

Morrow County

Subdivision Regulations



Morrow County Regional Planning Commission

Amended 08 /25/21

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MORROW COUNTY SUBBDIVISION REGULATIONS

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ARTICLE I: Provisions General

Section 100: Authority and Enactment

The Morrow County Regional Planning Commission (Commission) and the Morrow County Board of Commissioners (Board) approve and adopt these rules and regulations under the provisions of Chapter 711 of the Ohio Revised Code (ORC), to become effective upon certification to the County Recorder. Previous subdivision regulations shall henceforth be deemed repealed.

Section 101: Title and Jurisdiction

The name of this document is Subdivision Regulations of Morrow County, Ohio, henceforth referred to as "Regulations". These regulations shall be applicable to all plats and all subdivisions of land, as defined by ORC § 711.001, within the unincorporated areas of Morrow County and pursuant to these Regulations, the Morrow County Regional Planning Commission shall have the power of final approval of all plats and all subdivisions within such territory pursuant to ORC § 711.10, ORC § 711.131 and ORC § 711.133.

Section 102: Purpose and Scope

These Regulations are adopted to:

- a) Secure and provide for the public health, safety, comfort and general welfare;
- b) Manage growth and development in accordance with plans, policies or resolutions of the Commission, County or Townships and provide for the avoidance of congestion;
- c) Provide for adequate and convenient open spaces for traffic, utilities, recreation, light, air, and fire, safety and maintenance vehicles and practices;
- d) Promote safety from fire, flood and other danger;
- e) Address traffic circulation, storm water management, water and sanitary services, open space, airport influence, noise abatement, flood hazard, and other public requirements and facilities;
- f) Secure and provide for the proper management of streets or other highways in relation to existing or planned projects, streets, highways, land uses, and county or regional plan; and
- g) Maintain and enhance the community's rural character and environment. Section 103: Relation to other Laws

Section 103: Relation to other Laws

- a) The provision of these Regulations shall supplement the laws of the State of Ohio, resolutions by Morrow County, or the rules and regulations promulgated by authority of such law or resolution relating to the purpose and scope of these Regulations.
- b) No subdivision plat shall be approved for recording until the requirements of these Regulations have been met and certification thereof has been endorsed upon the plat by the appropriate reviewing authority.
- c) Whenever the requirements of these Regulations are at variance with the requirements of other lawfully adopted rules, regulations, ordinances, or resolutions,
- d) the most restrictive or that imposing the highest standard shall govern. These
- e) Regulations shall be interpreted as minimum requirements.
- f) Whenever a township or part thereof has adopted a County or township-zoning plan,

- g) pursuant to Chapter 303 or 519 of the Ohio Revised Code, all proposed subdivisions shall meet the requirements of said zoning plan, as well as the provisions of these Regulations.

Section 104: Validity and Severability

If, for any reason, any clause, provision or portion of these Regulations shall be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect validity or legality of these Regulations as a whole, or any part thereof, other than the part so held to be invalid. These Regulations shall not abate any legal action pending under prior subdivision regulations and shall not interfere with other applicable laws and regulations or with deed restrictions.

Section 105: Saving Provision

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

Section 106: Land Characteristics

Applications deemed unfavorable due to topography, drainage, floodplain, geometry, soil, bedrock, geology, water supply, health, environmental, access, maintenance, utility easement, sanitary sewer availability, cemetery, archeological or historical site, scenic river, forest, wetland, school or community service site, parkland or recreational area, or other characteristic shall not be approved for subdivision unless corrective measures are detailed by the Subdivider to the satisfaction of the Commission. All subdivisions encompassing land located within the FEMA 100-years floodplain shall comply with the then current Morrow County Floodplain Regulations.

Section 107: Enactment

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

ARTICLE II: Administration, Language and Definitions

Section 200: Administration, Enforcement and Interpretation

The Commission, assisted by other government agencies, legal counsel, and through other advice it may solicit, shall administer and enforce these Regulations. Discretionary, conflicting, or disputed aspects of these Regulations shall be interpreted by Staff or other responsible party as chosen by the Commission.

200.1: Approval Authorization

a) **Lot Split / Minor Subdivisions**

Staff is authorized to represent the Commission in the review and approval of minor subdivisions with the exception of any variance from these Regulations which shall only be granted by the Commission.

b) **Major Subdivisions**

Staff is authorized to represent the Commission in receiving and reviewing the required documents in connection with a major subdivision and is responsible for transmitting such documents to the Commission for review and approval.

Section 201: Reservations and Repeals

Upon the adoption of these Regulations, according to law, all previous Morrow County Regional Planning Commission Subdivision Regulations are hereby repealed, except as to those sections expressly retained in these Regulations.

Section 202: Amendments

The Commission may amend, supplement or change these Regulations in accordance with ORC § 711.10 and § 711.132.

Section 203: Variances, Exceptions and Waiver of Conditions

The Commission may grant variances to these Regulations where, due to unusual topographic or other unusual physical conditions, the Commission finds that extraordinary and unnecessary hardship may result from strict application of these Regulations provided that the granting of such variance will not be detrimental to the public health, safety and welfare.

203.1 : Filing and Fees

An applicant requesting a variance to a provision of the Regulations shall complete an application form provided by Staff and shall submit that application form with all necessary fees and accompanying material to Staff. Applications for variances shall be submitted at least 21 calendar days prior to a scheduled meeting of the Commission. Each case shall be decided on an individual basis and the physical evidence and burden of proof shall rest with the applicant. The Commission in consideration of a request for a variance shall use the following criteria to approve a variance:

- a) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
- b) The conditions upon which this variance request is based are unique to the property for c) which this variance is sought.
- d) Due to the physical surroundings, shape, or natural characteristics of the property, a
- e) particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict interpretation of these Regulations were applied.
- f) The purpose of the variance request is not primarily based on a desire to increase property g) value or usage.
- h) The alleged hardship has not been created by the applicant of the variance.
- i) The granting of this variance shall not vary the provision of the applicable zoning
- j) regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

203.2 : Commission Action

Upon a review of the submittal and determination that the submittal is complete and meets all requirements per this section, Staff shall place the variance on the agenda for the next Commission meeting. The variance request shall be reviewed by Staff and the Variance Review Committee and a variance report and recommendation shall be presented to the Commission. The Commission shall provide the applicant with a written response to any and all actions taken at its meeting. The Commission may also require conditions or modifications to the application that, in its judgment, secure substantially the objective of the standards or requirements so varied or modified and which protect the public health, safety and general welfare.

Section 204: Expiration or Extension

Failure to comply with stated time periods of these

Regulations shall result in the expiration of the application and associated Commission approvals. Before expiration, the Subdivider may provide a letter stating why these time periods cannot be met and requesting their extension. The Subdivider is solely responsible for knowing expiration dates and meeting or extending them in accordance with these Regulations. The Commission shall have no duty, obligation or responsibility to remind or notify a Subdivider of approaching expiration dates.

Section 205: Voided Applications

An application shall become void and have no rights, standing, or status under these Regulations, upon expiration, withdrawal, or disapproval.

Section 206: Recording of plat

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

Section 207: Revision of plat after approval

No change, modification, or revision shall be made in any plat of a subdivision after approval has been given by the Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Commission.

Section 208: Fees

The Commission and the Board shall establish a schedule of fees, charges, expenses, and collection procedures for administration of these Regulations. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal. The Subdivider shall be solely responsible for submittal of the plat and payment of fees to the Staff regarding review and/or approval of proposed improvements including water and sanitary sewage facilities.

Section 209: Violations and Penalties

Whoever violates any rule or regulation adopted by the Board for the purpose of setting standards, and requiring and securing the construction of improvements within a subdivision or fails to comply with any order pursuant thereto shall forfeit and pay not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00). Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Morrow County (ORC § 711.102)

Whoever, being the owner or agent of the owner of any land transfers of any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each lot, parcel or tract of land so sold. The description of the lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section (ORC § 711.13)

The sale of lots, parcels, or tracts from a plat of a subdivision on which any and all areas indicated as streets or open grounds are expressly indication as for the exclusive use of the abutting or other owners in the subdivision and not as public streets, ways, or grounds shall not serve to exempt the seller from the requirements of this section or from the forfeiture provided in this section (ORC § 711.13).

Section 210: Appeal

Any person who believes he or she has been aggrieved by the regulations or the actions of the Commission has all rights to appeal as set forth in ORC § 2506.01 or any other applicable section.

Section 211: Language

Interpretation of Terms or Words: For the purpose of these Regulations, certain terms or words used herein shall be interpreted as follows:

- a) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- b) The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- c) The words "used" or "occupied" include the words "intended, designed, or arranged d) to be used or occupied."
- e) The word "lot" includes the words "plot" or "parcel."
- f) The word "County" where used shall mean Morrow County and its legal entities.

Section 212: Definitions

Access: A way or means of approach to provide physical entrance to a property.

Access Management: A means of managing the location and the design of driveways and public/private street connections onto classified roads

Alley: See thoroughfare

Adjacent Property: A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land; also: contiguous; abutting

Auditor's/Engineer's Resolution: Standards governing conveyance of real property in Morrow County effective date May 29, 1996 Commissioner's Journal Vol. 36, page 33.

Block: That property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right-of-way, un-subdivided acreage, river or live stream, or between any of the foregoing and any other barrier to the community of development.

Block Frontage: Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway, or other definite barrier.

Board: The Morrow County Board of Commissioners.

Building: A structure constructed on a parcel of land and intended to be used as a place of occupancy, storage or shelter.

Building Setback Line: A line parallel to the street right-of-way line indicating the minimum distance, which all and any part of a building shall be from the right-of-way line.

Building Site: Any parcel or lot, under separate deed or description, intended to be used for the construction, erection or installation of any building.

Business Day: A day of the week excluding Saturday, Sunday or a legal holiday as defined by ORC § 1.14.

Central Sanitary Sewer: A sewerage system and treatment works, pursuant to ORC § 6111.01, providing a residential and business disposal system for household and businesses waste owned and operated by the state, municipal corporation, other political subdivision of the state, or another entity authorized and licensed by the State of Ohio.

Chairperson: The person who presides over the Morrow County Regional Planning Commission.

Common Access Drive (CAD): Privately constructed, owned and maintained drive within a platted ingress/egress easement, properly shown on a subdivision plat approved by the County Engineer in accordance with these Regulations.

Commission: Morrow County Regional Planning Commission.

Common Open Space: A tract of land under common ownership to be used by a community or group of owners as a whole.

Comprehensive Land-Use Plan: A plan or any portion, thereof, adopted by the Regional Planning Commission and the County Commissioners showing the general location and extent of present and proposed physical facilities, including housing, industrial, and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Condominium: Condominium 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.

Corner Lot: See Lot types County: Morrow County, Ohio Covenant: A written promise or pledge.

Crosswalk: A public owned right-of-way, cutting across a block designed to provide pedestrian access to an adjacent street or property.

Cul-de-sac: See Thoroughfare

Culvert: A transverse drain that channels under a bridge, street, or driveway.

Dead-end Street: See Thoroughfare

Deed: Legal document conveying ownership to real property

Density: A unit of measurement; the number of dwelling units per acre of land

Develop: To make a development; also to do any grading or filling of land, whether undeveloped or already subdivided, so as to change the drainage or the flow of water, or to do any work upon the land that is capable of serving as a subdivision or development of building sites in the future.

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

Driveway: A vehicular travel way used to provide access from a street to dwelling units or commercial or industrial activities. Driveways are designed for low travel speeds and are often used as, or are integral with, parking areas for vehicles.

Dwelling Unit:

- a) One-Family: Space within a building comprising living, dining, sleeping and storage rooms as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.
- b) Two-Family: A building designed for or connected for occupancy by two (2) families living independently of each other.

Easement: Legal and recorded rights granted by a landowner to and/or for use by the public, a corporation, a person(s), or entity for a specified purpose on a designated portion of land.

Engineer: Any person registered to practice professional engineering by the state board of registration as specified in ORC § 4733.14.

Environmental Protection Agency: Ohio Environmental Protection Agency (E.P.A.)

Erosion: The wearing away of the land surface by running water, wind, ice, gravity, or any other geologic agents; detachment and movement of soil or rock fragments by wind, water, ice or gravity.

FEMA: The Federal Emergency Management Agency.

Final Plat: The final, revised version of the preliminary plan showing exact locations of lot lines, right-of-ways, easements, and dedicated areas. The final plat is recorded in the office of the County Recorder after formal approval by the Morrow County Regional Planning Commission.

Flood: An overflowing of water, from watercourses, onto land, which is normally dry.

Flood, 100-Year: The temporary inundation of normally dry land areas by a flood that is likely to occur once every 100 years (i.e. that has a one percent (1%) chance of occurring each year, although the flood may occur in any year.

Flood Plain: Any land area susceptible to be inundated by water from the base flood. The term refers to that area designated as subject to flooding from the base flood (100-year flood) on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development.

Full Boundary Survey: A full measurement of the property boundary lines and drawing the distances, elements, directions, and angles in accordance with principles of geometry and trigonometry performed by a professional land surveyor.

Grade: The amount of rise or descent of a sloping land surface, usually measured as a percent where the numbered percent represents the amount of vertical rise or fall, in feet for every 100 feet horizontally. For example, a one foot vertical rise over one hundred horizontal feet represents a one percent slope.

Health Department: Morrow County Health Department

Highway Director: The Director of the Ohio Department of Transportation.

Homeowner's Association: A community association organized in a subdivision in which individual owners share common responsibilities for the cost and upkeep of common open space or facilities or enforcement of covenants and restrictions that apply to the property.

Household Sewage Disposal System: Any sewage disposal or treatment system, or part thereof, for a single-family, two-family or three-family dwelling that receives sewage. See ORC § 3909.091.

Improvements: Grading, street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control for drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

Land Contract: A legal agreement between a landowner and another person or persons interested in purchasing real property owned by the landowner, wherein the landowner agrees to receive regular payments, at specified intervals for a specified period of time, from the purchaser and at the end of the specified time period agrees to transfer ownership of the property to the purchaser.

Large Lot Development Rules: The authority to review the subdivision of lots from five (5.00) acres to not more than ten (10.00) acres (up to and including 5.00 to 10.00 acres) in size pursuant to ORC § 711.133

Letter of Credit: A written statement from a bank or loan company, written against the good standing of a developer, guaranteeing necessary funds, an amount equal to a professional engineer's cost estimate and approved by the County Commissioners and County Engineer for subdivision improvements, to complete such improvements should the developer fail to complete them within the time frame and conditions as specified in the subdivision approval agreements. (See also, Performance Bond I Surety Bond)

Location Map: See Vicinity Map

Lot: A parcel of land separated or intended to be separated from other parcels of land by description on a recorded subdivision plat, recorded survey map, or metes and bounds for the purpose of sale, lease or speculated use. A lot is a parcel of land that is:

- a) A single lot of record
- b) A portion of a lot of record
- c) A combination of complete lots of record, of complete lots of record and portions of lots
- d) of record, or of portions of lots of record.

Lot Area: The square footage of a lot computed exclusive of any portion of the right(s) of way of any public or private street.

Lot Lines: The lines defining the boundaries of a lot.

Lot Measurements: A lot shall be measured as follows:

- a) Lot Depth shall be measured as the average distance between the front and rear property lines along the side lot lines of a lot.
- b) Lot Width shall be measured as the average horizontal distance between side lot lines measured at the front lot line and the rear lot line.

Lot of Record: A 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 Split: To divide land into lots having fixed boundaries.

Lot Types: Terminology used in these regulations with reference to corner lots, interior lots and through lots is as follows:

- a) **Corner Lot:** 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 straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty- five (135) degrees.
- b) **Double Frontage Lot:** Other than a corner lot, that abuts onto more than one (1) street.
- c) **Interior Lot:** A lot other than a corner lot with only one frontage on a street.
- d) **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.
- e) **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.
- f) **Flag Lot:** A lot whose only frontage on a public street is through a narrow strip of land which is generally wide enough to accommodate a driveway, but too narrow to accommodate any structures.
The narrow strip of land is referred to as the panhandle.

Maintenance Bond: An agreement by a Subdivider or developer with the County guaranteeing the maintenance of physical improvements for a period of one (1) year from the release of the performance bond.

Metes and Bounds: A method of describing the boundaries of land by directions and distance from a known part of reference.

Minimum Building Setback Lines: A line between the front and rear lot lines and parallel to the street right-of-way line and at such distance from the street right-of-way line as required by the minimum front yard depth for lots served with or without centralized sewer facilities.

Minor Subdivision: A division of a parcel of land that does not require a final plat to be approved by a planning authority according to ORC § 711.131. Term is also referred to as a Lot Split which requires Staff review and approval.

Monuments: A permanent concrete or iron base or iron pipes which will be set at all lot or parcel corners, boundary line corners, and points of change in street alignment and/or within the subdivision.

Next Appropriate Meeting: Date governed by the schedule prepared annually by the Commission setting deadline, administrative and meeting dates

NFIP: National Flood Insurance Program

ODOT: Ohio Department of Transportation and designated representatives.

Official Map: The map established by the Planning Commission showing the streets, highways, and parks theretofore laid out, adopted and established by law and any amendments thereto adopted by the County Commissioners and the Regional Planning Commission or additions thereto resulting from the approval of subdivision plats by the Regional Planning Commission or additions thereto resulting from the approval of subdivision plats by the Regional Planning Commission and the subsequent filing of such approved plans.

Open Space: land within the development that shall not be built upon and is specifically set aside for "agricultural" and/or nonprofit, non-motorized recreational. In addition to agricultural uses, open space may be classified as either "common" or "natural" open space, or a combination of both. It does not include the area of individual fee simple lots conveyed to homeowners nor roads. Open space land may either be owned by a local public entity or a homeowner's association if protected by an open space easement which permanently and irrevocably transfers the development rights from the open space land owner to the entity. Term can be further defined as:

- a) **Common area:** open space set aside for passive or active recreational purposes. These areas may contain accessory buildings and improvements necessary and appropriate for recreational uses. If deemed appropriate by the zoning commission, common area may incorporate land for on-site wastewater disposal and for individual home septic system leach fields.
- b) **Natural area:** land set aside in its natural condition. Typical natural conditions might be, but are not limited to, ravines, wetlands, floodplains, woods, scenic views, or appropriate agriculture.

ORC: Ohio Revised Code

Original Tract: A parcel of land as it appeared on the Morrow County Engineer's parcel map on the effective date of these Regulations. The classification of this parcel of land shall be redefined every ten (10) years from the effective date of the regulations. If there is a conflict between the Morrow County Engineer's parcel map and the owner's deed, the owner's deed will be used for final determination.

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.

Owner: Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Resolution.

Pad: A building site prepared by artificial means, including, but not limited to, grading, excavation, or filling, or any combination thereof.

Parcel: Any piece of land described by a current deed.

Parking Space, Off-Street: For the purpose of these Regulations, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Performance Bond I Surety Bond: An agreement by a developer with the County for the amount of the estimated construction cost (as approved by County Commissioners and County Engineer) guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the Subdivider Agreement. (See also, Letter of Credit)

Performance Guarantee: Any security that may be accepted by a municipality as a guarantee that the improvements required as part of an application for development that are satisfactorily completed.

Person: An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

Planned Development: A development planned to integrate residential, commercial, industrial, or any other use. The planned unit development shall further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. Standards and regulations need not be uniform but may vary in order to accommodate unified development and to promote the public health and safety. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, including, but not limited to, building design principles and landscaping plans.

Plat, Survey (Survey Drawing): Survey plat drawn to scale prepared and sealed by a professional surveyor and graphically representing a metes and bounds legal description, showing all essential data pertaining to the boundaries and subdivision of a tract of land. The drawing may also include other information and shall be included with deeds submitted for Commission approval.

Preliminary Plan: The initial proposal, including both narrative and site design information, intended to provide the Morrow County Regional Planning Commission with an understanding of the manner in which the site in question is to be developed.

Private Street: Privately constructed, owned and maintained street, or road within a platted ingress/egress easement, serving more than one platted lot, properly shown on a subdivision plat approved by the Commission in accordance with these Regulations, for which the County Engineer shall provide plan review and approval and construction inspection.

Public Reservation: A portion of a subdivision which is set aside for public use and made available for public use and acquisition.

Public Utility: As defined by ORC § 4905.02

Public Water: Del-Co Water Company or any other municipal, township or county owned and operated water system.

Remnant Tract: The property remaining from the original tract, as shown on the tax list of real and public utility property, after the rest of the parcel has been divided into smaller tracts/lots of land.

Replat: A Subdivision or Plat, the site of which has heretofore been platted or subdivided with lots or parcels of land. It may include all or any part of a previous Subdivision or Plat.

Reserve Strip: Parcels of land within a subdivision set aside for future subdivision or set aside for other purposes as noted on the plat.

Right-of-Way: A general term denoting land, property, or the interest therein, usually in the configuration of a strip of land 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 control of the state or local authority.

Road Frontage: Continuous distance measured from side lot line to side lot line along a single public or private road right- of- way that is currently maintained and accessible to the general public. Continuous shall mean extending without irregularity or break or without interruption.

Roadway: That portion of a street improved, designed or ordinarily used for vehicular travel except the berm or shoulder

Setback Line: A line established by subdivision and/or zoning regulations generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure, other than an accessory building, may be located above ground.

Sewers, Central or Group: An approved sewage disposal system, which provides a collection network, and disposal system and central sewage treatment facility for a single development, community or region.

Sewers, On-Site: See Household Sewage Disposal System

Shared Access Point (SAP): An access management practice restricting two lots to a single shared vehicular access onto any street pursuant with these Regulations.

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic. See "Walkway."

Sketch Plan: An informal drawing which shows how a developer proposes to subdivide a property and which gives sufficient site information for the Planning Commission representatives to offer suggestions for site development.

Slippage Potential: The potential which land has to move, under the force of gravity, should it be disturbed during construction activity.

Soils: Soil characteristics will determine the type of building/development that can be constructed per USDA soil survey guidelines.

Staff: Morrow County Planning Office

Stopping Sight Distance: The distance required by a driver of a vehicle, traveling at a given speed, to bring the vehicle to a stop after an object on the roadway becomes visible. It includes the distance traveled during driver perception and reaction times and the vehicle braking distance

Street: A right-of-way designated for public use, which provides vehicular and pedestrian access to adjacent properties whether designated as a street, highway, thoroughfare, parkway, road, avenue, land or however otherwise designated. See Thoroughfare

Storm Water Management: The process and methods used to control storm water run-off, which includes snowmelt and surface drainage, including, but not limited to: storm sewers and structures, storage basins, subsurface drainage, grading, major storm routing paths, erosion and sedimentation control, road or drive culverts, swales, ditches, watercourses, bridges, etc.

Subdivider: Any individual, developer, firm, association, syndicate, 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.

Subdivider Improvement Agreement (SIA): Agreement between a Subdivider and public authority concerning the manner in which specified subdivision improvements shall be provided. Content and format shall be determined by the applicable public authority.

Subdivision: As defined in ORC § 711.001(B) (1) and 711.001(B) (2), a subdivision is further defined as one of the following:

- a) The division of any parcel of land shown as a unit or as a contiguous units on the last general tax list and duplicate of real and public utility property, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future of transfer of ownership, provided, however, that the following are exempt: (a) the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access; (b) the division or partition of land which involves the sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites; or
- b) The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures; or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders; or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities.

Subdivision Review Committee: Group appointed by the Chairperson of the Commission and responsible for the review of major subdivisions which, at a minimum, consists of representatives from: Morrow County Regional Planning Commission Morrow County General Health District, Soil and Water Conservation District, Morrow County Engineer's Office, local zoning officials, and local utility companies.

Surveyor: Any person registered to practice surveying by the Ohio State Board of Registration as specified in ORC § 4733.02.

Technical Review Board: Advisory committee to the Commission generally comprised of representatives from the Morrow County Engineer's Office, the Morrow County General Health District, the Morrow County Regional Planning Commission, Morrow County Planning Office, the Morrow Soil and Water Conservation District, appropriate township and county zoning officials, appropriate state agency representatives, local fire officials, and representatives of applicable utility companies. Technical Review Board members shall provide property owners proposing new residential lots of any size recommendations so property owners understand the requirements for approval by the various county offices. _ The board's technical recommendations shall be forwarded to the appropriate county office so the information can be used during the lot split review, approval and stamping process.

Terrain Classification: Terrain within the entire area of the plat is classified as level, rolling or hilly for street design purposes. The classification is as follows:

- a) **Level:** Land which has a cross slope range of up to four (4) percent.
- b) **Rolling:** Land which has a cross slope range of more than four (4) percent but not more than eight (8) percent.
- c) **Hilly:** Land which has a cross slope range of more than eight (8) percent but not more than fifteen (15) percent.
- d) **Hillside:** Land which has a cross slope range of more than fifteen (15) percent.

Thoroughfare, Street, or Road: The full width between property lines bounding every dedicated travel way, with a part thereof to be used for vehicular traffic and designated as follows:

- a) **Alley:** A minor street used primarily for vehicular service access to the back or side of properties abutting on another street. Design speed is 110 miles per hour.
- b) **Arterial Street:** A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route. Design speed is generally 55 miles per hour.
- c) **Collector Street:** A thoroughfare, whether within a residential, industrial commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions. Design speed is generally 35 miles per hour.
- d) **Cul-de-sac:** A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround. Design speed is generally 25 miles per hour.
- e) **Dead-end Street:** A Street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
- f) **Local Street:** A Street primarily for providing access to residential, commercial, or other abutting property. Design speed is generally 25 miles per hour.
- g) **Loop Street:** A type of local street each end of which terminated at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than three thousand (3000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
- h) **Marginal Access Street:** Local or Collector Street, 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.)

Thoroughfare Plan: A plan adopted by a unit of local government indicating the general location recommended for arterial, collector, and local thoroughfares within that community.

Tract: The term is used interchangeably with the term lot, particularly in-the context of subdivisions, where one "tract" is subdivided into several "lots."

Transfer to Adjoiner: Combining acreage to adjoining parcel. This must meet all Health Department, Zoning and all county regulations or it will be stamped a non-buildable lot. All Transfer to Adjoiner lots, regardless of size, will be reviewed by the Planning Office. All applicable fees apply.

USDA: United States Department of Agriculture, soils survey guidelines by geographical location.

Variance: Permission to depart from the standards and requirements of these Regulations due to unique circumstances (See Section 203)

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the County in order to better locate and orient the area in question.

Watershed: The drainage basin in which the subdivision drains or that land whose drainage is affected by the subdivision.

Wetland: An area of land, as defined by the federal definition at the time of preliminary plan submission, inundated by water for a portion of each year resulting in the land possessing unique soil and vegetative types.

Yard: A required open space other than a court unoccupied and unobstructed by any structure from three (3) feet above the general ground level of the graded lot upward, provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstructions of visibility. Further defined as:

- a) **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.
- b) **Yard, Rear:** A yard extending between side lot lines across the rear of a lot and from
- c) the rear lot line to the rear of the principal building.
- d) **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.

Zoning Inspector: Administrative officer designated by township and/or county officials to administer and enforce the adopted zoning ordinances and issue zoning permits and certificates.

ARTICLE III: Subdivision Application, Procedures and Approval Process

Section 300: Purpose

The purpose of this article is to establish the procedure for review and approval of subdivisions, as defined and authorized under Chapter 711 of the Ohio Revised Code and defined in Section 212 of these Regulations. The procedure is intended to provide orderly and expeditious processing of such applications.

300.1: General Procedure

Before any land is subdivided the owner of the property, or his authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures:

- a) **Lot Split / Minor Subdivision:** A weekly meeting of the Morrow County Technical Review Board will be held to review a subdivision pre-application so that a Subdivider can be informed of the requirements for approval by all appropriate agencies including the Health Department, County Engineer, Soil and water Conservation District, and local zoning, if applicable. The place and time of meetings will be posted in the Planning Office of the Morrow County Court House. The Subdivider shall submit a to-scale drawing of the minor subdivision with the location, size, drainage description and relevant information to inform and assist the Morrow County Technical Review Board with the proposed subdivision.
- b) **Platted Subdivision or Major Subdivision:** These involve approval actions by the Commission before plat signature by the Chairperson. The approval process for a major development, whether a subdivision or planned development, is essentially the same, and includes three principal steps: an optional sketch plan, a preliminary plan, and a Final Plat.

Section 301: Lot Split I Minor Subdivision Procedure

301.1 Outline of Conditions for Lot Split I Minor Subdivision: Approval without a plat, in accordance with ORC § 711.131, may be granted by Staff if the proposed subdivision, as defined in Article II, of the parcel of land meets all of the following conditions:

- a) The division of a parcel of land along an existing street, not involving the opening, widening or extension of any street or road, and involving no more than five (5) lots, any one of which is less than five (5) acres, after the original tract has been completely subdivided in accordance with ORC § 711.001 and further defined in Section 212 of these Regulations. For the purpose of these Regulations, the "original tract" shall be defined, pursuant to Section 212, as the tract of land as it appeared on the owner's deed of record on the effective date of these Regulations. The quantity of lots must include the remnant, if any, of the original parcel (ORC §711.131).
- b) Each lot or parcel, including the remnant tract, shall have, at a minimum, 200 feet of continuous road frontage and shall comply with Table 1: Minimum Lot Areas and Width Requirements in Article IV, Section 405.
- c) Each lot or parcel shall including the remnant tract shall have a lot depth not to exceed three (3) times the lot width and a minimum depth of 100 feet, which shall be maintained at required minimum road frontage of 200 feet. Exempted from this ratio shall be the remnant tract if that parcel is over five (5) acres. Remnant tracts of less than five (5) acres must have at least 200 feet of continuous road frontage along one publicly-maintained road or street and a minimum of 1 1/2 acres excluding the right of way. All remnant tracts shall be reviewed by the Planning Office. All applicable fees apply.
- d) The proposed division is not contrary to these Regulations and any applicable platting, subdividing, zoning, health, sanitary or access management regulations or regulations adopted under Division (B) (3) of ORC §307.37 regarding existing surface or subsurface drainage, including, but not limited to, rules governing, household sewage disposal systems. Any minor subdivision requiring a variance

from these Regulations shall require formal presentation to the Commission for action on said variance prior to approval. Issues such as, but not limited to, a deviation from the road frontage or lot depth to lot width requirement or the inclusion of an easement of access shall require the submission of a Variance application and review and action by the Commission.

- e) The proposed subdivision shall be approved and/or accepted by the Morrow County Health Department, zoning inspector (if applicable), Staff, County Engineer, and other governmental agencies as deemed necessary by Staff. The Morrow County Health and Water Conservation District will review proposed septic sites to include minimum standards for drainage outlets and gradient to receiving streams.
- f) Upon final approval and recordation of the lot(s), the Sub divider shall obtain a street address for each lot from the Morrow County House Numbering Office. In addition, all residences should have a green and white house-numbering sign (these signs are available from local fire departments) and display the sign.

301.2 : Administrative Procedure and Approval

- a) Prior to filing a formal minor subdivision application, the Sub divider is required to meet with the Technical Review Board to discuss compliance with Section 301.1 of these Regulations and the procedures to approval. Upon addressing any and all issues raised during this review, the Sub divider shall submit a minor subdivision or lot split application, which is available from Staff.
- b) After the Minor Subdivision has been given approval by all agencies with review responsibility, a copy of the survey with all applicable approvals shall be reviewed by Staff for compliance with these Regulations. Upon approval, Staff shall stamp and sign the survey "Approved-No Plat Required", within seven (7) business days after submission of the completed application.
- c) The landowner or designated representative shall then submit the deed and survey to the County Engineer for approval, to the County Auditor for the transfer of property and finally to the County Recorder where it will become a lot of record. Lot Split Approvals expire if not recorded within (1) year of approval.
- d) Incomplete or deficient proposals shall be disapproved and the Subdivider shall be notified, in writing, within seven (7) business days of issues and reasons for the disapproval.

301.3 : Submission Requirements

The application for lot split I minor subdivision shall include, but may not be limited to, the following:

- a) The Subdivider shall mark proposed lot corners with stakes and colored flagging
- b) Location and size of all existing and/or proposed building(s), and water and sewage system locations and designs to be shown on a separate sheet
- c) Soil type delineation (can be shown on a separate map), if required
- d) Areas within the 100-year floodplain and within floodways, as determined by mapping provided by the Federal Emergency Management Agency, shall be delineated
- e) Show extent of grading I clearing limits and a drainage plan with review and written endorsement by the Morrow County Soil & Water Conservation District, if required
- f) Access points in accord with adopted access management standards, if any, or Ohio Department of Transportation driveway approval if access is to a state highway
- g) Recording data for minor subdivision deeds previously approved from the original tract parcel
- h) Written endorsement of the applicable health and zoning authorities on the survey document
- i) An approved boundary survey, prepared in accordance with Chapter 4733-37 of the Ohio

Administrative Code, and legal description prepared by a professional surveyor and approved by the Morrow County Engineer's Office. Survey boundaries and lot lines shall be drawn on an 8 W' x 14" sheet, at a minimum, and at a scale appropriate for the size that is legible and readable j) All applicable fees.

Section 302: Combining Entire Existing Tax Parcels, Replat, Subdivision Vacations, Plat of Street, Common Open Spaces, and easements for Public Utilities

- a) Combining entire existing tax parcels can be accomplished by the Morrow County Auditor without Commission involvement if the existing parcels have the same deed reference, are adjacent to each other, are not separated by a public roadway, and acreage of all parcels is combined into a single tax parcel by surveying into one tract. Any person (s) proposing such an action shall have a new deed prepared using the new full boundary description and then record it with the Morrow County Recorder.
- b) A Sub divider proposing there-subdivision of a plat previously recorded by the County Recorder shall follow the same procedure as for a new plat and in accordance with ORC §711.17 through 711.30.
- c) Proposals of subdivision abandonment; platting of a street opening, widening, and/or extension; platting of open spaces for common use by owners, occupants, or leaseholders; and easements for the extension and maintenance of public sewer, storm drainage, or other public _ utility shall have the same plat requirements as stated in section "b".
- d) Provision for the subdivision of land for use by utility companies shall be considered on the basis of special conditions in each case. Primary consideration of any proposed use shall be that it is not detrimental to the public health, safety or welfare.

Section 303: Transfer of Property between Adjoining Owners

Lot splits for the purpose of the sale or exchange of property between adjoining property owners, where that sale or exchange does not result in the creation of an=additional building site(s), shall be exempt from the Regulations. If any new building sites will be created as a result of said action, the proposed action shall not be exempt from these Regulations, Such a sale or exchange that is exempt from these Regulations shall obtain a minimum of the following:

- a) Endorsement by zoning and health authorities shall be required to ensure the parcel being reduced in size will remain compliant with applicable standards.
- b) The survey shall be stamped by the Health Department as "Not Approved as Building Site, Approved for Transfer".
- c) The Grantees' names on the deed shall match the ownership of the adjacent parcel to which the transferred acreage is to be associated.
- d) Deeds for adjacent property transfers shall include the following covenant notation prior to approval: "The herein described () acres shall not constitute an independent building site separate from the Grantee's adjacent parcel unless approved as such in accordance with applicable Subdivision Regulations."
- e) Parcels from which property is transferred shall not create a non-conforming lot, and regardless of size shall be reviewed by the Planning Office. All applicable fees apply.

Section 304: Major Subdivision Procedure

304.1 : Outline of Conditions for Major Subdivision

- a) A proposal involving any one of the following shall be subject to the major subdivision review and approval process:

- 1) The division of a parcel of land, shown as a unit or as contiguous units on the general tax list and duplicate of real and public utility property, into six (6) or more parcels, including the remnant tract, any one (1) of which is less than 5 acres; or
- 2) The division of a parcel of land, shown as a unit or as contiguous units on the general tax list and duplicate of real and public utility property into two (2) or more parcels, including the remnant tract, regardless of size, which includes the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open space for common use by owners, occupants or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities.
- 3) Subdivision of any parcel in an existing, recorded plat (At the discretion of the Commission)
- 4) The division of a parcel of land, shown as a unit or as contiguous units on general tax list and duplicate of real and public utility property into six (6) or more parcels, including the remnant tract, regardless of size, which involves the inclusion of an easement of access. In such cases, the Subdivider shall comply with the Variance procedures in Section 203 of these Regulations. Commission action on any Variance request shall precede any action on a Major Subdivision.
- 5) Each lot or parcel, including the remnant tract, shall comply with Table 1 in section 405.1 for lot size and dimension requirements, except for lots or parcels on the radius of a cul-de-sac which shall have a minimum of 100 feet of frontage at the setback line or 45 feet at the front right-of-way line.
- 6) Each lot or parcel shall have a lot depth not to exceed three (3) times the lot width. Exempted from this requirement shall be the remnant tract if it is over (5) acres. (**Amended August 25, 2021**)

304.2 : Pre-Application Conference and Sketch Plan

- a) Prior to preparing a Sketch Plan, the Subdivider is encouraged to meet with the Technical Review Board and Staff to discuss the procedure for approval of the proposed subdivision plan and to familiarize the Subdivider with the Comprehensive Land Use Plan, thoroughfare plan (if applicable), drainage and sewerage requirements, fire protection, and/or the availability of existing utility services.
- b) The application may combine a pre-application conference with the Sketch Plan. The Sketch Plan shall include: a completed and signed application form, (5) copies of the Sketch Plan, and may include a fee as set forth in the appendix.

304.3 : Submission Requirements

The Sketch Plan does not constitute a subdivision plat, plat application, Final Plat, or final plat review and action by the Commission pursuant to ORC§711.10. The Sketch Plan shall be reviewed by the Subdivision Review Board and Staff and the Subdivider shall be provided with written comments within twenty one (21) calendar days of submission. The Subdivider is strongly encouraged to submit the Sketch Plan to the

Commission for comments and suggestions prior to the preparation of the Preliminary Plan. The Sketch Plan shall be prepared in pen or pencil, shall be drawn to a convenient scale of not more than one hundred (100) feet to an inch, and shall show the following information: a) Location or vicinity map.

- b) Ownership of property and adjacent properties.

- c) Existing and proposed public roads and easements. d) Existing structures d) North arrow.
- e) Outline of areas to be subdivided.
- f) Approximation of proposed lot lines.
- g) Important natural features and drainage ways.
- h) A written statement shall be submitted to address storm drainage, sewage disposal, water supply, electric, telephone service, fire and emergency services, traffic generation, school district, and other facilities that currently exist in the area or are proposed and the likely development impacts on those systems.

304.4 : Preliminary Plan

The Subdivider shall submit a Preliminary Plan to Staff for review and to the Commission for action prior to the formulation and submittal of detailed site and construction drawings.

304.5 : Preliminary Plan Form

The Preliminary Plan application shall contain:

- a) Completed and signed application form and fee;
- b) Copies of composite utility plans and grading plans (10) each folded to fit in a legal-size folder
- c) An additional copy of the preliminary plan containing all required information, no larger than 11" X 17" (for review purposes only)
- d) Three (3) sets of preliminary subdivision improvement plans. the Preliminary plan shall be submitted in the following form:
 - a) Drawn at a scale between one hundred (100) feet to the inch and ten (10) feet to the inch.
 - b) On one or more sheets 24" X 36" or 18" X 24" in size, clearly and legibly drawn.
- a) Each shall be folded to fit into a legal size folder. Submit (10) copies.

304.6 : Preliminary Plan Content

The Preliminary Plan shall contain the following information:

- a) Proposed name of the subdivision, location by section, range, township or other survey.
- b) Boundaries and acreage and boundaries between subdivision plats, if multi-phase platting is requested;
- c) Name, address and telephone number of the owner, Subdivider, professional surveyor and professional engineer with appropriate numbers, seals, address and phone number(s).
- d) Date of survey, scale of the plat, north arrow, legend and a vicinity map of a scale not less than 2000 feet to an inch.
- e) Name of adjacent subdivisions, owners of adjoining parcels, and location of common boundary lines, extended to 200 feet beyond the boundary of the subdivision.
- f) Topographic contours with intervals no greater than 2 feet at 5% slope, no greater than 5 feet for slopes over 5% and less than or equal to 15%, and no greater than 10 feet for slopes greater than 15% (Health Department desires 1-foot contours).
- g) Location, width, and names of existing streets with right-of-way widths, railroad rights-of-way, easements, parks, buildings, corporation and township lines; wooded areas, individual trees greater than 10" DBH, water courses, drainage patterns, water bodies, power transmission lines, historic features or buildings and topographic features within and adjacent to the plat for a minimum distance of 200 feet.
- h) Location of floodways, 100-year floodplains, of any FEMA NFIP watercourses, and other potentially hazardous areas.
- i) Location of environmentally sensitive areas.
- j) Soil types, derived from the USDA Soil Survey for Morrow County.

- k) Layout, number, dimensions of each lot, and setback lines (a note listing setback dimensions may be added in lieu of showing setback lines if the plan will be made more legible).
- l) Acreage of parcels of land reserved, dedicated for public use or reserved by covenant for residents of the subdivision.
- m) Point of ingress/egress and/or driveway locations and the distance to any existing driveway(s); potential streets or common access drive layouts for adjacent land intended for future development.
- n) Type of water supply and wastewater disposal proposed, approximate locations and dimensions of all proposed utilities and sewer lines, easements, drainage tiles, water mains, fire hydrants, culverts, or other utilities within the tract or adjacent thereto.
- o) Known cemeteries, historical or archeological sites.
- p) Benchmarks tied to USGS benchmarks.
- q) Copy of proposed covenants and restrictions, and a schedule outlining the order of development of each section or phase of the subdivision.
- r) Utility easement reservation with name, address, and phone number of contact person at the utility companies.
- s) Existing and proposed building, well and sewage system locations;
- t) Existing and proposed finished grade elevations for building envelopes;
- u) Other information, study item or provision deemed necessary or prudent to create build able sites or promote the public health, safety and welfare.

304.7 : Additional Information for the Preliminary Plan

The following information does not apply to all projects and may be requested during the site review or required during review and approval of applications:

- a) Statements of proposed use of lots, giving type and number of dwelling units and/or type of business or industry.
- b) Conceptual plan for commercial and industrial development, showing proposed parking, loading areas, alleys, pedestrian walkways, streets, points of vehicular ingress/egress to the development and landscape features.
- c) A drawing of all present and proposed grades and facilities for storm water drainage
 - a) in cases where natural drainage is altered.
- d) A Storm Water Management Plan describing methods and locations for retention basins, swales, reseeding, phasing of construction, silt fences, silt basins and general drainage patterns designed to reduce sediment in streams.
- e) Screening, buffering and/or noise abatement measures.
- f) Typical cross-sections and centerline profiles for each proposed street, and preliminary engineering designs of any new bridges or culverts proposed in the project;
- g) Traffic control or other public safety or access management measures;
- h) Other information, studies, items, or provisions deemed necessary or prudent to create quality-building sites and to promote the public health, safety, and welfare.
- i) Preliminary cost estimate for entire project including grading, seeding, construction of roads, etc.

304.8 : Filing, Review and Approval of Preliminary Plans

A Subdivider shall submit the Preliminary Plan to Staff for review of compliance with the formal submission requirements pursuant to Sections 304.5, 304.6 and 304.7 of these Regulations. If the Subdivider fails to comply with the submission requirements, the Commission hereby authorizes Staff to disapprove the submission of the Preliminary Plan and notify the Subdivider in writing within ten (10) business days citing specific references to the missing information. The Subdivider shall submit the Preliminary Plan at least fifteen (15) business days prior to the next regularly scheduled Commission meeting in order to be considered for that meeting.

304.9 : Subdivision Review Committee

Upon submission of a Preliminary Plan that complies with Sections 304.5, 304.6 and 304.7 of these Regulations, Staff shall forward copies of the Preliminary Plan to the Subdivision Review Committee and to such officials and agencies as may be necessary for the purpose of study and recommendation. The Subdivider, or its agent or representative, shall attend this meeting to respond to questions and/or concerns from the Subdivision Review Committee. Notes taken at the meeting serve to assist in the preparation of comments for the Commission Preliminary Plan meeting. Statements made by, or on behalf of, the Subdivision Review Committee or Staff shall not be binding upon the Commission. After receipt of reports from such officials and agencies, Staff shall notify, in writing, the Subdivider

with requests for additional information, if necessary, and prepare the written report, with recommendations, for Commission review and action.

304.10 : Commission Action

The Commission's decision shall be in writing, shall be under the signature of the secretary of the Commission, and shall be issued within thirty-five (35) business days after the submission of the Preliminary Plan unless the Subdivider, in writing, agrees to waive this period. The Commission shall give its approval, its approval with conditions, or its disapproval of the Preliminary Plan. Said decision shall be communicated to the Subdivider in writing stating any reasons for disapproval and conditions if approved conditionally.

Commission preliminary plan approval or conditional approval shall not constitute Final Plat approval, but shall provide an endorsement of the layout and intent of the proposal, and govern the preparation of the Final Plat.

304.11 : Preliminary Plan Expiration

The approval of the Preliminary Plan by the Commission shall be effective for a maximum period of one (1) year from the date of its approval unless an extension of the approval has been granted in writing by the Commission. The Preliminary

Plan shall expire if a complete Final Plat application has not been submitted within one year of the Preliminary Plan approval. In a multi-phase subdivision development, the Subdivider must submit, at a minimum, the Final Plat for the first phase of the subdivision within that one-year period. The approval of the Final Plat for the first phase of the subdivision shall serve to extend the Preliminary Plan approval period up to five (5) years from the date the Final Plat for the first phase is recorded.

304.12 : Preliminary Plan Recall

The Commission may recall unplatted portions of the preliminary plan for consideration, and reapprove, modification, or disapproval by the Commission. A recall may occur if:

- a) Incomplete, inaccurate or fraudulent information influenced approval.
- b) The Subdivider has failed to satisfactorily pursue platting or conditions of approval. c) Previously unknown or new health, safety or environmental concerns arise.
- c) The Subdivider shall be notified by letter no later than 30 days before the recall is scheduled for consideration.

304.13 : Submission to ODOT

Upon receipt of notice of proposed changes to ODOT highways from the ODOT Director, the Commission shall make note for consideration of future plat applications for three (3) years or until notified by the ODOT Director of completion of the proposed changes. Any plan within (300) feet of the

centerline of a state highway for which changes are proposed, or any land within a radius of (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice by registered or certified mail to ODOT and the Commission shall not approve the plat for 120 days from the date of such notice (ORC § 5511.01). If ODOT notifies the Commission that they shall proceed to acquire the land needed, the Commission shall refuse to approve the plan.

304.14 : Model Homes

For the purpose of allowing the early construction of model homes in a major subdivision, the Commission, at its sole discretion, may permit a portion of a major subdivision involving no more than (2) lots to be created in accordance with the procedures for Lot Split I Minor Subdivision, provided those lots derive access from an existing public roadway, and provided no future road or other improvements is anticipated where the lots are proposed. The subdivision plat for any proposed Model Home portion shall be submitted simultaneously with the Preliminary Plan for the entire major subdivision.

Subsequent to preliminary approval of the Final Plat, the model home(s) may be constructed, subject to such additional requirements as the Commission may require.

Section 305: Final Plat Document

305.1 : Final Plat Procedures

After the completion of the Preliminary Plan process, the Subdivider may submit a Final Plat application containing all changes required by the Commission in the Preliminary Plan. The Final Plat shall be prepared by a qualified Professional Surveyor licensed to practice in the State of Ohio, and the design for construction of improvements prepared by a Professional Civil Engineer licensed to practice in the State of

Ohio. Within five (5) calendar days after the submission, Staff shall schedule the plat for the next regularly scheduled meeting of the Commission and send a notice by regular mail or by electronic mail to the fiscal officer of the board of township trustees of the township in which the plat is located and the board of the Morrow County General Health District in accordance with ORC § 711.10. The Commission meeting shall take place within thirty (30) calendar days after submission of the plat unless the Subdivider has agreed, in writing, to waive the time period. No meeting shall take place until at least seven (7) calendar days have passed from the date of the above-specified notices.

A complete application shall contain:

- a) Completed and signed application form available from Staff with fee as set forth in the Appendix.
- b) Original plat document signed by the Subdivider and lien holder with notary and seal, and surveyor with seal;
- c) Letters approving the Plat signed by applicable zoning, health, sanitary and other government authorities.
- d) Ten (10) sets of copies of the Final Plat and one (1) reproducible tracing of the plat, construction drawings and specifications, supplementary or additional information specified herein. Three (3) sets of approved grading, street, storm water management, waterline and sanitary sewer improvement plans. Copies shall be folded to fit into a legal size folder.
- e) An additional copy of the Final Plat no larger than 11" x 17".
- f) Evidence that final approval has been received from ODOT or County Engineer for any access to an existing public roadway.
- g) Evidence that all improvement drawings have been approved by all local utility companies.
- h) Final estimate and detailed cost estimates for entire project.

- i) An itemized written response to written comments provided to the Subdivider from the Preliminary Plan meeting(s).

305.2 Final Plat Form

The Final Plat shall be submitted in the following form:

- a) Drawn at a scale between one hundred (100) feet to the inch and ten (10) feet to the inch, inclusively.
- b) Plats shall be on one or more sheets twenty four (24) by thirty-six (36) inches or eighteen (18) by twenty four (24) inches in size and shall be clearly and legibly drawn.
- c) No ditto marks or abbreviations shall be used on the Final Plat.

305.3 : Final Plat Contents

The Final Plat shall contain the following information:

- a) Subdivision name, location by section, range, township or other accepted survey means. The Minimum Standards for Boundary Surveys in the State of Ohio and the measurement specifications as presented in Chapter 4733-37 of the Ohio Administrative Code shall be used as minimum standards.
- b) Date, scale, north point, and acreage.
- c) Name, address and telephone number of owner, Subdivider, professional surveyor and professional engineer with appropriate numbers and seals, address and phone number(s).
- d) Plat boundaries, based on accurate traverse, with angular and linear dimensions determined by an accurate control survey in the field. All lot numbers and lines shall be shown with accurate dimensions in feet and hundredths.
- e) Building front, rear and side yard setback lines shown with dimensions.
- f) Outline of areas to be dedicated or reserved for public or common use of property owners within the plat, and previous lots or blocks and their numbers indicated by relatively thinner lines in the case of a replat.
- g) Bearings and distances to the nearest established street lines, and accurate location and description of all monuments.
- h) Names, locations, dimensions, right-of-way of all existing and proposed streets and railroads within and adjoining the plat. Radii, internal angles, points of curvature, tangent bearings, length of arcs, and lengths and bearing of chords of all streets shall be listed on the plat.
- i) Locations and dimensions of all existing and proposed easements and right-of-way, including drainage and storm water controls, with dimensions, purposes and wording addressing the uses of such easements or rights-of-way.
- j) Location of all streams, rivers, canals or lakes, and flood hazard boundaries of the area. Base flood elevations shall be determined by the Subdivider's engineer in areas where such information has not been made available by other means.
- k) The owners of record, size, and deed book and page references for all abutting tracts; and, the name of all abutting subdivisions, with lot lines, lot numbers and plat book and page references.
- l) Note on plans all utility reservation easements.
- m) A copy of any restrictive covenants, parcels of land dedicated for public use, and other notes, items, restrictions, or provisions required by these Regulations, the Commission, Staff or other governmental entity.

305.4 Final Plat Statements and Signatures

Flexibility in plat wording may be allowed, provided meaning and intent are not compromised and deviations are acceptable to plat signing authorities. The following shall be included on the Final Plat:

:

Situated in the Township of _____, County of Morrow, State of Ohio, and being part of [Farm Lot/Section _____, Quarter-Township____, Township _____, Range _____, and being the same tract as conveyed to as described in Deed Book _____, Page _____, County Recorder's Office, Mt. Gilead, Ohio.

We/1, the undersigned, being all the owners of the land platted herein, certify that the attached plat correctly represents our/my" _____", a subdivision of lots numbered _____ to _____ inclusive, and do hereby accept this plat and do voluntarily dedicate _____ acres for public road right-of-way and all easements for utilities as shown hereon and not heretofore dedicated.

In Witness thereto, _____ have hereunto set their hands this _____ day of _____, (year) . Subdivider(s) and witness(es) signature lines as needed

[Notarized and witnessed signatures of all Subdividers]
(The above to be properly executed in accordance with conveyance laws.)

SURVEYED AND PLATTED BY [name of surveyor]: I hereby certify that I have surveyed the property described in the foregoing title caption and that said survey and plat are accurate and correct to the best of my knowledge and belief. Surveyor Signature - with SEAL

Signature block for: _____ • Township/County Zoning Inspector (if applicable) Signature block for: Morrow County Health Department
Signature block for: Morrow County Engineer
Signature block for: Morrow County Regional Planning Commission Signature block for: Morrow County Commissioners (three spaces) Signature block for: Morrow County Auditor
Signature block for: Morrow County Recorder
Signature block for: Morrow County Soil and Water Conservation District

For plats along existing public roads:

This _____ day of (year)____, rights-of-way for public streets and roads herein dedicated to public use are hereby accepted for the County of Morrow, State of Ohio.

For plats with new public streets:

This _____ day of (year) _____, right-of-way for public streets and roads herein dedicated to public use are hereby approved for the County of Morrow, State of Ohio. Street improvements within said dedicated right-of-way shall not be accepted for public use and/or

maintenance unless and until construction is complete and streets are formally accepted by the Morrow County Engineer and Morrow County Commissioners.

Transferred this day of (year) . _____ Morrow County Auditor
Recorded this _____ day of (year) , at _____ :A.M./P.M. in Plat Cabinet _____, Slide .
Fee \$ _____ Morrow County Recorder

305.5 General Plat Notations

Flexibility in wording may be allowed, provided meaning and intent are not compromised and deviations are acceptable to plat signing authorities. The plat shall contain, if applicable, the following notes (additional notes may be required by the Commission or other plat signing authorities):

- a) Non-exclusive utility easements are platted for the construction, operation and maintenance of public and private utilities, storm water management, and service connections thereto, above and beneath the surface of the ground.
- b) Easements are granted within dedicated road right-of-ways, non-exclusive utility easements, and designated waterline easements to Del-Co Water Co., Inc. and other water utilities for installation and maintenance of waterlines, valve, meter crocks and appurtenances.
- c) On file with county engineering, building, health and platting authorities are plans indicating the nature and location of various subdivision improvements.
- d) Deviation in house locations and location and design of household sewage treatment systems shown (if plat includes single- or two-family lots served by household sewage treatment systems) on development plans on file with the Morrow General Health District may be allowed only if alternate locations and designs are submitted to, coordinated with, and approved by building, zoning and health authorities.
- e) [Unless waived by Sanitary Engineer] Owners, their successors, heirs or assigns of these lots agree when a central sanitary sewer system becomes available, the lot shall be connected to it. Acceptance of title to a lot in this subdivision shall constitute waiver of future notice or hearing on this requirement. This covenant shall be included in conveyance of title for said lots.
- f) Unless otherwise waived by the Sanitary Engineer, sanitary sewer easements are solely for construction, operation and maintenance of public and/or private sanitary sewers and service connections, and may be crossed by other utilities.
- g) If a plat includes a private street, approval of this plat by the Morrow County Regional Planning Commission, the Morrow County Commissioners and/or any other governmental authority shall in no way constitute a dedication or acceptance of the private street shown thereon, and all such private street(s) shall be and remain a private access way, and the Morrow County Regional Planning Commission, the Morrow County Commissioners and every other public authority signing this plat shall have no responsibility or liability for or arising out of the construction, improvement, maintenance and/or use of any such private street. The owners of these lots and their successors and assigns agree to and shall be bound by the foregoing provision, which provision shall be deemed to be and is a covenant running with the land.
- h) Unless otherwise waived by the County Engineer a note shall be placed on the plat that states "Be advised: A sub-surface drainage system may exist on this site. The system and/or outlet if located on this property must be maintained at all times."
- i) A note shall be placed on the plat that states: "Zoning setbacks reflect current zoning standards at the time of plat recording and are not subdivision plat restrictions."

305.6 : Filing

The Final Plat shall be filed with the Commission not later than one (1) year after the date of approval of the Preliminary Plan; otherwise it will be considered void unless an extension is requested by the Subdivider and granted in writing by the Commission. The Final Plat shall be filed at least fifteen (15) calendar days prior to, but no more than thirty (30) calendar days prior to the Commission meeting at which it is to be considered.

305.7 : Final Plat Approval or Disapproval

The Subdivision Review Committee and Staff shall review the Final Plat submission and shall provide written recommendations to the Commission. The Commission shall take action to approve or disapprove the Final Plat within thirty (30) calendar days after the submission of the plat, unless such time is extended by agreement with the Subdivider. The Final Plat shall be approved if it complies with the Preliminary Plan, conditions of the Preliminary Plan approval, and these Regulations. There shall be no provisions for conditional approvals or conditional endorsements in Final Plat recommendations or Commission actions. Once the Commission has approved the Final Plat, no change except for corrections or scrivener's error, shall be made to the Final Plat unless such Final Plat is resubmitted to and approved by the Commission. No plat shall be recorded until it is endorsed with the Commission's final or unconditional approval. Grounds for refusal of any plat submitted, including citation of or reference to the rule violated by the plat, shall be stated upon the record of the Commission. Failure of the Commission to act upon the Final Plat within such time shall be deemed an approval of the plat. If disapproved, the Subdivider may make the necessary corrections and resubmit the Final Plat. Within sixty calendar days after refusal, the Subdivider submitting any plat that the Commission refuses to approve may file a petition in the Morrow County Court of Common Pleas, and the proceedings on the petition shall be governed by ORC § 711.09 (C).

305.8 : Public Improvements

The Commission may require that all public and private improvements be installed prior to the execution and recordation of the Final Plat. If the Commission does not require that all improvements be installed and dedicated prior to signing of the Final Plat, the Commission shall require that the Subdivider execute a Subdivider

Agreement and furnish a performance guarantee [in the form of a Performance Bond or Letter of Credit and in an amount acceptable to the County Engineer] for the ultimate installation of said improvements. Said agreement and performance guarantee shall be on file with the County Engineer's Office and evidence submitted to the Commission prior to Commission approval of the Final Plat. The developer shall be required to maintain the roadway up to one year prior to the County Engineer's sign-off on the roadway. The requirements, approval and length of term for the agreement and performance guarantee shall be administered by the Commission and the County Engineer.

305.9 : Final Plat Expiration

The Subdivider shall complete all public and private improvements (if applicable), obtain all required signatures, and record the Final Plat within fifteen (15) months from the date of Commission approval; otherwise the Final Plat approval

shall expire and become void unless an extension is requested by the Subdivider and granted by the Commission.

305.10 : Signing, Recordation and Transmittal of Copies of Final Plat

When a Final Plat has been approved and all conditions for approval have been satisfied, the Commission shall sign the original tracing and return the same to the Subdivider. The Subdivider shall submit a copy of the approved plat for processing by the County Engineer, County Auditor, and filing with the

County Recorder. It shall be the responsibility of the Subdivider to gain all necessary certifications before filing the plat with the County Recorder. The Subdivider shall provide the Recorder with reduced legible print. The Subdivider shall provide the Commission with a paper copy of the approved plat. After the plat is recorded, the original plat or a Mylar reproduction shall be filed with the County Recorder.

305.11 : Final Plat Amendments

A Preliminary and Final plat shall be required to amend or change a recorded plat. Changes may involve subdividing a lot or reserve, converting a reserve into a lot, changing platted building setback lines, easements, wording, etc. Adjacent property transfers as provided under ORC §711.001 (B) (1) (b) are exempt from a requirement to amend a plat.

When required, the new Plat shall be signed by owners of property determined to be injuriously affected, as determined by the Commission at the time of its consideration of the Preliminary Plan, by such an amendment or change. Property owners within the plat proposed to be changed shall receive notice of the Commission meeting and be afforded an opportunity to appear at the time of consideration of the Preliminary plan for the purpose of showing if they are "injuriously affected" by the proposed plat amendment or change. The RPC shall charge a fee for the notification to parties.

For purposes of Section 305.11," an owner of property within the plat proposed to be changed may be deemed to be "injuriously affected" if any one of the following conditions would create adverse circumstances directly related to a specific lot or set of lots as a result of the proposed amendment or change to the subdivision plat:

- a) The lot size or configuration of one or more lots in the subdivision would be altered by a change in an existing street or right-of-way alignment
- b) The lot size or configuration of one or more lots in the subdivision would be altered because a new street or right-of-way is to be dedicated within the previously recorded plat
- c) Lots created by an amendment or re-subdivision of the plat would adversely impact other lots within the plat by reason of the proposed lot size, value, configuration or location
- d) A lot would be adversely impacted by a change in storm drainage runoff, a change in the water supply or water flow, the existence of health or safety risks, or any circumstance which would prohibit or unreasonably limit the ability of the property owner to use the lot for its intended purpose
- e) The size, location or configuration of any lot would violate or not conform to restrictions or regulations applicable to such lot without first having obtained a variance or other appropriate relief.

Section 306: No Plat Approval Procedure for Large Lot Divisions

306.1 : General

The purpose of this Section 306 is to establish the procedure for review and approval of large lot divisions as authorized under ORC §711.133.

The No Plat Approval Procedure for Large Lot Divisions (NPA-LL) may be used to request a proposed division of a parcel of land along an existing street, not involving the opening,

widening or extension of any street or road, and involving the establishment of any lot ranging in size from not less than five (5.00) acres to not more than ten (10.0) acres (up to any including 5.00 to 10.00 acres). A proposed division of land under and in compliance with this Section 306

shall not be considered a subdivision for purposes of ORC §711.11O(B) (1) and need only be approved under the provisions of this Section 306.

Large lot divisions must meet applicable zoning and health regulations including, but not limited to, minimum road frontage, lot depth to width ratios, and setbacks. Proposed large lot divisions in unincorporated areas not governed by county or township zoning regulations or in areas governed by zoning regulations that do not regulate road frontage, must meet, in addition to all other regulations, the following standards:

- a) Each lot or parcel created shall have, at a minimum, 200 feet of continuous road frontage

306.2 : Pre-Application Conference

Prior to filing a formal NPA-LL application, an applicant is encouraged to request an informal discussion with RPC staff to discuss the procedure for approval and to familiarize the applicant with applicable requirements. It is suggested that the applicant submit a scale drawing that includes the following information:

- a) Location map;
- b) Ownership of property;
- c) Existing roads and easements;
- d) Existing structures;
- e) North arrow;
- f) Outline of areas to be divided;
- g) Approximation of proposed lot lines and dimension;
- h) Important natural features and drainage ways; and
- i) Information concerning storm drainage, sewage disposal, water supply, and other facilities that impact on the development.

306.3 : Survey Requirement

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

306.4 : Application Submittal Requirements

A NPA-LL application shall include the following information and materials

- a) Grading and drainage plan with review and written endorsement by the Morrow
- b) County Soil & Water Conservation District;
- c) Existing or proposed building, well and sewage system locations and type; d) Soil type delineation
- e) Appropriate floodplain status information showing areas within the 100-year floodplain/floodway;

- f) Proposed access points in accord with locally adopted access management standards, if applicable, or Ohio Department of Transportation driveway approval if access is to a state highway
- g) Recording data for Minor Subdivision deeds previously approved from the original tract parcel
- h) Written endorsement from health and zoning authorities, if applicable
- i) A plan illustrating all subdivisions and/or lot splits of adjacent parcels within the past year, and recording date of each
- j) The Subdivider shall mark proposed lot corners with stakes and colored flagging
- k) An approved survey and legal description prepared by a professional surveyor and approved by the
Morrow County Engineer's Office
- l) An approved form of conveyance meeting the requirements for property transfer by the
Morrow
County Auditor and Engineer, if requested; and
- m) All applicable fees.

306.5 : Review and Approval

If the Commission, acting through Staff, finds that the proposed division is not contrary to any applicable zoning, health, sanitary, or access management regulations, regulations adopted under ORC §307.37(B) (3) regarding existing surface or subsurface drainage, including; but not limited to, rules governing household sewage disposal systems or the regulations set forth in this Section 306, it shall be approved in accordance with the following schedule:

- a) For proposed divisions into not more than six (6) separate Large Lot parcels, including the remnant, approval shall be within seven (7) calendar days after its submission;
- b) For proposed divisions into more than six but less than fifteen (15) separate Large Lot parcels, including the remnant, approval shall be within fourteen (14) calendar days after its submission;
- c) For proposed divisions into more than fifteen (15) separate Large Lot Parcels, including the remnant, approval shall be within twenty-one (21) calendar days after its submission.

The burden is upon the applicant to demonstrate compliance with these Regulations. Incomplete or deficient proposals shall be disapproved and the applicant notified of issues and reasons for disapproval.

Upon presentation of an approved conveyance of said parcel, the conveyance shall be stamped "Approved by Morrow County Regional Planning Commission; No Plat Required under ORC §711.133," and signed and dated by the Commission's designated representative.

NPA-LL deeds shall be recorded within one (1) year from the date of approval, or the approval expires. Upon the expiration of the approval, any proposed division of the subject tract shall be filed and processed as a new application under Section 210.

306.6 : Agricultural and Personal Recreational Purposes Exemption

A proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and which meets the acreage requirements set forth in Section 306.01 but which is to be used only for agricultural or personal recreational purposes (as hereinafter defined) shall be exempt from the NPA-LL approval requirements. Upon presentation of a conveyance of such a parcel, the conveyance shall be stamped "Approved by Morrow County Regional

Planning Commission; No Approval or Plat Required under ORC §711.133; FOR AGRICULTURAL AND PERSONAL RECREATIONAL USE ONLY," and signed and dated by the Commission's designated representative. The conveyance shall include a statement "No change in use shall occur unless approved by the Morrow County Regional Planning Commission in accordance with applicable subdivision regulations".

Nothing in this Section 306 shall be construed as excluding parcels that are exempt under this procedure that are currently being used only for agricultural or personal recreational purposes from the provisions of these Regulations for any future division or partitions of those parcels. When parcels that are exempt from the approval requirements under this Section 306.06 are subsequently to be used for other than agricultural or personal recreational purposes, the Commission or its designated representative shall first determine that such a parcel complies with the regulations set forth in Section 306.

An exemption under this Section 306.06 shall require a statement, signed by the land owner, which certifies that the proposed parcel will only be used for agricultural or personal recreational purposes, and that any subsequent change in use shall require that the Commission first determine that the parcel complies with the then current provisions of Section 306 and current applicable regulations.

For purposes of Section 306.06 the terms "agricultural purposes" and "personal recreational purposes" shall be defined as follows:

- a) Agricultural Purposes - a parcel or parcels that are devoted exclusively to uses defined in ORC §303.01.
- b) Personal Recreational Purposes - a parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit.

ARTICLE IV: Site Design and Construction Standards

Section 400: General Purpose

The purpose of good subdivision and site design is to create a functional and attractive development, minimize adverse impacts, and ensure that a project will be an asset to the community. To promote this purpose, all subdivisions shall conform to these standards, which are designed to promote a well-planned community without adding unnecessarily to development costs. These design controls shall help insure creation of convenient and safe streets, usable lots, and space for public purposes, and will minimize the undesirable features of unplanned, haphazard growth. The Commission has the responsibility for reviewing the design of each future subdivision early in its design development to insure that all the requirements of these regulations are addressed.

Section 401: Suitability of Land

If the Commission finds that land proposed to be subdivided is unsuitable for subdivision development, the Commission shall not approve the subdivision unless adequate techniques and measures for avoiding and solving the problem are advanced by the Subdivider. The Commission may take such action to due

to, but not limited to, poor drainage, flood hazard, topography, inadequate water supply, landslip potential, and other such conditions that may endanger health, life, safety, or property; and, if by any agencies concerned it is determined that in the best interest of the public the land should not be developed for the purpose proposed. The solution shall not cause hardship for adjoining or downstream property owners. For major subdivisions a written statement may be required by the Commission describing characteristics of the development “site, such as bedrock geology and soils, topography, flood prone areas, existing vegetation, structures and road networks, visual features, and past and present use of the site.

Section 402: Conformance to Applicable Rules and Regulations

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

- a) All applicable zoning ordinances and all other applicable laws of the governments in which the subdivision is to be located.
- b) The Comprehensive Land Use Plan, local public utility plans, and local capital
- c) improvement programs, including any plans for streets, drainage systems, and parks as adopted by Morrow County.
- d) The special requirements of these Regulations and any rule of the Health Department and/or appropriate state or regional agencies.
- e) The rules of the ODOT if the subdivision or any lot contained therein abuts a state
- f) highway or connected street.
- g) The standards and regulations adopted by the County Engineer, and all boards, agencies
- h) and officials of Morrow County.

Section 403: Subdivision and Site Design

Design of the subdivision shall take into consideration existing local master plans for the surrounding community, and shall be based on a site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, to the extent consistent with the reasonable utilization of land, and in accordance with applicable state or federal regulations:

- a) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Water Pollution Act, as amended; and in Ohio Environmental Protection Agency standards.
- b) Land in the floodplain as identified and mapped using the Federal Emergency
- c) Management Agency's Flood Hazard Boundary Maps.
- d) Steep slopes in excess of fifteen (15) percent unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
- e) Habitats of endangered wildlife, as identified on federal and state lists.
- f) Historically and culturally significant structures and sites, as listed on the National g) Register of Historical Places.

The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings in residential developments shall take into consideration topography, privacy, building height, orientation, drainage, and aesthetics.

Section 404: Block Requirements

The length, width, and shape of blocks shall be determined with due regard for other subdivision design standards and requirements as set forth in this article. Blocks shall be arranged to accommodate lots and building sites of the size and character required by these Regulations and any applicable zoning regulations, to provide for adequate community facilities, and with regard to topographic limitations and opportunities.

404.01 Residential Blocks

- a) Block length shall not exceed fourteen hundred (1400) feet, nor be less than five hundred . (500) feet. In case of a block of single lot depth, with lots backing onto a limited access thoroughfare or onto land which is not likely to become residential, such block may exceed the above maximum length provided the local street on which such lots face has intersections on its opposite side no more than twelve hundred (1200) feet apart.
- b) Blocks shall be two lots in depth except where double frontage lots are required, with access permitted from only one of two abutting streets.
- c) Pedestrian cross walks within blocks shall be prohibited except in cases where topography, site limitations or existing street pattern, result in inadequate pedestrian access to schools, shopping centers, or parks. Where provided, crosswalks shall have a right-of-way width of twelve (12) feet, and a paved walk.
- d) Irregular shaped blocks, blocks intended for cui-de-sacs and loop streets, and blocks containing interior parks, playgrounds or common open space, may be approved by the Commission if deemed properly designed and situated.

404.02 Non-Residential Blocks

Blocks intended for non-residential uses shall be of such length, width, and shape as the Commission finds necessary for the intended use, including adequate provisions for off-street parking, loading, and unloading of truck goods, and limitation and control of vehicular access points to adjoining streets.

Section 405: Lot Design

405.1 Lot Arrangement and Dimensions

- a) Lot arrangement, design and dimensions shall be such that all lots will provide satisfactory building sites in compliance with applicable zoning and health regulations for the district in which they are located and for the use for which they are intended. Driveway access to buildings on the lot shall be from an approved street and shall be properly related to topography and the character of the surrounding development.
- b) Where a county or township zoning code is not in effect, the minimum lot size, width and frontage shall be as specified in Table I. Where soils conditions are of such a nature that proper operation of wells and septic tanks may be impaired, the Commission, upon recommendation from the Health Department may increase the size of any or all lots in the subdivision, or may deny approval of the subdivision. -
- c) Dimensions of corner lots shall be large enough to allow the erection of buildings, observing the minimum front-yard setback from both streets

Table 1: Minimum Lot Areas and Width Requirements.

Development Type	Public Water Available	Central Sanitary Sewage Available	Minimum Lot Width (LF)	Lot Area *	Minimum Front Setback Requirements (FT)		
					Arterial Street	Collector Street	Local and Cul-de-sac
Single Family and Two- Family Dwellings	Yes	No	200	65340 SF	35	35	35
	No	Yes	100	21780 SF	35	35	35
	Yes	Yes	100	21780 SF	35	35	35
	No	No	200	65340 SF	35	35	35
Multi-Family Dwellings	Yes	Yes	200	65340 SF	50	50	50
	Not permitted except where public or community sanitary sewer and water are provided.						
Commercial and Industrial	Yes	No	200	65340 SF			
	No	Yes	100	21780 SF			
	Yes	Yes	100	21780 SF			
	No	No	200	65340 SF			
Common Access Drives (CAD) (Amended August 25 2021)	N/A	N/A	**200/300	108900 SF			
Major Subdivision	Yes	Yes	100	***10890 SF	35	35	35

* Lot area excludes road right - of- way.

Lot areas may be increased by recommendation of the Morrow County Health Department. For slope areas where the average topographic slope is 15% or greater, refer to hillside regulations.

** Two Hundred (200) feet of road frontage on a public road, or Three Hundred (300) feet of lot width along the CAD easement. (Amended August 25, 2021)

***In a Major Subdivision the minimum lot size may be reduced from 21,780 square feet (.50) acre to 10,890 square feet (.25) acre if central sanitary sewage, and public water is available. (Amended October 25, 2023)

405.2 : Lot Orientation

- a) Residential lots shall front on an approved dedicated street (existing or proposed) meeting current street standards. Side lot lines shall be at right angles to the centerline of the street or radial to curbing street lines, unless a variation from these rules will give a better street or lot plan. However, side lot lines shall not deflect more than (30) degrees from the perpendicular in relation to street centerlines. A side lot line shall maintain the same angle of deflection between the front lot line and the minimum building setback line as established by these Regulations or any applicable zoning regulations. Rear lot line should consist of straight lines, with a minimum number of deflections throughout the length of the block, in order to facilitate the installation of utility lines.

- b) The lot line common to the street right-of-way shall be the front line. All lots shall face the front line and a similar line across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the sideline of an adjacent lot.
- c) Lots shall be as nearly rectangular as possible, except where irregular shape is dictated by irregular alignment of streets, or by a cul-de-sac. Triangular or other odd shape shall be avoided.
- d) All buildings shall be set back from the front street in conformance with Table I, as noted above.

405.3 Double Frontage Lots and Access to Lots

- a) Double frontage and reversed frontage lots shall be prohibited except where required to prevent vehicular access to major thoroughfares, or to separate residential areas from adjoining areas of conflicting land use or to overcome specific disadvantages of topography and orientation.

Residential lots abutting arterial or collector streets, where marginal access streets are not desirable or possible to attain, shall be designated as reverse lots or with side lot lines parallel to the major traffic streets. These requirements may be waived by mutual consent of the Commission and the County Engineer.

- b) Lots may not be created by dividing land at the end of stub streets in adjacent subdivisions, such stub streets being intended to promote continuity of street systems in
- c) adjoining subdivisions.
- d) One hundred (100) feet (minimum) of additional lot depth or a buffer strip in accordance
- e) with the landscape standards herein will be required where a residential lot in a subdivision backs up to a railroad right-of-way, a high pressure gasoline or natural gas line, open drainage ditch, an arterial street or interstate highway, an industrial area or other existing land use which may have a detrimental effect on the residential use of the property, and where no local street is provided at the rear of such a lot. A lot bordered by an open drainage ditch or a natural swale will be separated by fifty (50) feet or the floodplain (whichever is greater) from the ditch centerline.
- f) Lots adjacent to farmland or existing development will have a twenty-five (25) foot no-
- g) build area along the rear of the lots (perimeter property line) to preserve trees along the property line and allow for additional planting for screening new development.

Section 406: Easements

- a) Location of utility line easements shall be centered on the rear or side lot line as necessary for utility lines. Easements shall give access to every lot, park or public grounds. Such easements shall be a total of not less than twenty (20) feet wide.
- b) Recommendations on the proposed layout of telephone and electric company easements should be sought from all of the utility companies serving the area. It shall be the responsibility of the Subdivider to submit copies of the Preliminary Plan to all appropriate public utility companies.
- c) Easements shall be provided for storm drainage purposes. Such easements shall conform substantially with the lines of any natural water course, channels, streams or creeks which traverse the subdivision or for any new channel which is established to substitute for an existing natural watercourse, channel, stream or creek. Such easements shall be of sufficient width to provide adequate area for maintenance, however shall not be less than twenty (20) feet.
- d) Wherever practicable, utility lines will be placed underground, according to the standards of the appropriate utility company. Utilities will avoid trenching near existing tree lines (within drip line) and use bored trenches. Boring of trenches will preserve roots and maintain valuable trees.

Section 407: Standards for Nonresidential Subdivision

- a) In addition to the principles and standards in these Regulations, the Subdivider shall demonstrate to the satisfaction of the Commission that the streets, parcels, blocks, and lot patterns proposed are specifically adapted to the uses anticipated and take into account other uses in the vicinity.

- b) Proposed industrial parcels shall be suitable in areas and dimensions to the types of c) industrial development anticipated.
- d) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- e) Blocks intended for commercial and industrial subdivisions shall be designed specifically for such purposes and shall include adequate provisions for off-street parking, loading and unloading of trucked goods, and limitation and control of vehicular access points to adjoining streets. Such blocks shall not be less than (250) feet in width and not less than (500) feet in length.
- f) Lots intended for purposes other than residential use shall be specifically noted and
- g) designated for such purposes, and shall have adequate provisions for off-street parking, setbacks, and loading and unloading areas. -

Section 408: Physical Features

Natural Land Features: Subdivisions shall be planned to take advantage of the topography of the land to economize in the construction of drainage facilities, to reduce the amount of grading, to minimize the destruction of trees and topsoil and to preserve such land features as water courses, unusual rock formations, large tree stands, sites of historical significance which, if preserved, will enhance the value to the subdivision and the county.

- a) Flood Plain Protection: Lands subject to frequent flooding within the boundaries of a subdivision shall not be platted for residential, commercial or industrial use, or for such other uses that may increase danger to health, life, property, or aggravate the flood hazard.
- b) Visual Land Features: Natural features, irregularities, changes in level, brooks, and streams, views of lakes, hills, and other focal point within the boundaries of the subdivision, and distant views outside the subdivision shall be coordinated with the design of land use areas, streets and other activity areas to obtain natural variety and interest in the overall development of the subdivision. Trees, topsoil and other natural features shall be preserved and utilized in the development of the subdivision. The Commission may waive certain requirements in order to preserve such natural land features.

Section 409: Soil Erosion Requirements

In the development of a subdivision, the developer shall not cause or allow earth-disturbing activities that can impair a public or private surface ditch, subsurface drainage, stream, river or lake, nor shall sediment be deposited onto an adjoining property. Adequate control of soil erosion and sedimentation, through the use of best management practices with both temporary and permanent measures, shall be used during all phases of clearing, grading, and construction to conserve soil resources and to maintain existing water quality. Sediment control shall follow the standards and specification in Water Management and Sediment Control for Urbanizing Areas (Soil Conservation Service, USDA, March 1987, or the most current edition).

Section 410: Streets

The County Engineer shall be the authority responsible for land review and approval, construction inspection and compliance, and if applicable, administration of any Sub divider Improvement Agreement (SIA) and surety for public and private streets and storm water management.

Final engineering plans for street, storm water management and sanitary sewer improvements shall be drawn at an appropriate scale and be signed and sealed by a Professional Engineer. Final plans shall include a title sheet, index and location maps, typical sections, plan and profile view, benchmark and engineering details. An itemized estimate of quantities and costs shall be included if a construction surety is involved. Plans or drawings not requiring signature of an Engineer shall meet requirements of the applicable public authority.

410.1 : Street and Circulation System Design

The arrangement, character, extent and location of all streets shall conform to all applicable local and/or state thoroughfare plans; such streets shall be considered in their relation to existing and planned streets, topographic conditions, public convenience and safety, and in their relation to the proposed uses of land to be served by such streets. The Commission reserves the right to disapprove any street plan which does not represent good design or does not insure continuity of the existing street system. The Commission and/or county Engineer may require the preparation of any studies or plans, including, but may not be limited to, traffic studies, that it deems necessary in order to protect the health, safety and welfare of the citizens and to ensure quality design. The cost of such studies or plans shall be borne by the Sub divider.

The road system shall be designed to serve the needs of the neighborhood and to discourage through traffic in the interior of such subdivision. Residential driveway access shall be discouraged onto principal arterials. Major subdivisions shall be designed to discourage residential driveway access onto major arterial and collector roadways by using access roads. Minimizing driveway access points or curb cuts using access roads shall be encouraged.

All private streets and roads shall meet the minimum requirements for the design and construction of roads and streets outlined by the Morrow County Engineer. Minimum lot requirements must be met by all lots on private streets.

Proper notification shall be given to O. D. O. T. per ORC §5511.01, when required.

410.2 : Access Management and Traffic Safety

The County Engineer, Zoning Inspector, and/or Commission may regulate, via subdivision regulations, prohibit or alter lots with vehicular access directly onto public arterial roads or state routes which are identified in any applicable thoroughfare plan and/or Access Management Plan adopted pursuant to ORC §5552. ODOT may regulate access on state and/or federal routes. This may require Access Management practices such as frontage roads, service roads, reverse frontage lots with internalized access, restriction on number and location of drives, drives with turn-a rounds, turn lanes, Shared Access Point (SAP), buffering or other traffic control and safety practices,. The need for Access Management practices on collector, local, or other streets shall be based upon project specific characteristics.

410.3 : Streets and Natural Land Features

Land, which is relatively flat, or of very gentle undulations, shall be planned so that streets follow the natural drainage courses. All building sites, wherever possible, shall be above the finished gradient of a street. On more irregular topography, streets shall be designed to avoid extreme cut and fill. Wherever

possible, streets should follow the ridges or be planned to parallel the contour of the site. Streets shall be so located that natural drainage channels follow the street right-of-way, or can be diverted to such right-of-way with a minimum of grading.

410.4 : Classification of Streets

Streets shall be designed in accordance with the following classifications:

1. Arterial Streets Arterial streets shall be planned for the continuation of movement of fast traffic between points of heavy traffic generation and shall be planned to connect with the overall arterial street system established for the county. Arterial streets shall contain as few intersections as possible with the local streets. The commission may require parallel streets along an existing or proposed arterial street to provide access to lots along such arterial streets.
2. Local Streets shall provide direct access to each lot and shall be so laid out so that their use by through traffic will be discouraged.

410.5 : Street Design Standards

The Sub divider shall design street improvements in accordance with the standards and specifications set forth in the Minimum Requirements for the Design and Construction of Roads and streets in Major Subdivisions, as prepared by the Morrow County Engineer and approved by the Morrow County Commissioners.

410.6 : Dead End Streets

Dead End Streets shall be prohibited.

410.7 : Shared Access Point (SAP)

The Shared Access Point is a privately constructed and owned access management practice restricting two lots to a single access point onto the public roadway. Other vehicular access along the lot frontages shall be prohibited by covenant wording. If a SAP is:

required for access management purposes, the filing of cross-easements and maintenance agreements is also required.

An SAP shall not be used to provide access for more than two lots. Lots served by a SAP shall have proper road frontage and be reviewed and approved according to all applicable Access Management and/or Thoroughfare Plan. The SAP drive apron and culvert in the public road right-of-way shall comply with all applicable standards, including but not limited to County Engineer, ODOT, and Commission standards, and shall be included as a part of any roadside improvements for the subdivision.

410.8 : Reserve Strips

Reserve strips controlling access shall be prohibited except where control is placed in the County or Township and under conditions approved by the Commission.

410.9 : Corner Radii

Property lines at street intersections shall be rounded with a radius of not less than fifty (50) feet for arterial streets, twenty (20) feet for collector streets and ten (10) feet for local streets to allow easier walking for pedestrians.

410.10 : Horizontal Alignment in Curves

Angles in the alignment of street lines shall be connected by a curve with a radius on the centerline of not less than eight (8) degree deflection angle. Between reverse curves, there shall be a tangent of at least one hundred (100) feet long on arterial and collector streets.

410.11 : Intersections

Streets shall be laid out to intersect as nearly as possible at right angles and no street shall intersect any other street at an angle of less than sixty (60) degrees.

410.12 : Street Jogs

Street jogs with centerline offsets of less than two hundred and fifty (250) feet shall be prohibited.

410.13 : Street Names

Street name signs or number of a type in use throughout the county shall be erected by the Subdivider at all intersections. Names of new streets shall not duplicate those of existing or platted streets, irrespective of the use of the suffix "street", "avenue", "circle", "boulevard", "drive", etc., and shall be displayed at each street intersection with street signs of the type established by the county. When a new street is a direct extension of an existing street, the name shall remain the same. Sign color shall conform to county or township requirements. Street names shall be subject to the approval of the Commission and County Engineer. The Subdivider is responsible for the cost of purchasing and installing all signage. All signage shall be placed to conform with and in accordance with the Ohio Manual of Uniform Traffic Control Devices to Streets and Highways.

410.14 : Subdivision Names

Names of new subdivisions shall not duplicate or be similar to the names of existing subdivisions within the county or any municipality of the county.

410.15: Common Access Driveway Subdivisions

Common Access Driveway Subdivisions are privately owned and maintained common driveways to access a limited number of residential lots, some of which may rely on the common driveway easement entirely to meet requirements of Section 405. They are subject to the subdivision plat procedure described in Sections 304 and 305.

The following regulations apply to all CAD subdivisions:

1. **Approval Process.** A Common Access Driveway (CAD) subdivision may only be permitted if it is determined through a pre-application conference, in accordance with Section 304.2, to meet the following qualifications:
 - a. CAD subdivisions are approved at the Commission's discretion. They may be requested on tracts of land that do not lend themselves either alone or in conjunction with adjacent property to be otherwise developed due to the following conditions, including, without limitation: Unique tract shape or small tract size;
 - i. Previously subdivided adjacent lands with no opportunity for road connection;
 - ii. Severely constrained topography (i.e. deep ravines, floodplains);
 - iii. Unsuitable soils;
 - iv. Preservation of mature or unique vegetation; and/or
 - v. Limited lot geometry that makes it unfeasible to build a public or private street.
 - b. CAD subdivision shall not obstruct the development of the desired construction of a network of interconnecting public and/or private streets.
 - c. CAD subdivisions may only be allowed where the Commission has determined, at its discretion, that:
 - i. conditions exist on or around the site which will be better served through the use of a CAD subdivision;
 - ii. there is no need to provide for a continuing street system;
 - iii. the use of a CAD subdivision will be in accordance with the objectives of all adopted plans for the area;
 - iv. the CAD subdivision will be served adequately by essential public facilities and services; and
 - v. the use of a CAD subdivision will better serve to secure and provide for adequate and convenient open spaces for traffic, utilities, access, recreation, light and air, and for the avoidance of population congestion.
2. **Private Maintenance.** A Common Access Driveway (CAD) is not and will not be maintained by the RPC, the County, or Township, but by the lot owners who share access by the Common Access Driveway. A CAD is only permitted if it does not conflict with local regulations, including the township's or county's zoning resolution. The County, the Commission, and the Township do not undertake any liability for the inspection or maintenance of CADs.
3. **Number of Lots.** The CAD may serve and provide access for up to three (3) lots as shown on the CAD subdivision plat. Two (2) additional lots contiguous to the CAD at the point of access to

the public or private road by the CAD and which would meet the current applicable zoning requirements as free-standing lots may, at the discretion of the Commission, be accessed by the CAD.

4. CAD Restrictions. The CAD shall connect directly onto a public road or a private road built to public standards. The CAD and utility easement acreage shall be incorporated into one or more of the lots it serves. Acreage not included in the CAD subdivision plat and CAD Maintenance Agreement shall not be accessed by the CAD. The CAD shall be labeled on the plat as "Common Access Driveway (CAD)- Ingress/Egress and Utility Easement,,.
5. Fire-Fighting Plans. After receiving preliminary CAD subdivision plans from the subdivider, the Commission shall provide preliminary CAD subdivision plans to the local fire chief with a request for his review and recommendation.
6. Design and Construction Certification. The subdivider shall contract with an Ohio Registered professional engineer to design the Common Access Driveway. The engineer shall certify that sound engineering practices were used in the design and construction of the CAD and that it complies with all CAD standards and requirements.

Common Access Driveways shall be constructed to the satisfaction of the certifying engineer. The certification shall be signed and stamped with the contracted Ohio Registered engineer's professional seal. The certification letter shall include, at minimum, the following language:

"As the contracted engineer for the _____ Common Access Driveway Subdivision, I hereby certify that sound engineering practice was used in the design and construction of the CAD, that I have inspected the CAD during the construction process, and that the CAD is in conformance with the CAD plans (unless site conditions during construction warranted additional improvements) and meets or exceeds the requirements of the Morrow County Regional Planning Commission. "

{Signature, date, and seal}

The CAD, as constructed, shall be approved by the Commission prior to the Chairperson signing the final plat.

7. CAD Standards and Requirements. Common Access Driveway design shall be consistent with sound engineering practices and principles necessary to provide for the public health, safety, and welfare, which shall include but not be limited to safe and adequate storm water management, access, maneuvering and use by fire and safety vehicles, and meeting the standards set forth in these regulations. Additional or more restrictive standards may be required for the promotion and protection of the public health, safety, and welfare, by the certifying engineer, zoning official, Planning and Zoning Director, or County Engineer. Unless a greater standard is required the minimum standards for CAD subdivisions are as follows:
 - a. Any lot within the CAD subdivision contiguous to a public road shall be prohibited from directly accessing the public road and the CAD subdivision plat shall contain a notation incorporating this restriction;
 - b. The CAD easement shall be at least 60 feet wide to permit driveway construction, roadside drainage and utility service infrastructure;

- c. All lots a part of the CAD subdivision shall be at least two and a half (2.5) acres in Jot area, exclusive of the CAD easement;
- d. All lots a part of the CAD subdivision that do not have legal frontage on a public road shall have three hundred (300) feet of frontage on the CAD easement, with the exception of lot(s) at the terminus of the CAD where the CAD shall be adequately extended to provide for proper fire protection and in no case be less than 60 feet on the CAD easement;
- e. All lots a part of the CAD subdivision shall not be platted so as to increase any existing structure or lot non-conformity;
- f. The minimum cross-section of the Common Access Driveway shall be built in a manner sufficient to support the largest fire/emergency vehicle in the district(s) that may serve that location as well as the anticipated construction vehicles for the building sites. Provisions shall be made for the drainage of the sub-grade along the length of the Common Access Driveway;
- g. Adequate drainage along the sides of the Common Access Driveway shall be provided either by enclosed storm sewers or by grassy ditches with a maximum side slope of 3:1. Minimum ditch gradient shall be .5%. Above-ground utility structures shall not be placed within the drainage areas nor installed in a manner that interferes with surface or subsurface drainage;
- h. The 100-year flood routing and storm water management practices for the CAD subdivision shall be reviewed by and are subject to the approval of the County Engineer;
- i. The Common Access Driveway shall be at least 12 feet wide. Passing lanes of ten (10) feet in width and 35 feet in length shall be provided every 350 feet or less. Distance from the centerline of the connecting public or private road and the first passing area shall not exceed 350 feet;
- j. A "T", "hammerhead" or cul-de-sac turnaround shall be provided at the Common Access Driveway terminus or other approved location in general accordance with one of the standards recognized in the Ohio Fire Code, Appendix D;
- k. The maximum gradient within any specific location of the Common Access Driveway shall be 10%;
- l. All trees and shrubs including protruding branches within 16 feet horizontally and 20 feet vertically from the centerline of the CAD shall be removed and maintained as cleared area unless there is a more restrictive standard in the Township;
- m. A pole-sign shall be installed at the sub divider's expense, located at the CAD intersection with the connecting public or private road. Such sign may be integrated into a common mailbox structure. The pole-sign shall be made of rot-resistant wood or comparable weather-resistant material. The pole-sign shall be placed outside the public right-of-way and shall include the words "Private Drive" in contrasting letters. The "Private Drive" sign shall be no larger than two square feet (1 foot by 2 feet) on each side. All CAD addresses shall be displayed collectively on the pole-sign at the CAD entrance and shall be made of reflective material. The "Private Drive" sign and addresses shall be legible from the connecting public or private road and continuously maintained at this location. A rendering of the sign including proposed materials shall be submitted at the time of Preliminary Plan application;

- n. Each lot shall individually display its address at the driveway entrance to the CAD when the address is assigned. The address/sign shall be made of reflective material and be legible from each lot's driveway entrance;
 - o. There shall be no future extension of or off the CAD to additional lands unless approved by the RPC, in its discretion;
 - p. All design and construction activities within a county or township road right-of-way shall be approved by the County Engineer, or within a state route right-of-way approved by ODOT;
 - q. The CAD easement shall be specifically set forth on the subdivision plat;
 - r. The proposed CAD maintenance agreement shall be submitted at the time of the Final Plat application.
8. CAD Maintenance Agreement. Prior to the plat being signed by the Director, an approved and recorded Maintenance Agreement shall be submitted to the Commission. The plat shall contain a cross-reference of where the Maintenance Agreement is recorded. The minimum requirements for a Maintenance Agreement are set forth in Appendix A. (Appendix A is attached hereto and made part of these regulations by this reference.)

In effect August 25 2021

Appendix A

DECLARATION OF COMMON ACCESS DRIVE MAINTENANCE AGREEMENT

As a condition of subdivision plat signature by the Morrow County Regional Planning Commission ("COMMISSION") Director, this Common Access Drive ("CAD") Maintenance Agreement ("AGREEMENT") is established pursuant to the Subdivision Regulations of Morrow County, Ohio ("REGULATIONS"). The subdivider shall record this AGREEMENT at the office of the Morrow County Recorder after the plat is approved by the COMMISSION. The COMMISSION shall reference this AGREEMENT and its recording date, volume and page on the subdivision plat before releasing to be recorded.

THIS DECLARATION AND AGREEMENT is made and established by the subdivider(s) of

_____, a subdivision plat approved by the COMMISSION on _____, 20 ____

_____). Upon recording of the subdivision plat, the following covenants and conditions shall apply to the lots served by the CAD and shall be binding upon and inure to the benefit of all subsequent grantees, heirs, successors and assigns of said lots.

ITEM 1.) **IMPROVEMENTS.** "Improvements" and "maintenance" as used in the AGREEMENT shall include: initial construction, snow removal, drainage and erosion control items, tree or vegetation trimming or removal, and maintaining adequate bearing strength and access and maneuvering room for fire and safety vehicles.

ITEM 2.) **ACCESS AND ADDRESSING.** The CAD shall be kept free of obstructions and maintained in an adequate condition to provide safe and adequate access and maneuvering of fire-fighting, safety and emergency vehicles to the satisfaction of the Fire Chief. Addresses shall be posted along the CAD to the satisfaction of the Fire Chief.

ITEM 3.) **REVIEW AND COMPLIANCE.** Lot owners consent to use and review of CAD improvements by fire, safety, health, subdivision, zoning, and building authorities, and agree to promptly comply with written requests or orders of such authorities relative to CAD access, maneuvering room, strength, addressing, safety and environment.

ITEM 4.) **STANDARDS.** The CAD shall be constructed and maintained in accordance with, or to higher standards than, construction plans prepared for this project by a Professional Engineer, and in accordance with sound engineering and construction practices and principles.

ITEM 5.) **ADDITIONAL LOTS, OR CAD EXTENSION OR DEDICATION.** The unanimous written consent of all LOT VOTES shall be required to request approval from platting authorities to increase the number of lots served by the CAD or to upgrade to public standards and dedicate and convert the privately owned CAD to a publicly owned and maintained roadway.

ITEM 6.) **ENFORCEMENT.** All remedies, legal and equitable, shall be available to all lot owners and public authorities referenced in this AGREEMENT to provide for its enforcement. Failure to adequately construct and maintain the CAD shall represent violation of this AGREEMENT. Zoning, Building and Health permits may be withheld for lots served by the CAD if violations of this AGREEMENT are determined to exist.

ITEM 7.) **LOT VOTE.** Each lot shall be entitled to one vote ("LOT VOTE") in matters concerning this AGREEMENT. Decisions under this Agreement not specified as requiring unanimous consent of all LOT VOTES shall be governed by a majority of the LOT VOTES, or in the case of a tie vote, the LOT VOTE(S) cast by the lot(s) with the higher sum of percentage of maintenance expenses, or in case of a tie vote between lots whose sums of

percentages of maintenance responsibility are equal, by the affirmative LOT VOTE(S). Any vote not cast and any abstaining vote shall be deemed and counted as a non-affirmative (negative) vote.

ITEM 8.) **PERCENT OF EXPENSES.** Compensation under this AGREEMENT for voluntary (non-voted) CAD maintenance shall be strictly at the discretion of each lot owner, otherwise, responsibility for maintenance expenses shall be allocated as follows:

Lot #	-	%;	Lot #	-	%;
Lot #	-	%;	Lot #	-	%;
Lot #	-	%;			

ITEM 9.) **MODIFICATIONS.** Items 7) and 8) of this AGREEMENT may be modified, in writing, by the unanimous written consent of all LOT VOTES, and shall become effective upon presentation to the COMMISSION of a copy of a new AGREEMENT that has been recorded with the Morrow County Recorder. However, no such modification shall be intended, interpreted or have the effect of circumventing, abrogating or nullifying provisions and requirements of Items 1) through 6), both inclusive, of this AGREEMENT.

THIS DECLARATION AND CAD MAINTENANCE AGREEMENT made, entered and established by:

Subdivider Signature (& printed)

1st Witness (signature & printed)

2nd Witness (signature & printed)

Subdivider Signature (& printed)

1st Witness (signature & printed)

2nd Witness (signature & printed)

STATE OF OHIO, COUNTY OF

, SS:

BEFORE ME, a Notary Public in and for said county, personally appeared

, who acknowledged the signing of the foregoing instrument to be their

free and voluntary act and deed for uses and purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this

day of , 20__ . My Commission Expires .

Notary Public (Signature and Seal)

NOTE: Subject to change by applicable law.

Morrow County Regional Planning Commission Fee Schedule

Effective February 1, 2010

Minor Subdivision Fee:	\$250 per split
Large Lot Division Fee:	\$250 per split
Major Subdivision Fees:	
Preliminary Plan Application:	\$300 + \$100 per lot
Final Plat Application:	\$300 + \$100 per lot
Other Fees:	
Application for Variance:	\$225
Transfer to Adjoiner:	\$250 per split
Copy of Subdivision Regulations:	\$25

Forms

**Morrow County Regional Planning Commission
VARIANCE REQUEST FORM**

Date Application Prepared: _____ Fee: \$225.00 Application Number _____

Applicant's Name _____ Phone: _____ ☐ Business
☐ Home

Address: _____ City: _____ State: _____ Zip Code: _____

Location of property under consideration: (Address and/or description):

Nature of Variance required: (Describe generally the nature of the variance):

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

The burden is on the applicant to demonstrate in writing in the area provided below each of the following:

- a) The granting of this variance request shall not be detrimental to the public health safety and welfare and not injurious to other property.
 - b) The conditions upon which this variance request are based are unique to the property for which this variance is sought.
 - c) Due to the physical surroundings, shape, or natural characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict interpretation of the regulations were followed.
 - d) The purpose of the variance request is not primarily based on a desire to increase property value or usage.
 - e) The alleged hardship has not been created by the applicant of the variance.
 - f) The granting of this variance shall not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of the regulations, or the desirable development of the neighborhood and community.
- _____

(Continue on separate sheet of paper if necessary)

Attach a sketch of the area showing the location and characteristics of the requested variance. Be sure to include a current property ownership map. Also include a survey if available.

I certify that all the information contained in this application and its supplements is true and correct.

Signature: _____ Date: _____

(For Official Use Only)

Date Application Received _____	Fee Received: <input type="checkbox"/> Yes <input type="checkbox"/> No	Amount: \$ _____
Regional Planning Commission Action: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		
Description of Action and Comments: _____ _____ _____		
This variance request is good for one year from date of action on variance by Regional Planning Commission. Expiration date of variance:		



Morrow County Regional Planning Commission

Minor Subdivision Submission Requirements

The application for lot split/minor subdivision shall include, but may not be limited to, the following:

- _____ The Subdivider shall mark proposed lot corners with stakes and colored flagging;
- _____ Location and size of all existing and/or proposed building(s), and water and sewage system locations and designs to be shown on a separate sheet;
- _____ Soil type delineation(can be shown on a separate map). If required;
- _____ Areas within the 100-year floodplain and within floodways, as determined by mapping provided by the Federal Emergency Management Agency, shall be delineated;
- _____ Show extent of grading/clearing limits and a drainage plan with review and written endorsement by the Morrow County Soil & Water Conservation District, if required;
- _____ Access points in accord with adopted access management standards, if any, or Ohio Department of Transportation driveway approval if access is to a state highway;
- _____ Recording data for minor subdivision deeds previously approved from the original tract parcel;
- _____ Written endorsement of the applicable health and zoning authorities on the survey document;
- _____ An approved boundary survey, prepared in accordance with Chapter 4733-37 of the Ohio Administrative Code, and legal description prepared by a professional surveyor and approved by the Morrow County Engineer's office. Survey boundaries and lot lines shall be drawn on an 8 1/2" x 14" sheet, at a minimum, and at a scale appropriate for the size that is legible and readable
- _____ All applicable fees



**Morrow County Regional Planning Commission
Major Subdivision - Application Form**

Name of Development

Preliminary Plan: 0-5 Parcels Fee Paid: \$ _____ Final Plat Fee Paid: \$ _____
 6-25 Parcels Fee Paid: \$ _____ (\$100 plus \$4.00 for each
 26+ Parcels Fee Paid: \$ _____ parcel in excess of (10))

General Information:

Owner: _____ Home Phone: () _____
 _____ Business Phone() _____
 Address: _____ (City) _____ (State) _____ (Zip) _____
 Applicant: _____ Home Phone: () _____
 _____ Business Phone() _____
 Address: _____ (City) _____ (State) _____ (Zip) _____
 Engineer or Surveyor: _____ Home Phone: () _____
 _____ Business Phone() _____
 Address: _____ (City) _____ (State) _____ (Zip) _____

Development Data:

Location: _____

Township Property is located: (Check One)

Bennington Congress Lincoln South Bloomfield Canaan Franklin
 North Bloomfield Troy Cardington Gilead Perry Washington
 Chester Harmony Peru Westfield

Name of School District property is located in: (Check One)

Cardington Mt. Gilead Galion Buckeye Valley
 Highland Northmor Lexington River Valley

Fire/Safety District (if known): (Check One)

Elm Valley Centerburg First Consolidated Iberia Marengo (Big Walnut)
 Cardington Edison Fredericktown Johnsville Mt. Gilead Troy

Existing Zoning: _____ No _____ Yes (If Yes, Name of Township) _____

Proposed Use: _____

Number of Lots: _____ Total Acreage: _____ Minimum Lot Size: _____ Linear Feet of New Street: _____

Water Supply: On Lot System: Yes No Public System: Yes No
 Sewage System: On Lot System: Yes No Public System: Yes No

Exhibits Submitted:

Sketch Design Plan Street Profile & Cross Sections Deed Restrictions Preliminary Plan
 Drainage Plans Final Plan Performance Bond Other: _____

Distribution of Plan:

County Planner for MCRPC Township Water Company (If Applicable)
 County Engineer ODOT (If Applicable) Sewer District (If Applicable)
 Health Department OEPA (If Applicable) School District
 Other: _____

Action:

Sketch Plans: _____ Comments: _____
 Preliminary Plans: Approved Rejected Comments: _____
 Final Plat: Approved Rejected Comments: _____

Date Plat Recorded: _____



MORROW COUNTY COMMISSIONERS

80 North Walnut Street, Suite A
Mount Gilead, Ohio 43338

Commissioners:
Olen D. Jackson
Tom E. Harden
Thomas E. Whiston

Phone: (419) 947-4085
Fax: (419) 947-1860
e-mail: morrowco@rohoio.com

December 14, 2011

Mariann Teacher
Morrow County Planning Office
80 N. Walnut St., Ste. C
Mt. Gilead, Ohio 43338

Dear Mariann:

The following action was taken by the Board of Morrow County Commissioners during regular session on December 14, 2011:

**IN THE MATTER OF
AMENDMENT TO RESOLUTION 11-R-669
AMENDMENTS TO MORROW COUNTY SUBDIVISION REGULATIONS: 11-R-673**

WHEREAS, on December 7, 2011, the Board of Morrow County Commissioners approved amendments to the Morrow County Subdivision Regulations, Section 212 Definitions, Section 301 Lot Split/Minor Subdivision Procedure (c), Section 303 Transfer of property between adjoining owners (5) and Section 410 Streets; and

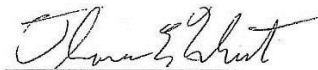
WHEREAS, resolution 11-R-669 did not state the date in which the amendments would go into effect;


THEREFORE, Mr. Harden made a motion to approve the date of January 6, 2012, thirty days from date of passage, as the effective date of the approved Morrow County Subdivision Regulations amendments.

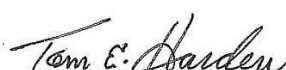
Mr. Jackson duly seconded this motion

Roll Call Vote: .., Mr. Whiston.., "yea" .., Mr. Jackson.., "yea" .., Mr. Harden .., "yea"

BOARD OF MORROW COUNTY COMMISSIONERS


Tom E. Whiston


Olen D. Jackson


Tom E. Harden

MCC/sg



MORROW COUNTY COMMISSIONERS

80 North Walnut Street, Suite A
Mount Gilead, Ohio 43338

Commissioners:
Olen D. Jackson
Tom E. Harden
Thomas E. Whiston

Phone: (419) 947-4085
Fax: (419) 947-1860
e-mail: morrowco@rrohio.com

December 7, 2011

Mariann Teacher
Morrow County Planning Office
80 N. Walnut St., Ste. C
Mt. Gilead, Ohio 43338

Dear Mariann:

The following action was taken by the Board of Morrow County Commissioners during regular session on December 7, 2011:

IN THE MATTER OF AMENDMENTS TO MORROW COUNTY SUBDIVISION REGULATIONS: 11-R-669

WHEREAS, on November 21, 2011, the Board of Morrow County Commissioners held a public hearing on proposed amendments to the Morrow County Subdivision Regulations, as submitted by Morrow County Regional Planning Commission; and

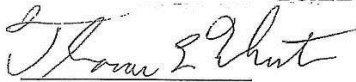
WHEREAS, action was taken to hold the proposed amendments for up to thirty days for review by the Board of Commissioners;

THEREFORE, after discussion Mr. Harden made a motion to adopt the proposed amendments to the Morrow County Subdivision Regulations as submitted by Morrow County Regional Planning Commission.


Mr. Whiston duly seconded this motion

Roll Call Vote: .., Mr. Whiston.., "yea" .., Mr. Jackson.., absent .., Mr. Harden .., "yea"

BOARD OF MORROW COUNTY COMMISSIONERS


Tom E. Whiston

Olen D. Jackson


Tom E. Harden

MCC/sg



MORROW COUNTY COMMISSIONERS

80 North Walnut Street, Suite A
Mount Gilead, Ohio 43338

Commissioners:
Olen D. Jackson
Tom E. Harden
Thomas E. Whiston

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e-mail: morrowco@rohoio.com

November 21, 2011

Mariann Teacher
Morrow County Planning Office
80 N. Walnut St., Ste. C
Mt. Gilead, Ohio 43338

Dear Mariann:

The following action was taken by the Board of Morrow County Commissioners during regular session on November 21, 2011:

IN THE MATTER OF

~~AMENDMENTS TO MORROW COUNTY SUBDIVISION REGULATIONS: 11-R-632~~

WHEREAS, on October 26, 2011, the Morrow County Regional Planning Commission took action to recommend to the Board of Commissioners amendments to the Morrow County Subdivision Regulations, Section 212 Definitions; Section 301 Lot Split/Minor Subdivision Procedure (c), Section 303 Transfer of property between adjoining owners (5), and Section 410 Streets; and

WHEREAS, this day, November 21, 2011, the Board of Morrow County Commissioners held a public hearing to hear discussion concerning the proposed amendments, from the following individuals in attendances;

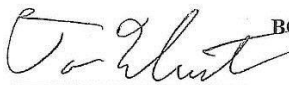
Robert Thomas
5343 St. Rt. 95
Mt. Gilead, Ohio

Stephen Serio
1505 Twp. Road 220
Marengo, Ohio

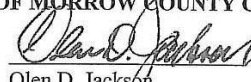
THEREFORE, Mr. Jackson made a motion to hold the proposed amendments, for up to thirty days, for review by the Board of Commissioners.

Mr. Whiston duly seconded this motion

Roll Call Vote: .., Mr. Whiston.., "yea" .., Mr. Jackson.., "yea" .., Mr. Harden .., "yea"


Tom E. Whiston

BOARD OF MORROW COUNTY COMMISSIONERS


Olen D. Jackson


Tom E. Harden

MCC/sg



MORROW COUNTY COMMISSIONERS

80 North Walnut Street, Suite A
Mount Gilead, Ohio 43338

Commissioners:
Olen D. Jackson
Rodney K. Clinger
Richard J. Miller

Phone: (419) 947-4085
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e-mail: morrowco@rohoio.com

August 13, 2007

Kevin B. Carney, Chairman
Morrow County Regional Planning Commission
80 North Walnut Street, Suite C
Mt. Gilead, Ohio 43338

Dear Kevin:

The following action was taken by the Board of Morrow County Commissioners during regular session on August 13, 2007:

IN THE MATTER OF AMENDMENT TO MORROW COUNTY SUBDIVISION REGULATIONS: 07-R-517

Whereas, on June 27, 2007, the Morrow County Regional Planning Commission took action to approve an amendment to the Morrow County Subdivision Regulations and to submit the amendment to the Board of Commissioners for approval, pursuant to O.R.C. 711.05 (B) and O.R. C. 711.132; and

Whereas, on this day, August 13, 2007, the Board of Morrow County Commissioners held a public hearing on the proposed subdivision regulation amendment as follows:

CURRENT LANGUAGE:

Section 212: Definitions:

Original Tract: A parcel of land as it appeared on the owner's deed of record on the effective date of these regulations. The classification of this parcel of land shall be redefined every ten (10) years from the effective date of the first lot split. Thereafter on the recording of a deed for each new lot split.

Section 301 Lot Split/Minor Subdivision Procedure

301.1 Outline of Conditions for Lot Split/ Minor Subdivision: Approval without a plat, in accordance with ORC § 711.131, may be granted by Staff if the proposed subdivision, as defined in Article II, of the parcel of land meets all of the following conditions:

1. The division of a parcel of land along an existing street, not involving the opening, widening or extension of any street or road, and involving no more than five (5) lots, any one of which is less than five (5) acres, after the original tract has been completely subdivided in accordance with ORC § 711.001 and further defined in Section 212 of these regulations. For the purpose of these Regulations, the "original tract" shall be defined, pursuant to Section 212, as the tract of land as it appeared on the owner's deed or record on the effective date of these Regulations. The quantity of lots must include the remnant, if any, of the original parcel (ORC § 711.131).

RECEIVED
 Morrow County
 Regional Planning
 Commission

DATE: 8/14/07



MORROW COUNTY COMMISSIONERS

80 North Walnut Street, Suite A
Mount Gilead, Ohio 43338

Commissioners:
Olen D. Jackson
Rodney K. Clinger
Richard J. Miller

Phone: (419) 947-4085
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March 21, 2007

The following action was taken by the Board of Morrow County Commissioners during regular session on March 21, 2007:

**IN THE MATTER OF
AMENDMENT TO RESOLUTION 07-R-166, CHANGING LOT SIZE IN
ARTICLE II: ADMINISTRATION, LANGUAGE AND DEFINITIONS,
SECTION 212, LARGE LOT DEVELOPMENT RULES: 07-R-186**

Whereas, on March 14, 2007, Resolution 07-R-186, the Board of Morrow County Commissioners approved an amendment to the Morrow County Subdivision Regulations; and

Whereas, it was discovered that in the draft, submitted by Morrow County Regional Planning, page 9, Large Lot Development Rules, read: **The authority to review the subdivision of lots from 5.01-20 acres in size pursuant to ORC § 711.133; and**

Whereas, Resolution 07-R-186, the Board of Commissioners approved, the authority to review the subdivision of lots from 5.01-10 acres; and

Whereas, the text in the subdivision regulations, Section 306, stated, any lot ranging in size from not less than five (5) acres;

Therefore, Mr. Miller made a motion to correct the language in Article II: Administration, Language and Definitions, to read, five (5) acres(instead of 5.01 acres), to not more than ten (10) acres (up to and including 5.00 to 10.00 acres) in size pursuant to ORC § 711.33, and Section 306 to read, lot ranging in size from not less than five (5) acres to not more than ten (10) acres (up to any including 5.00 to 10.00 acres).

Mr. Clinger duly seconded the motion

Roll Call Vote: .., Mr. Miller .., "yea" .., Mr. Clinger .., "yea" .., Mr. Jackson .., "yea"

Sincerely,

Richard J. Miller

Rodney K. Clinger

Olen D. Jackson

MORROW COUNTY COMMISSIONERS

MCC/sg

cc: Nancy Pettigrew
Mike McLain



MORROW COUNTY COMMISSIONERS

80 North Walnut Street, Suite A
Mount Gilead, Ohio 43338

Commissioners:
Olen D. Jackson
Rodney K. Clinger
Richard J. Miller

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e-mail: morrowco@rrhio.com

March 14, 2007

The following action was taken by the Board of Morrow County Commissioners during regular session on March 14, 2007:

IN THE MATTER OF AMENDMENT TO MORROW COUNTY SUBDIVISION REGULATIONS: 07-R-166

Whereas, on January 24, 2007, Morrow County Regional Planning held a public hearing on proposed changes to the Morrow County Subdivision Regulations. The proposed changes are do to the passage of Senate Bill 115, which expanded the authority of all of the state's Regional Planning Commissions to enact regulations for divisions of land of up to 20 acres in size. The subdivision regulations in Morrow County have not been updated since 2001, and with the adoption in June 2005 of the Comprehensive Land Use Plan by the County, reflecting the public's desire for future changes to the community, the Morrow County Regional Planning Commission has submitted a draft of subdivision regulation amendments, dated January 24, 2007; to the Board of Morrow County Commissioners for approval; and

Whereas, on March 12, 2007, the Board of Morrow County Commissioners held a public hearing to hear discussion, regarding the proposed changes, to the Morrow County Subdivision Regulations, as submitted by the Morrow County Regional Planning Commission, with the following individuals present:

Robert Thomas
Robert Davis
Bill Kreeger
Nancy Pettigrew
Bob McElroy
Darlene McElroy
Kevin Carney

Mike McLain
Patti Jackson
Mauria Rader
Commissioner Jackson
Commissioner Clinger
Commissioner Miller
Charisse Gruber, Clerk

Whereas, the Board of Morrow County Commissioners, early in 2003 appointed a steering committee with members of diverse backgrounds representing different geographic parts of the county. The committees' role was to ensure that the plan reflected comments and feedback from residents about the county's future. The purpose of developing the comprehensive land use plan for Morrow County was to guide the county's future growth and development. The plan encouraged citizens, organizations and elected officials to lobby for changes in state legislation that would help local government manage land use. One specific area targeted was Section 711, of the Ohio Revised Code which provides five-acre exemptions from subdivision rules and regulations. Senate Bill 115 became effective on April 15, 2005, and Commissioners were given two years from the effective date to make the changes authorized by Sub S.B. 115.

Therefore, Mr. Clinger made a motion to approved the draft, dated January 24, 2007, submitted to the Board of Commissioners by the Morrow County Regional Planning Commission, with the following changes to the text:

Article II: Administration, Language and Definitions

Large Lot Development Rules: The authority to review the subdivision of lots from 5.01 - 10 acres in size pursuant to ORC § 711.133 (page 9)

Original Tract: A parcel of land as it appeared on the owner's deed of record on the effective date of these regulations. The classification of this parcel of land shall be redefined every ten (10) years from the effective date of the first lot split. Thereafter on the recording of a deed for each new lot split. (page 12)

Article III: Subdivision Application, Procedures and Approval Process

Section 301- Lot Split/Minor Subdivision Procedure

301.1 Outline of Conditions for Lot Split/Minor Subdivision:

a) The division of a parcel of land along an existing street, not involving the opening, widening or extension of any street or road, and involving no more than five (5) lots, any one of which is less than five (5) acres, after the original tract has been completely subdivided in accordance with ORC 711.001 and further defined in Section 212 of these Regulations. For the purpose of these Regulations, the "original tract" shall be defined, pursuant to Section 212, as the tract of land as it appeared on the owner's deed of record on the effective date of these Regulations. The quantity of lots must include the remnant, if any, of the original parcel (ORC § 711.131). (page 18)

Section 306-No Plat Approval Procedure for Large Lot Divisions


306.1 General

a) Each lot or parcel created shall have, at a minimum, **200** feet of continuous road frontage (page 33)

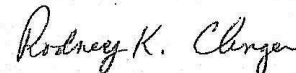
Mr. Miller duly seconded the motion

Roll Call Vote: .., Mr. Miller .., "yea" .., Mr. Clinger.., "yea" .., Mr. Jackson .., "yea"

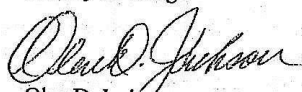
Sincerely,



Richard J. Miller



Rodney K. Clinger



Olen D. Jackson
MORROW COUNTY COMMISSIONERS

MCC/sg

cc: Nancy Pettigrew

ACCEPTANCE

BOARD OF MORROW COUNTY COMMISSIONERS

Donald R. Staley – Chairman
Olen D. Jackson – Vice Chairman
Jean S. McClintock

MORROW COUNTY REGIONAL PLANNING COMMISSION

Betsy Clark – Chairperson
Bob Davis – Vice Chairman

MORROW COUNTY ENGINEER

L. Randy Bush

ADOPTED: February 20, 2002

COMMISSIONER'S JOURNAL

Vol. 39 Page 139

Replacing the Regulations adopted May 18, 1998

Vol. 37 Page 96



MORROW COUNTY COMMISSIONERS

48 East High Street
Mount Gilead, Ohio 43338

Commissioners:

Don R. Staley
Olen D. Jackson
Jean S. McClintock

Phone: (419) 947-4085
FAX: (419) 947-1860
e-mail: morrowco@bright.net

February 22, 2002

Nancy Pettigrew
Planning Office
48 East High Street
Mt. Gilead, OH 43338

Dear Nancy:

The following action was taken by the Morrow County Board of Commissioners during regular session on February 20, 2002:

**IN THE MATTER OF
PUBLIC HEARING FOR PROPOSED
SUBDIVISION REGULATIONS: 02-R-155**

Whereas, this day a public hearing was held in the office of the Morrow County Commissioners concerning proposed amendments to the Morrow County Subdivision Regulations. The following persons were in attendance at this Public Hearing: Commissioners Staley and McClintock; Shirley Fissell, Commissioners Clerk; Nancy Pettigrew, Planning Department; Bill Kreeger, Jennifer Williams and Tom Weiler, Morrow County Regional Planning members; and Gary King, county resident.

Whereas, individuals were given an opportunity to speak or present documentation pro or con for the proposed subdivision regulations.

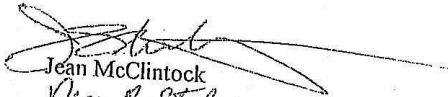
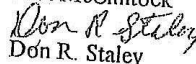
Whereas, the Morrow County Regional Planning Commission has held two public hearings and the Board of Morrow County Commissioners held a public hearing this day and after hearing testimony, Mr. Staley moved that the Board approve and adopt these rules and regulations under provisions of Chapter 711 of the Ohio Revised Code (ORC), to become effective upon certification the County Recorder and further moved to clean up "housekeeping items" in the text of the document. Previous Morrow County Regional Planning Commission subdivision regulations shall there forth be deemed repealed.

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Mrs. McClintock duly seconded this motion.

Roll Call Vote: Mr. Jackson ..absent .. Mrs. McClintock .., "yea" Mr. Staley .., "yea"

Sincerely,


Jean McClintock

Don R. Staley

Olen D. Jackson
MORROW COUNTY COMMISSIONERS

MCC/sf

ACCEPTANCE

BOARD OF MORROW COUNTY COMMISSIONERS

Olen D. Jackson - Chairman
Donald R. Weaver - Vice Chairman
Donald R. Staley

MORROW COUNTY PLANNING COMMISSION

Sam Harvey - Chairman
Tom Weiler - Vice Chairman

MORROW COUNTY ENGINEER

L. Randy Bush

ADOPTED: May 18, 1998

COMMISSIONER'S JOURNAL

Vol. 37 Page 96

Replacing the Regulations adopted April 22, 1991
Commissioner's Journal Vol. 33 Page 139
Update to adopt minor and major subdivision
regulations.

MORROW COUNTY COMMISSIONERS

Phone: (419) 947-4085 • 48 E. High Street, Mt. Gilead, Ohio 43338 • FAX: (419) 947-1860

COMMISSIONERS: Olen D. Jackson • Don R. Staley • Don R. Weaver

IN THE MATTER OF ADOPTING THE AMENDED SUBDIVISION REGULATIONS FOR MORROW COUNTY.

Mr. Jackson moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of Morrow County Commissioners previously adopted an amendment to the Morrow County Subdivision Regulations on April 22, 1991; and

WHEREAS, as a result of continued growth and development in Morrow County, the Board of Morrow County Commissioners employed a County Planner, whose duties include staff support to the Morrow County Regional Planning Commission. These duties involve the review of minor and major subdivision for compliance with the Morrow County Subdivision Regulations; and

WHEREAS, during the course of these duties, recommendations have been made to revise the Morrow County Subdivision Regulations to clarify certain issues, further define certain terms, eliminate inconsistencies and better define intent; and

WHEREAS, the Board of Morrow County Commissioners and the Morrow County Regional Planning Commission, pursuant to ORC 713, held a joint public hearing to discuss the proposed changes and listen to public comment. This hearing was held after a 30 day public notice and formal notice to all townships and villages.

WHEREAS, the Board of Morrow County Commissioners deems this amendment to the Morrow County Subdivision Regulations to be in the best interest of the citizens of Morrow County in order to facilitate orderly lot layout; provide sufficient open space for traffic circulation, utilities, recreation, light, and air; provide for sufficient fire and safety protection; address traffic circulation, storm water management, water and sanitary sewer services, and other public requirements; and provide for the public health, safety, comfort and general welfare of the citizens of Morrow County.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Morrow County Commissioners do hereby adopt these amendments to the Morrow County Subdivision Regulations and do hereby recommend that the Morrow County Regional Planning Commission adopt these same amendments at their next regularly scheduled meeting.

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Mr. Staley seconded the motion.

Mr. Jackson Yes

Mr. Staley Yes

Mr. Weaver Yes

ATTEST:

Shirley Fissell
Shirley Fissell, Clerk

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MORROW COUNTY COMMISSIONERS

Phone: (419) 947-4085 • 48 E. High Street, Mt. Gilead, Ohio 43338 • FAX: (419) 947-1860

COMMISSIONERS: Olen D. Jackson • Don R. Staley • Don R. Weaver

June 4, 1998

Kevin Carney, Director
Development & Planning Office
48 East High Street
Mt. Gilead, Ohio 43338

Dear Kevin:

The following action was taken by the Morrow County Board of Commissioners during regular session on June 3, 1998:

**IN THE MATTER OF
AMENDED COUNTY RESOLUTION
REGARDING SUBDIVISION REGULATIONS: 98-R-449**

WHEREAS, during regular session of May 18, 1998, the Board of Commissioners passed a resolution regarding amended Subdivision Regulation and it has come to our attention that the incorrect section of the ORC was referenced; and

WHEREAS, the current resolution language is as follows:

WHEREAS, the Board of Morrow County Commissioners and the Morrow County Regional Planning Commission, pursuant to ORC 713, held a joint public hearing to discuss the proposed changes and listen to public comment. This hearing was held after a 30 day public notice and formal notice to all townships and villages.

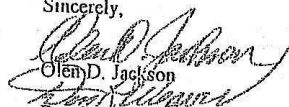
NOW, THEREFORE, Mr. Jackson made a motion to amend the resolution passed on May 18, 1998 with the following correct language:

WHEREAS, the Board of Morrow County Commissioners and the Morrow County Regional Planning Commission, pursuant to ORC 711, held a joint public hearing to discuss the proposed changes and listen to public comment. This hearing was held after a 30 day public notice and formal notice to all townships and villages.

Mr. Staley duly seconded this motion.

Roll Call Vote: Mr. Staley., "yea"...Mr. Weaver., "yea" ..Mr. Jackson., "yea"

Sincerely,



Olen D. Jackson

Don R. Weaver

Don R. Staley

MORROW COUNTY COMMISSIONERS

MCC/sf

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MORROW COUNTY COMMISSIONERS

80 North Walnut Street, Suite A
Mount Gilead, Ohio 43338

Commissioners:
Thomas E. Whiston
Timothy D. Abraham
Timothy R. Siegfried

Phone: (419) 947-4085
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www.morrowcountyohio.gov

The following action was taken by the Board of Morrow County Commissioners during regular session on August 25, 2021:

IN THE MATTER OF AMENDMENTS TO MORROW COUNTY SUBDIVISION REGULATIONS: 21-R-617

WHEREAS, on July 28, 2021, the Morrow County Regional Planning Commission took action Eleven (11) to Two (2) to recommend to the Board of Commissioners amendments to the Morrow County Subdivision Regulations to approve language to allow Common Access Driveways in Morrow County; Section 304.1: Outline of Conditions for Major Subdivision; Table 1: Minimum Lot Areas; Width Requirements and 410.15: Common Access Driveway Subdivisions and Appendix A – Declaration of Common Access Drive Maintenance Agreement; and

WHEREAS, this day, August 25, 2021, the Board of Morrow County Commissioners held a public hearing to hear discussion concerning the proposed amendments and the following public were in attendance:

Brent Russell, Planning and Zoning, Joe Clase and Charlotte Chipps.

THEREFORE, Mr. Abraham made a motion to approve the proposed amendments as submitted with one change to Appendix A, Item 9 to read "recorded with the Morrow County Recorder.

Mr. Whiston duly seconded this motion.

Roll Call Vote: Mr. Abraham..., "yea" Mr. Siegfried..., "yea" Mr. Whiston..., "yea"

BOARD OF MORROW COUNTY COMMISSIONERS

Tom E. Whiston

Tim D. Abraham

Timothy R. Siegfried

MCC/ch
c: Regional Planning



MORROW COUNTY COMMISSIONERS

80 North Walnut Street, Suite A
Mount Gilead, Ohio 43338

Commissioners:

Jon Mason
Timothy D. Abraham
Timothy R. Siegfried

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www.morrowcountyohio.gov

October 23, 2023

Brent Russell
Planning & Zoning Director
80 N. Walnut Street, Suite C
Mt. Gilead, Ohio 43338

Dear Brent:

The following action was taken by the Board of Morrow County Commissioners during regular session on October 23, 2023:

**IN THE MATTER OF
RESOLUTION IN REGARDS TO AMENDMENT TO THE MORROW COUNTY SUBDIVISION
RULES AND REGULATIONS: 23-R-815**

WHEREAS, this day, October 23, 2023 the Morrow County Commissioners held a public hearing to discuss the proposed amendment to the Morrow County Subdivision Rules & Regulations amending Table 1: Minimum Lot areas and Width Requirements – In a Major Subdivision the minimum lot size may be reduced from 21,780 square feet (.50) acre to 10,890 square feet (.25) acre if central sanitary sewage, and public water is available; and

WHEREAS, the following public was in attendance: Brent Russell, Planning and Zoning office and Jamie Brucker, Director of Operations.

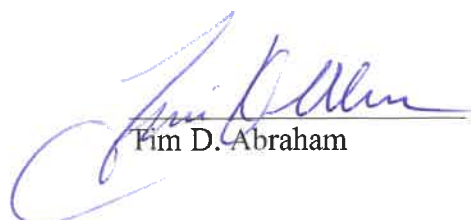
THEREFORE, Mr. Abraham made a motion to approve the proposed amendment as submitted and to submit to be recorded with the Morrow County Recorder.

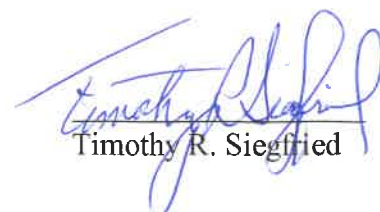
Mr. Siegfried duly seconded his motion.

Roll Call Vote: ..Mr. Siegfried..., “yea” ..Mr. Mason..., “yea” .., Mr. Abraham..., “yea”

BOARD OF MORROW COUNTY COMMISSIONERS


Jon Mason


Tim D. Abraham


Timothy R. Siegfried