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ARTICLE I

GENERAL PROVISIONS, ADMINISTRATION AND ENFORCEMENT

1.1 TITLE

These regulations shall be known and may be cited and referred to as the "2017 ROSS COUNTY SUBDIVISION REGULATIONS" and shall hereinafter be referred to as "these regulations".

1.2 POLICY

- A. It is the declared policy of Ross County to consider the subdivision of land and its subsequent development as subject to the control of Ross County, pursuant to the Ross County Land Use and Development Plan for orderly, planned, efficient, and economical development.
- B. Land to be divided shall be of such character that it can be used safely for building purposes, and shall not be subdivided until adequate facilities and improvements such as drainage, water, sewerage, and public open space are provided or, a performance bond is filed to assure that the subdivider will make the required improvements.
- C. The existing and proposed public improvements shall conform with and be related to proposals shown in the Ross County Land Use and Development Plan (including its components: the Ross County Land Use and Development Strategy, the Ross County Thoroughfare Plan, the Ross County Sewer Plan, the Floodplain Regulations, the Access Management Regulations, the Ross County Stormwater Management Plan, and any existing or future zoning provisions) and development programs of Ross County, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in these and other county policies and regulations.

1.3 PURPOSE

These regulations are adopted as minimum requirements for the regulation and control of land subdivision within Ross County. These regulations are intended to:

- A. Establish standards for logical, sound, and economical development;
- B. Provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, to prevent population congestion and overcrowding of the land, to provide orderly expansion and extension of community services and facilities at minimum cost and maximum convenience;
- C. Provide for the proper arrangement of streets and highways in relation to those existing or planned, and to provide for the most beneficial relationship between use of land, buildings, traffic, and pedestrian movements;
- D. Ensure appropriate development with regard to natural features; and

- E. Ensure appropriate surveying of land, preparing and recording of plats, and the equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the county and the subdividers.

1.4 ADMINISTRATION

The Ross County Planning Commission shall administer these regulations.

1.5 EFFECTIVE DATE

These regulations shall become effective from and after the date of its approval and adoption by the Ross County Planning Commission and Ross County Board of Commissioners after public hearing and certification to the Ross County Recorder. Henceforth, any other regulations previously adopted by the Ross County Board of Commissioners or Ross County Planning Commission, shall be deemed to be repealed. These regulations shall in no way affect any subdivision having received preliminary approval prior to the effective date, provided, however, that no changes to the preliminary plat, as approved, are introduced by the Subdivider.

1.6 DEFINITION OF A SUBDIVISION

For the purposes of these regulations, a subdivision shall be as defined by Chapter 711 of the Ohio Revised Code (ORC), as from time to time amended.

1.7 MINOR SUBDIVISIONS

SUBDIVISIONS INVOLVING FIVE OR FEWER LOTS OF LESS THAN FIVE ACRES (FOUR LOTS PLUS THE RESIDUAL) WHICH DO NOT INVOLVE OPENING, WIDENING, OR EXTENDING STREETS, ARE HEREINAFTER REFERED TO AS MINOR SUBDIVISIONS

1.8 LARGE LOT DEVELOPMENT

DIVISIONS OF LAND WITHIN THE SIZE RANGE OF FIVE (5) ACRES TO TWENTY (20) ACRES WHICH DO NOT INVOLVE OPENING, WIDENING, OR EXTENDING STREETS, ARE HEREINAFTER REFERED TO AS LARGE LOT DEVELOPMENTS

1.9 MAJOR SUBDIVISIONS

SUBDIVISIONS INVOLVING MORE THAN FIVE LOTS F LESS THAN FIVE ACRES AND/OR INVOLVING THE OPENING, WIDENING, OR EXTENSION OF STREETS, AND AS DEFINED IN CHAPTER 711 OF THE ORC.

1.10 JURISDICTION

These regulations shall be applicable to all subdivisions of land within the unincorporated area of the County, and within the three-mile limit of the City of Chillicothe. The City of Chillicothe Planning Commission shall have the final approval of the proposed plat within such three-mile limit in accordance with the agreement attached hereto in Appendix V.

1.11 RELATION TO OTHER LAWS

- A. The provisions of these regulations shall supplement any and all laws of the State of Ohio, resolutions of the County and Townships, or any and all rules and regulations promulgated by authority to such law or resolution relating to the purpose and scope of these regulations. Whenever the requirements of these regulations are at variance with the requirements of these resolutions, the most restrictive or that imposing the higher standards shall govern except as provided in Section 1.10 of these regulations.
- B. If a proposed subdivision should be located in an area that is zoned under municipal, county or township plan, it shall meet the requirements of the zoning plan as well as the provisions of these regulations.
- C. Whenever the regulations of the General Health District or the State Environmental Protection Agency affect the design or development of a subdivision, such regulations or ordinances shall be observed.

1.12 MODIFICATIONS, VARIANCES

- A. Hardship: Where the Ross County Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations due to unusual topographic and other exceptional conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest. Such variations shall not have the effect of nullifying the intent and purpose of these regulations, the comprehensive plan, or the zoning resolution, if such exists. In granting variances or modifications, the Ross County Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.
- B. An application shall be denied if an owner requests it merely for his or her own convenience, including, but not limited to, cases where land is not usable due to error or poor assumptions on the owner's part, or when the only supporting evidence is that compliance would add to development costs.
- C. Conservation Subdivision & Planned Unit Development: In the event that plans are submitted for a conservation subdivision, complete community, planned unit development, or for a subdivision based upon concepts of land development, the Ross County Planning Commission may modify these regulations as it deems necessary

provided that the proposed subdivision is in accord with the intent and spirit of these regulations.

1.13 SEVERABILITY

If, for any reason, any clause, sentence, paragraph, section or other part of these regulations should be decided by a Court of competent jurisdiction to be invalid, such judgment shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so held to be invalid.

1.14 AMENDMENTS

These regulations may be amended, after public hearings and other requirements as specified in the appropriate sections of the ORC.

1.15 FEES

- A. Filing Fees: At the time of submitting a preliminary plan, the subdivider shall pay to the Treasurer of the County a fee to defray the costs of processing the plan. The fee shall be based upon the current fee schedule adopted by the Ross County Board of Commissioners.
- B. Inspection Fees: After approval of preliminary plans, the subdivider shall pay to the Treasurer of the County a fee for the cost of inspecting improvements. The fee shall be based upon the current fee schedule adopted by the Ross County Board of Commissioners.

1.16 COMPLIANCE WITH REGULATIONS

- A. General: No subdivision of any lot, tract or parcel of land shall be effected, no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of these regulations.
- B. Guarantee of Improvements: No final plan for a subdivision may be approved or recorded until the improvements required by these regulations have either been guaranteed or constructed, as specified in Article IV.
- C. Sale of Lot Forbidden: No lot or any interest in a lot in a subdivision may be sold or transferred until a final plat has been approved and recorded.

ARTICLE II MINOR SUBDIVISIONS

2.1 DEFINITION OF MINOR SUBDIVISION/ LOT SPLIT

Pursuant to ORC 711.131 a minor subdivision/lot split means “a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and involving no more than five lots after the original tract has been completely subdivided, may be submitted to the planning authority having approving jurisdiction of plats under section 711.05, 711.09, or 711.10 of the Revised Code for approval without plat.”

2.2 MINOR SUBDIVISION POLICIES

- A. An original tract consists of all land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property.
- B. Minor subdivision lots shall have adequate public road frontage as required by these regulations in Section 2.4(C) and Article V
- C. Minor subdivisions shall not be granted within any floodway noted in the latest Special Flood Hazard Area (SFHA) in Ross County. A minor subdivision may be granted within these areas if a NON-DEVELOPMENT restriction is placed on the deed.
- D. Minor Subdivisions may or may not be granted when the proposed division is located near a dam listed with or could be listed with the Ohio Dam Safety Program. For more information see ODNR’s Dam Safety Program Website at <http://water.ohiodnr.gov/safety/dam-safety#ABO>
- E. Minor subdivisions shall not be approved without preliminary access (driveway) approval. Some exceptions apply when there is an existing driveway or no access is needed. Section 1.07 of Access Management (incorporated herein as Appendix VI), Ross County, Ohio states that “Prior to any lot split approval, or the transfer of any applicable lot that is not subject to a lot split approval, the owner of said parcel shall make application to the Ross County Planning and Building Department, for preliminary access approval to County and Township roads.”
- F. Minor subdivisions shall not be approved without Health District certification.
- G. The Ross County Planning Commission, or its designee, shall not approve a minor subdivision proposed along a State Highway System without access approval from the Ohio Department of Transportation, District 9.
- H. Final minor subdivision plans shall not be reviewed or approved without a metes and bounds description and survey certified by a professional surveyor licensed in the State of Ohio. Said survey must meet the Minimum Standard for Boundary Surveys, set forth in the Ohio Administrative Code chapter 4733-37 and must be approved by the County Engineer or designee.
- I. Pursuant to ORC 711.131, If the authority acting through a properly designated representative finds that a proposed division is not contrary to applicable platting, subdividing, zoning, health, sanitary, or access management regulations, regulations adopted under division (B)(3) of section 307.37 of the Revised Code regarding existing surface or subsurface drainage, or household sewage treatment rules adopted under

section 3718.02 of the Revised Code, it shall approve the proposed division within seven business days after its submission and, on presentation of a conveyance of the parcel, shall stamp the conveyance "approved by (planning authority); no plat required" and have it signed by its clerk, secretary, or other official as may be designated by it. The planning authority may require the submission of a sketch and other information that is pertinent to its determination under this division.

2.3 MINOR SUBDIVISION APPROVAL PROCEDURE AND REQUIREMENTS

A. Preliminary Minor Subdivision Sketch and Review:

The landowner or their representative may submit a preliminary sketch to the Ross County Planning Commission or its designee.

1. Sketch drawing on a tax map (tax map can be obtained at the Engineers Map Office).
2. Air Photo (air photo can be obtained at the Engineers Map Office).
3. Stake the proposed access point on the property and apply for preliminary access approval. Please note that minor subdivisions located along a state or federal highway shall not be approved without an ODOT access permit.
4. Obtain preliminary approval from the Health District (See Health District guide in Appendix VII of these regulations).

B. Final Minor Subdivision Submission Requirement:

1. Legal Description and survey plat meeting requirements of OAC chapter 4733-37 and Ross County Transfer and Conveyance Standards.
2. Preliminary access approval.
3. Floodplain certification (if applicable).
4. Health District Lot Certification for any lot less than five acres including the residual of the original parcel if less than five acres.
5. Deeds.
6. Zoning letters from any Township, County, or Airport Zoning Authority.
7. Ohio Department of Transportation access permit for minor subdivisions proposed along a State or US Highway.

2.4 MINIMUM LOT AREA AND LOT FRONTAGE REQUIREMENTS

- A. For Minor Subdivisions without access to public sewer and/or public water, Minimum lot area shall be based on the results of a soil evaluation and Health District Review performed under OAC chapter 3701-29 (See Health District guide in Appendix VII of these regulations).
- B. Minimum lot sizes For Minor Subdivisions with public sewer and public water shall be:

8,000 square feet for Single/Double/Triple Family Development
2,500 square feet for Multifamily Development
- C. Minimum lot frontage is based on the Ross County Thoroughfare Plan as amended. All minor subdivisions, other than those served by an approved private access easement, shall have their full frontage on a public street. The minimum frontage shall not be less than that required in Article V.

Table One: Minimum Lot Frontage by Road Classification

| Road Classification | Minimum Lot Frontage |
|---------------------|--|
| Limited Access | Not applicable (no access permitted) |
| CLASS I | 320 ft. or 420 ft Combined Frontage (shared access) |
| CLASS IIa | 320 ft. or 420 ft Combined Frontage (shared access) |
| CLASS IIb | 230 ft. or 330 ft. Combined Frontage (shared access) |
| CLASS III | 60 ft. with Central Sewer and Public Water 80 ft with Central Sewer but no Public Water 100 ft with No Central Sewer |

2.5 LOT DEPTH TO WIDTH RATIO AND FLAG LOTS

- A. Lot depth to width ratio shall not exceed 4 to 1, with the width being measured along the public right of way line and depth being measured where the rear lot line is furthest from the public right of way line.
- B. Flag Lots are prohibited, but may be permitted if the intent of the subdivider is to preserve arable land. The responsibility of proof is placed on the landowner to provide adequate information to the Ross County Planning Commission or its designee.
- C. Partitioning existing flag lots that do not meet minimum road frontage in Table One above, and/or that do not meet the four to one lot depth to width ratio, to develop interior land, may be approved if all access management standards and access easement standards are met. The existing frontage may not be divided in these cases.

2.6 ADJOINING PARCEL RESTRICTIONS

- A. Access Management, Lot Area, and Health District requirements may be waived if the deed for the new lot contains the following language:

“RESTRICTION: This parcel has been approved as an ADJOINING PARCEL TRANSFER/LOT ADD-ON and in the future shall be transferred only with the adjoining _____ acre tract, Parcel Number _____, as recorded in Deed Volume _____, Page _____. The combined adjoining parcels shall be considered a single development site for the Ross County Planning Commission and the Ross County Health District review purposes. This restriction shall run with the land and may be modified only upon written approval of the Ross County Planning Commission.”
- B. Proposed minor subdivisions with adjoining parcel restrictions shall meet criteria contained in Section 2.5 of these regulations.

2.7 NON-DEVELOPMENT PARCEL RESTRICTION

- A. Health District approval may be waived if the following restriction is included on the deed of the proposed lot:

“This parcel shall not be used for any type of use that necessitates a sewage treatment facility on the premises. This restriction shall run with the land and may be modified only upon the joint written approval of the Ross County Planning Commission and the Ross County Health District.”

- B. Proposed minor subdivisions located within any floodway noted in the latest Special Flood Hazard Area in Ross County may be approved if there will be no structures erected on the site and a non-development restriction is placed on the deed.

2.8 ACCESS EASEMENT STANDARDS

The Ross County Planning Commission shall permit minor subdivisions to incorporate private ingress/egress easements for lot access. If the following requirements are not met, the proposed subdivision must meet major subdivision standards contained in these regulations. These easements and parcels involved shall meet the following standards:

- A. Easements shall provide access to no more than five parcels.
 B. Parcels with road frontage shall meet minimum road frontage standards contained in Section 2.4 of these regulations regardless of acreage and shall meet Access Management standards (See Section 2.5 for certain exceptions)
 C. Easements shall be designed to avoid sharp turns, and steep slopes so that emergency vehicles can access residents along the easement.
 D. The following easement design standards shall apply:

| | Level 0% to 4% Slope | Rolling 4.1% to 8% Slope | Hilly 8.1% to 15% Slope |
|----------------|-------------------------|-----------------------------|----------------------------|
| Easement Width | 50 feet | 50 feet | 50 feet |
| Maximum Length | 1,500 feet | 1,500 feet | 1,000 feet |

- E. The easement shall be legally described and shown on the plat. The legal description and plat of the easement shall be attached as an exhibit to the deed.
 F. A maintenance agreement shall be attached as an exhibit, separate instrument, or incorporated within the deed. If extending or modifying an existing easement of access for use by additional parcels, all parties subject to and benefiting from the easement shall sign the maintenance agreement for filing with the deed.
 G. The Planning Commission shall not approve the conveyance if an owner grants/conveys an easement to himself. Under the “doctrine of easement merger,” the easement is terminated when one party acquires fee simple title to both the servient and dominant estates; therefore, the transaction would be void.
 H. Extension of, or modification of an existing easement to serve additional lots shall meet the above standards and therefore, must be approved by the Planning Commission.

- I. Easements used to gain access to parcels used for agriculture or for the purposes of providing access to public utilities are exempt from the regulations found in this section.

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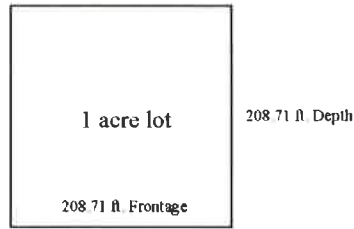
2.9 SELECTED EXAMPLES OF HOW THE REGULATIONS APPLY TO MINOR SUBDIVISION

ACCEPTABLE

NOT ACCEPTABLE

NOT TO SCALE

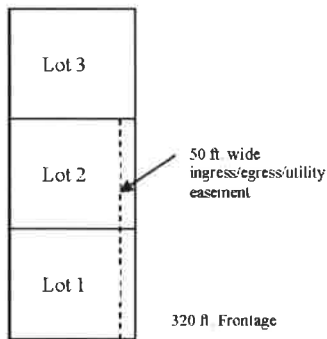
Example 1



Class III Road

This one-acre lot fronts on a Class III road and has more than enough road frontage (100 ft. is required if no central sewage). The depth to width ratio is 1 to 1.

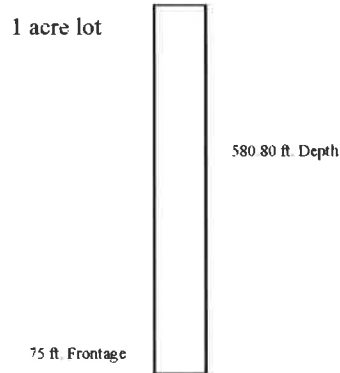
Example 2



Class IIa Road

These lots utilize a 50 ft. wide easement for access. Lot 1 fronts on a Class IIa road and has adequate road frontage (320 ft. is required)

Example 1



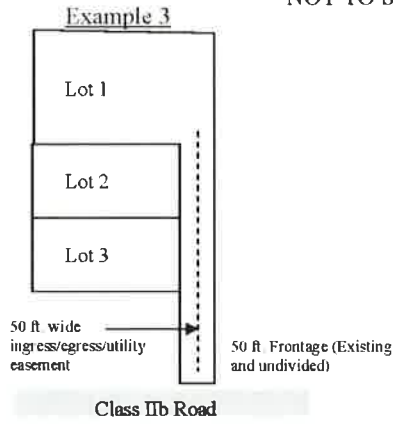
Class III Road

This one-acre lot fronts on a Class III road and does not have adequate road frontage (100 ft. is required if no central sewage. See section 2.4.2) and it exceeds lot depth to width ratio requirements. The depth to width ratio is 7.74 to 1 (see Section 2.4.3)

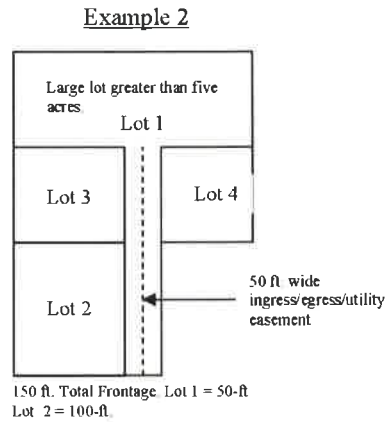
ACCEPTABLE

NOT ACCEPTABLE

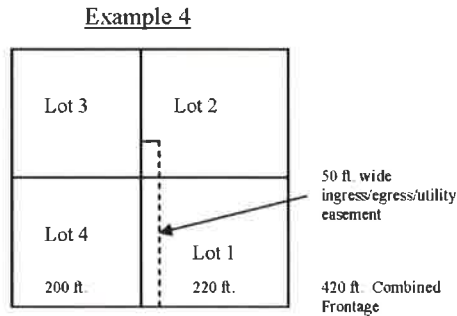
NOT TO SCALE



These lots utilize a 50 ft. wide easement for access AND meets access management AND meets easement design standards AND the frontage is existing AND not being divided (Meets Section 2.5(C) ... the flag lot grandfather clause)



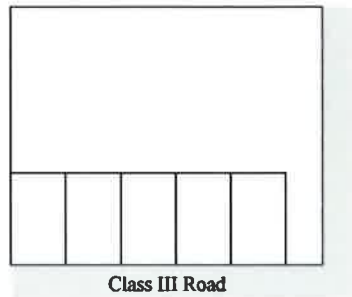
These lots utilize a 50 ft. wide easement for access. But, it divides the frontage which is already inadequate (320-ft required). If the frontage was NOT divided, this scenario would be acceptable (this scenario would not meet the rule in Section 2.5(C) ... the flag lot grandfather clause)



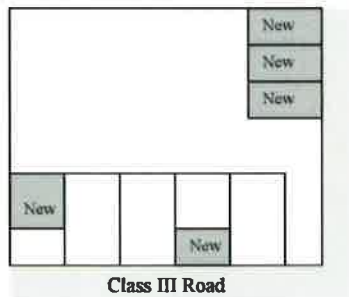
These lots utilize a 50 ft. wide easement for access. Lot 1 and Lot 4 front on a Class IIa road and has adequate road frontage (420 ft. of combined frontage is required)

2.10 EXAMPLE OF “ORIGINAL TRACT” AND HOW IT APPLIES TO YOUR PROPERTY

Let us assume that a person owns a 100-acre parcel. It is located on a Class III road in a township without zoning. The owner decides to split five four-acre lots in the year 2005.



Then after having sold all of the five lots, and after one year and a day has gone by the remainder of the 100-acre parcel (now 80-acres) can be split again. After the new 4-acre lots have been on record for year and a day, these could potentially be split depending on various factors. For example:



ARTICLE III LARGE LOT DEVELOPMENT

3.1 DEFINITION OF LARGE LOT DEVELOPMENT

Pursuant to ORC 711.133, large lot development means, a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and involving the establishment of any lot within the size range of from **five acres to twenty acres**, and shall be submitted to the planning authority having approved jurisdiction of plats under ORC 711.05, 711.09, or 711.10 for approval without a plat.

3.2 LARGE LOT DEVELOPMENT POLICIES

- A. An original tract consists of all land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property.
- B. Large Lot Development partitions shall have adequate public road frontage as required by these regulations in **Article V and other requirements listed in Article II Sections 2.6 through 2.8.**
- C. Pursuant to ORC 711.133 a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and involving the establishment of any lot that meets acreage requirements under division (B) of this section, to be submitted to the planning authority having approving jurisdiction of plats under section 711.05, 711.09, or 711.10 of the Revised Code for approval without plat in accordance with this section. The rules shall provide that, if the authority acting through a properly designated representative finds that a proposed division is not contrary to any applicable zoning, health, sanitary, or access management regulations, regulations adopted under division (B)(3) of section 307.37 of the Revised Code regarding existing surface or subsurface drainage, including, but not limited to, rules governing household sewage disposal systems, or regulations adopted under division (D) of this section, it shall approve the proposed division within the applicable timeframe listed in division (F) of this section and, on presentation of a conveyance of the parcel, shall stamp the conveyance "approved by (planning authority); no plat required" and have it signed by its clerk, secretary, or other official as may be designated by it. For purposes of this division, "household sewage disposal system" has the same meaning as in section 3709.091 of the Revised Code.
- D. In accordance with division (C) of ORC 711.133 parcels of land to be used for agricultural or recreational purposes are exempt from approval requirements. However, on the presentation of a conveyance of such a parcel, the authority's designated representative shall stamp the conveyance "no approval or plat required under ORC 711.133; or agricultural or recreational use only" and have it signed by its clerk, secretary, or other official as the authority may designate.
- E. Large lot development approval shall not be granted within any floodway noted in the latest Special Flood Hazard Area (SFHA) in Ross County. Large lot developments may be granted within these areas if a NON-DEVELOPMENT restriction is placed on the deed.

- F. Large Lot Development shall not be approved without preliminary access (driveway) approval. Some exceptions apply when there is an existing driveway or no access is needed. Section 1.07 of Access Management (incorporated herein as Appendix VI), Ross County, Ohio states that “Prior to any lot split approval, or the transfer of any applicable lot that is not subject to a lot split approval, the owner of said parcel shall make application to the Ross County Planning and Building Department, for preliminary access approval to County and Township roads.”
- G. The Ross County Planning Commission, or its designee, shall not approve a Large Lot subdivision proposed along a State Highway System without access approval from the Ohio Department of Transportation, District 9.
- H. Final large lot development plans shall not be reviewed or approved without a metes and bounds description and survey certified by a professional surveyor licensed in the State of Ohio. Said survey must meet the Minimum Standard for Boundary Surveys set forth in Ohio Administrative Code chapter 4733-37 and must be approved by the County Engineer or designee.
- I. Regulations contained in this article (Article III) shall apply to a parcel only if there are no applicable zoning regulations for lot frontage or width to depth ratios that apply to the parcel.
- J. Large lot development approval procedure and submission requirements are the same as those listed in Article II, Section 2.3 except that Health District approval is not required. However, please note that it is highly recommended that the landowner should still coordinate ALL divisions of land for residential purposes with the Health District.

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ARTICLE IV MAJOR SUBDIVISIONS

4.1 DEFINITION OF MAJOR SUBDIVISION

As defined in the O.R.C. 711.001(B), subdivision means either of the following:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt:
 - a. A division or partition of land into parcels of more than five acres not involving any new streets or easements of access;
 - b. The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites;
 - c. If the planning authority adopts a rule in accordance with section 711.133 of the Revised Code that exempts from division (B)(1) of this section any parcel of land that is four acres or more, parcels in the size range delineated in that rule.
2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities.

4.2 OUTLINE OF APPROVAL PROCEDURES

The following generalized approval procedure is required for all proposed subdivisions. A detailed review and approval process is attached in Appendix VIII. If the proposed subdivision is located within three-miles of the City of Chillicothe a modified review and approval procedure must be followed per agreement with the Chillicothe Planning Commission.

1. Pre-Application Conference and Sketch Plan
2. Submit Preliminary Plan
3. Submit Final Plat and Construction Plans
4. Guarantee or Complete Improvements
5. Record Signed Plat

4.3 PRE-APPLICATION CONFERENCE AND SKETCH PLAN

Prior to preparing a preliminary plan and submitting an application for preliminary plan approval, consultation with Planning Commission staff and submission of a sketch plan is highly recommended. Sketch Plan should include an air photo showing existing parcel lines, proposed lots and public improvements, and generally to scale. A sketch plan shall not constitute formal submission for Planning Commission review and approval.

4.4 PRELIMINARY PLAN

Pursuant to division (B) of ORC 711.10, the Ross County Planning Commission requires submission of a preliminary plan for each plat sought to be recorded. The subdivider having determined to proceed with a preliminary plan shall submit the items set forth below to obtain preliminary approval. All items submitted shall be prepared by either a registered surveyor and/or a registered professional engineer, as is appropriate.

- A. The preliminary plan shall include all phases of development intended for a tract of land over time. For example, the subdivider may want to complete “Block A” of a subdivision within a year, and complete “Blocks B and C” over the next five years. All blocks shall be shown on the preliminary plan even though only a portion is being platted.

B. Official Filing Date

The Preliminary Plan shall be considered officially filed after it has undergone a Technical Review under division D(1) below. The subdivider will be notified within five (5) working days as to the date of official filing. The Planning Commission shall review the preliminary plan at one of its regularly scheduled meetings within 30-days of official filing as specified in ORC 711.10(B)

C. Submission Requirements:

1. Application for Preliminary Plan Review (1 Paper or 1 Digital Copy)
2. Preliminary Plan (15 Paper Copies; or 1 Digital Copy and 3 Paper Copy)
3. Preliminary Erosion, Sediment, and Stormwater Control Plan (3 Paper Copies and 1 Digital Copy)

D. Review Process:

1. Technical Review: County staff and other review agencies, as appropriate, shall review and comment upon the preliminary plan prior to the Planning Commission meeting. The subdivider is encouraged to attend all meetings concerning review of the preliminary plan. These comments shall be forwarded to the Planning Commission for consideration at the scheduled meeting.
2. At the regularly scheduled meeting, the Planning Commission shall give its approval, its approval with conditions, or its disapproval of each preliminary plan. The commission’s decision shall be in writing, shall be under signature of the secretary of the commission, and shall be issued within thirty-five (35) business days after the submission of the preliminary plan to the commission. The disapproval of a preliminary plan shall state the reasons for disapproval.
3. It is the sole responsibility of the applicant to submit plans to any city or village authority that exercises extraterritorial subdivision review authority granted by the

state, and to submit plans to any public or private utility company. The City of Chillicothe exercises extraterritorial jurisdiction (within three-miles of city boundary)

E. Application

The subdivider or his or her representative shall file an application for preliminary plan approval with the Ross County Planning Commission office. Appendix I contains the preliminary plan approval application.

F. Preliminary Plan Content

The preliminary plan shall include the following information:

1. The proposed name of the subdivision.
2. Location by section, range and township.
3. Boundaries of the entire proposed subdivision shall be drawn in heavy continuous lines with its acreage, and the boundaries of future development phases shall be delineated.
4. Name, address, and telephone number of the owner, subdivider, professional engineer, and professional surveyor with appropriate numbers and seals.
5. A north arrow, legend, bar scale, date of plan, and vicinity map.
6. Name of adjacent subdivisions, and owners of adjoining parcels, extending at least 200 ft. beyond the boundary of the proposed subdivision.
7. Topographic contours, with elevations referenced to U.S.G.S (NGVD 1983) datum, with intervals no greater than 2 feet at 5% slope, no greater than 5 feet for slopes over 5% and less than or equal to 15%, and no greater than 10 feet for slopes greater than 15%.
8. Location, width, and names of existing and proposed streets, all rights- of-ways, easements, parks, buildings, corporation and township lines, wooded areas, water courses, drainage patterns, and water bodies.
9. Location of floodways and floodplains.
10. Layout, number, dimensions, and acreage of each lot.
11. Parcels of land reserved for public use or reserved by covenant for residents of the subdivision.
12. Type of water supply and wastewater disposal proposed, location and dimension of all proposed utilities and sewer lines, easements, drainage tiles, water mains, culverts, within or adjacent to the tract.

G. Preliminary Erosion, Sediment, and Stormwater Plan

A preliminary erosion, sediment, and stormwater plan shall be submitted along with the preliminary plan. This requirement shall apply to major subdivisions, except when 5,000 square feet or less of area is disturbed and no public streets or other public facilities are being created, improved, or extended. Detailed erosion, sediment, and stormwater control regulations can be found in Article VIII of these regulations.

H. Relation to State Highways

Any plan within 300 feet of the centerline of a state highway for which changes are proposed, or any land within a radius of 500 feet of the point of intersection of said centerline with any public road or highway, requires that the Planning Commission give notice by registered or certified mail to the state highway director. The Planning Commission shall not approve the plan for one hundred and twenty (120) days from the date that said notice is received by the director. If the director notifies the Planning Commission that he intends to acquire the subject property as part of the proposed highway project, the Planning Commission shall refuse to approve the subdivision plan.

I. Approval Period

The approval of the preliminary plan shall be effective for a maximum period of twenty-four (24) months and shall guarantee that the terms under which the approval was granted will not be affected by changes to these regulations. Successive twenty-four (24) month extensions may be granted upon written application. Such application shall be filed before the expiration of the previous approval period.

J. Public Notice

The applicant shall erect a sign in full view of the public at the subdivision site stating that a preliminary plan for a subdivision has been filed with the Ross County Planning Commission. The sign must meet applicable zoning requirements, if any.

4.5 FINAL PLAT AND CONSTRUCTION DRAWINGS

The subdivider having received approval of a preliminary plan and having addressed any revisions to the preliminary plan as required by the planning commission, shall submit the items set forth below to obtain final approval.

A. General

1. The final plan shall generally conform to the preliminary plan and shall incorporate all changes required by the Ross County Planning Commission. Also, it may constitute only that section of the approved preliminary plan which the subdivider proposed to record and develop at the time, provided that such section conforms with all requirements of these regulations.
2. Ownership of reserve areas used for storm water facilities shall be placed into indivisible equal shares among those who own lots in the subdivision. The County shall not take ownership of this type of reserve area. Easement over said reserve areas shall be granted to the County for maintenance purposes if a storm water maintenance district is formed. The obligation to pay the maintenance fees shall pass with the title of each lot in the maintenance district.

B. Final Plat Submission Requirements

1. Application (1 Paper Copy or digital)
2. Final Plat (15 Paper Copies; or 1 Digital and 3 Paper Copies)
3. Engineering Drawings (3 Paper Copies)
4. Development agreement, improvement assurances, and inspection fees (if any)

C. Review Process

1. Planning Commission staff, Ross County Engineer, Ross County Soil and Water Conservation District, and other Township, County, or State officials, as appropriate, shall review and comment upon the final plat, final erosion, sediment, and stormwater control plan, and engineering drawings prior to the Planning Commission meeting. These comments shall be forwarded to the Planning Commission for consideration at the scheduled meeting.
2. At the regularly scheduled meeting, the Planning Commission shall give its approval, its approval with conditions, or its disapproval of the plat in compliance with Division C of Section 711.10 of the Revised Code.
3. It is the sole responsibility of the applicant to submit plans to any city or village authority that exercises extraterritorial subdivision review authority granted by the state, and to submit plans to any public or private utility company.

D. Application

The subdivider or his or her representative shall file an application for final plat approval with the Ross County Planning Commission office. Appendix I contains the final plat approval application.

E. Final Plat Content

The final plan shall include the information set forth hereafter. The size of the map shall be not less than 14 inches by 22 inches or more than 30 inches by 40 inches. The scale shall be measured so that one (1) inch represents no greater than 100 feet. More than one sheet with careful matching should be used where necessary, rather than the use of small scale maps. The final plat must show the following:

1. The name by which the subdivision will be recorded.
2. The location of the subdivision by section, range, municipality, township, or other legal description; county and state; show all corporation and section lines.
3. Graphic scale, north point and date of the survey.
4. The plat boundaries with lengths of courses to hundredths of a foot and bearing to half minutes.

5. Bearings and distances to the nearest established street lines, municipal, township, county or section lines or corners, and permanent monuments, which shall be accurately described or located on the plat.
6. The names and locations of abutting subdivisions and the owners of record (as of the last preceding tax roll) of adjacent parcels of unsubdivided land.
7. The accurate location of all existing and proposed streets and alleys within the subdivision including names, bearings or angles of intersection, right-of-way and pavements widths, lengths of all arcs, radii, points of curvature and tangent bearings. Also, show the location, name and width of right-of-way and pavement for any known abutting street or alley.
8. The accurate location of all easements, including the width, use and notations to indicate whether easements are dedicated or reserved and to show the limitations of each easement. Also show the same information for any known abutting easements.
9. The location of all lots, showing the lot lines with accurate dimensions to hundredths of a foot; accurate bearings or angles to street, alley or crosswalk lines; building setback lines and lot numbers. When lots are located on a curve, the lot width at the setback line should be shown.
10. The total area of the subdivision in acres and fractions of an acre, including the acreage of land in lots, streets and other rights-of-way and land to be dedicated or reserved for public use. Also, show the total lineal feet of all streets and other rights-of-way.
11. Protective covenants and deed restrictions, if any, for all sections of the plat.
12. Certification that the applicant(s) is(are) the owner(s) or agent(s) of the owner(s), of the land under consideration, and acknowledgment by the owner(s), or agent(s) of his(her)(their) adoption of the plat and dedication of streets and other public areas.
13. Certification by the surveyor that the survey was made by him\her and that the details of the plat are accurate. He\she shall also certify that all monuments and property markers are correctly drawn and actually in place or will be placed.
14. Certification of approval of the following where applicable:
 - a. Street, drainage, or other engineering plans and installments by the County Engineer
 - b. Provisions for sanitation by the health officer having jurisdiction.
 - c. Permit to install sewerage facilities and proof that the appropriate sewage treatment provider will accept wastewater from the subject subdivision.
 - d. Acknowledgment by appropriate county official that bond, certified check or other documents, to assure improvements have been received, in accordance with Section 7.2
 - e. Acknowledgment by appropriate county official that the inspection fee has been received.
 - f. Statement of acceptance of streets and other public areas and facilities by Ross County Board of Commissioners.

F. Final Erosion, Sediment, and Stormwater Plan

A final erosion, sediment, and stormwater plan shall be submitted along with the final plat and engineering drawings. This requirement shall apply to major subdivisions, except when 5,000 square feet or less of area is disturbed and no public streets or other public facilities are being created, improved, or extended. Detailed erosion, sediment, and stormwater control regulations can be found in Article VIII of these regulations.

G. Engineering Drawings

The final engineering drawings shall be a set of construction and utility plans prepared by a registered engineer. The size of the sheet shall be not less than 22' X 30" or more than 30" X 40". The plan-profile shall be prepared at a scale of 50 feet to the inch (horizontal) and five feet to the inch (vertical), or larger. The plans shall include typical sections, plan and profile views, construction details and estimates of quantities. If a pipe system of storm sewers is not required, the alternative surface drainage system, designed in accordance with the standards and requirements of these Regulations, shall be shown.

H. Recording the Final Plat

After the final plat has been approved by the Ross County Planning Commission and the necessary approvals endorsed in writing thereon, together with all required certifications and completion of improvements or assurance of improvements, the subdivider shall cause the final plat as approved by the Ross County Planning Commission and signed by the Secretary/Clerk of the Commission to be presented for filing in the offices of the Ross County Auditor and Recorder no later than thirty (30) days after the date of approval unless an extension is agreed to by the Ross County Planning Commission. Failure to record on time may cause the final plat to be declared null and void by the Ross County Planning Commission. The size of the sheet(s) of the plat to be recorded shall be as required by the Ross County Recorder and shall meet the Recorder's requirements for legibility.

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4.6 PLAT AMENDMENTS

Subdividing lots within a platted subdivision (recorded plats) requires a plat amendment. In accordance with ORC 711.24 changes to recorded plats involving resubdivision or other changes that may adversely impact owners of lots within the subdivision may require the signatures of the lot owners in the subdivision.

A recorded plat shall be amended according to the following procedure:

- A. A preliminary application shall be made with the Ross County Planning Commission. This application shall consist of a legible drawing of proposed amendments to the plat; information concerning existing utilities; and a copy of the plat as previously approved by the Planning Commission.
- B. The Ross County Planning Commission will notify the Ross County Engineer, and the General Health District of the proposed amendment(s).
- C. The applicant shall mail Certified letters to all other persons owning property in the subject plat. These letters will notify the property owners of the proposed amendment and inform them of the opportunity to notify the Ross County Planning Commission if they feel that the proposed amendment would be injurious to their property. The letters will state that this notification may be in person at a Planning Commission meeting to be held on a given date or may be forwarded in writing to the Planning Commission offices by a given date.
- D. The Ross County Planning Commission will hear the application at its next regular meeting, at which it will determine if the proposal meets County requirements as laid out in these Regulations and ensure that it is not unduly injurious to neighboring property owners. If it meets these tests, the Commission will approve the proposal.
- E. Transfer of property between adjoining owners within a recorded subdivision may be processed as a minor subdivision (lot split) if it does not involve the creation of any subdivision lot as a separate building tract.

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4.7 COMMERCIAL DEVELOPMENT REVIEW

Commercial development is an inclusive term used to describe any improvement to a parcel that requires a Building Permit. Commercial development includes but is not limited to the following definition:

- A. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities. ORC 711.001(B)(2)

**Commercial development that does not meet the definition above is at minimum, subject to review under Article VIII Erosion, Sediment, and Storm Water Control and Article IX Access Management.

- B. Outline of Review Procedure:

- Step 1. Concept Plan Review
- Step 2. Final Plan Review

- C. Concept Plan Review: The Ross County Planning and Building Department, Ross County Engineer, and the Ross County Soil and Water Conservation District reviews the concept plan. This review shall include comments from sewer and other utilities if relevant. The following items shall be submitted to the Ross County Planning and Building Department:

1. An air photograph of the vicinity of the site.
2. A copy of the Ross County Tax Map for the vicinity of the site.
3. Topographic information at a detail that is adequate for review of surface water drainage for the site.
4. A sketch of the proposed site layout.

- D. Final Plan Review: The Ross County Planning and Building Department, Ross County Engineer, and the Ross County Soil and Water Conservation District reviews the final plan. This review shall include comments from sanitary sewer and other utilities as deemed necessary. A plan including the following items shall be submitted:

1. All items required by these regulations in section 4.4(F) and Article VIII.
2. The location, dimensions, and approximate grade of proposed parking and loading areas, alleys, pedestrian walkways, streets, and the points of vehicle entrance and exit to the development.

- E. Proposals including lot divisions and/or easements shall include a final plat meeting the requirements in Section 4.5 of these regulations. Where public and semi-public improvements are to be made, engineering drawings shall be submitted.

- F. Once the Ross County Engineer and the Ross County Planning and Building Department approve a proposed or revised plan, including the final plat where applicable, the plan will be presented to the Ross County Planning Commission for final review and approval. A representative of the Ross County Planning Commission will stamp plans Approved. Where final plats are required, the applicant shall follow the required procedures in order to file the subject plat at the Ross County Recorders Office.
- G. Provision of required improvements shall comply with Article VII of these regulations and shall be coordinated with procedures for processing the final plat when applicable.
- H. To expedite the construction process, the applicant may apply to the Ross County Planning and Building Department for applicable building permits as long as all submission requirements are met for the building permit application, and the Planning and Building Department administrator deems that the project is compliant with these regulations.

4.8 THE CONSERVATION SUBDIVISION OPTION

Conservation subdivisions are encouraged in Ross County. Conservation subdivisions are generally rural residential subdivisions characterized by compact lots and open space. The lots are grouped together and designed around areas identified for conservation or open space. Conservation subdivisions utilize either private on-lot or preferably centralized wastewater treatment systems.

- A. These Regulations may be modified by the Planning Commission to enable landowners to apply conservation design concepts in their subdivision. For example, requirements such as road frontage, setbacks, street design, and lot size may be modified to help the landowner preserve open space, historical sites, sensitive natural areas, agriculture, or other unique characteristics.
- B. The landowner, homeowners association, or other private entities shall own and maintain all open spaces, common areas, reserve areas, and private wastewater treatment systems. At no time shall the County take ownership of or maintain common areas, reserve areas, or private wastewater treatment systems in a conservation subdivision.
- C. Nothing shall exempt the landowner, developer, or subdivider from meeting plat approval requirements of these regulations.

ARTICLE V DESIGN STANDARDS

5.1 GENERAL PURPOSE

Subdivisions shall conform to the standards of this article to ensure convenient and safe streets, usable lots, and space for public purposes, and to minimize the undesirable features of unplanned, haphazard development.

5.2 SUITABILITY OF LAND

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

5.3 CONFORMANCE TO APPLICABLE RULES AND REGULATIONS

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

- A. All applicable county or township zoning resolutions and all other applicable laws in which the subdivision is to be located.
- B. The comprehensive plan, major thoroughfare plan, and other plans formally adopted by the county.
- C. Regulations of the Ross County Health District and/or appropriate state agencies.
- D. The rules of the Ohio Department of Transportation if the subdivision or any lot contained therein abuts a state highway or connected street.
- E. The standards and regulations adopted by the county engineer, and all boards, agencies and officials of the county.

5.4 SUBDIVISION AND SITE DESIGN

Design of the subdivision shall, to the maximum extent possible, avoid areas of environmental sensitivity, and to minimize negative impacts to natural features. The following specific areas shall be preserved as undeveloped open space, to the extent consistent with reasonable utilization of land, and in accordance with state or federal regulations:

- A. Unique and/or fragile areas, including wetlands, as may be defined in Section 404 of the Clean Water Act; and in Ohio Environmental Protection Agency standards.
- B. Land in Special Flood Hazard Areas.

- C. Steep slopes in excess of fifteen (15) percent unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
- D. Habitats of endangered wildlife, as identified on federal and state lists.
- E. Historically and culturally significant structures and sites, as listed on the National Register of Historical Places.
- F. Land located within 300 feet of an existing oil or gas well.
- G. The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties.

5.5 BLOCKS

- A. The arrangements of blocks shall conform to the street design criteria set forth in Article VI of these regulations.
- B. As applicable to grid-type layout with intersecting streets, block lengths shall not exceed 1800 feet in length except where topographic conditions require longer blocks, nor shall they be less than 400 feet in length. In the case of a block of single lot depth, with lots backing onto a limited access thoroughfare or on to developed non-residential land such as railroads, such block may exceed the above maximum length.
- C. Where blocks are over nine hundred (900) feet in length, a cross walk easement not less than ten (10) feet in width at or near the halfway point may be required, if necessary, to provide proper access to schools, recreational areas, shopping centers and other facilities.

5.6 LOTS

Lot arrangement, design and dimensions shall be such that all lots will provide satisfactory building sites. Driveway access shall be from a dedicated public street or private street meeting public standards. All lots shall be in compliance with any applicable zoning resolution.

- A. All lots shall conform to or exceed the requirements of these subdivision regulations.
- B. The planning commission, upon recommendation from the Health District may increase the size of any or all lots in the subdivision, or may deny approval of the subdivision.
- C. Each lot shall front on a public thoroughfare or approved private street except those approved under section 2.4.7 of these regulations. The minimum lot sizes, widths, setbacks, and frontage shall be as specified as follows:
 - 1. Lot Area Requirements:
 - a. For subdivisions without access to public sewer and/or public water, Minimum lot area shall be based on the results of a soil evaluation and Health District Review performed under OAC chapter 3701-29 (See Health District guide in Appendix VII of these regulations).
 - b. Minimum lot sizes For subdivisions with public sewer and public water shall be:
 - 8,000 square feet for Single/Double/Triple Family Development
 - 2,500 square feet for Multifamily Development

2. Setback Requirements:

| Development Type | Minimum Lot Setbacks | | |
|-----------------------------|----------------------|---------------|----------------|
| | Class I Road | Class II Road | Class III Road |
| Single/Double/Triple Family | 40 ft. | 35 ft. | 25 ft. |
| Multi-Family | 50 ft. | 40 ft. | 35 ft. |
| Commercial/Industrial | 50 ft. | 45 ft. | 40 ft. |

3. Lot Frontage Requirements

Minimum lot frontage is based on the Ross County Thoroughfare Plan, and Article IX of these regulations.

Minimum Lot Frontage by Road Classification

| Road Classification | Minimum Lot Frontage |
|---------------------|--|
| Limited Access | Not applicable (no access permitted) |
| CLASS I | 320 ft. or 420 ft Combined Frontage (shared access) |
| CLASS IIa | 320 ft. or 420 ft Combined Frontage (shared access) |
| CLASS IIb | 230 ft. or 330 ft. Combined Frontage (shared access) |
| CLASS III | 60 ft. with Central Sewer and Public Water 80 ft with Central Sewer but no Public Water 100 ft with No Central Sewer |

D. Lot Depth to Width Ratio

Lot depth to width ratio shall not exceed 4 to 1, with width being measured along the public right of way line (or along the setback line in the case of lots fronting cul-de-sacs) and depth being measured where the rear lot line is furthest from the front lot line.

E. Lot Orientation

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

F. Double Frontage Lots and Access to Lots

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

G. Easements

1. Location of utility line easements within the road right-of-way shall be located outside of the improved portion of the roadway. Utility easements may also be located along the front of line or centered on the rear or side lot line as necessary for utility lines. Easements shall give access to every lot, park or public grounds. Such easements shall be a total of not less than twenty (20) feet wide.
2. Recommendations on the proposed layout of telephone and electric company easements should be sought from all of the utility companies serving the area. It shall be the responsibility of the subdivider to submit copies of the preliminary plan to all appropriate public utility companies.
3. Easements shall be provided for storm drainage purposes. Such easements shall conform substantially with the lines of any natural water course, channels, streams or creeks which traverse the subdivision or for any new channel which is established to substitute for an existing natural watercourse, channel, stream or creek. Such easements shall be of sufficient width to provide adequate area for maintenance, however shall not be less than twenty (20) feet. Provisions of an easement in no way make any political subdivision responsible for maintenance of storm water facilities.
4. Whenever practicable, the utilities shall be placed underground, according to the standards of the appropriate utility company.
5. The location of mailboxes and similar structures in the right-of-way of a public or private street shall be constructed so as to not create a hazard to the public and shall be constructed pursuant to standards of the Ohio Department of Transportation.

5.7 STANDARDS FOR NONRESIDENTIAL SUBDIVISIONS

- A. In addition to the principles and standards in these Regulations, the applicant shall demonstrate to the satisfaction of the commission that the streets, parcels, blocks, and lot patterns proposed are specifically adapted to the uses anticipated and take into account other uses in the vicinity.
- B. Proposed industrial parcels shall be suitable in area and dimension to the types of industrial development anticipated.
- C. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- D. Blocks intended for commercial and industrial subdivisions shall be designed specifically for such purposes and shall include adequate provision for parking, loading and delivery services. Such blocks shall not be less than (250) feet in width and not less than (500) feet in length.
- E. Lots intended for other non-residential use shall be specifically noted and designed for such purposes, and shall have adequate provisions for off-street parking, setbacks, and loading and unloading areas.

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ARTICLE VI

STREET DESIGN AND CONSTRUCTION STANDARDS

6.1 GENERAL PURPOSE

The arrangement, character, extent, width, grade, construction and location of all streets shall conform to the Ross County Thoroughfare Plan, or subsequent amendments thereto, and shall be considered in their relation to existing and planned streets, topographical conditions, and public convenience and safety; and in their appropriate relation to the proposed uses of the land to be served by such streets. The street pattern shall discourage through traffic in the interior of a subdivision. The subdivider shall provide within the boundaries of the subdivision plat, the necessary right-of-way for the widening, continuance, or alignment of such streets in conformity with the Major Thoroughfare Plan.

6.2 STREET NAMES

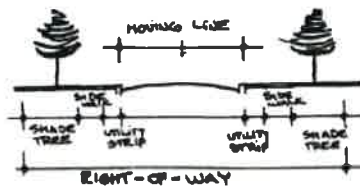
The subdivider at all intersections shall erect street name signs or numbers of a type in use throughout the county. Names of new streets shall not duplicate or nearly duplicate those of existing or platted streets, irrespective of the use of the suffix "street," "avenue," "circle," "boulevard," "drive,"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

6.3 RIGHTS-OF-WAY

6.3.1 The right-of-way shall be measured from lot line to lot line and shall be sufficiently wide to contain the cartway, curbs, sidewalks, utilities, graded areas and shade trees, if required.

6.3.2 The right-of-way of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street.

6.3.3 The right-of-way for roads shall be in accordance with the major thoroughfare plan, and shall provide for future development

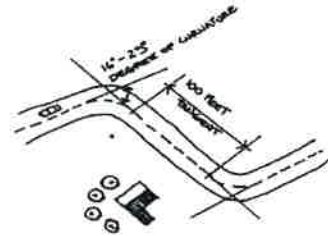


6.3.4 Right-of-Way Standards by Type of Road

| Street Type | R-O-W Width (Feet) |
|--------------------|--------------------|
| Collector | 60 |
| Industrial | 60-80 |
| Local | 50-60 |
| Cul-de-Sac or Loop | 50-60 |

6.4 HORIZONTAL ALIGNMENT

When there is an angle of deflection of more than ten (10) degrees between two (2) centerline tangent sections of a street, a curve of adequate radius shall connect them. Between reverse curves, a minimum tangent of one hundred (100) feet shall be introduced.



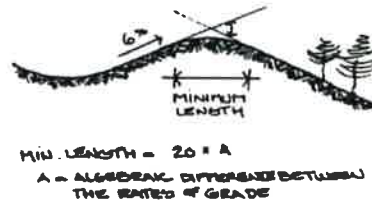
6.5 VERTICAL ALIGNMENT

6.5.1 All changes of grade shall be connected by vertical curves of a minimum length in feet equal to twenty (20) times the algebraic difference in the rate of grade for arterial and industrial streets; for collector and local streets, fifteen (15) times.

6.5.2 Minimum vertical visibility shall conform to the Ohio Department of Transportation regulations in effect on the date of approval of the preliminary plat.

6.5.3 No street grade shall be less than 0.6 percent and in no case shall a street grade be more than three (3) percent within one hundred (100) feet to an intersection.

6.5.4 A minimum stopping sight distance of two hundred (200) feet.



6.6 SPECIAL STREET TYPES

6.6.1 Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as a part of a continuing street plan, and only if a temporary turnaround satisfactory to the Commission in design, is provided and provisions for maintenance and removal are advanced.

6.6.2 Dedication of new half-streets shall not be permitted. Where a dedicated or platted half-street exists adjacent to the tract being subdivided, the other half shall be platted.

- 6.6.3 Where a double-tiered subdivision adjoins an arterial street or highway, direct vehicular access onto the arterial highway shall not be permitted.
- 6.6.4 Alleys shall not be approved in residential subdivisions, except where justified by extreme conditions. Alleys may be required in commercial and industrial districts if other provisions cannot be made for adequate service access. The minimum widths for alleys shall be twenty (20) feet for the right-of-way and eighteen (18) feet for the pavement width.

6.7 STREET DESIGN STANDARDS FOR CUL-DE-SACS AND LOOP-TYPE LOCAL STREETS (SEE PLATES I THROUGH VI IN ARTICLE VII)

| TERRAIN CLASSIFICATION DEVELOPMENT DENSITY | LEVEL (0-4%) | | | ROLLING (4-8%) | | | HILLY (8-15%) | | |
|---|-----------------|-----|-----|-------------------|-----|-----|------------------|-----|-----|
| | LOW | MED | HI | LOW | MED | HI | LOW | MED | HI |
| Right-of-way (ft) | 50 | 50 | 60 | 50 | 50 | 60 | 50 | 50 | 60 |
| Min. Pavement Width/ft curbed uncurbed | 20 | 28 | 28 | 20 | 28 | 28 | 20 | 28 | 28 |
| | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| Sidewalk Width (ft) (If required) | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 |
| Minimum Stopping Sight Distance (ft) | See Appendix F | | | See Appendix F | | | See Appendix F | | |
| Maximum Grade | 4% | 4% | 4% | 4% | 4% | 4% | 4% | 4% | 4% |
| Maximum Cul-de-sac Length** | 2000 | | | 1000 | | | 500 | | |
| Minimum Cul-de-sac Radius Pavement | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 |
| Minimum Cul-de-sac Radius (ROW) | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| Minimum Center Line Radius of Streets with an Angle of Turn of: (1)Between 80 and 100 (2)Less than 80 or More than 100 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| | 200 | 200 | 200 | 200 | 200 | 200 | 200 | 200 | 200 |

**6.7 STREET DESIGN STANDARDS FOR ALL LOCAL STREETS EXCEPT
CUL-DE-SACS AND LOOP-TYPE STREETS
(SEE PLATES I THROUGH VI IN ARTICLE VII)**

| TERRAIN CLASSIFICATION | LEVEL (0-4%) | | | ROLLING (4-8%) | | | HILLY (8-15%) | | |
|---|----------------|-----|-----|----------------|-----|-----|----------------|-----|-----|
| | LOW | MED | HI | LOW | MED | HI | LOW | MED | HI |
| DEVELOPMENT DENSITY | | | | | | | | | |
| Right-of-way (ft) | *50 | *50 | 60 | *50 | 60 | 60 | *50 | 60 | 60 |
| Min. Pavement Width/ft | | | | | | | | | |
| curbed | 20 | 28 | 28 | 20 | 28 | 28 | 20 | 28 | 28 |
| uncurbed | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| Sidewalk Width (ft) (If required) | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 |
| Minimum Stopping Sight Distance (ft) | See Appendix F | | | See Appendix F | | | See Appendix F | | |
| Maximum Grade | 4% | 4% | 4% | 8% | 8% | 8% | 15% | 15% | 15% |
| Minimum Center Line Radius of Streets with an Angle of Turn of: | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| (1)Between 80 and 100 | 200 | 200 | 200 | 200 | 200 | 200 | 150 | 150 | 150 |
| (2)Less than 80 or More than 100 | | | | | | | | | |

6.8 COLLECTOR STREET DESIGN STANDARDS
(SEE PLATES I THROUGH VI IN ARTICLE VII)

| TERRAIN CLASSIFICATION | LEVEL (0-4%) | | | ROLLING (4-8%) | | | HILLY (8-15%) | | | | | | |
|---|-----------------|------|------|-------------------|-------------|------|------------------|------|-------------|-----|-----|----|----|
| | DEVELOPMENT | LOW | MED | HI | DEVELOPMENT | LOW | MED | HI | DEVELOPMENT | LOW | MED | HI | |
| Right-of-way Width (ft) | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | |
| Min. Pavement Width (ft) | curbed | 32 | 38 | 38 | 32 | 38 | 38 | 32 | 38 | 38 | 32 | 38 | 38 |
| | uncurbed | 24 | 24 | 24 | 24 | 24 | 24 | 24 | 24 | 24 | 24 | 24 | 24 |
| Sidewalk Width (ft) (If required) | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | |
| Minimum Stopping Sight Distance (ft) | See Appendix F | | | See Appendix F | | | See Appendix F | | | | | | |
| Maximum Grade | 4% | 4% | 4% | 8% | 8% | 8% | 12% | 12% | 12% | | | | |
| Minimum Spacing when intersecting with an arterial (ft) | 1320 | 1320 | 1320 | 1320 | 1320 | 1320 | 1320 | 1320 | 1320 | | | | |
| Minimum Center Line Radius | 350 | 350 | 350 | 230 | 230 | 230 | 150 | 150 | 150 | | | | |

6.9 STREETS FOR COMMERCIAL SUBDIVISIONS

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

6.10 STREETS FOR INDUSTRIAL SUBDIVISIONS

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

ARTICLE VII**IMPROVEMENT STANDARDS AND SPECIFICATIONS****7.1 IMPROVEMENT STANDARDS AND SPECIFICATIONS**

- 7.1.1 Minimum improvements and construction standards required for all subdivisions shall be as set forth in this Article. All work on improvements shall be done under the supervision and inspection of the Ross County Engineer. The subdivider, as specified in Section 1.15, shall pay all inspection costs
- 7.1.2 Prior to the final approval by the Ross County Planning Commission, the Ross County Engineer, as specified in Section 4.5 shall approve the engineering drawings and specifications for the required improvements.
- 7.1.3 Prior to the final plat being signed by the Ross County Planning Commission, the required improvements shall be completed according to specifications as determined by the Ross County Engineer or assurance of said improvements provided as specified in Section 7.2.
- 7.1.4 Oversize and Off-Site Improvements
- A. If adequate utilities, streets and drainage outlets are not available within or at the boundary of the subdivision, the subdivider shall, prior to final plat approval, make all necessary provisions including the securing of necessary easements and tap-in privileges to connect the subdivision system to the existing system.
 - B. The subdivider may be required to provide reasonable easements for the required improvements to the boundary of the proposed subdivision to serve adjoining land.
 - C. The Ross County Planning Commission may require the utilities and facilities and other land improvements to have greater capacity than is required for the subdivision or to extend off-site to serve nearby land when the existing or proposed character of the area warrants such improvements, as determined by the Ross County Planning Commission. No excess capacity or off-site service extensions shall be required of the subdivider, unless the Ross County Board of Commissioners takes action for an equitable sharing of costs.
 - D. If streets or utilities are not adequate at the boundary of a proposed subdivision, and if the Ross County Planning Commission finds that the improvement or extension of these facilities would not be warranted as a special assessment to the intervening properties or as a county or township expense until some future time, the subdivider may be required to obtain necessary easements or rights-of-way and
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construct and pay for such improvements or extensions. Such improvements shall be available for use by subdividers of adjoining land.

7.1.5 Monumentation

Monumentation (as defined in Section 4733-37-03 of the Ohio Administrative Code) shall be as specified in the Ohio Revised Code.

7.1.6 Street Improvements

- A. All materials, construction procedures, and standards shall be in accordance with the current Construction and Materials Specifications of the State of Ohio Department of Transportation or to the specifications of the Ross County Engineer. (See Plates I thru VII at the end of this Article)
- B. Pavement type shall be optional except that only one type may be used from edge to edge at any point. Continuity of type is encouraged to avoid patchwork appearance.
- C. Construction shall be accomplished in such a manner that cutting of finished pavement will not be required for utility easements.

7.1.7 Sidewalks

Sidewalks may be required along at least one side of the street within one-half mile of a school, park, or other use which generates pedestrian traffic, except that pedestrian ways may be located on dedicated land not adjacent or parallel to the street if, in the opinion of the Ross County Planning Commission, the pedestrian way provides equal or better pedestrian circulation and access. The width of the dedicated land shall be not less than ten (10) feet.

7.1.8 Street Name Signs

The Ross County Engineer shall erect street signs, and the costs of materials and installation shall be reimbursed to Ross County by the developer.

7.1.9 Internal Drainage

- A. No tile may outlet into a roadside ditch except as approved by the Ross County Engineer or Ohio Department of Transportation.
 - B. An easement of access shall be required when off-site outlets are necessary.
-

7.1.10 Water Supply

- A. A central water supply and distribution system or connection to an existing system, which provides a water supply to each lot shall be required in the event the Ross County Planning Commission determines that individual water supplies from private wells are not adequate or sufficient for the intended uses of the subdivision.
- B. The design of water systems together with the preparation of drawings and specification and the construction thereof, shall comply with the following requirements:
 - 1. Those of the Ohio Environmental Protection Agency.
 - 2. Any public or private water company involved.
 - 3. The approval of the Ross County Engineer.
 - 4. Water lines shall be located in the public right-of-way or in easements provided for that purpose.
 - 5. Where dead-ends occur, hydrants shall be installed to allow occasional cleaning.

7.1.11 Individual Wells

In the event that a centrally supplied distribution system is not required, the provision for water supply by individual wells may be approved, provided that the requirements of the Ross County General Health District Board and these regulations are met.

7.1.12 Sanitary Sewage Disposal

- A. A central sanitary sewerage system, including a lateral connection to each lot, shall be required in the event the Ross County General Health District determines that individual lot disposal systems are inadequate for the intended use of the subdivision.
 - B. The design of sanitary sewerage systems, together with the preparations of drawings and specifications and the construction thereof, shall comply with the requirements of the State Environmental Protection Agency and municipality, county, sewer district or regional sewer districts involved, the Ross County Engineer, and these regulations.
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7.2 COMPLETION/ASSURANCE OF IMPROVEMENTS

Improvements shall be completed after the Planning Commission has approved the final plat, but before all necessary approvals are endorsed in writing on said plat, and shall be in accordance with the Planning Commission's decision and to the satisfaction of the County Engineer. All street, sanitary sewer, stormwater facilities, and other public improvements, including lot improvements on the individual lots of the subdivision, shall be made as required in these regulations, specified in the final subdivision plat and as approved by the Planning Commission. Dedication of public improvements to Ross County, free and clear of all liens and encumbrances on the dedicated property and public improvements. Such improvements will be constructed and completed in a satisfactory manner and within a period specified by the Ross County Engineer, but such period shall not exceed two (2) years unless mutually extended.

- 7.2.1. The subdivider may choose to record the subdivision plat before improvements are made by providing a surety bond. Under this option, the subdivider shall have file with the Ross County Board of Commissioners a surety bond, cashier's check or certified check for one hundred and ten percent (110%) of the installation costs of the improvements, which shall be approved by the Ross County Engineer, guaranteeing to Ross County that such improvements will be constructed and completed in a satisfactory manner and within a period specified by the Ross County Engineer, but such period shall not exceed two (2) years unless mutually extended. The bonds or checks shall not include the installation costs of the individual home wells, driveway pipe and individual home sewage treatment facilities. Said bond or checks shall be approved by the Ross County Engineer and shall be made payable to, and enforceable by Ross County and shall provide that the subdivider, their heirs, successors and assigns, their agent(s) or servant(s) will comply with all applicable terms, conditions, and requirements of these regulations. Upon completion of the improvements and approval of same in writing by the Ross County Engineer, and with the presentation of letters of certification of payment in full of all contractors, sub-contractors, suppliers of materials, engineers, surveyors, and all inspection fees or other fees incurred by the installation of the improvements by the subdivider, the bonds shall be released in writing by the Ross County Treasurer, or the cashier's or certified check may be returned to the developer.
 - 7.2.2. When a portion of the improvements has, upon inspection by the Ross County Engineer, been completed, a reduction in the bonds or partial withdrawal of funds may be authorized by the Ross County Engineer, provided, however, that such reduction shall not reduce the balance of the bond below the re-estimated completion costs as of the date of reduction,
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2008 ROSS COUNTY SUBDIVISION REGULATIONS

provided further, that all other requirements of this section have been properly executed.

- 7.2.3 In the event the developer fails to complete the installation of all improvements according to the terms and conditions of the subdivision approval, the County, upon proper notice, may complete same and appropriate such portion of money or bonds posted for the faithful performance of said work.

7.3 INSPECTION PROCEDURES

Under either of the above options, Section 4.5.7, each phase of construction work shall be inspected and approved by the appropriate officer having jurisdiction before the work is continued. No street, sidewalk, sub grade pavement course, trench pipe or other installation shall be covered before it has been inspected and approved. The subdivider shall inform the official's office that the work is ready for inspection no less than eight (8) working hours in advance of the time they expect it to be obscured by further work.

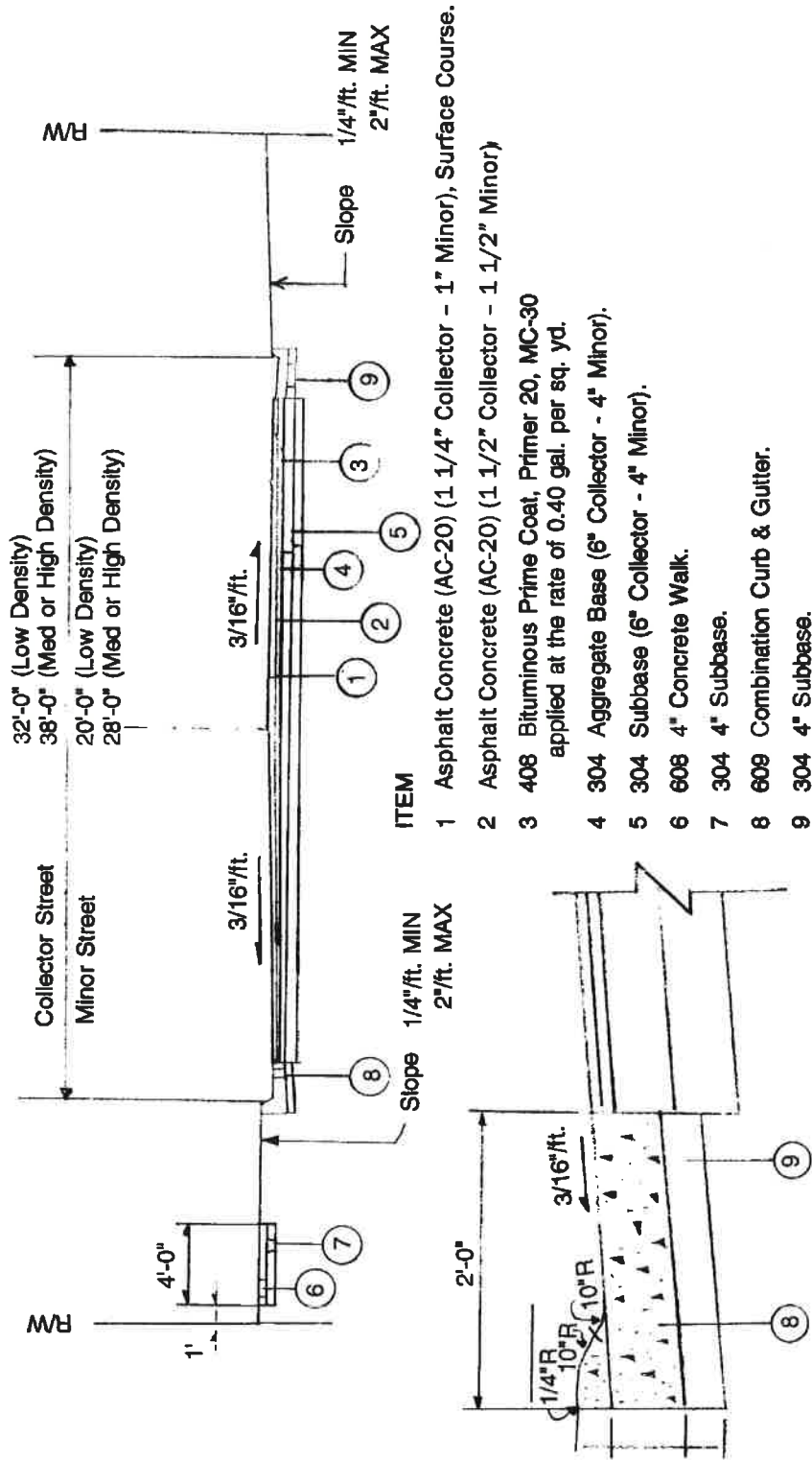
7.4 MAINTENANCE BOND

No final plat shall be approved unless the subdivider shall have filed with the Ross County Commissioners a surety bond, cashier's check or certified check for twenty-five percent (25%) of the estimated costs of the improvements to guarantee the correction of any construction defects occurring within one (1) year after the construction thereof has been approved by the Ross County Engineer. Said bond or checks shall be approved by the Ross County Engineer and shall be made payable to, and enforceable by Ross County. The Ross County Engineer shall notify the Ross County Commissioners that the subject improvements are in satisfactory condition before said bond or check is returned.

7.5 TEMPORARY IMPROVEMENTS

The applicant shall build and pay for all temporary improvements required by the Ross County Planning Commission and/or the Ross County Engineer and shall maintain those temporary improvements for the period specified by the planning commission. Prior to construction of any temporary facility or improvement, the subdivider shall file a separate performance guarantee with the county in the appropriate amount as determined by the Ross County Engineer for the facilities, which shall ensure that the temporary facilities will be properly constructed, maintained, removed or, if necessary, replaced with acceptable permanent improvements.

MINIMUM TYPICAL CURBED SECTION



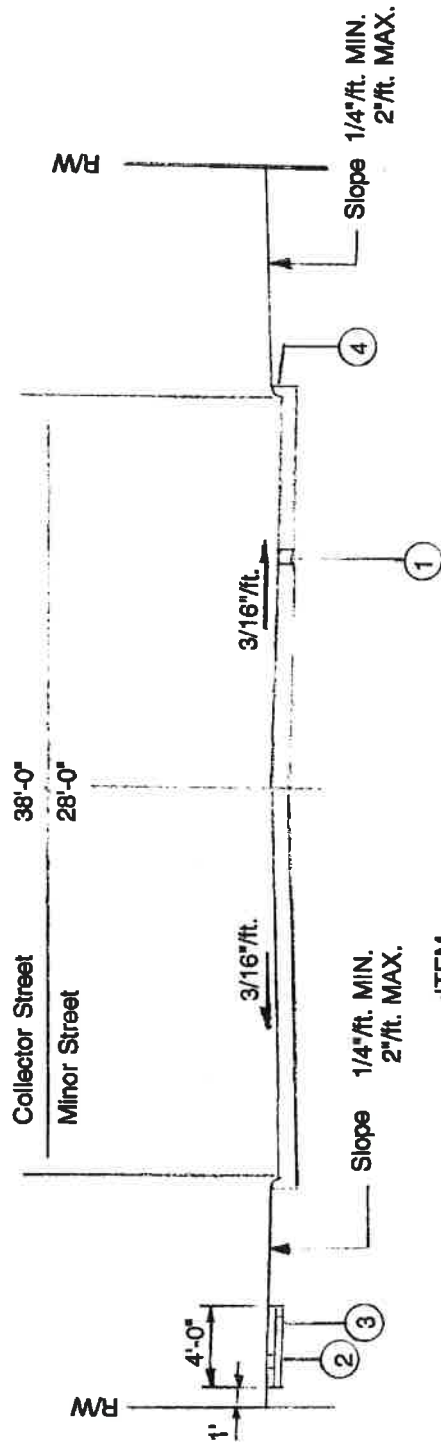
ITEM

- 1 Asphalt Concrete (AC-20) (1 1/4" Collector - 1" Minor), Surface Course.
- 2 Asphalt Concrete (AC-20) (1 1/2" Collector - 1 1/2" Minor)
- 3 408 Bituminous Prime Coat, Primer 20, MC-30 applied at the rate of 0.40 gal. per sq. yd.
- 4 304 Aggregate Base (6" Collector - 4" Minor).
- 5 304 Subbase (6" Collector - 4" Minor).
- 6 608 4" Concrete Walk.
- 7 304 4" Subbase.
- 8 609 Combination Curb & Gutter.
- 9 304 4" Subbase.

FOR ITEM DESCRIPTION SEE: STATE OF OHIO
DEPARTMENT OF TRANSPORTATION, CONSTRUCTION
AND MATERIAL SPECIFICATIONS.

PLATE I

MINIMUM TYPICAL CURBED SECTION
PAVEMENT TYPE 452



ITEM

- ① 452 Plain Portland Cement Concrete Pavement (7" Collector - 6" Minor).
- ② 608 4" Concrete Walk.
- ③ 304 4" Subbase.
- ④ 609 Concrete Curb.

FOR ITEM DESCRIPTION SEE: STATE OF OHIO
DEPARTMENT OF TRANSPORTATION, CONSTRUCTION
AND MATERIAL SPECIFICATIONS.

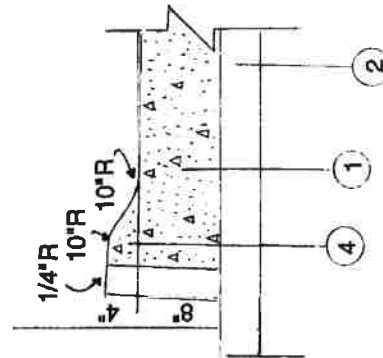
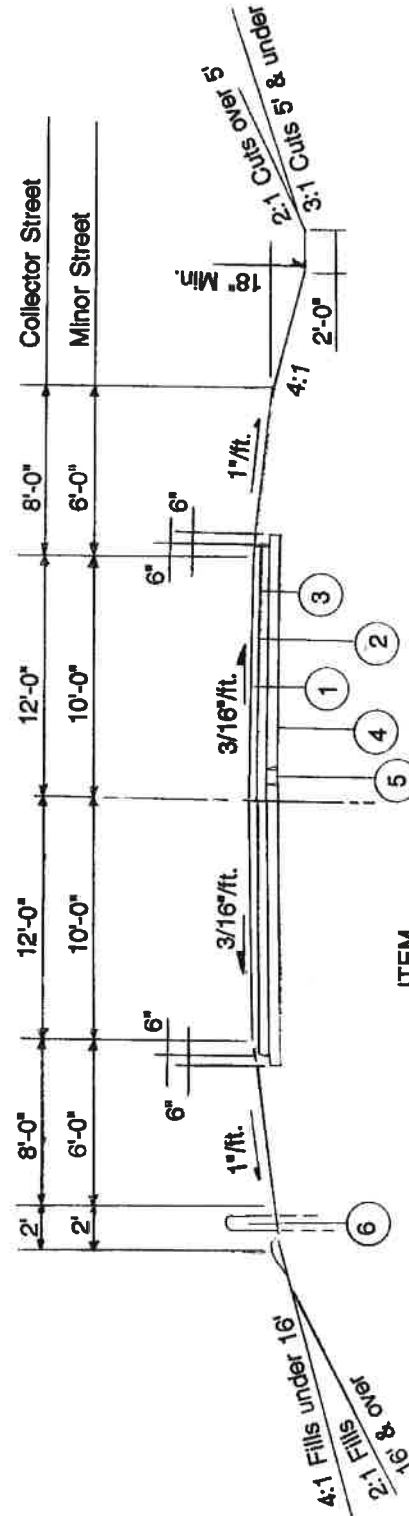


PLATE II

MINIMUM TYPICAL UNCURBED SECTION



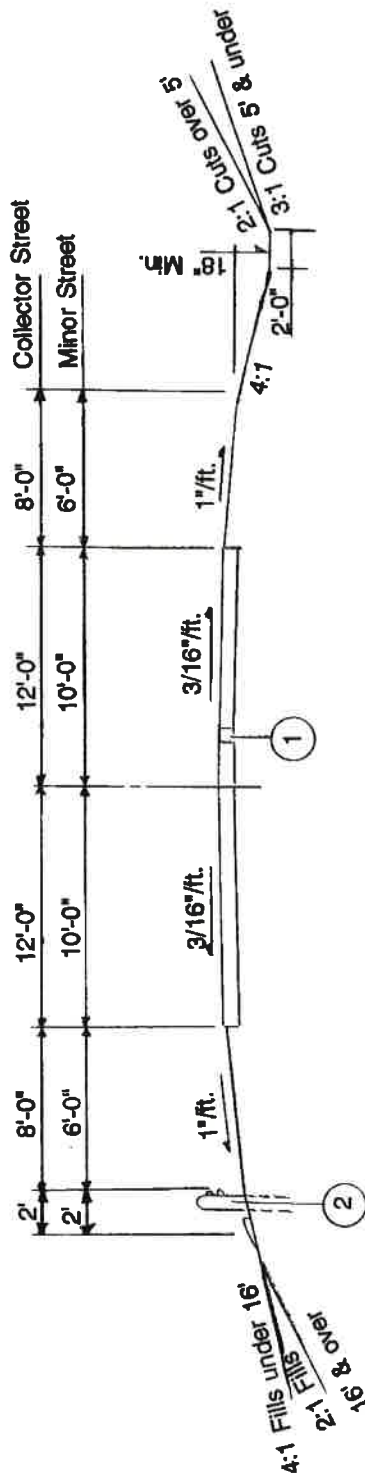
ITEM

- 1 Asphalt Concrete (AC-20) (1 1/4" Collector - 1" Minor), Surface Course.
- 2 Asphalt Concrete (AC-20) (1 1/2" Collector - 1 1/2" Minor)
- 3 406 Bituminous Prime Coat, Primer 20, MC-30 applied at the rate of 0.40 gal. per sq. yd.
- 4 304 Aggregate Base (6" collector - 4" Minor).
- 5 304 Subbase (6" Collector - 4" Minor).
- 6 606 Guard Rail Type 4.

FOR ITEM DESCRIPTION SEE: STATE OF OHIO DEPARTMENT OF TRANSPORTATION, CONSTRUCTION AND MATERIAL SPECIFICATIONS.

PLATE III

MINIMUM TYPICAL UNCURBED SECTION
PAVEMENT TYPE 452



ITEM

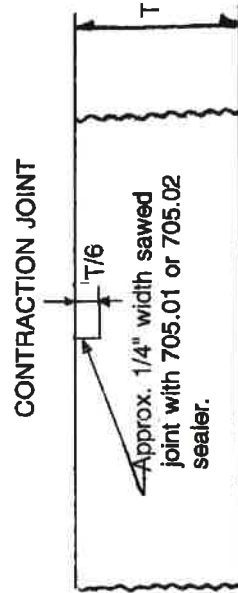
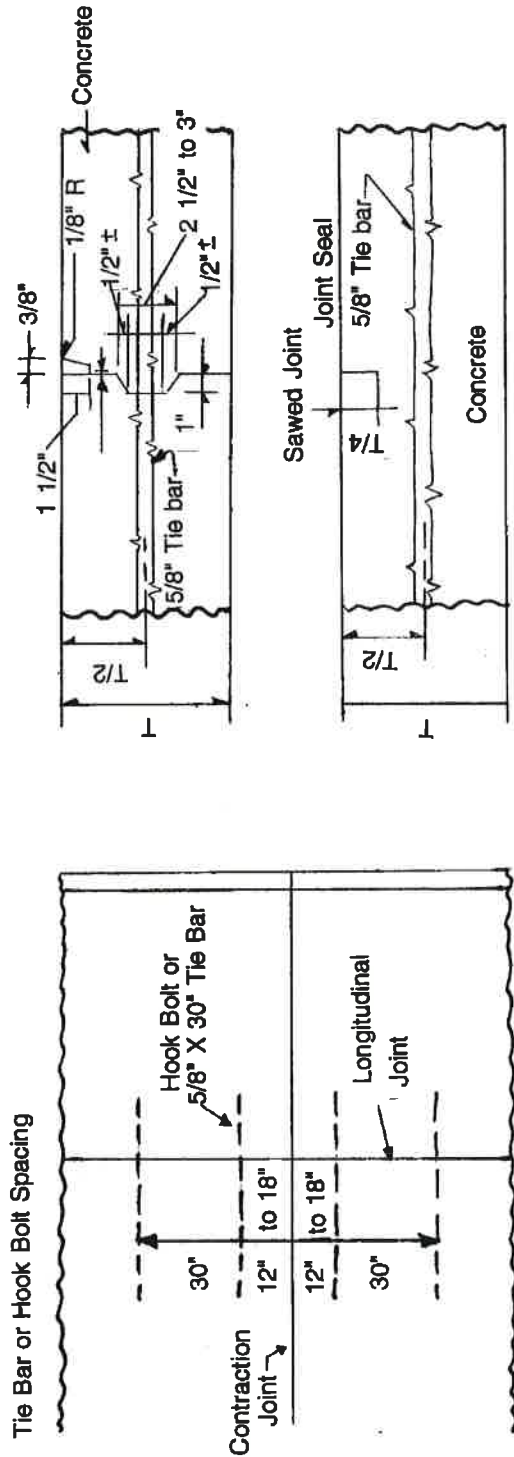
- ① 452 Plain Portland Cement Concrete Pavement (7' Collector - 6" Minor).
- ② 606 Guard Rail, Type 4.

FOR ITEM DESCRIPTION SEE: STATE OF OHIO
DEPARTMENT OF TRANSPORTATION, CONSTRUCTION
AND MATERIAL SPECIFICATIONS.

PLATE IV

**DETAIL of JOINTS
PAVEMENT TYPE 452**

LONGITUDINAL JOINTS



MAXIMUM SPACING BETWEEN
CONTRACTION SHALL BE

17 Lin. Ft.

PLATE V

DEAD END STREET TERMINII

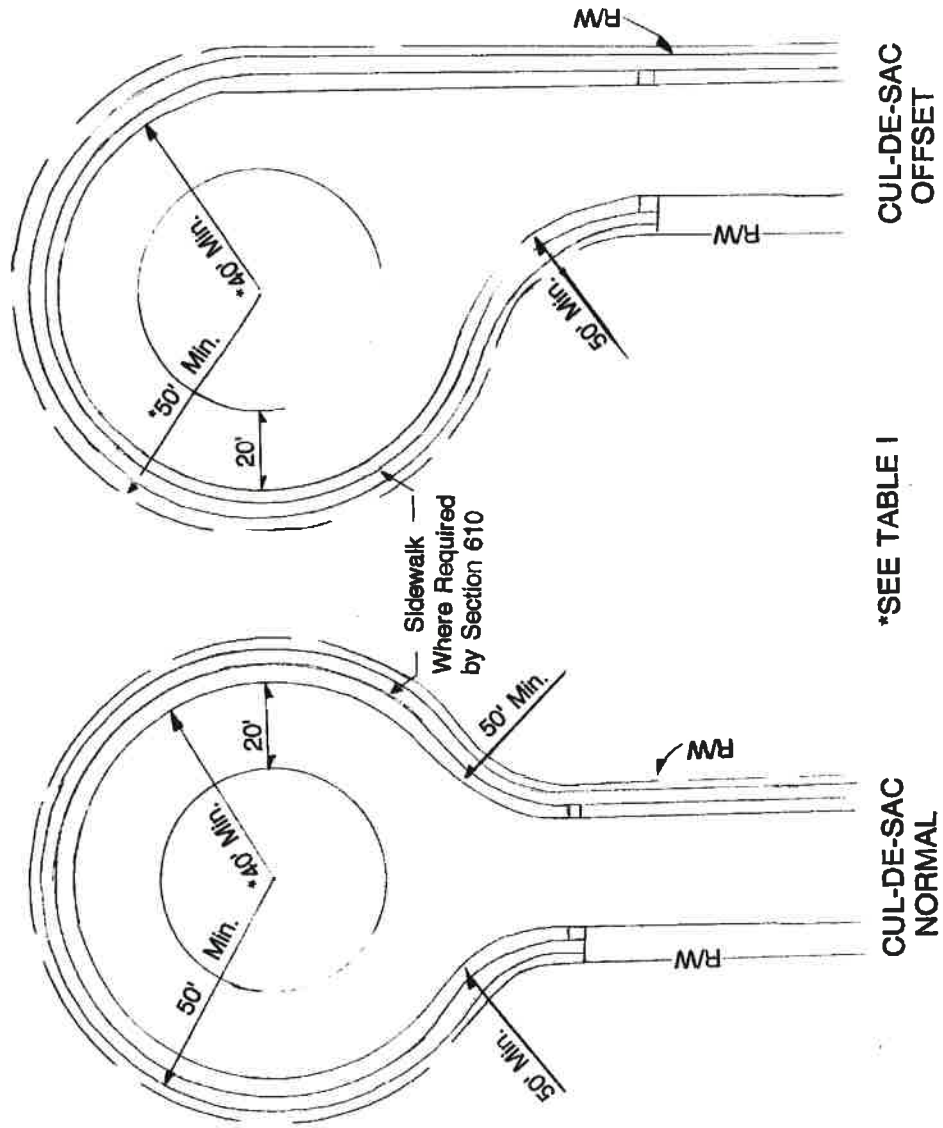


PLATE VI

ARTICLE VIII**EROSION, SEDIMENT, AND STORM WATER CONTROL****8.1 APPLICABILITY OF ARTICLE**

This article shall apply to any development, except when 5,000 square feet or less of area is disturbed.

- Developments that disturb greater than 5,000 square feet but less than ½ of an acre shall submit abbreviated plans (Section 8.3.1).
- Developments that disturb ½ of an acre or more shall submit detailed plans (Section 8.3.3).

8.2 DESIGN AND MAINTENANCE POLICIES FOR SOIL EROSION, SEDIMENT, AND STORM WATER CONTROL MEASURES**8.2.1 Erosion and Sediment Control Measures**

Measures shall be taken to prevent sediment from leaving the permit site during a 5-year frequency storm event. All control measures required under this article shall conform to the design criteria, standards, and specifications provided in the applicable standards now in effect or as hereafter amended. When sediment does leave the site, the owner, developer or contractor shall remove the sediment as soon as possible, or by no later than the end of the workday.

Measures shall also be taken to prevent the tracking of sediment onto public roads. Examples of these measures would be the installation of a rock construction drive or the cleaning of tires before vehicles leave the construction site.

8.2.2 Permanent Stormwater Control Measures

The developer of a property will be required to provide permanent storm water control measures to insure that the peak flow from the development area shall not be greater after development than it was before development if:

- A. The proposed storm water discharge is into a stream draining less than 5 square miles or more upstream; and
- B. The proposed development will cause a 5 per cent or more increase in the volume of storm water discharged to the adjacent waterways and lands during any level of storm event.

In such cases, the applicant shall provide calculations, performed by a Professional Engineer registered in the State of Ohio, showing no increase in peak flows resulting from two-, five-, ten-, twenty-five-, fifty-, and one hundred-year storms. Evaluation of submitted plans shall be based on the Sediment Control, Erosion Protection, and Storm Water Management Technical Section, which is included as Section 8.5 of this article.

8.2.3 Regional Stormwater Control Systems

To allow for the beneficial development and maintenance of regional storm water management systems, where they are available and they are appropriate, an applicant may submit a design dependent on such a system. The applicant shall submit documentation of the approval for the use of the regional storm water management facility from the governmental agency having jurisdiction over it. The applicant shall submit evidence showing that there will be no adverse flooding impact to any receiving stream between the point of discharge and the regional storm water facility. If the applicant is approved to use the regional storm water management system, the applicant may request exemption from the requirements in this section for permanent on site storm water controls from the Ross County Soil and Water Conservation District. Such exemption shall not apply to any temporary storm water control measures required by this article.

8.3 PLANS FOR EROSION, SEDIMENT, AND STORMWATER CONTROL

Applicants proposing projects falling within the scope of Section 8.1 of these regulations shall submit plans for erosion, sediment, and storm water control as part of their compliance with these regulations. These plans shall be either “abbreviated” or “detailed,” depending on the project characteristics.

8.3.1 Abbreviated Plan

All projects that disturb 5,000 square feet of surface or more shall be required to address temporary erosion and sediment control issues arising from their construction phase(s). In order to facilitate this review, the owner of the land, or his representative, may submit an Abbreviated Erosion and Sediment Control Plan, as either a Standard Plan or Site Specific Plan if the project meets the following criteria:

- A. Less than one-half (1/2) acre (21,780 square feet) will be disturbed by the project.
- B. The existing and proposed slope of the site is less than 10%.
- C. There is no concentrated flow of runoff leaving the site.

8.3.2 Contents of Abbreviated Plan

The Abbreviated Erosion and Sediment Control Plan shall include standard drawings of control measures that are generally accepted by the U.S. Department of Agriculture, Natural Resources Conservation Service and the Ohio Department of Transportation. The Ross County Soil and Water Conservation District will approve, in writing, such plans that contain the following information to his/her satisfaction:

- A. Standard measures that will be used as well as the location and extent of their use.
- B. A description of maintenance procedures and practices to be applied.
- C. Any modifications that have been made to the standard drawings.
- D. Specific requirements deemed necessary by the Ross County Soil and Water Conservation District to ensure compliance with these regulations.
- E. Specification that, without exception, that all disturbed areas must have permanent ground cover within six (6) months of project completion, or within (6) six months of occupancy, whichever comes first.

8.3.3 Detailed Erosion, Sediment, and Stormwater Control Plan

All projects that disturb ½ acre or more shall submit detailed erosion, sediment, and stormwater control plans.

A. Preliminary Plan Submissions (Step 1)

A map of existing site conditions, on a scale of at least one to twelve hundred (1:1200), showing the project area and immediately adjacent areas, including the following site information:

- 1. Site boundaries and adjacent lands which accurately identify the site location.
 - 2. Lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.
 - 3. Floodways and/or Zone A of the Floodplain as determined on the Flood Insurance Rate Map (FIRM), and indicating the map panel number.
 - 4. All off-site drainage onto or through the project site.
 - 5. Location and dimensions of storm water management components on or adjacent to site.
 - 6. Locations dimensions of structures, roads, highways, paved easements, and other impervious areas.
 - 7. Site topography [refer to Section 4.4.4(G)].
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B. Preliminary Post Construction Site Plan

1. The layout of all proposed lots.
2. The street layout with preliminary grades.
3. The proposed drainage pattern.
4. Proposed storm water control facilities including but not limited to culvert location, storm sewers, open channels, catch basins, outflows, and retention and detention ponds etc.

C. Final Plan Submissions**1. Post Construction Site Plan**

A final site conditions plan, drawn to the same scale as the existing site conditions map, shall be submitted. This plan shall accurately depict the post-construction appearance of site (e.g., paved areas, buildings, landscaping, and other changes to the site, along with other predominate site features, e.g., open areas, bodies of water).

2. Site-Specific Sediment and Erosion Control Plan/Construction Phase

A site-specific sediment and erosion control plan shall include the following information:

- (a) Locations and dimensions of all proposed land disturbing activities.
- (b) Location, dimensions, and construction details of all site control measures to be taken in meeting the requirements of this amendment, including proposed re-vegetation of disturbed areas.
- (c) A statement explaining planned maintenance of sediment and erosion control measures to be taken during construction.

3. Storm Water Management Control Plan/Post-Construction Phase

A storm water management and control plan is required for any project with a net increase of impervious area greater than one-half (1/2) acre. The applicant shall provide design calculations performed by a Professional Engineer registered in the State of Ohio to support all aspects of the management and control plan. The plan shall include the following:

- (a) A map showing the drainage area boundaries, including off-site drainage areas that drain into or onto the site;
 - (b) Location and identification of soil types for all drainage areas;
 - (c) Location and identification of vegetative cover for all drainage areas;
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- (d) Run-off curve number calculations for both pre-and post-project conditions for each drainage area;
 - (e) Time of concentration calculations for both pre- and post-project conditions for each drainage area, and include a map showing hydraulic flow lengths used;
 - (f) Peak flow-rate calculations, showing conformance with Section 8.5 of these regulations, for both pre-and post-project conditions.
 - (g) Design calculations for detention basin outlets, showing conformance with Section 8.5 of these regulations, including stage-storage table and discharge rating curve data or outflow calculations.
 - (h) Location dimensions, and construction details of proposed detention basins and outlets.
 - (i) Detention volume calculations.
 - (j) Summary of peak flow-rates for pre- and post-project conditions including a discussion of how the requirements in this amendment are to be met.
 - (k) **Implementation Schedule:**
A schedule, showing the timing of the construction and installation of all elements of the management and control measures. When a development is constructed in phases, the schedule shall show the inter-relationship and dependency that each phase has with its previous and subsequent phases. The schedule shall also allow for interim inspections and approvals as may be requested by the Ross Soil and Water Conservation District, during the plan approval process.
 - (l) **Cost Estimate:**
A detailed estimate of quantities and estimated costs, prepared by a registered Professional Engineer, of all management and control measures provided in the plan.
 - (m) **Plan for On-Going Management and Maintenance:**
A continued management plan for storm water control measures. Compliance with this requirement may include submission of a petition to the Board of Ross County Commissioners to create a storm water facilities maintenance assessment district as well as plat notations and other requirements. The plan will show the methods of compliance with the requirements below.

D. Financial Security

Improvements included under this article shall be guaranteed according to the procedure laid out in Article VII of these regulations.

E. Permanent Ground Surface Cover

Without exception, all disturbed areas must have permanent ground cover within six (6) months of project completion, or within six (6) months of occupancy, whichever comes first.

F. Final Inspection: Notice of Permanent Stormwater Control Measures

Within fourteen (14) days after completion of construction, the applicant shall notify the Ross County Soil and Water Conservation District that the permanent storm water control measures are ready for final inspection. If the inspection shows that the control measures and maintenance plan comply with this amendment, the Ross County Soil and Water Conservation District shall issue a Notice of Permanent Storm Water Control Measures. The owner shall record the Notice with the Ross County Recorder of Deeds within fifteen (15) days after the Notice is issued.

8.4 MAINTENANCE OF CONTROL MEASURES

8.4.1 Erosion, Sediment, and Temporary Stormwater Control Measures

On-site sediment control measures shall be constructed and functional prior to initiating clearing, grading, stripping, excavating or fill activities on the site.

Fully functioning temporary sediment control measures (including, but not limited to perimeter sediment controls) shall remain in place until the ground is stabilized with permanent ground cover. The intent of the article is to keep the sites protected at all times until the ground is permanently stabilized. In cases where it is not practical to leave the temporary sediment control measures in place prior to establishing permanent ground cover (for example, when control measures need to be removed in order to grade the area or install pavement or sod), an exception will be made only if one of the conditions listed below will be met. In no way does adhering to one of the conditions below relieve the owner of responsibility to clean-up or repair any damages caused from sediment or storm water run-off leaving the site.

- A. Permanent ground cover shall be established with pavement, aggregate, sod, or seeding within three days of the removal of sediment barriers as described below.
- B. On project areas with slopes not exceeding five (5%) percent, permanent vegetation, shall be established by seeding within three days of the removal of sediment barriers during the spring or fall seeding periods. Summer seeding is acceptable on project areas, which shall be watered. This does not apply to concentrated flow areas.
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- C. In areas exceeding five percent (5%) slope, permanent vegetation shall be established by seeding with anchored mulch within three days of removal of sediment barriers during the spring or fall seeding periods.
 - D. Sediment shall be removed from temporary sedimentation control basins to insure that they function to design capacity.

The Ross County Soil and Water Conservation District may require additional control measures pursuant to the Standards if determined as necessary after site inspection and prior to issuing the permit.

8.4.2 Permanent Stormwater Control Measures

In general, storm water control measures shall be maintained by the owners of land parcels to be served by those measures. When feasible, this maintenance will be the responsibility of individual property owners. However, when storm water control measures require that affected property owners share maintenance responsibility, a maintenance assessment district shall be established within the restrictive conditions approved with the plat for the development. Such conditions shall identify the specific properties that are served by the district and subject to the maintenance assessment.

When a storm water facilities maintenance district is established, it shall be governed according to the following guidelines, which are based on Section 6131.63 and Chapter 6137 of the Ohio Revised Code.

A. Responsibility for Maintenance

When a storm water facilities maintenance district is required, the Board of Ross County Commissioners shall be ultimately responsible for permanent maintenance of storm water management facilities and other facilities designed to manage storm water runoff when the land served involves two or more property owners. The storm water maintenance assessment district shall provide funds for such activities where possible.

The Board of Commissioners' responsibility toward maintaining these facilities is limited to assuring the hydraulic integrity of the storm water management facilities. This work shall ensure that the design standards and provisions of these regulations continue to be satisfied. Maintenance required for aesthetics, recreation or nuisance control, shall be the responsibility of the owners of land served by the facility.

B. Assessment Calculation and Implementation

Assessments, will be calculated by the Ross County Engineer, on a per acre basis, using the area within the preliminary plat boundaries. Assessments will be calculated for all contributing lots. A contributing lot will be a lot with more than 1/3 of its area falling within a given assessment district. Therefore, lots will be assigned assessments based on their total size. The entire district will become active as of the time that a final plat is filed for all or part of the proposed subdivision. Land parcels, consisting of all or part of future development phases, will be assessed based on the total area of all lots within their boundaries as shown on the preliminary plan.

C. Inspection and Maintenance Agreement

The Board of Commissioners shall enforce an inspection and maintenance agreement binding on all subsequent owners of land served by the storm water facilities. Such agreements or restrictions shall be recorded on the final plat. The location, dimensions and bearing of storm water facilities and easements shall be shown on the recorded plat and on the specific deeds effected.

D. Maintenance of Facilities During the Initial Year of Operation

The owner and/or developer shall maintain all storm water management facilities for a period of one year following final inspection and acceptance. All storm water management facilities shall be maintained to meet the design standards and the provisions of these regulations. To ensure proper maintenance the owner/or developer shall post a performance bond equal to the total district assessment for one year.

8.5 SEDIMENT CONTROL, EROSION PROTECTION AND STORM WATER MANAGEMENT TECHNICAL SECTION**(A) Storm Water Runoff**

For drainage areas of 8 acres or less, the Rational Method or USDA Natural Resource Conservation Service Engineered Field Handbook Method (www.wcc.nrcs.usda.gov/hydro) shall be used to determine the peak rate of runoff for all design storms.

For drainage areas over 8 acres and for determining major storms, the method explained in "Urban Hydrology for Small Watersheds", Technical Release No. 55 (www.wcc.nrcs.usda.gov/hydro), shall be used to provide peak rates of runoff. In calculations for storm sewers, where the initial drainage area is less than 8 acres, the rational method should be used throughout.

(1) Peak Rate of Runoff - The basic formula for the Rational Method is

$Q = CiA$ in which:

Q = Peak rate of runoff in cubic feet per second.

C = Runoff coefficient, ratio of the maximum rate of runoff to

A = The drainage area in acres.

i = Rainfall intensity in inches per hour for a selected storm frequency and the time of concentration.

(2) Runoff Coefficient - Runoff coefficients (see Table I on page 68) are present average values for use with the Rational Method. The table relates the coefficient to land use and average slope of the watershed.

(3) Rainfall Intensity - Rainfall Frequency Curves shown in the Ohio Department of Transportation Location and Design Manual, Vol. Two, Drainage Design, hereafter referred to as ODOT Drainage Design Manual (Figure 1101-2), will be used for all design storms using the rational method.

(4) Design Storm - The design storm for each drainage facility (culvert, storm sewer, etc.) is defined in the sections addressing that facility.

(5) Time of Concentration - Whether using Rational Method or T.R. 55, T.R. 55 methodology is appropriate for determining the pre and post development time of concentration

(B) Methods for controlling increases in storm water runoff peaks and volumes

(1) Induced infiltration of increased storm water runoff into the soil where practical; for example, constructing special infiltration areas where soils are

suitable, retaining topsoil for all areas to be vegetated, or providing good infiltration areas with proper emergency overflow facilities.

- (2) Provisions for detention and retention; for example, permanent ponds and lakes with stormwater basins provided with proper drainage, multiple-use areas for stormwater detention and recreation, wildlife, or transportation, or subsurface storage areas.

(C) Peak Flow

The peak flow from the development area shall not be greater after development than it was before development. The applicant shall provide calculations, performed by a Professional Engineer registered in the State of Ohio, showing no increase in the peak flows from the two-, five-, ten-, twenty-five-, fifty-, and one hundred-year storms, except where discharge is into a stream draining 5 square miles or more upstream from the discharge.

(D) Runoff Volume of Detention/Retention Basins

Runoff volume shall be determined using procedures in TR-55 for a 24 hour duration storm.

Increases in the runoff volume shall be offset by further restricting release rates. Based on the increase in runoff volume, the applicant shall determine the critical storm for the development area. The runoff rate from the critical storm shall be restricted to the one (1) year pre-development storm runoff rate.

The critical storm shall be calculated as follows:

- (1) Determine the runoff volume produced by a one (1) year storm both before and after development.
- (2) Determine the percent increase in the runoff volume.
- (3) Using this percentage, select the critical storm from the following table:

| If the percent of increase in runoff volume is | | The critical stormwater runoff rate will be limited to |
|--|---------------|--|
| Equal to or greater than | and less than | |
| | 10 | 1 year |
| 10 | 20 | 2 year |
| 20 | 50 | 5 year |
| 50 | 100 | 10 year |
| 100 | 250 | 25 year |
| 250 | 500 | 50 year |
| 500 | | 100 year |

(E) Roadway Culverts

Roadway culverts shall be designed in accordance with ODOT Drainage Design Manual except as noted below:

The culvert inlet flowline elevation should be set such that it will be deep enough to provide an adequate outlet for future storm sewer improvements upstream.

- (1) Design Storm Frequency: 25 year storm and the 100 year storm where necessary to avoid increased flood hazard to developed property.
- (2) Design Flow
 - (a) Areas under 8 acres use Rational Method $Q = CiA$.
 - (b) Areas over 8 acres use Technical Release 55.
- (3) Runoff Coefficient: based on Table 1.
- (4) Maximum Allowable Headwater: Same as criteria in ODOT Drainage Design Manual except that the 100 year flood hazard shall not be increased for developed property.
- (5) End Protection:
 - (a) All culverts, will be half or full headwalls.
 - (b) Other special type headwalls must be approved before use.

(F) Storm Sewers

All storm sewers shall be designed in accordance with the ODOT Drainage Design Manual, except as noted below:

- The pipe material for County maintained sewers shall be concrete or smooth-walled, corrugated plastic pipe. Other approved material may be used for special design.
 - Storm sewer elevations shall be set to provide 30 inches of cover under pavement.
- (1) Design Storm Frequency: 5 year storm with overflow provisions for 100 year storm that insures no damage to property.
 - (2) Hydraulic Gradient
 - (a) Based on 10- year storm, shall not exceed window or grate elevation for an inlet or catch basin.
-

(b) Grade line based on tailwater or $\frac{de + d}{2}$ at the outlet or other critical points within the system.

(3) Design Flow

(a) The rational method should be employed unless the initial inlet drains an area greater than 8 acres, in which case T.R. 55 will be used.

(b) Minimum time of concentration shall be calculated using the method outlined in T.R. 55 but the minimum time of concentration for curb inlets and catch basins shall be 10 minutes.

(4) Runoff Coefficient shall be taken from based on Table 1.

(5) Minimum Cover to Subgrade: Twenty-four inches desirable.

(G) Open Watercourse

Complete computations shall be submitted for open watercourses and channels. The computations shall show that low flow sedimentation is acceptable and that erosion is not a problem at peak flow. Channels shall be improved as necessary to carry the design flow without erosion.

Access to storm drainage ditches and channels shall be by means of maintenance easements. Such maintenance easements shall be not less than the width of the ditch at the top of the banks plus ten (10) feet each side, measured horizontally, from the constructed top of the banks (as indicated on the plan). A specifically located and described 20 feet minimum width access easement shall be required from the maintenance easement to the nearest public right-of-way. Maintenance and access are to be kept free of obstructions.

1. Design Storm Frequency; Channel shall be designed to carry a 10 year storm with overflow provisions for 100 year storm that insures no damage to property, including public roads.
 2. Design Flow
 - (a) Areas under 8 acres use Rational Method: $Q = CiA$.
 - (b) Areas over 8 acres use Technical Release No. 55.
 3. Runoff Coefficient ; Based on Table 1 on page 68.
 4. Allowable Velocities in New Ditches for 5 Year Frequency Storm (See table 1102-1 in the ODOT Drainage and Design Manual.)
-

-
5. Manning's 'n' Value (See table 1102-1 in the ODOT Drainage and Design Manual.)
 6. Minimum Grade; The desirable minimum grade is 0.50%. All improved channels and other open water courses which have a gradient of less than 0.50% shall be paved in areas where lot sizes are less than 1 acre. Paving shall be 6" minimum thickness concrete paving, reinforced with steel mesh to accommodate temperature stresses. Paving shall be air-entrained class C concrete, with synthetic or linseed oil waterproofing treatment. Paved ditches shall be 6' minimum total paved width, with 2 foot bottom width, and a 2 foot width by 1 foot rise sloped side sections. Side slope paving shall be to the depth of a 2 year storm flow, with a minimum depth of 1 foot.
 7. Side Slopes
 - (a) Soil - 4:1
 - (b) Concrete Paved - 2:1
 - (c) Rock Riprap - 2:1
 - (d) Natural Rock
 - (1) Shale - 1:1
 - (2) Limestone - 1/2 : 1
 - (3) Sandstone - 1/2 : 1

(H)Curb Inlet Spacing

Curb inlet spacing shall be determined in accordance with the ODOT Drainage and Design Manual. Inlet/catch basin capacity shall be designed so that the pavement spread is adequately controlled (see Section D below).

On combined runs of over 600 feet contributing to a pavement sag curve, an additional inlet is required near the low point.

Spacing Criteria:

1. Design storm frequency using Rational Method shall be a 2 year storm.
 2. Minimum time of concentration shall be 10 minutes.
 3. Pavement roughness coefficient shall be 0.015.
 4. Sufficient inlet capacity shall be provided so that the spread of flow shall not exceed:
 - (a) 26' streets or less, the flow may spread to a width of 8'.
 - (b) 27' to 36' streets, the flow may spread to a width of 9'.
 - (c) 37' to 52' streets, the flow may spread to a width of 10'
 5. Four (4) inch connections for house drains shall be placed 30 inches below the top of curb on the up-grade side of the inlet.
-

Maximum spacing of inlets shall not exceed 300 feet. It is desirable to have the storm sewers draining the inlets, set such that the elevation of the top of the sewer is not higher than the top of the 4 inch curb drain.

(I) Development Criteria for High Density Areas

The parking areas and impervious areas for all proposed site developments shall be designed to provide drainage of surface water to natural watercourses or storm sewers and to prevent draining of such water onto adjacent properties or across public walkways. The parking lots shall be drained by means of catch basins and storm sewers to an adequate outlet.

The parking lot shall be graded such that the surface water will drain to the catch basin or basins in a low area. The minimum transverse slope of the parking lots shall be 1%.

All roof top areas and/or building storm water drainage systems shall drain to the parking lot system for controlling stormwater rate of runoff prior to its release to downstream properties.

All parking lots shall be drained by catch basins and not into public roads.

If the parking lot is to be used for detention, the area shall be designed as explained in the section under detention or retention.

(J) Detention or Retention

In developed and developing urban and suburban areas, several means for controlling storm water runoff can be used. This usually involves storing runoff on or below the ground surface. The following types of storage facilities may be considered for detention: rooftops, parking lots, underground tanks and surface basins or ponds.

(1) Parking Lot Storage

Parking lot storage is surface storage where shallow ponding is designed to flood specific graded areas of the parking lot. Controlled release features are incorporated into the surface drainage system of the parking lot.

Parking lot storage is a convenient multi-use structural control method where impervious parking lots are planned. Design features include small ponding areas with controlled release by pipe-size and slope, and increased curb heights. This method can easily be incorporated into a site development at approximately the same cost as that of a conventional parking lot. Ponding areas in parking or traffic areas shall be designed for a maximum potential

depth of twelve (12) inches. Flood routing or overflow must occur after the maximum depth is reached.

(2) Tank Storage

Tank storage is an underground tank or chamber, either prefabricated or constructed in place, which has a special controlled release feature. This method is most applicable where land area is very valuable, such as in industrial and commercial areas.

Construction cost and operation costs, which may include pumps, make this method relatively expensive. Storage trenches, a variation on basic tank storage, are rock-filled underground storage tanks. The storage is provided within the void spaces between the rock material.

(3) Surface Basins or Ponds

Design of all basins and ponds shall conform to Section 1521.06 of the Ohio Revised Code.

(a) Wet Ponds or Retention Basins

Wet ponds are permanent ponds where additional storage capacity is provided above the normal water level and special features for controlled release are included. Historically, wet ponds have proven extremely effective in abating increased runoff and channel erosion from urbanized areas. They are a major soil conservation land treatment practice.

Some problems often encountered with wet ponds are site reservation (land requirements), permanent easements, complexity of design and construction, safety hazards and maintenance problems. Because of large land requirements, and the necessity of maintaining a permanent pool of water, wet ponds have a broader application for in-stream control where large watershed areas are involved compared to their use as on-site facilities for small urban areas. However, the recreational and aesthetic benefits of permanent wet ponds may justify certain on-site applications.

Side slopes for retention facility basins shall not be steeper than 4:1.

Wave action protection materials must be placed at the normal water elevation, around the entire perimeter of the basin, five feet wide, centered on the normal water elevation.

(b) Dry Basins or Detention Basin

Dry basins are surface storage areas created by constructing a typical excavated or embankment basin. There is no normal pool level and a specific controlled release feature is included to control the rate of discharge.

Dry basins are the most widely used method of storm water management. The soil permeability and water storage potential are not as important with dry basins as with wet basins. Therefore, dry basins have the greatest potential for broad applications. They can be used in small developments because they can be designed and constructed as small structures. Dry basins are often less costly than wet ponds because they do not require extensive design and construction considerations. They can be designed for multi-use purposes such as recreation and parks.

Detention basin invert ditches shall be provided, from the inlet to the outlet of all structures, and shall be paved. Such ditches shall be paved with 6" minimum thickness reinforced concrete paving of air-entrained Class C concrete. Paved ditches shall be 6' 0" minimum total paved width, with 2 foot bottom width, and 2 foot width by 1 foot rise sloped side sections. Minimum depth of paved invert ditch shall be 1 foot. Minimum invert grade of the ditch shall be 0.5%.

Detention basin bottoms shall be sloped to drain. The minimum transverse slope for the bottoms of such facilities shall be 2.0%.

Side slopes for a dry basin shall not be steeper than 4:1.

(c) Design Criteria

(1) Design Frequency: 100-year storm

(2) Design Flow

- a. Area under 8 acres use Rational Method: $Q = CiA$.
- b. Areas over 8 acres use Technical Release No. 55.

(3) Runoff Coefficient: Based on Table 1 on page 68

(4) Emergency Spillway: An Emergency Spillway is required and shall be designed to pass a storm consisting of 7 inches of rainfall in 24 hours. The top of the dam shall have an elevation to allow a one foot freeboard above the elevation of the Emergency Spillway Storm.

(5) Release Rates - When designing the outlet device, the head on the system must be calculated to be at the designed high ponding or retention elevation. The minimum size of the outlet device must be an 8" pipe or 6" orifice.

(d) Debris-control structures - May be required in some detention situations and should be considered as an essential part of design. The procedure recommended for use is Hydraulic Engineering Circular No. 9, available from the Superintendent of Documents, U.S. Government Printing Office.

(4) As-built surveys

If the Ross County Engineer Ross County Soil and Water Conservation District does not feel that the retention and detention facilities for a development have been constructed in compliance with approved construction plans as-built surveys may be required. These surveys shall be provided by the Developer, Contractor, or other entity constructing the storm water drainage facilities, in order to demonstrate conclusively that the facilities are constructed to the elevations, slopes, grades, and sizes shown on the reviewed plans on file with the County. Such surveys shall be conducted by a registered Professional Surveyor, shall employ standard survey techniques, and shall produce original field notes, which shall be furnished to the County for review and record purposes. Reduction of notes, and any plotting necessary to make the notes interpretable, shall be by the surveyor performing the as-built survey. As-built surveys shall be in addition to, and separate from, other construction surveys, which may be conducted by the County or its agents. All discrepancies revealed in the as-constructed facilities by the as-built survey shall be rectified by the Developer, Contractor, or other entity constructing the storm water drainage facilities and the as-built survey re-performed, in order to demonstrate conformance.

(5) Access and Maintenance Easements

Specific dedicated easement rights shall be required, in order to provide for the necessary maintenance of all detention and retention basins. A maintenance easement of 20 foot minimum width around the perimeter of the graded and impounded area of the facility is required. A specifically located, 20 foot minimum width access easement shall also be required, from the impoundment facility to the nearest public right-of-way. This access easement shall be graded to permit vehicular access and the longitudinal slope shall not exceed 10% at any point. Maintenance responsibilities will be determined and so stated in the easement.

TABLE 1
RUNOFF COEFFICIENTS
Area Coefficients

| <u>Area Description</u> | <u>Runoff Coefficients</u> |
|-----------------------------|----------------------------|
| Business | |
| Downtown | 0.70 to 0.95 |
| Neighborhood | 0.50 to 0.70 |
| Residential | |
| Single-family | 0.30 to 0.50 |
| Multi-units, detached | 0.40 to 0.60 |
| Multi-units, attached | 0.60 to 0.75 |
| Residential (suburban) | |
| Apartment | 0.25 to 0.40 |
| Industrial | |
| Light | 0.50 to 0.80 |
| Heavy | 0.60 to 0.90 |
| Parks, cemeteries | 0.10 to 0.25 |
| Playgrounds | 0.20 to 0.35 |
| Railroad yard | 0.20 to 0.35 |
| Unimproved | |
| Woods, less than 7% | 0.15 to 0.35 |
| Woods, greater than 7% | 0.30 to 0.60 |
| Cultivated, less than 2% | 0.15 to 0.30 |
| Cultivated, greater than 2% | 0.25 to 0.60 |

It often is desirable to develop a composite runoff based on the percentage of different types of surface in the drainage area. This procedure often is applied to typical "sample" blocks as a guide to selection of reasonable values of the coefficient for an entire area. Coefficients with respect to surface type currently in use are:

| <u>Surface Description</u> | <u>Runoff Coefficients</u> |
|----------------------------|----------------------------|
| Pavement | 0.90 |
| Roofs | 0.90 |
| Lawns, Sandy soil | |
| Flat, less than 2% | 0.13 to 0.17 |
| Average, 2% to 7% | 0.18 to 0.22 |
| Steep, greater than 7% | 0.25 to 0.35 |
| Lawns, Dense soil | |
| Flat, less than 2% | 0.20 to 0.35 |
| Average, 2% to 7% | 0.30 to 0.50 |
| Steep, greater than 7% | 0.45 to 0.60 |

Note: The ranges of c values presented are typical for frequencies ranging from 2 to 10 years. Higher values are appropriate for larger design storms. Multiplier factors for larger design storms are:

| <u>Storm</u> | <u>Multiplier</u> |
|--------------|-------------------|
| 25-year | 1.15 |
| 50-year | 1.20 |
| 100-year | 1.25 |

Note: Adjusted c-value cannot exceed 1.00.

DEFINITIONS

For the purposes of this article, the following words, terms and phrases shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates otherwise.

Adjacent lands: At a minimum is an area within fifty (50) feet of the project area, and includes all surrounding land that may either impact a site, or be impacted by potential soil erosion, sediment and/or storm water run-off as a result of land disturbing activities conducted on a site.

Appeals board: The Erosion, Sediment and Storm Water Control Appeals Board.

Areas of concentrated flow or bodies of water: Any area where water may accumulate or flow, whether continual or as the result of a storm event, including but not limited to lakes, rivers, streams, creeks, ponds, ditches, swales, gullies, ravines, street gutters and other similar features.

Commission: The Ross County Planning Commission.

Control measure: Any proposed temporary or permanent measures to be installed to control erosion, sediment and storm water run-off from a project area.

County: The County of Ross, Ohio.

Department: The Ross County Department of Planning

Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Disturbed area: Any area of land on which the pre-development ground surface will be affected or altered by the development activities. This includes but is not limited to grading, clearing, stock piling, tracking and other similar activities.

Drainage area: For any point where water leaves the site, it is all contributing surface area draining toward that point.

Erosion control administrator: The Ross County Engineer Ross County Soil and Water Conservation District.

Flood insurance rate maps (FIRM): Maps prepared by the federal emergency management agency (FEMA) that depict the special flood hazard areas (SFHA) within a community. These maps include insurance rate zones and floodplains and may or may not depict floodways.

Five- year frequency storm event: The storm event rainfall depth during a 24 hour period which is exceeded, on the average, once every five (5) years.

Institutional use: A religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purpose.

Land disturbing activity: Any change in land, which may result in soil erosion from water or wind and the movement of sediments into state or County waters or on to lands in the County, or a change in the amount and/or intensity of storm water run-off, including but not limited to, the covering with an impervious surface, stockpiling, clearing, grading, excavating, rehabilitating, transporting, depositing or filling of land.

Normal agricultural practices: Activities associated with the preparation and tilling of land for the purposes of growing crops, or raising livestock, which may include, but are not limited to, the construction of conservation measures, plowing, disking, and cultivating.

Perimeter control: Any control measure installed between the disturbed area and the property line and/or between the disturbed area and any area of concentrated flow.

Pre-project condition: A condition that impacts erosion, sediment, or storm water run-off characteristics of a site prior to start of construction activity.

The pre-project condition shall be based on the predominant land use for the past five years. For example, if a site has been cropland for four of the past five years, and in grass just prior to development, the land use would be cropland for the pre-project condition.

Project: Any development involving modification to land, which involves a land disturbing activity.

Regional storm water management system: A system, which is designed, constructed and maintained to provide storm water control for multiple landowners.

Road: Any right-of-way that has been improved for the purposes of providing a surface for vehicular traffic, including any federal, state, county, township, and municipal controlled facilities.

Dwelling: A building designed for or occupied by one family.

Site: The lot or parcel on which the project is to be developed.

Site specific plan: A site construction plan addressing sediment and erosion control for projects requiring major development approval under Article --- of these regulations, or platting of a major subdivision, and involving disturbance of more than one-half (1/2) acre of land. Such plans shall include the items listed in Section VI (A)(3) of this Article.

Standards: The Ohio Environmental Protection Agency, Ohio Urban Manual, A Technical Manual Designed for Urban Ecosystem Protection and Enhancement published in 1995 and Ohio Procedures and Standards for Urban Soil Erosion and Sedimentation Control published in 1988 by the Urban Committee of the Association of Ohio Soil and Water Conservation Districts now in effect, or as hereafter amended which is incorporated by reference herein, the Ross County standards for Stormwater Design Analyses, found at Appendix (A) of this article, and the erosion and sediment control criteria and specifications found in Appendix (B) of this ordinance.

Standard plan: A general erosion and sediment control permit for projects where slope is less than 10% and there are no areas of concentrated flow or bodies of water on or immediately adjacent to the site. Slope shall be determined by the maximum slope indicated on the site according the USDA Soil Survey or topographic survey as prepared by an Ohio Registered Surveyor.

Substantial completion: The point at which all exterior work is completed and the site can be used for the use intended.

Twenty-five year frequency storm event: The storm event rainfall depth during a 24 hour period which is exceeded, on the average, once every twenty-five (25) years.

Two-family dwelling: A building designed for or occupied by two families.

Two- year frequency storm event: The storm event rainfall depth during a 24 hour period which is exceeded, on the average, once every two (2) years.

Utility service line: The means by which utility service is provided to service users, such as electric, telephone and television cable; or gas, water and sewer pipes.

Working day: Shall not include Saturday, Sunday or any holiday when the Ross County Courthouse is closed.

ARTICLE IX**ROAD FRONTAGE AND ACCESS STANDARDS****9.1 APPICABILITY**

These regulations shall apply to major and minor subdivisions, as well as commercial developments as defined in these regulations, within unincorporated Ross County. New or proposed roadways within the county not identified on the adopted thoroughfare plan shall interconnect with the existing roadway network in a uniform and efficient manner.

9.2 CLASSIFICATION OF ROADWAYS

The Ross County Planning Commission shall assign to all roads within unincorporated Ross County an access classification based on its designation in the Ross County/Chillicothe Thoroughfare Plan. Map 1 in Appendix V indicates the roadways and roadway sections that are included in each of these classifications. These access classifications are defined as follows:

9.2.1 Limited Access: These roads are intended not to have any private or commercial access

Veterans Parkway
S.R. 207 Connector
US Rt. 35

9.2.2 Class I Roads:

U.S. 23
U.S. 35
U.S. 50 --- Chillicothe Corporation Limit West to Highland County Line
U.S. 50 --- U.S. 35 Split East to the Vinton County Line.
S.R. 104
S.R. 159
S.R. 41
S.R. 138
S.R. 327
S.R. 28
S.R. 180
S.R. 207
S.R. 772

Class I Roads: These roadways are capable of accommodating medium to high traffic volumes over medium to long distances at relatively high speeds.

Direct access to abutting land is subordinate to providing service to through traffic. Indirect access via Class II and Class III roads and/or via a logical system of service roads or cross and joint access drives is desirable.

- A. Layouts for major (platted) and minor (lot split) subdivisions should attempt to avoid the need for individual direct access points to a Class I roadway. New lots should access adjoining Class I roads indirectly via one of the following means:
1. Other adjoining public roads (including access roads).
 2. Through approved joint and cross access systems.
 3. In the case of residential development, through a common access drive approved under Article II of these regulations.

The Ross County Engineer and the Ross County Planning Commission shall review and approve street intersection and joint driveway entrance locations for compliance with local and state guidelines.

- B. New parcels requiring an individual direct access point onto a Class I road shall have a minimum road frontage of 320 feet.
- C. No commercial development site plan shall be approved if it incorporates more than one such private direct access per parcel existing at the time of the adoption of this amendment.

9.2.2 Class IIa Roads:

Pleasant Valley Rd --- S.R. 104 to County Road 550
 Kellenberger Rd.
 Orr Rd.
 River Rd.
 Hospital Rd.
 Delano Rd. --- From Sulphur Spring Rd. to Hospital Rd.

Class IIb Roads:

Blain Highway
 Charleston Pike----Chillicothe Corporation Limits east to Walnut Creek
 Clinton and South Clinton Rd.
 Egypt Pike----Pleasant Valley Rd. west to Westfall Rd.
 Frankfort Clarksburg Pike
 Higby Rd.
 Kingston-Adelphi Rd.
 Marietta Rd.----U.S. 23 North to Delano Rd. (includes Hopetown Rd.)

Rozelle Creek Rd.
Sulphur Spring Rd.----Delano Rd. north to S.R. 180
Three Locks Rd.
Vigo Rd.
Westfall Rd.----C.R. 550 north to S.R. 207
Old U.S. Rt. 35 West
Old U.S. Rt. 35 East
County Road 550 from Pleasant Valley Rd. to S.R. 138

These roads are capable of accommodating moderate traffic volumes at moderate speeds. This classification is subdivided into Class II-a and Class II-b roads, which roughly correspond to major and minor collector road functions.

- A. Design of major subdivisions and commercial developments shall be based on a limit of one private access point per parcel to a Class II roadway.
- B. New parcels fronting on Class II-a roads shall have a minimum frontage width of 320 feet and new parcels fronting on Class II-b roads shall have a minimum width of 230 feet. If two or more parcels enter into a combined access drive agreement based on the requirements of Article II of these

regulations, the minimum combined width of the lots shall be 420 feet on Class II-a roads and 330 feet on Class II-b collector roads.

- C. Subdivision proposals and commercial development site plans shall comply with all applicable sections of these regulations

9.2.3 Class III Roads

All other County and Township Roads.

These streets allow for low to medium travel speeds and traffic volumes and are linked to the roadway network through intersections with arterial and or collector roads and other local roads. Access needs take priority over through traffic movement without compromising the public health, welfare and safety.

- A. All roadways not designated as Class I or Class II roadways are hereby designated as local roadways.
- B. New parcels on local roads shall meet minimum frontage requirements contained in these regulations.
-

-
- C. Subdivision proposals and commercial development site plans shall comply with all applicable sections of these regulations.

9.3 STANDARDS FOR ROADS PROVIDING CONNECTIONS TO NEW MAJOR SUBDIVISIONS

Subdivision streets shall connect to existing public roads with an asphalt surface having a width matching or exceeding their own width and/or connect to a county road. Existing roads that meet these guidelines shall be considered to be acceptable connecting roads or streets. In the event that this requirement cannot be met, the applicant shall, at the time of preliminary plan submittal:

- 9.3.1 Commit in writing to make the necessary upgrades to provide an acceptable connection to a road that currently meets the guidelines in this section. The applicant shall provide financial assurance, as outlined in Article IV of these regulations, of said improvements; or
- 9.3.2 Provide a report, approved by the Ross County Engineer and the Ross County Planning Commission, identifying the expected relative effects of the proposed development on the safe operation and maintenance of the existing road and how the applicant proposes to ensure that these effects will be

mitigated. This report shall be prepared by a registered professional engineer and shall, at a minimum, contain the following information:

- A. The distance, via existing roads and/or streets, from the proposed subdivision street connection(s) to the nearest intersection with an acceptable connecting street or road.
- B. Current traffic counts for the section of the street or road providing the connection. Information should be provided for the existing road section(s) that provides access to an acceptable connecting street or road.
- C. Expected traffic generation of the proposed development based upon current Institute of Traffic Engineers standards and taking into account the proposed land uses to be located in the subdivision.
- D. The current pavement width(s) and surface type(s) of the road(s) that provides access to an acceptable connecting road or street.
- E. The current easement or right-of-way width(s) of the existing road(s) providing access to an acceptable connecting road.
-

-
- F. An analysis identifying improvements to the subject roadway section(s), based on current conditions and proposed increases in traffic levels resulting from the proposed development, that would be needed in order to ensure a level of safe and efficient access to the proposed subdivision equivalent to that which would be provided by an acceptable connecting road or street.
 - G. A proposal, including itemized improvements, costs, completion schedules, and financial assurances, for making the improvements identified in item F).

9.4 CONNECTIVITY

- 9.4.1 The street system of a proposed subdivision shall be designed to coordinate with existing, proposed, and planned streets outside of the subdivision as provided in the Ross County Subdivision Regulations.
- 9.4.2 Where a proposed development abuts land that has not been platted or land that is to be incorporated into a future development phase, the developer may be required to provide street stubs and/or reserve areas in order to assure access to abutting properties and logical extension of the street system. The extension of the street shall be the responsibility of any future developer of the abutting land.
- 9.4.3 Collector streets shall intersect with collector or arterial streets at safe and convenient locations.
- 9.4.4 Minor collector and local residential access streets shall connect with surrounding residential neighborhoods to permit the convenient movement of traffic between neighborhoods and to facilitate emergency access and evacuation. However, such connections shall not be permitted where the effect would be to encourage the use of local streets for substantial through traffic.

9.5 MINIMUM SPACING OF DRIVEWAYS

In order to minimize the potential for accidents and delay to through vehicles, adjacent driveways onto arterial and collector roadways should be separated by the minimum distance measured from near edge to near edge of adjacent driveways as shown in Table 1 according to the posted speed limit on the roadway. These standards shall be applied in review of commercial development site plans and when appropriate during subdivision proposal reviews.

Table 1
Minimum Spacing of Adjacent Driveways

| Posted Speed Limit (mph) | Minimum Spacing (feet) |
|--------------------------|------------------------|
| 20 | 85 |
| 25 | 105 |
| 30 | 125 |
| 35 | 150 |
| 40 | 185 |
| 45 | 230 |
| 50 | 275 |
| 55 | 320 |

Also, the spacing of adjacent driveways should be as uniform as possible between major intersections. Distances between adjacent one-way driveways with the inbound drive upstream from the outbound drive can be one-half the distance shown on Table 1 providing that other requirements are satisfied.

9.6 MINIMUM CORNER CLEARANCE OF DRIVEWAYS FROM INTERSECTING STREETS

Where applicable, new land parcels shall provide adequate space for, and the layout of major developments shall incorporate the following minimum corner clearance standards:

Figure 1
Minimum Corner Clearances of Driveways from Intersecting Streets
(From Signalized Intersection/From Stop Sign)

| | Class I | Class II | Class III |
|---|---------|----------|-----------|
| A | 230/115 | 175/75 | 50/50 |
| B | 115/115 | 85/85 | 50/50 |
| C | 230/85 | 175/85 | 50/50 |
| D | 230/115 | 175/75 | 50/50 |
| E | 75/0 | 0/0 | 0/0 |

9.6.1 The minimum distance from an intersection to a driveway on the departure lanes where no barrier median is present.

-
- 9.6.2 The minimum distance from an intersection to a driveway on the approach lanes where a barrier median is present.
- 9.6.3 The minimum distance from an intersection to a driveway on the approach lanes where no barrier median is present.
- 9.6.4 The minimum distance from an intersection to a driveway on the departure lanes where a barrier median is present.
- 9.6.5 The minimum lateral distance between a driveway and a median opening.

9.7 MINIMUM SIGHT DISTANCE

Intersections of proposed streets and access easements, as well as proposed driveways of commercial developments, shall be designed to accommodate/incorporate driveway spacing, which conforms to the minimum sight distances in Table 2.

Table 2
Minimum Sight Distance

| | |
|-----------|---------|
| Class I | 450 ft. |
| Class II | 325 ft. |
| Class III | 225 ft. |

9.8 PROVISIONS FOR MAINTAINING THE CAPACITY OF THE ROADWAY

The Ross County Planning Commission may require that upon completion of a development all traffic requiring access to and from the development shall operate in such a manner as to not adversely affect the capacity of the roadway. Provisions for the present or future construction of a frontage road, restriction or channelization of turning movements, or other improvements may be required, as a condition of approval, in order to maintain the capacity of any adjacent roadway.

9.10 NUMBER OF ACCESS POINTS

For the purpose of review of commercial developments and applicable subdivision proposals, each existing tract of land is entitled to one direct or indirect access point to the public roadway network provided that its location and design fulfill, as a minimum, minimum corner clearance and minimum sight distance requirements in this section. Where the roadway frontage of a tract of land is greater than 500 feet, an additional access point may be allowed if determined by the county engineer that the access point will not adversely affect the capacity of the roadway. Any additional access point must be in compliance with all applicable sections of this regulation.

Subdivisions or lot splits of less than 5 acres abutting Class I or II roadways may be limited to one access point from the original parcel or parcels in order to comply with the requirements of this amendment. Common access driveways should be considered. Private local roads may be incorporated into subdivisions of up to 20 dwelling units with one access point or up to 40 dwelling units with 2 access points.

9.11 COORDINATION OF ACCESS POINTS

For the purpose of review of commercial developments and applicable subdivision proposals, major access points on opposite sides of the Class I and II roadways shall be located opposite each other. If not so located, turning movement restrictions may be imposed as deemed necessary by the Ross County Planning Commission. In addition, in order to maximize the efficient utilization of access points, access drives shall be designed, located and constructed in a manner to provide and make possible the coordination of access with and between adjacent properties developed (present or future) for similar or compatible uses. As a condition of approval for construction, use, or reuse of any access point, the zoning administrator or planning commission may require that unobstructed and unencumbered access, in accordance with the provisions of this ordinance, be provided from any such access point to adjacent properties.

9.12 DESIGN OF ACCESS POINTS

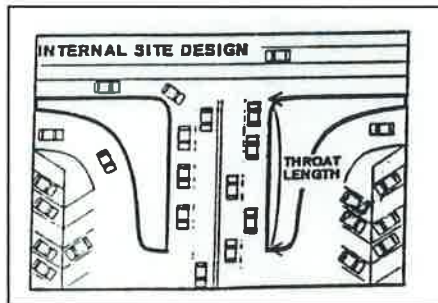
The width, angle, grade, curb radii, and other design aspects of access points shall be in accordance with the requirements in these regulations.

9.13 DRIVEWAY DESIGN FOR COMMERCIAL DEVELOPMENTS

9.13.1 Driveway Width Guidelines:

- A. If the driveway is a one-way in or one-way out drive, then the driveway shall be a minimum of 16 feet wide and shall have appropriate signage designating the driveway as a one-way connection.
 - B. For two-way access, each lane shall have a width of 12 feet and a maximum of four lanes shall be allowed. Whenever more than two lanes are proposed, entrance and exit lanes shall be divided by a median. The median shall be 10 feet wide if three lanes are proposed and 16 feet wide if four lanes are proposed.
 - C. Driveways that enter a major thoroughfare at traffic signals must have at least two outbound lanes (one for each turning direction) of at least 12 feet in width, and one inbound lane, which is at least 16 feet in width.
-

- 9.13.2 Driveways shall be located on the lowest class improved public roadway on which a given lot has adequate frontage as defined in these regulations, unless ODOT or the Ross County Planning Commission determines that public safety would be better served through access to a higher class road.
- 9.13.3 Driveway approaches must be designed in such a way as to provide an unobstructed view. Construction of driveways along acceleration or deceleration lanes is discouraged.
- 9.13.4 The length of driveways or “throat length” shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. Adequate throat lengths shall be determined on a case-by-case basis based on the following guidelines:



Throat Length Guidelines

| <u>Land Use Category</u> | <u>Size</u> | <u>Lgth off Arterial/Lgth off Collector</u> |
|--------------------------|-------------------------|---|
| Light Industry | 100,000 sq feet | 100/75 |
| | 300,000 sq feet | 250/200 |
| | 500,000 sq feet | 400/300 |
| Discount Store | 30,000 sq feet | 100/75 |
| | 100,000 sq feet | 250/200 |
| Supermarket | 20,000 sq feet | 75/75 |
| | 50,000 sq feet | 200/150 |
| Shopping Center | 100,000 sq feet or less | 150/150 |
| | 300,000 sq ft | 300/250 |

| | | |
|-----------------------|-----------------------|---------|
| | 500,000 sq ft | 400/350 |
| | 700,000 sq ft or more | 500/450 |
| "Sit-Down" Restaurant | 15,000 sq ft | 50/50 |
| | 30,000 sq ft | 75/50 |
| "Drive-In" Restaurant | 2,000 sq ft | 50/50 |
| | 4,000 sq ft | 75/50 |
| Office Building | 100,000 sq ft | 150/150 |
| | 300,000 sq ft | 300/250 |
| | 500,000 sq ft | 400/350 |
| | 700,000 sq ft | 500/450 |
| Motel | 150 Rooms | 75/50 |
| Apartments | 100 Units | 50/25 |
| | 200 Units | 75/50 |

- Notes: 1) Multiple access lanes may be required.
 2) Throat lengths were calculated for a single lane based on application of ITE trip generation rates to the formula $N=2qr$, where q ="vehicles per lane per second" and r ="effective red time in seconds."

9.14 TEMPORARY ACCESS POINTS

When any access point, which is incorporated into a commercial development fails to comply with one or more sections of this amendment, the Planning Commission may choose, under certain circumstances, to approve it as "temporary." In all cases where access points are classified as "temporary," such designation shall be duly noted on the site plan submitted for approval and upon the deed of the property. The subject temporary easement shall be designated to be in effect until such time as an alternative means of access, such as a connection to a frontage road, an intersecting street, or a shared driveway becomes available. At such time, the property owner may be required to eliminate, alter, or limit the subject access point.

9.15 SPACING RESTRICTIONS FOR SIGNALIZED ACCESS POINTS

Access points, which are incorporated into a commercial developments, shall be designed such that those which will warrant signalization shall be spaced a minimum distance of one-quarter mile apart and one-quarter mile from the nearest signalized intersection. The location and design of the signalized access points shall be determined by a traffic engineering study prepared by a qualified traffic engineer at the developer's expense. This study shall be subject to the approval of the Ross County Engineer and shall account for at least the following variables:

-
- Traffic signal phasing as determined by analysis of projected turning movements.
 - Traffic signal cycle length as determined by analysis of projected traffic volumes.
 - Type of signal to be installed (actuated or pre-timed).
 - Relationship to adjacent signals (existing or proposed) for purposes of signal interconnection and coordination.
 - Roadway geometry and sight distance considerations.
 - Accident experience.

If the installation of a traffic signal is approved, the developer may be required to participate in the cost of design, purchase, installation, operation and maintenance of the signal equipment.

9.16 PROVISION OF EXCLUSIVE TURNING LANES AND DECELERATION/ACCELERATION LANES

At those access points and intersections where turning vehicles will affect the capacity of the roadway or create an unacceptable accident risk, the developer shall dedicate sufficient right-of-way and construct turning lanes or deceleration/acceleration lanes as necessary to maintain the capacity of the roadway and minimize the potential accident risk.

9.16.1 Left turning lanes shall be provided according to the following guidelines:

| <u>Class</u> | <u>Traffic Generation Potential</u> |
|--------------|--------------------------------------|
| Class II | 50 dwelling units/60 peak hour trips |
| Class I | 25 dwelling units/40 peak hour trips |

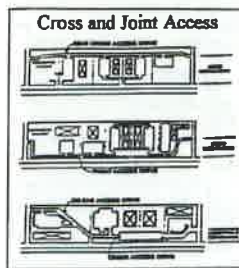
9.16.2 A minimum of a 50 foot turn radius shall be provided on Class I and Class II roadways when 50 or fewer peak trips are to be generated by the proposed development. When over 50 peak trips are to be generated a full width right turn lane shall be provided.

9.17 PROVISION OF FRONTAGE ROADS

The Ross County Planning Commission or Ross County Engineer may require the use of frontage roads to provide access to property adjacent to Access Class I roadways. The landowner/developer may be required to construct the frontage road to the side and/or rear property lines or reserve sufficient right-of-way to allow future construction. As adjacent property develops, landowners/developers shall be required to interconnect the individual portions of frontage roads as appropriate.

9.18 JOINT AND CROSS ACCESS

Where service roads are not feasible on Class I roadways, minor subdivisions, major subdivisions, and major developments shall be designed to include, and provide easements for, systems of cross and joint access as illustrated below:



9.19 APPROVAL OF ACCESS POINTS ALONG ROUTES MAINTAINED OR CONTROLLED BY THE OHIO DEPARTMENT OF TRANSPORTATION

A copy of the plans for all access points to be constructed along a state-maintained or controlled route shall also be submitted to the Ohio Department of Transportation for review and approval during the same time as plans are submitted to the Ross County Planning Commission. Permission for the construction of access points along

State-maintained roadways are subject to the approval of plans by both the local and state agencies.

9.20 WAIVER OF REQUIREMENTS

The Ross County Planning Commission may, as its discretion, reasonably waive or modify the requirements of these regulations; if it is determined that such action is warranted given the nature of the individual project.

APPENDIX I

APPLICATIONS:

- 1.0 Application for Minor Subdivision Approval.**
 - 2.0 Application for Large Lot Development Approval.**
 - 3.0 Application for Approval of Preliminary Plan (Major Subdivision).**
 - 4.0 Application for Approval of Final Plat (Major Subdivision).**
 - 5.0 Application for Approval of Final Commercial Development Plan (Major Subdivision).**
-

**APPLICATION FOR MINOR SUBDIVISION APPROVAL
ROSS COUNTY, OHIO**

Date: _____ Approval Date _____

Grantor: _____ Township _____

Grantee: _____ Road _____

Contact: _____ Parcel Number _____

Phone Number: _____ Access Permit No. _____

Fax Number: _____ Lot Split Certification _____

Minor Subdivision approval may be granted only under the following conditions:

- A. An original tract consists of all land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property.
- B. Per section 711.131 of the Ohio Revised Code, a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and involving no more than five lots after the original tract has been completely subdivided, may be submitted to the planning authority having approving jurisdiction of plats under section 711.05, 711.09, or 711.10 of the Revised Code for approval without a plat.
- C. Minor subdivision lots shall have adequate public road frontage as required by these regulations in Section 2.4.2.
- D. Minor subdivisions shall not be granted within any floodway noted in the latest Special Flood Hazard Area (SFHA) in Ross County. A minor subdivision may be granted within these areas if a NON-DEVELOPMENT restriction is placed on the deed.
- E. Minor subdivisions shall not be granted without **preliminary access approval**, and **Health District certification**.
- F. Final minor subdivision plans shall not be reviewed or approved without a metes and bounds description and survey certified by a professional surveyor licensed in the State of Ohio. Said survey must meet the Minimum Standard for Boundary Surveys, Administrative Code 4733-37 and must be approved by the County Engineer or designee.
- G. The Ross County Planning Commission, or its designee, shall not approve a minor subdivision proposed along a State Highway System without access approval from the Ohio Department of Transportation, District 9.

SIGNATURE OF APPLICANT
(or representative)

Office Use Only

Checklist

Number of Splits _____

Number of Lots < 5 acres _____

Number of Lots > 5 acres _____

Total Acres Split _____

Remainder OK ___ N ___

4 to 1 Ratio OK ___ N ___

Plat Rule OK ___ N ___

Floodplain Y ___ N ___

Road Frontage

Class I _____ Class IIa _____ Class IIb _____ Class III _____

Zoning Y ___ N ___

Easement Y ___ N ___

Easement Width _____

No. Lots _____

Comments:

**APPLICATION FOR LARGE LOT DEVELOPMENT APPROVAL
ROSS COUNTY, OHIO**

Date: _____ Approval Date _____

Grantor: _____ Township _____

Grantee: _____ Road _____

Contact: _____ Parcel Number _____

Phone Number: _____ Access Permit No. _____

Fax Number: _____ Health District Certification _____

Large Lot Development approval may be granted only under the following conditions:

- A. An original tract consists of all land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property.
 - B. Per section 711.133 of the Ohio Revised Code, a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and involving the establishment of any lot within the size range of from **five acres to twenty acres**, are to be submitted to the planning authority having approved jurisdiction of plats under section 711.05, 711.09, or 711.10 of the Revised Code for approval without a plat. If the authority acting through a properly designated representative finds that a proposed division is not contrary to any applicable zoning, health, sanitary, Special Flood Hazard Area, or access management regulations, regulations adopted under division (B)(3) of section 307.37 of the Revised Code regarding existing surface or subsurface drainage, including, but not limited to, rules governing household sewage disposal systems, or regulations adopted under division (D) of section 711.133 of the Revised Code, it shall approve the proposed division within the applicable timeframe listed in division (F) of section 711.133 of the Revised Code and, on presentation of a conveyance of the parcel shall stamp the conveyance "approved by (the planning authority); no plat required" and have it signed by its clerk, secretary, or other official as designated by it.
 - C. Per Division C of Section 711.133 of the Revised Code, parcels of land to be used for agricultural or recreational purposes are exempt from approval requirements. However, on the presentation of a conveyance of such a parcel, the authority's designated representative shall stamp the conveyance "no approval or plat required under R.C. 711.133; or agricultural or recreational use only" and have it signed by its clerk, secretary, or other official as the authority may designate.
 - D. Large lot development parcels are subject to the road frontage requirements in **Article II, Section 2.4.2**, and other requirements listed in **Article II, Sections 2.4.4 through 2.4.7**.
 - E. Large lot development approval shall not be granted within any floodway noted in the latest Special Flood Hazard Area (SFHA) in Ross County. Large lot developments may be granted within these areas if a NON-DEVELOPMENT restriction is placed on the deed.
 - G. Large lot development approval shall not be granted without **preliminary access approval**, and **Health District certification**.
 - G. Final large lot development plans shall not be reviewed or approved without a
-

metes and bounds description and survey certified by a professional surveyor licensed in the State of Ohio. Said survey must meet the Minimum Standard for Boundary Surveys, Administrative Code 4733-37 and must be approved by the County Engineer or designee.

- H. The Ross County Planning Commission, or its designee, shall not approve a large lot development proposed along a State Highway System without approval from the Ohio Department of Transportation, District 9.
- I. Regulations contained in this article (Article III) shall apply to a parcel only if there is no applicable zoning regulations for lot frontage or width to depth ratios that apply to the parcel.
- J. Large lot development approval procedure and submission requirements are the same as those listed in **Article II, Section 2.3**.

SIGNATURE OF APPLICANT
(or representative)

Office Use Only

Checklist

Number of Tracts _____

Total Acres Split _____

Remainder OK ___ N ___

Floodplain Y ___ N ___

Road Frontage

Class I ___ Class IIa ___ Class IIb ___ Class III ___

Zoning Y ___ N ___

Easement Y ___ N ___ Easement Width _____ No. Lots _____

Comments:

APPLICATION FOR APPROVAL OF MAJOR SUBDIVISION
PRELIMINARY PLAN
ROSS COUNTY, OHIO

Date _____

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor _____

Contact Person _____

Address _____

Phone _____

3. Name of Engineer _____

Contact Person _____

Address _____

Phone _____

4. Name of Subdivision _____

5. Location (Sec., Twp. No., Range, Township) _____

6. Subdivision Plan:

Type of Development _____

Number of Lots _____

Total Area _____

Type of Sewage Disposal _____

Deed Restrictions? _____

Submission Materials (No. Copies): Preliminary Plan ____

Preliminary Drainage ____

Relevant Studies ____

Signature of Applicant

OFFICE USE ONLY

Date of Meeting to be considered at _____

Action by Planning

Commission _____

Date _____

Signature

Major Subdivision Preliminary Plan Checklist

- Application (1 Copy)
- Preliminary Plan (15 Copies)
- Preliminary Erosion, Sediment, and Stormwater Control Plan (3 Copies)
- Plans Sent to Township and/or Other Gov't. Agencies, and Utilities by Planning Department.

Preliminary Plan Content:

- The proposed name of the subdivision.
 - Location by section, range and township.
 - Boundaries of the entire proposed subdivision shall be drawn in heavy continuous lines with its acreage, and the boundaries of future development phases shall be delineated.
 - Name, address, and telephone number of the owner, subdivider, professional engineer, and professional surveyor with appropriate numbers and seals.
 - A north arrow, legend, bar scale, date of plan, and vicinity map.
 - Name of adjacent subdivisions, and owners of adjoining parcels, extending at least 200 ft. beyond the boundary of the proposed subdivision.
 - Topographic contours, with elevations referenced to U.S.G.S (NGVD 1983) datum, with intervals no greater than 2 feet at 5% slope, no greater than 5 feet for slopes over 5% and less than or equal to 15%, and no greater than 10 feet for slopes greater than 15%.
 - Location, width, and names of existing and proposed streets, all rights-of-ways, easements, parks, buildings, corporation and township lines, wooded areas, water courses, drainage patterns, and water bodies.
 - Location of floodways and floodplains.
 - Layout, number, dimensions, and acreage of each lot.
 - Parcels of land reserved for public use or reserved by covenant for residents of the subdivision.
-

Type of water supply and wastewater disposal proposed, location and dimension of all proposed utilities and sewer lines, easements, drainage tiles, water mains, culverts, within or adjacent to the tract.

Preliminary Erosion, Sediment, and Stormwater Plan:

Site boundaries and adjacent lands which accurately identify the site location.

Lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.

Floodways and/or Zone A of the Floodplain as determined on the Flood Insurance Rate Map (FIRM), and indicating the map panel number.

All off-site drainage onto or through the project site.

Location and dimensions of storm water management components on or adjacent to site.

Locations dimensions of structures, roads, highways, paved easements, and other impervious areas.

Site topography [refer to Section 4.4.4(G)].

Preliminary Post Construction Site Plan

— The layout of all proposed lots

— The street layout with preliminary grades.

— The proposed drainage pattern.

— Proposed storm water control facilities including but not limited to culvert location, storm sewers, open channels, catch basins, outflows, and retention and detention ponds etc.

Conforms to Design Standards (Article V)

Conforms to Street Design and Construction Standards (Article VI)

Conforms to Improvement Standards and Specifications (Article VII)

Conforms to Road Frontage and Access Standards (Article IX)

Comments:

**APPLICATION FOR APPROVAL OF MAJOR SUBDIVISION FINAL PLAT
ROSS COUNTY, OHIO**

Date _____

1. Name of Applicant _____
 Address _____
 Phone _____

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

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

4. Name of Subdivision _____

5. Date Preliminary Plan Approved _____

6. Revised Preliminary Plan Submitted? Y ___ N ___ (must be before action on final plat)

7. Subdivision Plat:

Type of Development _____

Number of Lots _____

Total Area _____

Lineal Feet of Streets _____

Area Dedicated for Public _____

Type of Sewage Disposal _____

Submission Materials (No. Copies): Final Plat ___
 Final Sed., Eros., Drainage Plan ___
 Relevant Studies ___
 Construction Drawings ___
 Improvement Assurance ___

OFFICE USE ONLY

Date of Meeting to be considered at _____

Action by Planning

Commission _____

Date _____

Signature

Major Subdivision Final Plan Checklist

- Application (1 Copy)
- Final Plat (15 Copies)
- Final Erosion, Sediment, and Stormwater Control Plan (3 Copies)
- Engineering Drawings (3 Copies)
- Plans Sent to Township and/or Other Gov't. Agencies, and Utilities
- Completion/Assurance of Improvements

Final Plat Content:

- The name by which the subdivision will be recorded.
 - The location of the subdivision by section, range, municipality, township, or other legal description; county and state; show all corporation and section lines.
 - Graphic scale, north point and date of the survey.
 - The plat boundaries with lengths of courses to hundredths of a foot and bearing to half minutes.
 - Bearings and distances to the nearest established street lines, municipal, township, county or section lines or corners, and permanent monuments, which shall be accurately described or located on the plat.
 - The names and locations of abutting subdivisions and the owners of record (as of the last preceding tax roll) of adjacent parcels of unsubdivided land.
 - The accurate location of all existing and proposed streets and alleys within the subdivision including names, bearings or angles of intersection, right-of-way and pavements widths, lengths of all arcs, radii, points of curvature and tangent bearings. Also, show the location, name and width of right-of-way and pavement for any known abutting street or alley.
 - The accurate location of all easements, including the width, use and notations to indicate whether easements are dedicated or reserved and to show the limitations of each easement. Also show the same information for any known abutting easements.
 - The location of all lots, showing the lot lines with accurate dimensions to hundredth of a foot; accurate bearings or angles to street, alley or crosswalk lines;
-

building setback lines and lot numbers. When lots are located on a curve, the lot width at the setback line should be shown.

- The total area of the subdivision in acres and fractions of an acre, including the acreage of land in lots, streets and other rights-of-way and land to be dedicated or reserved for public use. Also, show the total lineal feet of all streets and other rights-of-way.
- Protective covenants and deed restrictions, if any, for all sections of the plat.
- Certification that the applicant(s) is(are) the owner(s) or agent(s) of the owner(s), of the land under consideration, and acknowledgment by the owner(s), or agent(s) of his(her)(their) adoption of the plat and dedication of streets and other public areas.
- Certification by the surveyor that the survey was made by him\her and that the details of the plat are accurate. He\she shall also certify that all monuments and property markers are correctly drawn and actually in place or will be placed.
- Certification of approval of the following where applicable:
 6. street, drainage, or other engineering plans and installments by the County Engineer
 7. provisions for sanitation by the health officer having jurisdiction.
 8. permit to install sewerage facilities and proof that the appropriate sewage treatment provider will accept wastewater from the subject subdivision.
 9. acknowledgment by appropriate county official that bond, certified check or other documents, to assure improvements have been received, in accordance with Section 4.5.7.
 10. Acknowledgment by appropriate county official that the inspection fee has been received, in accordance with Section 4.5.8.
 6. Statement of acceptance of streets and other public areas and facilities by Ross County Board of Commissioners.
- Note on the plat stating: "Ownership of the reserve area shall be into indivisible equal shares among all lot owners in the storm water maintenance district of the subdivision. There shall be inserted into each deed passing title to any of the land herein by the owner or developer a note indicating as such."**

Final Erosion, Sediment, and Stormwater Plan

- Post Construction Site Plan
- Site Specific Sediment and Erosion Control Plan/Construction Phase
- Stormwater Management Control Plan/Post-Construction Phase
- Financial Security
- Permanent Ground Surface Cover
- Final Inspection: Notice of Permanent Stormwater Control Measures

Other Standards

- Conforms to Design Standards (Article V)
- Conforms to Street Design and Construction Standards (Article VI)
- Conforms to Improvement Standards and Specifications (Article VII)
- Conforms to Road Frontage and Access Standards(Article IX)

Comments:

**APPLICATION FOR APPROVAL OF COMMERCIAL DEVELOPMENT
ROSS COUNTY, OHIO**

Date _____

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor _____

Contact Person _____

Address _____

Phone _____

3. Name of Engineer _____

Contact Person _____

Address _____

Phone _____

4. Name of Development _____

5. Location (Sec., Twp. No., Range, Township) _____

6. Commercial Development Plan:

Type of Development _____

Number of Lots _____

Total Area _____

Type of Sewage Disposal _____

Deed Restrictions? _____

Submission Materials (No. Copies): Preliminary Plan _____

Preliminary Drainage _____

Relevant Studies _____

Signature of Applicant

OFFICE USE ONLY

Action by Planning Commission or Planning Commission Staff:

Date _____

Signature

Commercial Development Plan Checklist

- Application (1 Copy)
- Final Plan (4 Copies)
- Erosion, Sediment, and Stormwater Control Plan (3 Copies)
- Plans Sent to Township and/or Other Gov't. Agencies, and Utilities by Planning Department.

Plan Content:

- The proposed name of the subdivision/development.
 - Location by section, range and township.
 - Boundaries of the entire proposed subdivision shall be drawn in heavy continuous lines with its acreage, and the boundaries of future development phases shall be delineated.
 - Name, address, and telephone number of the owner, subdivider, professional engineer, and professional surveyor with appropriate numbers and seals.
 - A north arrow, legend, bar scale, date of plan, and vicinity map.
 - Name of adjacent subdivisions, and owners of adjoining parcels, extending at least 200 ft. beyond the boundary of the proposed subdivision.
 - Topographic contours, with elevations referenced to U.S.G.S (NGVD 1983) datum, with intervals no greater than 2 feet at 5% slope, no greater than 5 feet for slopes over 5% and less than or equal to 15%, and no greater than 10 feet for slopes greater than 15%.
 - Location, width, and names of existing and proposed streets, all rights-of-ways, easements, parks, buildings, corporation and township lines, wooded areas, water courses, drainage patterns, and water bodies.
 - Location of floodways and floodplains.
 - Layout, number, dimensions, and acreage of each lot.
 - Parcels of land reserved for public use or reserved by covenant for residents of the
-

subdivision.

Type of water supply and wastewater disposal proposed, location and dimension of all proposed utilities and sewer lines, easements, drainage tiles, water mains, culverts, within or adjacent to the tract.

Erosion, Sediment, and Stormwater Plan (Abbreviated or Detailed in Article VIII)

Conforms to Design Standards (Article V)

Conforms to Street Design and Construction Standards (Article VI)

Conforms to Improvement Standards and Specifications (Article VII)

Conforms to Road Frontage and Access Standards (Article IX)

Comments:

APPENDIX II**REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON THE PLAT**

REQUIRED STATEMENTS:

Situated in Virginia Military Survey Number ____ (or Section _____, Township _____, Range _____,) Township of _____, County of Ross, Ohio, containing _____ acres and being the same tract as conveyed to _____ described in the Deed recorded in Deed Book _____, at Page _____ Ross County, Ohio.

The undersigned _____ hereby certifies that the attached plat correctly represents their _____, a subdivision of lots ____ to ____ inclusive, do hereby accept this plat of same and dedicate to public use as such all or parts of the roads, boulevards, cul-de-sacs, parks, planting strips, etc., shown herein and not heretofore dedicated.

IN WITNESS THEREOF, _____ day of _____, 20__.

Witness _____ Signed _____
 _____ Signed _____

I do hereby certify that I have surveyed the premises and prepared the attached plat and that said plat is correct. I further certify that all monuments and boundary markers are correctly drawn and actually in place or will be placed.

 Surveyor No. _____

STATE OF OHIO, COUNTY OF ROSS ss:

Before me, a Notary Public, in and for said County and State personally came _____, who acknowledged the signing of the foregoing instrument to be his/her/their voluntary act and deed for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this ____ day of _____, 20__.

 Notary Public, State of Ohio
 My Comm Exp: _____

REQUIRED APPROVALS:

Outside the subdivision platting jurisdiction of the City of Chillicothe

Approved this ____ day of _____, 20__.

Ross County Engineer
Dated: _____

Approved this ____ day of _____, 20__.

Ross County General Health District

(If sewer or water systems are not available)

Approved this ____ day of _____, 20__.

Township Zoning Board
(Where applicable)

Approved this ____ day of _____, 20__.

Chairman, Ross Co. Planning Comm.

Secretary, Ross Co. Planning Comm.

The land for roads, boulevards and other improvements herein described to public use are hereby accepted as such for the County of Ross, State of Ohio.

This acceptance becomes void unless this plat is filed for transfer and recording within 30 days after the date of such action.

Ross County Board of Commissioners

Transferred this ____ day of _____, 20 ____.

Ross County Auditor

Filed for Record this ____ day of _____, 20 ____ at _____, Recorded
this ____ day of _____, 20 ____, in Plat Book _____. Page _____.

Ross County Recorder

Within the subdivision platting jurisdiction of the City of Chillicothe outside the corporation limits

Approved this ____ day of _____, 20__.

Ross County Engineer
Dated _____

Approved this ____ day of _____, 20__.

Ross County General Health District

(if sewer or water systems are unavailable)

Approved this ____ day of _____, 20__.

Township Zoning Board
(Where applicable)

Approved this ____ day of _____, 20__.

Secretary
Chillicothe Planning Commission

The land for roads, boulevards and other improvements herein described to public use are hereby accepted as such for the County of Ross, State of Ohio.

This approval and acceptance becomes void unless this plat is filed for recording within 30 days after the date of such action.

Ross County Board of Commissioners

Transferred this ____ day of _____, 20__.

Ross County Auditor

Filed for Record, this ____ day of _____, 20__ at _____.

Recorded this ____ day of _____, 20__, in Plat Book ____, at Page ____.

Ross County Recorder

APPENDIX III**DEFINITIONS****ALLEY**

An unnamed public or private dedicated right-of-way less than twenty 22 feet wide serving as a secondary means of access to the property.

APARTMENT

Four (4) or more dwelling units in one (1) structure.

BLOCK

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

BUILDING SETBACK LINE

A line indicating the minimum horizontal distance permitted between a street right-of-way line, easement, or other public use.

COMMISSION

The Ross County Planning Commission.

COUNTY

Ross County, State of Ohio.

COUNTY BOARD OF COMMISSIONERS

Administrative authority of Ross County.

COUNTY ENGINEER

The Engineer of Ross County, or his designated agent.

CUL-DE-SAC

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

DEAD END STREET

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

DEDICATION OF LAND

The transfer of private property to public ownership upon written acceptance.

DITCH

A drainage course with an earth or artificial bottom throughout most of its length.

DRIVEWAY

A way for vehicular traffic over a lot in private ownership

EASEMENT

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

ENGINEER

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

FLOODPLAIN

Any land area susceptible to being inundated by flood waters from any source.

FLOODPROOFING

Protective measures added to or incorporated in a building that is not elevated above the base flood elevation to prevent or minimize flood damage.

FLOODWAY

The stream channel and that portion of the adjacent floodplain which must remain open to permit passage of the base flood.

FLOODWAY FRINGE

The portion of the floodplain lying on either side of the floodway.

FRONTAGE

Frontage shall mean the minimum frontage required by the appropriate subdivision or zoning regulations whichever is greater. Frontage further means that portion of a lot or tract of land, which directly abuts a public road and has access thereto.

IMPROVEMENTS

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

LAND USE PLAN

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

LOT

For the purposes of these regulations, a lot is a parcel of land of sufficient size to transfer.

LOT, AREA

The area of the lot exclusive of the right-of-way.

LOT, CORNER

A lot abutting upon two (2) or more streets at their intersection.

LOT, DEPTH

The average horizontal distance between the front and rear lot lines.

LOT, FLAG OR PIPESTEM

A lot which does not meet minimum frontage or width depth ratio requirement, and which is configured in such a way as the bulk of the lot is connected to said lot's means of access by a narrow strip of land (a "pipestem" or "panhandle") which is part of said lot.

LOT INTERIOR

A lot other than a corner lot with only one front on a street.

LOT, WIDTH

The horizontal distance between side lot lines measured along the chord length at the minimum setback line in the case of lots facing cul-de-sacs, and along the right-of-way line in all other cases.

LOT, THROUGH

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

MAY

May is permissive and not mandatory.

PERFORMANCE BOND

An agreement by and between a contractor and a bonding company in favor of the subdivider or by and between a subdivider and bonding company in favor of the County, guaranteeing the completion of physical improvements.

PLANNED UNIT DEVELOPMENT

Any development of a tract of land for a complex of buildings which are planned as an entirety.

PLAT

A drawing of the subdivision prepared for recording in accordance with these regulations.

PLAT FINAL

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

PRELIMINARY PLAN

A tentative subdivision plan, in lesser detail than a final plan, showing approximate street and lot layout on a topographic map as a basis for consideration prior to preparation of a final plan. A preliminary plan also requires other plans, supplemental data, and comments as set forth in these regulations.

RIGHT-OF-WAY

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

SHALL

Shall is mandatory and not permissive.

SPECIFICATIONS AND STANDARDS

Those specifications and standards, as determined by the Board of Ross County

Commissioners, which shall govern the construction of the subdivision within the jurisdiction of these regulations.

SUBDIVIDER

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

STORM WATER FACILITIES

All facilities, channels, and areas, which serve to convey, filter, store, and/or receive stormwater, either on a temporary or permanent basis.

STREET

The full width between property line bounding every public way.

STREET, COLLECTOR

A street which carries traffic from minor streets to arterial or major streets, including the principal entrance streets of a residential development and streets for circulation within such a development as designated on the thoroughfare plan.

STREET, COMMERCIAL-INDUSTRIAL

A public thoroughfare designated for a particular use, such as serving commercial-industrial Areas.

STREET, LOCAL OR MINOR

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

STREET, MAJOR AND MINOR ARTERIAL

A principal or heavy traffic street of considerable continuity and used primarily as a traffic artery for intercommunication among large areas as designated on the thoroughfare plan.

STREETS, MARGINAL ACCESS

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

SURVEYOR

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

SWALE

A natural or constructed shallow watercourse for collecting water within a lot or several lots.

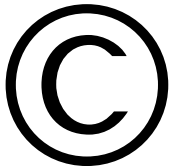
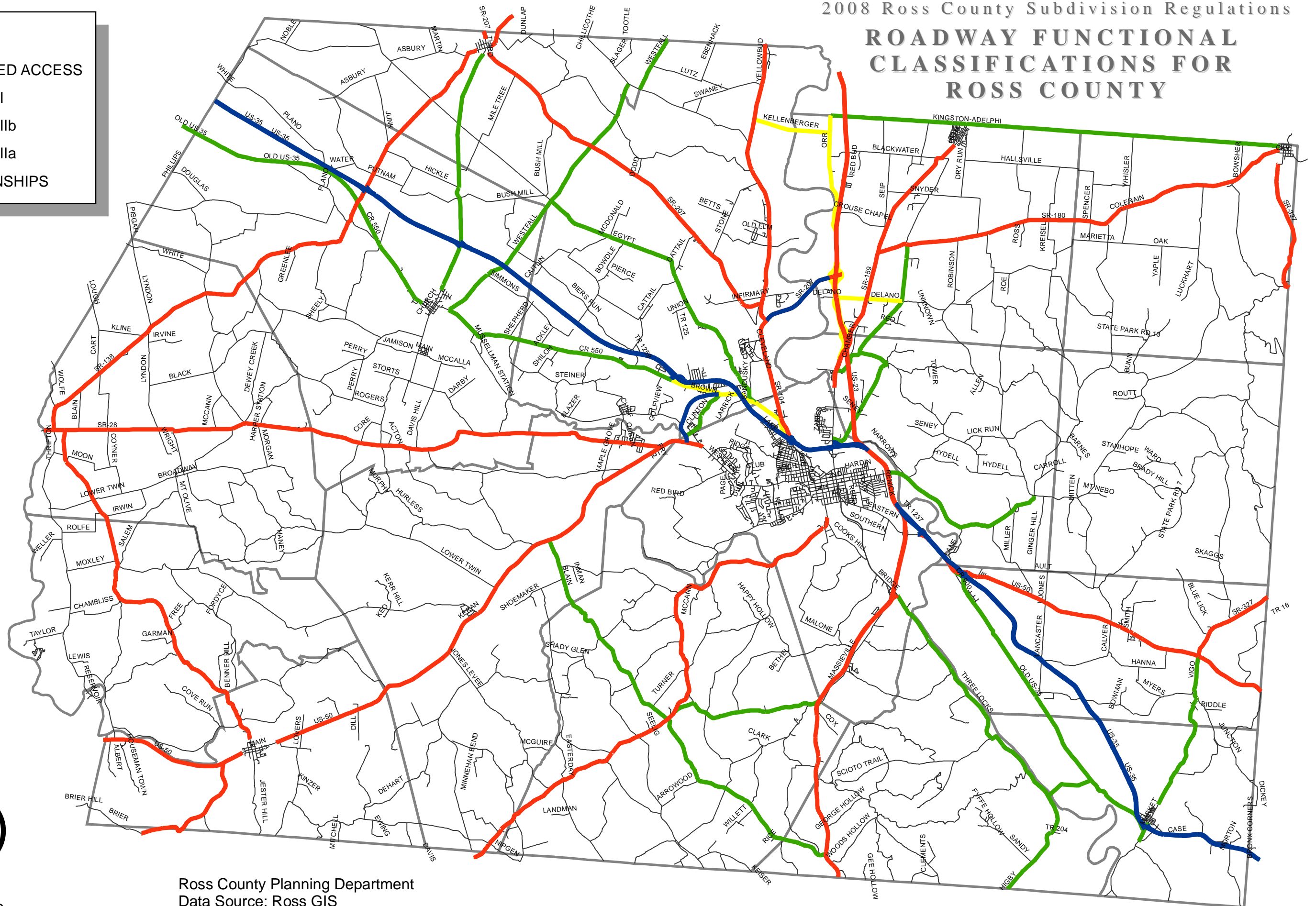
VICINITY MAP

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

ROADWAY FUNCTIONAL CLASSIFICATIONS FOR ROSS COUNTY

Legend

- LIMITED ACCESS
- Class I
- Class IIb
- Class IIa
- TOWNSHIPS

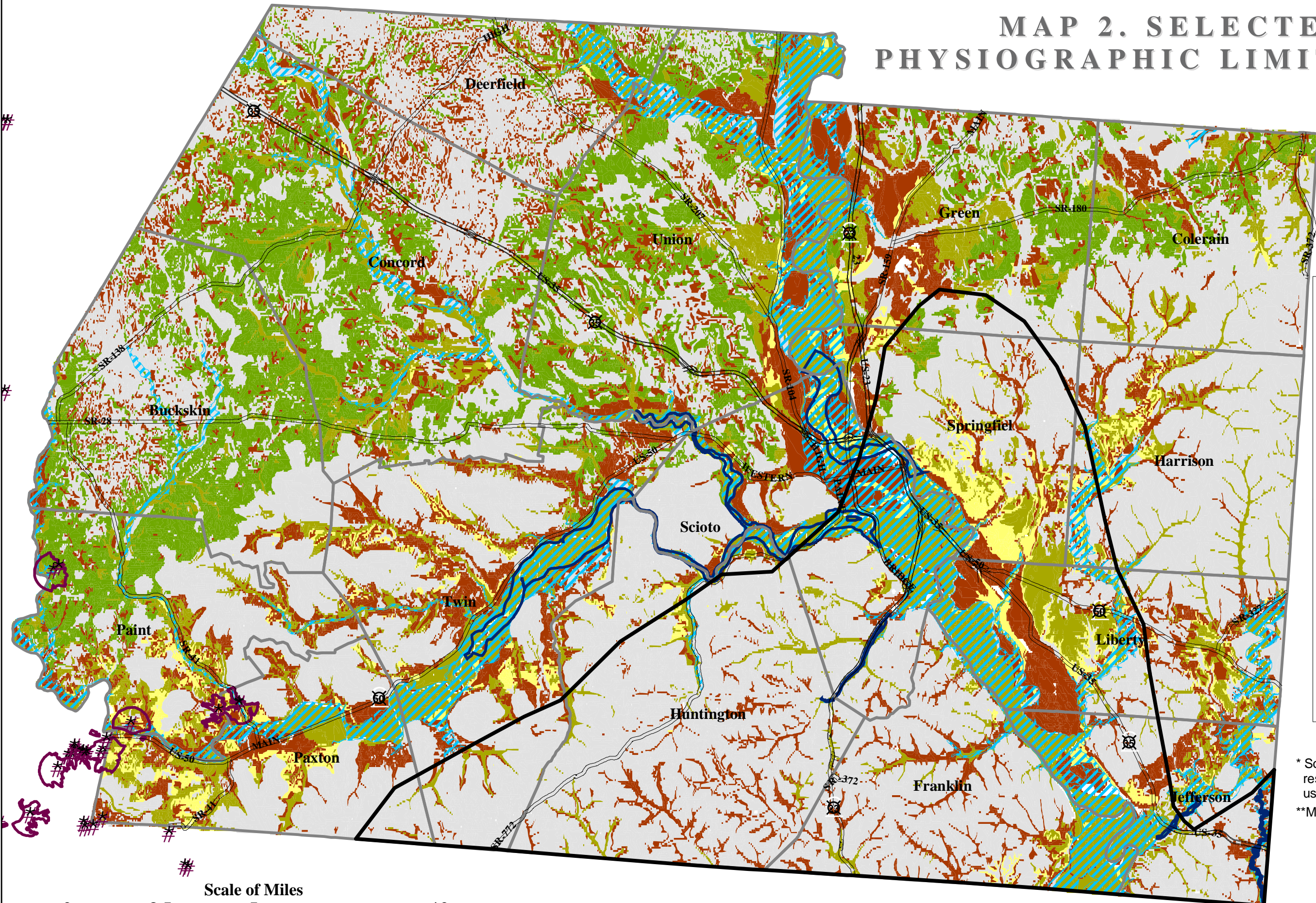


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Ross County Planning Department
Data Source: Ross GIS
June 2008

MAP 2. SELECTED PHYSIOGRAPHIC LIMITATIONS

4



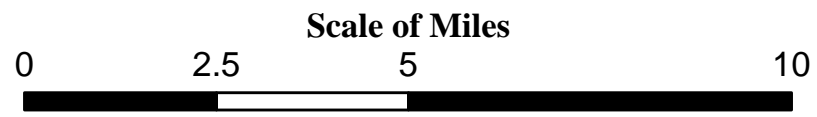
Legend

Soil Category*

- I 1.33 Units/Acre
- II 1.11 Units/Acre
- III 0.74 Units/Acre
- IV 0.53 Units/Acre
- V 0.20 Units/Acre

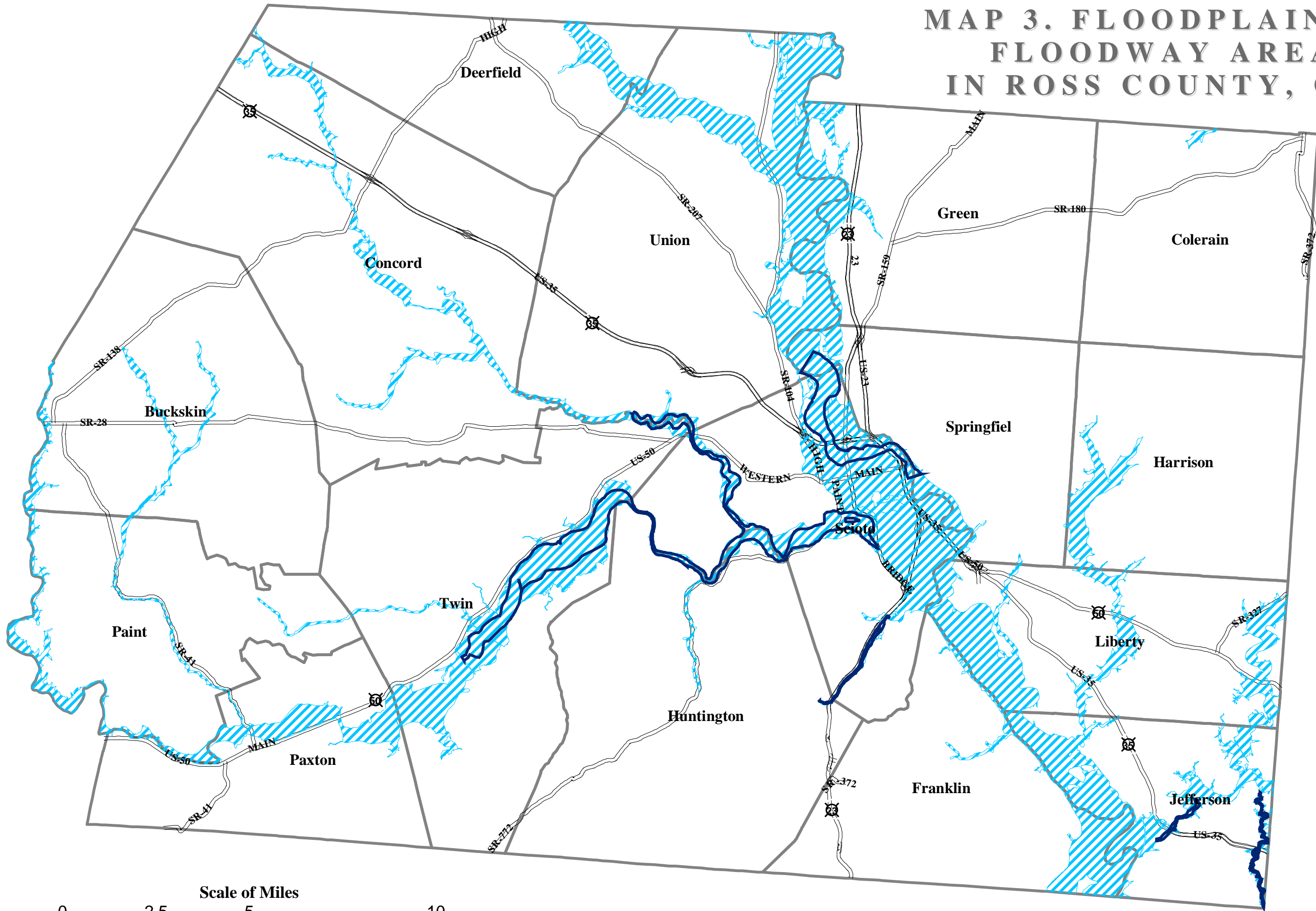
- Floodway
- Floodplain
- Townships
- Known Karst Areas
- Probable Karst
- **Landslide
- Highways

* Soil categories represent potential residential development density using on-lot sewage treatment.
 **Moderate Chance for Landslides





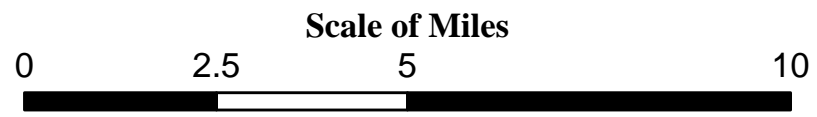
MAP 3. FLOODPLAIN AND FLOODWAY AREAS IN ROSS COUNTY, OHIO

4



Legend

-  Floodway
-  Floodplain
-  Townships
-  Highways



ROSS COUNTY PLANNING COMMISSION
 Data Source: Ross County GIS
 Project: 2008 Ross County Subdivision Regulations
 Date: June, 2008

COOPERATIVE AGREEMENT BETWEEN THE CHILLICOTHE PLANNING COMMISSION AND THE ROSS COUNTY PLANNING COMMISSION FOR THE REVIEW AND APPROVAL PROCESS OF MAJOR AND MINOR SUBDIVISION PLAT WITHIN THREE-MILE EXTRATERRITORIAL JURISDICTION OF THE CITY OF CHILLICOTHE

This agreement is made and entered into this 18 day of October, 2016, by and between the Ross County Planning Commission and the Chillicothe Planning Commission.

Whereas the Chillicothe Planning Commission adopted a plan for the major streets and thoroughfares and for parks and other open public grounds of the city or any part of it, and for the unincorporated territory within three miles of the corporate limits of the city or any part of it, then no plat of a subdivision of land within that city or territory shall be recorded until it has been approved by the city planning commission and that approval endorsed in writing on the plat. R.C. 711.09(A)(1)

Whereas the townships located in the unincorporated territory within three miles of the corporate limits of the City of Chillicothe have not adopted zoning, the City of Chillicothe retains jurisdiction over the said three mile extraterritorial area of the county for purposes of approving plats pursuant to R.C. 711.09(A)(2)

Whereas R.C. 711.10(C) permits a county planning commission and a city planning commission to cooperate and agree by written agreement that the approval of a plat by the city planning commission as provided in R.C. 711.09, shall be conditioned upon receiving advice from or approval by the county planning commission.

Whereas R.C. 711.10(B) states that a "county or regional planning commission may require the submission of a preliminary plan for each plat sought to be recorded. If the commission requires this submission, it shall provide for a review process for the preliminary plan. Under this review process, the planning commission shall give its approval, its approval with conditions, or its disapproval of each preliminary plan. The commission's decision shall be in writing, shall be under the signature of the secretary of the commission, and shall be issued within thirty-five business days after the submission of the preliminary plan to the commission. The disapproval of a preliminary plan shall state the reasons for the disapproval. A decision of the commission under this division is preliminary to and separate from the commission's decision to approve, conditionally approve, or refuse to approve a plat under division (C) of this section."

Whereas R.C. 711.09(C) requires the approval of a plat be endorsed on the plat within thirty (30) days after the submission of the plat for approval or within such further time as the applying party may agree to; otherwise that plat is deemed approved, and

the certificate of the planning commission, as to the date of the submission of the plat for approval and the failure to take action on it within that time, shall be issued upon demand and shall be sufficient in lieu of the written endorsement or other evidence of approval required by this section.

Whereas R.C. 711.09(C) states approval of a plat shall not be an acceptance by the public of the dedication of any street, highway, or other way or open space shown upon the plat.

Whereas the Ross County Planning Commission and the Chillicothe Planning Commission desire to enter into a cooperative agreement regarding the review and approval process for major and minor subdivision plats for the unincorporated territory within three-miles of the corporate limits of the City of Chillicothe.

The Ross County Planning Commission and the Chillicothe Planning Commission, in consideration of the foregoing and subject to the terms and conditions set forth below agree to the following review and approval process for major and minor subdivision plats located in the unincorporated territory within three-miles of the corporate limits of the City of Chillicothe:

A. Major Subdivision Review and Approval Process:

1. Optional Sketch Plan – Staff review
2. Preliminary Plan – Staff review (defined in Section C below)
3. Preliminary Plan – Ross County Planning Commission review
4. Final Plans and Plat – Staff review
5. Final Plan and Plat – Ross County Planning Commission review
6. Final Plan and Plat – Chillicothe Planning Commission review
7. The approval of each planning commission shall be endorsed on the plat within thirty (30) days after the submission of the final Plan and Plat for approval or within such further time as the applying party agrees. All extensions of time agreed to by the applying party must be in writing and signed by the party and each planning commission's designated representative.
8. No plat shall be endorsed as "approved" unless:
 - a. the final plat meets County Engineer and County Auditor Transfer and Conveyance Standards;

- b. public improvements are constructed and inspected to meet county improvement standards and a maintenance bond is filed; or when applicable, a development agreement and a surety/performance bond is filed with the Ross County Board of Commissioners prior to construction; and
 - c. all conditions of approval, guarantees, agreements and the like have been met.
 9. Other Certifications and Signatures as applicable.
 10. Final plan/plat shall be recorded by the developer/owner with the Ross County Recorder in accordance with Chapter 711 of the R.C. and other applicable laws.
- B. Minor Subdivision/Lot Split and Large Lot Development Review and Approval Process
 1. Minor subdivisions or lot splits shall be reviewed and approved by the Ross County Planning Commission in all unincorporated areas of Ross County.
 2. "Access Management" of Ross County, Ohio shall govern all access to all divisions of land and new access within the area.
- C. Staff review shall include:

Chillicothe Planning Commission Chairperson (or designee), City of Chillicothe Engineer (or designee), Ross County Planning Commission Chairperson (or designee), Ross County Engineer (or designee), Ross County Planning Commission Secretary, representative from Ross County Soil and Water District, representative from Ross County Health District (when applicable), and representative from Ohio Department of Transportation (when applicable).

Signed:


Secretary
Chillicothe Planning Commission

10-12-16
Date


Chairperson
Chillicothe Planning Commission

10-12-16
Date


Secretary
Ross County Planning Commission

10-18-16
Date


Chairperson
Ross County Planning Commission

10-18-16
Date

Approved as to Form:


Chillicothe Law Director

Date


Ross County Prosecutor

9/26/2016
Date

ACCESS MANAGEMENT

ROSS COUNTY, OHIO

Amended July 1, 2008

What is Access Management

Access Management is a program to manage a highways ability to move traffic and to improve the design and location of access connections to state, county and township roads while at the same time providing necessary and reasonable ingress and egress to properties along those roads.

Benefits of Access Management

- A. Access Management improves public safety by:
 - Reducing the potential for high driveway densities along a road and conflict points. For example, as driveway spacing increases, motorist's reaction time to turning vehicles, improves;
 - Improving the movement of people and goods by reducing traffic delays;
 - Supporting economic development by providing appropriate accessibility.
- B. Safer and more efficient travel for the traveling public, including pedestrians and bicyclists. Each new access point added to an undivided highway in an urban ,suburban or rural area increases the annual accident rate probability.
- C. Studies have shown that Access Management can reduce accidents and safely increase travel speeds.
- D. Access managed highways are more efficient, and safer, thereby benefiting the taxpayers by providing greater use of existing roads.
- E. Land and surrounding infrastructure are often more efficiently utilized when Access Management tools are applied to property development.
- F. Preserves and plans for healthy economic development – Businesses can often benefit from increased economic vitality when situated along a well-managed corridor because of easier and safer access to and from their establishments.

Article I GENERAL PROVISIONS

Section 1.01 Authority

These regulations are adopted pursuant to the authority granted to Boards of County Commissioners by Ohio Revised Code (ORC) Chapter 5552.

Section 1.02 Purpose

County government working with state, townships, and other local agencies to improve the safety, capacity, and utility of the roads in Ross County.

Section 1.03 Applicability

These regulations apply to all county and township public roads within unincorporated Ross County and to all properties that abut these roadways. These regulations do not apply to State Highways or platted major subdivisions, but do apply to all subdivisions not required to be platted as referenced by (O.R.C. 5552.03).

Section 1.04 Title

These regulations shall be known as the Access Management Regulations for Ross County, Ohio.

Section 1.05 Relation to other restrictions

These regulations shall be the minimum requirements. Whenever these regulations are at variance with any and all laws of the State of Ohio, or other lawfully adopted rules or regulations, the provisions of the most restrictive of such rules or laws shall prevail.

The Ross County Access Management Regulations shall be consistent with the existing Ross County Planning Commission Regulations and should be coordinated with any relevant zoning regulations.

Section 1.06 Severability

Each article, section, or other divisible part of these regulations is hereby declared severable, and if such an article, section or part is declared invalid by a court of competent jurisdiction in a valid judgment or decree, such invalidity shall not affect any of the remaining portions thereof.

Section 1.07 Preliminary Access Approval
for County & Township Roads

Prior to any lot split approval, or the transfer of any applicable lot that is not subject to a lot split approval, the owner of said parcel shall make application to the Ross County Planning & Building Department, for preliminary access approval to County and Township roads. Access to State highways shall require an ODOT access permit, a copy of which shall be submitted to the Ross County Planning & Building Department. The preliminary access approval will indicate which locations are acceptable and in conformance with the Ross County Access Management Regulations and applicable ODOT regulations. The preliminary access approval may be issued within seven working days following submission of documentation required by these regulations for all County and Township roads. Preliminary access approval may not be issued when access is not required or when provisions for access are to be determined at a later date.

For preliminary access approval or for access permit issuance, on County And Township roads, the Ross County Planning & Building Department may require the following information be shown on either a survey plat or other accurate drawing by a registered engineer or surveyor:

1. Distances from the side property lines to the nearest adjacent driveways and their uses.
2. Location of any driveways on the property and their use.
3. Location of proposed driveway.
4. Other information as may be required.

Failure to apply for preliminary access approval will result in the immediate application of a Penalty under Section 1.09 of these regulations.

Section 1.08 Access Permits for County & Township Roads

Prior to the construction of a driveway or approach, the property owner shall obtain the issuance of an access permit from the governmental authority having jurisdiction. The permit will be for a location that is in conformance with all applicable regulations in this document and any applicable ODOT regulations.

- A. Access permits for County Class III road access should be issued within seven (7) working days following submission of all information required by these regulations.
- B. For all other County driveway classifications, access permits should be issued within thirty (30) days following submission of all information required by these regulations.
- C. Any access permit for County or Township roads which is not approved, disapproved or scheduled for a variance hearing within the 30 day time frame shall be deemed approved and shall be issued in accordance with the information submitted.
- D. An access permit fee as established by the Board of Commissioners to cover the cost of administering the County regulations shall accompany the access permit application.
- E. Access permits for County and Township roads shall expire if the driveway is not constructed within one (1) year of the date of access permit issuance.

Section 1.09 Penalties (ORC 5552.99)

Whoever violates an Access Management regulation adopted under Section 5552.02, shall be fined not more than five hundred dollars (\$500.00) for each offense, each day of violation is a separate offense.

Article II DEFINITIONS

Section 2.01 Interpretation

For the purpose of these regulations, certain terms and words are to be defined as found in this Article. Words and terms not specifically defined carry their customarily understood meanings. The word “shall” is mandatory; the word “may” is permissive.

Section 2.02 Definitions

| | |
|-------------------|---|
| Access Management | A set of policies and standards that manage the number and Location of access points (driveways) on to the public road System. |
| Culvert | A drain as a pipe like construction usually made of Corrugated plastic, metal or concrete that passes under a road or through an embankment. |
| Curb Cuts | Limiting the number of new driveways, especially along major roads (i.e., one driveway per existing lot or parcel) or control driveway spacing. |
| Drive Pipe | For the purpose of the regulations, drive pipes/culverts are used to allow the free flow of storm water for drainage purposes. Drive pipes shall be made of a minimum 12” diameter of corrugated double wall smooth bore plastic metal or concrete. |
| Driveway | Any point of access from a parcel of land onto the public street or roadway. |

| | |
|----------|--|
| Engineer | Any person registered to practice professional engineering in the State of Ohio. |
| Grade | The slope of a road, street, or public way, specified on Percentage (%) terms. |
| ODOT | The Ohio Department of Transportation, 650 Eastern Ave. Chillicothe, Ohio 45601 740/773/2691 |

Article IIIACCESSSection 3.01Responsibility

DRIVEWAY AND APPROACHES

ORC Section 5543.16 “Construction and repair of approaches and driveways; cost” states:

- “The owners of land shall construct and keep in repair all approaches or driveways from County or Township roads, under the direction of the County Engineer.”
- Property owners at their expense shall furnish all material, labor, and equipment necessary for construction and proper maintenance of driveways and approaches.
- If at any time the culvert ceases to function properly, State, County or Township forces may remove it in order to insure proper highway drainage.
- If, during road and ditch maintenance operations, the entity performing the maintenance destroys the approach or driveway of any abutting property owner, it will be reconstructed by that entity.

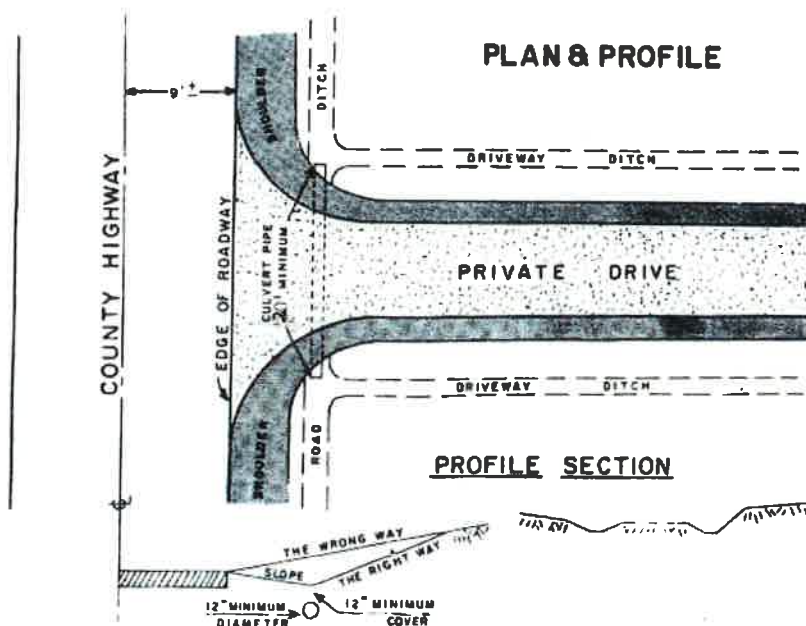
EXISTING DRIVES AND APPROACHES

Nonconforming access points – legal access connections in place as of the date of adoption of Access Management guidelines that do not conform with the standards set therein are considered non conforming features and shall be changed:

1. When new access or modified accessed to public rights-of-way and/or access permits are requested;
2. Change in use, enlargements or improvements that will increase trip generation.

Section 3.02 Design Requirements

- Maintain a minimum grade and develop drive profile to generally conform to shoulder contour. Drive and approach to be so constructed to avoid washout of loose surface material and so that no surface water will be drained onto public highways.
- Culvert for drive shall be laid to line and grade of adjacent roadside ditch or as specified by the County Engineer or Township Trustee.
- Pipe size shall be a minimum of 12-inch diameter by 20 feet long or as specified by the County Engineer or Township Trustee.
- Recommended Pipe: corrugated metal, reinforced concrete, extra strength vitrified clay, or corrugated smooth wall plastic or polyethylene.
- Cover over pipe will vary according to individual conditions, however a minimum of 12" is recommended.
- Approaches shall be level with or below road level for approximately 25 feet. (See Plan & Profile)
- Where slope and contour of the access point will not permit a **Terraced Drive & Level or Below Level Approach Pad**, a **Sheet Flow Runoff Interceptor** or other acceptable means of Sheet Flow Diversion shall be installed.



Section 3.03 Drainage

All driveway permits shall have a pipe size shown on their application form. This size shall be determined by the Ross County Engineer, the Township having jurisdiction or the Ohio Department of Transportation. Engineering for any access point is not the responsibility of a public entity.

Section 3.04 Road Classification

To further promote the safety, capacity and utility of the roads in Ross County, all access locations will be based on sight distance and road classification. Driveway spacing and road frontage requirements on all County and Township roads will continue to be regulated by the Ross County Planning Commission. These criteria can be found in the Ross County Subdivision Regulations Amendment 1998-2. For the purpose of these regulations all county and township roads will be placed in one of the following categories.

Class I – These roads are all State and U.S. Highways in Ross County and are not regulated by these Access Management Regulations, however they are regulated by the Ohio Department of Transportation.

Class IIA & IIB – These collector roads are capable of moderated traffic volumes at moderate speeds.

- Class IIA is a major collector road and Class IIB is a minor collector road. The access from these roads shall be limited to one direct access per parcel. Additional access may be allowed if the Ross County Engineer or his designee determines it meets access safety, design, and any other applicable Access Management Regulations.

Class III – These roads are capable of low to medium traffic volumes and traffic speeds. More than one direct access per parcel is permitted subject to all safety considerations.

All roads not designated as Class I, Class IIA or Class IIB are designated as Class III roads.

Section 3.05 Sight Distance

Below are sight distances as regulated by Table 5 of the Ross County Subdivision Regulations. Speed limits for roadways are based upon the posted legal rate of speed. On roadways without postage signage Ohio law identifies them as 55 mph zones.

Every effort shall be made to obtain the best sight distance possible at all times. All approaches should be put in a sag vertical curve, on a long tangent grade or at a hill crest if possible. At no time should a driveway be put just over the crest of a hill or inside of a tight horizontal curve

MIMIMUM REQUIRED SIGHT DISTANCES

ALL CLASS I, US & STATE HIGHWAYS, CONTACT DIVISION 9,
OHIO DEPARTMENT OF TRANSPORTATION.

Table 5 Minimum Dimensional Requirements

ALL CLASS II (A) COUNTY HIGHWAYS - 325 FT. MINIMUM
SIGHT DISTANCE.

ALL CLASS II (B) COUNTY & TOWNSHIP HIGHWAYS – 225 FT.
MINIMUM SIGHT DISTANCE.

CLASS III COUNTY & TOWNSHIP HIGHWAYS – 225 FT.
MINIMUM SIGHT DISTANCE.

ACCESS MANAGEMENT ROAD CLASSIFICATIONS

Limited Access: These roads are intended not to have any private or commercial access

Veterans Parkway
S.R. 207 Connector
US Rt. 35

Class I Roads:

U.S. 23
U.S. 35
U.S. 50 --- Chillicothe Corporation Limit West to Highland County Line
U.S. 50 --- U.S. 35 Split East to the Vinton County Line.
S.R. 104
S.R. 159
S.R. 41
S.R. 138
S.R. 327
S.R. 28
S.R. 180
S.R. 207
S.R. 772

Class IIa Roads:

Pleasant Valley Rd --- S.R. 104 to County Road 550
Kellenberger Rd.
Orr Rd.
River Rd.
Hospital Rd.
Delano Rd. --- From Sulphur Spring Rd. to Hospital Rd.

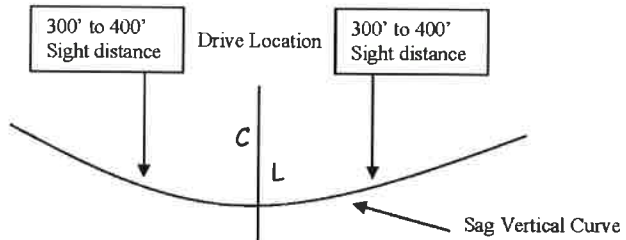
Class IIb Roads:

Blain Highway
Charleston Pike---Chillicothe Corporation Limits east to Walnut Creek
Clinton and South Clinton Rd.
County Road 550 from Pleasant Valley Rd. to S.R. 138
Egypt Pike---Pleasant Valley Rd. west to Westfall Rd.
Frankfort Clarksburg Pike
Higby Rd.
Kingston-Adelphi Rd.
Marietta Rd.---U.S. 23 North to Delano Rd. (includes Hopetown Rd.)
Rozelle Creek Rd.
Sulphur Spring Rd.---Delano Rd. north to S.R. 180
Three Locks Rd.
Vigo Rd.
Westfall Rd.---C.R. 550 north to S.R. 207
Old U.S. Rt. 35 West
Old U.S. Rt. 35 East
All other County and Township Roads not listed above are Class III roads.

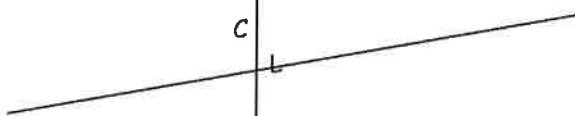
Approach Examples

Acceptable

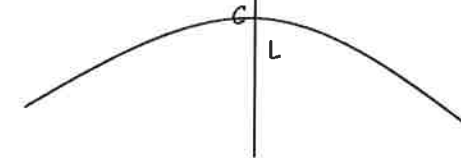
In a sag vertical curve



On a long tangent grade

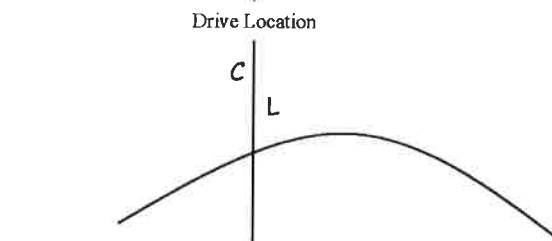


At a hill crest

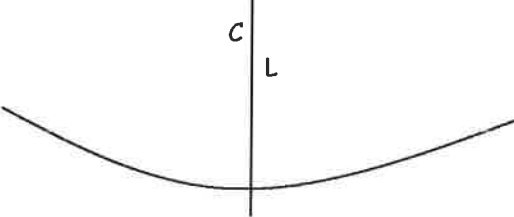


Not Acceptable

Just over a hill crest



Inside of a tight curve



Section 3.06Inspections

A minimum of two inspections will be required to document compliance with the Access Management Regulations.

1. The first inspection will be conducted after application has been made for the Preliminary Access Permit. This inspection will determine if the requested access point is in compliance with items 3.02,3.03 and 3.05 of these regulations.
2. The second inspection will be conducted after the construction has been completed for an approved access location that is in conformance with these regulations.

Access Feasibility Inspection

In an effort to expedite the permit process a preliminary site visit may be requested to determine if the proposed new access location will be in compliance with these regulations, prior to any survey work being performed.

Section 3.07Appellate Board

The Ross County Commissioners have designated the Ross County Planning Commission as the Access Management Appellate Board with the authority to hear appeals of decisions of the Planning & Building Department concerning the issuance or denial of access permits and variance request that are not contrary to the public interest from the terms of these regulations where, owing to special conditions, a literal enforcement of these regulations will result in unnecessary hardship, and so that the spirit of the regulations will be observed and substantial justice done.

Application for a Variance

Any owner, or agent thereof, of property for which a variance is sought, shall make an application for a variance by filing it with the Ross County Planning & Building Department no later than 4:00pm the second Tuesday of the month. Upon receipt of the variance request it shall be prepared for transmittal to the Ross County Planning Commission for their public meeting, which is held the third Tuesday of each month. Such application, at a minimum, shall contain the following information; name, address, telephone number of the applicant, legal description of the property, parcel map, description of the existing use, description of the proposed use, location of the proposed access point, description of the variance sought, and reason for the variance request.

Section 3.08 Mailbox Requirements

In order to receive prompt mail delivery and utility service and enable fire, squad, sheriff, and other agencies to locate your residence, please post your number on both sides of your mailbox. We also suggest your name be posted along with your number. If your mailbox is not located adjacent to or across from your driveway, it is required that you attach the number to a post beside your driveway as well as on your mailbox. We strongly recommend that numbers also be posted on the house itself.

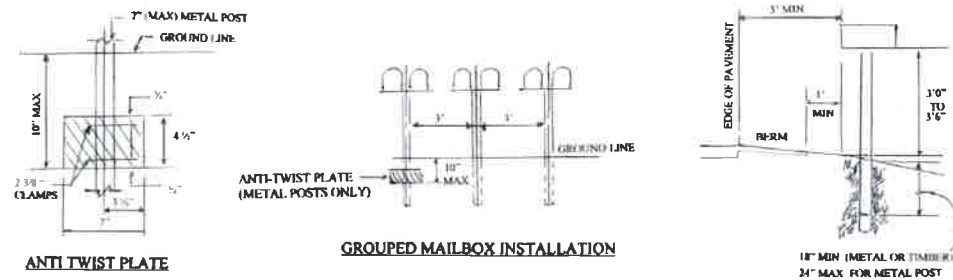
It is recommended that the numbers be 3 inches in height and be reflective for night visibility.

Listed below are recommended methods for erecting your mailboxes. Please follow these suggestions to minimize the chances of injury should a vehicle hit your mailbox.

Mailboxes shall be of the breakaway type construction and shall meet the following criteria:

- A. Maximum 4" X 4" or 4 1/2" round timber post.
- B. Maximum 2" I.D. normal pipe size steel post.
- C. Boxes shall be no larger or heavier than the U.S. Postal standards.

Mailbox post shall not be set in concrete!!



Section 3.09 Effective Date

The effective date of these regulations shall be March 1, 2005.

Permit # _____ County of Ross
Access Permit
Application

The issuance of this permit **does not guarantee** that the sight distance for this driveway is adequate for motorist to safely enter or exit. The issuance of this permit is only a governmental permit and the applicant should not rely upon such permit in determining safe ingress and egress.

(1) This form must be completed by the property owner or their agent.

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____ Fax: _____
Email: _____

(2) Type of permit requested: Commercial Residential Field Utility Drainage

(3) Briefly describe work to be performed. (Attach plans and see Instructions)

(4) Location where work is to be performed. Give sufficient detail to locate the site accurately, such as the distance in miles or feet from nearest address. Twp: _____

(5) Does the property owner own or have any interests in any adjacent property? Yes No

(6) Prior to any excavation in the highway right-of-way, the Ohio Utilities Protection Service (OUPS) must be contacted in accordance with ORC Section 3781.25 to 3781.32. OUPS can be reached at 1-800-362-2764.

(7) Open cutting of pavement shall not be permitted unless no reasonable alternate method is available. Written approval of the Ross County Engineer or Township Trustees must be obtained.

(8) I have been given the opportunity to review the policies and regulations pertaining to the permit for which I have applied. If a permit is subsequently issued to me by the Ross County Planning & Building

Department, I understand that the permit will state the terms and conditions for its use, and I agree to comply with all conditions and regulations stipulated on or attached to the permit. I also understand and agree that failure to comply fully with all conditions and regulations of the permit or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation at the permittee's expense.

**SIGN
HERE**



Signature of Property Owner or
Agent for Owner
Date _____
Daytime phone# _____

Preliminary Access Approval: Approved Disapproved

Final Access Approval: Approved Disapproved

Contact the Planning & Building Department for final inspection when access is installed.

Pipe Size: _____

Comments: _____

Address given: _____

| | |
|-------------------------------|---|
| Office Use Only | |
| Cash <input type="checkbox"/> | Ck <input type="checkbox"/> Receipt _____ |
| Date Rec'd _____ | |
| By _____ | |
| Permit Fee: \$35.00 | <input type="checkbox"/> |
| Regulations: \$3.00 | <input type="checkbox"/> |

A COPY OF THESE REGULATIONS ARE AVAILABLE AT THE ROSS COUNTY
PLANNING & BUILDING DEPARTMENT FOR A FEE OF \$3.00.

Ross County



ENVIRONMENTAL HEALTH

150 East Second Street
Chillicothe, Ohio 45601
Phone: 740.775.1158 Fax: 740.779.9615

Steps for Obtaining Approval of Subdivision and New Lots

1. The applicant must clearly stake the proposed corners/property lines on site. All vegetation including crops must be mowed or harvested prior to the health district site review.
2. The applicant must obtain a soil evaluation in accordance with OAC 3701-29-07 from a professional soil scientist for each proposed lot under 5 acres. A list of professional soil scientists can be provided.
3. The Applicant must submit the application with appropriate fee, the soil evaluation, and a scaled drawing including:
 - a). The acreage of the proposed lot and the total land area of the proposed subdivision/lot split.
 - b). Proposed lot lines with detail on site conditions including vegetation and drainage features.
 - c). All relevant information regarding previous land use including existing and proposed easements or right-of-ways, utilities, structures, wells, foundations, roads, drainage features and waterways.
 - e). Topographic detail with contour lines sufficient to determine slope and adequate length along contour for sewage treatment areas. This topo map is usually included in the soil report.

Anyone proposing a lot split/subdivision may use previously prepared drawings such as a survey, aerial photograph or soil evaluation for preliminary review.

4. The health district will conduct an on-site visit using the submitted materials to determine compliance with OAC 3701-29. If the health district determines that the provisions of the rule can be met, preliminary approval of the lot will be given.
5. Upon receiving preliminary approval, a survey prepared by a professional surveyor shall be obtained and submitted to the health district for final approval of the lot split.

www.rosscountyhealth.com info@rosscountyhealth.com
Equal Opportunity Employer

Ross County



ENVIRONMENTAL HEALTH

150 East Second Street
Chillicothe, Ohio 45601
Phone: 740.775.1158 Fax: 740.779.9615

Steps for Obtaining a Sewage Treatment System Installation Permit

1. The first step is to obtain a **soil evaluation** from a professional soil scientist. A list of professional soil scientists can be provided.
2. When the soil evaluation is completed, the soil report is given to a designer or a registered installer for preparation of a **design plan**. The designer will be required to lay out the system on the site using flags or marking paint.
3. Take the design plan and the soil evaluation with you to the health department where you will complete a **Site Review Application**. The site review application form with fee is then submitted to the health district for review.
4. If the minimum specifications for the soil evaluation and design plan are met, EH staff conducts an on-site review with the submitted information. If the system layout complies with applicable regulations, the health district will issue a **Site Review Approval**. The lot must be staked and property lines clearly marked at this time. Primary and secondary sewage treatment areas must be protected from disturbance. The designer and/or installer may be required to be present during the site review inspection.
5. The Site Review Application is approved. The sanitarian informs client that the Installation Permit can be issued. The **Site Review Approval is valid for a period of five years** provided there are no changes to the site conditions or the design, including the source.
6. The applicant purchases the **Installation Permit** and **Operation Permit** and assures that the system will be installed in accordance with the approved site review. The system must be installed by a registered installer.

www.rosscountyhealth.com info@rosscountyhealth.com

Equal Opportunity Employer

MAJOR SUBDIVISION REVIEW PROCESS:

- I. PRE-APPLICATION CONFERENCE AND SKETCH PLAN REVIEW – Prior to preparing a preliminary plan and submitting an application for preliminary plan approval, consultation with Planning Commission staff and submission of a sketch plan is highly recommended. Sketch Plan should include an air photo showing existing parcel lines, proposed lots and public improvements, and generally to scale. A sketch plan shall not constitute formal submission for Planning Commission review and approval.
- II. PRELIMINARY PLAN – The subdivider having determined to proceed with a preliminary plan shall submit Plans obtain preliminary approval. All items submitted shall be prepared by either a registered surveyor and/or a registered professional engineer, as is appropriate.
 - a. Contents of Preliminary Plan:
 - i. Preliminary stormwater and sediment and erosion control plan
 - ii. Preliminary Plat showing all future phases of development.
 - b. Staff Review prior to Planning Commission Meeting
 - i. Official Filing Date Begins
 - ii. Chillicothe Planning Commission staff involved if within three-miles of city limit.
 - c. Ross County Planning Commission Review at Regular Monthly Meeting. The Commission shall give its approval, its approval with conditions, or its disapproval of each preliminary plan. This action will be forwarded in writing to the Chillicothe Planning Commission if within three-mile limit.
- III. FINAL PLAT AND CONSTRUCTION DRAWINGS – The final plan shall generally conform to the preliminary plan and shall incorporate all changes required by the Ross County Planning Commission.
 - a. Contents of Final Plan and Plat:
 - i. Construction drawings for all public and private improvements
 - ii. Final Stormwater, Sediment and Erosion Control Plans
 - b. Staff Review prior to Planning Commission Meeting
 - i. Official Filing Date begins
 - ii. Chillicothe Planning Commission staff involved if within three-miles of city limit.
 - c. Ross County Planning Commission: At the regularly scheduled meeting, the Planning Commission shall give its approval, its approval with conditions, or its disapproval of the plat in compliance with Division C of Section 711.10 of the Revised Code.
 - d. Final Plat Approval by Chillicothe Planning Commission (Developers responsible for submission to Chillicothe Planning Commission if within three mile limit)
 - e. Construct Improvements; or File a Surety Bond for 110% of construction cost
 - f. File 25% Maintenance Bond
 - g. Obtain signatures and certifications on final plat
 - h. Record Plat

SPECIAL PURPOSE
FLOOD DAMAGE REDUCTION
RESOLUTION #03-105
ROSS COUNTY, OHIO
UNINCORPORATED AREAS

SECTION 1.0: GENERAL PROVISIONS

1.1 Statutory Authorization

This resolution is adopted pursuant to authorization contained in Sections 307.37 and 307.85 of the Ohio Revised Code. This resolution adopts regulations for areas of special flood hazard that are necessary for participation in the National Flood Insurance Program. Therefore, the ROSS COUNTY BOARD of COMMISSIONERS, ROSS COUNTY, State of Ohio does resolve as follows:

1.2 Findings of Fact

ROSS COUNTY, OHIO has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, flood proofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted.

1.3 Statement of Purpose

It is the purpose of these regulations to promote the public health, safety and general welfare, and to;

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
- G. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
- H. Minimize the impact of development on adjacent properties within and near flood prone areas;
- I. Ensure that the flood storage and conveyance functions of the floodplain are maintained;

- J. Minimize the impact of development on the natural, beneficial values of the floodplain;
- K. Prevent floodplain uses that are either hazardous or environmentally incompatible; and
- L. Meet community participation requirements of the National Flood Insurance Program.

1.4 Methods of Reducing Flood Loss

In order to accomplish its purposes, these regulations include methods and provisions for;

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers, which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

1.5 Lands to Which These Regulations Apply

These regulations shall apply to all areas of special flood hazard within the jurisdiction of ROSS COUNTY, OHIO as identified in Section 1.6, including any additional areas of special flood hazard annexed by ROSS COUNTY, OHIO.

1.6 Basis for Establishing the Areas of Special Flood Hazard

For the purposes of these regulations, the following studies and/or maps are adopted;

- A. FLOOD INSURANCE STUDY and FLOOD INSURANCE RATE MAPS – ROSS COUNTY, OHIO and INCORPORATED AREAS – EFFECTIVE – APRIL 02, 2003
- B. Other studies and/or maps which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard include;
- C. Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio, which has been approved by ROSS COUNTY, OHIO as required by Section 4.3 Subdivisions and Large Scale Developments.
- D. Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the ROSS COUNTY Paint Street Complex, 15 NORTH PAINT STREET, CHILLICOTHE, ROSS COUNTY, OHIO.

1.7 Abrogation and Greater Restrictions

These regulations are not intended to repeal any existing resolutions including subdivision regulations, zoning or building codes. In the event of a conflict between these regulations and any other resolution, the more restrictive shall be followed. These regulations shall not intend to impair any deed restriction covenant or easement but the land subject to such interests shall also be governed by the regulations.

1.8 Interpretation

In the interpretation and application of these regulations, all provisions shall be;

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of these regulations may be in conflict with a state of Federal law, such state of Federal law shall take precedence over these regulations.

1.9 Warning and Disclaimer of Liability

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of ROSS COUNTY, OHIO any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made there under.

1.10 Severability

Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 2.0; DEFINITIONS

Unless specifically defined below, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application.

Accessory Structure

A structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.

Appeal

A request for review of the floodplain administrator's interpretation of any provision of these regulations or a request for a variance.

Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1% chance annual flood or one-hundred (100) year flood.

Base (100-Year) Flood Elevation (BFE)

The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In Zone AO areas, the base flood elevation is the natural grade elevation plus the depth number (from 1 to 3 feet).

Basement

Any area of the building having its floor sub grade (below ground level) on all sides.

CRITICAL DEVELOPMENT

Critical development is that which is critical to the community's public health and safety, are essential to the orderly functioning of a community, store or produce highly volatile, toxic or water – reactive materials, or house occupants that me be insufficiently mobile to avoid loss of life or injury. Critical development includes: Jails, Hospitals, Schools, Fire Stations, Nursing Homes, and Gas/Oil/Propane storage facilities.

Development

Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Enclosure Below the Lowest Floor

See "Lowest Floor".

Executive Order 11988 (Floodplain Management)

Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

Federal Emergency Management Agency (FEMA)

The agency with the overall responsibility for administering the National Flood Insurance Program.

Fill

A deposit of earth material placed by artificial means.

Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from;

1. The overflow of inland or tidal waves, and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM)

Usually the initial map, produced by the Federal Emergency Management Agency or US Department of Housing and Urban Development, for a community depicting approximate special flood hazard areas.

Flood Insurance Rate Map (FIRM)

An official map on which the Federal Emergency Management Agency or the US Department of Housing and Urban Development has delineated the areas of special flood hazard.

Flood Insurance Risk Zones

Zone designations on FHBMs and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions;

Zone A:

Special flood hazard areas inundated by the 100-year flood; base flood elevations are not determined.

Zones A1-30 and Zone AE:

Special flood hazard areas inundated by the 100-year flood; base flood elevations are determined.

Zone AO:

Special flood hazard areas inundated by the 100-year flood; with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths are determined.

Zone AH:

Special flood hazard areas inundated by the 100-year flood; flood depths of 1 to 3 feet (usually areas on ponding); base flood elevations are determined.

Zone A99:

Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a Federal flood protection system under construction; no base flood elevations are determined.

Zone B and Zone X (shaded):

Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than 1 foot or with contributing drainage area less than 1 square mile; and areas protected by levees from the base flood.

Zone C and Zone X (unshaded):

Areas determined to be outside the 500-year floodplain.

Flood Insurance Study (FIS)

The official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and the water surface elevations of the base flood.

Flood Protection Elevation

The Flood Protection Elevations, or FPE, is the base flood elevation plus (1) feet of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations, or base flood elevations determined and/or approved by the floodplain administrator.

Floodway

A floodway is 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 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.

Freeboard

A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

Historic structure

Any structure that is;

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
2. Certified or preliminary determined by the Secretary of the Interior as Contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
3. Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office.

Hydrologic and hydraulic engineering analysis

An analysis performed by a professional engineer, registered in the State of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

Letter of Map Change (LOMC)

A Letter of Map Change is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.

Letter of Map Amendment (LOMA)

A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.

Letter of Map Revision (LOMR)

A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.

Conditional Letter of Map Revision (CLOMR)

A formal review and comment by FEMA as to whether a proposed project complies with the minimum National Flood Insurance Program floodplain management criteria. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

Lowest Floor

The lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an “enclosure below the lowest floor” which is an unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosures below the lowest floor.

Manufactured home

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle”. For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 3733 of the Ohio Revised Code.

Manufactured home park

As specified in the Ohio Administrative Code 3701-27-01, a manufactured home park means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority.

National Flood Insurance Program(NFIP)

The NFIP is a Federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the Federal government will make flood insurance available within the community as a financial protection against flood loss.

New construction

Structures for which the “start of construction” commenced on or after the initial effective date of the ROSS COUNTY, OHIO Flood Insurance Rate Map, April 2, 1991 and includes any subsequent improvements to such structures.

Person

Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies. An agency is further defined in the Ohio Revised Code Section 111.15 as any governmental entity of

the state and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, state college or university, community college district, technical college district, or state community college. "Agency" does not include the general assemble, the controlling board, the adjutant general's department, or any court.

Recreational vehicle

A vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Registered Professional Architect

A person registered to engage in the practice of architecture under the provisions of sections 4703.01 to 4703.19 of the Revised Code.

Registered Professional Engineer

A person registered as a professional engineer under Chapter 4733 of the Revised Code.

Registered Professional Surveyor

A person registered as a professional surveyor under Chapter 4733 of the Revised Code.

Special Flood Hazard Area

Also known as "Areas of Special Flood Hazard", it is 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.

Start of construction

The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial

improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

Structure

A walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

Substantial Damage

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however include;

1. Any improvement to a structure which is considered "new construction",
2. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified prior to the application for a development permit by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
3. Any alteration of a "historic structure", provided that the alteration would not preclude the structure's continued designation as a "historic structure".

Variance

A grant of relief from the standards of these regulations consistent with the variance conditions herein.

Violation

The failure of a structure or other development to be fully compliant with these regulations.

SECTION 3.0; ADMINISTRATION**3.1 Designation of the Floodplain Administrator**

The ROSS COUNTY BUILDING DEPARTMENT ADMINISTRATOR or His or Her Designee is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.

3.2 Duties and Responsibilities of the Floodplain Administrator

The duties and responsibilities of the Floodplain Administrator shall include, but are not limited to:

- A. Evaluate applications for permits to develop in special flood hazard areas.
- B. Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.
- C. Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance.
- D. Inspect buildings and lands to determine whether any violations of these regulations have been committed.
- E. Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, variances, and records of enforcement actions taken for violations of these regulations.
- F. Enforce the provisions of these regulations.
- G. Provide information, testimony, or other evidence as needed during variance hearings.
- H. Coordinated map maintenance activities and FEMA follow-up.
- I. Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations.

3.3 Floodplain Development Permits

It shall be unlawful for any person to begin construction or other development activity including but not limited to filling, grading, construction, alteration, remodeling, or expanding any structure, or alteration of any watercourse wholly within, partially within or in contact with any identified special flood hazard area, as established in Section 1.6, until a floodplain development permit is obtained from the Floodplain Administrator. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of these regulations. No such permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.

3.4 Application Required

An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special

flood hazard area. Such application shall be made by the owner of the property or his/her authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the Floodplain Administrator may require an application for a floodplain development permit to determine the development's location. Such applications shall include, but not limited to:

- A. Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.
- B. Elevation of the existing, natural ground where structures are proposed.
- C. Elevation of the lowest floor including basement, of all proposed structures.
- D. Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.
- E. Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable;
 1. Flood proofing certification for non-residential flood proofed structure as required in Section 4.5
 2. Certification that fully enclosed areas below the lowest floor of a structure not meeting the design requirements of Section 4.4(E) are designed to automatically equalize hydrostatic flood forces.
 3. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section 4.9(C).
 4. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one foot in special flood hazard areas where the Federal Emergency Management Agency has provided base flood elevations but no floodway as required by Section 4.9(B).
 5. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Section 4.9(A).
 6. Generation of base flood elevation(s) for subdivision and large-scale developments as required by Section 4.3.
- F. A FLOODPLAIN DEVELOPMENT PERMIT APPLICATION FEE SET BY THE SCHEDULE OF FEES ADOPTED BY THE ROSS COUNTY COMMISSIONERS.

3.5 Review and Approval of a Floodplain Development Permit Application

A. Review

1. After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that the standards of these regulations have

been met. No floodplain development permit application shall be reviewed until all information required in Section 3.4 has been received by the Floodplain Administrator.

2. The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.

B. Approval

Within thirty (30) days after the receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If an application is approved, a floodplain development permit shall be issued. All floodplain development permits shall be conditional upon the commencement of work within one (1) year. A floodplain development permit shall expire one (1) year after the issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.

3.6 Inspections

The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.

3.7 Post-Construction Certifications Required

The following as-built certifications are required after a floodplain development permit has been issued:

- A. For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a *Federal Emergency Management Agency Elevation Certificate* completed by a registered surveyor to record as-built elevation data. For elevated structures in Zone A or Zone AO areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner's representative.
- B. For all development activities subject to the standards of Section 3.10(A), a Letter of Map Revision.

3.8 Revoking a Floodplain Development Permit

A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to the Variance Board in accordance with Section 5 of these regulations.

3.9 Exemption from Filing a Development Permit

An application for a floodplain development permit shall not be required for:

- A. Maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$5,000.
- B. Development activities in an existing or proposed manufactured home park. Such activities are under the authority of the Ohio Department of Health and subject to the flood damage reduction provisions of the Ohio Administrative Code, Section 3701.
- C. Major utility facilities permitted by the Ohio Power Siting Board under Section 4906 of the Ohio Revised Code.
- D. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Section 3734 of the Ohio Revised Code.
- E. Development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988 – Floodplain Management.

Any proposed action exempt from filing for a floodplain development permit is also exempt from the standards of these regulations.

3.10 Map Maintenance Activities

To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that ROSS COUNTY, OHIO flood maps, studies and other data identified in Section 1.6 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

A. Requirement to Submit New Technical Data

1. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:
 - a. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
 - b. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
 - c. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
 - d. Subdivision or large-scale development proposals requiring the establishment of base flood elevations in accordance with Section 4.3.
2. It is the responsibility of the applicant to have technical data, required in accordance with Section 3.10(A), prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.

3. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
 - a. Proposed floodway encroachments that increase the base flood elevation; and
 - b. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.
4. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 3.10(A)(1).

B. Right to Submit New Technical Data

The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevation, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the COMMISSIONERS of ROSS COUNTY, OHIO and may be submitted at any time.

C. Annexation/Detachment

Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of ROSS COUNTY, OHIO have been modified by annexation or the community has assumed authority over an area, or no longer has authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the ROSS COUNTY, OHIO Flood Insurance Rate Map accurately represent the ROSS COUNTY, OHIO boundaries, include within such notification a copy of a map of ROSS COUNTY, OHIO suitable for reproduction, clearly showing the new corporate limits or the new area for which ROSS COUNTY, OHIO has assumed or relinquished floodplain management regulatory authority.

3.11 Data Use and Flood Map Interpretation

The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard;

- A. In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.
- B. Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Floodplain Administrator.

- C. When Preliminary Flood Insurance Rate Maps and/or Flood Insurance Study have been provided by FEMA;
1. Upon the issuance of a Letter of Final Determination by the FEMA, the preliminary flood hazard data shall be used and replace all previously existing flood hazard data provided from FEMA for the purposes of administering these regulations.
 2. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall only be required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in existing flood hazard data provided from FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.
- D. The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 5.0, Appeals and Variances.
- E. Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations or flood protection elevations (as found on an elevation profile, floodway data table, established high water marks, etc.) shall prevail.

3.12 Substantial Damage Determinations

Damages to structures may result from a variety of causes including flood, tornado, wind, heavy snow, fire, etc. After such a damage event, the Floodplain Administrator shall;

- A. Determine whether damaged structures are located in special flood hazard areas;
- B. Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
- C. Make reasonable attempt to notify owners of substantially damaged structures of the need to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction.

Additionally, the Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with Increased Cost of Compliance insurance claims.

SECTION 4.0; USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION

The following use and development standards apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Section 1.6 or 3.11(A);

4.1 Use Regulations**A. Permitted Uses**

All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by ROSS COUNTY, OHIO are allowed provided they meet the provisions of these regulations.

B. Prohibited Uses

1. Private water supply systems in all special flood hazard areas identified by FEMA, permitted under Section 3701 of the Ohio Revised Code.
2. Infectious waste treatment facilities in all special flood hazard areas, permitted under Section 3734 of the Ohio Revised Code.
3. Critical Development in all special flood hazard areas.

4.2 Water and Wastewater Systems

The following standards apply to all water supply, sanitary sewerage and waste disposal systems not otherwise regulated by the Ohio Revised Code;

- A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;
- B. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- C. On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.

4.3 Subdivisions and Large Developments

- A. All subdivision proposals shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
- D. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.

- E. The applicant shall meet the requirement to submit technical data to FEMA in Section 3.10(A)(1)(d) when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 4.3(D).

4.4 Residential Structures

- A. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring (4.4(A)) and construction materials resistant to flood damage (4.4(B)) are satisfied.
- B. New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.
- C. New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- D. New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. Where flood protection data are not available the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent grade.
- E. New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings sufficient to allow unimpeded movement of flood waters may have an enclosure below the lowest floor provided the enclosure meets the following standards:
 - 1. Be used only for the parking of vehicles, building access, or storage; and
 - 2. Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
 - 3. Have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- F. Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- G. Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a

historic structure and is the minimum necessary to preserve the historic character and design of the structure shall be exempt from the development standards of Section 4.4.

4.5 Nonresidential Structures

- A. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of Section 4.4 (A) – (C) and (E) – (G).
- B. New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation or, together with attendant utility and sanitary facilities, shall meet all of the following standards:
 - 1. Be dry flood proofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
 - 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
 - 3. Be certified by a registered professional engineer or architect, through the use of a *Federal Emergency Management Flood proofing Certificate*, that the design and methods of construction are in accordance with Section 4.5(B)(1) and (2).

4.6 Accessory Structures

Relief to the elevation or dry flood proofing standards may be granted for accessory structures containing no more than 600 square feet. Such structures must meet the following standards:

- A. They shall not be used for human habitation;
- B. They shall be constructed of flood resistant materials;
- C. They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
- D. They shall be firmly anchored to prevent flotation;
- E. Service facilities such as electrical and heating equipment shall be elevated or flood proofed to or above the level of the flood protection elevation; and
- F. They shall meet the opening requirements of Section 4.4(E)(3);

4.7 Recreational Vehicles

Recreational vehicles must meet at least one of the following standards:

- G. They shall not be located on sites in special flood hazard areas for more than 180 days, or
- H. They must be fully licensed and ready for highway use, or
- I. They must meet all standards of Section 4.4.

4.8 Above Ground Gas or Liquid Storage Tanks

All above ground gas or liquid storage tanks, not otherwise prohibited by these regulations, shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.

4.9 Assurance of Flood Carrying Capacity

Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized;

A. Development in Floodways

1. In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
2. Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant;
 - a. Meet the requirements to submit technical data in Section 3.10(A);
 - b. An evaluation of alternatives which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
 - c. Certification that no structures are located in areas which would be impacted by the increased base flood elevation;
 - d. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
 - e. Concurrence of the ROSS COUNTY COMMISSIONERS of ROSS COUNTY, OHIO and the Chief Executive Officer of any other communities impacted by the proposed actions.

B. Development in Riverine Areas with Base Flood Elevations but No Floodways

1. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than 1.0 (one) foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or,
2. Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant;

- a. An evaluation of alternatives which would result in an increase of one foot or less of the base flood elevation and an explanation why these alternatives are not feasible;
- b. Section 4.9(A), items (a) and (c)-(e).

C. Alterations of a Watercourse

For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the "bank full stage." The field determination of "bank full stage" shall be based on methods presented in Chapter 7 of the *USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites; An Illustrated Guide to Field Technique* or other applicable publication available from a Federal, State, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply;

1. The bank full flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bank full flood carrying capacity of the watercourse will not be diminished.
2. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.
3. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with ROSS COUNTY, OHIO specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.
4. The applicant shall meet the requirements to submit technical data in Section 3.10(A)(1)(c) when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.

SECTION 4.10 FILL

The following standards apply to all fill activities in the special flood hazard areas;

- A. Fill sites, upon which structures will be constructed or placed, must be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test method or an acceptable equivalent method,
- B. Fill slopes shall not be steeper than one foot vertical to two feet horizontal,
- C. Fill in the Floodway is Prohibited,
- D. Fill shall be composed of clean granular or earthen material.

SECTION 5.0; APPEALS AND VARIANCES**5.1 Appeals Board Established**

- A. The ROSS COUNTY COMMISSIONERS shall appoint an Appeals Board consisting of 3 or more board members. The members shall serve 3-year terms after which time they shall be reappointed or replaced by the ROSS COUNTY COMMISSIONERS. Each member shall serve until his/her successor is appointed.
- B. A chairperson shall be elected by the members of the Appeals Board. Meetings of the Appeals Board shall be held as needed and shall be held at the call of the Chairperson, or in his absence, the Acting Chairperson. All meetings of the Appeals Board shall be open to the public except that the Board may deliberate in executive sessions as part of quasi-judicial hearings in accordance with law. The Appeals Board shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of all official actions. Records of the Appeals Board shall be kept and filed in the ROSS COUNTY BUILDING DEPARTMENT.

5.2 Powers and Duties

- A. The Appeals Board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Floodplain Administrator in the administration or enforcement of these regulations.
- B. Authorize variances in accordance with Section 5.4 of these regulations.

5.3 Appeals

Any person affected by any notice and order, or other official action of the Floodplain Administrator may request and shall be granted a hearing on the matter before the Appeals Board provided that such person shall file, within 10 days of the date of such notice and order, or other official action, a brief statement of the grounds for such hearing or for the mitigation of any item appearing on any order of the Floodplain Administrator's decision. Such appeal shall be in writing, signed by the applicant, and be filed with the Floodplain Administrator. Upon receipt of the appeal, the Floodplain Administrator shall transmit said notice and all pertinent information on which the Floodplain Administrator's decision was made to the Appeals Board.

Upon receipt of the notice of appeal, the Appeals Board shall fix a reasonable time for the appeal, give notice in writing to parties in interest, and decide the appeal within a reasonable time after it is submitted.

5.4 Variances

Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance. The Appeals Board shall have the power to authorize, in specific cases, such variances from the standards of these regulations, not inconsistent with Federal regulations, as will not be contrary to the public interest where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship.

A. Application for a Variance

1. Any owner, or agent thereof, of property for which a variance is sought shall make an application for a variance by filing it with the Floodplain Administrator, who upon receipt of the variance shall transmit it to the Appeals Board.
2. Such application at a minimum shall contain the following information; Name, address, and telephone number of the applicant; legal description of the property; parcel map; description of the existing use; description of the proposed use; location of the floodplain; description of the variance sought; and reason for the variance request.

B. Notice for Public Hearing

The Appeals Board shall schedule and hold a public hearing within thirty (30) days after the receipt of an application for a variance from the Floodplain Administrator. Prior to the hearing, a notice of such hearing shall be given in one (1) or more newspapers of general circulation in the community at least ten (10) days before the date of the hearing.

C. Public Hearing

At such hearing the applicant shall present such statements and evidence, as the Appeals Board requires. In considering such variance applications, the Appeals Board shall consider and make findings of fact on all evaluations, all relevant factors, standards specified in other sections of these regulations and the following factors:

1. The danger that materials may be swept onto other lands to the injury of others.
2. The danger to life and property due to flooding or erosion damage.
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
4. The importance of the services provided by the proposed facility to the community.
5. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
6. The necessity to the facility of a waterfront location, where applicable.
7. The compatibility of the proposed use with existing and anticipated development.
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Variations shall only be issued upon:

1. A showing of good and sufficient cause.
2. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations do not constitute an exceptional hardship to the applicant.
3. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.
4. A determination that the structure or other development is protected by methods to minimize flood damages.
5. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Upon consideration of the above factors and the purposes of these regulations, the Appeals Board may attach such conditions to the granting of variances, as it deems necessary to further the purposes of these regulations.

D. Other Conditions for Variances

1. Variations shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
2. Generally, variations may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in Section 5.4(C)(1) to (11) have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
3. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

5.5 Procedure at Hearings

1. All testimony shall be given under oath.
2. A complete record of the proceedings shall be kept, except confidential deliberations of the Board, but including all documents presented and a verbatim record of the testimony of all witnesses.
3. The applicant shall proceed first to present evidence and testimony in support of the appeal or variance.
4. The administrator may present evidence or testimony in opposition to the appeal or variance.
5. All witnesses shall be subject to cross-examination by the adverse party or their counsel.

6. Evidence that is not admitted may be proffered and shall become part of the record for appeal.
7. The Board shall issue subpoenas upon written request for the attendance of witnesses. A reasonable deposit to cover the cost of issuance and service shall be collected in advance.
8. The Board shall prepare conclusions of fact supporting its decision. The decision may be announced at the conclusion of the hearing and thereafter issued in writing or the decision may be issued in writing within a reasonable time after the hearing.

5.6 Appeals to the Court

Those aggrieved by the decision of the Appeals Board may appeal such decision to the ROSS Court of Common Pleas, as provided in Chapter 2506 of the Ohio Revised Code.

SECTION 6.0; ENFORCEMENT

6.1 Compliance Required

- A. No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of these regulations and all other applicable regulations which apply to uses within the jurisdiction of these regulations, unless specifically exempted from filing for a development permit as stated in Section 3.9.
- B. Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Section 6.3.
- C. Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Section 6.3.

6.2 Notice of Violation

Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, he shall give notice of such violation to the person responsible therefore and order compliance with these regulations as hereinafter provided. Such notice and order shall;

- A. Be put in writing on an appropriate form;
- B. Include a list of violations, referring to the section or sections of these regulations that have been violated, and order remedial action which, if taken, will effect compliance with the provisions of these regulations;
- C. Specify a reasonable time for performance;
- D. Advise the owner, operator, or occupant of the right to appeal;
- E. Be served on the owner, occupant, or agent in person. However, this notice and order shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person's last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the dwelling affected.

6.3 Violations and Penalties

Violation of the provisions of these regulations, or failure to comply with any of its requirements or lawful orders issued pursuant thereto, shall be deemed to be a strict liability offense. Any person who violates these regulations, or fails to comply with any of its requirements or lawful orders issued pursuant thereto, shall upon conviction thereof, be fined not more than \$300.00 and, in addition, shall pay all cost costs and expenses involved in the case as provided by the laws of Ross County. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Ross County from taking such other lawful action as is necessary to prevent or remedy any violation. Ross County shall prosecute any violation of these regulations in accordance with the penalties stated herein.

SECTION 7.0; ADOPTION

This Resolution shall take effect on the thirty-first day following the date of its adoption. Resolution [RESOLUTION NUMBER] adopted on [ADOPTION DATE] is hereby repealed.

Adopted by the Board of County Commissioners on this [DAY] day of [MONTH], [YEAR].

Roll Call Vote:

Attest:

CERTIFICATION OF PUBLIC NOTICES (COUNTIES)

In accordance with the Ohio Revised Code, Section 307.37 and 307.39, public hearings were held on the [FIRST HEARING DATE] and [SECOND HEARING DATE] at regular meetings of the Board of County Commissioners. Notice of these hearings was published once a week for two weeks immediately preceding the hearings in the [NEWSPAPER NAME] on [DATES OF PUBLICATION]. A notice of adoption and availability was published within ten days after adoption in the [NEWSPAPER NAME] on [DATE OF PUBLICATION].

CERTIFIED BY; _____
(Name, Title)

DATE; _____

8/1/2016

TRANSFER AND CONVEYANCE STANDARDS

TRANSFER AND CONVEYANCE STANDARDS
OF THE ROSS COUNTY AUDITOR
AND THE ROSS COUNTY ENGINEER
ADOPTED PURSUANT TO OHIO REVISED CODE SECTION 319.203

EFFECTIVE JUNE 2, 1997

In addition to the requirements as set forth in the Ross County Land Conveyance Standards as adopted under Ohio Revised Code 319.203, all new metes and bounds descriptions, and all requirements for plats of survey must incorporate the principles and minimum standards of good surveying, engineering, and draftsmanship as defined and amended by Administrative Code Chapter 4733-37 pursuant to Chapter 119 of the Revised Code and the State Board of Registration for Professional Engineers and Surveyors of the State of Ohio.

Charles R. Ortman
Ross County Engineer

Tom Spetnagel Jr.
Ross County Auditor

PROCEDURE FOR SUBMITTAL OF LEGAL DESCRIPTIONS/CONVEYANCES
OF REAL PROPERTY FOR REVIEW BY COUNTY ENGINEER & COUNTY AUDITOR

I. General And Specific Requirements For All Documents of Transfer

A. Pre-Approval

1. It is recommended and preferred that all applicable descriptions be verified or "pre-approved" by the map office no less than two working days prior to transfer.
2. Descriptions in land contracts shall be presented for approval to avoid potential problems when the contract is satisfied and a deed is made.

B. New Descriptions

1. All new pre-approved descriptions for property under five acres will need Board of Health and Planning Commission approval prior to transfer. This includes land contracts.
2. If the description is a new split within a village/city jurisdiction, and if required to do so, it will need village/city approval prior to submission to the map office for transfer.

C. Existing Descriptions

1. All existing descriptions, including land contracts, are recommended to be reviewed and checked prior to transfer.

D. Parcel Identification Numbers

1. The document of transfer shall include the parcel identification number(s) of the land and the current site address of the property, if any.

E. Measurement

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1. All measurements will be documented in the Old English (U.S. Foot) System. Because of ODOT requirements, metric measurement may also be included, when applicable.

F. All corrective deeds shall explain the corrective action being taken in the deed.

G. All documents transferring an interest in real property that are subject to O.R.C. 319.20, including all court orders and certificates of transfer, shall contain all of the following:

1. Reference to Prior Instrument of Record.

A reference to the volume and page of the record of the next preceding recorded instrument by or through which the grantor claims title as required by O.R.C. 319.20.

2. Tax Mailing Address of Grantee.

A statement of the complete tax mailing address of the grantee or any one of the grantees, as required by O.R.C. 319.20.

3. Identification of Interest Conveyed.

The grantor shall inform the County Auditor in writing whether the grantor is conveying less than the grantor's current interest in the land.

4. Instruments to Conform to Law.

All deeds and other instruments transferring an interest in Real Property shall conform to the laws of Ohio or to the law of the place where the instruments were executed.

5. Document of Transfer Shall Include Parcel Number and Address.

The document of transfer shall include the County Auditor's parcel number(s) of the land and the current site address of the property, if any.

6. Conveyance Forms.

No instruments will be transferred unless accompanied by a properly completed DTE 100 or DTE 100EX conveyance form and DTE 101 and DTE 102, when applicable.

7. Original Required.

The document of transfer must have the original signature of the grantor or affiant. In most cases, a copy of a court order will be accepted, but the copy must bear the signature of a judge and show on its face that it has been filed with the clerk of court or be a certified copy from the clerk of courts.

H. Special Transfers

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1. Transfer by Affidavit of Survivorship Interest shall be made pursuant to O.R.C. 5302.17, as amended from time to time, upon certificate of transfer or upon affidavit and certified copy of a death certificate of the deceased joint tenant.

2. A transfer under the law of descent and distribution, when no administration of the estate of the decedent is had in the probate court, shall be made pursuant to affidavit under O.R.C. 317.22. The affidavit required by this division shall be accompanied by a certified copy of the death certificate of the decedent, or by some other official acknowledgment adequately evidencing the death of the decedent.

II. Requirements for All Recorded Lots of Record.

A. All instruments conveying a recorded lot in a municipality or recorded subdivision must designate the current lot number(s), the Plat Book and Page Number, the prior recorded deed reference, the parcel identification number(s), and the street address. It is required that the official recorded name of the addition or subdivision be listed, when applicable.

B. Any split or portion of a recorded lot must have an accurate metes and bounds or acceptable and identifiable description to establish a tax structure for the portion being conveyed and to determine the residue or balance left. This will enable the County Auditor and the County Engineer's Map Office to determine an accurate tax parcel delineation based on current tax maps.

C. Any area being conveyed in what is commonly known as an "unrecorded plat" must have a metes and bounds description.

III. Requirements for All Existing metes and Bounds Descriptions of Record.

A. All existing metes and bounds descriptions of record, which do not create or alter the current tax structure of a parcel will be checked by the map office to verify and identify to the County Auditor the tax parcel to be conveyed.

B. All existing metes and bounds descriptions of record must be described verbatim as witnessed by the instrument of previous record and transfer. The correction of scrivener errors, omissions or other obvious mistakes are permitted in order to make the description more accurate.

C. All conveyances will list the parcel identification number for all tracts.

D. Any existing metes and bounds description, since the previous conveyance, that has been incorporated into a municipality or other political subdivision by means of annexation must be changed to reflect its new jurisdiction.

E. All instruments of conveyance attempting to convey the remainder or balance of an existing tax parcel(s) from which out-lots or exceptions to title must incorporate the following requirements:

1. Each out-lot or exception to title of the original tract shall recite the names of the grantor and grantee and the volume and

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page of such exception with the total acreage excepted as shown in the Recorder's Office.

2. All instruments of conveyance, using exceptions to title to convey the residue of a tax parcel(s) shall incorporate a statement identifying the tax parcel(s) and the current taxable area as witnessed by the County Auditor's tax duplicate and the County Engineer's Map Office for the subject conveyance (i.e., It is the Intent of this instrument to convey all of tax parcel(s) number, containing acreage or footage, as shown by the Ross County Auditor's and Ross County Engineer's records).

3. A maximum of five exceptions shall be permitted in order to transfer the residual of the parent tract. More than five exceptions will require the parent tract to be surveyed in order to be transferred.

F. All metes and bounds descriptions must contain all of the information pertaining to the description that will be used on the legal instrument form when checked by the Map Office for pre-transfer verification.

IV. Requirements of New Metes and Bounds Descriptions for Conveyance.

All new metes and bounds descriptions prepared by a registered surveyor must incorporate the following:

A. Situate

1. Must denote state, county, township, municipality. It must also denote range, section, and quarter section where applicable or VMS number(s) when applicable and possible.
2. Must denote recorded title and deed reference as to the tract(s) of origin.

B. Starting Point

1. Deed descriptions referring to acreage in unplatted areas will be described by metes and bounds, adequately tied by metes and bounds, and referenced to a point identifiable on a map, such as the following:

- a. Quarter township corner, section or quarter section corner, partition lot corner or nearby recorded

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subdivision
corner.

b. Previously
recorded
surveys of
monumented
tie-downs that
meet current
transfer
requirements.

c. When none
of the above
resources can
be located,
Intersection of
two roads
listed on the
current
Inventory of
county,
township or
state roads.

d. Adequate
tie-in to any of
the above
points of
reference
must be
given. The
bearing and
distance from
appropriate
point shall be
used for
reference.

C. Courses

1. It is preferred for clarity that each course of a new metes and bounds description be a separate paragraph and all courses must be stated in a clockwise direction from the point of beginning to the point of termination for the subject description.

2. Each course of a new metes and bounds description will contain a bearing expressed in degrees, minutes, and seconds, and a distance recited in feet and decimal parts thereof, from point of origination to a point of termination of each course.

3. The basis of the bearings will be given in a statement similar to the following: "This bearing is based on the centerline bearing of both road name and/or number and all other bearings are from angles and distances measured in the field."

4. Each course must recite all monumentation either placed or found,

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along each course or at the point of origination and/or termination of each course. This recitation will include type, size, and material of each monument.

5. Every boundary monument and/or reference monument set by a surveyor shall be in accordance with the State of Ohio Administrative Code Chapter 4733-37 of the Minimum Standards for Boundary Surveys in the State of Ohio.

6. Each course must show all common lines such as the centerline of roads, rivers, streams, etc., as it exists at the time of the new description.

D. Curves

1. Any course of a new metes and bounds description which is a curve must contain the direction of the curve (right or left), the radius (in feet and decimal parts thereof) and the long chord bearing and distance (in feet and decimal parts thereof) and arc distance where applicable of the same.

E. References

1. All references to roads, rivers, streams, etc., must use current or existing numbers or names of record. Old or original names may also be mentioned if they would add clarity.

F. Acreage

1. All new metes and bounds descriptions must give the acreage calculated to at least the second decimal place. Total calculated square footage may also be mentioned as a matter of option.

2. Whenever a new metes and bounds description encompasses two or more taxing districts, or two or more parcels, a breakdown of the total area within a given district or parcel must be recited to create an accurate tax structure.

G. Surveyor

1. All new metes and bounds descriptions are required to be prepared by a registered surveyor and must incorporate the following:

a. Printed surveyor's name and address;

b. Ohio registration

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number and
seal;

c. The date of
writing and/or
survey; and

d. A
statement
indicating
whether the
subject
description
was prepared
from an actual
field survey
and existing
records
similar to the
following:
"The above
description is
based on a
field survey
performed by

on
month/day/year."

H. Prior Deed References

1. The most recent deed reference(s) from which the grantor of the conveyance acquired title must be recited.

I. Computer Verification

1. All new metes and bounds descriptions will be subject to computer verification by Map Office personnel. The maximum allowable traverse closure will be in accordance with the State of Ohio Administrative Code Chapter 4733-37-04.

J. Approval

1. All legal instrument containing new metes and bounds descriptions, which meet all of the aforementioned requirements will be stamped by Map Office personnel. Proper notations will be made on the instrument of conveyance verifying a correct tax structure to the County Auditor.

K. Ambiguous Content

1. Whenever the descriptive content of any legal instrument of conveyance is determined to be unclear, the County will require a statement of intent and/or nature to be incorporated as part of the instrument, to clarify the parcel(s) to be conveyed.

L. Surveyor's Signature and Seal

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1. All new metes and bounds descriptions prepared by a registered surveyor must be accompanied by a signed and sealed plat of the survey.

2. The description and plat, both with original signature and seal are to be filed with the Map Office for verification prior to transfer.

M. Railroads

1. Any transfer of railroad property shall be referenced to the annual report filed with the Ohio Department of Taxation, Public Utilities Section. This report is known as Section A and/or Section B - Appraisal of Real Estate. This will allow the County Auditor to determine which parcel reported to the State by the railroad is being affected by the transfer.

2. Any transfer of railroad property that is not the same parcel as originally acquired by the railroad requires a new survey of the tract to be transferred and will be handled as a new split.

N. Alley Vacations

1. The portion of an alley that has been vacated to a contiguous lot of record must have a metes and bounds survey prior to transfer of ownership by deed or other legal instrument.

V. Requirements for Plats of Survey

A. A registered surveyor will prepare a scale drawing of every new metes and bounds description he or she originated and make available a copy of the drawing and the description to be filed with the Map Office.

B. All plat drawings must incorporate the following details:

1. A title, such that the general location of the subject can be readily identifiable. (This requirement should include the same information as established by Section 1, Items A and B of the Requirements of New Metes and Bounds Descriptions for Conveyance.)

2. A north arrow with a clear statement as to the basis of the reference – Direction Used.

3. The control station(s) or starting point reference as cited in the deed description.

4. All monumentation either found or placed, as cited by the metes and bounds description, together with a legend of the symbols used to identify the subject monumentation showing the material and size for each. If all monuments are

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Identified individually, no legend will be required.

5. All existing title and the source of the title of adjoining owners along each boundary line of the subject survey along with the acreage or lot number(s) of the adjacent tracts.

6. All boundary information for each course as established by the "Requirements of New Metes and Bounds Descriptions for Conveyance" Section 3, Items A through F and Section 4, Item A.

7. A citation of pertinent documents and sources of data used as a basis for carrying out the work.

8. The scale of the subject drawing.

9. A location map.

10. The surveyor's printed and signed name (optional signature), Ohio Registration Number, original stamp or seal.

11. A plat of the survey on 8-1/2" x 14" paper shall be submitted with the deed and recorded. When the size of the plat makes it impractical to reduce the plat for recording, a note shall be added to the description that the plat is on file in the County Engineer's Map Office survey files.