

# Franklin County Subdivision Regulations



# Franklin County Subdivision Regulations

*For unincorporated areas of Franklin County, Ohio*

Adopted March 27, 2012



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# Chronology

## Franklin County Subdivision Regulations

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We especially appreciate the service of our public sector partner agencies. The professional staff at each agency serves the Franklin County community through consistent and fair administration of these regulations.

In appreciation and recognition, the following is a partial list of those involved in the amendments and in the administration of the Franklin County Subdivision Regulations:

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# 100 Introduction and Administration

## 101 Introduction - General

**101.01 Title and Jurisdiction.** The name of this document is "Subdivision Regulations of Franklin County, Ohio", henceforth referred to as "Regulations". These Regulations apply to the subdivision of land in unincorporated Franklin County, and may be applied to other development activities including but not limited to major subdivision construction activities and the platting of land as required by applicable zoning authorities. Subdivisions by land contract, court partition, divorce decree, will, pending annexation, or other means shall not be exempt from these Regulations.

**101.03 Authority and Enactment.** The Franklin County Planning Commission (FCPC) and the Board of Franklin County Commissioners approve and adopt these Regulations under provisions of Chapter 711 of the Ohio Revised Code (ORC), to become effective upon certification to the County Recorder. Henceforth, previous subdivision regulations shall be deemed repealed.

**101.05 Purpose.** These Regulations are adopted to:

- A. Secure and provide for the public health, safety and welfare;
- B. Manage growth and development in accordance with plans, policies and resolutions of the FCPC, county and townships and surrounding area plans;
- C. Provide for adequate and convenient open spaces for traffic, utilities, fire and maintenance forces, recreation, light and air;
- D. Provide for the preservation of natural resources, sensitive natural areas and natural features;
- E. Provide safety from fire, flood and other danger;
- F. To ensure proper legal descriptions and the monumenting of subdivided land;
- G. Address public requirements and facilities, traffic circulation, stormwater management, water and sanitary services, open space, airport noise and hazard areas;
- H. Provide for proper arrangement of streets, driveways, lots and reserves, in relation to the county thoroughfare plan, other thoroughfare plans, local land use plans and related documents; and
- I. To provide remedies for violations and a reasonable means of enforcing the subdivision regulations.



**101.07 Scope of Application.** Within the unincorporated areas of the County, these Regulations shall be applicable to:

- A. The division of any parcel of land indentified as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than twenty (20) acres for the purpose, whether immediate or future, of transfer of ownership.
- B. The improvement of one or more parcels of land, including large lot development, 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 streets; and
- C. The division or allocation of land as open space for common use by owners, occupants or leaseholders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

**101.09 Compatibility.** Subdivision proposals shall meet all applicable federal, state, FCPC, county, township and district laws, regulations, policies, established practices or procedures involving subdivision, health, floodplain, stormwater management, wetland, erosion, zoning, and, as applicable, other health, safety or welfare issues such as fire protection . *[NOTE: The following six townships in Franklin County administer their own zoning programs: Jackson, Jefferson, Perry, Plain, Prairie and Washington. The remaining eleven townships are under the county’s zoning program.]*

**101.11 Administration and Enforcement.** The FCPC, assisted by other county authorities, shall administer and enforce these Regulations and recorded plats. Discretionary, conflicting or disputed aspects of these Regulations shall be interpreted by the FCPC staff, and be subject to appeal to, or variance by, the FCPC. The FCPC interpretation of these Regulations shall govern.

**101.13 Validity; Separability; Scope.** If any section or portion of these Regulations is found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of remaining sections or portions. These Regulations shall not abate any action now pending under the prior subdivision regulations, nor abrogate, impair or interfere with other applicable laws or regulations, or with deed restrictions.

**101.15 Violation and Penalty.** Violations of Chapter 711 of the ORC or these Regulations are subject to penalties and enforcement measures set forth in said chapter and Regulations. Each day of violation shall be a separate offense and subject to a separate fine.

**101.17 Appendix Materials.** Materials furnished in the Appendix of these Regulations consisting of surety examples and Subdivider’s Agreement shall be kept current as directed by the Franklin County Engineer.

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

**101.21 Transitional Provisions.** The process and procedures for the review and approval of completed applications submitted prior to the effective date of these Regulations shall be as follows:

A. Applications Submitted Before the Effective Date.

Complete applications that are pending approval before the effective date must be reviewed and approved in accordance with the subdivision regulations in effect immediately before the effective date. Incomplete applications filed before the effective date will not be reviewed until they are deemed complete. Once complete, the application must be reviewed and approved in accordance with the subdivision regulations in effect at the time that the application is deemed complete by the FCEDP.

B. Final Plats Approved Before the Effective Date.

Any development, for which a final plat was approved before the effective date, may be completed in conformance with the approved final plat and other applicable permits and conditions applicable at the time the original final plat was approved, even if such development does not fully comply with provisions of these subdivision regulations. If construction is not commenced and diligently pursued within the time allowed under the original final plat approval or any extension granted, then the development must be constructed, completed, and occupied only in accordance with the standards of these subdivision regulations.

C. Violations Continue.

Any violation of the previous subdivision regulations will continue to be a violation under these subdivision regulations and be subject to penalties and enforcement under Section 801, Enforcement, Violation, Penalties and Appeals. If the use, development, construction, or other activity that was a violation under previous regulations complies with the express terms of these subdivision regulations, enforcement action will cease, except to the extent of collecting penalties for violations that occurred before the effective date of these subdivision regulations. The adoption of these subdivision regulations does not affect nor prevent any pending or future prosecution of, or action to abate, violations of previous subdivision regulations that occurred before the effective date of these regulations.

D. Applications Submitted On or After the Effective Date.

All applications completed on or after the effective date of these regulations, must be reviewed under the terms of these subdivision regulations.

**102 Administration - Duties of Certain Offices**

**102.01 General.** The following offices and departments, without limitation upon their respective powers and duties established by law, have the following duties pertaining to the implementation and administration of these Subdivision Regulations. Contact information for these offices and departments are in Appendix A.

- A. *The Franklin County Planning Commission (FCPC)*, through the Franklin County Economic Development and Planning Department (FCEDP), distributes applications for subdivision approval to the various offices and agencies having jurisdiction and coordinates the receipt of reviews thereof and the procedures leading to Final Plat approval. More specifically, the FCPC:
1. Reviews all Preliminary Subdivision Plans and reports thereon by and through the FCEDP and approves, disapproves or conditionally approves such Plans;
  2. Reviews and approves or disapproves all Final Plats;
  3. Grants or denies requests for variations;
  4. Initiates and holds public hearings from time to time to certify to the Board of County Commissioners such modifications or amendments to these Subdivision Regulations as the FCPC may deem necessary or advisable; and
  5. Makes all other determinations provided for by these Subdivision Regulations.
- B. *The Franklin County Economic Development and Planning Department (FCEDP)*:
1. Enforces the provisions of these Subdivision Regulations;
  2. Conducts pre-application conferences as requested;
  3. Receives applications and reviews for completeness;
  4. Maintains permanent and current records of these Subdivision Regulations, including amendments thereto;
  5. Reviews Sketch Plans for minor and major subdivisions and approves or disapproves same for minor subdivisions;
  6. Receives, files and distributes all Preliminary Subdivision Plans, Final Plats and supporting data;
  7. Confirms conformance of Construction Plans with the approved Preliminary Subdivision Plan following receipt of reviews and reports from appropriate offices and agencies;
  8. Confirms conformance of the Final Plat with the Preliminary Subdivision Plan and Construction Plans following receipt of reviews and reports from appropriate offices and agencies; and
  9. Makes all other determinations provided for by these Subdivision Regulations.

- C. The *Franklin County Engineer*, within the scope of the available resources and without interference with his regular duties as defined in Section 315.08 of the Ohio Revised Code:
  - 1. Reviews and signs all engineering plans and specifications concerning streets, grades, typical sections, bridges and other public improvements and submits recommendations thereon to the FCPC through the FCEDP;
  - 2. Signs construction plans, final plats and subdivider agreements;
  - 3. Holds bonds and letters of credit; and
  - 4. Receives, approves, signs, files and distributes all Construction Plans and supporting data.
  
- D. The *Franklin County Drainage Engineer* reviews and approves all stormwater infrastructure including post-construction stormwater infrastructure. The Drainage Engineer shall also have the authority to inspect the operation and maintenance of all post-construction infrastructure in accordance with subdivision plat requirements.
  
- E. The *Franklin County Sanitary Engineer* reviews the planned sanitary sewer system within the subdivision including manholes and appurtenances, the connections to existing facilities, and compatibility with future system improvements and easements.
  
- F. *Franklin County Public Health* reviews proposed plans for the installation of private water systems on individual lots by enforcing the requirements of Ohio Administrative Code Chapter 3701-28, Private Water Systems.. Franklin County Public Health (FCPH) is also responsible for the review of household sewage treatment systems on individual lots by enforcing FCPH Regulation 720.
  
- G. The *Franklin Soil and Water Conservation District* provides technical assistance regarding erosion and sediment controls, best management practices (BMP's) and soil suitability for building sites.
  
- H. The *Franklin County Board of County Commissioners*:
  - 1. Considers modifications to these Subdivision Regulations certified to it by the FCPC when found necessary and desirable, as hereinafter provided;
  - 2. Accepts or refuses intended dedications and, by Resolution, declares public reservations of land;
  - 3. Orders the vacation of a street or other public place and fixes compensation therefore;
  - 4. Reviews, approves and signs construction plans, drainage maintenance petitions, and final plats; and
  - 5. Accepts public streets and other public improvements.
  
- I. *The Franklin County Auditor* is responsible for accepting and recording the final subdivision plat, legal description and deed in the office of the Franklin County Auditor.

- J. *The Franklin County Recorder* is responsible for accepting and recording the final subdivision plat, legal description and deed in the office of the Franklin County Recorder.
- K. *The Franklin County Prosecutors Office* is responsible for legal review involving subdivisions, and initiating appropriate action when these regulations have been violated.

### **103 General Provisions for Submittal of Applications**

**103.01 Form of Application.** Applications required under these Subdivision Regulations must be submitted in a form and in such numbers as required by the FCEDP and determined by the FCEDP to be complete prior to issuing to any review agency.

**103.03 Application Fees.** Applications must be accompanied by the fee amount that has been established by the Board of County Commissioners. Application fees are nonrefundable.

#### **103.05 Application Completeness, Accuracy and Sufficiency**

- A. An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information and is accompanied by the required filing fee.
- B. The FCEDP will make a determination of application completeness within five (5) working days of application filing.
- C. If an application is determined to be incomplete, the FCEDP shall provide written notice to the applicant along with an explanation of the application's deficiencies. No further processing of the application will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within sixty (60) days, the application will be considered withdrawn.
- D. No further processing of incomplete applications will occur and incomplete applications will be pulled from the processing cycle. When the deficiencies are corrected, the application will be placed in the next processing cycle.
- E. Applications deemed complete will be considered to be in the processing cycle and will be reviewed by staff and other review and decision-making bodies in accordance with applicable review and approval procedures of these Subdivision Regulations.
- F. The Technical Review Committee may recommend to the FCEDP that applications or plans be revised before being placed on an agenda if they determine that:
  - 1. The application or plan contains one (1) or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with subdivision regulation standards;

2. The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with subdivision regulations standards; or

**103.07 Burden of Proof or Persuasion.** In all cases, the burden is on the applicant to show that an application is complete and complies with applicable review or approval criteria.

**103.09 Conditions of Approval.** When review bodies recommend or decision making bodies approve applications with conditions or modifications, the conditions or modifications must relate to a situation created or aggravated by the proposed use or development. When conditions are imposed, an application will not be deemed finally approved until the applicant has complied with all of the conditions.

## **104 Amendments to Regulations**

**104.01 Initiation of Amendments.** The FCPC may, from time to time, initiate and conduct public hearings to consider such change or modifications to the provision and regulations contained herein for the regulation of subdivisions as it may deem necessary or advisable.

**104.03 Approval of Amendments.** The FCPC shall certify in writing to the Board of County Commissioners such changes or additions to these Subdivision Regulations upon conclusion of a public hearing. Such changes or additions shall become immediately effective after their adoption by the Board of County Commissioners by the passage of an amendment to these regulations following a public hearing.

## **105 Definitions**

**105.01 General.** Words used in the present tense may include the future. Words used in the singular may include the plural, and the plural the singular. The word "shall" is mandatory, "may" is discretionary. The following definitions shall apply:

Access Management: Process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity and speed.

Agriculture: The use of land for agricultural purposes including: farming; ranching; aquiculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops (including those for bio diesel/ethanol production), tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Alternative Onsite Treatment System: For the purpose of this regulation,

a wastewater treatment system that includes components different from those typically used in a conventional septic tank and subsurface wastewater infiltration system (Septic and Leach System). An alternative system is used to achieve acceptable treatment and dispersal of wastewater where conventional systems either might not be capable of protecting public health and water quality or are inappropriate for properties with shallow soils over ground water or bedrock or soils with low permeability and/or high seasonal water tables. Examples of components that can be used in alternative systems are sand filters, aerobic treatment units, disinfection devices, and alternative subsurface infiltration designs such as Wisconsin mounds, gravelless trenches, drip distribution, and spray irrigation.

Annexation: Procedure for placing unincorporated property into a village or city.

Applicant: The owner of real estate proposed to be subdivided or its representative who shall have express written authority to act on behalf of the owner.

Avigation Easement: Agreement conveying to the grantee the right to direct aircraft over or near the property and to create disturbances related to aircraft flight.

Buffer: Any combination of mounds, fencing, landscaped plantings and similar measures intended to separate one land use or activity from another.

Building: Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property.

Centralized Wastewater System: A managed system consisting of collection sewers and a single treatment plant used to collect and treat wastewater from an entire service area. Traditionally, such a system has been called a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

Clustered System: A wastewater collection and treatment system under the authority of a Responsible Management Entity (RME) that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on a suitable site near the dwellings or buildings.

Comprehensive Plan: A public plan of a government entity indicating general locations recommended for principal streets, parks, zoning districts, character and extent of development, or other aspects of urban and rural planning.

Conceptual Plan: A drawing showing the proposed subdivision that includes the elements set forth in Section 201.11 of these Regulations.

Conservation Subdivision: A form of subdivision development that permits a reduction in lot area and bulk requirements with the remaining land devoted to open space, agriculture and/or the preservation of environmentally sensitive areas.

County: Franklin County, Ohio, including staff, agencies, departments, or other representatives.

County Engineer: Franklin County Engineer and designated representatives.

County Sanitary Engineer: Franklin County Sanitary Engineer and designated representatives. “Applicable public water and sewer district” may be substituted for “county sanitary engineer.”

Decentralized System: An onsite or clustered system used to collect, treat, and disperse or reclaim wastewater from a small community or service area.

Deed: A written document for the transfer of land or other real property from one person to another. A quitclaim deed conveys only such rights as the grantor has. A warranty deed conveys specifically described rights which together comprise good title.

Developer: The owner of land proposed to be subdivided or its representative who is responsible for any undertaking that requires review and/or approval under these regulations.

Drainage Engineer: The Franklin County Drainage Engineer and designated representatives.

Driveway: A vehicular travelway used to provide access from a street to dwelling units, commercial or industrial activities.

Easement: Agreement granted by a landowner giving permission to another party for a specified purpose or use of a designated portion of property.

Enforcement Measures: Enforcement measures may consist of, but are not limited to: fines, stop work orders, revocation of permits or approvals, forfeiture of funds or sureties, use of sureties, moratorium on permits, plat recall, street vacation, liens on property or tax assessments, etc.

Erosion: Accelerated wearing away of the earth’s surface by water, wind, ice or other geological agents, primarily as a result of the influence of the activities of humans or animals, or natural catastrophes that expose bare surfaces.

FCEDP: Franklin County Economic Development and Planning Department.

FCPC: Franklin County Planning Commission.

Final Plat: A final plat is a drawing showing the proposed subdivision that includes the required elements set forth in Section 307, Final Plat Requirements, of these Regulations.

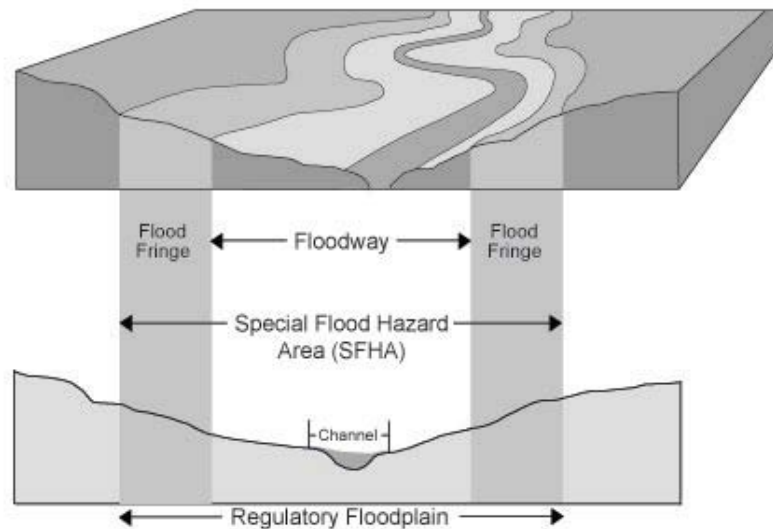
100-Year Floodplain: See “Special Flood Hazard Area (SFHA)”.

Floodway: The channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the



cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one-half (1/2) foot at any point within the community. The floodway is an extremely hazardous area, and is usually characterized by any of the following: Moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

Floodway Fringe: That portion of the floodplain outside of the floodway.



Franklin County Greenways Plan: A vision and a plan of action for Franklin County and the many jurisdictions located in the county for land use planning and stream corridor management purposes.

Frontage: The side of a lot abutting on a street and ordinarily regarded as the front of the lot.

Grade: The elevation of land around a building or the slope of a road, street or other public way specified in percentage terms.

Gradient Drain Outlet: Pipe or tile to convey discharge from a drain around individual household wastewater treatment and disposal system; design and location of these outlets shall be shown on the grading plan and storm water improvement plans.

Greenways: A linear open space network of land along tributaries, streams and rivers, including floodplains, steep slopes, tree stands, and ecologically sensitive land that provides ecological, cultural and economic benefits.

Highly Erodible Land: A highly erodible soil, or soil map unit, has a maximum potential for erosion that equals, or exceeds, eight times the tolerable erosion rate. The maximum erosion potential is calculated without consideration to crop management or

conservation practices, which can markedly lower the actual erosion rate on a given field.

The maximum potential erosion rate is determined by multiplying the rainfall factor (R) by the erodibility value of the soil (K) by the slope factor (LS) and dividing the product by the soil loss tolerance (T). The equation is expressed by the formula  $RKLS/T$ . A soil is highly erodible if the result of the equation  $RKLS/T$  is equal to or greater than eight.

Household sewage treatment system (HSTS): Any sewage treatment system, or part of such a system, that receives sewage from a single-family, two-family, or three-family dwelling and residential dwellings or appurtenances including but not limited to:

- (1) A bed and breakfast, residential facility, or other residence as described in divisions (B)(2), (B)(4), and (B)(13) of section 3717.42 of the Revised Code.
- (2) An ancillary restroom associated with a dwelling in a location such as a barn or personal garage that is not used as an additional dwelling, sleeping area, or business and the users of the ancillary restroom are the same users as the dwelling. An ancillary restroom shall not be available for public use.
- (3) Vacation rental cabins provided there is a separate HSTS for each cabin.
- (4) A dwelling with a home business having no access for the general public and does not generate additional sewage as part of its operation.

Said system shall be approved for use and permitted by Franklin County Public Health.

Improvements: Any addition to the natural state of the land which increases its utility or value, including but not limited to: street, sidewalk, stormwater management, individual wastewater treatment system, waterline and sanitary sewer items.

Land Contract: Transaction in which a deed for the transfer of ownership of a parcel of land is intended to be provided at a future date.

Large Lot Development: A lot split in which each separate parcel resulting from the lot split is greater than 5 acres, but less than 20 acres, exclusive of right-of-way.

Legal Description: Legally acceptable identification of Real Estate by one of the following: the government rectangular survey; metes and bounds or recorded Plat (lot and block number).

Lot: Legally created parcel of land whose boundaries have been established by some legal instrument and complies with these Regulations and health and zoning codes.

Lot Line Adjustment: Legal adjustment of an existing lot line without creating a new, buildable lot.

Lot Split: The division of an existing parcel into two or more separate lots.

Neo-Traditional Development: A mixed use development, laid out in a grid street pattern, which is intended to include a diverse range of housing options and employment opportunities that is designed at a walkable pedestrian scale.

Net Acre: The area of the subdivision excluding those features or areas that these Subdivision Regulations exclude from calculations, expressed in acres.

Next Appropriate Meeting: Date governed by schedule prepared and adopted annually by the FCPC setting application filing deadlines for major subdivisions. Administrative and Technical Review Group meeting dates are established from this schedule.

Ordinary High Water Mark: The ordinary high water mark is defined as the line between upland and bottom land which persists through successive changes in water level, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation.

Owner: An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

Parcel: A division of land contained in a single legal description that is recorded with the Franklin County Auditor's office.

Personal Recreation: A parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit.

Pervious Pavement: Any hard surfaced material that permits full or partial absorption of stormwater into underlying soils.

Phase or Phasing: Subdivision development undertaken in a planned time and geographical sequence in such a manner that each phase is able to exist as a separate entity if the project is not fully completed by the developer in accordance with the approved subdivision plan.

Plat: An exact and detailed map of a subdivision or other development in accordance with these Regulations, intended for recording; often referred to as Final Plat.

Platted Land: Land divided into individual lots, identified on an approved plat and recorded with the county recorder's office.

Preliminary Plan: Drawings, plans and materials representing a proposed subdivision or other development in accordance with these Regulations; does not constitute a subdivision plat application.

Private water system: A water system as defined by Ohio Administrative Code 3701-28-01(PPP)

Regulations: Subdivision Regulations for unincorporated areas of Franklin County, Ohio.

Reserve: Parcel of land set aside for use or purpose as noted on plat.

Responsible Management Entity (RME): A legal entity such as a public utility responsible for providing various management services with the requisite managerial,

financial, and technical capacity to ensure the long-term, cost-effective management of decentralized onsite or clustered wastewater treatment facilities in accordance with applicable regulations and performance criteria.

Right-of-way: Width between property lines of a street, road or alley, which is generally dedicated for use as a public way, or the width of an easement.

Riparian Setback: The area set back from the ordinary high water mark of a stream to protect the riparian area and stream from impacts of development, and to protect streamside residents from impacts of flooding and land loss through erosion.

Small Flows Wastewater Treatment and Disposal System: A Commercial wastewater treatment system using soil absorption as the treatment and disposal method up to 1000 gallons of wastewater per day and shall be approved by Franklin County Public Health.

Special Flood Hazard Area (Also known as “Areas of Special Flood Hazard”): The land in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, A1-30, and A99. Special flood hazard areas may also refer to areas that are flood prone and designated from other federal state or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.

Steep Slope: A land surface where the vertical elevation change over any horizontal distance equals or exceeds 12%.

Stormwater Management: Items and areas concerning earth-disturbing activities and stormwater runoff and control, such as but not limited to: storm sewers and structures, storage basins, subsurface drainage, curtain drain outlets, grading, major storm routing paths, erosion and sediment control, road or drive culverts, swales, ditches, watercourses, rain gardens, bioswales, etc. It also includes plans for the long term maintenance of stormwater management infrastructure, including the costs associated with maintaining and replacing such infrastructure. It shall also allow access to all necessary government entities, their contractors or agents to inspect such infrastructure.

Stormwater Management Plan: A report and exhibits submitted with construction plans that address all elements included in the definition for Stormwater Management. Items that must be included with the Stormwater Management Plan are outlined in the Franklin County Stormwater Management Manual.

Stream: A surface watercourse with a well defined bed and bank, either natural or artificial, which confines and conducts continuous or periodical flowing water (ORC 6105.01) in such a way that terrestrial vegetation cannot establish roots within the channel.

Street Acceptance: Formal approval and acceptance of a proposed subdivision street by the County Commissioners once it has been determined by the County Engineer that the road meets all applicable design requirements.

Street, Alley: A service roadway providing a secondary means of access to abutting property which is not intended for general traffic circulation.

Street, Major Arterial: Primary purpose is to carry most trips entering and leaving the urban area. It serves major activity centers, high traffic volume corridors and longer trips. Access should be allowed only at intersections with other public streets, or with major driveways carrying volumes approximating minor arterials. Generally it has an Average Daily Traffic (ADT) > 10,000.

Street, Minor Arterial: Primary purpose is to carry through traffic in a community. It interconnects and augments major arterial system and services trips of moderate length with more emphasis on land access and less on travel mobility than the major arterial system. Access should be allowed only at intersections with other public streets, or with major driveways carrying volumes approximating intersecting streets, and some driveways carrying lower volumes on an individually evaluated basis. Generally it has an ADT > 3,000.

Street, Collector: Primary purpose is to provide access to neighborhood traffic generators. It provides both land access and traffic circulation within residential, commercial and industrial areas distributing traffic from arterial streets and channeling traffic from local streets. Generally it has an ADT between 1,500 and 3,000.

Street, Local: Streets not on a higher classification system with a primary purpose of providing direct access to adjacent land. Service to through traffic is discouraged. Access is controlled only to the extent of providing for safe operating conditions. Generally it has an ADT < 1,500.

Street, Cul-de-sac: Permanent, dead-end local street.

Street, Private: An approved street constructed on private property, serving more than two properties, for which the public has no authority, responsibility or liability to maintain or plow. Private streets cannot be converted to public streets in the future unless constructed to public standards acceptable to the County Engineer.

Street, Public: The paved area within a right-of-way, publicly owned and maintained, which provides vehicular circulation and access to adjacent properties.

Street, Stub: The purpose of a stub street is connecting subdivisions together as they are developed to allow local residents and service vehicles to travel between subdivisions and to develop an interconnected network of local streets, over time. The definition of a stub street is a reasonable future subdivision through-road from one subdivision to another. To be “reasonable,” the stub street must meet the following criteria:

- A. The adjoining land that would extend the stub street must have like zoning or is proposed to have like zoning in an area plan; and
- B. Said adjoining land must be currently undeveloped; and
- C. There is no major physical boundary (e.g., large waterway, large grade differential, etc.) between the properties that would preclude extension of the stub street.
- D. At completion, the stub street contains signage that notifies the public of its future extension.

Subdivider: Property owner or other party undertaking subdivision or development of land.

Subdivider's Agreement: Agreement between a subdivider and the county concerning the manner in which improvements shall be provided, the plat recorded and zoning, building and health permits issued. Content and format shall be determined by the county engineer, sanitary engineer, county building inspector, Public Health Department and the local Township, as applicable.

Subdivision: 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 one of which is less than five acres, for the immediate or future purpose of transfer of ownership; the improvement of land for residential, commercial or industrial structures or groups of structures, involving the division or allocation of land for street opening, widening or extension or as open space or common area for use by owners, occupants or lease holders, or as easements for extension and maintenance of sewer, water, drainage or public facilities.

Subdivision, Major: The division of land creating more than five lots, including the original parcel or the division of land that does not meet the specific criteria of a minor subdivision or large lot development.

Subdivision, Minor: The division of land of up to four lots, each less than five acres in size.

Surety: Funds or other guarantees provided by the subdivider to the county engineer or sanitary engineer to ensure the construction, performance or maintenance of improvements including erosion and sedimentation control measures.

Survey: The process of precisely ascertaining the area, dimensions and location of a piece of land.

Technical Review Committee: Advisory group to the FCPC consisting of the Franklin Soil & Water Conservation District office, township zoning official, ODNR's Central Ohio Scenic River Coordinator, and representation from the following Franklin County agencies: Public Health, FCEDP, County Engineer's office, County Drainage Engineer's office and Sanitary Engineer's office. Other parties may also participate in Technical Review Committee activities, depending of the nature and location of the proposed subdivision.

Thoroughfare Plan: An official map that identifies the major existing and planned roadways, their functional classifications and the needed road (or street) rights-of-way. The Franklin County thoroughfare plan is an official thoroughfare plan map adopted by Franklin County.

Traffic Impact Study: A study which assesses the effects that a particular development's generated traffic will have on the transportation network in the surrounding area. These studies can determine what type of roadway improvements may be necessary. The study can also be used to determine whether the development is appropriate for a particular site.

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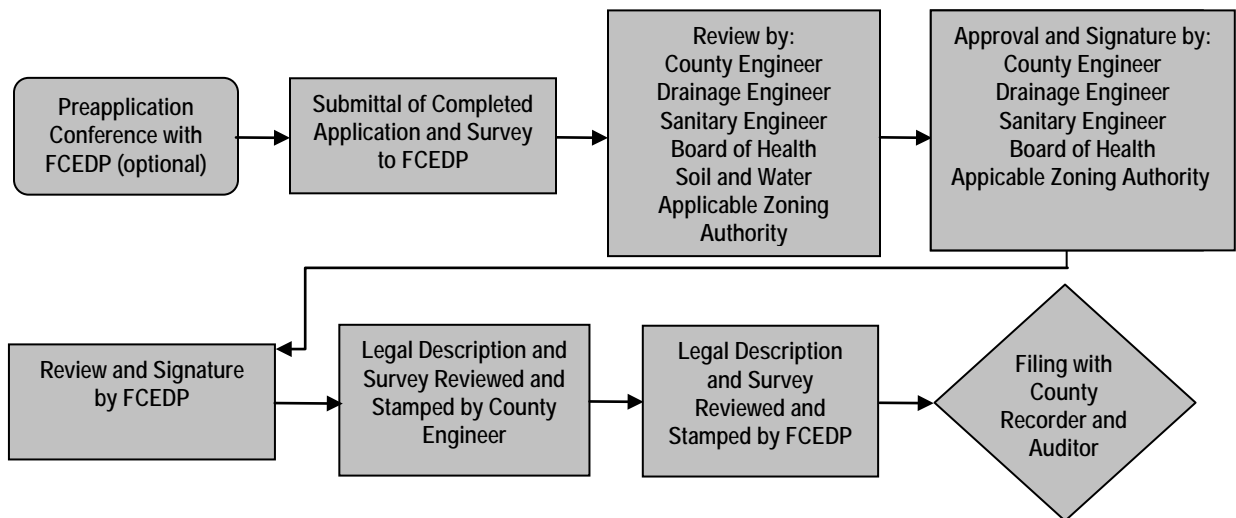
## 200 Procedures for Subdivision Design Approval

### 201 General

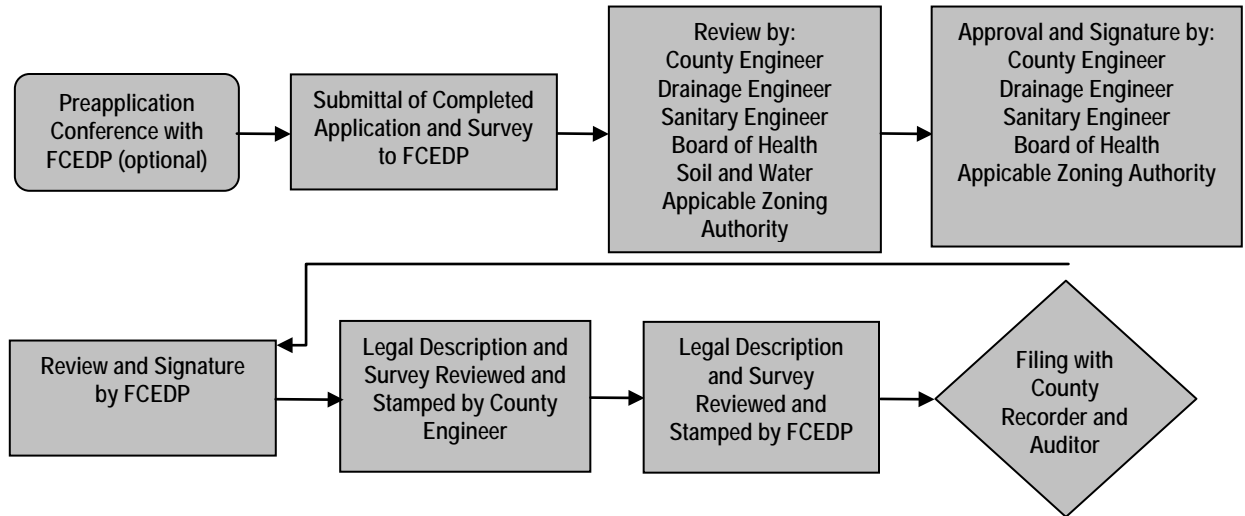
**201.01 Subdivision Type.** In order to create additional buildable lots or adjust property lines, a property owner must formally apply for a minor subdivision (lot split), a lot line adjustment, large lot development or a major subdivision.

The following is a brief overview of each type of land division. The charts are provided as general guidance of how the process typically occurs for each type of division.

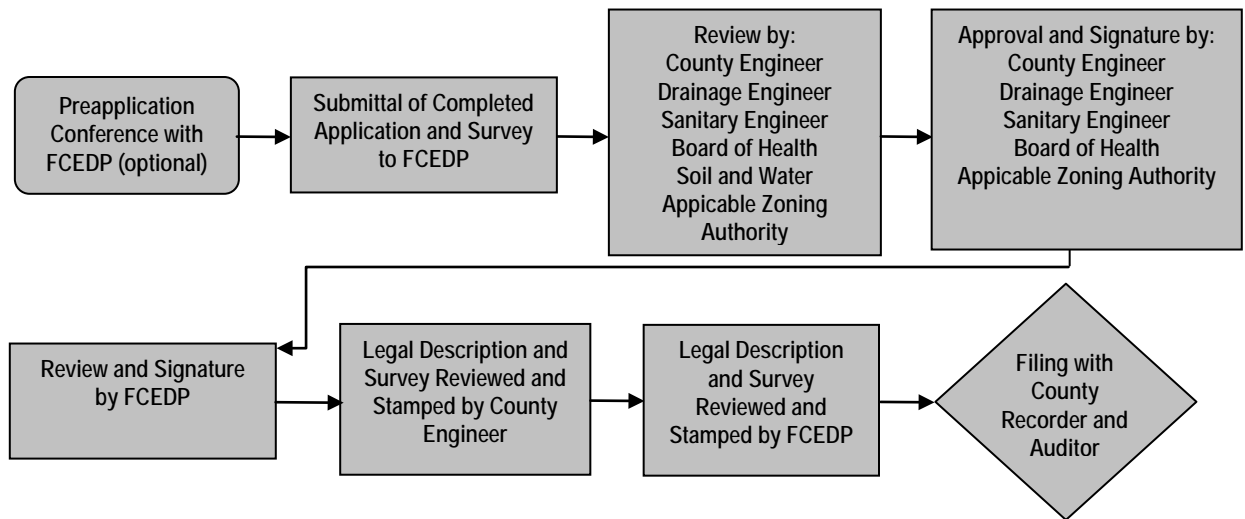
- A. A *Minor Subdivision*, commonly referred to as a Lot Split, occurs when a parcel of land is divided to create up to four (4) new lots from the parent parcel. Each lot must be less than five (5) acres. Approval for a division of land as a minor subdivision shall involve the required steps pursuant to Section 202, Minor Subdivision Process and Procedure (Lot Split), as outlined below:



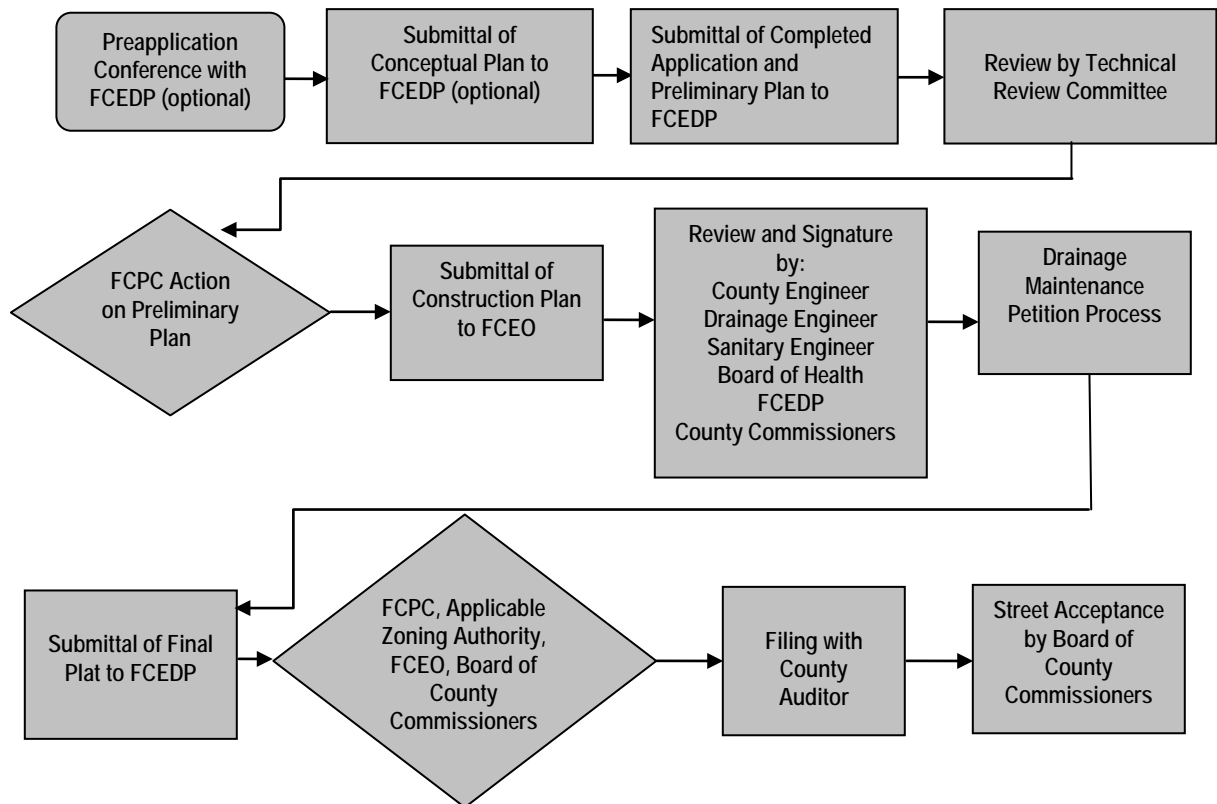
B. A *Lot Line Adjustment* occurs when a minor adjustment in a lot line is needed. Lot line adjustment is an administrative process conducted by the FCEDP that shall only apply to subdivision land created by a minor lot split. Lot line adjustments cannot be used to create new parcels of record, but shall be a process used to make minor adjustments to lot lines in a proposed subdivision. Approval for a lot line adjustment shall involve the required steps pursuant to Section 203, Lot Line Adjustment Process and Procedure, as outlined below:



C. A *Large Lot Development* occurs when a parcel of land is divided into lots of five (5) acres but not more than 20 acres. Each lot must be along an existing street and require no common easements. Approval for a large lot development shall involve the required steps pursuant to Section 204, Large Lot Development (LLD) Process and Procedure, as outlined below:



D. A *Major Subdivision* occurs when a parcel is divided into five (5) or more new lots, or does not meet the specific criteria of a minor subdivision or large lot development. A Major Subdivision requires a detailed and specific review process. Approval for a major subdivision shall involve the required steps pursuant to Section 205, Major Subdivision Process and Procedure, as outlined below:



**201.03 Minor Subdivision (Lot Split).** A minor subdivision is accomplished by preparing a metes and bounds legal description and a survey drawing. A deed is also required to finalize the transfer of the newly created lots. Minor subdivisions that create new lots in platted areas are prohibited.

**201.05 Lot Line Adjustment.** A lot line adjustment is accomplished by preparing a metes and bounds legal description and a survey drawing. A deed is also required to finalize the adjustment of the lot line of the newly created lots. As a minimum, the lot line adjustment shall:

- A. Result in parcels that comply with the adopted standard platting conditions and any other conditions determined applicable by the FCEDP and County Engineer.
- B. Result in parcels that comply with all applicable local zoning, building, fire and public health code rules and regulations.

**201.07 Large Lot Development.** A large lot development is accomplished under a procedure similar to a Minor Subdivision (lot split). Large lot developments are for property divisions resulting in parcels of land of five (5) acres to 20 acres. In order to divide property as a large lot development, an applicant must meet the specific criteria in Section 204, Large Lot Development Process and Procedures.

**201.09 Major Subdivision.** If the subdivision involves **any** of the following, it will be defined as a major subdivision:

- A. Creating more than five (5) lots, including the original parcel.
- B. The opening, widening or extension of any street or road, public or private, except for private streets serving industrial structures.
- C. The division or allocation of land as open space or for common use.
- D. The division or allocation of land as utility or drainage easements, including easements for curtain drains that cross abutting lots other than along existing road right-of-way.
- E. Subdividing platted land to create a new parcel(s).

A major subdivision involves a formal review of the Preliminary Plan and the Final Plat as further outlined in these Regulations. Prior to receiving zoning certificates or building permits, the plat shall be approved and recorded and improvements satisfactorily completed.

**201.11 Preliminary Discussion and Conceptual Plan Review.** Prior to initiating a survey for a subdivision, the subdivider is strongly encouraged to contact the Franklin County Economic Development and Planning Department to schedule a meeting with the Technical Review Committee to discuss reviewing procedures and become familiar with subdivision and zoning regulations pertaining to the property. The conceptual plan review is highly recommended but shall not function as, nor replace, formal application procedures and requirements. The applicant should provide a sketch plan on 11 x 17 inch paper, drawn to a convenient scale, and showing all information detailed in the Franklin County Stormwater Management Manual applicable at the time of application and the following:

- A. Location or vicinity map.
- B. Ownership of property.
- C. Existing and proposed circulation system including driveways, access points, public roads, sidewalks, other public pathways and easements including existing highway easements and rights-of-way.
- D. Existing private streets and proposed private streets.
- E. Existing structures.

- F. North arrow.
- G. Outline of area to be affected by proposed division.
- H. Approximation of proposed lot lines and dimension.
- I. Setbacks as may be required by Zoning Resolutions and as recommended by adopted plans and other applicable studies (e.g. Darby Accord)
- J. Important natural features and drainage ways including wetlands, steep slopes, forested areas and soils.
- K. Areas located within the FEMA-designated floodway and Special Flood Hazard Areas.
- L. Information concerning any existing or proposed locations of storm drainage, maintenance ditches and tiles, sewage treatment, water supply, and other facilities that impact on the development.

Within thirty (30) days following submittal of a complete sketch plan, FCEDP staff will meet with the applicant to discuss the proposed division. Staff may request a site visit prior to such discussion, in which case, the applicant will accompany staff on the site visit.

Within two (2) weeks following the site visit (or, if none, following the conference with the applicant), staff will provide written comments to the applicant on the proposed division.

**201.13 Survey Requirement.** Each division of land involving a metes and bounds description will be approved or exempted only if it meets the following conditions:

- A. It is accompanied by a survey and legal description certified by a Professional Surveyor licensed in the State of Ohio.
- B. The survey must meet the County Conveyance Standards, Administrative Code 4733-37, and the Franklin County Engineer or designee approves the survey and description.

**201.15 Exception from Subdivision Review:** Under the Ohio Revised Code, the division of property into two or more parcels greater than 20 acres each may be documented with a legal description approved by the county engineer's office and recorded with the county auditor and county recorder. Parcels created in this manner have not been reviewed as a building site and may not be buildable.

**201.17 Multiple Proposals.** The FCPC shall not accept single applications containing multiple or alternate proposals. There shall be no more than one approved Preliminary Plan or an approved but unrecorded deed or Final Plat for a property.

**201.19 Fees; Withdrawal; Delay-of-Action.** Once a subdivision is filed and accepted by the FCEDP, the application fees shall be nonrefundable. Prior to the FCPC action, any

accepted application may be withdrawn by letter or verbally during an FCPC meeting. A withdrawn application becomes void, requiring a new application and fee for further consideration. A delay-of-action may be requested in writing or verbally during an FCPC meeting by stating reasons and length of delay desired. A delay-of-action approved by the FCPC shall not exceed six (6) months. The FCPC is not obligated to grant a delay-of-action request. Delay of action requests require a fee as established in the most current FCEDP fee schedule.

## **202 Minor Subdivision Process and Procedure (Lot Splits)**

**202.01 Application.** Minor Subdivision applications for unincorporated areas of Franklin County are to be filed by appointment with staff of the FCEDP. Either the landowner or an authorized representative shall file the minor subdivision application. All required surveys shall be in an 11"x17" format. All legal descriptions shall be in an 8.5"x11" format.

**202.03 Minor Subdivision Information.** The following information is required in the minor subdivision application process:

- A. Name, address and phone number of current property owner and authorized representative, if applicable.
- B. Letter authorizing a person, other than the owner, to represent the property owner; sealed by a Notary Public.
- C. Current zoning of the property and township in which the property is located with written documentation from the appropriate zoning authority that the proposed lot split meets current zoning requirements.
- D. Survey illustrating the dimensions of the original parcel and each new lot to be created and shall include the following items:
  - 1. North arrow and map scale.
  - 2. Circulation system including streets, sidewalks, bike and multi-use paths.
  - 3. Names and locations of abutting streets.
  - 4. Location of existing structures (i.e., house, shed, garage, etc.)
  - 5. Location, type and size of household sewage treatment systems or wells.
  - 6. Private water systems on adjacent properties.
  - 7. Current property address.
  - 8. Current right-of-way along the property's frontage on any county or township roadway including locations of driveways and other access points.
  - 9. Identification of ponds, streams, rivers, wetlands, floodplains and other bodies of water.
  - 10. Legal description.

Documentation of other items may be required depending on the specific application. These may include: lot grading and drainage plan, soil borings, soil test pits, deed wording addressing development issues or requirements, additional road or highway easements, and provisions to build on the site(s) or protect the public health and safety.

- E. After the minor subdivision application is filed at the FCEDP, the corners of the proposed new lot(s) need to be staked for site inspectors to accurately identify its parameters in the field. A staff report with a location map is prepared and distributed, as applicable, for evaluation to Franklin County Public Health, the Franklin County Engineer's office, the Franklin County Drainage Engineer, the Franklin Soil and

Water Conservation District office, the Franklin County Sanitary Engineer, and the applicable zoning authority.

- F. Applications are individually reviewed based on the Regulations and on the following:
1. Proposed use.
  2. Building elevation and/or roadside, lot surface and subsurface drainage.
  3. Soils (general site limitations).
  4. Wastewater treatment.
  5. Water supply.
  6. Compliance with zoning requirements.
  7. Existing right-of-way/right-of-way needs based on the county thoroughfare plan.
  8. Location and spacing of existing and proposed driveways and the interconnection of the pedestrian and vehicular networks.
  9. Relationship of lot to adjacent property.
  10. Floodplains, slopes and shallow bedrock
  11. Location of wetlands



**202.05 After the Minor Subdivision Has Been Approved.** There is a three-step outlined process to follow after a minor subdivision application has been approved:

- A. Take the legal description to the county engineer's office to be approved and stamped.
- B. The FCEDP will stamp the final certification on the legal description.
- C. Take the legal description, along with an executed Quit Claim Deed, to the county auditor's office and county recorder's office to become a legally recorded minor subdivision.

**202.07 Disapproval of a Minor Subdivision.** If a minor subdivision application is not approved, the reason(s) for disapproval will be outlined in recommendations from one or more of the reviewing agencies and the case shall be considered closed. The applicant will be informed of the reason(s) for disapproval.

**202.09 Expire.** A minor subdivision is not effective until the legal description has been stamped by the FCEDP and has been transferred and recorded. An application that has not been stamped and recorded for more than one year from the date the application was approved shall automatically expire. An expired proposal may be refiled, accompanied by application fees, for reconsideration.

### **203 Lot Line Adjustment Process and Procedures**

**203.01 Application.** Lot line adjustment applications for unincorporated areas of Franklin County are to be filed by appointment with staff of the FCEDP. Either the landowner or an authorized representative shall file the lot line adjustment application. All required surveys shall be in an 11"x17" format. All legal descriptions shall be in an 8.5"x11" format.

**203.03 Lot Line Adjustment Information.** The following information is required in the lot line adjustment application process:

- A. Name, address and phone number of current property owner and authorized representative, if applicable.
- B. Letter authorizing a person, other than the owner, to represent the property owner; sealed by a Notary Public.
- C. Current zoning of the property and township in which the property is located with written documentation from the appropriate zoning authority that the proposed lot line adjustment meets current zoning requirements.
- D. Survey illustrating the dimensions of the original parcels and each amended lot to be created and shall include the following items:
  - 1. North arrow and map scale.

2. Circulation system including streets, sidewalks, bike and multi-use paths.
3. Names and locations of abutting streets.
4. Location of existing structures (i.e., house, shed, garage, etc.)
5. Location, type and size of household sewage treatment systems or wells.
6. Location of private water systems on properties being adjusted.
7. Current property address.
8. Current right-of-way along the property's frontage on any county or township roadway including locations of driveways and other access points.
9. Identification of ponds, streams, rivers, wetlands, floodplains and other bodies of water.
10. Legal description.

Documentation of other items may be required depending on the specific application. These may include: lot grading and drainage plan, soil borings, soil test pits, deed wording addressing development issues or requirements, additional road or highway easements, and provisions to build on the site(s) or protect the public health and safety.

- E. After the lot line adjustment application is filed at the FCEDP, the corners of the proposed amended lot(s) need to be staked for site inspectors to accurately identify its parameters in the field. A staff report with a location map is prepared and distributed, as applicable, for evaluation to Franklin County Public Health, the Franklin County Engineer's office, the Franklin County Drainage Engineer, the Franklin Soil and Water Conservation District office, the Franklin County Sanitary Engineer, and the applicable zoning authority.
- F. Applications are individually reviewed based on the Regulations and on the following:
  1. Proposed use.
  2. Building elevation and/or roadside, lot surface and subsurface drainage.
  3. Soils (general site limitations).
  4. Wastewater treatment.
  5. Water supply.
  6. Compliance with zoning requirements.
  7. Existing right-of-way/right-of-way needs based on the county thoroughfare plan.
  8. Location and spacing of existing and proposed driveways and the interconnection of the pedestrian and vehicular networks.
  9. Relationship of lot to adjacent property.
  10. Floodplains, slopes and shallow bedrock

**203.05 After the Lot Line Adjustment Has Been Approved.** There is a three-step process outlined to follow after a lot line adjustment application has been approved:

- A. Take the legal description to the county engineer's office to be approved and stamped.
- B. The FCEDP will stamp the final certification on the legal description.

- C. Take the legal description, along with an executed Quit Claim Deed, to the county auditor's office and county recorder's office to become legally recorded.

**203.07 Disapproval of a Lot Line Adjustment.** If a lot line adjustment application is not approved, the reason(s) for disapproval will be outlined in recommendations from one or more of the reviewing agencies. The applicant will be informed of the reason(s) for disapproval and the case shall be considered closed.

**203.09 Expire.** A lot line adjustment is not effective until the legal description has been stamped by the FCEDP and has been transferred and recorded. An application that has not been stamped and recorded for more than one year from the date the application was approved shall automatically expire. An expired proposal may be refiled, accompanied by application fees, for reconsideration.

## **204 Large Lot Development (LLD) Process and Procedures**

**204.01 General.** The purpose of Section 204, Large Lot Development Process and Procedures, is to establish the procedure for review and approval of land divisions as authorized under Section 711.133 of the Ohio Revised Code.

The Large Lot Development (LLD) rules are used to request a proposed division of a parcel of land that meets all of the following conditions:

- A. Is along an existing public street.
- B. Does not involve the opening, widening or extension of any street or road.
- C. Involves the establishment of any lot with an area equal to or greater than five (5) acres but not more than 20 acres after excluding any public rights-of way.

A proposed division of land under and in compliance with this Section 204 is not considered a subdivision for purposes of division (B)(1) of Section 711.001 of the Ohio Revised Code and may be approved under the provisions of this Section 204.

A Large Lot Development (LLD) application must be filed by the landowner or designated representative at the FCEDP office. In addition to the submittal requirements set forth in Section 201.11, Preliminary Discussion and Conceptual Plan Review, the applicant must submit:

- A. One copy of the survey drawing, on 11 x 17 inch paper.
- B. One copy of the legal description on 8.5 x 11 inch paper.
- C. The signed and completed application form.
- D. The required fee, as listed on the most current FCEDP fee schedule.

**204.07 LLD Lot Frontage Requirement.** Unless the applicable zoning regulations specifically provide otherwise, all lots created under this Section 204, Large Lot Development Process and Procedures, must meet the following requirements:

- A. All lots must have a minimum length of continuous road frontage, calculated as the greater of the following:
  - 1. One hundred fifty (150) feet.
  - 2. A distance equal to or greater than one-half the minimum driveway spacing distance required by the Ohio Department of Transportation for the road along which the lot is to be created, rounded up to the nearest foot (see table below).
- B. The road frontage under this Section 204.07 must be measured horizontally on an existing and improved public/private road measured at the right-of-way line.

C. In the event of frontage on two or more roads, the frontage requirements must be met on each road to which a new lot line intersects.

The following table illustrates the minimum road frontage requirements:

Posted Speed	Driveway spacing distance	Frontage Requirement
40 mph	305 feet	<b>153 ft</b>
45 mph	360 feet	<b>180 ft</b>
50 mph	425 feet	<b>213 ft</b>
55 mph	495 feet	<b>249 ft</b>
60 mph	570 feet	<b>285 ft</b>
65 mph	645 feet	<b>323 ft</b>

Source: Ohio Department of Transportation State Highway Access Manual

**204.11 Application Submittal Requirements.** A LLD application must include the following information and materials in hardcopy paper format. All required surveys shall be in an 11"x17" format. All legal descriptions shall be in an 8.5"x11" format.

- A. Location of existing or proposed buildings, well, household sewage treatment system locations, design (system type and size), and system replacement area.
- B. New or additional roadway easements and/or utility easements. Roadway easements must be conveyed and recorded by a separate instrument prior to the recording of the LLD deed.
- C. Appropriate floodplain status information showing areas within the floodway and Special Flood Hazard Area.
- D. Access points in accordance with the approval authority responsible for the maintenance of the right-of-way for driveway approval.
- E. Drainage improvements in compliance with applicable County standards.
- F. Approval of the LLD from public health and zoning authorities.
- G. Approval of the LLD from the Franklin County Sanitary Engineer if the LLD is proposed to be serviced by public water and/or sewer.
- H. Approval of the Franklin County Engineer concerning survey and legal description in conformance with the conveyance standards.
- I. Approval of the appropriate Zoning Officials, if applicable.
- J. A proposed land division vicinity map.
- K. An approved originally signed survey and legal description prepared by a professional surveyor registered in the State of Ohio.
- L. 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:
  - 1. All newly created lot lines for all proposed lots.
  - 2. All adjoining public roads and the circulation system including public and private streets and sidewalks.
  - 3. Any existing above ground structures (including overhangs) located within one hundred (100) feet of a newly created lot line.
  - 4. All proposed points of access.
  - 5. Locations of any existing private water systems and household sewage treatment systems on the site.
  - 6. The dimensions of the newly created lots and acreage.
  - 7. Wetland delineation based on a site survey.
  - 8. Signature, Seal and Date.

M. All applicable fees.

N. Any other material or information FCEDP staff finds necessary for the review of the large lot development.

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

**204.13 Large Lot Review and Approval.** If the FCEDP, acting through the Director or the Director's designee, finds that the proposed division is not contrary to any applicable zoning, health, sanitary, flood or access management regulations, existing surface or subsurface drainage, including, but not limited to, rules governing household sewage disposal systems or the regulations set forth in this Section 204, it will be approved in accordance Ohio Revised Code Section 711.133.

The applicant must demonstrate compliance with regulations governing LLD. Only COMPLETE applications will be approved in accordance with Ohio Revised Code Section 711.133. The applicant will be notified in writing of an incomplete application or other shortcomings.

Upon presentation of an approved application for a LLD parcel, the conveyance will be stamped "Approved by Franklin County Economic Development and Planning Department; No Plat Required," and signed and dated by the Director or the Director's designee.

**204.15 Expiration.** LLD approval is not effective until the legal description has been stamped by the FCEDP and has been transferred and recorded. An application that has not been stamped and recorded for more than one year from the date the application was approved shall automatically expire, and the application will be considered closed. An expired proposal may be refiled, accompanied by application fees, for reconsideration under this Section, 204.

**204.17 Agricultural and/or Personal Recreational Purposes Exemption.** A proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and which meets the acreage requirements set forth in Section 204.01 (C), Large Lot Development Process and Procedures, General, but which is to be used only for agricultural or personal recreational purposes (as defined below) is exempt from the LLD approval requirements.

Upon presentation of a conveyance of such a parcel, the conveyance will be stamped "Approved by Franklin County Economic Development and Planning Department; No Plat Required. FOR AGRICULTURAL AND/OR PERSONAL RECREATIONAL USE ONLY," and signed and dated by the Director or the Director's designee.

Nothing in this Section 204.17 may be construed as excluding parcels that are currently being used only for agricultural or personal recreational purposes and therefore exempt from procedures under Section 204 from the provisions of these Regulations for any future division or partitions of those parcels.

When parcels that are exempt from the approval requirements under this Section 204.17 are subsequently to be used for other than agricultural or personal recreational purposes, the Director or Director's designee will first determine that such a parcel complies with the regulations set forth in Section 204.01, Large Lot Development Process and Procedures, General, .

An exemption under this Section 204.17 requires a notarized statement signed by the grantor and grantee certifying the following:

- A. The proposed parcel will only be used for agricultural or personal recreational purposes.
- B. Any subsequent change in use will require that the Director or his/her designee to first determine that the parcel complies with the then-current regulations governing Large Lot Development as currently defined in Section 204.

For purposes of this Section 204.17 the terms "agricultural purposes" and "personal recreational purposes" are defined as follows:

- A. Agricultural Purposes – the same as defined in Ohio Revised Code, Section 303.
- B. Personal Recreational Purposes - a parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit.

## **205 Major Subdivision Process and Procedures**

**205.01 Application.** Major Subdivision applications for unincorporated areas of Franklin County are to be filed by appointment with staff of the FCEDP. Either the landowner or an authorized representative shall file the major subdivision application.

**205.03 Preliminary Plan Submission..** The Preliminary Plan submission, other than a submission through a Planned Unit Development process (Section 701.05, Additional Authority in Planned Unit Developments), shall comply with these Regulations and include:

- A. Completed and signed Preliminary Plan application;
- B. Variance application when required;
- C. Five full-size copies of the plans in 24"x36" format;



- D. One reduced set of plans (11" x 17" maximum size);
- E. One electronic copy in PDF format for text and CAD format for drawings; and
- F. Fees as adopted by the FCPC.

A Preliminary Plan submittal shall include the requirements listed in Section 300, Subdivision Plan Requirements. Within five days of submission, the FCEDP staff shall:

- A. Accept and schedule the plan for the next appropriate meetings of the Technical Review Group and the FCPC; or
- B. Reject the submission and return the fee with an itemization of deficiencies.

**205.04 Submission; Schedule or Reject.** Within five days of submission, staff shall either:

- A. Accept and schedule the plat for the next appropriate meeting of the FCPC, and notify the township in accordance with Section 711.10 of the Ohio Revised Code; or
- B. Reject the submission by returning the fee with an itemization of deficiencies and notify the Township of its rejection where said project is within the jurisdiction of a Township that administers its own zoning.

**205.05 Premature Preliminary Plan.** A Preliminary Plan submission requiring more than three variance/appeal actions, as determined by the FCEDP staff, shall be declared premature and rejected. Variances or appeals associated with a premature plan shall be resolved by the FCPC action independent, and prior to acceptance, of the Preliminary Plan application.

**205.07 Franklin County Technical Review Committee.** The purpose of the Franklin County Technical Review Committee meeting is to provide a forum at which the subdivider can meet with county agencies involved with the subdivision plat review and construction process to discuss plans for the proposed subdivision. This meeting is intended to provide coordination with various agency requirements and procedures. The Technical Review Committee is comprised of: FCEDP staff, the County Engineer, the County Drainage Engineer, the County Sanitary Engineer, Franklin County Public Health, the Soil and Water Conservation District, the Township Zoning Official, and other Departments or Officials as may be applicable.

**205.09 FCPC Action.** Staff shall forward a written report and recommendation to the FCPC within 30 calendar days. Preliminary Plan approval or conditional approval shall not constitute Final Plat approval, but shall provide an endorsement of the layout and intent of the proposal, and govern the preparation of the plat. If the Preliminary Plan is disapproved, the reason(s) shall be stated in the record of the FCPC and forwarded to the applicant.

**205.13 Preliminary Plan Expiration.** If a Final Plat application is not accepted within two years of the FCPC Preliminary Plan action, the Preliminary Plan shall expire and become void. In multiphase projects, the FCPC may allow extensions in two-year increments for subsequent phases.

**205.15 Combined Meeting Requirements.** The FCPC may consider a Preliminary Plan and Final Plat application at the same meeting for Major Subdivision submissions. The FCPC shall not be obligated to act on both applications. Proposals for combined hearing and action shall:

- A. Meet Preliminary Plan and Final Plat submission requirements, including fees (separate checks required);
- B. Front, abut and access an existing public street;
- C. Need no FCPC variance, appeal or issue resolution;
- D. Involve no subdivision of platted land;
- E. Require no improvements or sureties; and
- F. Conform to recommendations, requests and requirements of the Technical Review Group.

**205.17 Final Plat Submission.** Five copies of the Final Plat and one electronic submission of the Final Plat in PDF and CAD format shall be submitted along with a complete application form and fee as adopted by the FCPC. Final Plat requirements are identified in Section 307, Final Plat Requirements

The Final Plat and submission materials shall conform to the Preliminary Plan and satisfy all conditions of Preliminary Plan approval. Phased platting may be allowed only as identified and approved on the Preliminary Plan.

**205.19 Submission; Schedule or Reject.** Within five days of submission, staff shall either:

- C. Accept and schedule the plat for the next appropriate meeting of the FCPC, and notify the township in accordance with Section 711.10 of the Ohio Revised Code; or
- D. Reject the submission by returning the fee with an itemization of deficiencies and notify the Township of its rejection where said project is within the jurisdiction of a Township that administers its own zoning.

**205.21 Notify Ohio Department of Transportation (ODOT) ORC 5511.01.** For any plat within 300 feet of the centerline of a proposed state highway or a state highway for which changes are proposed, or any land within a radius of 500 feet from the point of intersection of said centerline with any public road, the FCPC shall notify the ODOT director by registered or certified mail. The plat shall not be approved for 120 days from the date notice is received by the director.

**205.23 FCPC Action.** A written staff report and recommendation shall be forwarded to the FCPC, the applicant, and if zoning is not under the authority of the FCPC, the appropriate Township Zoning Official. The FCEDP shall recommend to the FCPC approval or disapproval of the Final Plat within 35 business days of accepting the application, unless it is withdrawn or a delay-of-action is requested and granted. There shall be no conditional approval of a Final Plat. If recommending disapproval, the reason(s) shall be stated in the FCPC record.

**205.25 Recording the Plat.** An approved Final Plat must be recorded within six months unless an extension has been granted. Within that period, the applicant/developer must secure the following signatures: the FCPC, applicable zoning officer, Franklin County Public Health or Sanitary Engineer, County Drainage Engineer, and County Engineer (this signature is always last).

- A. Once the above signatures have been affixed to the Final Plat, the applicant/developer shall contact the Franklin County Engineers Office to schedule a hearing before the Franklin County Board of Commissioners for review, approval and signature of the Final Plat.
- B. The applicant/developer will need to provide two separate company checks (personal checks are not accepted). One is to be made payable to the Franklin County Auditor to cover the transfer fee. The second check will be made payable to the Franklin County Recorder.
- C. The FCEDP will attend the commissioners' hearing and take possession of the plat once the commissioners have signed it. The above mentioned two checks are to be given to the FCEDP at that time. The FCEDP will be responsible for recording the Final Plat.
- D. Copies of the mylar signed by the commissioners will be obtained by the FCEDP. The copy distribution will be: the FCPC, Sanitary Engineer, ODNR, Franklin Soil & Water, Franklin County Public Health and the township; two copies will be given to the county engineer's office and any other board or agency with jurisdiction to review subdivisions under these regulations. The Final Plat and five copies will be taken to the auditor's office. No check is taken at this time.
- E. The auditor's office will forward the plat to the county engineer's office for review of engineering specifications, measurements, legal descriptions, lot lines and to see if the proper amount of acreage is indicated.
- F. The engineer's office then returns the plat to the auditor's office.
- G. The auditor's office will contact the FCEDP to pick up the plat and to bring the check for the auditor.
- H. The plat and the check for the county recorder is then taken by the FCEDP to the recorder's office.
- I. The FCEDP will send a brief letter to the applicant, developer or agent and to the applicable zoning authority to advise on what date the plat was recorded, as well as

the instrument number. It is usually two weeks before the recorder's office releases the plat. The recorder's office will occasionally contact either the surveyor's or the engineer's office (whoever's name is on the plat) when it is ready to be picked up at the recorder's office. Otherwise, it will be the responsibility of the applicant, developer or agent to call the recorder's office to determine if the mylar is ready for release.

**205.27 Plat Recall.** If not recorded within six months of the FCPC action and no extension has been requested or approved, the FCPC board, upon recommendation by the FCEDP, shall recall the plat for reconsideration. The applicant may request reconsideration and the FCPC board, upon recommendation by the FCEDP, shall act to reapprove, modify, update or revoke the plat. Prior to recording, the FCPC plat approval shall be revoked if incomplete or inaccurate information influenced approval, the subdivider fails to satisfactorily construct improvements, or for other reasons determined by the FCPC. If a plat is recalled or revoked, the subdivider may be subject to enforcement measures.

### **205.29 Changing a Recorded Subdivision Plat of a Major Subdivision**

- A. **General.** A Preliminary Plan and Final Plat shall be required to amend or change the recorded plat of a Major Subdivision. The new plat shall be signed by owners of property determined to be injuriously affected, as determined by the FCPC at the time of its consideration of the Preliminary Plan, by such an amendment or change. "Injuriously Affected" property owners in the subdivision, as recommended by the FCPC, shall receive notice of the FCPC meeting and be afforded an opportunity to appear at the time of consideration of the Preliminary Plan for the purpose of showing that they are "injuriously affected" by the proposed plat amendment or change.
- B. **Injuriously Affected.** For the purposes of Section 205.31(A), Improvements Approval and Construction Procedures, an owner of property in the current subdivision may be deemed to be "injuriously affected," as recommended by the FCPC, if any one of the following conditions would create adverse circumstances directly related to a specific lot or set of lots as the result of the proposed amendment or change to the subdivision plat.
1. The lot size or configuration of one or more lots in the subdivision would be altered by a change in an existing street or right-of-way alignment;
  2. The lot size or configuration of one or more lots in the subdivision would be altered because a new street or right-of-way is to be dedicated within the previously recorded plat;
  3. Lots created by an amendment or resubdivision of the plat would be smaller than any other lot in the same platted subdivision;
  4. The fair market value of any lot would decrease. Evidence of diminution in value from a certified appraiser or other credible source may be required;

5. A lot would be adversely impacted by a change in storm drainage runoff, a change in the water supply or water flow, the existence of health or safety risks, or any circumstance which would prohibit or unreasonably limit the ability of the property owner to use the lot for its intended purpose;
6. The size, location or configuration of any lot would violate or not conform to restrictions or regulations applicable to such lot without first having obtained a variance or other appropriate relief.

### **205.31 Improvements Approval and Construction Procedures**

- A. **General.** The county engineer and county drainage engineer, in conjunction with the FCEDP shall be responsible for construction plan review and approval, construction inspection, and administration of sureties for streets abutting roadways, stormwater management improvements and erosion and sedimentation control practices, and shall ensure necessary easements are provided. The county sanitary engineer shall have the same responsibilities for central waterline and central sanitary sewer improvements unless the subdivision receives central water and sewer from a political subdivision or public utility with a certificate of public convenience as issued by the Public Utilities Commission of Ohio. Franklin County Public Health shall be responsible for onsite and alternative wastewater treatment system approvals.
- B. **Plan Review and Construction Inspection Funds.** Upon request of the county engineer, sanitary engineer or the FCEDP, the subdivider shall provide funds, at times and in amounts specified, to cover or defray costs of plan review and approval, and construction inspection and enforcement.
- C. **Construct or Provide Surety.** After approval of construction plans by applicable authorities, but prior to county engineer and, if applicable, sanitary engineer plat signature, the subdivider shall:
  1. Satisfactorily complete required street, roadway, stormwater management, erosion and sedimentation control, and waterline and sanitary sewer improvements; or
  2. Provide satisfactory construction, post construction, and performance sureties for the improvements.

**205.33 Use and Release of Surety.** Should the subdivider fail to adequately implement or complete improvements, the subdivider and subdivision may be subject to enforcement measures. The county engineer or sanitary engineer may complete required improvements with the sureties. Sureties may be released at times and in amounts deemed appropriate by the county engineer or sanitary engineer. A minimum of 10 percent (10%) of the surety shall be held until the site has become stabilized and final acceptance of all improvements is made.

- A. Prior to street acceptance, the subdivider shall:

1. Provide written certification from a professional surveyor that all required monuments are provided and those removed during construction have been replaced;
  2. Provide written certification that all grading, swales, ditches, and drainage structures have been installed per approved construction plan;
  3. When applicable, provide written acceptance of dedicated improvements from the township;
  4. Receive written acceptance from FCEDP as to the suitability of erosion and sediment control practices; and
  5. Otherwise satisfy the county that required improvements have been completed.
- B. Prior to full release of surety, the subdivider shall:
1. Complete the above street acceptance process;
  2. Complete utility service work and extensions to individual lots;
  3. Convert Construction Erosion Control Basins to Post Construction BMP Basins if applicable;
  4. Receive written acceptance from FCEDP as to the suitability of erosion and sediment control practices; and
  5. Otherwise satisfy the county that required improvements have been completed.

**205.35 Record Drawings.** Without prior approval of the county engineer or sanitary engineer, improvements shall be installed as shown in approved plans. Certified record drawings may be required to assist in determining compliance. Failure of record plans to match approved plans within acceptable tolerances may subject the subdivider and subdivision to enforcement measures.

**205.37 Maintenance of Improvements.** The subdivider shall maintain all improvements until final inspection approvals are granted and improvements are accepted. The county engineer and sanitary engineer may require maintenance or performance sureties which shall be provided prior to, and be in force not less than one year from, date of final inspection approval.

**205.39 Hold Harmless Obligation.** The subdivider shall hold Franklin County and the FCPC, including their officials and employees, free and harmless from any and all claims for damages of every kind and description arising or growing out of the construction of said public improvements. The subdivider shall defend, at their own cost and expense, any claim, suit or action brought by any person against Franklin County and/or the FCPC, or their officials and employees, by reason thereof, until the public improvements have been accepted and until the end of the one-year maintenance period.

**205.41 Emergency Access.** At least one public or private access shall be passable for emergency vehicles during all periods of construction.

## 300 Subdivision Plan Requirements

### **301 Subdivision Plan Requirements**

**301.01 Intent.** As applicable, Plans for the minor and major subdivision of land shall contain information specified in these Regulations and follow the process established in this Section for review and approval.

### **302 Preliminary Plan Requirements**

**302.01 General.** The Preliminary Plan approval procedure is intended to ensure that a major subdivision is designed and laid out in accordance with all applicable provisions of these Subdivision Regulations. The plan shall include the following:

- A. Proposed name of the subdivision with boundaries and acreage;
- B. North arrow, legend and vicinity map;
- C. Date of preparation and name, address and telephone number of consultant;
- D. Proposed phase boundaries and schedule and sequence of development, if there will be more than one plat;
- E. Owners of adjoining parcels and location of property lines;
- F. School district and taxing district boundary lines;
- G. Property owner identification and Parcel Identification Designation (PID) number.
- H. If applicable, the written development statement and rezoning resolution approving the development including requirements or conditions of the approval.



**302.03 Natural Features:** The plan shall include the following information:

- A. Topographic contours, existing and proposed, at a maximum of two-foot intervals, except in the area of the proposed household sewage treatment system, the contours shall be a maximum of one-foot intervals;
- B. Wooded areas, watercourses, drainage patterns, wetlands and ponding areas;
- C. The floodway and floodway fringe of any NFIP watercourse;
- D. Soils information, derived from the county soil survey;
- E. Ground water pollution potential areas, see Section 404.19 for more information

**302.05 Preliminary Plan - Existing Features:** The plan shall include the following items:

- A. Approximate building sizes and locations;
- B. Location of streets, sidewalks and railroad rights-of-way;
- C. Utility, access or other use easements including copies of existing easement requirements and permission(s) by easement holder(s);
- D. Storm sewers and drainage structures, and utilities;
- E. To the best ability, all known agricultural tiles are to be identified;
- F. Existing rights-of-way;
- G. The Riparian Setback Area, as required by Section 405
- H. Existing zoning including any special or overlay zoning districts including their boundaries;
- I. Corporation limits.

**302.07 Preliminary Plan - Proposed Features:** The plan shall include:

- A. Street name, grade, location, and pavement and right-of-way width;
- B. Blocks, lots, reserves and prospective ownership and purpose of reserves;
- C. Preliminary location and size of storm sewers, drainage structures, sanitary sewers, waterlines, and their outlets or connections;
- D. Preliminary location, size and type of wastewater treatment systems if a household sewage treatment system. This shall include alternative wastewater systems such as spray irrigation and drip mounds. Approval of the applicable County Sanitary

Engineer and/or Franklin County Public Health for household sewage treatment shall be required.

- E. Major storm routing path, stormwater management features, and long-term operation and maintenance plans;
- F. Location and acreage of parkland, open space, school lands or common areas plus the ownership/maintenance of such areas;
- G. Location and type of other improvements or development;
- H. Potential future street right-of-way layout for adjacent land owned, controlled or planned for development by the subdivider; potential street right-of-way layout for extension of requested or required stub streets right-of-way;
- I. Zoning.

**302.09 Preliminary Plan - Additional Requirements:** In addition to other requirements, the FCPC may require any of the following items be provided by the subdivider with, or to supplement, the initial submission, in order to conduct a fully informed review of the preliminary plan:

- A. Screening, buffering and/or noise abatement measures;
- B. Location and results of soil borings or test pits;
- C. Deed restrictions or private covenants;
- D. Draft subdivider's agreement;
- E. Land reserved for public or common use and ownership/maintenance of such area;
- F. Identification of reserve areas for private streets. All private streets must be located in a reserve in order to be considered for approval;
- G. Traffic control/separation or other public safety measures;
- H. Access management measures (number, type, restriction and location of drives) (See Section 502.11, Access Control);
- I. Potential street right-of-way layout within or adjacent to the site;
- J. Noise, avigation, scenic, pond, lake, watercourse or other easements or reserves;
- K. Grading plan;
- L. A copy of the approved PUD plan if the subdivision was zoned as a part of a Planned Unit Development;

- M. Other items or provisions deemed necessary and prudent to create buildable sites and promote the public health and safety.

### **303 Construction Plan Requirements**

**303.01 General.** Construction Plans shall contain information specified in these Regulations, meet requirements of the County, state and federal government, including the applicable Ohio EPA construction permits, be drawn at a scale of one inch equals 50 feet (or other scale if allowed by the county engineer or sanitary engineer), measure 22 by 34 inches, conform with county CAD standards and be sealed by a registered professional engineer. Plans shall include:

- A. A title sheet;
- B. Index and location maps;
- C. Typical sections and cross sections as required;
- D. Plan and profile views;
- E. Bench marks and engineering details;
- F. Stormwater management plans developed in compliance with the Franklin County Stormwater Management Manual applicable at the time of application;
- G. Stormwater Pollution Prevention Plans as required by the applicable Ohio EPA construction permit; and
- H. An engineer's itemized estimate of quantities and costs for all items shall be submitted with the plans so the Surety's dollar amount can be determined.

**303.03 Signature Blocks.** Several plans, distributed for comment to the Technical Review Committee, may be combined into one. The title of each plan shall reflect its purpose and contents. Signature blocks shall be provided for applicable authorities including, but not limited to the following: County Engineer, County Drainage Engineer, Sanitary Engineer, Franklin County Public Health, County Commissioners and the Franklin County Economic Development and Planning Department.

**303.05 Grading.** A grading plan shall be a part of required improvement plans for all major subdivisions, may be required for other proposals, and shall show: existing and proposed contour lines, yard swales, house pad and other spot elevations, stormwater management features and major storm routing path. A cut and fill analysis may be required, indicating the disposition of excess spoil material.

**303.07 Household Sewage Treatment Systems.** Proposals involving household sewage treatment and disposal systems must show the locations and details of drainage outlets on the grading plan and, provide verification and approval from Franklin County Public Health that each lot meets public health codes. On proposed lots with limited potential for household sewage treatment systems, system types, sizes and locations may be restricted, or connection to central sanitary sewers required.

**303.09 Street Layout, Widths, and Composition.** Street layouts, widths and composition shall be based on Franklin County Engineer Standards.

**303.11 Site Distance.** An exhibit shall be included that identifies the site distance measurement, in feet, for intersections of subdivision streets with existing roadways.

**303.13 On-Site Preconstruction Meeting.** The following note shall be included in the Construction Plan's General Notes:

“Prior to construction beginning on site, the developer shall schedule a preconstruction meeting, at the site, with the following agencies: Franklin County Engineer, Franklin County Drainage Engineer, Franklin Soil and Water Conservation District, Franklin County Public Health, the Franklin County Economic Development and Planning Department and the applicable Township departments.”

**303.15 Construction Plan Submission.** Five copies of the Construction Plans and one electronic submission of the Construction Plans in PDF and CAD format shall be submitted along with a completed application form and fee as adopted by the FCPC. Construction Plan requirements are identified in Section 303, Construction Plan Requirements.

The Construction Plans and submission materials shall conform to the Preliminary Plan and satisfy all conditions of Preliminary Plan approval.

### **305 Construction Plan Review and Enforcement**

No earth disturbing activity shall commence, until the construction plans are approved by all applicable agencies and a pre-construction meeting is held as outlined in Section 303.13. The Ohio Environmental Protection Agency (OEPA) must approve coverage under the appropriate NPDES permit prior to earth disturbing activity.

**305.01 Site Inspections** – Inspections occur during and at the end of construction, the Franklin County Engineer and the Franklin County Drainage Engineer will inspect subdivision streets, utilities and stormwater infrastructure and the Franklin County Economic Development and Planning Department or authorized representative will inspect and monitor erosion and sedimentation (E&S) control practices established in the Stormwater Pollution Prevention Plan. During inspections it may be determined that other erosion control practices, not already specified on this plan, may be necessary due to unforeseen environmental, weather, or site conditions and/or changes in drainage patterns caused by earth-moving activity. In these instances the Stormwater Pollution Prevention Plan must be updated with appropriate erosion control practices to ensure continued compliance with the applicable Ohio EPA construction permit, or other applicable federal or state regulations. Failure to update the Stormwater Pollution Prevention Plan within seven days may subject the project to an order halting work until an approved Stormwater Pollution Prevention Plan is complete.

**305.03 Enforcement** – Several milestones are reached at the end of the development process, which will be utilized to ensure proper placement of required conservation practices per the above.

- A. “Progress Letter” – The “progress letter” from the Franklin County Engineer to the FCEDP (providing assurance that street construction has been sufficiently and properly completed and that erosion and sedimentation control practices are in place and functioning such that commencement of house construction is appropriate) will be forwarded only after assurance is received from the applicable Township that zoning and other Township requirements have been complied with.
  
- B. Street Acceptance – The transfer and acceptance of any street for public purpose will occur only after assurance is received from all entities that their requirements have been met such as, but not limited to, completion of infrastructure punch list generated by the Franklin County Engineer’s Office; verification from the Franklin County Engineer’s Office that erosion and sedimentation practices are in place and are properly functioning; verification that the associated township’s requirements have been met; confirmation from a Professional Surveyor that survey monumentation depicted in the Final Plat has been set; confirmation from a Professional Surveyor that grading of ditches, swales, and drainage pathways along the rear of lots on the exterior boundary of the subdivision are as per plan; etc. See Section 205.33 A.
  
- C. Release of Surety – No surety, all or in part, will be released until erosion and sedimentation practices, post construction BMP’s, and all other stormwater BMP’s are in place and properly functioning. Streets must be accepted before homes are built. However, some erosion control must remain in place until a percentage of homes are built, as per Ohio EPA requirements. Once that percentage is reached, then some erosion control features, such as basins, are converted to post construction BMP’s. Surety must be held until the post construction BMP conversions have been completed. See Section 205.33 B.

### **307 Final Plat Requirements**

**307.01 General.** The purpose of the Final Plat is to establish a legal record of the subdivision as surveyed in the field. By identifying property lines and other dimensions important to the developer, it will assist in selling lots and maintaining accurate records of street lines, easements, utility locations and other necessary property information.

The plat shall be drawn in black ink on 22 x 34 inch matte mylar material, be drawn at a scale of one inch equals 50 feet (or other scale acceptable to the county engineer), and meet microfilming standards. Plats shall be superimposed on a survey of the lands of the dedicators from which the plat is drawn and contain a background drawing of any metes and bounds descriptions of such lands. Plans shall also be submitted in electronic format in PDF and CAD format.

**307.03 Final Plat Contents.** The Final Plat shall contain:

- A. Subdivision name, property description with location and extent, dedication of streets and other public areas, names of owners and subdivider. Note that private street subdivisions cannot be converted to public streets in the future unless and until the street has been brought up to the current standards of the County Engineer and, where applicable, to the appropriate zoning authority, and has been accepted by the County Engineer.
- B. A note on the final plat where private streets are proposed that states that “Private streets will not be paved, patched, cleared or plowed by the County Engineer”.
- C. Location map, legend, north arrow, scale and date;
- D. The original plat mylar and Subdivider’s Agreement, both signed by all subdividers;
- E. Building setback lines for lots and reserves;
- F. Acreage allocated to streets, lots and reserves;
- G. Lots identified with consecutive numbering, reserves identified with consecutive lettering (no Roman numerals, Greek letters, etc.); continue number and letter sequencing in subsequent phases;
- H. Boundaries, acreage, purpose and ownership of reserves or nonresidential areas;
- I. Provisions for dedication and acceptance of public land;
- J. Lot and boundary lines with angle, distance, bearing and control points; section, township, school district, corporation and county lines; monument description and location;
- K. Boundary and centerline of streets, name, and bearing and adjacent streets with same; distance to nearest street intersection;

- L. Easements for use, services or utilities with dimensions, right-of-way, locations and purposes;
- M. Radii, chords, tangent points, control angles for curvilinear streets and radii for corners;
- N. Reference to adjoining plats by name, volume and page; acreage and ownership of adjacent unplatted properties;
- O. The floodway and floodway fringe of any NFIP watercourse;
- P. Reference to appropriate floodplain zone and map;
- Q. Wetland jurisdictional boundaries, where applicable;
- R. The Riparian Setback Area
- S. The signature of the local Zoning Official if the Township administers its own zoning;
- T. Exhibit including an as-built survey delineating all stormwater infrastructure and BMPs, the party responsible for maintenance of dedicated stormwater easements around the stormwater infrastructure and BMP's as well as easements granted for access, inspection and maintenance where applicable, including but not limited to restrictive covenant language for all land in the platted subdivision. Easements must be granted in favor of Franklin County and the State of Ohio;
- U. A note identifying whether or not the plat is located wholly or in part in an established Airport Land Use Management District (ALUMD); and
- V. Other notes, applicable zoning notes, or items or provisions required by the FCPC.

**307.05 Final Plat Statements and Signatures.** The following shall be on the Final Plat:

Situate in the County of Franklin, Township of \_\_\_\_\_, State of Ohio, and being of Section \_\_\_\_\_, Township Range (Land Grant -- U.S. Military Lands, etc.) containing \_\_\_\_\_ acres and being the same tract as conveyed to \_\_\_\_\_ and described in deed recorded in Deed Book\_\_\_\_, Page \_\_\_\_\_, Recorder's Office, Franklin Ohio.

We/I, the undersigned, being all the owners and lien holders of the land platted herein, certify that the attached plat correctly represents our " \_\_\_\_\_ (Name of Subdivision) \_\_\_\_\_", a subdivision of Lots \_\_\_\_\_ to \_\_\_\_\_ inclusive, and Reserves \_\_\_\_\_, do hereby accept this plat of same, do voluntarily consent to the execution of said plat. The county engineer shall not accept streets for public use until construction is satisfactorily completed.

In consideration of approval of this plat, we/I understand and agree to fulfill our obligations and responsibilities reflected in the Subdivider's Agreement and the Subdivision Regulations of Franklin County, Ohio. Zoning, building and health permits may be withheld in this subdivision until the subdivider has complied with the Subdivider's Agreement.

Utility Easements are granted to the public and to all owners of lots and reserves in the subdivision, and are reserved for the construction, operation and maintenance of public and



private utilities above and beneath the surface of the ground and where necessary, the construction, operation and maintenance of service connections or subsurface drainage outlets, storm sewers and surface drainage features. Conservation Easements are also granted to the public and to all owners of lots and reserves in the subdivision and are reserved for the construction, operation, usage and maintenance of walking trails, sidewalks, bridle paths and similar type non-motorized ways.

In Witness thereto (I / We) have hereunto set my/our hands this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Witness \_\_\_\_\_ Subdivider \_\_\_\_\_

STATE OF OHIO, COUNTY OF FRANKLIN

Before me a Notary Public in and for said county personally came (Name of Subdivider) who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for uses and purposes therein expressed.

In witness whereof I have hereunto set my hand and affixed my official seal \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. NOTARY PUBLIC WITH SEAL

- SURVEYED AND PLATTED BY [name of surveyor's company] -

We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct. Dimensions on curves are chord measurements.

By: Professional Surveyor with seal

\_\_\_\_\_  
Professional Surveyor

**Franklin County approvals**

The undersigned hereby certifies that this subdivision plat conforms to applicable zoning regulations.

Approved this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
Franklin County [or applicable Township]  
Zoning Officer

The undersigned hereby certifies that this subdivision plat conforms to Franklin County General Health District Board of Health regulations.

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
[if applicable] Franklin County Public Health

The undersigned hereby certifies adequate and legal water and sanitary sewer plant capacities exist to serve this subdivision.

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
[if applicable] Franklin County Sanitary  
Engineer [or applicable water and sanitary  
sewer provider]

The undersigned hereby certifies that this subdivision plat conforms to applicable subdivision regulations.

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
Franklin County Planning Commission

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
Franklin County Drainage Engineer

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
Franklin County Engineer

This \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, rights-of-way for all roads, boulevards, etc., herein dedicated to public use are hereby approved and accepted as such for the County of Franklin, State of Ohio

\_\_\_\_\_  
Franklin County Commissioners

This plat shall not be transferred or recorded until all required signatures are secured.

Transferred this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
\_\_\_\_\_  
Franklin County Auditor

Filed for record this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_.

Section 300 – Subdivision Plan Requirements

Recorded this \_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Franklin County Recorder

\_\_\_\_\_  
Deputy Recorder

### **308 Surveys and Monuments**

**308.01 General.** Survey and monument activities shall be performed by, or under the direct supervision of, a professional surveyor, meet "Minimum Standards for Boundary Surveys in the State of Ohio" (Administrative Code Section 4733-37) and meet requirements of the county engineer. Elevations shall be referenced to the North American Vertical Datum 1988 (NAVD88). The surveyor shall research at the county engineer's office for existing road plans and monumentation prior to commencing the survey.

**308.03 Monuments.** At least four permanent monuments shall be set to control the subdivision plat. For subdivision plats of more than ten lots, additional permanent monuments shall be set to properly control the original survey and interior streets. Monuments for street alignment control (one inch diameter solid iron pins, 30 inches long) shall be set at street centerline intersections and changes of direction.

**308.05 Tie-in to County Monuments.** If there are two County Survey Control Monuments within one mile of the subdivision survey, tie-in to both is required; otherwise, tie-in to a single control monument, if within one mile, will suffice. A County Survey Control Monument is a monument set or accepted by the county engineer. Descriptive information for these monuments is available from the office of the county engineer.

**308.07 Iron Pins at Lot Corners.** Iron pins shall be set at all lot corners prior to the transfer and acceptance of any street for public purpose. This work shall be included in the itemized cost estimate and construction surety provided to the county engineer.

# 400 Environment and Land Suitability

## 401 General

**401.01 Land Suitability.** Proposals deemed unfavorable due to drainage, floodplain, topography, geometry, geology, water supply, soil, health, environmental, utility line, archaeological or historical site, or other characteristic shall not be approved unless measures adequate to deal with the issues are detailed by the subdivider, reviewed by the Technical Review Group and approved by the FCPC.

## 402 Land Suitability Limitations

### 402.01 Poorly Drained Soils.

- A. Soils recognized by these Regulations as having wetness or high water table (HWT) limitations are listed below. Geographic Information System software and the Natural Resources Conservation Service’s soil survey for Franklin County were used to calculate the percentage of each respective soil type in the county.
- B. Proposals shall avoid leaching areas and homes with below grade floor elevations in these soils.
- C. There may be other unfavorable soils or site conditions not on this list which may also impact or limit development potential.
- D. The following note may be required on the Final Plat to alert lot owners of development issues or restrictions:

*NOTE: Prior to the construction of the footing/foundation for the residential building to be constructed on each of the lots, the builder of such building shall confer with the FCEDP for the purpose of determining if special foundation and/or basement construction techniques and/or materials are to be employed on such lot.*

HWT/Duration	Soil Name	Symbol	Percentage of County
0"-12" / 6 months	Kokomo Silty Clay Loam	Ko, Ku	11.1
0"-12" / 6 months	Pewamo Silty Clay Loam	Pm, Pu	3.1
0"-12" / 6 months	Westland Silty Clay Loam	Wt	0.9
0"- 6" / 8 months	Sloan Silt Loam	So	0.7
0"- 6" / 9 months	Condit Silt Loam	Cn	0.5
0"-12" / 6 months	Montgomery Silty Clay Loam	Ms	0.3
6"-18" / 8 months	Mitawanga Silt Loam	Mr	0.2
6"-18" / 8 months	Algiers Silt Loam	Ag	0.1
0"-12" /10 months	Carlisle Muck	Cc	0.1

**402.03 Highly Erodible Land (HEL)**

- A. Highly erodible lands are very susceptible to erosion and may be deemed as unfavorable for development purposes.
- B. Soils listed below are normally severely limited for building site development, sanitary facilities, and recreation uses by the slope, moderately slow permeability, and low strength.
- C. Sanitary facilities should be connected to central sewers and treatment facilities, wherever possible.
- D. Plant cover should be maintained on the site as much as possible during construction to reduce the erosion hazard.

Soil Type	Symbol	Percentage of County
Alexandria silt loam (12 to 18 percent slopes, eroded)	AdD2	0.3
Alexandria silt loam (18 to 25 percent slopes, eroded)	AdE2	0.5
Eldean silt loam (12 to 18 percent slopes, eroded)	EID2	0.2
Glynwood silt loam (6 to 12 percent slopes, eroded)	GwC2	0.2
Hennepin and Miamian loams (18 to 25 percent slopes, eroded)	HeE2	0.3
Hennepin and Miamian loams (25 to 50 percent slopes, eroded)	HeF2	0.4
Miamian silty clay loam (12 to 18 percent slopes, eroded)	MID2	0.4
Ritchey silt loam (12 to 18 percent slopes, eroded)	RhD2	0.2
Udorthents (loamy, rolling)	Up	0.6
Udorthents (loamy, sloping)	Ur	0.2
Udorthents (loamy, steep)	Us	0.1

**403 Individual Wastewater Treatment Systems**

**403.01 General.** Without central water supply and central sanitary sewers, the following table shall apply.

- A. The length of observation period between phases shall be determined by the Board of Health of the Franklin County General Health District.

<u>Smallest Lot</u> _____	<u>Maximum Number of Lots</u>
Less than 2 acres	16 lots in a single phase with no future phases
2 acres or more	32 lots per phase with multiple phases considered

- B. Household Sewage Treatment Systems proposed for subdivisions shall meet the requirements of Franklin County General Health District Board of Health Regulation 720.

**403.07 Standard Final Plat Language.** The following notes shall be included on the Final Plat relating to household sewage treatment systems and private supply systems:

- A. The primary and secondary locations to be utilized for household sewage treatment systems on all lots shall be protected from being compromised by any construction traffic, utilities, easements, driveways, building/structure locations, pools or ponds, by surrounding each location with a visual barrier to prevent encroachment prior to any improvement on the lot.
- B. Gradient drain tiles are to be utilized to receive subsurface water only, as outlined in Franklin County Public Health Regulation 720. When a common collector tile is to be used to receive the subsurface water from curtain drains, Franklin County Public Health shall review the depth, size and fall to ensure proper design and function.
- C. No soil, including soil from road excavations, etc., shall be placed on any lot without prior written approval from Franklin County Public Health or their authorized representative.
- D. Establish proper sanitary radius from private water system locations, as it relates to the construction site, and adjacent properties must be maintained as in accordance with the Ohio Department of Health Private Water System Rules, O.A.C. 3701-28.
- E. No scalping of soil where the primary or reserve soil absorption components of the household sewage treatment system are to be located will be permitted.
- F. The grade after final construction must match the grade identified on the final plat within 10 feet of the building foundation. The grade at the foundation wall may not be higher than 6" above the elevation 10' from the foundation.
- G. Any deviation from the location of the primary and secondary household sewage treatment system locations shall be approved by Franklin County Public Health.

## **404 Natural and Environmental Issues**

**404.01 Floodplains.** National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRM) and data and Soil Survey of Franklin County, Ohio shall be used in determining floodplain areas. *Algiers, Eel, Genessee, Medway, Ross, Shoals and Sloan are typical floodplain soils.* Building areas, wells, and wastewater treatment systems and facilities shall avoid floodplain areas. Floodplain determination should be confirmed by the Franklin County Floodplain Administrator.

**404.09 Ponds.** Where ponds exist or are created in a proposed subdivision, they shall not be subdivided.

**404.11 Wellhead Protection Areas.** Proposals within adopted wellhead protection areas shall be forwarded to the respective political jurisdictions for comment. A signature block for applicable wellhead protection authorities may be required on the plat. Conditions may be attached to approvals consistent with these Regulations.

**404.13 High Voltage Electric Transmission Lines.** When proposed lots require residential homes be located within 250 feet of the centerline of high voltage electric transmission lines, the following note shall be included on the minor subdivision deed or major subdivision plat - *"NOTE: Potential health and environmental impacts associated with high voltage power line electromagnetic fields are not completely understood at this time."*

**404.15 Airport Noise Zones.** An avigation easement and nonsuit covenant may be required within identified airport noise zones. Plat or deed wording referencing the airport noise zone, easement and covenant may be required.

**404.17 Common Area or Parkland.** Consideration should be given to preserving natural features and scenic areas and providing areas for schools, parks, natural habitats, wildlife areas and recreational facilities. With proper maintenance provisions, sites may be dedicated to the public or reserved by deed or plat wording or deeded to a qualified land trust or other agency capable of holding conservation easements in perpetuity.

**404.19 Ground Water Pollution Potential Areas.** Subdivision proposals must show the site's ground water pollution potential rating as indicated in the Ground Water Pollution Potential Report No. 40 for Franklin County, Ohio developed by the Ohio Department of Natural Resources. In most cases, residential development does not pose a threat to groundwater pollution while industrial and commercial development may, depending on the type and nature of the development. Where a high potential for ground water pollution exists the subdivider must demonstrate how ground water pollution will be prevented, what safety measures will be used to prevent pollution and who will be responsible for monitoring the safety measures. All care must be taken by the subdivider to reduce the risk of pollution to ground water.

**404.21 Wetlands.** Franklin County supports the preservation of wetlands and values the storm water and biological benefits that they provide. Wetlands have proven to provide flood and storm control, pollution treatment, recharge of ground water supplies and wildlife habitat.

Jurisdictional and isolated wetlands must be delineated by a qualified professional, as required by the U.S. Army Corps of Engineers (Corps) and the Ohio Environmental Protection Agency (OEPA). Wetland boundaries shall be mapped in an acceptable electronic format and submitted to the FCEDP. Copies of all permit applications, related correspondence and any associated wetland mitigation plans must also be submitted to the FCEDP with the Stormwater Management Report.

At least 10 working days prior to the preconstruction meeting the applicant must submit copies of approved Federal (404) and State (401) permits, if the permits are required.

Wetlands protected under federal or state law may also be protected by other local regulations. In the absence of other local regulation, the County encourages the use of grading plans and vegetated buffers that maintain predevelopment water flow and maximize filtration of surface water as it flows toward wetlands. The ODNR Rainwater and Land Development Manual contains recommendations for wetland buffers.



When wetland impacts are unavoidable, the County encourages the mitigation of proposed impacts to occur within the limits of the development site but not outside the HUC-14 subwatershed.

**405 Riparian Setback Area**

**405.01 General.** The purpose of a Riparian Setback Area is to promote public health and safety by protecting surface and groundwater quality. The Riparian Setback Area establishes a buffer along streams that filters stormwater runoff before it reaches the waterway, provides high-quality stream habitats, reduces flood impacts, enhances environmental and community quality of life, and protects public and private investments.

**405.03 Defer to Local Zoning.** To the extent that a community may adopt such a district, any proposed subdivision within an adopted riparian setback area will be forwarded to the respective zoning authority for review and comment. Conditions from that community shall be attached to approvals consistent with the zoning regulations.

In the case where the local zoning authority has adopted its own riparian setback or stream buffer standards the more stringent regulation applies.

**405.05 Applicability.** The Riparian Setback Area applies to all surface watercourses with a well defined bed and bank, either natural or artificial, which confines and conducts continuous or periodical flowing water in such a way that terrestrial vegetation cannot establish roots within the channel. The Riparian Setback Area does not apply to drainage ways constructed exclusively for road side drainage and that are generally parallel to a road.

**405.07 Riparian Setback Established.** The total width of the Riparian Setback Area shall be established using the following criteria, whichever is greater:

- A. The Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area, or
- B. 50 feet, as measured from the ordinary high water mark for all water courses defined as streams
- C. 120 feet, as measured from the ordinary high water mark of the following major streams: Alum Creek, Big and Little Darby Creeks, Big and Little Walnut Creeks, Blacklick Creek, Hayden Run Creek, Hellbranch Run (including Hamilton Ditch and Clover Groff Ditch), Olentangy River, Rocky Fork Creek, and Scioto River

**405.09 Inclusion of Wetlands and Steep Slopes.** The Riparian Setback Area must be extended in the following circumstances:

- A. Where a wetland is identified within a Riparian Setback, the Riparian Setback width must be extended as follows, based on the functional capacity of the wetland:
  - 1. Category 1 – 25 feet
  - 2. Category 2 – 75 feet
  - 3. Category 3 – 120 feet

Wetlands must be delineated through a site survey prepared by a qualified wetlands professional using protocols adopted by the U.S. Army Corps of Engineers. The setback distances listed above are recommended by the Ohio Department of Natural Resources' Rainwater and Land Development Manual.

- B. Where a slope of 12 percent or greater or a slope designated as Highly Erodible Land (HEL), as defined in Section 105, is partially contained within the Riparian Setback, the Riparian Setback width must be extended to the top of the 12 percent slope or the top of the slope designated as HEL.

**405.11 Permitted Activities.** Any activity that does not reduce the Riparian Setback Areas ability to filter pollution, infiltrate ground water and perform its natural functions, as determined by the Franklin County Planning Commission, is permitted. This includes the installation of pervious trails, the removal of damaged or diseased trees or invasive species, plantings native to the specific development site's area, and stormwater outlets developed in accordance with the Franklin County Stormwater Management Manual, current version.

**405.13 Riparian Setback Area Protection.** Riparian Setback Areas must be kept in their natural state except as permitted under Section 405.11. In order to protect these sensitive areas Riparian Setback Areas should be contained in a platted reserve. If Riparian Setback Areas must be on private lots an easement and plat or deed wording may be required.

**405.15 Riparian Setback Area Delineation.** The developer must visually delineate the Riparian Setback Area onsite prior to any construction activity to prevent excursions into the area during construction. No later than the conclusion of construction, the developer shall permanently delineate the Riparian Setback in an aesthetically harmonious manner, approved by the County, such that the location of the zone is apparent to casual observers and permits access to the zone. Appropriate means for delineation include an intermittent split rail fence with appropriate signage, carsonite posts, or other markings delineating the area as a "conservation zone" or "natural area".

## 500 Design Standards and Criteria

### **501 General Standards**

**501.01 Applicable Regulations and Policies.** Subdivisions shall be designed and laid out in accordance with:

- A. These Regulations;
- B. County and Township Land Use Plans;
- C. County and Township Zoning Resolutions;
- D. Applicable laws, rules, and regulations of the State of Ohio

Depending on the specific plan type, subdivision plans shall be approved by the FCPC, County Engineer, County Drainage Engineer, County Sanitary Engineer, the Franklin County Economic Development and Planning Department, Township Zoning Official and other applicable authorities. Improvements and easements outside the boundaries of the subdivision may be necessary. Street and lot layout shall be compatible with topography and other characteristics of the land.

**501.03 Improvements.** Developers are responsible for the construction, installation, and maintenance of the following improvements in accordance with the standards of these subdivision regulations in addition to any applicable federal, state or County standards unless otherwise directed or approved by the applicable Township or County authority:

- A. All streets within the subdivision and improvements to existing streets required for safe and adequate access to the subdivision as may be required by these subdivision regulations;
- B. Street signs;
- C. Sidewalks and pedestrian facilities;
- D. Water supply and wastewater systems, other than individual wells and individual sewage disposal systems;
- E. Surface drainage, storm sewers, and drainage easements;
- F. Stormwater management devices and easements;
- G. Erosion and sedimentation control devices;
- H. Utilities and utility easements;
- I. Conservation easements including paths and walkways, open spaces and parkland;

- J. Survey monuments;
- K. Street lights, if required by the applicable Township or County authority;
- L. Landscaping; and
- M. Any other on- or off-site improvements required by these subdivision regulations or improvements required at the time of plat approval.

**501.05 Lot Geometry.** Side lot lines shall be within five degrees of being perpendicular or radial to street centerlines. Lot depth to width ratio shall not exceed 4 to 1. Depth shall be measured from the rear lot line to the street centerline. Width shall be measured parallel or tangent to the street centerline, 100 feet back from the street centerline.

**501.07 Block Standards.** Block lengths and widths shall be coordinated with the development of the land and shall be designed in a manner that will allow proper traffic flow including fire fighting equipment and pedestrian use; and pedestrian access ways within the blocks to schools, parks or other destinations as may be required by the FCPC. In addition, blocks shall be designed in conformance with the following requirements.

For subdivisions of four dwelling units or greater per net acre, these standards shall apply. For subdivisions of less than four dwelling units per net acre, the standards shall be optional, but are highly recommended.

- A. A maximum block length of 660 linear feet (1/8 mile) is recommended. Block lengths shall not exceed 1,000 linear feet (approximately 1/5 mile) and shall be of sufficient width to provide for two tiers of lots of appropriate length, except where unusual topography or other exceptional physical circumstances exist.
- B. Where blocks exceed 660 linear feet (1/8 mile), a crosswalk easement on subdivision lots no less than ten feet (10') in width at or near the halfway point may be required to provide proper access to schools, recreational areas, shopping areas, transportation, and other community facilities.

**501.09 Waterlines and Sanitary Sewers.** The design and construction of sanitary sewers, waterlines, and associated items shall be in accordance with requirements of the Sanitary Engineer or the appropriate local jurisdiction if systems are other than that of the county. Property to be served by central water and sanitary facilities must be located within the service area boundary of existing water and wastewater plants, and those plants must have sufficient excess capacity to serve the development. A Final Plat shall not be approved until the FCPC receives written verification of the existing service area boundary, and those plants must have sufficient excess capacity to serve the proposed development.

## **502 Street Standards**

**502.01 General.** Streets shall be considered in their relation to existing and planned streets, topography, safety and proposed use of lands to be served. When a subdivision abuts

an existing road or street, additional right-of-way may be required in widths specified by the county engineer or these Regulations. Lots shall front along, and have access to, publicly maintained streets or roads with public right-of-way provided by easement for minor subdivisions, and by dedication in plats. The County Engineer shall ensure subdivision and street names do not duplicate existing names.

**502.03 Nonstandard Items.** Proposed street and right-of-way features not covered by the standard drawings or criteria of these Regulations shall be requested as variances. Such features may involve trees, stonework, fencing, pavement surfaces, mounding, landscaping or other amenities.

**502.05 Street Trees.** All aspects of planting or leaving trees in the right-of-way must be shown on the Preliminary Plan and approved as a part of the street improvement plans. Tree species and locations of trees, utilities and potential driveways shall be shown. Ohio native tree varieties are required. The right-of-way width shall be widened and tree spacing adjusted as needed to accommodate street drainage ditches or other infrastructure features and their subsequent maintenance.

**502.07 Private Streets.** If allowed by local zoning, private streets may be requested. Plan approval, construction inspection and surety requirements shall be the same as for public streets. In approving a private street, the FCPC may impose restrictions, limitations or conditions concerning the number of homesites served, street length, design standards, plat or deed wording, or other items.

- A. Note that private street subdivisions cannot be converted to public streets in the future unless and until the street has been brought up to the current standards of the County Engineer and, where applicable, to the appropriate zoning authority, and has been accepted by the County Engineer.
- B. A note on the final plat where private streets are proposed that states that “Private streets will not be paved, patched, cleared or plowed by the Township or County Engineer”.

**502.09 Curb-and-Gutter/Sidewalks; Roadside Ditch.** Curbed street sections and sidewalks are required with two or more dwelling units per net acre (e.g. excluding required open space) in accordance with County Engineer standards. However, if approved by the Drainage Engineer, the County may permit a curb and ditch system instead of a curb-and-gutter system for subdivisions with two or more dwelling units per acre. For uncurbed streets, the ditches, swales, storm sewers, catch basins and driveways should be located and designed to minimize the use of driveway culverts. Driveway culverts and aprons may be required with other street and drainage improvements. Plat or deed wording shall be required prohibiting the filling or pipe enclosure of roadside ditches. Ditches or swales designed as an integral part of a stormwater management plan shall not be altered from original designs.

**502.11 Access Control.** The FCPC, in concert with the Franklin County Engineer’s office, may require: frontage or service roads, reverse frontage lots with access on interior streets, left turn lanes, right turn lanes, restrictions on number and location of driveways, driveways with turnarounds, combined driveway access, buffering and screening, or

other traffic separation or control measures. Residential lots with vehicular access onto arterial streets may be prohibited. The need for a traffic impact study will be determined by the Franklin County Engineer. The traffic study and any resulting roadway/ infrastructure improvements will be at the sole cost of the developer. A surety shall be submitted to the Franklin County Engineer per Section 205.31 (C), Construct or Provide Surety, for any arterial improvements determined by the traffic impact study.

**502.13 Cul-de-sac, Stub and Dead-end Street Systems.** Dead-end streets may be permitted as permanent only when the applicant can prove that the dead-end street is the best option for development. Permanent dead-end streets must be terminated with a cul-de-sac or other appropriate turn-around facility. Temporary dead-end streets with temporary turn-around provisions that meet the specifications of the County Engineer for public roadways may be permitted upon review.

All care must be given to notifying property owners who own lots that abut stub streets that these roads are planned to be extended. The plat shall include the language: “*Stub streets are intended to be extended in the future for access to adjacent properties. No extension of the stub street will be allowed without plat or deed.*” The length of a stub street shall not extend more than two lots past the intersection. Stub streets shall be improved all the way to the property line of the subdivision. Deeds of house lots shall include language indicating these roads are planned to be extended. The developer shall post a sign no smaller than nine square feet at the end of each stub street stating the street is planned to be extended.

A. Dead-end Street Having Single Public Access. A dead-end street shall not exceed 1,000 linear feet measured along the center line. The FCPC may approve a longer dead-end street in the case of lower density subdivisions where no more than 16 lots will take access from the dead-end street and upon making findings and conclusions that justify the number of lots relative to consideration of the following factors:

1. Total number of lots that access on the dead-end street;
2. Size of lots;
3. Intensity of residential land use (e.g. single family detached, single family attached, multi-family, etc.);
4. Type of street cross-section;
5. Right-of-way width;
6. Street gradients and curvature;
7. Size of turn-around;
8. Availability of intermediate turn-arounds;
9. Availability of water lines and location of fire hydrants at proper capacity levels;
10. Availability of sanitary sewers;
11. Topography (on-site and off-site) and environmental impact of any future extension of a stub street;
12. Potential and feasibility of any future connection of a stub street to an existing or planned street.
13. Availability of alternate emergency access;
14. Traffic as measured by average daily trip (ADT) rate;
15. Length of dead-end street;
16. Recommendation of adopted Township plan.

- B. Stub Streets. Stub streets may be approved by the FCPC in order to facilitate future street extensions and connection of street systems provided the proposed stub street system satisfies the following standards:
1. The adjoining land that would extend the stub street must have compatible zoning or is proposed to have compatible land use in an area plan.
  2. Said adjoining land must be currently undeveloped.
  3. There is no major physical boundary (e.g., large waterway, large grade differential, etc.) between the properties that would preclude extension of the stub street.
  4. The potential future extension of the stub street is identified and its connection to an existing or planned street as shown on a submitted sketch plan is feasible and practical;
  5. A note is added to the plat indicating that future connection to the stub streets identified thereon by the same or other developers shall be extended and opened as public streets in subsequent phases of development. The language shall state: "*Stub streets are intended to be extended in the future for access to adjacent properties. No extension of the stub street will be allowed without plat or deed.*"
  6. A "No Outlet" sign is placed at the entrance to the stub street and a barricade is placed at the end of the stub.
  7. Temporary turnaround is provided in accordance with the Regulations of the office of the County Engineer.
  8. The end of the stub street and right-of-way shall not be used for frontage to individual lots.
  9. The stub street and right-of-way shall extend to the limits of the proposed subdivision.
  10. Any planned subdivision adjacent to an existing or planned subdivision shall design the street system to connect to the existing or proposed subdivision stub street system.
- C. Stub Street as Future Second Access. When a stub street is indicated on the Preliminary Plan and Final Plat as a future second access, the maximum number of lots and street length permitted from one access shall be 100 units.
- D. Criteria for Extension of Existing Stubs. An existing stub street adjoining a proposed subdivision shall be extended (except as provided in Section (E) below) if one of the following applies:
1. A proposed subdivision provides a second point of access required for adjacent subdivisions.
  2. The extension provides a second point of access required for the proposed subdivision.
  3. Overall circulation of the surrounding neighborhood is improved by providing potential extension to multiple points of access.
  4. To provide adjacent landlocked parcels with access possibilities.
- E. Criteria for Termination of an Existing Stub. An existing stub street adjacent to the proposed subdivision may be terminated if one of the following applies:

1. Extension would result in potential regular use by non-local traffic as a cut through between arterial streets.
2. Extension fails to provide potential for a secondary point of access and the resulting length exceeds the maximum permitted under Section 502.13 (A) or 502.13 (C), Cul-De-Sac, Stub and Dead-end Street Systems.
3. Extension is proposed only to avoid a variance to these subdivision regulations.
4. Topographic constraints prohibit feasible extension at the proposed location or creates a potential hardship for future extension.

**502.15 Street Classification and Design.** Streets and rights-of-way (ROW) shall meet requirements of the County Engineer and the following unless an approved variance has been granted modifying the aforementioned requirements (see Section 700, Variances):

Street Classification	Minimum Pavement (ft)	Minimum ROW (ft)	Minimum Centerline Radius (ft)	Maximum / Minimum % of vertical grade	
Major Arterial	48	120	1200	4	0.5
Minor Arterial	36	100	800	5	0.5
Collector	36	60	450	6	0.5
Local (no curb)	22	60	250	7	0.5
Local (with curb)	25	50	175	7	0.5

\*Exclusive of shoulders, curbs and gutters

\*\* In some instances, the Darby Town Center may contain variances that deviate from the standards and recommendations of the above table.

**Intersection Design Element**

Maximum approach speed	25 mph
Clear sight distance	100 feet
Maximum profile grade approach to intersection	3 percent
Minimum angle of intersection	75 degrees
Minimum return radius:	
Curbed (face of curb)	25 feet
Uncurbed (edge of pavement)	35 feet

**Minimum centerline offset of adjacent intersections**

	Standard
Local/Local	150 feet
Local/Collector	200 feet
Local/Arterial	300 feet
Collector/Collector	300 feet
Collector/Arterial	1,200 feet



**505 Bicycle and Pedestrian Paths when Exclusive of Public Sidewalks**

**505.01 Establishment of Bicycle and Pedestrian Paths.** Right-of-way or easements for bicycle and pedestrian paths shall be required only if such paths have been specified as part of a County Plan, Township Plan or a local or regional plan adopted by the local jurisdiction(s). Bicycle and pedestrian paths shall meet the most recent standards established by the Ohio Department of Transportation (ODOT) and the Mid Ohio Regional Planning Commission (MORPC).

**506 Street Signs**

**506.01 Public Street Signage.** Public street name signs and stop signs shall conform to the standards established by the County Engineer. Customized or specially designed street name signs or address range signs at intersections of private streets with public streets may be erected by the developer, at the developer's expense, provided the sign face material and design are in accordance with current County standards and are approved by the County Engineer. All other street name signs on private streets shall be erected by the developer, at the developer's expense, subject to review and approval by the FCPC.

## **507 Household Sewage Treatment Systems, Private Water Systems**

**507.01 Where Prohibited.** When Franklin County Public Health determines that household sewage treatment systems or private water systems are not in conformance with Franklin County Public Health Regulations or state or federal law, the FCPC may prohibit the subdivision of land requiring the use of household sewage treatment systems for the treatment of sanitary waste or private water systems.

**507.03 Centralized Wastewater System.** Any subdivider who proposes to create a subdivision consisting of twenty-five (25) lots or more which utilizes household sewage treatment and disposal systems shall first provide evidence in writing to the FCEDP that the Ohio Environmental Protection Agency considers a central sewage system to be not accessible pursuant to the applicable sections of the Ohio Revised Code and the Ohio Sanitary Code. Such subdivision must then comply with Section 507.05, Household Sewage Treatment Systems.

**507.05 Household Sewage Treatment Systems.** Any subdivider who proposes to create a subdivision which utilizes household sewage treatment and disposal systems shall provide evidence in writing to the FCEDP, from Franklin County Public Health, that the lot size, soil, waterway, or other conditions applicable to the proposed household sewage treatment systems are acceptable. Board of Health Regulation 720-07 (D) (1) prohibits the use of a household sewage treatment system in a new lot or new subdivision when soil absorption is not feasible.

**507.07 Submission of Plan.** Upon submission of the information required pursuant to Section 507.03, , the subdivider shall submit to Franklin County Public Health for its review and approval a plan clearly showing that the installation of individual household sewage disposal systems will comply with the applicable provisions of the Board of Health Regulation 720. The plans shall show at a minimum:

- A. The total land area to be used;
- B. Location and size of all lots;
- C. The properties and characteristics of the soils in the subdivision;
- D. Depth to normal ground water table and rock strata;
- E. Location of all bodies of water, streams, ditches, water lines, sewers, drain tile, or any other information which may affect the installation or operation of individual household sewage disposal systems; and
- F. Existing and finished grade of all lots in one foot contours.

## **508 Homeowners and Property Owner Associations**

**508.01 Homeowners and Property Owner Associations.** If a homeowner or property owner association is assigned responsibility for the maintenance and/or control of streets, drainage easements (excluding drainage facilities which are the responsibility of the County Drainage Engineer), stormwater infrastructure, open space, recreational facilities or other common areas and facilities within a subdivision, that association, unless otherwise directed and approved by the applicable Township or County zoning authority, shall have the legal authority to maintain and exercise control over the common areas and facilities, including the power to obtain contributions from property owners to cover their proportionate share of the costs associated with the maintenance of the common area facilities.

The developer shall file a declaration of covenants and restrictions that will govern the association, to be submitted with the application for the preliminary plan approval. The provisions shall include, but are not necessarily limited to, the following:

- A. The homeowners association must be established before the homes are sold;
- B. Membership must be mandatory for each homebuyer and any successive buyer;
- C. If not turned over to a local government, open space restrictions must be permanent, not just for a limited period of time;
- D. The association must be responsible for liability insurance, local taxes, and the maintenance of recreational, stormwater and other facilities;
- E. Homeowners must pay their pro rata share of the cost, and the assessment levied by the association can become a lien on the property if allowed in the master deed establishing the homeowners association; and
- F. The association must be able to adjust the assessment to meet changed needs.

## **600 Vacation of Plats**

### **601 Vacating of Plat**

Any person owning, either jointly or severally, and having the legal title to any land within the unincorporated territory of the County, wishing to vacate any recorded subdivision, shall follow the requirements of the Ohio Revised Code (ORC) Chapter 711.25 and the County Engineer's process. If the vacating plat creates dead-end streets, the developer shall install cul-de-sacs or turn-arounds suitable to the County Engineer, Township Trustees and the FCPC.

A person desiring to vacate such lot or block of lots shall give notice of such intention for two (2) weeks, in a newspaper published and of general circulation in the County. If any of such lots have been sold, personal written notice shall be given to the owner thereof.

## 700 Variances

### 701 Variances and Appeals Procedures

**701.01 General.** In case of hardship or exceptional practical difficulties resulting from the strict compliance with the requirements of these Subdivision Regulations, or to better serve the purpose of these Regulations, the FCPC may grant variances from subdivision requirements, or resolve appeals so that substantial justice may be done and the public interest secured; provided, however, that such variance shall not have the effect of nullifying the intent and purpose of these Subdivision Regulations, applicable zoning resolution or the Regulations of any other office or agency having jurisdiction over these Subdivision Regulations. The following shall govern the granting of a variance:

- A. It shall not be detrimental to the public health or safety or be injurious to other property;
- B. Circumstances of the request are unique to the property and not generally applicable to others;
- C. Due to physical surroundings, shape or characteristics of the property, a hardship would result, as distinguished from an inconvenience, if the strict letter of these Regulations were enforced.

**701.03 Filing and Fees.** The subdivider shall request a variance/appeal by submitting a completed application form and fees as adopted by the FCPC. Upon acceptance, the request shall be scheduled for the next appropriate meetings of the Technical Review Committee and the FCPC. The application shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

**701.05 Additional Authority in Planned Unit Developments.** The planned unit development approach to development is encouraged as a means to further the policies and objectives set forth in Section 101.05, Purpose, of these Subdivision Regulations. The Regulations may be modified to the degree necessary to accomplish the objectives and standards set forth in applicable zoning resolutions for planned unit development of residential, commercial or industrial subdivisions, or a combination thereof including conservation subdivisions and neo-traditional type developments. Such variations shall not have the effect of nullifying the intent and purpose of these rules and regulations or the applicable zoning resolution or ORC 711, Plats.

**701.07 General Standards for Variances.** The FCPC shall not grant variations to these Regulations unless it shall make written findings of fact based upon the evidence presented by each specific case that:

- A. The particular physical surroundings, environmental constraints, shape, topographical or other exceptional condition of the specific property involved would cause extraordinary hardship or exceptional practical difficulty to the applicant, as distinguished from a mere inconvenience, if the provisions of these Subdivision Regulations were strictly enforced; and
- B. The conditions upon which the request for a variance is based are unusual to the property for which the variation is sought and are not applicable generally to other property; and
- C. The purpose of the variance is not based exclusively upon a desire to obtain additional income from the property; and
- D. The granting of the variance will not be detrimental to the public health, safety or general welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
- E. The special circumstances or conditions are created by the provisions or requirements of these regulations and have not resulted from any act of the applicant or applicant's predecessor in interest; and
- F. The variance requested is the minimum adjustment necessary for the reasonable use of the land.

**701.09 Conditions.** In approving any variance, the FCPC may impose such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these Subdivision Regulations.

**701.11 FCPC Action.** A staff report and recommendation shall be forwarded to the FCPC, the applicant and, if zoning is not under the authority of the FCEDP, the appropriate Township Zoning Official. In recommending approval of a variance or appeal, FCPC may recommend conditions be imposed consistent with the intent and purpose of the Regulations. Flexibility of standards in planned zoning districts may be warranted.

## 800 Enforcement, Violations, Penalties and Appeals

### 801 Enforcement, Violations, Penalties and Appeals

**801.01 Enforcement.** Upon notification of any violations or lack of compliance with these Subdivision Regulations, the County Prosecutor, in addition to the penalties set forth in Section 801.03, may institute an appropriate action or proceeding in law or equity to prevent such violation, or to restrain, correct or abate such violation.

As a means of resolving any alleged violation of these Subdivision Regulations, the County Prosecutor may require professional certifications of compliance by an alleged violator prior to or after approval of any Record Plat or minor subdivision.

As a means of remedies to enforcement the following actions may be undertaken:

- A. Building Permits and Inspections – The FCEDP reserves the right to withhold the issuance of building permits and inspections at any time during the homebuilding phase of the project until all approved erosion and sediment control practices are in place and are properly functioning.
- B. Final Grade – After construction and prior to issuance of building occupancy each homebuilder shall submit a letter to the FCEDP, prepared by a registered surveyor, certifying that the lot grades are as per plan.
- C. Erosion and Sediment Control - The FCPC, in cooperation with the Franklin County Prosecuting Attorney’s office, may pursue necessary legal actions (e.g. a stop work order) at any time during the construction phases of the project to ensure compliance with the approved Stormwater Pollution Prevention Plan.
- D. Post-construction BMPs – The FCPC, in cooperation with the Franklin County Prosecuting Attorney’s office, may pursue necessary legal actions at any time against the party responsible for the operation and maintenance of post-construction best management practices when the practices are not properly operated and maintained.

**801.03 Violations and Penalties.** Any person who willfully violates any provision of these Regulations, or fails to comply with any order issued pursuant to these Subdivision Regulations, shall be subject to a penalty of no less than ten dollars (\$10.00) up to a maximum of one thousand dollars (\$1,000.00) pursuant to Section 711.102, Violations, of the Ohio Revised Code. Such sum may be recovered with costs in a civil action brought in the court of common pleas of the county in which the land lies relative to which such violation occurred, by the legal representative of the county, in the name of the county and for the use thereof.

**801.05 Appeals.** Any person who believes he or she has been aggrieved by these regulations, as enforced by the FCEDP or the action of the Planning Commission, has all the rights

of appeal as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section of the Ohio Revised Code.



## **Appendix A**

### **List of Offices, Agencies and Governmental Bodies with Jurisdiction Over Subdivisions in Franklin County**

The following is a list of departments, offices or agencies which have review, recommendation or decision making responsibility with the Franklin County Subdivision Regulations.

#### **Franklin County Departments and Agencies**

1. Franklin County Engineer  
970 Dublin Road Columbus, Ohio 43215  
(614) 525-3030  
<http://www.franklincountyengineer.org/>
2. Franklin County Economic Development and Planning  
150 South Front Street, FSL Suite 10, Columbus, Ohio 43215  
(614) 525-3094  
<http://www.co.franklin.oh.us/commissioners/edp/>
3. Franklin County Sanitary Engineer  
280 East Broad Street, 2nd Floor, Columbus, Ohio 43215  
(614) 525-3940  
<http://www.co.franklin.oh.us/commissioners/seng/>
4. Franklin County Drainage Engineer  
970 Dublin Road, Columbus, Ohio 43215  
(614) 525-3030  
<http://www.franklincountyengineer.org/drainage.htm>
5. Franklin County Public Health  
280 E. Broad Street, Columbus, Ohio 43215  
(614) 525-3160  
<http://www.myfcph.org/>
6. Franklin Soil and Water Conservation District  
1328 Dublin Road, Suite 101, Columbus, Ohio 43215  
(614) 486-9613  
<http://www.franklinswcd.org/>
7. Franklin County Board of County Commissioners  
373 S. High Street, 26th Floor  
Columbus, Ohio 43215-6314  
(614) 525-3322  
<http://www.franklincountyohio.gov/commissioners/board/bios.cfm>
8. Franklin County Prosecuting Attorney  
373 S. High Street 14th Floor  
Columbus, Ohio 43215  
(614) 525-3555  
[http://www.franklincountyohio.gov/Prosecuting\\_Attorney/](http://www.franklincountyohio.gov/Prosecuting_Attorney/)

## **Franklin County Townships Enforcing Local Zoning**

1. Jackson Township  
Hoover Road, Grove City, Ohio 43123  
(614) 875-0100  
<http://www.jacksontwp.org/>
2. Jefferson Township  
6545 Havens Road, Blacklick, Ohio 43004  
(614) 855-4265  
<http://www.jeffersontownship.org/>
3. Perry Township  
7125 Sawmill Road, Dublin, Ohio 43016  
(614) 889-1211  
<http://www.perrytwp.org/>
4. Plain Township  
45 Second Street, P.O. Box 273  
New Albany, Ohio 43054  
(614) 855-7770  
<http://www.plaintownship.org/>
5. Prairie Township  
25 Maple Drive Columbus Ohio 43228  
(614) 878-3317  
<http://www.prairietownship.org/>
6. Washington Township  
6200 Eiterman Road, Dublin, Ohio 43016  
(614) 652-3920  
<http://www.wtwp.com/>

## **Other State/National Departments and Agencies**

1. Ohio Department of Natural Resources – Division of Soil and Water Resources  
2045 Morse Road, Building B-3  
Columbus, Ohio 43229  
(614) 265-6610  
<http://ohiodnr.com/tabid/8637/default.aspx>
2. Ohio Environmental Protection Agency  
50 W. Town St., Suite 700  
Columbus, Ohio 43215  
(614) 644-2160  
<http://www.epa.state.oh.us/>

**Appendix B**

**SUBDIVIDER'S AGREEMENT – COUNTY OF FRANKLIN, OHIO**

To be signed and submitted with the Construction Plan

NOTE: The county engineer must approve form and content of actual agreement.

This Agreement, between (name of subdivider appearing on the plat) , the subdivider, and the County of Franklin concerning the (name of the subdivision appearing on the plat) subdivision plat, shall set out conditions, requirements and considerations relative to the construction of required improvements and the issuance of county zoning, building and health permits for lots and reserves in the above named subdivision. This Agreement shall be binding on the subdivider(s) and his/her/their personal representatives, heirs and assigns, upon the submission and approval of the construction plan and shall be subject to the following:

- A. All improvement plans (street, drainage, storm water management, sanitary, water, erosion and sedimentation control, grading, etc.) shall be signed by the subdivider's engineer. Improvement plans approved by the county engineer, county drainage engineer, county sanitary engineer, or Franklin County Public Health shall be a part of this Agreement.
- B. Requirements and provisions of the subdivision plat and Subdivision Regulations of Franklin County, Ohio shall be a part of this Agreement.
- C. No county zoning, building or health permits shall be issued for development of lots or reserves in this subdivision until all required improvements have been properly completed to the satisfaction of the county engineer and the Franklin County Economic Development and Planning Department.
- D. The Subdivider further agrees that any violation of, or unsatisfactory compliance with, any provision, stipulation, or requirement of this Agreement, the subdivision plat, or the Subdivision Regulations of Franklin County, Ohio shall constitute a breach of contract and may subject the Subdivider and subdivision to enforcement measures such as, but not limited to: stop work orders, use of surety, forfeiture of deposited funds, moratoria on development permits, fines, revocation of approvals or permits, plat recall, etc.
- E. All work shall be performed within a \_\_\_\_\_ period from the approval date of the Final Plat. However, an extension of time may be granted if approved by the Board of Franklin County Commissioners.

First Witness	Subdivider	Date
First Witness	Subdivider	Date
Franklin County Engineer	Date	

**Appendix C**

**Sample Escrow Account**

Franklin County Commissioners  
c/o Franklin County Engineer  
970 Dublin Road  
Columbus, OH 43215

Re: (Name of Subdivision)

Attention: \_\_\_\_\_

Commissioners:

At the request of (Name of Developer), we are holding escrowed funds under our custody in the amount of \$ \_\_\_\_\_.

The purpose of this deposit of \$ \_\_\_\_\_ is to assure the Franklin County Commissioners that the installation of streets and storm sewers in (Name of Subdivision), located in \_\_\_\_\_ Township, Franklin County, Ohio, will be faithfully and satisfactorily installed. Also, that this escrow agreement will be used in lieu of (Name of Developer), giving a Performance Bond.

The escrowed funds will be held by us and disbursed to the Contractor monthly on the basis of ninety percent (90%) of the estimate of completion by the Contractor and approval by the Franklin County Engineer in writing. The final 10 percent (10%) will be disbursed upon acceptance of the subject improvements by the Franklin County Engineer and the Franklin County Commissioners.

Yours truly,

APPROVED: By \_\_\_\_\_  
(Developer)

APPROVED: By \_\_\_\_\_  
(Contractor)

APPROVED: By \_\_\_\_\_  
(Franklin County, Ohio)

**Appendix D**  
**Sample Irrevocable Documentary Letter Of Credit**

(Name of Bank)	(Date)
(Advising Bank)	(Date)
Beneficiary:  Franklin County Commissioners Franklin County, Ohio	Applicant:  _____
Expiration Date For Negotiation/Presentation  _____	Amount:  _____

Dear Commissioners:

We hereby issue in your favor this documentary letter of credit which is available by negotiation of your draft(s) \_\_\_\_\_ at sight drawn on \$ \_\_\_\_\_ U.S. bearing the clause:  
"Drawn under documentary credit no. \_\_\_\_\_,"  
\_\_\_\_\_  
(Bank)

Accompanied by the following documents:

Beneficiary's signed statement that \_\_\_\_\_  
(Subdivider)  
Has failed to perform properly under the terms of its agreement with Franklin County, Ohio  
relative to improvements of \_\_\_\_\_.  
(Subdivision Improvements)

We hereby engage with the bona fide holders of all drafts drawn and/or documents presented under and in compliance with the terms of this letter of credit that such drafts and/or documents will be duly honored upon presentation to us.

The amount of each drawing must be endorsed on the reverse side of this letter of credit by the negotiating bank.

Yours faithfully,

(Bank Name)	(Signature)
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**Appendix E  
Certificate Of Deposit**

Franklin County Commissioners  
c/o Franklin County Engineer  
970 Dublin Road Columbus, OH 43215

Re: Certificate Of Deposit (Amount)  
(Name of Subdivision)

At the request of (Name of Developer), we are holding Certificate No. \_\_\_\_\_  
in the amount of \$\_\_\_\_\_.

We understand the purpose of this deposit of \$ \_\_\_\_\_, is to further assure the Franklin County Commissioners that the streets and storm sewers in (the/this phase of) construction for (Name of Subdivision), located in Franklin County, Ohio, will be satisfactorily and faithfully performed. Also, that this method of deposit is being used in lieu of (Name of Developer), and until the (Name of Developer) has faithfully discharged its obligations.

When this subdivision is released, please notify us by letter.

Yours truly,

\_\_\_\_\_  
(Authorized Officer of Bank)

Produced by:



Economic Development and Planning Department  
150 South Front Street  
FSL Suite 10  
Columbus, Ohio 43215

Tel. 614-525-3094  
Fax 614-525-7155  
[www.franklincountyohio.gov/edp](http://www.franklincountyohio.gov/edp)