed, by the County, pursuant to the Ohio Revised Code 6137 and following sections. This includes the obligation to pay such portion of the drainage maintenance fee assessment, or to be assessed, to the public corporation(s) as established in the original schedule, as amended from time to time."

"All lots in the subdivision shall be part of a drainage district for of the maintenance, repair and replacement of the drainage/storm sewer system serving the subdivision. Each lot shall be assessed in accordance with the rules and regulations governing such district for the inspections, maintenance, repair and replacement of such drainage/storm sewer system."

The owner or owners of the fee simple title to each of the lots and lands shown hereon that has within it a portion of the area designated hereon as "Drainage Easement" or "Drainage and Sanitary Sewer Easement" shall care for, maintain, and keep open and unobstructed the major storm drainage swale within said portion of the drainage easement or drainage and sanitary sewer easement area.

The easement for storm sewer, storm drainage swales, and where applicable sanitary sewer, and appurtenant works is hereby granted to the Board of Fairfield County Commissioners and its assigns, for use at such time as it is determined that for reasons of

public health, safety, and welfare it is necessary to construct, reconstruct, maintain, and keep open and unobstructed the major storm drainage swales within said "drainage easement area" or "drainage and sanitary sewer easement area", and that the costs thereof, both direct and incidental thereto, shall be paid for by the owner or owners of the fee simple title to the lots and land upon which such maintenance is performed, unless paid by a drainage maintenance district established for the subdivision.

Monuments shown on the plat as not in place at the time of recording shall be placed prior to acceptance of the streets.

7.2.8 PEDESTRIAN ACCESS ROUTES – (MULTI-USE PATHS, BIKE TRAILS/PATHS, SIDEWALKS, OR OTHER):

We the undersigned, _____, being the owners and lien holders of the land platted herein, do voluntarily consent to the execution of said plat. The undersigned further require the owners of the lot or lots within said subdivision to construct, maintain, repair, reconstruct said pedestrian access routes along the lands abutting and within county owned right-of-way or highway easement in perpetuity. The duties set forth in this notation shall be binding on the owner's successors and assigns.

7.2.9 (This type of easement shall be used when lots back into major vehicular traffic arteries.)

Vehicular right-of-access shall not be allowed across the one (1) foot easement lying parallel to _____ street, along the rear lots _____, _____, _____, and _____.

7.2.10 (This statement shall be used for property owners association and responsibilities.)

A property owners association is required as a condition of this plat. All property owners shall be members of said association, and shall be responsible for (drainage, wastewater treatment plant, retention pond, recreational open space, etc.).

7.2.11 (This item is applicable only if the restrictions are listed on a second sheet.)

This plat is subject to the covenants and restrictions shown on the separate document attached hereto and labeled "sheet _____ of _____ sheets".

7.2.12 (Alternate dedication section for private streets.)

The streets, hereon, comprising a total of _____ acres are private streets until such time as they meet all subdivision requirements and improvement standards in existence at the time they are presented for public acceptance. Said streets shall be maintained at no expense to any public agency.

Witness

Owner

Witness

Property Co-Owner

STATE OF OHIO
FAIRFIELD COUNTY

Be it remembered that on this _____ day of _____, 20 _____,
personally came the said _____, to me known, and acknowledged
the signing and execution of the foregoing statement to be their voluntary act and deed.

My Commission Expires

Notary Public in and for
Fairfield County, Ohio

7.3 HEALTH DEPARTMENT APPROVAL.

(This statement will be used when central sewer systems are not provided.)

FAIRFIELD COUNTY HEALTH DEPARTMENT

I hereby certify that this plat meets the requirements of the Fairfield County Health Department. (This approval given subject to the following regulations: Before construction is commenced each individual owner or builder shall contact the Fairfield County Health Department for approval of type and location of wastewater disposal systems, location of potable water supply, dwelling and driveway). Approval of on-site wastewater disposal systems is based on the original soil conditions. Any cut or fill on lots proposed for on-site wastewater treatment systems shall be approved by the Fairfield County Health Department and this approval shall be noted on construction drawings prior to work being commenced.

Commissioner, Fairfield County Health Department

7.4 CERTIFICATION OF SURVEYOR.

I hereby certify that this plat represents a true and complete survey made by me or under my supervision on _____, 20 _____, and that all markers and monuments indicated are in place or will be in place by the time of street acceptance and are correctly shown as to materials, locations and meets the latest provision of Ohio Administrative Code Chapter 4733-37 - Minimum Standards for Boundary Surveys in the State of Ohio.

Registered Professional Surveyor

7.5 APPROVAL BY COUNTY COMMISSIONERS.

Approved and accepted this _____ day of _____, 20 _____. The streets, roads, etc., herein dedicated to public use are hereby accepted as such for the County of Fairfield, State of Ohio.

Fairfield County Commissioners

7.6 APPROVAL BY COUNTY ENGINEER.

This plat is hereby approved as of _____, 20 _____, however, streets are not accepted until inspected and approved.

Fairfield County Engineer

7.7 APPROVAL BY COUNTY SANITARY ENGINEER.

This plat is hereby approved as of _____, 20 _____, however, sanitary sewers and waterlines are not accepted until inspected and approved.

Fairfield County Sanitary Engineer

7.7.2 (This approval required when centralized sanitary sewers are not provided.)

This plat is hereby approved as of _____, 20 _____. Sanitary Sewer Easements for future sanitary sewers have been provided and are hereby accepted

Fairfield County Sanitary Engineer

7.8 APPROVAL BY THE _____ WATER AND SEWER DISTRICT.

(This approval is required when sanitary sewer and/or water lines from a Water and Sewer District are utilized, in addition to approval by the County Sanitary Engineer.)

This plat is hereby approved as of _____, 20 _____, however, sanitary sewers and/or waterlines are not accepted until inspected and approved.

Authorized Signature

_____ Water and Sewer District

7.9 APPROVAL BY REGIONAL PLANNING COMMISSION.

I hereby certify that this plat was approved by the Fairfield County Regional Planning Commission on _____, 20 _____. This approval becomes void unless this plat is filed for recording within one hundred and eighty (180) days of the above approval.

Director, Fairfield County Regional Planning Commission

7.10 COUNTY AUDITOR.

I hereby certify that the land described by this plat was transferred on _____, 20_____.

Fairfield County Auditor

7.11 COUNTY RECORDER.

I hereby certify that this plat was filed for recording on _____, 20 _____, at _____ am-pm and that it was recorded on _____, 20 _____, in Volume _____, Page _____ plat records of Fairfield County, Ohio. Fee \$ _____.

Fairfield County Recorder

**7.12 ZONING INSPECTOR.
(Applies to all townships having zoning regulations.)**

This plat is consistent with the current _____ Township Zoning Resolution.

Township Zoning Inspector

8. HILLSIDE REGULATIONS

8.1 APPLICABILITY.

These regulations apply to all hillside areas. A hillside area as referred to herein is defined as one with an average of more than fifteen (15) percent slope. The subdivider shall submit sufficient detailed information as to geologic conditions, soil types, and underground water level in order that a determination can be made by the Regional Planning Commission after consultation with the Fairfield Soil and Water Conservation District as to the safety of development of the particular location.

8.2 DETERMINATION OF AVERAGE SLOPE.

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

8.3 MINIMUM LOT REQUIREMENTS.

Minimum lot requirements shall be determined by utilizing Exhibit 5A (minimum lot size requirements based on slope). Deviations from these requirements may be allowed subject to determination by the Regional Planning Commission where exceptional circumstances warrant.

8.4 GRADING PLAN AND CONTROLS.

The grading plan shall show contour lines at five (5) foot intervals where average slopes exceed fifteen (15) percent and at two (2) foot intervals where slopes are less than fifteen (15) percent. Elevations are to be based on the sea level datum (U.S.G.S.). The approximate lot layout and the approximate dimensions shall be shown for each lot and each building site. Where pads are utilized or proposed for building sites, engineering data shall show the existing topography and the approximate finished grades, location and size of each building site, and finished grade of streets prior to consideration of the final plat.

8.5 CUTS AND FILLS.

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

8.6 COMPACTION OF FILL.

All fill on streets shall be compacted in accordance with State Highway specifications.

8.7 RETAINING WALLS.

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

8.8 EXCEPTIONS TO OTHER REQUIREMENTS IN THESE REGULATIONS.

The following modifications of other requirements and specifications shall apply to hillside development. Where modifications are not specifically stated they shall not be allowed.

8.8.1 Alignment of all streets shall be subject to approval of the County Engineer depending upon the existing conditions.

- A. Curb and gutter shall be required on all streets.
- B. Final grades on streets shall not exceed twelve (12) percent.
- C. Either public sewer will be provided or a central treatment facility shall be installed by the subdivider in accordance with the existing E.P.A. and Fairfield County Health Department requirements. The use of individual systems shall be prohibited.
- D. All cross sections are subject to the approval of the County Engineer and may vary from other requirements set forth in these regulations.

9. PLANNED UNIT DEVELOPMENTS

9.1 GENERAL.

The planned unit development approach to development is permissible. These regulations may be modified by the degree necessary to accomplish the objectives and standards required for the planned unit development of residential, commercial, or industrial subdivisions, or a mixture thereof in accordance with the affected zoning resolution. In areas without zoning, the determination of standards shall be made by the Regional Planning Commission.

9.2 AREA REQUIREMENT.

The area of the total tract utilized for a planned unit development shall in no case be less than would be required under standard procedures- for a like number of residential units.

9.3 OPEN SPACE.

Permanent open spaces will be protected and maintained by provisions within the protective covenants which shall be mandatory. All such open spaces shall be of sufficient size, shape, and character to be usable as determined by the Regional Planning Commission.

9.4 SUBDIVISION APPROVAL REQUIRED.

Nothing within this Title, however, shall exempt the developer from the requirement of subdivision plat approval as required in these regulations.

9.5 HOMEOWNER'S ASSOCIATION.

There shall be established a permanent viable homeowner's association to maintain open space and/or private streets within the development.

9.6 MODIFICATION OF SUBDIVISION REQUIREMENTS.

Whenever a subdivision is developed as a planned unit development, with adequate school sites, parks, or playgrounds provided, and such planned unit development is protected from through traffic, the Regional Planning Commission may vary the requirements for streets, sidewalks, and curbs and gutters to allow the subdivision more freedom in the arrangement of streets and lots with concurrence from the County Engineer. However, the Regional Planning Commission shall ensure: the convenience, health, welfare, and safety of the future residents of the subdivision and the adjacent property, the general welfare of the County, and the intent of these regulations.

9.7 REVIEWING CRITERIA.

The Regional Planning Commission shall consider evidence by the applicant, the planning staff, and other appropriate agencies in arriving at their decisions.

A. Their decisions shall be based on, but not confined to, the following considerations:

- B. That the proposed use will not result in an over-intensive use of the land.
- C. That the proposed use will not result in undue traffic congestion or traffic hazards.
- D. That an adequate sewer and/or water system is available for the proposed use.
- E. That detrimental conditions will not result due to development on excessive slopes.
- F. That the proposed use will not create significant water, air, noise, or visual pollution.
- G. That the soil and drainage conditions will support development including whatever waste disposal treatment is utilized.
- H. That fire hazards will not be created or increased without provisions being made to correct this situation.
- I. That no adverse conditions are created or increased without provisions being made to correct this situation.
- J. That the development would not adversely affect any land of significant historical, recreation, or aesthetic value.

10. MOBILE HOME SUBDIVISIONS

10.1 DESIGN STANDARDS.

The following design standards shall apply to mobile home parks:

- A. A mobile home park shall contain a minimum of five (5) acres.
- B. The maximum density shall not exceed six (6) mobile homes per gross acre.
- C. All mobile homes or accessory buildings shall be located no closer than thirty-five (35) feet from the front property lines, nor closer than twenty (20) feet from the side or rear property line. However, if the side or rear property line abuts an arterial street as shown on the Major Thoroughfare Plan, the minimum side or rear yard shall be thirty-five (35) feet. The outer boundaries of a mobile home park shall contain a buffer zone. This buffer zone shall be composed of a green strip, not less than twenty (20) feet in width, located along all park boundaries. The type of plantings shall be approved by the Commission. This green strip may be in a yard adjacent to a street or road, provided all other provisions of the resolution are met.
- D. All mobile home parks should have access to adequate collector streets with a right-of-way not less than sixty (60) feet in width. Marginal access roads may be required if deemed necessary for mobile home parks that would have direct access onto an arterial street.
- E. The design and construction of the interior street system shall conform to the requirements of these regulations. Parking on interior streets shall not be permitted unless the pavement width is thirty-five (35) feet at a minimum. Street width shall be measured from back of curb to back of curb.
- F. All mobile home parks shall have paved pedestrian walkways at least five (5) feet in width. The location of necessary walkways shall be decided by the Commission and may vary relative to location, intensity of use, and location of recreational areas and service buildings.
- G. At least ten (10) percent of the gross land area of the mobile home park shall be reserved for recreational and open space uses. This figure is in addition to any other open areas required by yard requirements or other sections of this resolution. A clustering of units is encouraged.
- H. The outer boundaries of a mobile home park shall contain a buffer zone. This buffer zone shall be composed of a green strip, not less than twenty (20) feet in width, located along all park boundaries. The type of plantings shall be approved by the Commission. This green strip may be in a yard adjacent to a street or road, provided all other provisions of the resolution are met.

10.2 MOBILE HOME LOT REQUIREMENT.

Individual mobile home lots within mobile home parks will conform to the following requirements.

- A. Each mobile home lot shall contain a minimum area of four thousand (4,000) square feet.
- B. The minimum width of each mobile home lot shall be forty (40) feet and the minimum depth of each lot shall be one hundred (100) feet. The minimum width of corner lots, however, shall be fifty (50) feet.
- C. Each mobile home lot shall be provided with a paved driveway to accommodate off-street parking for two (2) vehicles. The size of the driveway shall not be less than four hundred (400) square feet.
- D. Each mobile home lot shall be provided with a three (3) foot walkway leading from the main entrance to the main walkway or adjacent street.
- E. Each mobile home shall be provided with a stable base upon which to place the mobile home.
- F. Each mobile home lot shall be provided with anchors and tie downs such as cast-in place concrete "dead men" eyelets imbedded in concrete runways, screw augers, arrowhead anchors, or other devices for securing the stability of the mobile home.

10.3 MOBILE HOME PARK UTILITIES AND OTHER SERVICES.

Mobile home park utilities and other services shall conform to the following requirements:

- A. Within each mobile home park storm drainage shall be provided in accordance with the latest edition of the Fairfield County Stormwater Design Manual.
- B. Within each mobile home park there shall be installed a water supply and distribution system in conformance with the requirements of the Ohio Department of Health. Each mobile home lot shall be connected to this system.
- C. Within each mobile home park there shall be installed a sanitary waste distribution system which shall be connected with a municipal sewer system where available, or a central treatment plant shall be located, constructed, and maintained in accordance with the regulations of the Ohio Department of Health and the EPA (Environmental Protection Agency). Each mobile home lot shall be connected to this system.
- D. Each mobile home shall be provided with suitable electrical equipment in accordance with the National Electrical Code and local codes.
- E. All interior streets and walkways shall be lighted by not less than three-tenths (3/10) foot candle of artificial light.
- F. Within each mobile home park, all utility lines including those for electricity and telephone service shall be installed underground.

- G. Within each mobile home park there shall be provided a fire protection system approved by the Ohio Department of Health and the local fire authority. Standard fire hydrants should be located within four hundred (400) feet of all mobile homes. If standard fire hydrants are not feasible, there shall be installed within three hundred (300) feet of each mobile home lot a two (2) inch frost protected riser with a two and one-half (2 1/2) inch hose connection. Portable fire extinguishers should be provided at convenient and accessible locations.

11. REVISIONS AND ENFORCEMENT

11.1 RECORDING OF PLAT.

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

11.2 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 the Regional Planning Commission and endorsed in writing on the plat, unless said plat is first resubmitted to the Commission in accordance with Section 3.5.

11.3 PENALTIES.

The following penalties shall apply to the violation of these regulations.

- 11.3.1 Whoever willfully violates these regulations or fails to comply with any order issued pursuant thereto, shall forfeit and pay not less than ten (10) nor more than one thousand (1,000) dollars. Such sum may be recovered with costs in a civil action brought in the County of Common Pleas in Fairfield County by the legal representative of Fairfield County and for the use thereof.
- 11.3.2 The County Auditor and the County Recorder shall not transfer property or record deeds or leases which attempt to convey property contrary to the provisions of these regulations. In case of doubt, the County Auditor or County Recorder may require the person presenting such deed or lease to give evidence of the legality of a conveyance by metes and bounds by an affidavit as to the facts which exempt such conveyance from the provisions of these regulations.
- A County Recorder who records a plat contrary to these regulations shall forfeit and pay not less than one hundred (100) 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 Fairfield County.
- 11.3.3 Whoever, being the owner or agent of the owner of any land, willfully transfers any lot, parcel, or tract of such land from or in accordance with a plat of a subdivision as specifically defined in these regulations, before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than ten (10) 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.
- Such sum may be recovered in a civil action brought by the prosecuting attorney, of Fairfield County in the name of the County and for the use of the road repair fund thereof.
- 11.3.4 Any person who disposes of, offers for sale, or leases for a time exceeding five (5) years, any lot or any part of a lot, in a subdivision with intent to violate these regulations shall

forfeit and pay the sum of not less than ten (10) 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.

11.4 VARIANCES.

The following regulations shall govern the granting of variances:

- A. Where the Regional Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations, due to exceptional topographic or other physical conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community. Such variations shall not have the effect of nullifying the intent and purpose of these regulations, the comprehensive plan, or the zoning resolution, if such exists.
- B. In granting variances or modifications, the Regional Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.
- C. Fees for variances and/or appeals shall be required as set forth in Section 14.16 of Appendix B.

11.5 APPEAL OF DECISION OF RPC

Any person who believes they have been aggrieved by the regulations or the action of the Regional Planning Commission, has all the rights of appeal as set forth in Chapter 711 and Chapter 2506 of the Ohio Revised Code or any other applicable section of the Ohio Revised Code.

11.6 APPEAL OF DECISION OF RPC EXECUTIVE DIRECTOR

Any person who believes that they have been aggrieved by an opinion of the Director of the RPC regarding the Director's Interpretation of these regulations may appeal in writing the director's interpretation to the RPC. Notice of such appeal shall be given to the RPC within thirty (30) working days of such interpretation and at least fifteen (15) working days before such appeal is presented to the RPC for consideration. Such appeal shall be in writing and shall state the Title and Section of the regulations being appealed, as well as their interpretation of such regulation and why they believe the Director's interpretation is erroneous.

12. DEFINITIONS

For the purpose of these regulations, the following items are defined.

ALLEY

A public or private dedicated right-of-way not less than twenty (20) feet wide serving as a secondary means of access to the property.

APARTMENT

Three (3) or more dwelling units in one (1) structure.

BEST MANAGEMENT PRACTICES (BMP)

Schedules of activities, prohibition of practices, maintenance procedures, and other best management practices (both structural and non-structural) to prevent or reduce the pollution of surface waters of the state. BMP's also include treatment requirements, operating procedures, and practices to control construction site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage.

BLOCK

A parcel of land bounded or intended to be bounded on all sides by a street or streets.

BUILDING SETBACK LINE

A line indicating the minimum horizontal distance between the street right-of-way and any building. In cases where the proposed width of a street as set forth in the Fairfield County Thoroughfare Plan differs from that of the existing street, the building setback line shall be measured from the proposed street right-of-way line. The building setback shall comply with Table IV.

CHANNEL

A natural stream that conveys water; a ditch excavated and/or constructed for the flow of water.

CLEARING

The grubbing, scraping, scalping, removal of trees and stumps, and removing and disposing of vegetation and debris within the site, and shall include the conditions resulting therefrom.

COMPREHENSIVE PLAN

The long range plan when and if adopted and as it may be amended from time to time by the Regional Planning Commission providing for the general location of the principle streets, parks, zoning districts, schools, and other public buildings, and other long range aspects of physical planning.

CONSTRUCTION

The erection, alteration, repair, renovation, demolition or removal of a building or structure; and the clearing, stripping, excavating, cutting, filling, grading, and regulation of sites in connection therewith.

COUNTY

Fairfield County, State of Ohio.

COUNTY BOARD OF COMMISSIONERS

Administrative authority of Fairfield County.

COUNTY ENGINEER

The Engineer of Fairfield County, or his designated agent.

COUNTY SANITARY ENGINEER

The Sanitary Engineer of Fairfield County or his designated agent.

CROSSWALK

A ten (10) foot dedicated public right-of-way which cuts across a block to provide pedestrian access to adjacent areas.

CUL-DE-SAC

A short local street, having (1) end open to motor traffic, the other end being terminated by a vehicular turn-around.

DEAD END STREET

A street right-of-way having one (1) outlet for motor traffic and not containing a permanent vehicular turnaround.

DENUDE

The act of stripping, scraping, and/or scalping a site of vegetation, thus exposing bare soil.

DETENTION

The capture, collection, and subsequent slow release of Stormwater runoff; the primary purpose of which is to mitigate increases in Stormwater runoff rates, providing protection, whether complete or partial, to down-slope areas, from the adverse effects of increased runoff rates.

DEVELOPER

Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing procedures under these regulations to the development of land for himself or for another.

DEVELOPMENT

Any man-made change to improve or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DEVELOPMENT AREA

An area owned by an individual, firm, or association being developed as a single phase or multiple phases (units) and used or being developed or redeveloped, for non-farm commercial, industrial, residential or other non-farm purposes upon which earth disturbing/land disturbance activities are planned or underway.

EARTH DISTURBANCE

Any grading, pushing, piling, throwing, unloading, or placing of fill material, composed of earth, soil, rock, sand, gravel, or demolition material.

EASEMENT

A grant by the owner of land for a specific use such as public utilities.

ENGINEER

An individual authorized to practice civil engineering as defined by Occupations-Professions of the State of Ohio, due to his or her registration in said state.

EROSION

- A. The wearing away of the land surface caused by running water, wind, ice or other geological agents, including such processes as gravitational creep.
- B. Detachment and movement of soil or rock fragments by wind, water, ice or gravity.

EXEMPTED

"Exempted" as utilized in Section 1.4.1 and 1.4.2 of these regulations shall mean that the parcel or tract being created does not constitute a minor subdivision as referenced in Section 2.1 of these regulations. However, said division of property shall be subject to normal processing by the Regional Planning Commission. Furthermore, the division of property must comply with all zoning requirements.

FINISHED GRADE

The grade or elevation of the ground surface conforming to the site grading plan.

FRONTAGE

Frontage shall mean the minimum frontage required by the appropriate zoning or subdivision regulations, whichever is greater, but in no case shall it be less than sixty (60) feet. Frontage further means that portion of a lot or tract of land which directly abuts a public road and has access thereto.

GRADING

The stripping, cutting, filling, stockpiling, or any combination thereof of earth disturbing activities, including land in its cut or filled conditions.

GRUBBING

Any activity which removes or significantly disturbs the root matter within the ground.

HAZARD

Any danger to public health, welfare, and safety including exposure to risk or damage to property of liability for personal injury; or risk of harm to land, air or water resulting in environmental degradation. Hazards can include flooding and ponding, compaction and settling, landslides, earthquakes, toxic chemicals, radiation, fire and disease.

IMPROVEMENTS

Street pavements, with or without curb and gutter, walks, sanitary, storm, and water lines, erosion control, or any other appropriate items.

INSPECTOR

Duly authorized agent of the County Engineer, County Sanitary Engineer, and Fairfield Soil and Water Conservation District.

JOG

A jog is where two parallel streets intersect with a common street with an off-set of the centerlines of less than two hundred and fifty (250) feet.

KEY MAP

A drawing at a reduced scale, located on the final map, which shows enough of the general area around the subdivision in question so as to locate and orient said subdivision.

LAND-DISTURBING ACTIVITIES

Any land change that may result in soil erosion from water or wind and the movement of sediment into waters or onto lands, including but not limited to, clearing, grading, excavating, transporting and filling of land, and installation of utilities.

LAND USE PLAN

The long range plan for the desirable use of land in Fairfield County as officially adopted, and as amended from time to time by the Regional Planning Commission.

LOT

A piece, parcel, or tract of land not including any street right-of-way occupied or intended to be occupied by a principle building or a group of such buildings and accessory buildings or utilized for a principle use and uses accessory thereto, together with the required open spaces and having a minimum frontage of sixty (60) feet on a public street.

LOT, CORNER

A lot abutting upon two (2) or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street form an interior angle of less than one hundred and thirty-five (135) degrees. The point of intersection of the street lines is the "corner".

LOT, THROUGH

A through lot is a lot other than a corner lot with frontage on more than one (1) street.

MOBILE HOME

Any non-self propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so construed as to permit its being used as a conveyance upon the public streets and highways.

MORE THAN FIVE (5) ACRES

The term more than five (5) acres shall mean a minimum of 5.01 acres.

MULCHING

The application of suitable materials on the soil surface to conserve moisture, hold soil in place, and aid in establishing plant cover.

NEIGHBORHOOD PLAN

A neighborhood unit predesigned prior to the subdivision of most of the land area, for purposes of indicating the general location of the different land uses and streets.

NEIGHBORHOOD UNIT

An area of land urban in character and bounded or traversed by major traffic arteries or other barriers to contain its own school, church, shopping district, and recreation areas.

MAP

The scaled representation of a parcel of land or a sub-division.

MAY

May is permissive and not mandatory.

ODOT CMS

An abbreviation for Ohio Department of Transportation, Construction and Materials Specifications.

OWNER

The person in whom is vested the fee ownership, dominion, or title of property, i.e. the proprietor. The word "owner", when applied to property, shall include any part-owner or joint owner of the whole or any part of such property.

PERMANENT STABILIZATION

The establishment of permanent vegetation, decorative landscape mulching, matting, sod, rip rap, and landscaping techniques to provide permanent erosion control on areas where construction operations are complete or where no further disturbances is expected for at least one year.

PLAT FINAL

A final map of the subdivider's plan of subdivision, or an area which has or is about to be subdivided by means of recording a final plat.

POLLUTION

The man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of air, water or soil resources.

RAINWATER AND LAND DEVELOPMENT

A manual describing construction and post-construction best management practices and association specifications. A copy of the manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil & Water Conservation.

RETENTION

The collection and storage of Stormwater runoff without subsequent discharge other than through infiltration into the ground or evaporation.

RIGHT-OF-WAY

The land between property lines utilized as street, alley, or crosswalk.

RUNOFF

The portion of rainfall, melted snow, or irrigation water that flows across the ground surface and eventually is returned to streams, rivers, lakes, and ponds. That part of the precipitation which runs off the surface of a drainage area after all abstractions are accounted for.

SEDIMENT

Solid material, both mineral and organic, that is or was in suspension, is being or has been transported, or has been from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface either above or below water.

SEDIMENT BASIN

A facility such as a depression storage area, a pond or trap, barrier, dam or other suitable detention facility built across an area of water flow to settle by gravity or filtration and retain sediment carried by surface drainage runoff water.

SEDIMENT CONTROL PLAN

A written description, in graphical and descriptive terms, subject to review and approval by the approving agency, of methods for controlling sediment pollution from accelerated erosion of a development area of one or more contiguous acres.

SHALL

Shall means mandatory; not permissive.

SITE

Any lot or parcel, or a series of lots or parcels of land adjoining, or joined together under one ownership where clearing, stripping, grading or excavating is performed.

SLIP (LANDSLIDE)

The rapid downward and outward movement of large rock material and/or soil mass under the influence of gravity in which the movement of soil mass occurs along an interior surface of sliding.

SLOUGHING

A slip or downward movement of an extended layer of soil resulting from the undermining action of water the earth-disturbing activity of man.

SPECIFICATIONS AND STANDARDS

Those specifications and standards, as determined by the Board of Fairfield County Commissioners, which shall govern the construction of the subdivision within the jurisdiction of these regulations.

STABILIZATION

The prevention of soil movement by any vegetative and/or structural means.

STAFF

A group of individuals employed by the Regional Planning Commission for service rendered to the Regional Planning Commission within the realm of planning.

STORM WATER (STORMWATER)

Water runoff resulting from storm events, including snow melt, surface water runoff and drainage.

STREAM

A body of water running or flowing on the earth's surface or a channel in which such flow occurs. Flow may be seasonally, ephemeral, intermittent, or perennial.

STREET

A public right-of-way, normally fifty (50) feet or more in width, which provides a public means of access to abutting property. The term street shall include avenue, drive, circle, road, lane, court, parkway, boulevard, highway, thoroughfare, or any other similar term.

STREET, COLLECTOR

A collector street functions to conduct traffic between major streets and/or activity centers. It is a principle traffic artery within residential areas and carries relatively high volume. For the purposes of these regulations, any street projected to carry between 1,500-2,999 trips per day may be designated a collector street.

STREET, COMMERCIAL-INDUSTRIAL

A public thoroughfare designated for a particular use, such as serving commercial-industrial areas, and not classified within the street grouping as listed above.

STREET, LOCAL

A local street is a short or low volume street, or cul-de-sac. The primary purpose of a local street is to conduct traffic to and from dwelling units to other streets within the

hierarchy. For the purposes of these regulations, any street projected to carry between 1-1,499 trips per day may be designated a local street.

STREET, MAJOR AND MINOR ARTERIAL

An officially designated Federal or State numbered highway or county or other road designated as a major thoroughfare on the official Thoroughfare Plan, or a county or other road designated as a secondary thoroughfare on said plan respectively.

STREETS, MARGINAL ACCESS

A minor street which is generally parallel and contiguous to an expressway, freeway, parkway, or any other major street, and is so designed as to intercept, collect, and distribute traffic desiring to cross, enter, or leave such traffic artery and which provides access to abutting properties and protection from through traffic. Marginal access streets shall be designed to local street standards.

STRIPPING

Any activity which removes or significantly disturbs the vegetative surface cover.

SUBDIVIDER

Any person, persons, or corporation or duly authorized agent who undertakes the subdivision of land.

SURFACE WATERS OF THE STATE

Means all streams, lakes, reservoirs, ponds, marshes, wetlands, or other waterways which are suited wholly or partly within the boundaries of the state, except those private waters which do not combine or effect a junction with surface water. Waters defined as sewage systems, treatment works or disposal systems in Section 6111.01 of the ORC are not included.

SURVEYOR

A registered surveyor as defined by the "Registration Act of the State of Ohio".

TEMPORARY STABILIZATION

The establishment of temporary vegetation, mulching, geotextiles, sod, preservation of existing vegetation and other techniques capable of quickly establishing cover over disturbed areas to provide erosion control between construction operations.

THOROUGHFARE PLAN

The official Thoroughfare Plan as adopted and as amended from time to time by the Commission, establishing the general location and official right-of-way widths of the major and secondary highways and thoroughfares in Fairfield County and which is on file in the office of the County Recorder and the Commission.

THREE (3) MILE AREA

An area measured from the City limits of any City of Fairfield County to a line three (3) miles out.

TOPSOIL

Surface and upper surface soils which presumably are darker colored, fertile soil materials, ordinarily rich in organic matter or humus debris.

URBAN AREA

The urban area shall be that area designated for future expansion on the officially adopted Comprehensive Plan.

WASTEWATER TREATMENT

A term used interchangeably with sewage treatment.

13. APPENDIX A - TABLES AND EXHIBITS

The following tables and exhibits shall constitute an integral part of these regulations, in addition to various standard construction drawings as contained in the latest editions of the Fairfield County Water, and Sewer Regulations, Fairfield County Stormwater Design Manual, and Fairfield County Roadway Design Manual.

Tables I through III are incorporated in this appendix by reference and as provided in Title IV, Sections 4.5, 4.6, and 4.7 of these regulations.

TABLES

- IV Street Classifications – Required Width in Feet
- V Minimum Lot Size Requirements Based on Slope

EXHIBITS

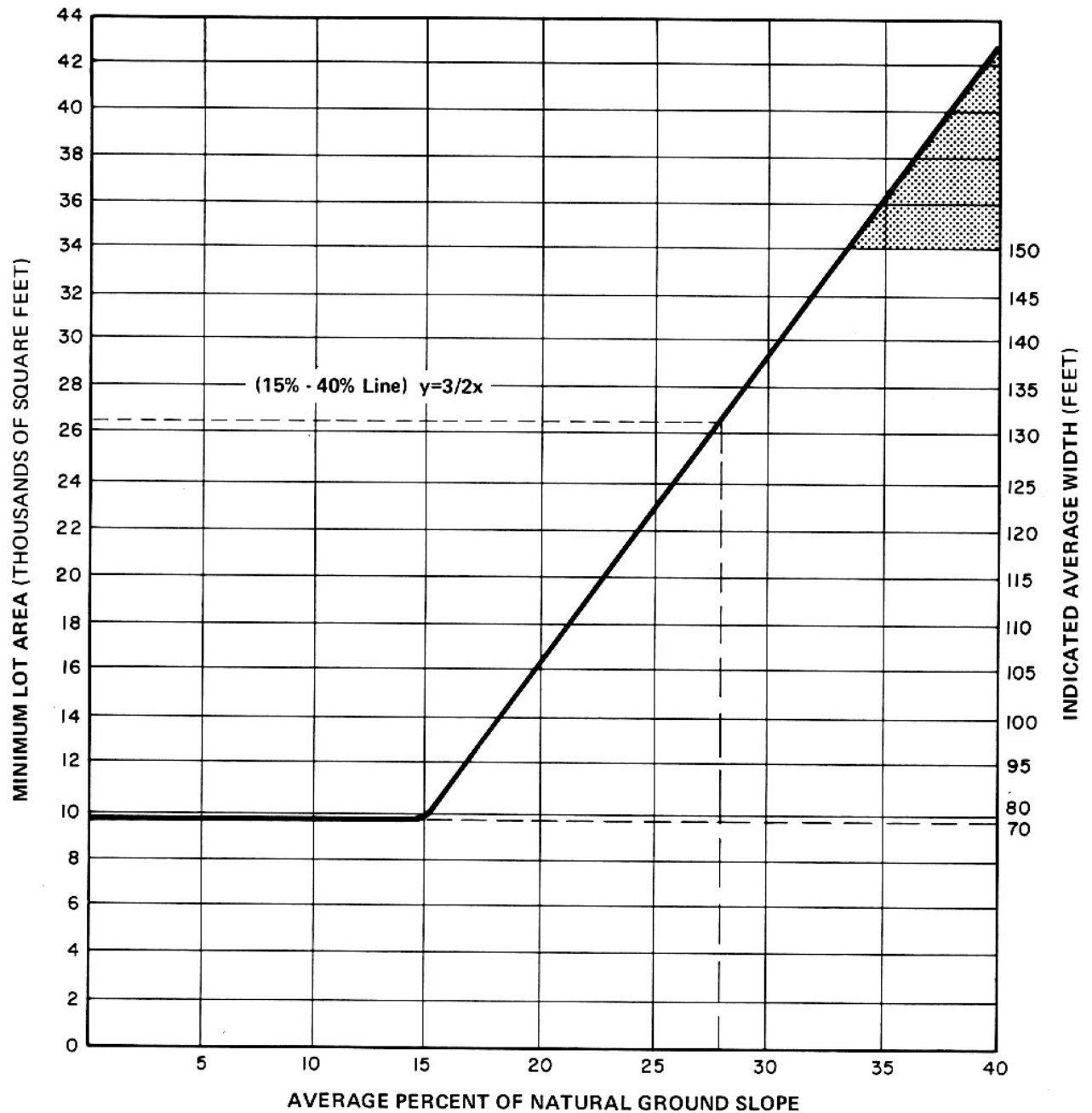
- 1 Permanent/Temporary Cul-de-Sac Requirements

TABLE IV: SUBDIVISION STREET CLASSIFICATION - Required Width in Feet

Subdivision Street Classification	ADT Range	Minimum Right-of-way Dedication (ft)		Minimum Pavement Width (ft)		Setback Requirements**	
		With Curb and Gutter	Without Curb and Gutter	With Curb and Gutter	Without Curb and Gutter	With Curb and Gutter	Without Curb and Gutter
Major Arterial	>6000	100	100	27 & 27	24 & 24	40	55
Minor Arterial	3,000-5,999	80	80	51	48	40	55
Collector	1,500-2,999	60	72	36	28	35	50
Local	1-1,499	50	60	28	24	35	40
Commercial - Industrial	-	72	72	36	28	35	50

TABLE V

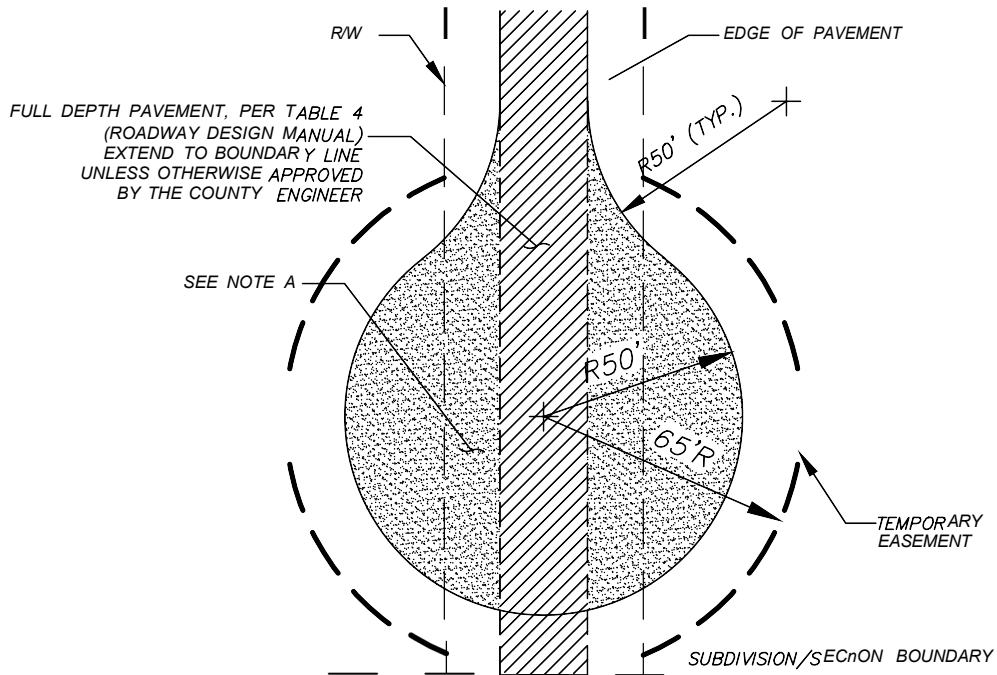
MINIMUM LOT SIZE REQUIREMENTS BASED ON SLOPE



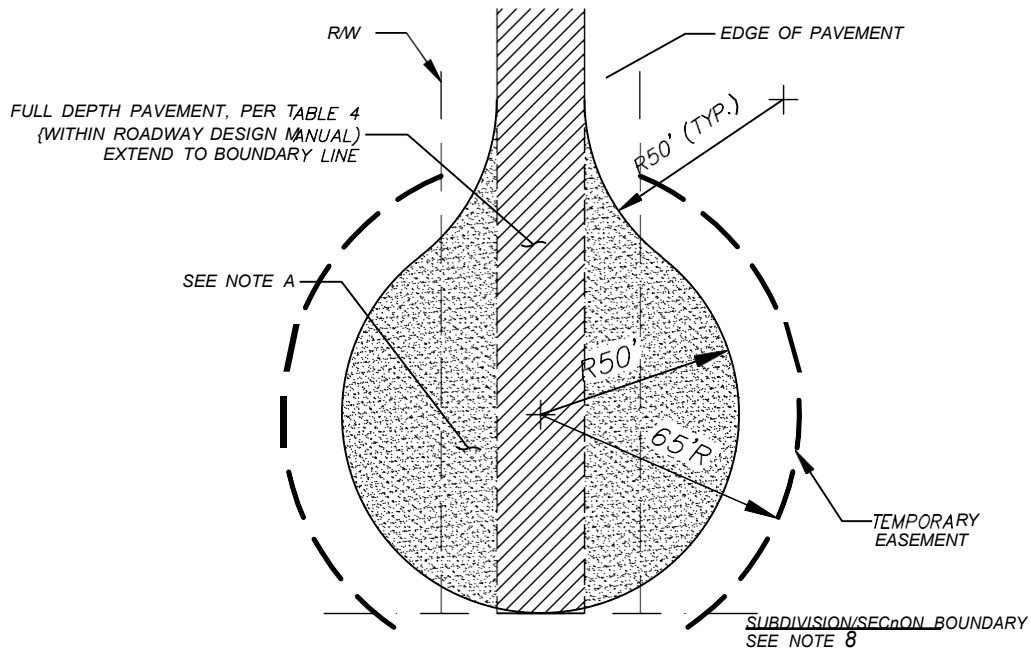
EXAMPLE: As indicated above, the minimum lot size for a single-family house on a lot with an average slope of 28 percent is 26,000 sq. ft. The minimum lot width is 130 feet. The resulting lot depth is 200 feet $\left(\frac{26,000}{130} = 200 \right)$

FAIRFIELD COUNTY SUBDIVISION REGULATIONS

*TO BE USED IF ADJACENT LOT IS UNDER A DIFFERENT OWNERSHIP.



*TO BE USED IF ADJACENT LOT IS UNDER THE SAME OWNERSHIP,



-NOTE A: TEMPORARY CUL-DE-SAC - IF A PRELIMINARY PLAN HAS NOT BEEN APPROVED SHOWING THE FUTURE EXTENSION OF THE STREET, THE TURNAROUND SHALL BE CONSTRUCTED WITH THE SAME PAVEMENT BUILD UP AS SHOWN IN TABLE 4 (WITHIN THE ROADWAY DESIGN MANUAL). IF A PRELIMINARY PLAN HAS BEEN APPROVED SHOWING THE FUTURE EXTENSION OF SAID STREET, THE TURN AROUND MAY BE CONSTRUCTED WITH 6 INCHES OF ITEM 304 (ODOT CMS).

-PERMANENT CUL-DE-SAC SHALL BE PAVED ACCORDING TO TABLE 4 WITHIN ROADWAY DESIGN MANUAL.

PERMANENT/TEMPORARY CUL-DE-SAC REQUIREMENTS

EXHIBIT 1
REV. 12-03-24

14. APPENDIX B - ADMINISTRATION

14.1 PRELIMINARY PLAN SUBMISSION - DEADLINES AND REVIEW PERIOD

A preliminary plan shall be reviewed and acted upon by the Regional Planning Commission provided all applicable items for submission have been received by the Commission at least thirty (30) days prior to a regularly scheduled Regional Planning Commission meeting. Said meetings are generally held the first Tuesday of each month. A preliminary plan submitted at least twenty (20) days prior to a regularly scheduled Commission meeting may, at the sole discretion of the Director, be added to the agenda if completely processed prior to the meeting. A preliminary plan shall be acted upon by the Regional Planning Commission within sixty (60) days of the day it is officially filed or as required by the Ohio Revised Code, or the plan will be considered approved.

14.2 ITEMS REQUIRED FOR SUBMISSION.

The following items shall be submitted in the required quantity, together with the applicable filing fee and other items as may be necessary:

ITEM NUMBER	ITEM	NUMBER OF COPIES
1	Application	1
2	Private Covenants, if applicable	1
3	Vicinity Sketch	1
4	Storm Drainage Plan	5
5	ODNR Letter, if applicable	1
6	Dated and Completed Health Department Application, if applicable.	1
7	Soil Report and Supplemental Soil Map, if applicable.	2
8	Traffic Study, if applicable.	3
9	Preliminary Plan	20
10	Subdivision Fee	(See Section 3)
11	Preliminary Plat Checklist	20

It is recommended that the developer submit sketch plans and/or consult informally with the staff prior to submission of the preliminary plan for official review. If on-lot water and/or wastewater treatment systems are proposed, it is recommended that the developer consult the Fairfield County Health Department prior to submitting the preliminary plan.

14.3 PLAN REVIEW BY OFFICIALS.

Within three (3) working days after receiving the preliminary plan and accompanying items, the staff will refer one or more copies of the preliminary plan and other data as necessary to the following officials for their recommendations:

- A. County Engineer for review of plan and improvements.
- B. County Sanitary Engineer for review of sanitary sewer and water lines.
- C. Fairfield County Health Department, where involved, for review of on-site water supply and/or wastewater disposal.
- D. Local School District.
- E. Political Subdivision where located or adjacent too.
- F. State Highway Director, where applicable.
- G. Fairfield Soil and Water Conservation District for report on soils, drainage, and erosion and sediment control plans.
- H. Utility Companies for report on easements.
- I. Conservancy District, where applicable.

14.3.1 Review Report.

Within ten (10) business days, excluding Fairfield County observed holidays, after receiving the plan, each agency listed in Section 14.3 above, is requested to prepare and present to the staff a written report containing specific information concerning the plan. If an agency does not provide written comments within the time limit nor requests further review time, the preliminary plan will be considered acceptable to that agency.

14.4 SUBDIVISION REGULATIONS COMMITTEE REVIEW AND REPORT.

The Subdivision Regulations Committee, acting in its capacity of technical review committee on behalf of the RPC, shall review the plan prior to a regular RPC meeting. Said meeting shall normally be scheduled one week prior to a regularly scheduled meeting of the Commission. The staff, upon consultation with the Subdivision Regulations Committee, will prepare a report and recommendation on the plan to be presented to the Commission for their consideration.

14.5 APPROVAL POLICY.

14.5.1 In the case of a plan for which a favorable report and recommendation has not been received, the policy of the Commission shall be to take one of the following actions.

- A. To disapprove the plan on the basis of specific plan deficiencies or regulations which have not been met.
- B. To table the plan, upon the applicant's request, until deficiencies have been adequately addressed and all regulations and requirements have been satisfied. The preliminary plan, when re-submitted, shall be subject to the re-submittal fees listed in Appendix B, Section 14.11 – 14.18.

- C. To grant conditional plan approval which will constitute "approval in principle" where the Commission believes that the problems or deficiencies can be resolved. Such approval may consider the intent of the developer to resolve such problems. Such "approval in principle" will give the subdivider reasonable assurance that, after the specific problems have been resolved, the plan will be given favorable consideration.
- D. In acting on a preliminary plan, the Fairfield County Regional Planning Commission may concur with, reject, or modify a recommendation of the Subdivision Regulations Committee.

14.6 REVISIONS AND ADDITIONAL PRINTS.

After the preliminary plan is approved, the subdivider shall, if any changes have been required, submit five (5) corrected prints of the revised version to the Regional Planning Commission staff. If additional prints are not submitted, the final plat will not be processed.

14.7 FINAL PLAT SUBMISSION.

A final plat shall be acted upon by the Regional Planning Commission provided the following applicable items have been submitted thirty (30) days prior to a regularly scheduled Commission meeting. Required items for submission are as follows:

ITEM NUMBER	ITEM	NUMBER OF COPIES
1	Application	1
2	Improvement Plan	10
3	Recommended Erosion and Sedimentation Plan	10
4	Estimate of Cost	4
5	Final Plat	20
6	Subdivision Fee	(See Section 3)
7	Final Plat Checklist	20
8	Construction Drawing Checklist	10

A final plat submitted at least twenty (20) days prior to a regularly scheduled meeting of the Commission may be added to the agenda if completely processed prior to the meeting.

Improvement plans are encouraged to be submitted for comment and/or approval prior to submission of the official final plat. Seventy percent (70%) of the final plat fee shall be submitted at such time as the improvement plans are submitted if prior to final plat submission.

14.8 FINAL PLAT REVIEW.

The Regional Planning Commission's staff will distribute the necessary copies of the above items to the agencies involved. Agencies shall have ten (10) business days, excluding Fairfield County observed holidays, for final plat review once all required submittal items are received and distributed by the Regional Planning Commission. If an agency does not provide written comments within the time limit nor requests further review time, the final plat will be considered acceptable to that agency.

14.9 APPROVAL POLICY.

In case a final plat is submitted without favorable reports, the policy of the Commission shall be as follows:

- A. To deny the plat if favorable reports are not forthcoming in the opinion of the Commission.
- B. To table the plat, at the applicant's request, if favorable reports are anticipated. The final plat, when re-submitted, shall be subject to the re-submittal fees listed in Appendix B, Section 14.11 – 14.14.
- C. To conditionally approve the plat if minor items which the subdivider clearly expresses a willingness to correct are the only problems.
- D. In acting on a final plat, the Fairfield County Regional Planning Commission may concur with, reject, or modify a recommendation of the Subdivision regulations Committee.

14.10 ITEMS REQUIRED PRIOR TO CERTIFICATION.

Development agreement, improvement assurances, and required inspection fees shall be received prior to certification of any final plat for recording.

14.11 SUBDIVISION FEES.

The following processing fees shall be paid to the Fairfield County Regional Planning Commission upon application for the approval of any subdivision.

14.11.1 Minor Subdivisions.

- A. Conventional Minor Subdivisions - \$125.
- B. Exempt Tract Processing - \$125.
- C. Reapproval of Minor Subdivisions - \$125.

14.11.2 Major Subdivisions - Conventional.

Residential Or Other Non-Commercial or Industrial Subdivisions.

- A. Preliminary Plan - \$2,000 plus \$85 per lot.
- B. Final Plat - \$3,000 plus \$125 per lot.
- C. Replat – Type 1 \$3,000 – Type 2 \$1,500.
- D. Resubmission of utility drawings - \$250.

- E. Re-submission of a Tabled Preliminary Plan or Final Plat.
 - i. First Re-submission – No additional fee.
 - ii. Second Re-submission – 50 percent of the applicable preliminary plan or final plat flat fee.
 - iii. Third Re-submission – 100 percent of the applicable preliminary plan or final plat flat fee.
 - iv. Each re-submittal thereafter – 150 percent of the applicable preliminary plan or final plat flat fee.

14.11.3 Commercial and Industrial Subdivisions.

- A. Preliminary Plan - \$2,000 plus \$85 per acre.
- B. Final Plat - \$3,000 plus \$125 per acre.
- C. Replat – Type 1 \$3,000 – Type 2 \$1,500.
- D. Resubmission of utility drawings - \$250.
- E. Re-submission of a Tabled Preliminary Plan or Final Plat.
 - i. First Re-submission – No additional fee.
 - ii. Second Re-submission – 50 percent of the applicable preliminary plan or final plat flat fee.
 - iii. Third Re-submission – 100 percent of the applicable preliminary plan or final plat flat fee.
 - iv. Each re-submittal thereafter – 150 percent of the applicable preliminary plan or final plat flat fee.

14.14 PLANNED UNIT DEVELOPMENTS.

14.14.1 Residential.

- A. Preliminary Plan - \$2,000 plus \$85 per dwelling unit.
- B. Final Plat - \$3,000 plus \$125 per dwelling unit.
- C. Replat – Type 1 \$3, 000 – Type 2 \$1,500.
- D. Resubmission of utility drawings - \$250.
- E. Re-submission of a Tabled Preliminary Plan or Final Plat.
 - i. First Re-submission – No additional fee.
 - ii. Second Re-submission – 50 percent of the applicable preliminary plan or final plat flat fee.
 - iii. Third Re-submission – 100 percent of the applicable preliminary plan or final plat flat fee.

- iv. Each re-submittal thereafter – 150 percent of the applicable preliminary plan or final plat flat fee.

14.14.2 Commercial And Industrial.

- A. Preliminary Plan - \$2,000 plus \$85 per acre.
- B. Final Plat - \$3,000 plus \$125 per acre.
- C. Replat – Type 1 \$3,000 – Type 2 \$1,500
- D. Resubmission of utility drawings - \$250.
- E. Re-submission of a Tabled Preliminary Plan or Final Plat.
 - i. First Re-submission – No additional fee.
 - ii. Second Re-submission – 50 percent of the applicable preliminary plan or final plat flat fee.
 - iii. Third Re-submission – 100 percent of the applicable preliminary plan or final plat flat fee.
 - iv. Each re-submittal thereafter – 150 percent of the applicable preliminary plan or final plat flat fee.

14.14.3 Combined Use Development.

Combined Commercial, Industrial, and Residential Planned Unit Developments will pay a fee based on a combination of 3.3.1 and 3.3.2. However, the base fees will be applied only once for a combination.

14.15 EXTENSIONS.

14.15.1 Request for extension of Preliminary Plan approval - \$500.00.

14.15.2 Request for extension of Final Plat approval - \$300.00.

14.16 VARIANCES AND/OR APPEALS.

14.16.1 Request for minor subdivision variance - \$100.00.

14.16.2 Request for major subdivision variance - \$150.00.

14.16.3 Appeals - \$100.00.

14.17 RECREATION FEE.

14.17.1 Residential Subdivision - \$50.00 per lot.

14.17.2 Planned Unit Development - \$50.00 per dwelling unit.

14.17.3 Commercial or Industrial - \$100.00 per acre.

14.18 GENERAL.

All fees shall be made payable to the Fairfield County Regional Planning Commission for coordination and appropriate distribution.

14.18.1 INSPECTION FEE.

- A. The County Engineer's office shall collect five percent (5%) of the Engineer's cost of the total street and storm sewer improvements.
- B. The County Utilities Department shall collect five percent (5%) of the Engineer's cost of the total sanitary and water improvements and one percent (1%) of the Engineer's cost estimate plan review fee, but not less than six hundred dollars (\$600.00).
- C. The Fairfield Soil and Water Conservation District shall collect \$3,000 plus \$100 per lot (\$100 per acre for non-residential subdivisions) for the inspection of erosion control measures.
- D. The inspection fee shall cover the costs of items relating to inspection including, but not be limited to, contracting, inspection, and record keeping. Each inspecting agency shall charge five percent (5%) of what is expended for inspection as an administrative fee.

14.19 DRAWING STANDARDS.**14.19.1 DRAWINGS.**

The construction drawings and plats shall be printed with india ink on substantial and distinct material from which clear and legible prints may be obtained. Freehand linear drawings should not be attempted. The finished drawings may be reproduced from an original mylar and shall conform with the following standards. A poorly drawn or illegible plan is sufficient cause for rejection.

14.19.2 LETTER STANDARDS.

- A. Location or index maps will have a minimum size of 1/16" lettering.
- B. Summary sheets, calculation sheets, quantity boxes and/or lists and general notes will have a minimum size of 5/32".
- C. All other lettering will be a minimum of 1/8".
- D. Lettering within lined areas, such as a quantity box, should at no time come in contact with any of these lines.
- E. Letters should be properly spaced so that a crowded condition does not exist.

14.19.3 LINE STANDARDS.

- A. "O" (Rapidograph pen size) is minimum and can only be used for dimension lines, X-hatching and index map.
- B. All other lines and lettering will be a minimum of "1" (Rapidograph pen size).
- C. All lines will be of uniform weight and density.
- D. 1/16" is the minimum distance between two or more adjacent lines, even though an out of scale condition might exist.
- E. X-hatching is one direction only.

14.19.4 GENERAL STANDARDS.

- A. No shading or coloring.
- B. Drawing background shall be light and uniform in color and the lines and lettering shall be dark and opaque to provide for optimum contrast.
- C. All lines and lettering will be on the face of the drawing material.

15. APPENDIX C - APPLICATION FORMS AND SAMPLE DOCUMENTS

15.1 APPLICATION FOR APPROVAL OF PRELIMINARY PLAN.

15.2 APPLICATION FOR APPROVAL OF FINAL PLAT.

15.2 APPLICATION FOR APPROVAL OF REPLAT.

APPLICATION FOR APPROVAL OF PRELIMINARY PLAN
FAIRFIELD COUNTY, OHIO

Date _____

1. Name of Applicant _____
Address _____
Phone _____

2. Name of Surveyor _____
Contact Person _____
Address _____
Phone _____

3. Name of Engineer _____
Contact Person _____
Address _____
Phone _____

4. Name of Subdivision _____

5. Location: Section _____ Township No. _____
 Range _____ Township _____

6. Subdivision Plan
Type of Development (Commercial/Residential) _____
Number of Residential Lots _____
Typical Lot Width and Depth _____
Total Area (acres) _____
Industrial Area (acres) _____
Business Area (acres) _____
Park Area (acres) _____
Other (acres) _____

7. Present Zoning District _____
Proposed Zoning District _____

8. Do you propose deed restrictions? Yes _____ No _____

9. What type of sewage disposal do you propose? _____

10. List of materials submitted with this application:

	<u>Number</u>
A. Health Department Soil Tests	_____
B. Private Covenants	_____
C. Vicinity Sketch	_____
D. Preliminary Storm Drainage Plan	_____
E. Health Department Approval	_____
F. Preliminary Plan	_____
G. Fee	\$ _____
H. Other Materials	_____

I recognize the fact that Section 711.10 of the Ohio Revised Code provides that “the approval of the planning commission or the refusal to approve shall be endorsed on the plat within thirty days after the submission of the plat for approval, or within such further time as the applying party may agree to”.

In relation to the above, I find it in my best interest to consider this Preliminary Plan submission as pre-submission guidance rather than the submission of a plat. I further agree that the thirty day approval period shall not commence until after consideration of the Preliminary Plan by the Regional Planning Commission and submission of the Final Plat based upon the approved Preliminary Plan.

Applicant

Surveyor or Engineer

FOR RPC ADMINISTRATION

Date Received _____

Date of Meeting to be Considered at _____

Action by Planning Commission _____

APPLICATION FOR APPROVAL OF FINAL PLAT
FAIRFIELD COUNTY, OHIO

1. Name of Applicant _____
Address _____
Phone _____
2. Name of Surveyor _____
Contact Person _____
Address _____
Phone _____
3. Name of Engineer _____
Contact Person _____
Address _____
Phone _____
4. Name of Subdivision _____
5. Date Preliminary Plan Approved _____
6. Revised Preliminary Plan Submitted? Yes _____ No _____
(Must be submitted before action on final plat.)
7. Number of Residential Lots within the Preliminary Plan _____
Number of Residential Lots within the Approved Final Plat _____
8. Subdivision Plat:
A. Total Area _____
B. Area in Lots _____
C. Area in Streets _____
D. Lineal Feet of Streets _____
E. Area Dedicated for Public _____
9. List other materials submitted:
A. Improvement Plan _____
 (1) Construction Drawing _____
 (2) Erosion and Sedimentation Plans _____
B. Metes and Bounds Description _____
C. Final Plat _____
D. Development Agreement _____
E. Improvement Assurance _____
F. Cost Estimate _____
G. Inspection Fee \$ _____
H. Subdivision Fee \$ _____

FOR RPC ADMINISTRATION

Date Received _____
Date of Meeting to considered at _____
Action of Planning Commission _____

APPLICATION FOR APPROVAL OF REPLAT
FAIRFIELD COUNTY, OHIO

1. Name of Applicant (Property Owner) _____
Address _____
Email & Phone _____
2. Name of Surveyor (Company) _____
Contact Person _____
Address _____
Email & Phone _____
3. Name of Engineer (Company) _____
Contact Person _____
Address _____
Email & Phone _____
4. Name of Subdivision on the recorded plat _____
7. Type of Replat (See [Section 3.5](#)) Type 1 ☐ Type 2 ☐
8. Replat Information:
 - a. Total Area (Acreage) _____
 - b. Number of new lots to be created _____
 - c. Area in New Streets _____
 - d. Lineal Feet of New Streets _____
 - e. Lineal Feet of New Water/Sewer Infrastructure _____
 - f. Type of Easements to be created or removed _____
 - g. Lineal Feet of Right-of-Way Dedication (if applicable) _____
9. List other materials submitted:
 - a. Replat _____
 - b. Improvement Plans (if applicable) _____
 - c. Cost Estimate _____
 - d. Subdivision Fee \$ _____

FOR RPC ADMINISTRATION

Date Received _____
Date of Meeting to considered at _____

Action of Planning Commission _____