



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON SEPTEMBER 27, 2022

CLERMONT COUNTY SUBDIVISION REGULATIONS DISTRIBUTION & OVERVIEW

PURPOSE:

To distribute the 2022 Draft Clermont County Subdivision Regulations.

OVERVIEW:

On October 21, 2015, the Board of County Commissioners appointed the Clermont County Subdivision Regulations Advisory Committee to provide the Board of County Commissioners and Clermont County Planning Commission with any relevant information related to the updating of the Clermont County Subdivision Regulations previously ratified by the Board of County Commissioners on October 1, 2015.

The following are the modified “Articles and Sections” to the Clermont County Subdivision Regulations:

- **Article II: Definitions**
 - *Overhaul of relevant definitions*
- **Article III: Process for Subdivisions**
 - *Revisions to the Approval of Major Subdivision & Minor Subdivisions Processes*
- **Article IV: Required Submission Documents**
 - *Modifications to Table 4.1 Concept Plan Requirements*
 - *Modifications to Table 4.2 Design Plan Requirements*
 - *Modifications to Table 4.3 Construction Plan Requirements*
 - *Modifications to Table 4.4 Record Plat Requirements*
 - *Modifications to Table 4.5 Minor Subdivision Requirements*
 - *Modifications to Table 4.6 Five Acre Plus Subdivision Requirements*
- **Article V: Residential Lots Less Than Five Acres Subdivision Design Standards**
 - *Modifications to this Article are designed to help clarify the responsibilities bestowed upon the developer, engineer, Homeowners Associations, and Lot Owner or Public entity.*
- **Article VI: Design Standards For Commercial And Industrial Subdivisions**
 - *Modifications to this Article are designed to help clarify the responsibilities bestowed upon the developer, engineer, Homeowners Associations, and Lot Owner or Public entity.*

- **Article VII: Requirements For Special Developments**
 - *Modifications to this Article are designed to help clarify the different Design Standards for “Special Development Types” along with defining responsibilities bestowed upon the developer, engineer, Homeowners Associations, and Lot Owner or Public entity.*
- **Article VIII: Requirements For Construction Of Improvements**
 - *Minor Modifications to this Article.*

RECOMMENDATION:

The Clermont County Planning Commission requires no action.

Clermont County Subdivision Regulations

A RESOLUTION

A RESOLUTION OF THE COUNTY OF CLERMONT, OHIO, ENACTED IN ACCORDANCE WITH CHAPTER 711, OHIO REVISED CODE, AND FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE; AND REGULATING THE SUBDIVISION AND DEVELOPMENT OF LAND; PROMOTING THE PROPER ARRANGEMENT OF STREETS AND LAYOUT OF LOTS; PROVIDING FOR ADEQUATE AND CONVENIENT PROVISION OF OPEN SPACES, UTILITIES, RECREATION AND ACCESS TO SERVICE AND EMERGENCY VEHICLES; PROVIDING FOR ADEQUATE PROVISION OF WATER, DRAINAGE, STORM SANITARY SEWER AND OTHER PUBLIC INFRASTRUCTURE FACILITIES; PROVIDING FOR THE ADMINISTRATION OF THESE REGULATIONS AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTRATIVE OFFICERS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS RESOLUTION OR ANY AMENDMENT THERETO; AND FOR THE REPEAL THEREOF.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CLERMONT, STATE OF OHIO:

ARTICLE I:

TITLE, SCOPE, AND JURISDICTION

SECTION 101 TITLE

These regulations shall be known and may be cited and referred to as the "Subdivision Regulations for Clermont County, Ohio," and shall hereinafter be referred to as "these regulations."

SECTION 102 PURPOSE

The foregoing rules and regulations are adopted for the following purposes.

1. To ensure sound, harmonious subdivision development and county growth that will become a permanent county asset by establishing minimum standards for subdivision design and construction.
2. To secure and provide for the proper arrangement of streets or highways in relation to existing or planned streets or highways, and to the Thoroughfare Plan.
3. To secure and provide adequate and convenient open spaces, vehicular and pedestrian circulation, utilities, and recreation.
4. To provide for the avoidance of congestion of traffic.
5. To provide common grounds of understanding and a sound working relationship between the county and the developer and to safeguard the interests of the homeowner, the applicant and the county and its citizens.
6. To cause the cost of design and the installation of improvements in newly platted subdivisions to be borne by the developer or applicant rather than by any direct or indirect burden upon existing property owners beyond the limits of the subdivision for the improvements servicing their property.
7. To coordinate new subdivision design with the design of the county as a whole based on an orderly sequence of interrelated subdivisions forming communities.
8. To protect the rights of the public with respect to public lands and waters.
9. To provide for the accurate surveying of land, preparing and recording of plats and the equitable handling of all subdivision plats by providing uniform approval procedures for observance by both the approving authority and applicants.

SECTION 103 AUTHORITY

Section 711.001 of the Ohio Revised Code enables the Board of County Commissioners and the County Planning Commission to adopt regulations governing plats and subdivisions of land within the unincorporated portion of a county. The County Planning Commission is authorized to adopt rules and regulations governing plats and subdivisions and to conditionally approve or disapprove plats or subdivisions of land falling within its jurisdiction.

SECTION 104 ADMINISTRATION

These regulations shall be administered by the County Planning Commission.

SECTION 105 JURISDICTION

These regulations shall be applicable to all plats and all subdivisions of land within the unincorporated area of Clermont County and pursuant to these regulations, the County Planning Commission shall have the power of final approval of all plats and all subdivisions within such territory provided, pursuant to Section 711.10 of the Ohio Revised Code, as cited below:

§ 711.10. Platting in unincorporated territory; county or regional planning commission to adopt rules.

Whenever a county planning commission or a regional planning commission adopts a plan for the major streets or highways of the county or region, no plat of a subdivision of land within the county or region, other than land within a municipal corporation or land within three miles of a city or one and one-half miles of a village as provided in Section 711.09 of the Ohio Revised Code, shall be recorded until it is approved by the county or regional planning commission and the approval is endorsed in writing on the plat. Within five days after the submission of a plat for approval, the county or regional planning commission shall schedule a meeting to consider the plat and send a notice by regular mail or by electronic mail to the clerk of the board of township trustees of the township in which the plat is located. The notice shall inform the trustees of the submission of the plat and of the date, time, and location of any meeting at which the county or regional planning commission will consider or act upon the plat. The meeting shall take place within thirty days after submission of the plat, and no meeting shall be held until at least seven days have passed from the date the notice was sent by the planning commission.

SECTION 106 GENERAL PROVISIONS

Wherever any subdivision of land hereafter be laid out, the applicant or his agent shall apply for and receive approval on drawings and plans and/or any other such information as required by these regulations before any record plat may be given final approval. Said plats and plans of proposed improvements, and all procedures relating thereto, shall in all respects be in full compliance with these regulations.

Developers are cautioned that the Planning Commission and its staff, in reviewing the Subdivision Plans, shall not be bound by the modifications to the property in question or the location or construction of infrastructure, storm water utility provisions, or any other modification in the review of the subdivision plans. Until formal subdivision plans are finally approved, such approval may require removal, relocation, or alteration of such facilities or structures and restoration of the premises at the developer's expense and may result in delay of Record Plat Approval.

In addition to compliance with these regulations, all plats and all subdivisions and every act of platting or subdividing shall be in strict compliance with all provisions and requirements set forth in Sections 711.001 to 711.40 inclusive of the Ohio Revised Code.

SECTION 107 RELATION TO OTHER LAWS

The provisions of these regulations shall be interpreted in conformity with all laws of the State of Ohio, resolutions of the County or any and all rules and regulations enacted by authority of such law or resolutions relating to the purpose and scope of these regulations. Whenever the interpretation of these regulations differ with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions of appropriate jurisdiction, the more restrictive regulation or that imposing the higher standard shall govern.

SECTION 108 PLANNED UNIT DEVELOPMENTS ENCOURAGED

The planned unit development and approach to development is greatly encouraged. These regulations may be amended in accordance with the provisions of Section 109 of Article I by the degree necessary to accomplish the objectives and standards required for the planned development of residential, commercial, or industrial subdivisions, or a mixture thereof, in accordance with the governing zoning resolution. Nothing within this section, however, shall exempt the developer from the requirements of subdivision plat approval as specified in Articles III and IV of these regulations.

SECTION 109 AMENDMENT

The County Planning Commission may, on its own motion and after public hearing, amend, supplement, or change these regulations. Notice shall be given of the time and place of such public hearing by publication in at least one newspaper of general circulation published in Clermont County, Ohio, thirty (30) days prior to holding of said hearing. The amendment or amendments shall be filed in the office of the Commission for public examination during said thirty (30) days. However, no amendment, supplement or change made to these regulations shall become effective until such amendment or amendments have been adopted by the County Board of Commissioners after public hearing.

SECTION 110 SEVERABILITY

If ever a provision of this resolution is held to be prohibited by or invalid under applicable law by a court of competent jurisdiction, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provisions of this resolution and the resolution shall be interpreted as if the invalid or prohibited provision was never incorporated into the document.

SECTION 111 DISCLAIMER OF LIABILITY

The County shall not be responsible for maintaining any subdivision improvements until such time as such improvements have been accepted by the County. Prior to such date, the County shall not be responsible for any suits, actions or claims of any character brought on account of any injuries or damage sustained by any person or property in connection with such subdivision improvements.

**ARTICLE II:
DEFINITIONS**

SECTION 201 INTERPRETATION OF TERMS OR WORDS

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

1. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular, the masculine includes the feminine, and the feminine includes the masculine.
3. The word “shall” is a mandatory requirement, and the word “should” is a preferred requirement.
4. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied.”
5. The word “lot” includes the words “plot” or “parcel”.

SECTION 202 DEFINITIONS

A

Alley:

Minor street used primarily for vehicular service access to the back or side of properties abutting on another street. (*See Street Types*)

Applicant:

Person or organization seeking to subdivide property following the guidelines and process listed in these regulations.

Archaeological Significance:

Structure or area that shows that there is evidence of a past culture or life, especially ancient peoples or civilizations. Such evidence would include, but not be limited to relics, artifacts, skeletal remains, etc.

As-Builts:

Construction plan which represents a true location of what is being measured or has already been built in the field.

Assurance of Completion:

Contract secured by a performance bond or other guarantee or security satisfactory to the Clermont County Board of Commissioners guaranteeing timely completion of public improvements which are required by these regulations.

B

Base Flood:

Referred to in floodway computations, the base flood is the elevation which is reached from a flood of 100 year frequency.

Berm:

Earthen mound, whether natural or manmade, used to obstruct views and noise. Also the graded shoulder of a public roadway.

Best Management Practices (BMP):

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

Bikeway or Bicycle Path:

Area specifically for bicycling which is physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way.

Building Limits:

Area designated on the plat which defines the limits within which a building may be placed.

Building Pad:

Building site prepared by artificial means, including, but not limited to, grading, excavation, or filling, or any combination thereof.

C

Channel:

Natural stream or drainage way that conveys water; a ditch excavated for the flow of water.

Comprehensive Plan:

Plan adopted by the Clermont County Planning Commission and/or the Clermont County Board of Commissioners showing the general location and extent of present and proposed uses such as housing, industrial and commercial and physical facilities including major streets, parks, schools, and other community facilities.

Concentrated Stormwater Runoff:

Surface runoff which converges and flows primarily through water conveyance features such as swales, gullies, waterways, channels, culverts or storm sewers.

Concept Plan:

Plan including both narrative and site design information, intended to provide the required reviewing agencies with an understanding of the manner in which the site in question is to be developed, and to determine whether there are any fundamental flaws in the proposed subdivision's design, as listed in Article IV, also known as a Preliminary Plan.

Condominium:

Building or group of buildings in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities, are owned by all the owners on a proportional, undivided basis. It also means and includes the land together with all buildings, improvements, and structures thereon, all easements, rights and appurtenances belonging thereto, and all articles of personal property which have been submitted to the provisions of Chapter 5311 of the *Ohio Revised Code* and which is subject to said Chapter 5311. A condominium or condominium property is not a subdivision.

Conservation:

Wise use and management of natural resources.

Conservation Easement:

Grant of a property right stipulating that the described land will remain in its natural state and precluding future or additional development.

Construction Plan:

Detailed plans for the construction of all public improvements to be made to the land including street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, and utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites. See Article IV, Table 4.3 for required submission table.

Construction General Permit (CGP):

National Pollutant Discharge Elimination System (NPDES) permit authorizing storm water discharges associated with construction activities. Sites one (1) acre and larger must apply for coverage under this NPDES general permit.

Conveyance:

Any legal instrument under provisions of the Ohio Revised Code that results in the transfer of a legal or equitable interest in real properties subject to recording in the Office of the County Recorder.

Corner Lot:

Lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if the lot lines tangent to the street right-of-way, at the point of intersection of the right-of-way and lot lines forms an interior angle of less than one hundred thirty-five (135) degrees. (see Lot Types)

County Commissioners (BCC):

Board of County Commissioners of Clermont County, Ohio.

County Engineer:

Elected official under Chapter 315 of the Ohio Revised Code. For the purpose of these regulations it shall also mean any designee appointed by the County Engineer or under the authority of his/her office.

Covenant:

Binding agreement made by two or more individuals, parties, etc. to do, or prevent from doing, a specified thing.

Crosswalk:

Any portion of a roadway at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Cul-De-Sac:

Local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround. (See *Street Types*)

Culvert:

Transverse drain that channels under a street or driveway: a drain, or conduit, not incorporated in a closed system that carries drainage water under a driveway, roadway, railroad, pedestrian walk, or public way.

Cut and Fill Slopes:

Portion of land surface or area from which soil material is excavated and/or filled forming a slope or embankment.

D

Dead End / Stubbed Street:

Street without a cul-de-sac turnaround having only one outlet for vehicular traffic and not intended to be extended or continued in the future. (See *Street Types*)

Density:

Unit of measurement; the number of dwelling units per acre:

1. Gross Density: The number of dwelling units per acre of the total land to be developed.
2. Net Density: the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

*Note: Townships that have zoning approve specific density requirements for their different zoning districts. Reference to specific density requirements in these Subdivision Regulations apply only to the unzoned areas of Clermont County.

Denuded Area:

Portion of land surface on which the vegetation or other soil stabilization features have been removed, destroyed or covered and which may result in, or contribute to erosion and sediment pollution.

Design Exception:

Alternative to previously set design criteria which provides a logical and cost effective engineering approach in extreme or unusual situations.

Design Plan:

Detailed plan, including both narrative and site design information, intended to provide the Planning Commission with a firm understanding of the manner in which the site in question is to be developed, and shall be submitted in accordance with Article IV of these regulations.

Detention Basin:

Facility for the collection and temporary storage and controlled release of storm water runoff.

Developer:

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

Development Area:

Any tract, lot or parcel of land or combination of tracts, which are in on ownership, or are contiguous and in diverse ownership where earth-disturbing activity is to be performed.

Dimensions:

Geometric measurements in length and/or width which denote a physical area.

Ditch:

Open Channel either excavated or natural for the purpose of drainage or irrigation.

Ditch Petition:

Method outlined in the Ohio Revised Code Chapter: 6131 by which a perpetual maintenance agreement for the storm water management system located outside of the public street right-of-way is established. This agreement process is started by a petition submitted to the Clermont County Commissioners and is funded through tax assessments on the affected properties. A standard petition form and a list of other requirements can be obtained from the Clermont County Engineer's Office.

Drainage Easement:

Any easement used for, but not limited to, the following uses: the placement of storm water drainage features, such as ditches, underground pipes, retention or detention basins, natural or manmade drainage courses, or other related facilities, as well as access to allow for maintenance purposes. Also known as a storm water easement.

Driveway:

Path for cars leading from the improved street or road to a garage or house.

Dumping:

Grading, pushing, piling, throwing, unloading, or placing of material.

Dwelling Units:

One room, or a suite of two (2) or more rooms, designed for or used by one family or housekeeping units for living and sleeping purposes. Includes permanently installed cooking and lawfully required sanitary facilities.

E

Earth Disturbing Activity:

Any dumping, excavating, filling or other alteration of the earth's surface where natural or man-made ground cover is destroyed and which may result in, or contribute to, erosion and sediment pollution.

Earth Material:

Soil, sediment, rock, sand, gravel, and organic material or residue associated with or attached to the soil.

Easement:

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Easement of Access:

Authorization by a property owner for the use by another, and for ingress and egress of any designated part of his property.

Electronic File:

File of electronic origin that is created or maintained on a computer with an operating system and that is created and submitted in Standard AUTOCAD Format with a file extension of only “.dwg” or “.dxf”. Electronic File format shall also refer to the Standard ADOBE Format of “.pdf”.

Engineer:

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

Erosion:

The process by which the land surface is worn away by the action of weathering.

1. Accelerated Erosion: Process which is much more rapid than natural or geologic erosion, and is primarily a result of the activities of man.
2. Channel Erosion: Process whereby the volume and velocity of a concentrated flow wears away the bed and banks of a well-defined channel.
3. Floodplain Erosion: Process of abrading and wearing away of the nearly level land situated on either side of a channel due to overflow and flooding.
4. Gully Erosion: Process whereby water accumulates in narrow channels during and immediately after rainfall or snow or ice melt and actively removes the soil from this narrow area to considerable depths, such that the channel would not be obliterated by normal smoothing or tillage operations.
5. Natural Erosion or Geologic Erosion: Process of wearing away of the earth’s surface by water, wind, or ice under natural environmental conditions that are undisturbed by man.
6. Rill Erosion: Process in which numerous small channels only several inches deep are formed, which if not corrected can become gullies. Normal tillage operations can remove the rills.
7. Sheet Erosion: The removal of a fairly uniform layer of soil from the land surface as a result of raindrop splash and runoff.

Erosion and Sediment Control:

System of structural and vegetative measures that minimize soil erosion and offsite sedimentation.

Erosion and Sediment Control Plan:

Erosion and sediment control strategy or plan, to minimize erosion and prevent off-site sedimentation by containing sediment on-site or by passing sediment laden runoff through a sediment control measure, prepared and approved in accordance with the specific requirements of these regulation.

F

Flood Damage Reduction Regulations:

Regulations adopted by the Board of County Commissioners which are necessary for participation in the National Flood Insurance Program and which promote public health, safety and general welfare and to minimize public and private losses due to flood conditions.

Flood Plain (100 year):

Lands within Clermont County subject to a one percent or greater chance of flooding in any given year.

Floodway:

Channel of a river or other watercourse and the adjacent land areas that must be reserved, as defined by the federal Emergency Management Agency (FEMA), in order to discharge the base flood.

Frequency Year Storm:

Rainfall event of a magnitude with a specified average occurrence interval and is calculated with soil conservation service type II 24/hr. curves or depth-duration frequency curves.

Front Yard:

Yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.

Frontage Street:

Local or collector streets, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. Also called Marginal Access Street. (*See Street Types*)

Functional Classification of Streets: Street Types:

Classification that defines a public roadway according to its purposes and hierarchy in the local or statewide highway system. The Federal-Aid Highway Act of 1973 required the use of functional classification to update and modify the Federal-Aid highway systems. This legislative requirement is still in effect today. Functional Classification is the grouping of roads, streets, and highways into integrated systems, each ranked by their importance to the general welfare, the motorist, and the land-use structure. Generally, streets and highways perform two types of service: 1) They provide either traffic mobility or 2) land access and can be ranked in terms of the service they perform.

1. Interstates and Expressways: a divided highway intended to convey the uninterrupted flow of traffic for both interstate and intrastate through an area. Such highways typically have limited or controlled access locations and are meant to provide travel service without providing access to adjacent properties.

Functional Classification of Streets: Street Types: Cont.

2. Principal Arterials: generally State and U.S. highways and heavily traveled county and municipal roads which carry both local and inter-county traffic. These roads link various urban and rural communities, and are intended to move traffic to and from interstates and major traffic generators and accommodate speeds of 45 M.P.H. and above. Service to adjacent properties is subordinate to the provision of travel service.
3. Minor Arterials: similar to principal arterials, though usually conveying less traffic. These streets consist of State and U.S. highways, county and municipal roads which distribute traffic to principal/minor arterials and/or local streets. Equal importance is given to traffic conveyance and service to adjacent properties.
4. Local Collector Streets: township roads which are intended to serve the residential properties that abut them. These streets may collect traffic from local streets and distribute the traffic to higher classification roads. These roads typically consist of sturdier pavement sections and may require turn lanes at intersections.

G

General Health District:

The Clermont County General Health District known as Clermont County Public Health has a five-member board and is led by the Health Commissioner. The five divisions are Administration Division, Environmental Health Division, Nursing Division, Plumbing Division, and Water and Waste Division.

Grading:

Earth-Disturbing activity such as excavation, stripping, cutting, filling, stockpiling, or any combination thereof.

Grubbing:

Removing, clearing or scalping material such as roots, stumps or sod.

H

Highly Erodible Soils:

Portion of land surface which is susceptible to erosive forces and is characterized by steep slopes or long slopes.

Historic Site:

Area or site related by historic or prehistoric events or themes, by visual continuity or character, or by some other special feature that gives it an historical identity; is designated an historic district, or is eligible to be designated by local, state, or federal government and given official status or protection.

Historical Significance:

Structure or area that provides evidence for a fact of history or the source of history.

Homeowners Association:

Community association organized in a development in which individual owners share common responsibilities for the cost and upkeep of common open space or facilities or enforcement of covenants and restrictions relating to a development.

I

Illicit Discharge:

Defined at 40 CFR 122.2(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from firefighting activities.

Improvements:

Street pavement, curbs, gutters, sidewalks, waterlines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters, whether public or private, normally associated with the development of raw land into buildings sites.

Intermittent Stream:

Watercourse having a source and terminus, banks, and channel through which waters flow intermittently throughout the year.

L

Landominium:

A subdivision with access and maintenance agreements which is similar to a condominium except that a purchaser of a unit receives fee simple title both to the unit and the land underlying the unit. A landominium is a subdivision within the meaning of and subject to the Rules and Regulations contained herein.

Landslide:

Rapid mass movement of soil and rock material downhill under the influence of gravity in which the movement of the soil mass occurs along an interior surface of sliding.

Land Use Plan:

The long-range plan for the desirable use of land in Clermont County as officially adopted, and amended from time to time, by the Clermont County Planning Commission; the purpose of such plan being, among other purposes, to serve as a guide in the zoning and progressive changes of the land to meet changing community needs, in the appropriate subdividing and development of undeveloped land, and in the acquisition of right-of-way or sites for such public facilities as streets, parks, schools and other public buildings.

Location Map:

Drawing accompanying a plan and illustrating the proposed subdivision's relation to surrounding environmental, land use, circulation, infrastructure and property characteristics, also known as a Vicinity Map.

Lot:

Parcel of land of sufficient size to meet minimum zoning requirements for access, use, coverage, and area, and to provide such yards and other open spaces are required. Buildable lots shall have legal access to an improved public street. (See *Lot Types*)

Lot Frontage:

That portion of a lot forming a common boundary between the lot and an adjoining public right-of-way or private access easement. In the case of corner lots and through lots, all sides of a lot adjacent to the public right-of-way shall be considered as part of the total frontage for those lots.

*Note: Lot Frontage shall be determined based upon the definition as written in the Zoning Resolution of the applicable township.

Lot Minimum Area:

Total computed area contained within the lot lines exclusive of any portion of a public right-of-way or a private access easement.

*Note: The Minimum Lot Area shall be determined based upon the definition as written in the Zoning Resolution of the applicable township.

Lot Measurements:

Lots shall be measured as follows:

1. Depth of a lot shall be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width of a lot (except panhandle, cul-de-sac lots, and lots along street curves) shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

Lot Measurements: Cont.

3. Width of cul-de-sac lots and lots along street curves shall be measured at the building set back line.

Lot of Record:

Lot which is part of a subdivision recorded in the Office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types:

Terminology used in these regulations with reference to lot type is as follows:

1. Corner Lot: A is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if the lot lines tangent to the street right-of-way, at the point of intersection of the right-of-way and lot lines forms an interior angle of less than one hundred thirty-five (135) degrees.
2. Interior Lot: A lot other than a corner lot with only one frontage on a street.
3. Irregular Lot: A lot that is not a rectangle or a square.
4. Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
5. Reversed Frontage Lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
6. Panhandle Lot: A lot which utilizes a narrow strip of land to provide access to, or legal frontage on a public street or private street. The narrow strip of land known and referred to as the “panhandle” shall have a minimum width that conforms to the requirements of the zoning regulations governing the tract in question. If no minimum requirement exists or if the tract in question is in an unzoned area, the minimum width shall be 25 feet with a maximum width of less than the minimum lot width required for building purposes.

*Note: Please refer to the “Sample Lot Types” drawing in the appendix for illustrations of Lot Types

M

Maintenance Bond:

Bond, satisfactory to the County Board of Commissioners, covering the cost of maintenance, for one year, of public improvements which are required by these regulations. See Article VIII.

Marginal Access Street:

Local or collector streets, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. Also called Frontage Street. (see *Street Types*)

Metes and Bounds:

System of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other marker, such as the corner of intersecting streets.

Minimum Opening Elevation:

Also known as M.O.E the lowest elevation of any opening in the foundation or first floor as to prevent entry of floodwater.

Minor Subdivision / Lot Split:

Division of a parcel of land that does not require a record plat to be approved by the Planning Commission as specified in Section 711.131 of the *Ohio Revised Code*. Also known as a lot split. See Subdivision.

Monuments:

Permanent survey markers, or other permanent monuments of a design approved by the County Engineer, in accordance with minimum standards used to establish all points of references as required by the *Ohio Revised Code* and these regulations.

N

National Pollutant Discharge Elimination System (NPDES):

The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and enforcing pretreatment requirements, under sections 307, 402, 318 and 405 of the CWA. The term includes an “approved program.”

NOI:

Notice of intent.

NOT:

Notice of termination.

O

OEPA:

Ohio Environmental Protection Agency, oversees the NPDES program.

Off-Street Parking Space:

Off-street space available for the parking of one motor vehicle conforming to the parking space standards of these regulations. Only applies to unzoned areas of the County. Refer to Article V, Section 524 and Article VI, Section 609 of these regulations.

Onsite Sewage Treatment System:

Any sewage treatment system, or part thereof, for a single family, two-family, or three-family dwelling which receives sewage and is located on the property it services.

Open Space:

Area of land intended for common usage by either the residents of a particular subdivision or the at-large public.

Original Tract:

Contiguous quantity of land held in common ownership which has not been platted by the existing owner or owners as of January 1 of the current tax year defined by the *Ohio Revised Code*. Section 711.131 as interpreted by the Attorney General in Opinion 1964 *O.A.G.* Section 1044.

Out Lot:

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

Outfall:

Area where water flows from a structure such as a conduit, storm sewer, improved channel or drain, and the area immediately beyond the structure which is impacted by the velocity of flow in the structure.

Owner:

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

P

Park:

Area of land containing pasture, woods, lakes, etc. which are used for public recreational purposes.

Parking Area, Public:

Open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.

Parking Space:

Permanently surfaced area of not less than one hundred sixty (160) sq. ft., either with a structure or in the open, exclusive of driveways or access drives, required for the parking of one motor vehicle.

*Note: Number of parking spaces shall be determined based upon the definition as written in the Zoning Resolution of the applicable township. Reference to specific parking requirements in these Subdivision Regulations apply only to the unzoned areas of Clermont County.

Pathway:

Pedestrian way, other than a sidewalk, located parallel to a street. Could be located between dead end streets and other streets in order to facilitate better pedestrian and bicycle travel.

Performance Bond:

Agreement by a developer with Clermont County for any incomplete work of the estimated construction cost guaranteeing the completion of physical improvements according to the plans and specifications.

Permanent Dead-end Street:

Street without a cul-de-sac turnaround having only one outlet for vehicular traffic and not intended to be extended or continued in the future. (*See Street Types*)

Person:

Individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, township, county, state agency, the federal government, or any combination thereof.

Planned Unit Development:

Area of land in which a variety of mixed land uses or physical designs are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, open space requirements and landscaping plans.

Planning Commission:

Commission of Clermont County, Ohio. A board, as defined by ORC Chapter 713.22, which makes decisions concerning subdivisions and zoning related issues.

Plat:

Drawing on which the plan of a subdivision is presented for recording.

Plat of Survey:

Land survey performed by a professional surveyor which identifies a minor subdivision or lot split.

Preliminary Plan:

Drawing depicting a proposed subdivision intended to provide the Clermont County Planning Commission with pertinent information regarding the development of a subdivision, also known as a Concept Plan.

Private Street:

Street which has not been duly accepted by the county or state for public use. (See Street Types)

Public Health:

Clermont County Public Health also known as General Health District has a five-member board and is led by the Health Commissioner. The five divisions are Administration Division, Environmental Health Division, Nursing Division, Plumbing Division, and Water and Waste Division.

Public Street:

Street that has been duly accepted by the county or state for public use. (See Street Types)

Public Utility Easement:

Easement that may be required on lots, where needed, to accommodate access to a public utility or sanitary structure. All public utility easements should be depicted on record plats and state any and all conditions and restrictions of the easements. Refer to Article V, Section 515.

Public Way:

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

R

Rear Yard:

Yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the building.

Replat:

New recording of a previously recorded subdivision in which the purpose is to modify some portion of the originally recorded plat.

Restriction:

Written statement which limits the use of the designated land when set forth in a declaration, deed, or subdivision plat.

Retention Basin:

Detention basin that has a permanent storage of water.

Right-of-Way:

General term to noting land, property or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority. The usage of the term “right-of-way” for land platting purposes shall mean that every right-of-way hereafter established and shown on a final record plat is to be separate and distinct from the lots or parcels adjoining such rights-of-way and not included within the dimensions or areas of such lots or parcels, provided the size of the lot for zoning purposes shall be determined by the applicable zoning resolution.

Runoff:

Portion of rainfall, melted snow or irrigation water that flows across the ground surface and is eventually returned to streams.

S

Sanitary Sewers:

Approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sanitary Waste Treatment, On-Site:

Septic tank or similar installation on an individual lot which utilizes a bacteriological process, or equally satisfactory process, for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sediment:

Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water gravity, or ice, and has come to rest on the earth’s surface.

Sediment Basin:

A settling pond meeting or exceeding the design specifications of a temporary sediment basin as defined in water management and sediment control for urbanizing areas.

Sediment Control:

Limiting of sediment transport by controlling erosion, filtering sediment from water, or detaining sediment-laden water allowing sediment to settle out.

Sediment Pollution:

Resulting failure to use management or conservation practices to control wind and water erosion of the soil and to minimize the degradation of water resources by soil sediment in conjunction with land grading, excavating, filling, or other soil-disturbing activities on land used or being developed for non-farm commercial, industrial, residential, or other non-farm purposes.

Sensitive Development Area:

Any land(s) or soil(s) proposed to be subdivided that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable for urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development or to the environment, consisting of lands or soils that are of such sensitive character that they may require special use, design, and engineering restrictions. Refer to Article V, Section 503.

Setback Line:

Line established by the subdivision regulations and/or zoning regulations, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory buildings or structures, may be located above ground except as provided in said regulations.

Settling Pond:

A runoff detention structure such as a sediment basin or sediment trap, which detain sediment-laden runoff allowing sediment to settle out.

Sheet Flow:

Overland water runoff in a thin uniform layer.

Sidewalk:

Portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

Sight Triangle:

Triangle shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Sloughing:

Downward movement of an extended layer of soil resulting from the undermining action of water or the earth-disturbing activity of humans.

Soil:

Unconsolidated erodible earth material consisting of minerals and/or organics.

Soil Conservation:

Using the soil within the limits of its physical characteristics and protecting it from unalterable limitations of climate and topography.

Soil Stabilization:

Vegetative or structural soil covers controlling erosion, and includes permanent and temporary seed, mulch, sod, pavement, etc.

Soil and Water Conservation District (SWCD):

As organized under Chapter 1515 of the Ohio Revised Code; referring either to the Soil and Water Conservation District Board, or its designated employee(s), hereinafter referred to as the Clermont County Soil and Water Conservation District.

Special Development:

Separate entity with distinct characteristics which is intended to be in harmony with the natural site features and surrounding developments.

Storm Water Facilities:

Storm sewer pipe, catch basin, storm sewer, headwall, ponds, detention basin, BMP's, or post-construction BMP that relates to the management of storm water runoff or the treatment of storm water.

Storm Water Management:

Runoff water safely conveyed, or temporarily stored and released, at an allowable rate to minimize erosion and flooding.

Stream:

Watercourse having a terminus, bank and channel through which waters flow throughout the year without interruption. As defined by the U.S. Geological Survey.

Street Types:

Full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic:

1. Alley: Minor street used primarily for vehicular service access to the back or side of properties abutting on another street. (Separate Definition)
2. Cul-de-sac: Local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.(Separate Definition)
3. Driveway: Private access way for lots having legal access from a street public or private, by the virtue of fronting the street. (Separate Definition)

Street Types: Cont.

4. Marginal Access Street: Local or collector streets, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street)
5. Permanent Dead-end Street: Street (without a cul-de-sac turnaround) having only one outlet for vehicular traffic and not intended to be extended or continue in the future.
6. Private Street: Street which has not been duly accepted by the County or State for public use.
7. Public Street: Street which has been duly accepted by the County or State for public use.
8. Temporary Dead-end Street: Street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future, also known as Stub Street)

Structure:

Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Stub Street:

Street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future. Also known as a Temporary Dead-end Street. (*See Street Types*)

Subdivision:

Ohio Revised Code in Section 711.001 Specifically Defines a Subdivision as:

- (1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose , whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or
- (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 street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants, or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage, or other public facilities.

Subdivision: Cont.

Part (1) of the above definition refers to two types of land subdivision, “minor subdivisions” (also known as lot splits or cut-ups) and “platted subdivisions” (also known as formal subdivisions) in which no improvements are required. It is noteworthy that all divisions of land in Ohio are deemed subdivisions except:

- a. The division of land into parcels of more than five (5) acres in size that does not involve the creation of new streets or easements of access; and
- b. The transfer of parcels of land between adjoining property owners where additional building sites are not created.

Part (2) of the above definition refers to “platted subdivisions” in which improvements are required. Note that actual division of land is not a pre-requisite for qualification as a subdivision. Platted subdivisions include any improvement of land for residential, commercial, or industrial purposes which involves the allocation of land for:

- a. Streets (except private streets serving industrial structures);
- b. Open spaces for common use by owners, occupants, or lease holders; or
- c. Easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities is legally a subdivision in the State of Ohio.

The Ohio General Assembly has recognized the need for simple conveyance of property divisions in a limited number of instances. Section 711.131 of the Ohio Revised Code permits the division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving no more than (5) lots after the original tract has been completely subdivided to be submitted to the Planning Agency exercising subdivision approval authority for approval without a plat. If such planning authority acting through a properly designated representative thereof is satisfied that such proposed division is not contrary to applicable platting, subdividing, or zoning regulations, it shall within seven (7) working days after submission of application, approve such proposed division and on the presentation of a conveyance of said parcel, shall stamp the same “approved by (Planning Authority); no plat required” and have it signed by its clerk, secretary, or other official as may be designated by it. Such planning authority may require the submission of a sketch and such other information as is pertinent to its determination thereunder. This method of subdivision of land is known as lot splitting and is often called a “minor subdivision” or a “lot split”.

Subdivision Street Design and Construction Standards for Clermont County:

Technical manual that identifies the acceptable design and construction standards for the development of streets and other related infrastructure in Clermont County, Ohio. These standards are developed by the County Engineer and adopted by the Board of County Commissioners.

Surveyor:

Person registered to practice professional surveying by the State Board of Registration as specified in Section 4733.14 of the *Ohio Revised Code*.

T

Temporary Dead-end Street:

Street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future. (See *Street Types*)

Terrain Classification: Terrain is classified as level, rolling, hilly, or hillside for development and street design purposes. The classifications shall be in accordance with the Clermont County Soil Survey.

Time Limits: Time limits designated within these regulations shall begin when application for review is officially accepted or as otherwise stipulated in these regulations. The submission of revised information or information required but not submitted with the original submission shall renew the entire time limit permitted under these regulations.

U

Unstable Soil:

Portion of land surface or area which is prone to slipping, sloughing or landslides.

Utility Easement:

Easement used for the maintenance of vehicle sight distances, the placement of storm water drainage, sewer, water, natural gas, electric, telephone, cable television or other facilities or utilities, and for street maintenance.

V

Variance:

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

Vicinity Map:

Drawing accompanying a plan and illustrating the proposed subdivision's relation to surrounding environmental, land use, circulation, infrastructure and property characteristics, also known as a Location Map.

W

Walkway:

Public way for pedestrian use only, whether along the side of a road or not.

Watercourse:

Definite channel with bed and banks within which concentrated water flows, either continuously or intermittently.

Water Management and Sediment Control (WMSC):

Regulations adopted by the Clermont County Board of Commissioners to establish management and conservation practices which will eliminate or abate soil erosion and degradation of the waters of the state from sediment caused by non-farm earth disturbing activities. Refer to Article V, Section 519.

Watershed:

Drainage basin in which the subdivision drains or that land whose drainage is affected by the subdivision.

Wetlands:

Surface areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas (1987 Corp of Engineers Wetland delineation Manual).

Y

Yard:

Area on the same lot with a principal structure, lying between such structure and a lot line, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in these regulations. Only applies to unzoned areas within Clermont County, i.e. Washington Township. Refer to Article V, Section 525 and Article VI, Section 610 of these regulations.

1. Yard, Front: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. Yard, Rear: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear off the principal building.
3. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Z

Zoning:

Division of townships (also villages and cities) by legislative regulations into areas, or zones. Which specify allowable uses for real property; also, regulations for governing lot size, size restrictions for buildings, and other development standards.

ARTICLE III:

PROCESS FOR SUBDIVISIONS

SECTION 301 SUBDIVISION NAMING, SECTIONING, AND LOT NUMBERING

Names for subdivisions shall be neither duplicated nor be too closely related to a name of any other subdivision in Clermont County. The Planning Commission reserves the right to restrict the use of historic place names or other names which should be restricted for public use. The subdivision name recorded with a subdivision shall be its legal name and all official documents must identify that subdivision by its recorded name. Should a subdivision be recorded in separate divisions, these divisions shall be called sections and shall be numbered consecutively. Sections may be recorded in phases designated as blocks and shall be identified by using the consecutive letters of the alphabet. Lot numbers shall run consecutively for the entire subdivision. Sections, blocks, or additions to subdivisions shall not be lot numbered separately. A list comprising of all current subdivision names used within Clermont County is maintained by the Planning Commission under the direction of the Department of Community & Economic Development.

SECTION 302 PRE-APPLICATION ASSISTANCE RECOMMENDED

Prior to the submittal of any concept or design plan for a proposed subdivision, the applicant should seek the assistance of the Planning Commission staff or the agencies listed under Article III, section 305 of these regulations in order that he/she may become familiar with subdivision requirements. It is also suggested the applicant meet with the applicable township to become familiar with any zoning regulations.

SECTION 303 APPROVAL OF MAJOR SUBDIVISION PROCESS

In order for an applicant to receive formal subdivision approval, plans shall be submitted in the following method:

1. Submission of an application for design plan review to the Planning Commission once all concept plan approvals have been obtained from the appropriate reviewing agencies. Failure to produce all concept plan approvals at the time of design plan application will result in an incomplete submittal.
2. Once approval of the design plan has been obtained, final construction plans for required improvements shall be submitted to the appropriate reviewing agencies for approval and signature.
3. A record plat is to be submitted for signature after satisfactory construction of improvements and posting of required bonds.

Concept plan, Design plan, Construction plans, “As-Built” Construction plans, supplemental information, and record plats shall conform to the requirements set forth in Article IV, or the rules and regulations of the reviewing agencies. The design plan, construction plans, “as-built” construction plans, and record plat shall be prepared by a registered engineer and/or surveyor, as permitted by law.

SECTION 304 CONCEPT PLAN REQUIRED

In order for the developer to determine whether the proposed basic design factors of a proposed subdivision are acceptable and comply with applicable subdivision rules and regulations, the developer shall submit a concept plan for review and approval by all applicable reviewing agencies prior to the submittal of design plan drawings to the Planning Commission. If the developer intends to develop the subdivision in sections or phases, the concept plan shall be inclusive of all these sections or phases. The concept plan does not constitute a formal subdivision review pursuant to Section 711.10 of the Ohio Revised Code. In submitting a concept plan for review, the applicant waives any rights to an approval under said statute until such time as the applicant submits a subdivision application to the County Planning Commission requesting a design plan review for review and approval. The concept plan shall conform to the requirements established in Article IV and shall be prepared by a registered engineer or surveyor, as required by law.

SECTION 305 FILING AND REVIEW OF A CONCEPT PLAN

The applicant shall file for a concept plan review with the following applicable agencies:

1. Township Trustees and Township Agencies of the jurisdiction where the plan is proposed;
2. Community & Economic Development;
3. County Engineering;
4. County Water Resources Department;
5. County Building Department;
6. County Public Health;
7. Natural Resource Conservation Service / Clermont Soil and Water Conservation District; and
8. Ohio Department of Transportation when required by 5511.01 of the Ohio Revised Code.

Each agency shall accept and review the concept plan per their established procedure. Additionally, concept plans shall be submitted in accordance with the requirements established in Article IV. Filing fees may be charged as established by the individual reviewing agency. Reviewing agency written comments shall include such exceptions, conditions, designs or requirements deemed necessary to ensure compliance by such agencies. The listed agencies' findings shall be documented in writing and shall be a required component of the subdivision application submitted to the County Planning Commission requesting a design plan review.

SECTION 306 APPROVAL/DENIAL OF CONCEPT PLAN

After the applicant receives written documentation granting approval of the concept plan from all applicable reviewing agencies, and the applicant has obtained written documentation of final zoning compliance prior to the submittal of any design plan, the applicant may then submit an application for a design plan review to the Planning Commission. Concept plan approval from all reviewing agencies shall be conditional upon compliance with all other applicable statutes and resolutions of the State of Ohio and Clermont County.

The concept plan approval shall be effective for a maximum of twenty-four (24) months unless the first section of the subdivision has been filed for design plan approval; otherwise the concept plan will be considered void. If the applicant does not submit an application for design plan review to the Planning Commission within the allotted twenty-four (24) months, the applicant shall be required to resubmit the concept plan with the applicable reviewing agencies in order to renew the previously granted approval prior to filing an application for design plan preview. A one-time, one (1) year extension may be requested in

writing by any applicant, provided the request is received by the Planning Commission prior to the expiration date.

SECTION 307 FILING OF A DESIGN PLAN

A design plan consisting of seven (7) copies of the Clermont County Planning Commission Design Plan Review Application, together with seven (7) copies of the design plan (full size & half size) and any supplementary information and/or materials specified in Article IV, Table 4.2 shall be submitted to Permit Central. All drawings shall be prepared by a registered engineer and/or surveyor as permitted by law. An electronic file format as defined by Article IV, Section 402 of these regulations shall also be submitted. Review fees shall be charged as indicated in Article IX, section 905.

SECTION 308 FILING DEADLINE: DESIGN PLAN

Complete design plan applications shall be submitted no later than the first working day of the month in which the applicant wishes to go before the Planning Commission. Any late or incomplete applications shall not be accepted.

SECTION 309 SCHEDULE OF MEETING

Within five (5) days of the submission of the design plan, the Planning Commission Staff shall schedule a meeting to consider the design plan to be held no more than thirty (30) days after the plan was submitted to the Planning Commission Staff and no less than seven (7) days after the plan has been sent to the applicable reviewing agencies.

SECTION 310 DESIGN PLAN REVIEW

Planning Commission staff shall forward copies of the design plan and supplementary information to such officials and agencies as may be necessary for the purposes of approval and recommendation. Such officials and agencies shall include:

1. Township Trustees and Township Agencies of the jurisdiction where the plan is proposed;
2. Community & Economic Development;
3. County Engineering;
4. County Water Resources Department;
5. County Building Department;
6. County Public Health;
7. Natural Resource Conservation Service/Clermont Soil and Water Conservation District;
8. Ohio Department of Transportation when required by 5511.01 of the Ohio Revised Code; and
9. Any other specialized or expert source of information that the Planning Commission elicits or elects to use to review the proposed subdivision.

The reviews by 1) the County Engineer 2) the County Water Resources Department and/or County Public Health 3) the County Building Department and 4) the Department of Transportation (where applicable) shall include such exceptions, and conditions, designs or requirements deemed necessary to ensure compliance with the policies, rules and regulations, and previous Concept Plan approvals adopted and enforced by such agents or the Planning Commission. The Planning Commission shall adopt the listed agent(s) findings as requirements for conditional approval.

SECTION 311 APPROVAL / DENIAL OF DESIGN PLAN

After receipt and disposition of review comments, the Planning Commission shall determine whether to approve, approve with conditions, or deny the design plan. If a plan is denied, the reason shall be stated in writing in the record of the Planning Commission. The Planning Commission, or an authorized representative of the Planning Commission, shall endorse in writing on the plat the approval of the plan within thirty (30) days after the submission of the plan for approval as required by 711.10 of the Ohio Revised Code. Approval of plans shall be conditional upon compliance with all applicable regulations. The applicant shall be notified of the final action of the Commission within seven (7) working days of the meeting.

SECTION 312 FILING OF THE CONSTRUCTION PLAN

After receiving approval with conditions for the design plan from the County Planning Commission, the applicant shall submit seven (7) copies of construction plan and specifications for all contemplated and required improvements to be constructed on that portion of the proposed subdivision for which the application for design plan approval has been submitted.

SECTION 313 CONSTRUCTION PLAN REVIEW

The applicant shall submit seven (7) copies to the Planning Commission for the purposes of circulation within five (5) working days to the required reviewing agencies below. Additionally, an electronic file as referred to in Article IV is required to be submitted. In order to obtain approval all issues from the following reviewing agencies shall be resolved.

1. Township Trustees and Township Agencies of the jurisdiction where the plan is proposed;
2. Community & Economic Development;
3. County Engineer;
4. County Water Resources Department;
5. County Building Department;
6. County Public Health;
7. Clermont Soil & Water Conservation District

SECTION 314 CONSTRUCTION PLAN APPROVAL

On the construction plans, the reviewing agencies will each determine whether the subdivision is in compliance with conditions set by the Planning Commission during the design plan review as well as determine the plans meet the *Subdivision Street Design and Construction Standards for Clermont County* requirements. If plans are in compliance, the seven (7) previously listed agencies will sign all seven (7) sets.

However, if the drawings are not in compliance, they will be sent back to the applicant for further revisions. If these revisions involve major alteration of the design of the subdivision, the applicant shall be required to resubmit for design plan review for the subdivision as determined by the Planning Commission.

Clermont County Subdivision Regulations

The final approved copies will be distributed as follows:

1. One (1) set to the Community & Economic Development;
2. Two (2) sets will be retained by the County Engineer;
3. One (1) set will be retained by the County Water Resources Department or County Public Health;
4. One (1) set to the County Building Department
5. One (1) set to the applicable Township
6. One (1) sets will be returned to the Project Engineer

These approved copies shall be the working drawings, and any changes required by field conditions or other unforeseen circumstances shall be submitted to the appropriate reviewing agencies for approval before incorporation into the project. One (1) copy of the approved construction plans shall be kept on the job site at all times.

SECTION 315 SUBMISSION OF AS-BUILTS CONSTRUCTION PLANS

At the completion of construction, the Developer and/or Owner of the property to be subdivided shall be required to submit As-Built construction plans. These As-Built construction plans shall be revised as necessary to show the exact locations of critical infrastructure components in accordance with the rules and regulations of the Clermont County Water Resources Department, the Clermont County Engineer's Office, the Clermont County Building Inspection Department and the rules and regulations of any other applicable reviewing agencies. As-Built construction plans shall be verified by field survey, and shall be prepared by a professional surveyor and/or engineer, licensed in the State of Ohio and as permitted by law. As-Built construction plans shall be submitted to all reviewing agencies requiring them within their rules and regulations prior to the acceptance of any public infrastructure improvements on the subject property.

SECTION 316 ASSURANCE OF COMPLETION

Prior to the granting of approval of the final record plat, the applicant shall have furnished assurance of completion of the required improvements and maintenance of said improvements. Refer to Article VIII.

SECTION 317 SUBMISSION OF RECORD PLAT

After the construction plans have been approved, the applicant is encouraged to submit a paper copy of the proposed record plat for preliminary review prior to submitting the final record plat for signatures and execution. The applicant shall submit the final mylar copy, electronic file version of the record plat and the submittal shall have attached to it a completed Certificate of Title statement. Any record plat submitted for approval without the appropriate Certificate of a Title shall be rejected until the applicant can demonstrate that a Certificate of Title has been completed by an attorney-at-law to the Department of Community and Economic Development to begin the circulation process necessary to obtain the required signatures of approval and endorsement. The Record Plat shall include all conditions, designs or requirements deemed necessary to ensure compliance with the policies, rules and regulations, and design plan approvals adopted and enforced by such agents or the Planning Commission.

The applicant shall be able to process, transfer, and record the record plat in the County Tax Map Department, the County Auditor's Office and the County Recorder's Office of Clermont County, Ohio, within sixty (60) days after the date of endorsement, otherwise the plat must be resubmitted for further approval.

SECTION 318 APPROVAL PERIOD: DESIGN PLAN AND CONSTRUCTION PLAN

The approval of the design plans and construction plans shall be effective for a maximum of five (5) years after approval and shall authorize the developer to commence construction in accordance with the requirements of applicable offices and agencies. If the construction of all proposed improvements is not completed during the five (5) year period, the approved plans will be considered void unless an extension for five (5) years is requested by the applicant and granted in writing by the Planning Commission. At the time of applying for an extension, all improvements to the site shall be subject to all current specifications and standards.

SECTION 319 APPROVAL FOR MINOR SUBDIVISIONS

Approval of a minor subdivision in the unincorporated areas of the County may be granted by an authorized representative of the Planning Commission if the proposed division of a parcel of land meets all of the following conditions:

1. The proposed subdivision is located along an existing public street or road and involves no opening, widening, or extension of any street or road. Each lot or parcel created must have the minimum frontage of twenty-five (25) ft. on an existing public street or road, in unzoned areas. Townships in zoned areas may have other road frontage minimum requirements.
2. No more than five lots or parcels are involved after the original tract has been completely subdivided, created from the original tract.
3. The proposed subdivision is not contrary to applicable platting, subdividing, or planning regulations. Administrative approval may not be granted if any variances from these subdivision regulations are required. Variances from the subdivision regulations may only be granted by the Planning Commission and not the administrative officer.

SECTION 320 PRE-APPLICATION ASSISTANCE RECOMMENDED FOR A MINOR SUBDIVISION

Prior to completing a survey, the applicant should seek the assistance of the Planning Commission staff in order to become familiar with subdivision requirements. It is also suggested the applicant meet with the applicable township to become familiar with any zoning regulations that may affect the parcel.

SECTION 321 FILING FOR A MINOR SUBDIVISION

1. The applicant will need to obtain one (1) paper copy of the survey plat of the proposed Lot Split or 711 Transfer (Minor Subdivision) created by an Ohio Registered Surveyor or request a certificate of compliance concept map from Permit Central.
2. The applicant will then need to obtain signatures from the appropriate township zoning official, except if located in unzoned townships i.e. Washington Township.
3. If property is located on a State Route, the applicant will need to obtain an authorized signature from the Ohio Department of Transportation.
4. The applicant will then submit the application as well as the signed paper copy of the survey plat or the signed certificate of compliance concept map to Permit Central along with the appropriate fee. (see attached flow chart in the appendix)

SECTION 322 MINOR SUBDIVISION APPROVAL / DISAPPROVAL

1. Once the application is completed and has been submitted to Permit Central the following reviewing agencies will have ten (10) days to review:
 - a. Building Department
 - b. Public Health/ Water Resources Department
 - c. Engineer's Office
 - d. Planning Office
2. Once all the reviewing agencies have approved the copy of the plat or certificate of compliance concept map, the primary contact will be notified by Planning staff to obtain the mylar, prepared by an Ohio Registered Surveyor and signed by the appropriate township.
3. The applicant shall then contact the Planning Commission staff for the signed mylar to be brought in to the Department of Community and Economic Development office.
4. The applicant will submit the following to Tax Map for recording:
 - a. Approved mylar;
 - b. Legal descriptions for each new parcel; and
 - c. Deeds for each new parcel.

SECTION 323 FIVE ACRE PLUS SUBDIVISIONS

When a proposed division of land involves the creation of lots five acres or larger with new streets or easements of access, approval for a five acre plus subdivision in unincorporated areas of Clermont County may be granted by an authorized representative of the Planning Commission if the proposed subdivision is in compliance with applicable platting, subdividing, or planning regulations. Administrative approval may not be granted if any variances from either the zoning or subdivision regulations are requested. Variances of subdivision regulations may only be granted by the Planning Commission and not the administrative officer and variances to zoning only by the proper board of zoning appeals. The creation of any lots five acres or larger without new streets or easements of access shall not be classified as a subdivision as defined in the Ohio Revised Code and shall be exempt from these regulations.

SECTION 324 PRE-APPLICATION ASSISTANCE RECOMMENDED

The applicant should seek the assistance of the Planning Commission staff in order to become familiar with subdivision requirements. It is also suggested the applicant meet with the applicable township to become familiar with any zoning regulations that may affect the parcel.

SECTION 325 FILING FOR A FIVE ACRE PLUS SUBDIVISION

An application for Five Acre Plus Subdivision Review shall be submitted to Permit Central and consist of one (1) copy of the Application Five Acre Plus Subdivision Review Form submitted with three copies of the record plat drawn providing the information required on record plats as listed in Article IV, a certificate of compliance indicating the proposed five acre plus subdivision meets the regulations of the following: County Engineer, County Building Inspection, applicable sanitary agency, applicable zoning administration, and the Ohio Department of Transportation as required by Ohio Revised Code. 5511.01.

SECTION 326 FIVE ACRE PLUS SUBDIVISION APPROVAL/DISAPPROVAL

Upon receipt of the information requested, the Planning Commission Staff shall determine whether the proposed Five Acre Plus Subdivision complies with the requirements listed in Article VII section 704. Action will be taken within fourteen (14) working days after the submission of the proposed subdivision. The applicant will be promptly notified of the Planning Commission Staff actions. The applicant may appeal the decision to the Planning Commission in no less than thirty (30) days after the decision has been made. The applicant may request one (1) copy of the plat for personal use.

SECTION 327 SUBMISSION OF FIVE ACRE PLUS SUBDIVISION PLAT

After the Five Acre Plus Subdivision has been approved, the applicant shall submit an executed mylar with appropriate recording fees and electronic version to the Department of Community & Economic Development so that Planning staff can begin the circulation process necessary to obtain the required signatures of approval.

ARTICLE IV:

REQUIRED SUBMISSION DOCUMENTS

SECTION 401 PURPOSE

The documents to be submitted are intended to provide the Planning Commission with sufficient information and data to assure compliance with all applicable codes and specifications and ensure that the proposed development meets the design and improvement standards contained in these regulations. The specification of documents to be submitted is based on the type of development and particular stage of development application.

SECTION 402 CONCEPT AND DESIGN PLAN

The concept and design plans shall be clearly and legibly drawn. The size of the plan shall be a minimum of twenty-two (22) by thirty-four (34) inches. The plan of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet. All other subdivisions shall be drawn at a scale of one (1) inch equals one hundred (100) feet. Complete applications shall also include reduced scale drawings of the proposed subdivision printed on a paper size of eleven by seventeen inches (11" X 17"). Electronic files (ADOBE standard file format of “.pdf” will be accepted as defined by Article II of these regulations) shall be included as part of a complete application at the time of submittal to the Planning Commission.

SECTION 403 NUMBER OF COPIES TO BE FILED

The applicant shall file with the Planning Commission seven (7) copies of the Design Plan and Construction Plan for review.

SECTION 404 REQUIREMENTS

The documents to be submitted are shown in the Required Submission Documents Tables in Article IV. In specific cases and for documented reasons, the Planning Commission staff may waive the submission of a particular document.

SECTION 405 CONSTRUCTION PLAN

The following provisions shall govern the submittal of Construction Plans with regard to the form of any construction plans submitted for review and approval:

1. Construction plan shall be made with a substantial and distinct material from which clear and legible prints may be obtained. Freehand linear drawings will not be accepted and principles of good surveying, engineering or draftsmanship shall be used. The sheet(s) upon which the construction plan are made shall measure twenty-two (22) inches by thirty-four (34) inches. A plan poorly drawn or illegible, according to standard drafting practices, is sufficient cause for rejection.
2. The title sheet of the plans must contain the name of the subdivision, township, county, the location of the subdivision and approval block for required reviewing agencies' signatures. The title sheet shall also show a vicinity map and other pertinent information such as index or symbols, etc.

Clermont County Subdivision Regulations

3. The plan view shall be drawn to a scale of 1" = 50' or 1" = 100'. The plan sheet shall show the typical section, the street alignment, right-of-way and pavement widths, center lines, bearings, stationing curve or radius data, existing and proposed drainage. Any other significant feature or factor shall also be shown on the plans. The centerline of the street shall coincide with the centerline of the right-of-way, any changes from same shall be at the discretion of the Clermont County Engineer or his representative and shall be in writing. The pavement design shown on the typical section shall be one of the designs shown in the *Subdivision Street Design and Construction Standards for Clermont County*.
4. Electronic files (ADOBE file format of ".pdf" will be accepted) shall be submitted when final construction plans are provided for approval signatures.
5. The profile view shall have a horizontal scale of 1" = 50' or 1" = 100'; a vertical scale of 1" = 5' or 1" = 10'. The existing and proposed centerline profile, elevations, gradient, existing and proposed drainage lines and vertical curves shall be shown. The maximum street gradient shall be governed by the *Subdivision Street Design and Construction Standards for Clermont County*.
6. When required by the County Engineer, cross sections shall be on a scale of 1" = 5' or 1" = 10', both vertical and horizontal.
7. All construction plan shall be in full accordance with these regulations and the standard drawings of Clermont County applicable to the development of subdivisions.
8. All drawings calling for the construction of improvements shall show the seal and certification of a Registered Engineer eligible to practice in the State of Ohio.
9. All elevations shall be as referenced in Article IV, Section 405 and each plat or plan shall show the description and elevation of the bench mark used for the subdivision survey.
10. Construction plans for water lines, sanitary sewer lines and sewage disposal plants shall be included as part of the overall construction plans for the improvement of the undeveloped area. These plans shall be drawn in accordance with the construction plan requirements outlined in Sections 517, 518 and with the Rules and Regulations and Standards of the Clermont County Water Resources Department. The Clermont County Water Resources Department may require additional copies of plans when necessary. The cost of said plans shall be at the expense of the applicant or developer. Inspection fees and plan review fees required by the Rules and Regulations of the Clermont County Water and Resources Department shall be paid prior to final approval and the beginning of construction.

SECTION 406 "AS-BUILT" CONSTRUCTION PLAN FORM

At the completion of construction, the Developer and/or Owner of the property to be subdivided shall be required to submit "As-Built" Construction Plans. "As-Built" Construction Plans shall be drawn in such a manner as to show the exact locations of critical infrastructure components on the subject property, and shall be submitted in accordance with the rules and regulations of the Clermont County Water Resources Department, the Clermont County Engineer's Office, the Clermont County Building Inspection Department and the rules and regulations of any other agency that require the submittal of "As-Built" Construction Plans. "As-Built" Construction Plans shall be verified by field survey, and shall be clearly and legibly drawn. "As-Built" Construction Plans shall be prepared, signed, and stamped by a professional surveyor and/or engineer licensed in the State of Ohio and as permitted by law. Consult the rules and regulations of all applicable reviewing agencies for specific format and submission requirements.

SECTION 407 RECORD PLAT FORM

The record plat shall be legibly drawn on mylar or other reproducible plastic film of equal permanence. The size of the plat shall be twenty-four (24) by thirty-six (36) inches. The plat of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet or at a scale of either one (1) inch equals one hundred (100) feet except for subdivisions involving “deed out” parcels or other information which would not be accurately represented at the aforementioned scales.

The record plat may be drawn at such a scale as to accurately represent such parcels or information. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown. The record plat shall not be a reduction from a larger scale plan.

TABLE 4.1 CONCEPT PLAN REQUIREMENTS	
REQUIRED ITEM DESCRIPTION	
1.	Vicinity Map showing subdivision location
2.	Location by military survey or other survey
3.	Location by Township
4.	Scale of the plan, North
5.	Names, Addresses, and phone numbers of owner and applicant
6.	Names, addresses, and phone numbers of professional engineer and/or registered surveyor who prepared the plan
7.	Appropriate registration number and seals, including one (1) set of plans with an original stamp and signature
8.	Boundaries of the subdivision along with parcel identification number(s)
9.	The boundary of the property and the rights-of-way of existing roads shall be shown on the plan
10.	Existing buildings on the property shall be shown on the plan
11.	Preliminary Inventory and Analysis of Site and any adjacent properties: To the extent that they relate to the site, such inventory and preliminary analysis shall address topography, waterways, wetlands and drainage, historic features, adjacent and on-site land uses and zoning, including any overlay district affecting the site; utilities and related easements and any other easements of record; roadways and traffic circulation; and other information critical to the capability of the site to accommodate development
12.	The proposed lot and street configuration as it relates to the boundaries of the property to be subdivided
13.	Existing topography shall be shown on the plan at five (5) foot intervals, woods, streams, wetlands, and all other natural features shall be shown on the plan
14.	The location of all storm water infrastructure
15.	A statement indicating the proposed method of wastewater disposal
16.	Verification that the proposed entrances meet all applicable sight distance requirements as established by the Clermont County Engineer and/or Ohio Department of Transportation
17.	The proposed means of access from the public right-of-way to each individual tract of land where a building site is created without trespass upon adjoining properties
18.	The location of all bridges, culverts, and culvert pipe installations required to provide access to a building site

TABLE 4.2 DESIGN PLAN REQUIREMENTS	
REQUIRED ITEM DESCRIPTION	
1.	Written documentation of approval of Concept Plan from all reviewing agencies
2.	Proposed name of subdivision under Section 302
3.	Vicinity Map showing subdivision location
4.	Scale of the Plan, North arrow
5.	Location by military survey or other survey
6.	Location by Township
7.	Names, addresses, and phone numbers of owner and applicant
8.	Name, addresses, and phone numbers of professional engineer and/or registered surveyor who prepared the plan
9.	Appropriate registration number and seals, including one (1) set of plans with an original stamp and signature
10.	Boundaries of the subdivision along with parcel identification number(s)
11.	Total Acreage of the entire tract, total acreage of land in lots, total acreage of land contained in streets, total acreage of open space, park land, etc.
12.	Names of adjacent subdivisions, owners of adjoining parcels of undivided land and the location of boundary lines
13.	Locations, dimensions, and names of existing streets, railroad right-of-ways, easements, parks, permanent buildings, and corporations, Township and County lines
14.	Zoning classification of the tract and adjoining properties
15.	Existing contours at two (2) foot intervals on land classified as “level” in the Clermont Soil Survey, and not greater than five (5) foot intervals for all other lands
16.	Locations and dimensions of existing sanitary and storm sewers, water lines, culverts, and other underground structures, and power transmission poles and line within and adjacent to the tract
17.	Location of proposed streets, easements, common parking areas, alleys, pedestrian walks and points of circulation, ingress, and egress
18.	Widths of proposed streets and easements
19.	Verification that the proposed entrances meet all applicable sight distance requirements as established by the Clermont County Engineer Department and/or Ohio Department of Transportation
20.	Typical cross section of roads, from right-of-way line to right-of-way line. The typical section shall show the location of all utility lines and storm sewers. Pavement design shown shall be on the designs shown in the <i>Subdivision Street Design and Construction Standards for Clermont County</i>
21.	Building setback lines and dimensions

TABLE 4.2 DESIGN PLAN REQUIREMENTS (Cont.)	
REQUIRED ITEM DESCRIPTION	
22.	Layout, numbers, and approximate dimensions of each lot, including area of individual lots in both acres and in sq. ft.
23.	Location of existing waterbodies, including streams, ponds and wetlands
24.	Proposed location of storm water management systems, including storm sewers, best management practices and easements
25.	Storm water analysis, including the design method, critical storm calculations, detention calculations and Ohio EPA water quality volume calculations
26.	Location and dimensions of proposed utility and sanitary and storm sewer lines, showing their connections to existing systems
27.	Parcels of land in acres to be reserved for public use or to be reserved by covenant for residents of the subdivision
28.	The location and extent of all soils within the proposed project
29.	Drainage area of the project
30.	The location and extent of Flood Zones as defined in Section 503 of this resolution, showing flood way areas
31.	The location of wooded areas, topographic, and natural features that are within and adjacent to the proposed project areas
32.	Locations and dimensions of Rights-of-Way to be dedicated within the proposed subdivision and along any adjacent roadways
33.	Date referencing when plans were printed
34.	If the subdivision is to be submitted in sections, blocks or phases, these proposed divisions shall be indicated on the plan
35.	A statement indicating the proposed method of wastewater disposal
36.	Traffic Impact Study (Highly Recommended)

TABLE 4.3 CONSTRUCTION PLAN REQUIREMENTS	
REQUIRED ITEM DESCRIPTION	
1.	Proposed name of subdivision under Section 302
2.	Vicinity map showing subdivision location
3.	Location by military survey or other survey
4.	Names, addresses, and phone numbers of the owner and applicant
5.	Name, addresses, and phone numbers of the professional engineer and/or registered surveyor who prepared the plans
6.	Appropriate registration number and seals, including one (1) set of plans with an original stamp and signature
7.	Scale of the plan, North arrow
8.	Boundaries of the subdivision along with parcel identification number(s)
9.	Total acreage of the entire tract, total acreage of land contained in lots, total acreage of land contained in streets, total acreage of open space, park land, etc.
10.	Name of adjacent subdivisions, owners of adjoining parcels of undivided land, and the location of boundary lines
11.	Locations, dimensions, and names of existing streets, railroad right-of-ways, easements, parks, permanent buildings and corporations, township, and county lines
12.	Existing contours at two (2) foot intervals on land classified as "level" in the Clermont County Soil Survey, and not greater than five (5) foot intervals for all other lands
13.	Locations and dimensions of existing sanitary and storm sewers, water lines, culverts, and other underground structures, and power transmission poles and lines within and adjacent to the tract
14.	Location of proposed streets, easements, common parking areas, alleys, pedestrian walkways and points of circulation, ingress, and egress
15.	Names and widths of proposed streets and easements
16.	Typical cross section of roads, from right-of-way line to right-of-way line. The typical section shall show the location of all utility lines and storm sewers. Pavement design shown shall be on the designs shown in the <i>Subdivision Street Design and Construction Standards for Clermont County</i>
17.	Building setback lines and dimensions
18.	Location and dimension of proposed utility and sanitary and storm sewer lines, showing their connections with existing systems
19.	Layout, numbers, and approximate dimensions of each lot, including area of individual lots in both acres and in sq. ft.
20.	Parcels of land in acres to be reserved for public use or to be reserved by covenant for residents of the subdivision
21.	Proposed use of lots, type, and number of dwelling units
22.	The drainage area of the entire proposed project site

TABLE 4.3 CONSTRUCTION PLAN REQUIREMENTS (Cont.)	
REQUIRED ITEM DESCRIPTION	
23.	The location and extent of all soils within the proposed project area
24.	The location of all wooded, topographic, or natural features that are contained and adjacent to the proposed project area
25.	Complete drainage details and storm water runoff calculations that adhere to the Clermont Water Management and Sediment Control (WMSC) Regulations, stamped and signed by a Professional Engineer certified in the State of Ohio
26.	Bearings and distances to street lines, military survey lines, or township lines or recognized permanent monuments which shall accurately describe the proposed plat
27.	Radii, internal angles, points of curvature, tangent bearings, lengths of arcs and curve data of all applicable streets within the plat area
28.	A complete Soil Erosion and Sediment Control Plan that adheres to the Clermont County Water Management and Sedimentation Control Regulations (W.M.S.C)
29.	A detailed site analysis consisting of a report that lists the development site characteristics such as site context, ecology, historic sites or structures, farmland, important or distinguishing features, the locations of all wooded areas, and any other significant topographic and natural features located within or adjacent to the plan
30.	All easements for right-of-way provided for public services or utilities, and any limitations of such easements
31.	Location and statement of adequate outlet for aerobic sewage discharge as approved by Clermont County Public Health. This statement may be made in the form of a notation of reference to a recorded document
32.	Summary of Quantities of all work
33.	Estimate of the cost of construction of street improvements
34.	Date referencing when plans were printed
35.	Approval and acceptance clause for the signatures of a representative of the Clermont County Planning Commission, the County Engineer, the Clermont County Water Resources Department, the Clermont County W.M.S.C Administrator or his designated representative, and Township Zoning
36.	If the subdivision is to be submitted in sections, blocks, and/or phases, these divisions shall be indicated on the record plat
37.	Location of all bury pits and/or debris pits
38.	Traffic Impact Study if required by Clermont County Engineer's Office

TABLE 4.3 CONSTRUCTION PLAN REQUIRMENTS (Cont.)	
Within Commercial, Multifamily, Industrial (and Planned Unit Developments) Additional Requirements	
40.	The proposed use of all buildings (includes PUD)
41.	The height of all buildings (includes PUD)
42.	The location, dimensions and approximate grade of proposed parking and loading facilities, alleys, pedestrian walkways streets and drives, and other points of circulation, ingress and egress to the development (includes PUD)
43.	The location and proposed development of all open space and common area (includes PUD)
44.	The location of all existing and proposed site improvements including drains, culverts retaining walls and fences (includes PUD)
45.	The location and dimension of all signs (includes PUD)
46.	The location and design of street and parking lighting (includes PUD)
47.	The location and design of all landscaping (includes PUD)
48.	The location of all fire hazards, as well as the proposed method of mitigation shown on the plan
49.	The location of all radioactivity or electrical disturbances and the proposed method of mitigation shown on the plan
50.	The location of any sources of excessive noise, and the proposed method of mitigation shown on the plan
51.	Any sources of air pollution must be documented on the plans, and the proposed method of mitigation must be shown on the plan
52.	In instances where excessive glare may result from the proposed land use, the mitigation method shall be shown on the plan
53.	Any source of potential water pollution and the proposed method of mitigation shall be indicated on the plan
54.	Any related, operational, or pertinent characteristics of the proposed use shall be indicated on the plan
55.	Location of existing waterbodies, including streams, ponds and wetlands
56.	Limits of clearing/disturbances

TABLE 4.4 RECORD PLAT REQUIREMENTS	
REQUIRED ITEM DESCRIPTION	
1.	Proposed name of subdivision under Section 302.
2.	Vicinity map showing subdivision location.
3.	Location by military survey or other survey.
4.	Location by township.
5.	Name, address, and phone numbers of owner and applicant.
6.	Name, addresses, and phone numbers of professional registered surveyor who prepared the plan.
7.	Appropriate registration number and seals, mylar shall include original signatures
8.	Scale of the plan, North arrow
9.	Boundaries of the subdivision along with parcel identification number(s)
10.	Total acreage of entire tract, total acreage of the land in lots, total acreage of land contained in streets, total acreage of open space, park land, etc.
11.	Names of adjacent subdivisions, owners of adjoining parcels of undivided land and the location of boundary lines
12.	Locations, dimensions, and names of existing streets, railroad right-of-ways, easements, parks, permanent buildings and corporations, township, and county lines
13.	Location of proposed streets and easements
14.	Names and widths of proposed streets and easements
15.	Building setback lines and dimensions
16.	Layout, numbers, and dimensions of each lot
17.	Parcels of land in acres to be reserved for public use or to be reserved by covenant for residents of the subdivision
18.	Restriction and covenants the applicant intends to include in the deeds to the lots of the subdivision
19.	Bearings and distances to street lines, military survey lines, or township lines or permanent monument which shall accurately describe the plat
20.	Municipal, military survey, or township lines tied to the lines of the subdivision by distances and bearings
21.	Radii, internal angles, points of curvature, tangent bearings, lengths of arcs and curve data of all applicable streets within the plat area
22.	Accurate description of permanent cornerstones and concrete markers which shall be located and set with the minimum requirements of the Ohio Revised Code Section 711.03 and shall in all instances be located and set to establish all boundary lines of the subdivisions, all intersections, and all centers of cul-de-sacs

TABLE 4.4 RECORD PLAT REQUIRMENTS (Cont.)	
REQUIRED ITEM DESCRIPTION	
23.	An accompanying Certificate of Title, completed by an Attorney-at-Law who is licensed to practice in the State of Ohio, certifying that all taxes are current and there are no liens or encumbrances on the property, or that record owners and lien holders of the property therein platted do hereby accept said plat and consent to the execution and recording of same (or similar clause signed by owner on application for minor subdivision)
24.	A statement certifying that the subdivision satisfies all applicable requirements of the zoning district governing the use of the land at the time of approval and signed by township zoning
25.	Certification by a registered surveyor to the effect that the plat represents a survey completed by the surveyor and that the monuments shown exist as located in all dimensional details are correct
26.	A notarized acknowledgment of all owners and lien holders to the plat and its restrictions including dedication to the public uses of streets, alleys, parks and other spaces shown thereon and granting required easements
27.	Copy of the proposed Homeowners Association agreement (if applicable)
28.	All easements for right-of-way provided for public services or utilities, and any limitations of such easements
29.	Location and/or statement of adequate outlet for aerobic sewage discharge as approved by Clermont County Public Health. This statement may be made in the form of a notation of reference to a recorded document
30.	Plat boundaries based on accurate traverse with angular and lineal dimensions. All dimensions, both angular and lineal shall be determined by an accurate control survey in the field which must balance and close within the limit of one (1) in ten-thousand (10,000)
31.	Date
32.	Exact locations, right-of-way, and names of all streets within and adjoining plat
33.	All lot numbers and lines with accurate dimensions in feet and hundredths, with bearings or angles to street lines. When lots are located on a curve, the lots width at the building setback line shall be shown
34.	Area of individual lots in acres
35.	Area of individual lots in sq. ft.
36.	Accurate outline of areas to be dedicated or reserved for public use, or any area to be reserved for the common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated
37.	Should the record plat involve a Planned Unit Development (PUD) or a Special Development, those items which may be required to be shown on the record plat by the appropriate zoning or platting authority

TABLE 4.4 RECORD PLAT REQUIRMENTS (Cont.)	
REQUIRED ITEM DESCRIPTION	
38.	Approval and acceptance clause for the signatures of a representative of the Clermont County Planning Commission, the County Engineer, the Clermont County Water Resources Department, the Clermont County W.M.S.C Administrator or his designated representative, the Clermont County Board of Commissioners, and the applicable Township Zoning Official
39.	The following drainage statement: “The Clermont County Board of Commissioners assumes no legal obligation to maintain or repair any open drainage ditches, closed storm sewer systems, or channels designated as ‘Drainage Easements’ on this plat. The easement area of each lot and all improvements within it shall be maintained continuously by the lot owner. Within the easements, no structure, planting, fencing, culvert or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through water course.”
40.	If the subdivision is to be submitted in sections, blocks, and/or phases, these divisions shall be indicated on the record plat
41.	Location of all bury pits and/or debris pits

TABEL 4.5 MINOR SUBDIVISION REQUIRMENTS	
REQUIRED ITEM DESCRIPTIONS ON MYLAR	
1.	18" x 24" Plat Size
2.	Tax Map Dept. block and parcel identification number
3.	Vicinity Map showing location of minor subdivision
4.	Military Survey name and number
5.	Location by county
6.	Location by township
7.	Scale of the plan written and graphic, North arrow
8.	Acreage breakdown table
9.	Appropriate registration number and seals
10.	Tie (Tie to two centerline intersections, two military survey lines, or combination of military survey and centerline or a subdivision lot #)
11.	Road names (rights-of-way to be shown)
12.	Names, addresses, and phone numbers of owner and applicant
13.	Name, address, and phone number of professional registered surveyor who prepared the plan
14.	Adjacent property owners deed book, page, and parcel identification number(s)
15.	Boundaries of the subdivision
16.	Names of adjacent subdivisions, owners of adjoining parcels of undivided land and the location of boundary lines
17.	Monuments set or found and size
18.	Offset monuments at road
19.	Notation of occupation
20.	Basis of bearings
21.	Bearings and distances
22.	Citation of reference documents
23.	Date of survey
24.	Tie to two county monuments (if two or more acres)
25.	Easements
26.	Military Survey lines shown

TABEL 4.5 MINOR SUBDIVISION REQUIRMENTS	
REQUIRED ITEM ON PAPER SUBMITTAL	
1.	In all situations involving the re-platting of any existing parcel, lot, or tract of land, the identity of the original parcel, lot, or tract from which the newly created or adjusted lots were derived shall be indicated within the boundary lines of each parcel that is adjusted or created as a result of the re-plat procedure.
2.	In all situations involving the re-platting of any existing parcel, lot, or tract of land, the lot lines of the original parcel, lot, or tract shall be clearly indicated on the plan.
3.	Locations, dimensions, and names of existing streets, railroad right-of-ways, easements, parks, permanent buildings, and corporations, township, county lines and school district
4.	Zoning classification of the tract
5.	Existing contours at two (2) foot intervals on land classified as “level” in the Clermont County Soil Survey, and not greater than five (5) foot intervals for all other lands
6.	Locations and dimensions of existing sewers, water lines, culverts, and other underground structures, and power transmission poles and lines within and adjacent to the tract
7.	Building setback lines and dimensions
9.	Location and dimensions of proposed utility and sewer lines, showing their connections with existing systems
10.	Statement certifying that the minor subdivision satisfies all applicable requirements of the zoning district governing the use of the land at the time of recording
11.	Land of grantor map
MISCELLANEOUS ITEMS NEEDED	
1.	Closure notes from surveyor (may be on separate sheet)
2.	Certificate of Compliance drawing signed by Planning Commission Representative, Township Zoning, General Health District and/or Water & Sewer District, Building Inspection Department, County Engineer’s Office or ODOT (if located on a State Route)
3.	Final Survey Drawing must include signatures from Township Zoning and Clermont County Public Health
4.	Minor Subdivision Application
5.	Appropriate application and review fees
6.	Deed(s)

TABLE 4.6 FIVE ACRE PLUS SUBDIVISION REQUIRMENTS	
REQUIRED ITEM DESCRIPTION	
1.	24" X 36 " plat size
2.	Proposed name of subdivision under Section 302
3.	Vicinity map showing subdivision location
4.	Location by military survey or other survey
5.	Location by township
6.	Scale of the plan, north arrow
7.	Name, address, and phone numbers of owner and applicant
8.	Name, addresses, and phone numbers of professional engineer and registered surveyor who prepared the plan
9.	Appropriate registration number and seals, mylar shall include original signatures
10.	Boundaries of the subdivision
11.	Total acreage of entire tract, total acreage of the land in lots, total acreage of land
12.	Names of adjacent subdivisions, owners of adjoining parcels of undivided land and the location of boundary lines.
13.	Locations, dimensions, and names of existing streets, railroad right-of-ways, easements, parks, permanent buildings and corporations, township, and county lines.
14.	Location of proposed streets and easements.
15.	Names and widths of proposed streets and easements.
16.	Building setback lines and dimensions.
17.	Layout, numbers, and dimensions of each lot.
18.	Parcels of land in acres to be reserved for public use or to be reserved by covenant for
19.	Restriction and covenants the applicant intends to include in the deeds to the lots of the subdivision.
20.	Bearings and distances to street lines, military survey lines, or township lines or permanent monument which shall accurately describe the plat.
21.	Municipal, military survey, or township lines tied to the lines of the subdivision by distances and bearings.
22.	Radii, internal angles, points of curvature, tangent bearings, lengths of arcs and curve data of all applicable streets within the plat area.
24.	Accurate description of permanent cornerstones and concrete markers which shall be located and set with the minimum requirements of the Ohio Revised Code Section 711.03

TABLE 4.6 FIVE ACRE PLUS SUBDIVISION REQUIREMENTS (Cont.)	
REQUIRED ITEM DESCRIPTION	
25.	An accompanying Certificate of Title, completed by an Attorney-at-Law who is licensed to practice in the State of Ohio, certifying that all taxes are current and there are no liens or encumbrances on the property, or that record owners and lien holders of the property therein platted do hereby accept said plat and consent to the execution and recording of same (or similar clause signed by owner on application for minor subdivision).
26.	A statement certifying that the subdivision satisfies all applicable requirements of the zoning district governing the use of the land at the time of approval.
27.	Certification by a registered surveyor to the effect that the plat represents a survey completed by the surveyor and that the monuments shown exist as located in all dimensional details are correct.
28.	A notarized acknowledgment of all owners and lien holders to the plat and its restrictions including dedication to the public uses of streets, alleys, parks and other spaces shown thereon and granting required easements.
29.	Copy of the proposed Homeowners Association agreement (if applicable)
30.	All easements for right-of-way provided for public services or utilities, and any limitations of such easements
31.	Location and/or statement of adequate outlet for aerobic sewage discharge as approved by Clermont County Public Health. This statement may be made in the form of a notation of reference to a recorded document.
32.	Plat boundaries based on accurate traverse with angular and lineal dimensions. All dimensions, both angular and lineal shall be determined by an accurate control survey in the field which must balance and close within the limit of one (1) in ten-thousand (10,000).
33.	Date
34.	Exact locations, right-of-way, and names of all streets within and adjoining plat
35.	All lot numbers and lines with accurate dimensions in feet and hundredths, with bearings or angles to street lines. When lots are located on a curve, the lots' width at the building setback line shall be shown.
36.	Area of individual lots in acres
37.	Area of individual lots in sq. ft.
38.	Accurate outline of areas to be dedicated or reserved for public use, or any area to be reserved for the common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.
39.	Should the record plat involve a Planned Unit Development (PUD) or a Special Development, those items which may be required to be shown on the record plat by the appropriate zoning or platting authority.

TABLE 4.6 FIVE ACRE PLUS SUBDIVISION REQUIREMENTS	
REQUIRED ITEM DESCRIPTION	
40.	Approval and acceptance clause for the signatures of a representative of the Clermont County Planning Commission, the County Engineer, the Clermont County Water Resources Department, the Clermont County W.M.S.C Administrator or his designated representative, and the Clermont County Board of County Commissioners and the applicable Township Zoning Official.
41.	The following drainage statement: “The Clermont County Board of County Commissioners assumes no legal obligation to maintain or repair any open drainage ditches or channels designated as ‘Drainage Easements’ on this plat. The easement area of each lot and all improvements within it shall be maintained continuously by the lot owner. Within the easements, no structure, planting, fencing, culvert or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through water course.”
42.	If the subdivision is to be submitted in sections, blocks, and/or phases, these divisions shall be indicated on the record plat.
43.	Location of all bury pits and/or debris pits
MISCELLANEOUS ITEMS NEEDED	
1.	Certificate of Compliance* drawing signed by Planning Commission Representative, Township Zoning, Public Health and/or Water & Sewer District, Building Inspection Department, County Engineer’s Office or ODOT (if located on a State Route)
2.	Five Acre Plus Application
3.	All applicable recording fees
4.	A Certificate of Title, completed and signed by an attorney-at-law
5.	Deed(s) and/or all applicable legal descriptions of the property to be subdivided

*Note: Certificate of Compliance shall be provided by the Planning Commission or its designated representative. Planning Commission Staff shall stamp one (1) paper copy of the proposed Five Acre Plus Subdivision, and shall sign and date the Certificate of Compliance to verify that the proposed development meets all components established in Article VII, Section 704 of these regulations.

ARTICLE V:

RESIDENTIAL LOTS LESS THAN FIVE ACRES SUBDIVISION DESIGN STANDARDS

SECTION 501 GENERAL STATEMENT

The regulations in this article shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help ensure convenient and safe streets, creation of usable lots, provision of space for public utilities, and to minimize the impact on natural resources and the environment. The planning of attractive, connected, and functional neighborhoods shall be promoted. The Planning Commission has the responsibility for reviewing the design of each future subdivision in its design development. The Commission shall ensure that all of the requirements of this Article are met.

SECTION 502 CONFORMITY TO DEVELOPMENT PLANS AND ZONING

The arrangement, character, width, and location of all thoroughfares or extensions shall conform to the County's Thoroughfare Plan. Thoroughfares not contained in the County's Thoroughfare Plan shall conform to the recommendation of the Planning Commission based upon the design requirements set forth in Section 504 and as specified in the *Subdivision Street Design and Construction Standards for Clermont County*. In addition, no final plat of land within the area in which an existing zoning resolution is in effect shall be approved unless it conforms with such resolution.

SECTION 503 SENSITIVE DEVELOPMENT AREAS

The Planning Commission may find that lands or soils proposed to be subdivided, if subjected to improper alteration or use, could be incapable or unsuitable for subdivision development. If such conditions exist, they may require special use, design and engineering restrictions if the Planning Commission or its designated representative finds that any one (1) of the following applies:

1. The proposed lands or soils possess any of the attributes listed in the Sensitive Development Area Criteria portion of this section.
2. The subdivision as proposed and submitted causes a hazard or abuse of such features based on the comments, conditions or exceptions offered by the County Engineer, the Water Resources Department, the County Public Health, and/or the County Building Inspector.

Sensitive Development Areas can be defined as any land(s) or soil(s) proposed to be subdivided that, if subjected to improper use or management, is otherwise determined to be incapable or unsuitable of urban use. Sensitive Development Areas can also be considered those lands that pose special hazards to development or the environment, consisting of lands or soils of such sensitive character that they may require special use, design and engineering restrictions. Sensitive Development Area lands and soils include:

1. Tributary Drainage system: The beds and banks of perennial and intermittent streams as identified by current USGS mapping or field survey.
2. Alluvial Flood Plains: Soil Types AdC, Ee, Gn, Hu, Lg, Ln, Mh, Ne, Rh, Sh, and St.

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3. Flood Zones: Land in the floodway of any existing stream, creek, or river as identified by any one or more of the following studies:
 - a. Federal Emergency Management Agency's Flood Hazard Boundary Maps, County of Clermont, Ohio - Unincorporated Areas.
 - b. Flood Plain Information, Ohio River Clermont County, Ohio, Corps of Engineers, U.S. Army, 1968.
 - c. Flood Plain Information Study, Little Miami River, Ohio, U.S. Army Corps of Engineers, 1966.
4. Lakes and Ponds Intermittently Filled with Water: Marshes, swamps, and wet spots (equivalent to soil types Cle1A).
5. Wetlands as defined in Section 404 of the Federal Water Pollution Act, as amended; and as in the Ohio Environmental Protection Agency standards.
6. Both surface and subsurface Quarries and Gravel Pits: Complete Cu, Gr, and Rh soil types.
7. Bedrock Escarpments.
8. Steep Slopes and Erosion Hazards: Sand gravel soil types in excess of eighteen (18), silt soils in excess of twelve (12); and clay soils in excess of twelve (12) percent slope; defined as soil types AdC, CcD2, CkD3, EaD2, EaE2, EaF2, EbD2, EbE2, EbG2, EcE3, EdG3, FaE2, FaG2, GpE2, HkD2, HkF2, HiG3, RkE2, SeD2, and WrD2.

If the Planning Commission or its designated representative finds that any of the above criteria apply to the proposed development site, the applicant shall be required to submit a statement in order to demonstrate that satisfactory efforts have been made to mitigate any special hazards posed to the site if these sensitive lands are subjected to improper use or management. The statement, if required, shall be submitted in one or more of the following forms:

1. The statement shall describe in detail the extent of encroachment on any Sensitive Development Area, the extent and nature of the proposed alteration, the environmental impacts resulting from the proposed alteration, and the proposed methods of mitigation, including, but not limited to, compliance with the *Clermont County Water Management and Sediment Control Regulations*.
2. The applicant shall submit a Geotechnical Report. The requirement for a Geotechnical Report may be waived if the applicant can demonstrate in the development narrative that appropriate engineering measures concerning slope stability, erosion control, and resident safety are taken into account. Areas where No. 6, No. 7, and/or No. 8 are present shall require subsurface investigations prior to infrastructure or building construction, and would otherwise require the submittal of Geotechnical Reports to accompany the subdivision application.
3. Wetlands Assessment/Delineation shall only be required if items No. 4 and/or No. 5 are present on the proposed site.
4. If items No. 2, and/or No. 3 are present, the applicant shall delineate the 100-Year Flood Boundary and indicate the 100-Year Flood Elevation on the plans, construction plans, and record plat.

SECTION 504 PUBLIC STREET GUIDELINES AND REQUIREMENTS

General Public Street Guidelines:

Although the Planning Commission has established general street guidelines, many of the specific technical requirements related to the public streets are regulated by the County Engineer's Office. Generally, all technical standards governing public streets are to be established by the County Engineer, and shall be contained in the *Subdivision Street Design and Construction Standards for Clermont County*.

In order to promote a coherent and efficient system of streets in Clermont County, the Planning Commission shall:

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1. Encourage the utilization of design techniques that will allow the subdivision to be compatible with the function of those streets so designated in the Thoroughfare Plan;
2. Encourage the use of collector streets to serve residential streets wherever possible;
3. Discourage the frequent intersection of local residential streets with arterials;
4. Encourage the use of interconnected public streets to serve the subdivision;
5. Encourage proposed public street systems to be a continuation of the existing and/or proposed pattern of surrounding streets and land uses;
6. Encourage the interconnecting of public streets to adjacent property in such a manner so as to provide for the orderly development of said adjacent areas;
7. Proposed public streets shall be extended to the boundary lines of the tract to be unless, in the opinion of the Planning Commission, such extensions are not necessary or desirable for:
 - a. The coordination of the proposed subdivision layout with the adjacent layouts
 - b. The most advantageous future development of adjacent tracts
 - c. Access for the proposed or existing subdivision
8. Allow, where appropriate, the use of alleys for access;
9. Traffic calming strategies shall be subject to the approval of all applicable Township authorities, the Clermont County Engineer, and the Planning Commission.

Public Street Design Requirements:

In the interest of ensuring the proper design and construction of public streets, the Planning Commission shall require all new public streets to conform with/or complement the County’s Thoroughfare Plan and the Subdivision Street Design and Construction Standards for Clermont County.

1. Minimum right-of-way for residential local streets shall be established per the recommendation of the County Engineer’s Office, and shall conform to the requirements of the County’s Thoroughfare Plan, and the Subdivision Street Design and Construction Standards for Clermont County.
2. Public streets in residential subdivisions (excluding Five Acre Plus Subdivisions) shall be designed to be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Street width shall be determined based upon the building setbacks present in the proposed subdivision. In all instances, street widths shall be measured from back-to-back of the installed curb. Minimum street width requirements are contained in the following table:

TABLE 5.1 MINIMUM PAVEMENT STANDARDS FOR ALL SUBDIVISIONS (EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)	
Setback Greater Than or Equal to 40 Feet	24 feet (20 feet)
Setback Less Than 40 Feet	28 feet (24 feet)

*Note: Widths shown in parentheses apply only to where curb and gutter is not required in Article V, Section 507.

3. Relationship to the OKI Functional Street Classification Map:

a. Arterials:

When a proposed subdivision abuts an existing street designated as an arterial in the OKI Functional Street Classification Map or by its current functional classification, the applicant shall be required to dedicate one-half of the right-of-way specified for that street in said plan. When a proposed subdivision would be traversed by a designated arterial, dedication of the full amount of required right-of-way shall be required. Where a proposed subdivision abuts or is traversed by an existing primary regional arterial street designated in the OKI Functional Street Classification Map, the Planning Commission shall require marginal access streets, reverse frontage lots with buffering under Section 516 along the rear property line, or access provided through the rear property line by means of an alley or driveway. All marginal access streets, alleys, and driveways shall be built in conformance with the design specifications established in the *Subdivision Street Design and Construction Standards for Clermont County*.

b. Collector:

When a proposed subdivision abuts an existing street designated as a collector street in the OKI Functional Street Classification Map or by its current functional classification, the applicant shall be required to dedicate one half of the right-of-way specified for that street in said plan. When a proposed subdivision would be traversed by a designated collector street, dedication of the full amount of required right-of-way shall be required for access to lots. The Planning Commission shall determine the need for a collector street based upon an analysis of a proposed street's relationship to the surrounding existing or proposed street system and the scale of existing and/or potential neighboring land uses that would exert some influence on traffic movement along said street. When such need has been determined, a collector street shall be built following the specifications outlined in the OKI Functional Street Classification Map and the *Subdivision Street Design and Construction Standards for Clermont County*.

c. Local Streets:

When a proposed subdivision abuts an existing public street or road not designated as an arterial or collector street in the OKI Functional Street Classification Map, the applicant shall be required to dedicate one half of the right-of-way specified for that street in the OKI Functional Street Classification Map. When a proposed subdivision would be traversed by an existing public street or road not designated as a connector or arterial in the OKI Functional Street Classification Map, the applicant shall be required to dedicate the full amount of the required right-of-way specified for that street in the OKI Functional Street Classification Map. All local streets shall be built in conformance to the design specifications established in the *Subdivision Street Design and Construction Standards for Clermont County*.

4. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as part of a continuing street plan. All temporary dead end streets shall conform to requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
5. Dedication of new half-streets shall not be permitted.
6. Alleys shall be allowed. Alleys shall conform to the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*. Alleys shall be designed to meet minimum widths in the following table:

TABLE 5.2 MINIMUM PAVEMENT STANDARDS FOR ALLEYS IN RESIDENTIAL SUBDIVISIONS (EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)	
Minimum Pavement Width	16 feet
Minimum Right-of-Way Width	20 feet

7. Names of new streets shall not duplicate the names of existing streets of record or streets for which design plans have been approved.
8. Street names shall be approved by the County Engineer’s Office.
9. New streets which are extensions of, or in alignment with, existing streets shall bear the name of the existing street.
10. Street signs, regulation signing, and warning signs shall be erected by the developer before building permits for homes are obtained. The developer shall maintain such signage until such time when the County accepts the streets for public use. All regulatory and warning signs shall meet the Ohio Manual of Uniform Traffic Control Devices. All signage shall be regulated by the County Engineer’s Office.
11. Access Management along major collectors and arterials shall be considered as a part of the subdivision approval process.

SECTION 505 RIGHTS-OF-WAYS

1. The right-of-way width required shall reflect future development as indicated by the County’s Thoroughfare Plan.
2. When a road is not referenced in the County’s Thoroughfare Plan, the right-of-way width shall be established per the recommendation of the County Engineer’s Office, and shall be approved by the Planning Commission.

SECTION 506 INTERSECTION DESIGN GUIDELINES

All street intersections in subdivisions shall be designed and constructed in accordance with the standards as specified in the *Subdivision Street Design and Construction Standards for Clermont County*.

SECTION 507 CURBS & GUTTERS

Curbs and gutters shall be installed in Residential Subdivisions. The use of approved drainage swales may be permitted in lieu of storm sewers where site conditions permit. If approved drainage swales are used in lieu of storm sewers, designated curb cuts shall be planned to provide a path for storm water runoff to flow into swale or bio-retention practice. These requirements shall be in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.

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1. Curbing may be required by the County Engineer's Office in any circumstance where curbing shall prove to be a beneficial component of any proposed development.
2. Ditch and berm areas along public rights-of-way shall be designed and built in accordance with the requirements established by the Subdivision Street Design and Construction Standards for Clermont County.

SECTION 508 STORM WATER MANAGEMENT FACILITIES

1. Detention/retention ponds or approved alternative storm water management practice(s) shall be shown on the Design Plan and Construction Plans.
2. The design of detention/retention pond(s) or alternative storm water management practice, including below ground storage, shall meet the requirements of the *Clermont County Water Management and Sediment Control Regulations*.
3. If a drainage system crosses private property, rights-of-way or easements must be obtained by the applicant or developer for the construction and future maintenance, and shall be designed in conformance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
 - a. These rights-of-way or easements shall be shown on the construction plans.
 - b. Drainage easements shall extend to the exterior property lines of the subdivision.
4. Maintenance of detention/retention ponds or alternative storm water management practices have the option of creation of a storm water district or ditch petition per Ohio Revised Code Chapter 6117.
5. Unless otherwise specifically labeled on the approved plans, storm water management facilities shall by default be dedicated to the Homeowners Association for short and long term maintenance. In cases where there is no Homeowners Association, the lot owner(s) will be required to perform all maintenance responsibilities.
6. Provisions for the maintenance of any detention/retention pond(s) or alternative storm water management practice shall be included on the Record Plat.

SECTION 509 GUARD RAILS

Guard rails shall be designed in conformance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

SECTION 510 PRIVATE STREET DESIGN STANDARDS FOR ALL RESIDENTIAL SUBDIVISIONS (EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)

Private streets may be permitted by the Planning Commission in platted residential subdivisions provided they meet the following requirements:

1. All private streets in proposed residential subdivisions (Excluding Five Acre Plus Subdivisions) shall be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Private street pavement widths shall conform to the minimum requirements established in the following table:

**TABLE 5.3 MINIMUM PAVEMENT WIDTH STANDARDS FOR PRIVATE STREETS
IN RESIDENTIAL SUBDIVISIONS
(EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)**

Minimum Required Pavement Width	18 feet
Minimum Required Ingress/ Egress Width	40 feet

2. All private streets shall be constructed using the same materials and specifications governing the construction of public streets in Residential Subdivisions, and shall also be designed and installed in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.
3. Any proposed private street shall serve a minimum of six residential dwellings in order to be platted and recorded as a private street. Any private vehicular travel-way serving less than six residential lots shall be labeled as such on the plan, and shall be platted as a common driveway.
4. All lots utilizing a private street for access shall be provided with a driveway easement and maintenance agreement, to be noted on the record plat and to be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained.

SECTION 511 DRIVEWAYS

1. Common driveways may be permitted in platted residential subdivisions provided they meet the following conditions:
 - a. No more than five lots shall be served by a common driveway.
 - b. All lots using common driveways shall provide a driveway easement and maintenance agreement noted on the record plat.
 - c. Portions of the driveway located in the right-of-way shall be designed and constructed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
2. All driveways shall conform to the following requirements:
 - a. The pavement design of the driveway apron shall be one of the designs shown in the *Subdivision Street Design and Construction Standards for Clermont County*.
 - b. Driveway drainage permits shall be required.

SECTION 512 LOT ARRANGEMENT & SITING

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

1. The lot arrangement and design should be such that all lots provide satisfactory building sites, properly related to topography and character of surrounding development.
2. Each lot shall abut public right-of-way. The normal minimum permissible frontage for any lot in a platted residential subdivision shall be twenty five (25) feet. see “No. 4” below.
3. In the absence of topographical or other physical features, all side lot lines shall be at right angles to the street lines and radial to curved street lines. The Planning Commission may determine that a variation to this rule would provide a better layout.
4. The “panhandle” of a panhandle lot as defined in Section II of these regulations shall have a minimum width that conforms to the requirements of the zoning regulations governing the tract in question. If no minimum requirement exists or if the tract in question is in an unzoned area, the minimum width shall be 25 feet. The width of a panhandle for a lot in a platted subdivision may be

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less than the required 25 feet but only if it can be demonstrated that easements of adequate dimensions are provided for access and utilities and the panhandle would primarily serve to meet the legal frontage requirement.

5. The maximum number of panhandles that may abut for a common driveway is five.
6. Building setbacks for all lots in zoned areas shall conform to the minimum setback requirements of the zoning regulations governing the tract in question.
7. Building setbacks for all lots in unzoned areas shall be no less than twenty feet.
8. In unzoned areas, no corner lot shall have a width at the building line of less than sixty (60) feet.

SECTION 513 LOT SIZE

1. The lot size, except for open space lots, shall be no less than the minimum requirement of the applicable zoning regulation governing the tract in question.
2. All lots without access to public sewer shall be a sufficient size to meet the requirements of the Clermont County Public Health Regulations for the proper operation of wells and/or septic systems or other on-site waste disposal.

SECTION 514 SIDEWALKS

1. The Planning Commission shall determine whether sidewalks are required along all regional arterials, suburban arterials, and primary collector streets as identified in the OKI Functional Classification Map. In deciding upon whether sidewalks shall be installed along all regional arterials, suburban arterials, and primary collector streets, the Planning Commission shall consider the following criteria:
 - a. Sidewalks shall be required to be installed as indicated by the sidewalk regulations of the applicable Township (if enacted).
 - b. Sidewalks shall be required as a continuation of any existing sidewalk adjoining the lands to be subdivided.
 - c. Sidewalk requirements shall be waived whenever the Planning Commission determines them to be a direct threat to the public health, safety, or general welfare.
2. When deciding upon the placement of sidewalks, the Planning Commission shall consider the comments of the County Engineer's Office, any comments received from the Township agencies having jurisdiction over the lands to be subdivided, as well as comments from other sources of information solicited by the Planning Commission or its designated representative.
3. All sidewalks required to be installed along regional arterials, suburban arterials, and primary collectors shall extend the full distance of the proposed development.
4. Sidewalks shall be installed along one side of the street in residential subdivisions, unless applicable township requires sidewalks on both sides of subdivision streets. Requirements for all local and collector streets may be waived for subdivision where the width of all lots is one hundred (100) or more feet at the building line if approved by applicable township.
5. Sidewalks shall connect to adjacent subdivisions if the Planning Commission deems such a connection appropriate. Exceptions to this requirement may be granted in situations when at least one of the following conditions are present:
 - a. The existing residential subdivisions that adjoin the lands to be subdivided do not provide a sidewalk network.
 - b. The proposed pedestrian connection and/or travel-way could result in the creation of a potential safety hazard to either pedestrians or motorists.

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6. Sidewalks shall be placed parallel to the street, unless an exception has been permitted to preserve topographical or natural features or to provide visual interest, or unless the applicant shows that an alternative pedestrian system provides safe and convenient circulation.
7. The Planning Commission may require sidewalks in any situation where proximity of the proposed subdivision to future or existing neighborhood businesses, schools, community facilities, or other pedestrian traffic generators suggest sidewalks will be needed.
8. Sidewalks shall be designed and constructed to the standards set forth in the *Subdivision Street Design and Construction Standards for Clermont County*.
9. Pedestrian Way Easements shall be ten (10) feet wide and may be required by the Planning Commission to provide access or circulation to schools, playgrounds, shopping, or other community facilities.
10. The Planning Commission may also require the reservation of easements for pathways to connect dead end streets with other streets in order to facilitate better pedestrian and/or bike circulation.

SECTION 515 EASEMENTS

1. Drainage Easements: Drainage easements shall be provided for all stormwater conveyance systems, detention/retention structures, and drainage swales between lots, and shown on the final construction drawings and the record plat.
2. Drainage Easement Requirements: All drainage easements shall be of sufficient area to contain the facility plus allow adequate space for maintenance and repair operations. The drainage easement boundaries shall be determined by the design engineer and accepted following approval by the Clermont County Planning Commission, Clermont County Engineer's Office and the Clermont County Building Inspection Department. However, the following constraints are the acceptable minimums required:
 - a. A minimum drainage easement width equal to ten (10) feet for all stormwater conveyance systems.
 - b. The minimum easement for all detention or retention basins shall be the area defined by the one hundred (100) year storm elevation.
 - c. An easement for ingress and egress must be provided to the entity responsible for the maintenance of the facility between the public right of way and any drainage facility requiring maintenance. The easement must also include the structure or drainage feature requiring maintenance. The easement shall be of adequate width to perform any required maintenance but not less than twenty (20) feet.
3. All drainage easements shall be located and labeled on the development (construction) drawings and the record plat(s) by a metes and bounds description.
4. No structures or facilities shall be permitted within the drainage easement that obstruct the drainage system, except those pertaining to the function of the WMSC facility.
5. Planting and seeding for detention basins and other WMSC facilities shall be limited to the critical area planting defined in *Clermont County Water Management and Sediment Control Regulations*.
6. A public utility easement of at least thirty (30) feet in total width shall be required when needed to accommodate public utilities and/or to provide for the installation of Sanitary Sewer infrastructure, in accordance with the requirements of the Clermont County Water Resource Department.
7. Private surface drainage easements of at least ten (10) feet in total width shall be required along the rear and sides of lots for the benefit of the property.
8. Where deemed necessary by the Planning Commission, an additional easement width shall be provided.

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9. The applicant shall provide easements for storm drainage purposes which conform substantially with the lines of any natural watercourses, channels, streams, or creeks which traverse the subdivision or for any new channel which is established to substitute for the natural water course, streams or creek. Such rights-of-way or easements shall be of a width which will provide for the maintenance needs of the channel and incidental structure as determined by the Planning Commission.
10. Conservation Easements may be required by the Planning Commission on lands designated as open space, Sensitive Development Areas, or any other lands deemed to be unique in character as to require the protection of a permanent Conservation Easement in order to guard against any future encroachment resulting from development for the benefit of the private property owner.
11. Unless otherwise specifically labeled on the approved plans, all drainage easements shall by default be dedicated to the Homeowners Association for short and long term maintenance. In cases where there is no Homeowners Association the lot owner(s) will be required to perform all maintenance responsibilities.
12. All easements shall be depicted on the record plat and shall state any and all conditions and restrictions of the easements.

SECTION 516 BUFFERING

1. All proposed developments shall conform to the zoning resolution of the applicable township with regard to specific buffering requirements. When applicable, buffering shall be determined based upon the definition and requirements in the zoning resolution of that township.
2. In instances where buffering is not addressed specifically by the district regulations in the zoning resolution of the applicable Township, the Planning Commission may require that sufficient buffering be installed when topographical or other barriers do not provide reasonable screening and there is a need to shield neighboring properties from any adverse external effects of a development or shield that development from the negative impacts of adjacent uses such as freeways, major arterials or railroads.
3. If the Planning Commission determines that buffering is required in order to reduce or eliminate the adverse impacts that a proposed development might pose to adjacent land uses or pre-existing adjacent development, a buffer that provides year round screening shall be constructed in order to minimize these potential adverse impacts. It may consist of appropriate fencing, evergreens, berms, mounds, or a combination thereof to achieve the objectives of preventing development from having an adverse impact on surrounding neighborhoods, and/or shielding any proposed development from the potential deleterious effects posed by adjacent uses such as freeways, major arterials, railroads, etc.
4. Any buffering required by the Planning Commission shall not consist of any invasive species.

SECTION 517 WATER SUPPLY

1. All applicants proposing to subdivide any lands in Clermont County shall demonstrate that the proposed method of water supply is adequate to sufficiently serve each lot in the development. Adequate water supply may be provided via an approved connection to the system maintained by the water district having jurisdiction over lands in the proposed subdivision, or appropriate water supply may be provided utilizing an approved private water system that is designed and installed in accordance with the rules and regulations of the Clermont County General Health District and/or the Ohio Environmental Protection Agency (OEPA).
2. Subdivisions which create twenty (20) or more building lots or twenty (20) or more dwelling units shall connect to any public water main within 1500 feet of the development in accordance with the Rules and Regulations of the Water District of the jurisdiction.

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3. All water mains and pipes shall be installed in accordance with the Rules and Regulations of the Water District of the jurisdiction.
4. Fire flows shall be established by the fire department having jurisdiction over the proposed subdivision, and shall be based upon the lot size and density of the proposed development.
5. Any private water system shall conform to the rules and regulations of the Clermont County General Health District and/or the Ohio Environmental Protection Agency (OEPA)

SECTION 518 SANITARY SEWERS

1. Any property subdivided, shall connect to and be served by any public sanitary sewer within five hundred (500) feet of the subdivision.
2. All sanitary sewers shall be installed according to the rules and regulations of the Clermont County Water Resources Department.
3. Sanitary sewers shall not be required where the installation of sanitary sewers are contrary to the Rules and Regulations of the Clermont County Water Resource Department.
4. Where public sanitary sewers are not provided, the applicant shall provide either:
 - a. A central treatment plant installed in accordance with the Rules and Regulations of Ohio Environmental Protection Agency (OEPA) and Clermont County Health District;
 - or
 - b. Individual disposal systems installed in accordance with the Rules and Regulations of the Clermont County Health District.

SECTION 519 SITE PROTECTION & GENERAL REQUIREMENTS

Site protection in special developments shall be accomplished in a manner consistent with the following criteria:

1. Site grading, construction, and clearance shall conform with the requirements established in the *Clermont County Water Management and Sediment Control Regulations*.
2. Debris pits shall be located outside of the buildable area, drainage ways, and/or drainage easements.

SECTION 520 OPEN SPACE

1. The Planning Commission shall encourage every applicant to provide open space for various functions including but not limited to protecting plant and wildlife habitat, and providing recreation. The area of each parcel of open space designed for active and passive recreational purposes shall be of such minimum dimensions as to be usable to the dwelling units they are intended to serve.
2. To comply with Section 503, an applicant may designate all or part of any Sensitive Development Areas as open space.
3. An applicant may designate lands as open space for the provisions of parks, playgrounds, nature areas, other recreational facilities, storm water retention/detention, or other appropriate use.
4. Passive open space should be left in its natural state. A developer may make certain improvements such as the cutting of trails for walking or jogging, or the provision of picnic areas, and other recreation uses that can be considered to be minimally invasive in character.
5. Whenever the Township of jurisdiction has established a master plan for the construction of parks, schools, and other public facilities, the Planning Commission shall not permit development in conflict with said plan. Incorporation of planned facilities shall be accomplished by dedication, reservation for use, acquisition, or any other method acceptable to the Planning Commission, provided that the action taken does not constitute a taking without compensation as defined by O.R.C Section 711.10, nor shall the action taken result in the placement of an unreasonable burden upon the applicant.

SECTION 521 OPEN SPACE OWNERSHIP

1. Any lands designated for open space purposes shall contain appropriate covenants and be noted on the record plat indicating:
 - a. The intended use of the open space;
 - b. The use of the open space will continue in perpetuity for the purpose specified;
 - c. Future further development of the open space area will not be contrary to its stated use; and
 - d. Appropriate provisions will be made for the maintenance of the open space.

2. The ownership of land designated for open space shall be appropriate for the intended purpose and shall be selected by the owner, developer, or applicant. Type of ownership may include but is not necessarily limited to the following:
 - a. The County, subject to acceptance by the Commissioners;
 - b. Other public jurisdictions (i.e. townships) or agencies subject to their acceptance;
 - c. Quasi-public organizations, subject to their acceptance;
 - d. Private non-profit organizations subject to their acceptance;
 - e. Homeowner, or condominium associations or organizations; and/or
 - f. Shared, undivided interest by all property owners in the subdivision.

SECTION 522 FLOOD PLAIN DEVELOPMENT

1. The Planning Commission may approve all or part of a subdivision located in areas subject to flooding provided the applicant agrees to perform such improvements in compliance with the requirements established by the Clermont County Flood Damage Reduction Regulations and all other applicable rules and regulations, so as to render the area substantially safe for residential, commercial, or industrial development.
2. If a stream flows through, or adjacent to, the proposed subdivision, the plat shall provide for a storm water drainage easement along the stream sufficient to accommodate the 100-year storm event.

SECTION 523 AMENITIES

Amenities such as street lighting, bus turnarounds and community shelters that are included in the plans shall be provided with some appropriate form of ownership and/or maintenance agreement.

SECTION 524 OFF-STREET PARKING (IN UNZONED AREAS)

Number of Spaces:

An adequate number of off-street parking spaces shall be required in all developments to accommodate residents and visitors:

TABLE 5.4 MINIMUM NUMBER OF OFF STREET PARKING REQUIRED	
For One/Two Family Dwellings	2 parking spaces/dwelling unit
Townhouses and Multi-Family	2 parking spaces/dwelling unit
Mobile Homes	2 parking spaces/dwelling unit

Size of Spaces:

Each off-street parking space shall measure nine (9) feet in width by eighteen (18) feet in length. Parking spaces for the physically handicapped shall measure twelve (12) feet in width. Handicapped accessible spaces shall be provided in accordance with the American Disabilities Act (ADA).

Parking Areas:

1. Off-street parking areas shall be located within a reasonable walking distance of the buildings they are designed to serve.
2. Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to ensure ease of mobility, ample clearance, and emergency vehicle and pedestrian access.
3. Parking areas should be screened along lot lines bordering institutional or residential uses and along streets. Native trees and shrubs shall be planted wherever possible. Tree and shrub species determined to be invasive shall not be planted.
4. The width of the aisles providing direct access to individual parking spaces shall be a minimum of eighteen (18) feet. Parking aisles shall have the following maximum widths:
 - a. Two-way parking aisle widths shall not exceed 22 feet.
 - b. One-way parking aisle widths shall have the following maximum widths based on the configuration of the adjacent parking spaces.

SECTION 525 MINIMUM LOT SIZES AND SETBACKS (IN UNZONED AREAS)

TABLE 5.5 MINIMUM LOT SIZES (IN UNZONED AREAS)		
TYPE OF DEVELOPMENT	WITHOUT PUBLIC WATER AND SEWER	WITH PUBLIC WATER AND SEWER
Single Family	At least 2 acres or 87,120 sq. ft. minimum lot width shall be 150 feet measured at the building line.	At least 10,000 sq. ft. minimum lot width shall be 75 ft. measured at the building line.
Multi-Family	Not permitted without prior approval of Board of Health.	At least 5,000 sq. ft. per unit (20,000 sq. ft. for any single lot). Minimum lot width shall be 150ft. measured at building line.

TABLE 5.6 MINIMUM SETBACKS (IN UNZONED AREAS)			
TYPE OF DEVELOPMENT	MINIMUM SETBACK IN FEET FROM RIGHT-OF-WAY		
	FRONT YARD	SIDE YARD	REAR YARD
Single Family	50 feet	10 feet	35 feet
Multi-Family	50 feet	10 feet	35 feet

ARTICLE VI:

DESIGN STANDARDS FOR COMMERCIAL AND INDUSTRIAL SUBDIVISIONS

SECTION 601 PURPOSE

These regulations apply to all areas zoned or unzoned where the subdivision is for commercial or industrial purposes.

SECTION 602 PROCEDURE

The plat for a Commercial/Industrial Subdivision shall be submitted in accordance with the procedures and standards of Article III and IV.

SECTION 603 STREETS

Streets in all Commercial/Industrial developments shall be public streets and shall be constructed in conformance with the criteria established in the *Subdivision Street Design and Construction Standards for Clermont County*. Private streets shall not be permitted.

1. All public streets in proposed Commercial/Industrial Subdivisions shall be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Street pavement widths and minimum Right-of-Way requirements shall conform to the minimum requirements established in the following table:

TABLE 6.1 MINIMUM PAVEMENT WIDTH STANDARDS FOR PUBLIC STREETS IN COMMERCIAL AND/OR INDUSTRIAL SUBDIVISIONS	
Minimum Required Pavement Width	28 feet
Minimum Required Dedicated Right-of-Way	50 feet

2. Permanent dead end streets shall not be permitted in any Commercial or Industrial Subdivision. Temporary dead-end streets shall be permitted only as part of a continuing street plan.
3. Streets shall be planned to connect with arterial or collector streets, so that the vehicular traffic generated by the Commercial/Industrial Subdivision would bypass local residential streets.
4. The intersection of driveways from parking areas with arterial or collector streets shall be located in conformance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
5. Street identification signage shall comply with the specifications in the *Subdivision Street Design and Construction Standards for Clermont County*.
6. Street illumination may be required by the Planning Commission if deemed appropriate for public safety.
7. A Traffic Impact Study shall be performed by the applicant as stipulated by the requirements set forth in the Clermont County Access Management Regulations, as administered by the Clermont County Engineer's Office.

SECTION 604 SIDEWALKS

Sidewalk Requirements for Development along Existing Public Thoroughfares:

In order to promote pedestrian safety, and to improve the relationship between motorists and pedestrian traffic, the following requirements shall govern the placement of sidewalks along areas where any Commercial/Industrial Subdivision fronts an existing public street:

1. The Planning Commission shall determine whether sidewalks are required along all regional arterials, suburban arterials, and primary collector streets as identified in the Official Thoroughfare Plan for Clermont County. In deciding upon whether sidewalks shall be installed along all regional arterials, suburban arterials, and primary collector streets, the Planning Commission shall consider the following criteria:
 - a. If deemed appropriate by the Planning Commission, sidewalks shall be required to be installed as indicated by the Sidewalk Regulations of the applicable Township (if enacted).
 - b. Sidewalks shall be required as a continuation of any existing sidewalk adjoining the lands to be subdivided.
 - c. Sidewalk requirements shall be waived whenever the Planning Commission determines them to be a direct threat to the public health, safety, or general welfare.
2. When deciding whether to waive a sidewalk requirement along regional arterials, suburban arterials, and/or primary collector streets in a Commercial/Industrial Subdivision, the Planning Commission shall consider the comments of the County Engineer's Office, any comments received from the township agencies having jurisdiction over the lands to be subdivided, as well as comments from other sources of information solicited by the Planning Commission or its designated representative.
3. All sidewalks required to be installed along regional arterials, suburban arterials, and primary collectors shall extend the full distance of the proposed development.
4. Sidewalks required along regional arterials, suburban arterials, and primary collectors shall be designed and installed in conformance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

Internal Sidewalk Network Requirements:

1. In order to promote pedestrian safety, and to improve the relationship between motorists and pedestrian traffic, the following requirements shall govern internal sidewalk networks along proposed streets within Commercial/Industrial Subdivisions:
2. Internal sidewalk networks shall be incorporated into all subdivisions to facilitate pedestrian traffic throughout the facility.
3. Sidewalks shall connect to adjacent subdivisions if the Planning Commission deems such a connection appropriate. Exceptions to this requirement may be granted in situations where existing commercial/industrial subdivisions do not provide a sidewalk network and/or where a future pedestrian connection could result in the creation of a potential safety hazard to either pedestrians or motorists.
4. Sidewalks comprising the internal sidewalk network of any Commercial/Industrial Subdivision shall be designed and installed in conformance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
5. Sidewalk requirements shall be waived whenever the Planning Commission determines them to be a direct threat to the public health, safety, or general welfare.

SECTION 605 CURB & GUTTER REQUIREMENTS

Curbs and gutters shall be installed in Commercial/Industrial Subdivisions. The use of approved drainage swales may be permitted in lieu of storm sewers where site conditions permit. If approved drainage swales are used in lieu of storm sewers, designated curb cuts shall be planned to provide a path for storm water runoff to flow into swale or bioretention practice. These requirements shall be in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.

SECTION 606 BUFFERING

The plan shall also reflect all buffers, setbacks, and related criteria when properties abut a residential zone, and shall conform to the requirements established in the Zoning Resolution of the applicable Township.

SECTION 607 STORM WATER MANAGEMENT FACILITIES

1. Detention/retention ponds or approved alternative storm water management practice(s) shall be shown on the Design Plan and Construction Plans.
2. The design of detention/retention pond(s) or alternative storm water management practice, including below ground storage, shall meet the requirements of the *Clermont County Water Management and Sediment Control Regulations*.
3. Maintenance of detention/retention ponds or alternative storm water management practices have the option of creation of a storm water district or ditch petition per Ohio Revised Code Chapter 6117.
4. Unless otherwise specifically labeled on the approved plans, all Storm Water Management Facilities shall by default be dedicated to the lot owner will be required to perform all maintenance responsibilities.
5. Provisions for the maintenance of any detention/retention pond(s) or alternative storm water management practice shall be included on the Record Plat.

SECTION 608 UTILITIES

All utilities shall be installed in conformance with the rules and regulations of the entity (whether public or private) having jurisdiction over the utility that is to serve the proposed development.

SECTION 609 OFF STREET PARKING (IN UNZONED AREAS)

An adequate number of off-street parking spaces shall be required in all developments to accommodate residents and visitors. The following table provides off street parking requirements for Commercial/Industrial Subdivisions in unzoned areas:

TABLE 6.2 OFFSTREET PARKING REQUIREMENTS IN UNZONED AREAS		
Types of Use	Min. Parking Spaces	Max. Parking Spaces
Office	1 space per 300 sq. ft. of usable floor area	1 space per 150 sq. ft. of gross floor area
Industrial	1 per employee of largest shift	1.25 spaces per employee of largest shift
Churches	1 space per 4 seats or 8 feet of bench	1 space per 3 seats
School	1 space per employee	1 space per 15 classroom seats
Restaurant	1 space per 4 seats	1 space per 2.5 seats

TABLE 6.2 OFFSTREET PARKING REQUIREMENTS IN UNZONED AREAS (Cont.)		
Types of Use	Min. Parking Spaces	Max. Parking Spaces
Retail Stores (except stores selling bulky merchandise)	1 space per 300 sq. ft. of usable floor area	1 space per 200 sq. ft. of gross floor area
Retail Store/ Outlets (selling bulky merchandise)	1 space per 600 sq. ft. of usable floor area	1 space per 500 sq. ft. of gross floor area
Medical Center	1 space per 150 sq. ft. of usable floor area	4 per examination room
Hospital	1.5 spaces per bed	2 spaces per bed

* Usable Floor Area refers to areas that are NOT storage, shelf space, areas of floor standing equipment and walking areas/aisle.

Reduction in the number of parking spaces to actually be constructed may be authorized by the Planning Commission when the applicant shows that the required number of parking spaces set forth in the table above is substantially in excess of the parking needed to reasonably serve the employees, patrons, and other persons frequenting the subject property.

Shared Parking:

At the applicant’s request, shared parking may be provided, subject to the following provisions:

1. A written agreement shall be signed by all the concerned parties that guarantee the perpetual joint use of such common parking, a copy of which has been submitted to and is accepted by the Planning Commission and recorded with the Office of Clermont County Recorder.
2. Reduction in parking space requirement for shared parking: Where shared parking is provided among mixed land uses, the Planning Commission may allow the following reduction in parking spaces requirement, at the applicant’s request:
 - a. Up to thirty percent (30%) of the parking spaces required for the predominate use on a site may be shared with other land uses operating during the same time of day and days of the week. The predominate land use is considered to be that which requires the most parking of those sharing parking facilities.

Size of Spaces:

1. Each off street parking space (excluding handicapped accessible spaces) shall have maximum square foot area of no more than 165 sq. ft. or 7.5 feet wide and 22 feet in length exclusive of access drives and aisles, according Table 6.3:
2. Handicapped accessible spaces shall be provided in accordance with the American Disabilities Act.

TABLE 6.3 STANDARD PARKING SPACES		
Parking Angle Degree	Width	Length
0° (parallel)	7.5 feet	22 feet
45° - 59°	8.5 feet	19 feet
60° - 75°	8.5 feet	19 feet
90° (perpendicular)	8.5 feet	19 feet

Parking Areas:

1. Off-street parking areas shall be located within a reasonable walking distance of the buildings they are designed to serve.
2. Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to ensure ease of mobility, ample clearance, and emergency vehicle and pedestrian access.
3. Parking areas should be screened along lot lines bordering institutional or residential uses and along streets. Native trees and shrubs shall be planted wherever possible. Tree and shrub species determined to be invasive shall not be planted.
4. The width of the aisles providing direct access to individual parking spaces shall be a minimum of eighteen (18) feet. Parking aisles shall have the following maximum widths:
 - a. Two-way parking aisle widths shall not exceed 22 feet.
 - b. One-way parking aisle widths shall have the following maximum widths based on the configuration of the adjacent parking spaces:

TABLE 6.4 ONE WAY PARKING AISLE WIDTHS	
Parking Angle Degree	Width
90° (perpendicular)	20 feet
60°	20 feet
45°-30°	18 feet

Interior landscaping:

1. Surface parking lots shall include landscaping to cover not less than ten percent (10%) of the parking and maneuvering area.
2. Landscaping may include bio-retention cells or storm water management practices where suitable and appropriate.

SECTION 610 MINIMUM LOT SIZES & SETBACKS (IN UNZONED AREAS)

TABLE 6.5 MINIMUM LOT SIZES IN UNZONED AREAS		
TYPE OF DEVELOPMENT	WITHOUT PUBLIC WATER AND SEWER	WITH PUBLIC WATER AND SEWER
Commercial	At least 2 acres or 87,120 sq. ft. Minimum lot width shall be 100 ft. measured at the building line.	At least 43,560 sq. ft. Minimum lot width shall be 70 ft. measured at the building line.
Industrial	At least 5 acres or 217,800 sq. ft. Minimum lot width shall be 150 ft. measured at the building line.	At least 43,560 sq. ft. Minimum lot width shall be 70 ft. measured at the building line.

TABLE 6.6 MINIMUM LOT SETBACKS IN UNZONED AREAS			
TYPE OF DEVELOPMENT	FRONT YARD	SIDE YARD	REAR YARD
Commercial	50 feet	None*	None*
Industrial	50 feet	None**	None**

* Commercial lots abutting residential lots or uses shall conform to a minimum side yard of 15 feet and a minimum rear yard of 35 feet.

** Industrial lots abutting residential lots or uses shall conform to a minimum side yard of 15 feet and a minimum rear yard of 35 feet.

ARTICLE VII:

REQUIREMENTS FOR SPECIAL DEVELOPMENTS

SECTION 701 GENERAL PROVISIONS

Special Developments consist of Planned Unit Developments (PUDs), Large Lot Subdivisions, Five Acre Plus Subdivisions and Hybrid Subdivisions.

Special Developments are separate entities with distinct characteristics which are intended to be in harmony with the natural site features and surrounding developments. Conventional design standards contained in Article V may be waived and modified by the degree necessary to achieve the intent of the special development. However, the project must clearly demonstrate that the natural features of the site are being preserved and that the attributes of the project could not be achieved with strict adherence to Article V. Projects which are designed primarily to circumvent the regulations in Article V shall not be approved.

SECTION 702 PLANNED UNIT DEVELOPMENTS

It is the intent of these regulations to accommodate creative and imaginative PUDs and to permit utilization of those innovations in land development which are in the best interest of Clermont County. All requirements of Article V shall apply to PUDs. The Planning Commission may modify these requirements when the applicant can show that strict adherence to the regulations would be inappropriate to the PUD, that the deviations from Article V are a component of a PUD that has received all appropriate approvals from the township of jurisdiction, or that the modification will meet the following objectives:

1. The conservation of natural amenities of the landscape.
2. The creation of functional and well-designed developments.
3. The provision of readily accessible open space.
4. The separation of pedestrian and vehicular circulation.
5. The provision of community facilities.

In all instances, the applicant shall comply with the appropriate zoning regulations for PUDs, and the review requirements of these regulations.

Public Streets:

The Planning Commission may request that certain streets within PUDs be public if it determines that the project density necessitates the use of public streets, and that connections are required to adjacent plats or developments in order to provide adequate circulation. Where applicable, the Zoning Resolution of the applicable township shall supersede this subsection.

Clermont County Subdivision Regulations

1. If a PUD contains nonresidential uses, these uses may be constructed first, but only if the Planning Commission finds and records its findings on the Design Plan that the nonresidential uses are consistent with the Comprehensive Plan for the community even though the residential area of the PUD is not built or completed.
2. In PUDs, the Planning Commission will permit the transfer of the fee simple title for parcels of land large enough to accommodate a unit of attached townhouses, "row houses" or patio homes and its accompanying patio, garden or small yard areas. This "zero lot line" method of title transfer shall be known as "deed out" and shall only be permitted in projects developed in accordance with the intent and objectives of these regulations and in accordance with a recorded development plan for the project. The design of all deed out projects must satisfy zoning requirements governing the tract in question.
3. Chapter 5311 of the Ohio Revised Code provides for the recording of ownership of condominiums. Condominium ownership does not excuse compliance with these regulations whenever appropriate.
4. If the project is planned in an unzoned area, the Planning Commission may approve the development provided that the density of the project does not exceed a gross density of five (5) units per acre, the intent and objectives of these regulations are met, and the developer provides all necessary information which may be required by the Planning Commission to make an appropriate decision. For the purposes of this section, Gross Density shall mean the density that is calculated when the total number of units in a proposed PUD is divided by the total amount of acreage in the lands to be subdivided, inclusive of dedicated right-of-way, dedicated open space, and all other lands inside the boundary of the tract(s) to be subdivided.

SECTION 703 LARGE LOT SUBDIVISIONS

A proposed subdivision may be designated as a Large Lot Subdivision for the purpose of encouraging the provision and maintenance of open space for the residents of the subdivision (by virtue of the larger lots), encouraging creativity, variety, efficiency, and economy in the physical development pattern of the community, or assuring the preservation of desirable natural features of the community and their inclusion in the development. In addition to the requirements outlined in Article VII, Section 706-710, Large Lot Subdivisions also shall conform to the following:

1. The plat for a Large Lot Subdivision shall be submitted in accordance with the procedures and standards of Article III section 301-320 and Article IV.
2. Unless specifically cited in Article VII, the requirements of Article V shall not apply to this form of subdivision.
3. Minimum lot size shall be two acres (87,120 sq. ft.).

SECTION 704 FIVE ACRE PLUS SUBDIVISIONS

The plat for a Five Acre Plus Subdivision shall be submitted in accordance with the procedures and standards established in Articles III and IV of these regulations governing Five Acre Plus Subdivisions. In addition to the requirements outlined in Article VII, Section 706-710, Five Acre Plus Subdivisions also shall conform to the following:

1. Unless specifically cited in Article VII, the requirements of Article V shall not apply to these subdivisions.
2. The minimum lot size shall be five (5) acres (217,800 sq. ft.). Lots shall not be less than two hundred (200) feet in width at building line.
3. Pie-shaped lots located at the terminus of any cul-de-sac in a Five Acre Plus Subdivision shall be exempt from the minimum lot width requirement of 200 feet at the building line.

Clermont County Subdivision Regulations

4. The area contained in the panhandle of any panhandle lot in a proposed Five Acre Plus Subdivision shall be included as part of the total acreage for the lot(s) in question.
5. There shall be no requirement for minimum street frontage (either public or private streets) when it can be shown that easements of adequate dimensions are provided for access, utilities, and storm drainage, unless required by applicable township.

SECTION 705 HYBRID SUBDIVISIONS

The classification for the term “Hybrid Subdivision” is utilized to classify any subdivision submitted to the Planning Commission that contains a mixture of five acre plus lots and lots that are less than five acres in size. In addition to the requirements outlined in Article VII, Section 706-710, Hybrid Subdivisions also shall conform to the following:

1. Hybrid Subdivisions shall be submitted in accordance with the procedures and standards established in Articles III and IV of these regulations governing Concept Plan and Design Plan Reviews, and shall be subject to review by the Planning Commission.
2. Lots contained in any Hybrid Subdivision that are less than five acres in size shall be subject to the same standards and design criteria established in Article V of these regulations.
3. Lots in any Hybrid Subdivision that are greater than five acres in size shall be subject to the same standards and design criteria established in Article VII, Section 704 of these regulations.

SECTION 706 GENERAL REQUIREMENTS FOR SPECIAL DEVELOPMENTS

*Excluding Planned Unit Developments

General Requirements:

1. Lot layout shall encourage the best possible relationship between the development and the natural environment.
2. The subdivision shall be designed in accordance with Article V Section 503.
3. No design plan within the area in which an existing zoning resolution is in effect shall be approved unless it conforms to such resolution.

SECTION 707 STREET AND ACCESS REQUIREMENTS FOR SPECIAL DEVELOPMENTS

*Excluding Planned Unit Developments

Streets in all special developments should be designed in such a manner so as to:

1. Efficiently serve all lots in the proposed subdivision with the minimum amount of pavement necessary.
2. Retain and take advantage of existing natural features and vistas, this shall include the creation of a site plan that is in harmony with site topography, wooded areas, and other features specific to those lands being subdivided.
3. Reduce the amount of grading required.
4. Stage its development in an efficient and economical manner with respect to the opening and maintenance of new streets, the provision of utilities, access to schools and other public and private service facilities, and similar considerations.

Public Streets:

Clermont County Subdivision Regulations

1. Public streets in special developments shall be designed to be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Public streets in special developments shall meet design criteria in Table 7.1
2. Curb and gutter shall not be required unless, in the opinion of the County Engineer, they are deemed to be an essential element in the protection of the pavement edge, and/or they comprise part of a safe and efficient street network, and/or as otherwise required by the Clermont County Engineer.
3. Provisions for drainage and storm water conveyance shall be made in accordance with the requirements established in the Water Management and Sediment Control Regulations for Clermont County.
4. Public streets shall be designed in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.
5. Driveways accessing public streets in special developments shall be designed and installed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

TABLE 7.1 MINIMUM PAVEMENT AND RIGHT-OF-WAY WIDTH STANDARDS				
Subdivision Type	Min. Required Pavement Width (Public Street)	Min. Required Right-of-Way (Public Street)	Min. Required Pavement Width (Private Street)	Min. Required Right-of-Way (Private Street)
Large Lot Subdivision	18 feet	50 feet	16 feet	40 feet
Five Acre Plus Subdivision	18 feet	50 feet	16 feet	40 feet
Hybrid Subdivision	18 feet	50 feet	16 feet	40 feet

Private Streets:

1. Private streets in special developments shall be designed to be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Private streets in special developments shall meet development criteria in the table
2. Private streets in special developments shall be paved in accordance with the criteria established in the *Subdivision Street Design and Construction Standards for Clermont County*.
3. Private streets in special developments shall be constructed utilizing the same design specifications and construction standards that are used in the construction of public residential streets in special developments, and shall be designed and installed in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.
4. The developer shall be required to provide a typical cross section of the private street on the plans, and on the record plat, indicating the pavement width and thickness, and the type(s) of materials used in the construction of the private street.
5. The minimum street width requirement may be waived in any special developments if the applicant can satisfactorily demonstrate that a reduction in street width will result in at least one or more of the following outcomes:
 - a. The reduction in width would result in the preservation of valuable natural features present on the site, such as trees, lakes, ravines, or any other environmentally sensitive areas.
 - b. The proposed reduction in width of the private street would further strengthen the positive relationship between the development and the natural features unique to the project site.
 - c. Physical barriers located on the site necessitate a reduction in width of the roadway as proposed (i.e. steep slopes, wetlands, lakes, topographical challenges), provided that a mechanism exists to alleviate potential circulation problems for lots utilizing the private street for access.

Clermont County Subdivision Regulations

6. Any private street in a special development shall serve a minimum of six residential dwellings in order to be platted and recorded as a private street. Any private vehicular travel-way serving less than six residential lots shall be labeled as a common driveway on the plan, and shall be recorded as such.
7. All lots utilizing a private street for access shall be provided with a maintenance agreement, to be noted on the plans and on the record plat. Provisions for maintenance shall be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained. A Homeowners Association or other appropriate method for maintenance shall be established to maintain the private street system.
8. All private streets shall be noted on the record plat, and shall be labeled with the following statement: "Private street(s), not for public maintenance."
9. Wherever a private street intersects an existing or proposed public street, the private street shall be paved in accordance with the *Subdivision Street Design and Construction Standards for Clermont County*.
10. Private streets should not be planned to be extended into adjacent property unless they become public or unless otherwise deemed appropriate by the Planning Commission, or their designated representative.

Common Driveways:

1. In order to minimize the impact on the natural environment, the use of common driveways to serve multiple building sites shall be encouraged.
2. Common driveways shall be designed in accordance with the following requirements:
 - a. No more than five lots shall be served by a common driveway.
 - b. All lots using common driveways shall provide a driveway easement and maintenance agreement noted on the record plat.
 - c. Portions of the common driveway located in the right-of-way shall be designed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
 - d. The pavement design of the driveway apron shall be one of the designs shown in the *Subdivision Street Design and Construction Standards for Clermont County*.
 - e. Driveway drainage permits shall be required.
 - f. All public utilities shall be recorded with easements.
3. All public streets in special developments shall be classified as local streets, unless a higher functional classification is necessary. In the event of a dispute regarding the functional classification of streets in special developments, the decision of the County Engineer shall be final.

SECTION 708 WATER SUPPLY REQUIREMENTS FOR SPECIAL DEVELOPMENTS

*Excluding Planned Unit Developments

Water supply to special developments shall conform to the following criteria:

1. All applicants proposing to subdivide any lands in Clermont County shall demonstrate that the proposed method of water supply is adequate to sufficiently serve each lot in the development. Adequate water supply may be provided via an approved connection to the system maintained by the Water District having jurisdiction over lands in the proposed subdivision, or appropriate water supply may be provided utilizing an approved private water system that is designed and installed in accordance with the rules and regulations of Clermont County Public Health and/or the Ohio Environmental Protection Agency (OEPA).
2. Subdivisions which create twenty (20) or more building lots or twenty (20) or more dwelling units shall connect to any public water main within 1500 feet of the development in accordance with the rules and regulations of the Water District of the jurisdiction.
3. All water mains and pipes shall be installed in accordance with the rules and regulations of the Water District of the jurisdiction.
4. Fire flows shall be established by the Fire Department having jurisdiction over the proposed subdivision, and shall be based upon the lot size and density of the proposed development.
5. Any private water system shall conform to the rules and regulations of the Clermont County General Health District and/or the Ohio Environmental Protection Agency (OEPA).

SECTION 709 SANITARY WASTEWATER DISPOSAL REQUIREMENTS FOR SPECIAL DEVELOPMENTS

*Excluding Planned Unit Developments

Special developments shall make provisions for some form of sanitary wastewater disposal. Sanitary wastewater disposal may be accomplished via a connection to an existing sanitary sewer system, or with the installation of an approved on-site sanitary wastewater disposal system. All sanitary wastewater disposal systems shall meet the following requirements:

1. Where Public Sanitary Sewers are not provided, the applicant shall provide either:
 - a. A central treatment plant installed in accordance with the Ohio Environmental Protection Agency (OEPA) requirementsor:
 - b. Individual disposal systems installed in accordance with the rules and regulations of Clermont County Public Health.

SECTION 710 OTHER REQUIREMENTS FOR SPECIAL DEVELOPMENTS

*Excluding Planned Unit Developments

Site protection in special developments shall be accomplished in a manner consistent with the following criteria:

1. Site grading, construction, and clearance shall conform with the requirements established in the *Clermont County Water Management and Sediment Control Regulations*.
2. Debris pits shall be located outside of the buildable area, drainage ways, and/or drainage easements.
3. Extensive change or removal of vegetation shall demonstrate minimal adverse impacts on the existing condition of the site.
4. The smallest practical area of land should be exposed at any one time during development and the exposure should be kept to the shortest practical period of time.
5. Any lands dedicated for open space purposes shall contain appropriate covenants and be noted on the record plat indicating:
 - a. The intended use of the open space.
 - b. The use of the open space will continue in perpetuity for the purpose specified.
 - c. Future further development of the open space area will not be contrary to its stated use.
 - d. Appropriate provisions will be made for the maintenance of the open space.
6. The ownership of land dedicated for open space shall be appropriate for the intended purpose and shall be selected by the owner, developer, or applicant. Type of ownership may include, but not necessarily limited to, any one and/or combination the following:
 - a. The County, subject to acceptance by the Commissioners
 - b. Other public jurisdictions or agencies subject to their acceptance
 - c. Quasi-public organizations, subject to their acceptance
 - d. Private non-profit organizations subject to their acceptance
 - e. Homeowner, or condominium associations or organizations
 - f. Shared, undivided interest by all property owners in the subdivision
7. The Planning Commission may approve all or part of the subdivision located in areas subject to periodic flooding, provided the applicant agrees to perform such improvements in compliance with the requirements established by the Clermont County Flood Damage Reduction Regulations and all other applicable rules and regulations, so as to render the area substantially safe for residential, commercial, or industrial development.
8. If a stream flows through, or adjacent to, the proposed subdivision, the plat shall provide for a storm water easement along the stream sufficient to accommodate the 100-year storm event.
9. Special developments may be re-subdivided only where no new building sites are created or where the re-subdivider constructs all improvements or additional improvements to the design requirements set out in Article V. The record plat of a special development must clearly indicate that it is a Special Development approved under Article VII of the Clermont County Subdivision Regulations and shall include in its covenants and restrictions a clause prohibiting the re-subdivision of any lot within the development except where in compliance with the requirements of these regulations.

ARTICLE VIII:

REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS

SECTION 801 GUARANTEES FOR INSTALLATION OF IMPROVEMENTS

General Statements:

Construction and installation of improvements shall be completed in accordance with these regulations, the rules and regulations of the Clermont County Water Resources Department, the County Engineer's Office, Clermont County Public Health, the rules and regulations of the township having jurisdiction over the lands having been subdivided, and all other applicable regulations.

1. The office of the County Engineer shall be responsible for the inspection and approval of the construction of roads, streets, alleys, storm drainage and/or other improvements within the right-of-way of a road, street, alley and designated easement in any development within the unincorporated areas of Clermont County, Ohio.
2. All materials and construction procedures shall be in accordance with the *Construction and Material Specifications of the State of Ohio, Department of Transportation* unless modified by the version of the *Subdivision Street Design and Construction Standards for Clermont County* or any other applicable rules and regulations enacted and enforced by Clermont County in effect at the time of the recording of the record plat, unless otherwise approved. Hereinafter this shall be referred to as CMS.
3. Year-round maintenance during construction in the subdivision is the responsibility of the developer unless other provisions are made through a legally valid and binding agreement. Maintenance shall include the following:
 - a. Ditches shall be open and free flowing;
 - b. Streets shall be kept clean of mud and building material;
 - c. Building materials shall be kept out of the right-of-way;
 - d. Snow and/or ice shall be removed from the pavement as soon as practical; and
 - e. Track equipment shall be kept off the pavement.

Bonding and Assurance of Completion:

In order that the County has the assurance that the construction and installation of such improvements as street surfacing, curbs, gutters, sidewalks, sanitary sewers, water supply and drainage improvements will be constructed as approved by all regulatory agencies of jurisdiction, the applicant shall enter into one of the following agreements:

1. To construct all improvements directly affecting the subdivision, as required by the Commission, prior to the final approval of the record plat; or
2. In lieu of the completion of the improvements, the applicant shall furnish a bond in a form acceptable to the County Prosecutor's Office.

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3. The County Engineer's Office will accept a bond in a form approved by the Prosecutor's Office for the construction of streets, sidewalks, and storm sewers, which can be submitted with one of the following forms of surety when approved by the County Prosecuting Attorney. The bond shall be equal to the cost of construction and inspection plus thirty (30%) percent as approved by the County Engineer.
 - a. Commercial Surety
 - b. Certified Check
 - c. Letter of Credit
 - d. Cash Deposit
 - e. Other Method as approved by the Prosecutor's Office

4. Clermont County Water Resources Department will accept a bond in a form approved by the County Prosecutor's Office for the construction of water and/or sanitary sewer infrastructure, which can be submitted with one of the following forms of surety when approved by the Prosecutor's Office. The bond shall be equal to the cost of construction and inspection plus thirty (30%) percent, as approved by the Sanitary Engineer. In no instance shall any building permits be issued until the construction of all proposed water and/or sanitary sewer infrastructure improvements has been completed in accordance with the approved plans.
 - a. Certified Check
 - b. Letter of Credit
 - c. Cash Deposit
 - d. Other Method as approved by the Prosecutor's Office

5. The Chief Building Official will accept a bond in a form approved by the Prosecutor's Office to ensure compliance with the Water Management and Sediment Control Regulations for Clermont County, which can be submitted with one of the following forms of surety when approved by the Prosecutor's Office. The bond shall be equal to the cost of construction and inspection of W.M.S.C related improvements plus thirty (30%) percent, as approved by the Chief Building Official.
 - a. Certified Check
 - b. Letter of Credit
 - c. Cash Deposit
 - d. Other Method as approved by the Prosecutor's Office

Conditions:

Before the record plat is given final approval, the developer shall have executed and provided a sufficient surety to secure performance for the construction as evidenced on the plat and construction plan submitted, and further secure the maintenance of improvements. This surety shall be approved in form by the County Prosecutor's Office and shall be subject to acceptance by the County Engineer, Sanitary Engineer, and/or the Chief Building Official. Construction of improvements shall be secured by an appropriate bonding agreement pursuant to Section 801 as cited above. The actual amount of the bond will be determined by the County Engineer or his representative for street improvements, the County Sanitary Engineer for water line and sanitary sewer improvements, and the Chief Building Official for compliance with the Water Management and Sediment Control Regulations for Clermont County. The bond shall be made out to the Clermont County Commissioners and shall include an agreement and/or description of the purpose of the bond. The bond shall run for a period of two (2) years from the date of execution and shall be upon a form approved by the County Prosecutor's Office.

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The County Prosecutor's Office combined Performance-Maintenance Bonds shall contain an agreement, accepted by the County Engineer, providing conversion of the performance bond to a maintenance bond for a one year period upon completion of the construction according to the terms of the subdivision plat and the construction plans and drawings.

The Maintenance Bond shall include an agreement and/or description of the purpose of the bond. The Maintenance Bond shall be accepted by the Board of Commissioners and the performance surety if any, shall be released. The Maintenance Bond shall run for a period of one year from the date of conversion of the Performance Bond Surety, and shall be in a form approved by the Clermont County Prosecutor's Office. The record plat for a subdivision shall not be signed by the Planning Commission or Board of County Commissioners until the developer furnishes a written certification from the County Engineer, the County Sanitary Engineer, and the Chief Building Official that the required improvements have been constructed and/or the appropriate bonding agreements have been executed in a manner satisfactory to the regulatory agency of jurisdiction.

Extension of Time:

If the construction or installation of any improvements or facility, for which guarantee has been made by the developer in the form of bond or cash deposit, is not completed within two (2) years from the date of final approval of the record plat, the developer may request the Board of County Commissioners to grant an extension of one (1) year provided the developer can show reasonable cause for inability to complete said improvements within the required two (2) years. The extension shall not exceed one (1) year. At the expiration of the one (1) year extension, Clermont County may use as much of the bond or cash deposit as necessary to complete the construction of the improvements. The same shall apply whenever construction of improvements is not performed in accordance with applicable standards and specifications.

Inspection and Testing:

1. Street Improvements:
 - a. Inspection fees for the construction of streets and roadway improvements shall be in accordance with the rules and regulations of the Clermont County Engineer. Inspection of the construction of street improvements shall be made by the County Engineer's Office or his duly appointed representative. Twenty four (24) hours' notice shall be required before inspection of work. Work which is performed without proper inspection will not be accepted by Clermont County. The inspection of street improvements shall include the construction of the subgrade, base courses, surface courses, pavements, applicable curb and gutter, applicable storm drains, applicable sidewalks, drainage structures, guard rail and any other additional items included in the plans. The inspection of the surface courses or pavement may require an inspector or testing at the source of the material as well as the point of delivery. Delivery tickets for all materials incorporated in the construction of street improvements shall be received by the inspector. The delivery tickets shall show the name of the subdivision, name of the street, and amount and kind of material, and the purpose for which it was delivered. The delivery tickets shall also show the date of delivery and shall be signed by the inspector. Concrete tickets shall show the time the material was loaded and left the plant.
 - b. Testing of materials and compaction of subgrades and base materials shall be performed by an experienced testing engineer or firm of engineers having proper testing equipment to comply with the specifications of the State of Ohio, Department of Transportation. Testing may include core samples taken from the completed street to determine depth and compaction. Testing may

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also include testing of surface materials at the source if deemed advisable by the County Engineer. Testing may also include samples of concrete for bulk, slump and strength, including cylinders and beams, all as directed by the County Engineer.

2. Water Supply and Sanitary Sewer Improvements:
 - a. Inspection fees for the construction of water lines and inspection fees for the construction of sanitary sewer lines and sewage disposal plants shall be in accordance with the rules and regulations of the Clermont County Water Resources Department. The inspection of water supply and sanitary sewer improvements shall be made by the County Sanitary Engineer or his duly appointed representative and shall be made in accordance with inspection rules and requirements adopted by the Clermont County Water Resources Department.
 - b. The testing of water supply and sanitary sewer improvement shall be made in accordance with the testing rules and requirements adopted by the Clermont County Water Resources Department.

Acceptance:

1. Street Improvements:
 - a. When the construction of street improvements have been completed and inspected to the satisfaction of the County Engineer in compliance with the approved construction plans and these rules and regulations, a recommendation for the release of the performance bond shall be made to the Board of County Commissioners indicating the work has been completed in compliance with the work drawings and provision of these specifications. Upon acceptance of the recommendation by the Board of County Commissioners, the performance bond will be released upon the filing of a maintenance bond. The maintenance bond shall be a surety bond, recognizance, certified check or letter of credit of five (5) percent of the estimated cost, however the actual amount will be determined by the County Engineer or his representative. The maintenance bond shall be made out to the Clermont County Board of Commissioners and shall include an agreement and/or description of the purpose of the bond. The bond shall be for a period of one (1) year upon a form approved by the County Prosecutor. The County Engineer shall act as agent for the Board of County Commissioners in this matter. The maintenance bond shall guarantee the replacement or repair of any damage caused by poor workmanship, faulty materials, snow and ice removal, or other causes for which the developer is directly responsible as well as keeping the right-of-way and the street area clean of obstructions or materials which would hinder the public. The developer shall be responsible for year round maintenance on the street and shall keep ditches open and free flowing, mud off the streets, building materials out of the right-of-way, track equipment off of pavement and shall remove snow and/or ice. The required one year maintenance bond shall begin with the date of the Commissioners' certificate of acceptance of the maintenance bond or at a date as recommended by the County Engineer and accepted by the County Commissioners. The developer shall hold Clermont County free and harmless from any and all claims for damages of every nature arising or growing out of the construction of the required street improvements and shall defend, at his or their own cost and expense, each and every cause of action brought against said Clermont County by reason thereof until the final acceptance, on the expiration date of the maintenance bond, has been made by the County Engineer and Board of County Commissioners.
2. Water Supply and Sanitary Sewer Improvements:

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- a. Where water distribution systems or extensions thereof and/or sanitary sewer or treatment facilities are constructed and installed pursuant to these regulations said improvements shall be guaranteed for a period of one (1) year against all defects of workmanship and materials. The required guarantee and the acceptance of water and sanitary sewer improvements shall be governed by the Rules and Regulations of the Clermont County Water Resources Department.

Failure to Comply:

Whenever public improvements have not been constructed and/or maintained in accordance with the agreement and with the specifications established, the Board of County Commissioners may exercise its rights of foreclosure under the bond.

SECTION 802 CONSTRUCTION PROCEDURE & MATERIALS

The applicant shall design and construct improvements not less than the standards outlined in these regulations. The work shall be done under County inspection and shall be completed within the time fixed or agreed upon by the County Engineer and/or Sanitary Engineer. The minimum requirements for materials shall be in accordance with the standards of the current volume of "Construction and Material Specifications" of the State of Ohio Department of Transportation, or as amended by the County Engineer, the requirements of the Clermont County Water Resources Department, and the requirements of the Ohio Department of Health. All inspection costs shall be paid by the applicant.

SECTION 803 SURVEY MONUMENTS

A complete survey shall be made by a surveyor licensed to practice in the State of Ohio. At least two (2) coordinates of the survey shall be tied to the State Plane Coordinate System. The traverse of the exterior boundaries of the tract of each block, when computed from field measurements of the ground, shall close within a limit or error of one foot to every ten thousand (10,000) feet of the perimeter before balancing the survey. Permanent reference monuments shall be placed in accordance with the requirements specified in the Ohio Revised Code and the *Subdivision Street Design and Construction Standards for Clermont County*. There shall be no release of performance bond until after monuments have been placed.

SECTION 804 EXTENSIONS TO BOUNDARIES

The applicant/developer may be required to extend the necessary street improvements to the boundary of the subdivision to serve adjoining undivided land, as determined by the Planning Commission. Water and sewer extensions shall be as required by the Clermont County Water Resources Department.

SECTION 805 FINAL INSPECTION

Prior to end of the one (1) year maintenance period, the County Engineer's Office shall conduct a final inspection of the subdivision. Once the inspection passes, the Clermont County Engineer's office may recommend that the Board of County Commissioners release the maintenance bond.

ARTICLE IX:

ADMINISTRATION AND ENFORCEMENT

SECTION 901 ADMINISTRATION

These regulations shall be administered by a designated representative of the Clermont County Planning Commission.

SECTION 902 RECORDING OF PLAT

No plat of any subdivision located within the unincorporated area of Clermont County shall be entitled to record in the office of the Recorder of Clermont County or shall have any validity until it has been approved by the manner prescribed in these subdivision regulations. In the event any such unapproved plat is recorded, it shall be considered invalid, and the Commission shall institute proceedings to have the plat stricken from the records of Clermont County, Ohio.

SECTION 903 REVISION OF PLAT AFTER APPROVAL

No changes, erasures, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Planning Commission. Minor revisions creating no increase in the number of approved lots may be administered by a designated representative of the Planning Commission.

SECTION 904 RESUBDIVISION

Whenever a plat for an existing recorded subdivision is proposed to be changed or altered, such change or alteration shall be considered a resubdivision and shall be submitted to the Planning Commission as a replat for approval in compliance with these regulations.

SECTION 905 SALE OF LAND WITHIN SUBDIVISIONS

No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before such plat has been approved and recorded in the manner prescribed in these regulations. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these regulations.

SECTION 906 SCHEDULE OF FEES, CHARGES AND EXPENSES

The Board of County Commissioners shall establish a schedule of fees, charges and expenses, and a collection procedure for same, and other matters pertaining to these regulations. The schedule of fees shall be posted in the office of the Planning Commission. All fees shall be paid at the time of submitting an application for review. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

SECTION 907 PENALTIES & FORFEITURES

Any person, including any public official, who violates the provisions set forth in these regulations, or the provisions set forth in Chapter 711 of the Ohio Revised Code, may be subject to the penalties and forfeitures as provided in Ohio Revised Code 711.02, 711.13, and 711.15, as those provisions may be from time to time amended, and all other relevant provisions. Additionally, the County reserves the right to pursue any and/or all appropriate remedies against violator(s) of these regulations, whether in law or in equity, as permitted in the Ohio Revised Code or court interpretation of relevant code provisions.

SECTION 908 VARIANCES

Procedures:

An application for variance shall consist of one copy of the drawing showing the parcel to be given the variance and one copy of the Planning Commission Variance Request form completed and submitted to the Office of the Planning Commission. All applications shall be submitted no later than the second Tuesday of the month in which the applicant wishes to go before the Planning Commission.

General:

A variance(s) may be granted when the applicant can demonstrate to the Planning Commission each of the following:

1. The particular physical surroundings, environmental constraints, shape, topographical or other exceptional condition of the specific property involved would cause extraordinary hardship or exceptional practical difficulty to the applicant if the provisions of these regulations were strictly enforced;
2. The granting of the variation will not be detrimental to the public health, safety, to the intent and purpose of these regulations, to the desirable development of the neighborhood or community, to the general welfare, or to other property or improvements in the neighborhood in which the property is located;
3. The special circumstances or conditions are created by the provisions or requirements of these regulations and not the result from any act of the applicant; and
4. The variation requested is the minimum adjustment necessary to mitigate the hardship brought by these regulations.

SECTION 909 APPEAL

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

SECTION 910 VACATION OF EASEMENTS

If the Planning Commission deems it in the best interest of the future occupants of the proposed subdivision and the community to vacate an existing easement, that easement shall be vacated in the appropriate manner.