



# CLERMONT COUNTY, OHIO

## *CLERMONT COUNTY SUBDIVISION REGULATIONS*

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**OCTOBER 1, 2005**

Prepared by the

Subdivision Regulations Committee

and the

Clermont County Department of  
Community Planning and Development



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*SUBDIVISION STREET DESIGN STANDARDS FOR CLERMONT COUNTY, OHIO*





## **A RESOLUTION**

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

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

### **ARTICLE I** **TITLE, SCOPE, AND JURISDICTION**

#### **SECTION 101      TITLE**

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

#### **SECTION 102      PURPOSE**

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

- A. To ensure sound, harmonious subdivision development and County growth that will become a permanent County asset by establishing minimum standards for subdivision design and construction.
- B. To secure and provide for the proper arrangement of streets or highways in relation to existing or planned streets or highways, and to the Official Thoroughfare Plan.
- C. To secure and provide adequate and convenient open spaces, vehicular and pedestrian circulation, utilities, recreation, light and air.

- D. To provide for the avoidance of congestion of traffic.
- E. To provide common grounds of understanding and a sound working relationship between the County and the developer and to safeguard the interests of the homeowner, the applicant and the County and its citizens.
- F. To monitor and prevent the scattered and premature platting of lots beyond the effective operating range of existing public utilities and improvement .
- G. To cause the cost of design and the installation of improvements in newly platted subdivisions to be borne by the developer or applicant rather than by any direct or indirect burden upon existing property owners beyond the limits of the subdivision for the improvements servicing their property
- H. To coordinate new subdivision design with the design of the County as a whole based on an orderly sequence of interrelated subdivisions forming communities.
- I. To protect the rights of the public with respect to public lands and waters.
- J. To provide for the accurate surveying of land, preparing and recording plats and the equitable handling of all subdivision plats by providing uniform approval procedures for observance by both the approving authority and applicants.
- K. To provide a strong sense of community identity based on a shared, coherent, functionally efficient physical environment.

### **SECTION 103      AUTHORITY**

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

### **SECTION 104      ADMINISTRATION**

These regulations shall be administrated by the Clermont County Planning Commission.

### **SECTION 105      JURISDICTION**

These regulations shall be applicable to all plats and all subdivisions of land within the unincorporated area of Clermont County and pursuant to these regulations, the Clermont County

Planning Commission shall have the power of final approval of all plats and all subdivisions

within such territory provided, pursuant to Section 711.10 of the Ohio Revised Code, as cited below:

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

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

**SECTION 106            GENERAL PROVISIONS**

- A.     Wherever any subdivision of land hereafter be laid out, the applicant thereof or his agent shall apply for and receive approval on drawings and plans and/or any other such information as required by these regulations before any record plat may be given final approval. Said plats and plans of proposed improvements, and all procedure relating thereto, shall in all respects be in full compliance with these regulations.
  
- B.     Developers are cautioned that the Planning Commission and its staff, in reviewing the Subdivision Plans, shall not be bound by the modifications to the property in question or the location or construction of infrastructure, storm water utility provisions, or any other modification in the review of the subdivision plans. Until formal subdivision plans are finally approved, such approval may require removal, relocation, or alteration of such facilities or structures and restoration of the premises at the developer's expense and may result in delay of Final Plan Approval.
  
- C.     All land offered to the County for use as streets, alleys, easements, parks and other public uses shall be referred to the County Planning Commission for review and recommendation before being accepted by the Board of County Commissioners.
  
- D.     In addition to compliance with these regulations, all plats and all subdivisions and every act of platting or subdividing shall be in strict compliance with all provisions and requirements set forth in Sections 711.001 to 711.40 inclusive of the Ohio Revised Code.

## **SECTION 107           RELATION TO OTHER LAWS**

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

## **SECTION 108       PLANNED   UNIT   DEVELOPMENTS   AND   COMMUNITY DEVELOPMENTS   ENCOURAGED:   REGULATIONS   MAY   BE MODIFIED**

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

## **SECTION 109           AMENDMENT**

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

## **SECTION 110           SEVERABILITY**

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

## **ARTICLE II**

### **DEFINITIONS**

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 PRESENT TENSE INCLUDES THE FUTURE TENSE, THE SINGULAR NUMBER INCLUDES THE PLURAL, AND THE PLURAL NUMBER INCLUDES THE SINGULAR, THE MASCULINE INCLUDES THE FEMININE TENSE, THE FEMININE INCLUDES THE MASCULINE.
- C. THE WORD "SHALL" IS A MANDATORY REQUIREMENT, THE WORD "MAY" IS A PERMISSIVE REQUIREMENT, AND THE WORD "SHOULD" IS A PREFERRED REQUIREMENT.
- D. THE WORDS "USED" OR "OCCUPIED" INCLUDE THE WORDS "INTENDED, DESIGNED, OR ARRANGED TO BE USED OR OCCUPIED."
- E. THE WORD "LOT" INCLUDES THE WORDS "PLOT" OR "PARCEL."

#### **ALLEY (SEE THOROUGHFARE)**

A minor street used primarily for vehicular service access to the back or side of properties abutting on another street

#### **APPLICANT**

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

#### **ASSURANCE OF COMPLETION**

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

## **BERM**

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

## **BLOCK**

A place or parcel of land entirely surrounded by public highways, public streets, railroad, right-of-way, physical barriers, streams, lakes or bodies of water, or a combination of aforesaid bounds.

## **BUILDING LINE (SEE SETBACK LINE)**

## **COMPLETELY SUBDIVIDED**

As defined by the O.R.C. Section 711.131 as interpreted by the Attorney General in Opinion 1964 O.A.G. 1044, a tract which is divided into as many lots as the subdivider intends for that tract.

## **COMPREHENSIVE DEVELOPMENT PLAN**

A plan, or any portion thereof, adopted by the Clermont County Planning Commission and/or the Clermont County Board of County Commissioners showing the general location and extent of present and proposed uses such as housing, industrial and commercial and physical facilities including major streets parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of Clermont County.

## **COMMUNITY DEVELOPMENT (SEE PLANNED UNIT DEVELOPMENT)**

## **CONCEPT PLAN**

A preliminary plan, including both narrative and site design information, intended to provide the required reviewing agencies with a firm understanding of the manner in which the site in question is to be developed, and to determine whether there are any fundamental flaws inherent in the proposed subdivision's design, as enumerated in Article IV of these regulations.

## **CONDOMINIUM**

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

## **CONSERVATION EASEMENT**

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

## **CONVEYANCE**

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

## **CONSTRUCTION DRAWINGS**

Detailed plans for the construction of all public improvements to be made to the land including street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities and utility lines, landscaping and other related matters normally associated with the development of raw land into building sites. See SECTION 316 CONSTRUCTION DRAWINGS and ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE—Construction Drawings Column.

## **CORNER LOT (SEE LOT TYPES)**

## **COUNTY**

Clermont County, State of Ohio

## **COUNTY ENGINEER**

The County Engineer of Clermont County

## **COUNTY SANITARY ENGINEER**

The County Sanitary Engineer of Clermont County

## **COVENANT**

A binding agreement made by two or more individuals, parties, etc. to do or keep from doing a specified thing; compact.

## **CROSSWALK**

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

## **CUL-DE-SAC**

A local street with only one outlet and having an appropriate terminus for the safe and convenient reversal of traffic movement.

## **CULVERT**

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

## **DEAD END STREET**

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

## **“DEED OUT”**

A method of creating and recording residential building lots intended to accommodate one dwelling unit of attached townhouses, row houses and their accompanying patios, gardens or



small yard areas.

## **DENSITY**

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

- A. **Gross Density**- the number of dwelling units per acre of the total land to be developed.
- B. **Net Density**- the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

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

## **DESIGN PLAN**

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

## **DETENTION BASIN**

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

## **DEVELOPER**

Any individual, 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. Consent shall be required from the legal owner of the premises.

## **DRAINAGE EASEMENT**

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

## **DRIVEWAY**

A vehicular travelway, other than a street or alley, used to provide access from a street to one or more lots of record.

## **DWELLING UNITS**

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

## **EASEMENT**

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

## **EASEMENT OF ACCESS**

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

## **ELECTRONIC FILE**

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

## **ENGINEER**

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

## ***FLOOD DAMAGE REDUCTION REGULATIONS***

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

## **GENERAL HEALTH DISTRICT**

The General Health District is governed by the Clermont County Board of Health. The Board of Health of the General Health District has authority to require inspections and abatements of nuisances and can enact local regulations to protect the public health. The General Health District staff will carry out the orders and regulations of the Clermont County Board of Health.

## **HIGHWAY DIRECTOR**

The Director of the Ohio Department of Transportation.

## **HISTORIC SITE**

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

## **HOMEOWNERS ASSOCIATION**

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

## **HOUSEHOLD SEWAGE TREATMENT SYSTEM – ON SITE**

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

## **LARGE LOT DEVELOPMENT**

A subdivision of land into typical lots having a minimum lot area of two acres (87,120 sq. ft.) and governed by the special provisions of the County's "Large Lot Development Regulations." (See ARTICLE VII, SECTION 703 of these regulations)

## **LOCATION MAP (SEE VICINITY MAP)**

## **LOT**

For purposes of these regulations, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and may consist of:

- 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 of record, or of portions of lots of record.

## **LOT FRONTAGE**

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

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

## **LOT, MINIMUM AREA OF**

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

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

## **LOT MEASUREMENTS**

A lot shall be measured as follows:

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

- C. Width of Cul-de-sac lots and lots along street curves shall be measured at the building set back 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.

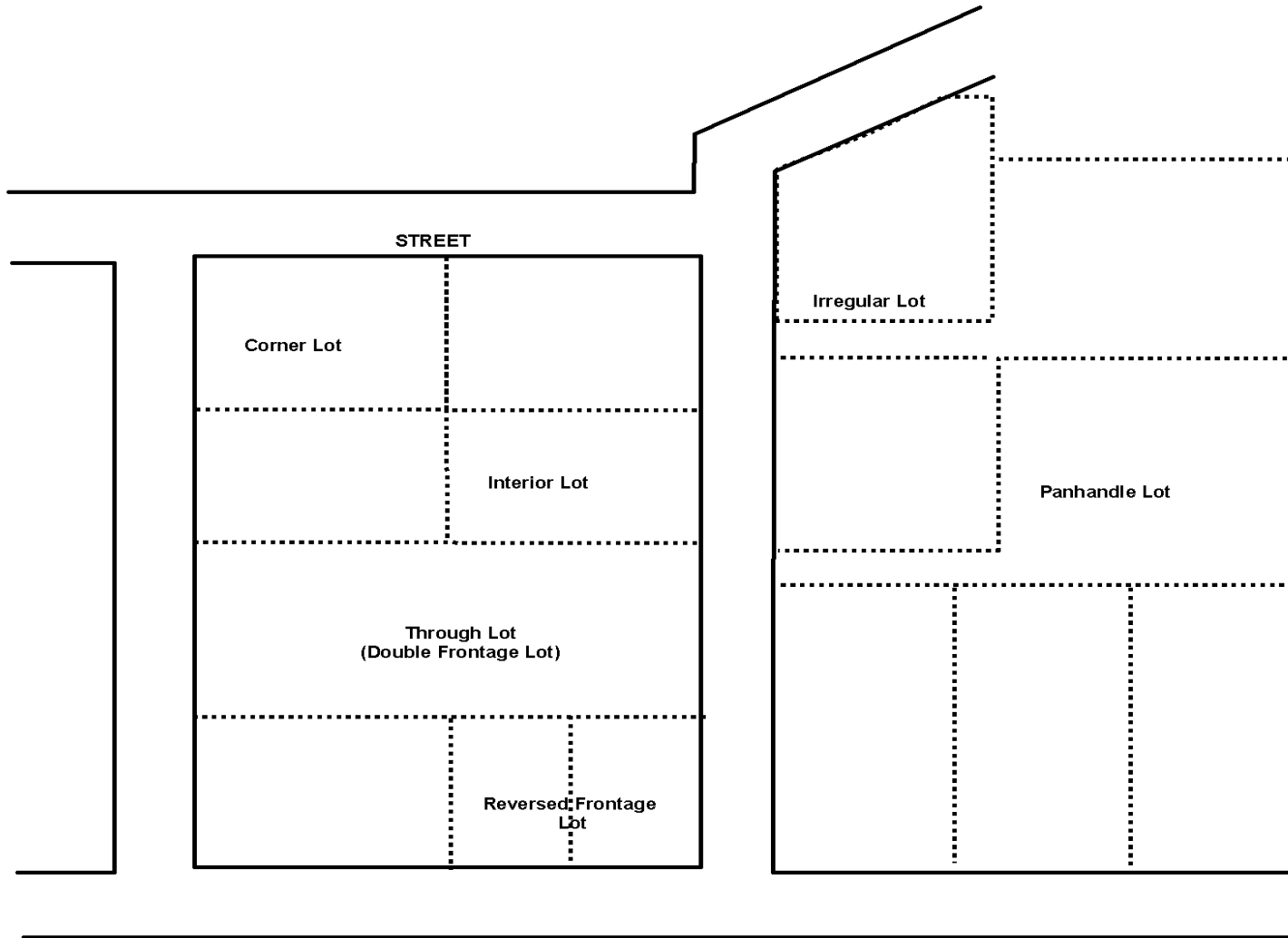
## **LOT TYPES**

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

- A. A **corner lot** is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if the lot lines tangent to the street right-of-way, at the point of intersection of the right-of-way and lot lines forms an interior angle of less than one hundred thirty-five (135) degrees.
- B. An **interior lot** is a lot other than a corner lot with only one frontage on a street.
- C. An **irregular lot** is a lot that is not a rectangle or a square.
- D. A **through lot** is 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. A **reversed frontage lot** is 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. A **panhandle lot** is a lot which utilizes a narrow strip of land to provide access to, or legal frontage on a public street or private street.

\*Note: Please refer to the "Sample Lot Types" drawing on the following page for illustrations of Lot Types.

# Sample Lot Types



\*Note: Drawing not to scale

## **MAINTENANCE BOND**

A maintenance bond, satisfactory to the Clermont County Board of Commissioners, covering the cost of maintenance, for one year, of public improvements which are required by these regulations (See ARTICLE VIII of these regulations).

## **MARGINAL ACCESS STREET**

A 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)

## **METES AND BOUNDS**

A system of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other marker, such as the corner of intersecting streets. (See **LOT OF RECORD** and **MONUMENTS**).

## **MINOR SUBDIVISION**

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

## **MONUMENTS**

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

## **OPEN SPACE**

An area of land intended for common usage by either the residents of a particular subdivision or the at-large public. This area may include, along with natural environmental features, any active recreational and/or community facilities deemed desirable by the Planning Commission. Streets, parking areas, structures for habitation and the like shall not be included.

- A. **Active Recreational Open Space** - A place designed and equipped for the conduct of sports and leisure activities.
- B. **Passive Recreational Open Space** - A place designed and equipped for the purpose of non-active leisure.

## **ORIGINAL TRACT**

As defined by the O.R.C. Section 711.131 as interpreted by the Attorney General in Opinion 1964 O.A.G. 1044, a contiguous quantity of land held in common ownership which has not been platted by the existing owner or owners as of January 1 of the current tax year.

## **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 legal title to or sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

## **PARKING SPACE, OFF STREET**

An off-street space available for the parking of one motor vehicle conforming to the parking space standards of these regulations. Only applies to un-zoned areas of the County. Refer to ARTICLE V, SECTION 524 AND ARTICLE VI, SECTION 609 of these regulations.

## **PATHWAY**

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

## **PERMANENT DEAD END STREET**

A street (without a cul-de-sac turnaround) having only one outlet for vehicular traffic and not intended to be extended or continue in the future.



## **PLANNED UNIT DEVELOPMENT**

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

## **PLANNING COMMISSION**

The Planning Commission of Clermont County, Ohio. Whenever "Commission" or "Planning Commission" is used in these regulations, such use shall mean the Clermont County Planning Commission.

## **PLAT**

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

## **PRIVATE STREET**

A street which has not been duly accepted by the County or State for public use.

## **PUBLIC STREET**

A street that has been duly accepted by the County or State for public use.

## **PUBLIC UTILITY EASEMENT**

An easement that may be required along the rear and sides of lots where needed to accommodate access to a public utility or sanitary structures. All public utility easements should be depicted on record plats and state any and all conditions and restrictions of the easements. Refer to ARTICLE V, SECTION 515 of these regulations.

## **PUBLIC WAY**

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

## **REPLAT**

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

## **RESTRICTION**

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

## **RETENTION BASIN**

A detention basin that has a permanent storage of water. (See **DETENTION BASIN**)

## **RIGHT-OF-WAY**

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

## **SENSITIVE DEVELOPMENT AREA**

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

## **SETBACK LINE**

A line established by the subdivision regulations and/or zoning regulations, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than

accessory buildings or structures, may be located above ground except as provided in said regulations. (See **YARD**)

### **SIDEWALK**

A walkway which is located adjacent to the street. (See **WALKWAY**)

### **SIGHT TRIANGLE**

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

### **SPECIAL DEVELOPMENTS**

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

### **STORM SEWERS**

Sewers designed and used to collect and carry off surface runoff water.

### **STREAM**

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

### **STREAM, INTERMITTENT**

As defined by the U.S. Geological Survey, a watercourse having a source and terminus, banks, and channel through which waters flow intermittently throughout the year.

## **STREET PATTERN**

An overall design of streets

- A. **Curvilinear Pattern**- a pattern of streets that are curved
- B. **Gridiron Pattern**- a street and blocked system resulting in the formal, regular rectangular blocks and the resulting four way intersections,
- C. **Radial Pattern**- a street system in which the streets converge on a central point or area
- D. **Rectilinear Pattern**- a system that is characterized by right angle, roadways, grid pattern blocks, and four way intersections.

## **STREETS, FUNCTIONAL CLASSIFICATION OF**

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

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

**Principal Arterials** - generally State and U.S. highways and heavily traveled County and City roads which carry both local and inter-county traffic. These roads link various urban and rural communities, and are intended to move traffic to and from interstates and major traffic generators and accommodate speeds of 45 M.P.H. and above. Service to adjacent properties is subordinate to the provision of travel service.

**Minor Arterials** - similar to principal arterials, though usually conveying less traffic. These streets consist of State and U.S. highways, County and City Roads which distribute traffic to principal/minor arterials and/or local streets. Equal importance is given to traffic conveyance and service to adjacent properties.

**Local Collector Streets** - Township roads which are intended to serve the residential properties that abut them. These streets may collect traffic from local streets and

distribute the traffic to higher classification roads. These roads typically consist of sturdier pavement sections and may require turn lanes at intersections.

**Local Streets** - These streets provide access to the properties that abut them. Local streets serve residential, commercial, and industrial land uses. Priority is given to service to adjacent properties.

## **SUBDIVISION**

The Ohio Revised Code in Section 711.001 Specifically Defines a Subdivision As:

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

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

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

a) the division of land into parcels of more than five (5) acres in size that does not involve the creation of new streets or easements of access; and

b) the transfer of parcels of land between adjoining property owners where additional building sites are not created.

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

a) streets (except private streets serving industrial structures);

b) open spaces for common use by owners, occupants, or lease holders; or

c) easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities

is legally a subdivision in the State of Ohio.

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

### ***SUBDIVISION STREET DESIGN AND CONSTRUCTION STANDARDS FOR CLERMONT COUNTY, OHIO***

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

### **SURVEYOR**

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

### **TEMPORARY DEAD END STREET**

A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.

### **TERRAIN CLASSIFICATION**

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

## **THOROUGHFARE, STREET, OR ROAD**

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

- A. **Alley**: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street. (Separate Definition)
- B. **Cul-de-sac**: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.(Separate Definition)
- C. **Driveway**: Private access way for lots having legal access from a street public or private, by the virtue of fronting the street. (Separate Definition)
- D. **Marginal Access Street**: A local or collector streets, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street)
- E. **Permanent Dead-end Street**: A street (without a cul-de-sac turnaround) having only one outlet for vehicular traffic and not intended to be extended or continue in the future.
- F. **Private Street**: A street which has not been duly accepted by the County or State for public use.
- G. **Public Street**: A street which has been duly accepted by the County or State for public use.
- H. **Temporary Dead-end Street**: A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.

## **THOROUGHFARE PLAN**

A comprehensive plan that is adopted by the Clermont County Planning Commission and establishes the official right-of-way width of major streets and the general location recommended for arterial, collector and local thoroughfares.

## **TIME LIMITS**

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

## **VARIANCE**

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

## **VICINITY MAP**

A drawing accompanying a plan and illustrating the proposed subdivision's relation to surrounding environmental, land use, circulation, infrastructure and property characteristics.

## **WALKWAY**

A public way for pedestrian use only, whether along the side of a road or not. See SIDEWALK..

## ***WATER MANAGEMENT AND SEDIMENT CONTROL (WMSC) REGULATIONS***

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

## **WATERSHED**

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

## **YARD**

The open space on the same lot with a principal structure, lying between such structure and a lot line, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in these regulations. Only applies to un-zoned areas of the County. Refer to Article V, Section 524 and Article VI, Section 609 of these regulations.



- 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 the rear lot line to the rear off the principal building.
- C. **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**

The division of Townships (also, Villages and Cities) by legislative regulations into areas, or zones, which specify allowable uses for real property, and also, regulations for governing lot size, size restrictions for buildings, and other development standards.



## **ARTICLE III**

### **PROCESS FOR SUBDIVISIONS**

#### **SECTION 301      SUBDIVISION NAMING, SECTIONING, AND LOT NUMBERING**

Names for subdivisions shall be neither duplicate nor too closely approximate, phonetically or in spelling, the name of any other subdivision in Clermont County.

The Planning Commission reserves the right to restrict the use of historic place names or other names which should be restricted for public use. The subdivision name recorded with a subdivision shall be its legal name and all official documents must identify that subdivision by its recorded name. Should a subdivision be recorded in separate phases, these divisions shall be called sections and shall be numbered consecutively with Roman Numerals. Sections may be recorded in phases designated as Blocks and shall be identified by using the consecutive letters of the alphabet. Lot numbers shall run consecutively for the entire subdivision. Sections, Blocks, or additions to subdivisions shall not be lot numbered separately.

#### **SECTION 302      PRE-APPLICATION ASSISTANCE RECOMMENDED**

Prior to the submittal of any Concept or Design Plan for a proposed subdivision, the applicant should seek the assistance of the Planning Commission staff or the agencies listed under Article III, Section 305 of these regulations in order that he may become familiar with subdivision requirements, the proposals of the Official Thoroughfare Plan, the Official Planning Policies for Clermont County, Ohio, the policies of the applicable reviewing agencies in Clermont County, Ohio, and any applicable Township policies and requirements.

#### **SECTION 303      CONCEPT PLAN REQUIRED**

In order for the developer to ascertain whether the proposed basic design factors of a proposed subdivision are acceptable and comply with applicable subdivision rules and regulations, the developer shall submit a Concept Plan for review and approval by all applicable reviewing agencies prior to the formulation and submittal of more detailed Design Plan drawings to the Planning Commission. If the developer intends to develop the subdivision in sections or phases, the Concept Plan shall be inclusive of all these sections or phases. The Concept Plan Review is required prior to the submittal of Design Plan Drawings to the Planning Commission, and is conducted in order to ascertain whether proposed development is feasible for the site in question. The Concept Plan does not constitute a formal subdivision review pursuant to Section 711.10 of the Ohio Revised Code. Upon submittal of the Concept Plan to a reviewing agency, the agency shall be required to respond within fifteen (15) working days. In submitting a Concept Plan for review, the applicant waives any rights to an approval under said statute until such time as the applicant submits a subdivision application to the Clermont County Planning Commission

requesting a Design Plan Review for review and approval. The Concept Plan shall conform with the requirements established in Article IV and shall be prepared by a qualified registered engineer or surveyor, as required by law.

#### **SECTION 304            FILING OF A CONCEPT PLAN**

The applicant shall file for a Concept Plan Review with the applicable agencies. Each agency shall accept and review the Concept Plan per their established procedure. Upon submittal of a Concept Plan to any reviewing agency, the agency shall stamp the plans with the date received. Additionally, Concept Plans shall be submitted in accordance with the requirements established in Article IV. Filing fees may be charged as established by the individual reviewing agency. Upon submittal of the Concept Plan to a reviewing agency, the agency shall be required to respond within fifteen (15) working days. The due date for submitting comments shall also be stamped on the plan to provide agencies with a deadline for submitting commentary on the proposed subdivision.

#### **SECTION 305            CONCEPT PLAN REVIEW**

The applicant shall provide copies of the Concept Plan and all supplemental information as required by Article IV to such officials and agencies as may be necessary for the purpose of study and recommendation. Such officials and agencies shall include:

- A.    Township Trustees and Township Agencies of the jurisdiction where the plan is proposed
- B.    County Engineer
- C.    County Water and Sewer District
- D.    County Building Inspector
- E.    County General Health District
- F.    Natural Resource Conservation Service/Clermont Soil and Water Conservation District
- G.    Ohio Department of Transportation when required by 5511.01 of the Ohio Revised Code

#### **SECTION 306            DISPOSITION OF COMMENTS: CONCEPT PLAN REVIEW**

The reviews shall be performed by 1) the County Engineer; 2) the County Water and Sewer District and/or the County General Health District; 3) the County Building Inspector; and 4) the Natural Resource Conservation Service/Clermont Soil and Water Conservation District. Reviews shall also be performed by the Township Trustees and/or Township Agencies and any other source that the applicant may wish to consult as to the fundamental design of the proposed

subdivision. Comments shall include such exceptions, conditions, designs or requirements deemed necessary to insure compliance by such agents. The listed agent(s)' findings shall be documented in writing and shall be a required component of the subdivision application submitted to the Clermont County Planning Commission requesting a Design Plan Review.

**SECTION 307            APPROVAL/DISAPPROVAL OF CONCEPT PLAN**

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

**SECTION 308            APPROVAL PERIOD: CONCEPT PLAN**

The tentative approval for the Concept Plan shall be effective for a maximum of twenty-four (24) months unless the first section of the subdivision has been filed for Design Plan approval; otherwise the Concept Plan will be considered void. If the applicant does not submit an application for Design Plan Review to the Planning Commission within the allotted twenty-four (24) months, the applicant shall be required to resubmit the Concept Plan with the applicable reviewing agencies in order to renew the previously granted approval prior to filing an application for Design Plan Review. One (1) year extensions may be requested in writing once by any applicant, provided the request is received by the Planning Commission prior to the expiration date.

**SECTION 309            FORMAL SUBDIVISION PLANS REQUIRED: DESIGN PLAN REVIEW**

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

- A. Submission of an application for Design Plan Review to the Planning Commission once ALL Concept Plan Approvals have been obtained from the appropriate reviewing agencies. Failure to produce all Concept Plan Approvals at the time of Design Plan Application will result in an incomplete submittal. Once approval of the Design plan has been obtained, final construction drawings for required improvements shall be submitted to the appropriate reviewing agencies for approval and signature. Record plat to be submitted for signature after satisfactory construction of improvements and posting of maintenance bond.

Design plans, construction drawings, “As-Built” construction drawings, supplemental information and record plats shall conform with the requirements set forth in Article V of these regulations. Each Concept Plan, Design Plan, construction drawing submittal, supplemental information, and record plat submittal shall conform with the requirements established in Article IV of these regulations, or the rules and regulations of the reviewing agencies. The Design Plan, construction drawings, “As-Built” construction drawings, and record plat shall be prepared by a registered engineer and/or surveyor, as permitted by law.

### **SECTION 310            FILING OF A DESIGN PLAN**

A Design Plan consisting of ten (10) copies of the Clermont County Planning Commission Design Plan Review Application Forms provided by the Planning Commission together with of ten (10) copies of the Design Plan and supplementary information, and materials specified in Article IV shall be submitted and filed with the Office of the Planning Commission. All drawings shall be prepared by a qualified registered engineer and/or surveyor as permitted by law and submitted in both paper and electronic file format as defined by Article IV of these regulations. A filing fee shall be charged as indicated in Section 906.

### **SECTION 311            FILING DEADLINE: DESIGN PLAN REVIEW**

All applications for a Design Plan Review shall be submitted no later than the first working day of the month in which the applicant wishes to go before the Planning Commission. Any late applications shall not be accepted.

### **SECTION 312            SCHEDULE OF MEETING**

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

### **SECTION 313            DESIGN PLAN REVIEW**

The Planning Commission shall forward copies of the Design Plan and supplementary information to such officials and agencies as may be necessary for the purposes of further study and recommendation. Such officials and agencies shall include:

- A.    Township Trustees and applicable Zoning Inspector of the site’s jurisdiction
- B.    County Engineer
- C.    County Water and Sewer District

- D. County Building Inspector
- E. County General Health District
- F. Natural Resource Conservation Service/Clermont Soil and Water Conservation District
- G. Ohio Department of Transportation when required by 5511.01 of the Ohio Revised Code
- H. Any other specialized or expert source of information that the Planning Commission elicits or elects to use to review the proposed subdivision

**SECTION 314           DISPOSITION OF COMMENTS: DESIGN PLAN REVIEW**

Review comments shall be accommodated as follows:

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

**SECTION 315           APPROVAL/DISAPPROVAL OF DESIGN PLAN**

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

**SECTION 316           CONSTRUCTION DRAWINGS**

After receiving approval with conditions for the Design Plan from the Clermont County Planning Commission, the applicant shall submit ten (10) copies of construction drawings and specifications for all contemplated and required improvements to be constructed on that portion of the proposed subdivision for which the application for Design Plan Approval has been submitted.

## **SECTION 317            CONSTRUCTION DRAWING REVIEW**

Once the Design Plan has been approved by the Planning Commission, the applicant shall provide both a paper copy and an electronic file (Refer to ARTICLE IV, SECTION 405-D) of the final construction drawings to the following agencies in order to determine whether or not the conditions set forth by the Planning Commission in the Design Plan Review and the rules and regulations of the reviewing agency have been met. The applicant shall submit ten (10) copies to the Planning Commission for the purposes of circulation. The construction drawings shall then be forwarded within five (5) working days from receiving a complete set of construction drawings. The applicant shall be responsible for resolving all issues and obtaining approval from the following individual reviewing agencies once the Planning Commission Staff has distributed the copies for approval and signature:

1.     County Planning Commission Staff (Once all other approvals are obtained)
2.     County Engineer
3.     County Water and Sewer District or General Health District
4.     County Building Inspection Department

## **SECTION 318            CONSTRUCTION DRAWING APPROVAL**

On the Construction Drawings, the reviewing agencies will distinguish for the Planning Commission staff whether the subdivisions are in compliance with conditions set by the Planning Commission during the Design Plan Review by stamping the drawings “APPROVED” if it is determined that they are in compliance. However, if the drawings are not in compliance, they will be sent back to the applicant for further revisions. If these revisions involve major alteration of the design of the subdivision, the applicant shall be required to resubmit for Design Plan Review for the subdivision as determined by the Planning Commission. The final approved copies will be distributed as follows:

1.     One set to the Clermont County Planning Commission.
2.     Two sets will be retained by the County Engineer
3.     Two sets will be retained by the County Water and Sewer District or General Health District
4.     One set to the applicable Township
5.     Two sets will be returned to the Project Engineer, one of which shall be given to the developer.
6.     One set to the County Building Inspections Department

These approved copies shall be the working drawings and any changes required by field conditions or other unforeseen circumstances shall be submitted to the County Engineer for



approval before incorporation into the project. One (1) copy of the approved construction plans shall be kept on the job at all times.

### **SECTION 319 SUBMISSION OF “AS-BUILT” CONSTRUCTION DRAWINGS**

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

### **SECTION 320 ASSURANCE OF COMPLETION**

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

### **SECTION 321 SUBMISSION OF RECORD PLAT**

After the construction drawings have been approved, the applicant shall process, transfer, and record the record plat in the County Tax Map Department, the County Auditor’s Office, and the County Recorder’s Office of Clermont County, Ohio, within sixty (60) days after the date of endorsement, otherwise the plat must be resubmitted for further approval. The applicant shall submit the final mylar copy and electronic file version (as defined by ARTICLE IV of these regulations) of the record plat to the Planning Department so that Planning Staff can begin the circulation process necessary to obtain the required signatures of approval and endorsement. The record plat submittal shall have attached to it a completed Certificate of Title statement. Any record plat submitted for approval without the appropriate Certificate of Title shall be rejected until the applicant can demonstrate that a Certificate of Title has been completed by an attorney-at-law and submitted to Planning Commission Staff. After final recording the applicant shall furnish a mylar copy of the plat for filing in the Planning Commission Office and the Office of County Engineer.

**SECTION 322            APPROVAL PERIOD: DESIGN PLAN AND CONSTRUCTION  
DRAWINGS**

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

**SECTION 323            APPROVAL FOR MINOR SUBDIVISIONS**

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

- A.     The proposed subdivision is located along an existing public street or road and involves no opening, widening, or extension of any street or road. Each lot or parcel created must have the minimum frontage of twenty-five (25) ft on an existing public street or road.
- B.     No more than five lots or parcels are involved after the original tract has been completely subdivided.
- C.     The proposed subdivision is not contrary to applicable platting, subdividing, or planning regulations. Administrative approval may not be granted if any variance from either zoning or subdivision regulations are required. Variances from the subdivision regulations may only be granted by the Planning Commission and not the administrative officer and variances to zoning only by the proper board of zoning appeals.

**SECTION 324            PRE-APPLICATION ASSISTANCE RECOMMENDED FOR A MINOR  
SUBDIVISION**

Prior to the surveying, the applicant should seek the assistance of the Planning Commission staff in order to become familiar with subdivision requirements, the proposals of the Official Thoroughfare Plan, and the Official Planning Policies for Clermont County, Ohio and any regulations of the applicable township.

## **SECTION 325            FILING FOR A MINOR SUBDIVISION**

An application for Minor Subdivision Review consisting of one copy of a completed Application for Minor Subdivision Approval form submitted with three (3) copies of a drawing showing dimensions and areas of the entire tract, and each individual lot, a certificate of compliance indicating that the proposed minor subdivision meets the regulations of the following: County Engineer, County Building Department, applicable sanitary agency, applicable zoning administration, and the Ohio Department of Transportation as required by ORC 5511.01. The drawings shall conform to “Standards for New Surveys, Legal Descriptions & Survey Plats in Clermont County, Ohio”. Included on the survey there shall be a sketch map showing the parent parcel, the tract to be separated and parcels previously separated from the parent tract. Also included shall be three copies of the metes and bounds legal description that will be used in the individual conveyance for each lot involved. Upon submission of the required information, an authorized representative of the Planning Commission shall assign the application a review number.

## **SECTION 326            MINOR SUBDIVISION APPROVAL/DISAPPROVAL**

Upon receipt of the information that has been requested, the authorized representative of the Planning Commission shall determine whether the proposed Minor Subdivision complies with the requirements. Action will be taken by the Planning Commission representative within seven (7) working days after the submission of the proposed division. The applicant will be promptly notified of the representative’s actions. The applicant may request that one (1) copy of the drawing (survey) and one (1) copy of the legal description, with the representative’s approval or disapproval indicated thereon, be returned to him for his own use. If the proposed division is acceptable, conveyances for the lots involved may be presented to an Administrative Officer of the Planning Commission who shall sign the conveyances and stamp them “Approved by the Clermont County Planning Commission: No Plat Required”. The applicant may then proceed in recording his conveyance by taking them to the County Tax Map Department, the County Auditor’s Office, and the County Recorder’s Office for processing, transferring, and recording.

## **SECTION 327            FIVE ACRE PLUS SUBDIVISIONS**

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

**SECTION 328            PRE-APPLICATION ASSISTANCE RECOMMENDED**

Prior to the surveying, the applicant should seek the assistance of the Planning Commission staff in order to become familiar with subdivision requirements, the proposals of the Official Thoroughfare Plan, and official planning policies for Clermont, County Ohio, and any regulations of the applicable townships.

**SECTION 329            FILING FOR A FIVE ACRE PLUS SUBDIVISION**

An application for Five Acre Plus Subdivision Review shall consist of one copy of the Application Five Acre Plus Subdivision Review Form submitted with three copies of the record plat drawn providing the information required on record plats as listed in Article IV, a certificate of compliance indicating the proposed five acre plus subdivision meets the regulations of the following, County Engineer, County Building Inspection, applicable sanitary agency, applicable zoning administration, and the Ohio Department of Transportation as required by O.R.C. 5511.01. Upon submission of the required information, the Planning Commission Office shall assign the application a review number.

**SECTION 330            FIVE ACRE PLUS SUBDIVISION APPROVAL/DISAPPROVAL**

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

**SECTION 331            SUBMISSION OF FIVE ACRE PLUS SUBDIVISION PLAT**

After the Five Acre Plus Subdivision has been approved, the applicant shall process, transfer, and record the record plat in the County Tax Map Department, the County Auditor's Office, and the County Recorder's Office of Clermont County, Ohio, within sixty (60) days after the date of endorsement, otherwise the plat must be resubmitted for further approval. After final recording, the applicant shall furnish a reproducible copy of the plat for filing in the Planning Commission Office and the Office of County Engineer. The record plat shall have all information that is requested in Article IV of this regulation.

**ARTICLE IV**  
**REQUIRED SUBMISSION DOCUMENTS**

**SECTION 401        PURPOSE**

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

**SECTION 402        FORM**

The Concept and Design plans shall be clearly and legibly drawn. The size of the plan shall be a minimum of twenty-four (24) by thirty-six (36) inches. The plan of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet. All other subdivisions shall be drawn at a scale of one (1) inch equals one hundred (100) feet. Complete applications shall also include reduced scale drawings of the proposed subdivision printed on a paper size of eleven by seventeen inches (11" X 17"). Electronic files (only the AUTOCAD standard file formats of “.dxf” and/or “.dwg” and ADOBE standard file format of “.pdf” will be accepted as defined by Article II of these regulations) shall be included as part of a complete application at the time of submittal to the Planning Commission.

**SECTION 403        NUMBER OF COPIES TO BE FILED**

The applicant shall file with the Planning Commission ten (10) copies of the **Design Plan** for review.

**SECTION 404        REQUIREMENTS**

The documents to be submitted are shown in the Required Submission Documents Table on the following pages. In specific cases and for documented reasons, the Planning Commission may waive the submission of a particular document. The reasons for the waiver shall be indicated in the minutes of the Planning Commission.

**SECTION 405        CONSTRUCTION DRAWINGS**

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

- A. Construction drawings shall be made with a substantial and distinct material from which clear and legible prints may be obtained. Freehand linear drawings will not

be accepted and principles of good surveying, engineering or draftsmanship shall be used. The sheet(s) upon which the construction drawings are made shall measure 24 inches by 36 inches. A plan poorly drawn or illegible according to standard drafting practices, is sufficient cause for rejection.

- B. The title sheet of the plans must contain the name of the subdivision, township, county and the location of the subdivision. Space shall be provided on the title sheet for approval by the proper authorities. The title sheet shall also show a vicinity map and other pertinent information such as index or symbols, etc.
- C. The plan view shall be drawn to a scale of 1" - 50' or 1" - 100'. However the scale of 1" - 100' may be used only with the prior written approval of the Clermont County Engineer. The plan sheet shall show the typical section, the street alignment, right of way and pavement widths, center lines, bearings, stationing curve or radius data, existing and proposed drainage. Any other significant feature or factor shall also be shown on the plans. The centerline of the street shall coincide with the centerline of the right of way, any changes from same shall be at the discretion of the Clermont County Engineer or his representative and shall be in writing. The pavement design shown on the typical section shall be one of the designs shown in the Subdivision Street Design and Construction Standards for Clermont County.
- D. Electronic files (only the AUTOCAD standard file formats of either “.dxf” and/or “.dwg” and Standard ADOBE file format of “.pdf” will be accepted as defined by Article II of these regulations) shall be included as part of a complete application at the time of submittal of Construction Drawings to all reviewing agencies.
- E. The profile view shall have a horizontal scale of 1" -50' or 1" - 100'; a vertical scale of 1" - 5' or 1" - 10', however, the horizontal scale of 1" - 100' and the vertical scale of 1" - 10' will be used only with the prior written approval of the Clermont County Engineer or his representative. The existing and proposed centerline profile, elevations, gradient, existing and proposed drainage lines and vertical curves shall be shown. The maximum street gradient shall be governed by the Subdivision Street Design and Construction Standards for Clermont County.
- F. When required by the County Engineer, cross sections shall be on a scale of 1" - 5' or 1" - 10', both vertical and horizontal, however the scale of 1" - 10' may be used only with the prior written approval of the County Engineer Clermont County Engineer or his representative.
- G. All construction drawings shall be in full accordance with these regulations and the standard drawings of Clermont County applicable to the development of subdivisions.

- H. All drawings calling for the construction of improvements shall show the seal and certification of a Registered Engineer eligible to practice in the State of Ohio.
- I. All elevations shall be as referenced in Article IV, Section 405 and each plat or plan shall show the description and elevation of the bench mark used for the subdivision survey.
- J. Construction plans for water lines, sanitary sewer lines and sewage disposal plants shall be included as part of the overall construction plans for the improvement of the undeveloped area. These plans shall be drawn in accordance with the construction plan requirements outlined in Sections 517, 518 and with the Rules and Regulations and Standards of the Clermont County Water and Sewer District. The Clermont County Water and Sewer District may require additional copies of plans when necessary. The cost of said plans shall be at the expense of the applicant or developer. Inspection fees and plan review fees required by the Rules and Regulations of the Clermont County Water and Sewer District shall be paid prior to final approval and the beginning of construction

#### **SECTION 406 “AS-BUILT” CONSTRUCTION DRAWING FORM**

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

#### **SECTION 407 RECORD PLAT FORM**

The record plat shall be legibly drawn on mylar or other reproducible plastic film of equal permanence. The size of the plat shall be twenty four (24) by thirty six (36) inches. The plat of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet or at a scale of either one (1) inch equals one hundred (100) feet except for subdivisions involving “deed out” parcels or other information which would not be accurately represented at the aforementioned scales. Electronic files (only the AUTOCAD standard file formats of either “.dxf” and/or “.dwg” file formats and Standard ADOBE file format of “.pdf” will be accepted as defined by Article II of these regulations) shall be included as part of a complete application at the time of submittal of the final record plat to the Planning Commission or its designated representative.

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



## CONCEPT PLAN REVIEW

#	REQUIRED ITEM DESCRIPTION	HAVE	NEED
1	Proposed name of the subdivision per Article III, Section 302 of these regulations		
2	Vicinity Map showing subdivision location		
3	Location by military survey or other survey		
4	Location by Township		
5	Scale of the plan, North point		
6	Names, addresses, and phone numbers of owner and applicant		
7	Name, addresses, and phone numbers of professional engineer and registered surveyor who prepared the plan		
8	Appropriate registration number and seals, including one (1) set of plans with an original stamp and signature		
9	Boundaries of the subdivision		
10	The boundary of the property and the rights-of-way of existing roads shall be shown on the plan		
11	The boundary of the property and the existing buildings shall be shown on the plan		
12	Preliminary Inventory and Analysis of Site and any adjacent properties: To the extent that they relate to the site, such inventory and preliminary analysis shall address topography, waterways, wetlands and drainage, historic features, adjacent and on-site land uses and zoning, including any overlay district affecting the site; utilities and related easements and any other easements of record; roadways and traffic circulation; and other information critical to the capability of the site to accommodate development		
13	The proposed lot and street configuration as it relates to the boundaries of the property to be subdivided, and all existing roadways		
14	Existing topography shall be shown on the plan at five (5) foot intervals; woods, streams, wetlands, and all other natural features shall be shown on the plan		
15	The location of all proposed retention and/or detention basins shall be shown on the plan		
16	The location of all proposed temporary sediment basins shall be shown on the plan		
17	The location of any proposed construction entrance shall be shown on the plan		
18	A statement indicating the proposed method of wastewater disposal		
19	Verification that the proposed entrances meet all applicable Sight Distance requirements as established by the Clermont County Engineer and/or the Ohio Department of Transportation		
20	The proposed means of access from the public right-of-way to each individual tract of land where a building site is created without trespass upon adjoining properties		
21	The location of all bridges, culverts, and culvert pipe installations required to provide access to a building site		
22	The current zoning districts of the property to be subdivided, as obtained from the Zoning Administrator of the applicable Township		

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**DESIGN PLAN REVIEW**

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

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**DESIGN PLAN REVIEW**

23	Location and dimensions of proposed utility and sewer lines, showing their connections to existing systems		
24	Parcels of land in acres to be reserved for public use or to be reserved by covenant for residents of the subdivision		
25	The location and extent of all soils within the proposed project area as qualified project site showing the drainage area of the project		
26	Drainage area of the project		
27	The location and extent of Flood Zones as defined in Section 503.A.3 of this resolution, showing flood way areas		
28	The location of wooded areas, topographic, and natural features that are within and adjacent to the proposed project areas		
29	Locations and dimensions of Rights-of-Way to be dedicated within the proposed subdivision and along any adjacent roadways		
30	Date referencing when plans were printed		
31	If the subdivision is to be submitted in sections, blocks or phases, these proposed divisions shall be indicated on the plan		
32	A statement indicating the proposed method of wastewater disposal		
33	Traffic Impact Study (Highly Recommended)		

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**CONSTRUCTION DRAWINGS**

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

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**CONSTRUCTION DRAWINGS**

25	Construction details		
26	Complete drainage details and Stormwater Runoff Calculations, stamped and signed by a Professional Engineer certified in the State of Ohio		
27	Bearings and distances to street lines, military survey lines, or Township lines or recognized permanent monuments which shall accurately describe the proposed plat		
28	Radii, internal angles, points of curvature, tangent bearings, lengths of arcs and curve data of all applicable streets within the plat area		
29	A complete Soil Erosion and Sediment Control Plan that adheres to the <i>Clermont County Water Management and Sedimentation Control Regulations (W.M.S.C)</i>		
30	A detailed site analysis consisting of a report that lists the development site characteristics such as site context, ecology, historic sites or structures, farmland, important or distinguishing features, the locations of all wooded areas, and any other significant topographic and natural features located within or adjacent to the plan		
31	All easements for right-of-way provided for public services or utilities, and any limitations of such easements		
32	Location and statement of adequate outlet for aerobic sewage discharge as approved by the Clermont County Board of Health. This statement may be made in the form of a notation of reference to a recorded document		
33	Summary of Quantities of all work		
34	Estimate of the cost of construction of street improvements		
35	Date		
36	Approval and acceptance clause for the signatures of a representative of the Clermont County Planning Commission, the County Engineer, the Clermont County Water and Sewer District, the Clermont County W.M.S.C Administrator or his designated representative, and the Clermont County Board of County Commissioners. The signature of the Township Zoning Inspector shall be required on the record plats of all Planned Unit Developments in any Township that has an adopted zoning resolution.		
37	If the subdivision is to be submitted in sections, blocks, and/or phases, these divisions shall be indicated on the record plat		
38	Location of all bury pits and/or debris pits		
39	Traffic Impact Study (Required)		
<b>Within Commercial, Multifamily, Industrial (and Planned Unit Development if applicable): Additional Requirements</b>			
A	The proposed use of all buildings (includes PUD)		
B	The height of all buildings (includes PUD)		
C	The location, dimensions and approximate grade of proposed parking and loading facilities, alleys, pedestrian walks streets and drives, and other points of circulation, ingress and egress to the development (includes PUD)		
D	The location and proposed development of all open space and common area (includes PUD)		
E	The location of all existing proposed site improvements including drains, culverts retaining walls and fences (includes PUD)		
F	The location and dimension of all signs (includes PUD)		

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**CONSTRUCTION DRAWINGS**

G	The location and design of street and parking lighting (includes PUD)		
H	The location and design of all landscaping (includes PUD)		
I	The location of all fire hazards, as well as the proposed method of mitigation shown on the plan		
J	The location of all radioactivity or electrical disturbances and the proposed method of mitigation shown on the plan		
K	The location of any sources of excessive noise, and the proposed method of mitigation shown on the plan		
L	Any sources of air pollution must be documented on the plans, and the proposed method of mitigation must be shown on the plan		
M	In instances where excessive glare may result from the proposed land use, the mitigation method shall be shown on the plan		
N	Any source of potential water pollution and the proposed method of mitigation shall be indicated on the plan		
O	Any related, operational, or pertinent characteristics of the proposed use shall be indicated on the plan		

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**RECORD PLAT SUBMITTAL**

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

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**RECORD PLAT SUBMITTAL**

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



**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**RECORD PLAT SUBMITTAL**

39	<p>The following drainage statements:</p> <p>“The Clermont County Board of County Commissioners assumes no legal obligation to maintain or repair any open drainage ditches, closed storm sewer systems, or channels designated as ‘Drainage Easements’ on this plat. The easement area of each lot and all improvements within it shall be maintained continuously by the lot owner. Within the easements, no structure, planting, fencing, culvert or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through water course.”</p>		
40	If the subdivision is to be submitted in sections, blocks, and/or phases, these divisions shall be indicated on the record plat		
41	Location of all bury pits and/or debris pits		

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**MINOR SUBDIVISION SUBMITTAL**

#	REQUIRED ITEM DESCRIPTION (MYLAR ITEMS)	HAVE	NEED
1	18" X 28" MYLAR (4 Mil Double Matted)		
2	Tax Map Dept. Block and Parcel I.D. Number		
3	Vicinity Map showing location of Minor Subdivision		
4	Military Survey Name and Number		
5	Location by County		
6	Location by Township		
7	Scale of the Plan, North Point (written and graphic)		
8	Acreage		
9	Appropriate registration number and seals		
10	Tie (Tie to two centerline intersections, two military survey lines, or combination of military survey and centerline or a subdivision lot #)		
11	Road Name ( per Roadmaster) (RW to be shown)		
12	Names, addresses, and phone numbers of owner and applicant		
13	Name, addresses, and phone numbers of professional engineer and registered surveyor who prepared the plan		
14	Adjacent Property Owners Deed Book, Page, and Parcel I.D. Number(s)		
15	Boundaries of the subdivision		
16	Names of adjacent subdivisions, owners of adjoining parcels of undivided land and the location of boundary lines.		
17	Monuments set or found and size		
18	Offset monuments at Road		
19	Notation of Occupation		
20	Basis of Bearings		
21	Bearings and Distances		
22	Citation of Reference Documents		
23	Date of Survey		
24	Tie to two County Monuments (if two or more acres)		
25	Easements		
26	Military Survey Lines shown		
<b>ITEMS NEEDED ON PAPER COPY</b>			
27	In all situations involving the re-platting of any existing parcel, lot, or tract of land, the identity of the original parcel, lot, or tract from which the newly created or adjusted lots were derived shall be indicated within the boundary lines of each parcel that is adjusted or created as a result of the re-plat procedure.		
28	In all situations involving the re-platting of any existing parcel, lot, or tract of land, the lot lines of the original parcel, lot, or tract shall be clearly indicated on the plan.		

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**MINOR SUBDIVISION SUBMITTAL**

29	Locations, dimensions, and names of existing streets, railroad right-of-ways, easements, parks, permanent buildings, and corporations, Township and County lines		
30	Zoning classification of the tract		
31	Existing contours at two (2) foot intervals on land classified as "level" in the Clermont County Soil Survey, and not greater than five (5) foot intervals for all other lands		
32	Locations and dimensions of existing sewers, water lines, culverts, and other underground structures, and power transmission poles and lines within and adjacent to the tract		
33	Building setback lines and dimensions		
34	Location and dimensions of proposed utility and sewer lines, showing their connections with existing systems		
35	Statement certifying that the minor subdivision satisfies all applicable requirements of the zoning district governing the use of the land at the time of recording		
36	Land of grantor map		
<b>MISCELLANEOUS ITEMS NEEDED</b>			
<b>A</b>	Closure notes from surveyor (may be on mylar or separate sheet)		
<b>B</b>	Certificate of Compliance drawing signed by Planning Commission Representative, Township Zoning, General Health District and/or Water & Sewer District, Building Inspection Department, County Engineer's Office or ODOT (if located on a State Route)		
<b>C</b>	Final Survey Drawing must include signatures from Township Zoning and General Health District		
<b>D</b>	Minor Subdivision Application		
<b>E</b>	Ten Dollar (\$10.00) application fee		
<b>F</b>	Deed(s) *		

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**FIVE ACRE PLUS SUBDIVISION SUBMITTAL**

#	REQUIRED ITEM DESCRIPTION	HAVE	NEED
1	24" X 36" MYLAR (4 Mil Double Matted)		
2	Proposed name of subdivision under Section 302		
3	Vicinity map showing subdivision location		
4	Location by military survey or other survey		
5	Location by Township		
6	Scale of the plan, North point		
7	Name, address, and phone numbers of owner and applicant		
8	Name, addresses, and phone numbers of professional engineer and registered surveyor who prepared the plan		
9	Appropriate registration number and seals, including one set of plans with original stamp and signature		
10	Scale of the plan, north point		
11	Boundaries of the subdivision		
12	Total acreage of entire tract, total acreage of the land in lots, total acreage of land contained in streets, total acreage of open space, park land, etc		
13	Names of adjacent subdivisions, owners of adjoining parcels of undivided land and the location of boundary lines		
14	Locations, dimensions, and names of existing streets, railroad right-of-ways, easements, parks, permanent buildings and corporations, Township, and County lines		
15	Location of proposed streets and easements		
16	Names and widths of proposed streets and easements		
17	Building setback lines and dimensions		
18	Layout, numbers, and approximate dimensions of each lot		
19	Parcels of land in acres to be reserved for public use or to be reserved by covenant for residents of the subdivision		
20	Restriction and covenants the applicant intends to include in the deeds to the lots of the subdivision		
21	Bearings and distances to street lines, military survey lines, or Township lines or permanent monument which shall accurately describe the plat		
22	Municipal, military survey, or Township lines tied to the lines of the subdivision by distances and bearings		
23	Radii, internal angles, points of curvature, tangent bearings, lengths of arcs and curve data of all applicable streets within the plat area		
24	Accurate description of permanent cornerstones and concrete markers which shall be located and set with the minimum requirements of the Ohio Revised Code Section 711.03 and shall in all instances be located and set to establish all boundary lines of the subdivisions, all intersections, and all centers of cul-de-sacs		

**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**FIVE ACRE PLUS SUBDIVISION SUBMITTAL**

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



**ARTICLE IV: REQUIRED SUBMISSION DOCUMENTS TABLE**  
**FIVE ACRE PLUS SUBDIVISION SUBMITTAL**

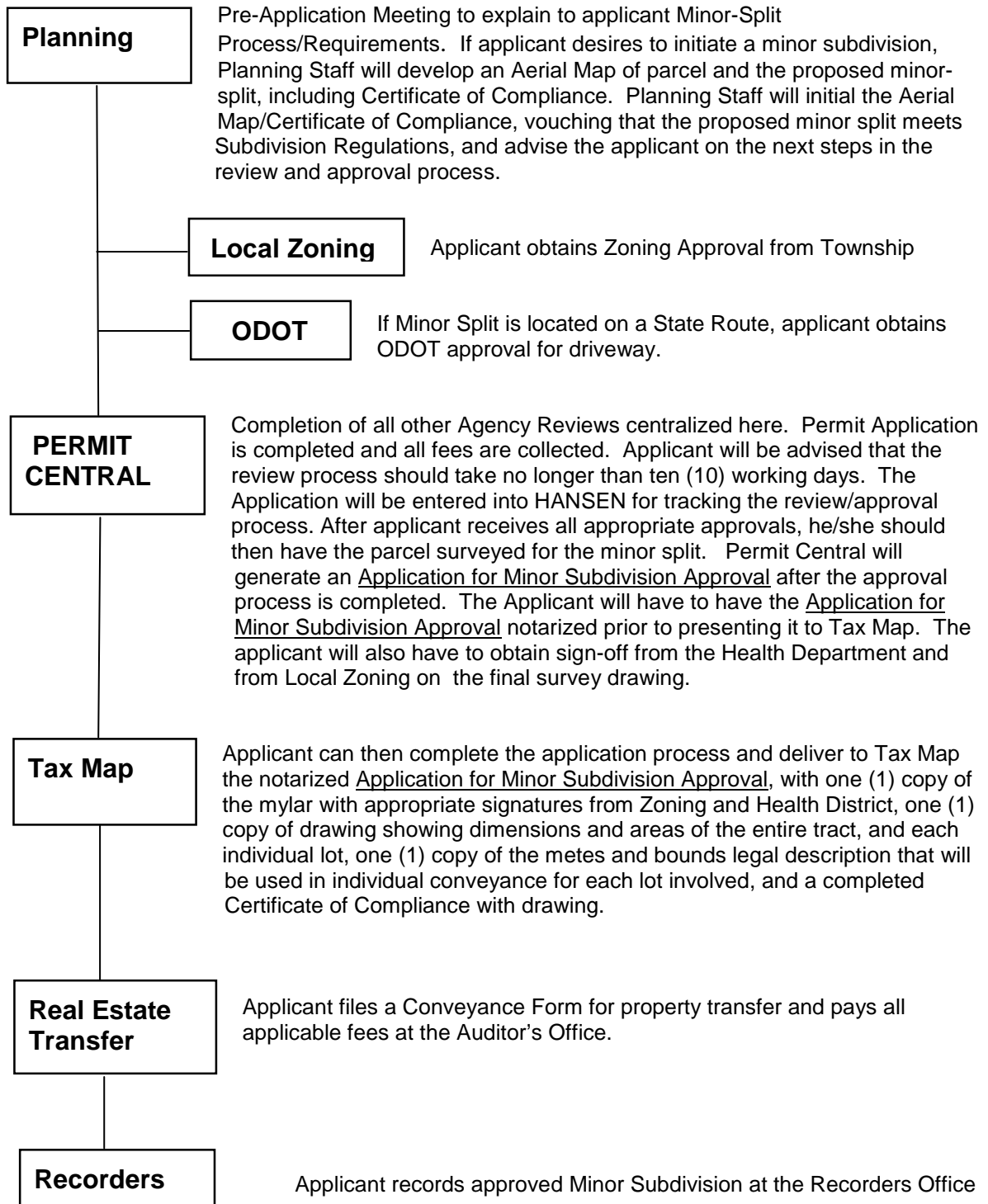
41	The following drainage statements:  <i>“The Clermont County Board of County Commissioners assumes no legal obligation to maintain or repair any open drainage ditches or channels designated as ‘Drainage Easements’ on this plat. The easement area of each lot and all improvements within it shall be maintained continuously by the lot owner. Within the easements, no structure, planting, fencing, culvert or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through water course.”</i>		
42	If the subdivision is to be submitted in sections, blocks, and/or phases, these divisions shall be indicated on the record plat		
43	Location of all bury pits and/or debris pits		
<b>MISCELLANEOUS ITEMS NEEDED</b>			
A	Certificate of Compliance* drawing signed by Planning Commission Representative, Township Zoning, General Health District and/or Water & Sewer District, Building Inspection Department, County Engineer’s Office or ODOT (if located on a State Route)		
B	Four (4) paper copies of the proposed Five Acre Plus Subdivision, to be submitted in accordance the specifications established in this table, and representing a paper version of the proposed record plat		
C	Five Acre Plus Application		
D	All applicable recording fees		
E	A Certificate of Title, completed and signed by an attorney-at-law		
F	Deed(s) and/or all applicable legal descriptions of the property to be subdivided		

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

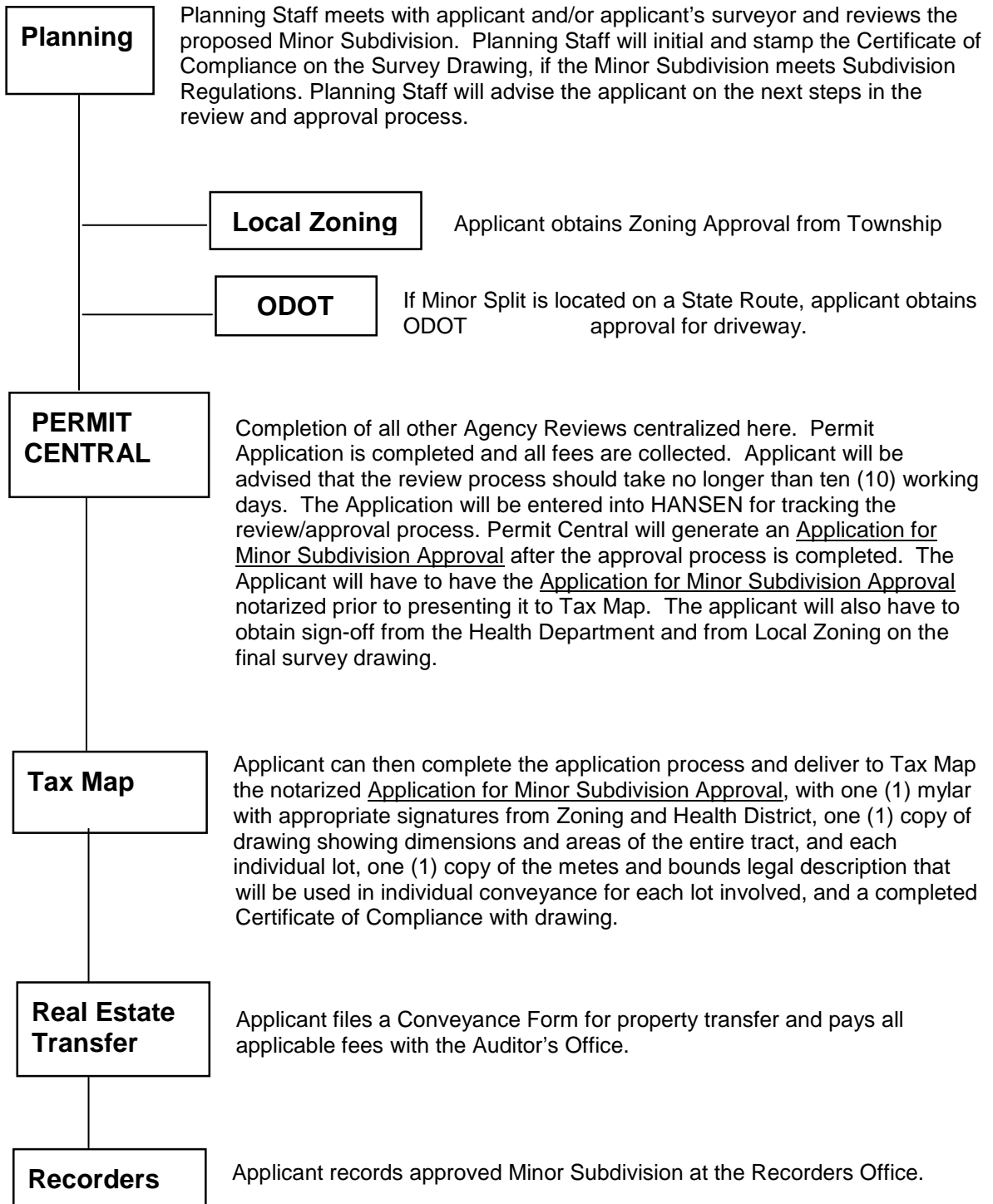




**REVISED MINOR SUBDIVISION PROCESS - PERMIT CENTRAL AGENCY REVIEW**  
 (for applicants that have not had their proposed minor split surveyed prior to applying)

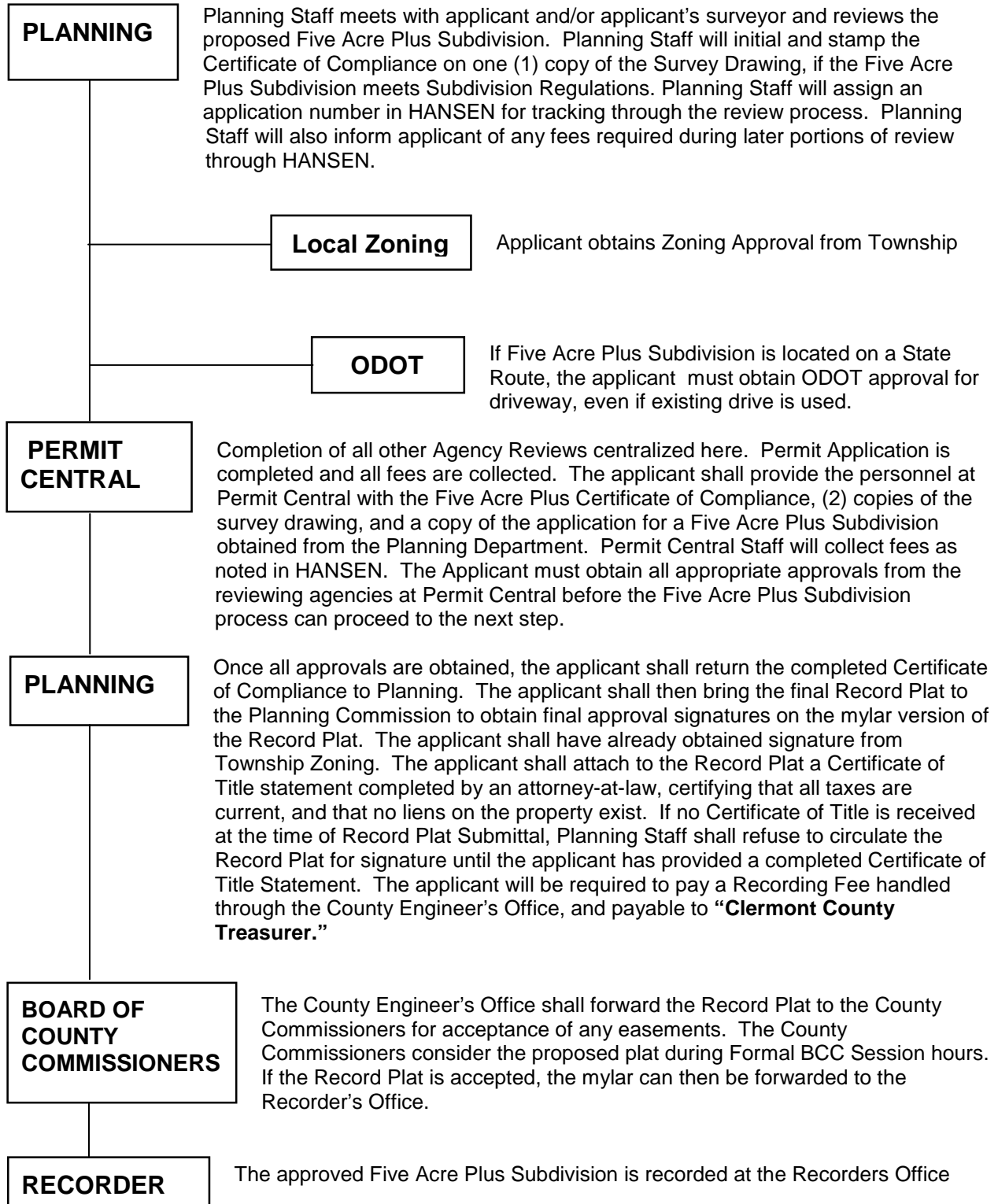


**REVISED MINOR SUBDIVISION PROCESS-PERMIT CENTRAL AGENCY REVIEW**  
 (for applicants that *have had* their proposed minor split surveyed prior to applying)



## FIVE ACRE PLUS SUBDIVISION PROCESS – ADMINISTRATIVE REVIEW PROCEDURE

(All applicants must have had some contact with a surveyor prior to initiating  
Five Acre Plus Approval Process)





**ARTICLE V**  
**RESIDENTIAL LOTS LESS THAN FIVE ACRES**  
**SUBDIVISION DESIGN STANDARDS**

**SECTION 501           GENERAL STATEMENT**

All the regulations in this Article shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help insure convenient and safe streets, creation of usable lots, provision of space for public utilities, and to minimize the impact on natural resources and the environment. The planning of attractive, connected, and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, unconnected, and undirected growth. The development shall be laid out to minimize the effect on ground water and aquifer recharge; to minimize cut and fill; to minimize unnecessary impervious cover; to provide adequate access to lots and sites; and to mitigate adverse effects of noise, odor, traffic, drainage, utilities and increased storm water runoff on neighboring properties. The Planning Commission has the responsibility for reviewing the design of each future subdivision in its design development. The Commission shall insure that all of the requirements of this Article are met.

**SECTION 502           CONFORMITY TO DEVELOPMENT PLANS AND ZONING**

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

**SECTION 503           SENSITIVE DEVELOPMENT AREAS**

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

- A. The proposed lands or soils possess any of the attributes listed in the Sensitive Development District portion of this section.
- B. The subdivision as proposed and submitted causes a hazard or abuse of such features based on the comments, conditions or exceptions offered by the County Engineer, the County Sanitary Engineer, the County General Health District, and/or the County Building Inspector.

## SENSITIVE DEVELOPMENT AREA CRITERIA

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

1. **Tributary Drainage system**- the beds and banks of perennial and intermittent streams as identified by current USGS mapping or field survey.
2. **Alluvial Flood plains**- soil types AdC, Ee, Gn, Hu, Lg, Ln, Mh, Ne, Rh, Sh, and St.
3. **Flood Zones**- Land in the floodway of any existing stream, creek, or river as identified by any one or more of the following studies:
  - a. Federal Emergency Management Agency's Flood Hazard Boundary Maps, County of Clermont, Ohio - Unincorporated Areas.
  - b. Flood Plain Information, Ohio River Clermont County, Ohio, Corps of Engineers, U.S. Army, 1968.
  - c. Flood Plain Information Study, Little Miami River, Ohio, U.S. Army Corps of Engineers, 1966.
4. **Lakes and Ponds Intermittently Filled with Water**- marshes, swamps, and wet spots (equivalent to soil types Bc, Ct, and Mb).
5. **Wetlands** as may be defined in Section 404 of the Federal Water Pollution Act, as amended; and as in the Ohio Environmental Protection Agency standards.
6. **Both surface and subsurface Quarries and Gravel Pits**- complete Cu, Gr, and Rh soil types.
7. **Bedrock Escarpments.**
8. **Steep slopes and Erosion Hazards**- sand gravel soil types in excess of eighteen (18), silt soils in excess of twelve (12); and clay soils in excess of twelve (12) percent slop; defined as soil types AdC, CcD2, CkD3, EaD2, EaE2, EaF2, EbD2, EbE2, EbG2, EcE3, EdG3, FaE2, FaG2, GpE2, HkD2, HkF2, HiG3, RkE2, SeD2, and WrD2.

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

1. The statement shall describe in detail the extent of encroachment on any Sensitive Development District, the extent and nature of the proposed alteration, the environmental impacts resulting from the proposed alteration, and the proposed methods of mitigation, including, but not limited to, compliance with the Clermont County Water Management and Sediment Control Regulations.

2. The applicant may submit a Geotechnical Report and/or a Wetlands Assessment/Delineation\*, prepared by a qualified engineer, licensed in the State of Ohio, in lieu of a development narrative\*\*.
3. If items No. 2, and/or No. 3 are present, the applicant shall delineate the 100-Year Flood Boundary and indicate the 100-Year Flood Elevation on the plans, construction drawings, and record plat.

\* The Wetlands Assessment/Delineation shall only be required if items item No. 4 and/or No. 5 are present on the proposed site.

\*\* The requirement for a Geotechnical Report shall be waived if the applicant can demonstrate in the development narrative that appropriate engineering measures concerning slope stability, erosion control, and resident safety are taken into account. Areas where No. 6, No. 7, and/or No. 8 are present will require subsurface investigations prior to infrastructure or building construction, and would otherwise require the submittal of Geotechnical Reports to accompany the subdivision application.

## **SECTION 504 PUBLIC STREET GUIDELINES AND REQUIREMENTS**

### **A. General Public Street Guidelines**

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

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

1. Encourage the utilization of design techniques that will allow the subdivision to be compatible with the function of those streets so designated in the Thoroughfare Plan;
2. Encourage the use of collector streets to serve residential streets wherever possible;
3. Discourage the frequent intersection of local residential streets with arterials;
4. Encourage the use of interconnected public streets to serve the subdivision;
5. Encourage proposed public street systems to be a continuation of the existing and/or proposed pattern of surrounding streets and land uses;
6. Encourage the interconnecting of public streets to adjacent property in such a manner so as to provide for the orderly development of said adjacent areas;
7. Proposed public streets shall be extended to the boundary lines of the tract to be unless, in the opinion of the Planning Commission, such extensions are not necessary or desirable for:

- a. The coordination of the proposed subdivision layout with the adjacent layouts
  - b. The most advantageous future development of adjacent tracts
  - c. Access for the proposed or existing subdivision
8. Encourage an arrangement of subdivision streets that display a positive relationship to the natural setting;
  9. Encourage street designs that enhance the residential amenity of new subdivisions by creating interesting visual perspectives;
  10. Allow, where appropriate, the use of alleys for access;
  11. Traffic calming strategies shall be subject to the approval of all applicable Township authorities, the Clermont County Engineer, and the Planning Commission.

**B. Public Street Design Requirements:**

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

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

**PAVEMENT STANDARDS FOR ALL SUBDIVISIONS EXCLUDING FIVE ACRE PLUS SUBDIVISIONS**

<b>Setback greater than or equal to 40 feet</b>	<b>24 Feet (20 Feet)</b>
<b>Setback less than 40 feet</b>	<b>28 Feet (24 Feet)</b>

\*\* Widths shown in parentheses apply only to streets where curb and gutter is not required, as permitted by Article V, Section 507 of these regulations.



3. The maximum length for cul-de-sacs shall be nine hundred (900) feet from the center line of the intersecting street to the radius point of the cul-de-sac, or as needed to serve a maximum of 30 lots.
4. Relationship to the Official Thoroughfare Plan:
  - a. **Arterials-** when a proposed subdivision abuts an existing street designated as an arterial in the Thoroughfare Plan or by its current functional classification, the applicant shall be required to dedicate one-half of the right-of-way specified for that street in said plan. When a proposed subdivision would be traversed by a designated arterial, dedication of the full amount of required right-of-way shall be required. Where a proposed subdivision abuts or is traversed by an existing primary regional arterial street designated in the Thoroughfare Plan, the Planning Commission shall require marginal access streets, reverse frontage lots with buffering under Section 516 along the rear property line, or access provided through the rear property line by means of an alley or driveway. All marginal access streets, alleys, and driveways shall be built in conformance with the design specifications established in the *Subdivision Street Design and Construction Standards for Clermont County*.
  - b. **Collector-** when a proposed subdivision abuts an existing street designated as a collector street in the Thoroughfare Plan or by its current functional classification, the applicant shall be required to dedicate one half of the right of way specified for that street in said plan. When a proposed subdivision would be traversed by a designated collector street, dedication of the full amount of required right of way shall be required for access to lots.

The Planning Commission shall determine the need for a collector street based upon an analysis of a proposed street's relationship to the surrounding existing or proposed street system and the scale of existing and/or potential neighboring land uses that would exert some influence on traffic movement along said street. When such need has been determined, a collector street shall be built following the specifications outlined in the Official Thoroughfare Plan and the *Subdivision Street Design and Construction Standards for Clermont County*.

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

5. Functional Street Classification System:

- a. Streets shall be classified in a street hierarchy system designed to tailor to its function.
- b. Each residential street shall be classified and designed for its entire length to meet the standards set forth in these regulations and shall conform with the *Subdivision Street Design and Construction Standards for Clermont County* and the *Official Thoroughfare Plan of Clermont County*.
- c. The Planning Commission shall issue the final determination as to the classification of a proposed residential street whenever a dispute arises over the functional classification of any street(s) in a proposed subdivision.

6. The following requirements shall apply to special public street types;

- a. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as part of a continuing street plan. All temporary dead end streets shall conform to requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
- b. Dedication of new half-streets shall not be permitted.

7. Alleys shall be allowed. Alleys shall conform to the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*. Alleys shall be designed to meet the following minimum width criteria:

**PAVEMENT STANDARDS FOR ALLEYS IN RESIDENTIAL SUBDIVISIONS  
(EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)**

<b>Minimum Pavement Width</b>	<b>12 Feet</b>
<b>Minimum Right of Way Width</b>	<b>16 Feet</b>

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

## **SECTION 505      RIGHT OF WAYS**

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

- A. The right-of-way width required shall reflect future development as indicated by the Thoroughfare Plan.
- B. When a road is not referenced in the *Official Thoroughfare Plan of Clermont County*, the right-of-way width shall be established per the recommendation of the Clermont County Engineer, and shall be approved by the Planning Commission.

## **SECTION 506      INTERSECTION DESIGN GUIDELINES**

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

## **SECTION 507      CURBS, GUTTERS, STORM SEWERS AND SHOULDERS**

- A. Curbs, gutters and storm sewers shall be required for the purpose of drainage, safety, delineation and protection of pavement edge in all subdivisions where average lot frontage is equal to or less than 150 feet.
- B. Curbing shall be constructed according to the specifications set forth in the Official Thoroughfare Plan and the *Subdivision Street Design and Construction Standards for Clermont County*.
- C. Curbing may be required by the Clermont County Engineer’s Office in any circumstance where curbing shall prove to be a beneficial component of any proposed development.
- D. If a drainage system crosses private property, rights of way or easements must be obtained by the applicant or developer for the construction and future maintenance, and shall be designed in conformance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
  - 1. These rights of way or easements shall be shown on the construction plans.
  - 2. Drainage easements shall extend to the exterior property lines of the subdivision.

- E. Ditch and berm areas along public right-of-way shall be designed and built in accordance with the requirements established by the Subdivision Street Design and Construction Standards for Clermont County.

**SECTION 508      GUARD RAILS**

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

**SECTION 509      PRIVATE STREET DESIGN STANDARDS FOR ALL SUBDIVISIONS  
(EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)**

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

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

**MINIMUM PAVEMENT WIDTH STANDARDS FOR PRIVATE STREETS IN RESIDENTIAL  
SUBDIVISIONS**

(EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)

<b>Minimum Required Pavement Width</b>	<b>18 Feet</b>
<b>Minimum Required Ingress/Egress Easement Width</b>	<b>40 Feet</b>

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

## **SECTION 510      DRIVEWAYS**

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

## **SECTION 511      BLOCKS**

- A. Regularly shaped blocks should be laid out such that the blocks properly relate to the topography and character of the surrounding development.
- B. Irregularly shaped blocks, those intended for flag or loop streets, and those containing interior parks or play grounds shall be encouraged by the Commission if properly designed and located and if the maintenance of interior public space is covered by agreements.
- C. No block shall be longer than 1500 feet, except where unusual topography or other exceptional physical circumstances exist.

## **SECTION 512      LOT ARRANGEMENT & SITING**

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

- A. The lot arrangement and design should be such that all lots provide satisfactory building sites, properly related to topography and character of surrounding development.
- B. Each lot shall front (abut) on a public street except lots fronting on private streets permitted in Section 509. The normal minimum permissible frontage for any lot in a platted subdivision shall be twenty- five (25) ft. (see “D” below).

- C. In the absence of topographical or other physical features, all side lot lines shall be at right angles to the street lines and radial to curved street lines. The Planning Commission may determine that a variation to this rule would provide a better layout.
- D. The “panhandle” of a panhandle lot as defined in Section II of these regulations shall have a normal minimum width of twenty-five (25) ft. and shall not exceed five hundred (500) ft in length when measured from the right-of-way line. The width of the panhandle for a lot in a platted subdivision may be less than the required 25 feet, but only if it can be demonstrated that easements of adequate dimensions are provided for access and utilities and the panhandle would primarily serve to meet the legal frontage requirement.
- E. Where multiple panhandles abut in platted subdivisions, a reduction in the street frontage width may be provided if it is shown that adequate space exists for utilities and the vehicular access to the lots is provided by a common driveway. The maximum number of panhandles that may abut for a common driveway is five.
- F. Lots shall not be arranged in any manner which may block the extension of existing or proposed streets; nor shall they be arranged in any manner which may disrupt a continuing street system in a local neighborhood.
- G. Building setbacks for all lots in zoned areas shall conform to the minimum setback requirements of the zoning regulations governing the tract in question.
- H. Building setbacks for all lots in unzoned areas shall be no less than twenty feet.
- I. No corner lot shall have a width at the building line of less than sixty (60) feet.

### **SECTION 513      LOT SIZE**

- A. The lot size, except for open space lots, shall be no less than the minimum requirement of the applicable zoning regulation governing the tract in question.
- B. All lots shall be a sufficient size to meet the requirements of the Clermont County Health District Regulations for the proper operation of wells and/or septic system or other on site waste disposal.
- C. All lots shall not exceed the 5:1 depth to width ratio unless some characteristic of the site renders such ratio undesirable or impracticable. The computation of the lot depth to width ratio shall not include the “panhandle” of a panhandle lot as defined in these regulations.

### **SECTION 514      SIDEWALKS**

- A. The Planning Commission shall determine whether sidewalks are required along all regional arterials, suburban arterials, and primary collector streets as identified in the *Official Thoroughfare Plan for Clermont County*. In deciding upon whether sidewalks shall be

installed along all regional arterials, suburban arterials, and primary collector streets, the Planning Commission shall consider the following criteria:

1. If deemed appropriate by the Planning Commission, sidewalks shall be required to be installed as indicated by the Sidewalk Regulations of the applicable Township (if enacted).
  2. Sidewalks shall be required as a continuation of any existing sidewalk adjoining the lands to be subdivided.
  3. Sidewalk requirements shall be waived whenever the Planning Commission determines them to be a direct threat to the public health, safety, or general welfare.
- B. When deciding upon the placement of sidewalks, the Planning Commission shall consider the comments of the County Engineer's Office, any comments received from the Township agencies having jurisdiction over the lands to be subdivided, as well as comments from other sources of information solicited by the Planning Commission or its designated representative.
- C. All sidewalks required to be installed along regional arterials, suburban arterials, and primary collectors shall extend the full distance of the proposed development.
- D. Sidewalks shall be installed along both sides of the street in multi-family subdivisions.
- E. Sidewalks shall be installed in accordance with the *Official Thoroughfare Plan of Clermont County*.
- F. Sidewalks shall connect to adjacent subdivisions if the Planning Commission deems such a connection appropriate. Exceptions to this requirement may be granted in situations when at least one of the following conditions are present:
1. The existing residential subdivisions that adjoin the lands to be subdivided do not provide a sidewalk network.
  2. The proposed pedestrian connection and/or travel-way could result in the creation of a potential safety hazard to either pedestrians or motorists.
- G. Sidewalks shall be installed on all local and collector streets except in subdivisions where the width of all lots is one hundred (100') or more feet at the building line.
- H. Sidewalk requirements may be waived when a cul-de-sac serves less than fifteen (15) dwelling units.
- I. Sidewalks shall be placed parallel to the street, unless an exception has been permitted to preserve topographical or natural features or to provide visual interest, or unless the applicant shows that an alternative pedestrian system provides safe and convenient circulation.

- J. The Planning Commission may require sidewalks in any situation where proximity of the proposed subdivision to future or existing neighborhood businesses, schools, community facilities, or other pedestrian traffic generators suggest sidewalks will be needed.
- K. Sidewalks shall be constructed to the standards set forth in the *Subdivision Street Design and Construction Standards for Clermont County*.
- L. Pedestrian-way easements ten (10) feet wide may be required by the Planning Commission through the center of blocks more than fifteen hundred feet long or to provide access or circulation to schools, playgrounds, shopping, or other community facilities.
- M. The Planning Commission may also require the reservation of easements for pathways to connect dead end streets with other streets in order to facilitate better pedestrian and/or bike circulation.

## **SECTION 515            EASEMENTS**

- A. A public utility easement of at least twenty feet (20) ft. in total width may be required along the rear and sides of lots when needed to accommodate public utilities and/or to provide for the installation of Sanitary Sewer infrastructure, in accordance with the requirements of the Clermont County Water and Sewer District.
- B. Private surface drainage easements of at least ten (10) feet in total width shall be required along the rear and sides of lots.
- C. Where deemed necessary by the Planning Commission, an additional easement width shall be provided.
- D. The applicant shall provide easements for storm drainage purposes which conform substantially with the lines of any natural watercourses, channels, streams, or creeks which traverse the subdivision or for any new channel which is established to substitute for the natural water course, streams or creek. Such right-of-ways or easements shall be of a width which will provide for the maintenance needs of the channel and incidental structure as determined by the Planning Commission.
- E. Conservation Easements may be required by the Planning Commission on lands designated as open space, Sensitive Development Areas, or any other lands deemed to be so exceptional in character as to require the protection of a permanent Conservation Easement in order to guard against any future encroachment resulting from development.
- F. All easements shall be depicted on the record plat and shall state any and all conditions and restrictions of the easements.



## **SECTION 516            BUFFERING**

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

## **SECTION 517            PUBLIC WATER SUPPLY**

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

## **SECTION 518            SANITARY SEWERS**

- A. Any property subdivided, shall connect to and be served by any public sanitary sewer within five hundred feet of the subdivision.
- B. All sanitary sewers shall be installed according to the rules and regulations of the Clermont County Water and Sewer District.
- C. Sanitary sewers shall not be required where the installations of sanitary sewers are contrary to the rules and regulations of the Clermont County Water and Sewer District.
- D. Where Public Sanitary Sewers are not provided, the applicant shall provide:
  - 1. A central treatment plant installed in accordance with the Ohio Environmental Protection Agency (OEPA) requirements;
  - 2. Individual disposal systems installed in accordance with the rules and regulations of the Clermont County Health District.

## **SECTION 519            SITE PROTECTION & GENERAL REQUIREMENTS**

- A. Site grading, construction, and clearance shall conform with the rules and regulations of the Clermont County Water Management and Sediment Control Regulations.
- B. Debris pits shall be located outside of the buildable area, drainage ways, or drainage easements.
- C. Extensive change or removal of vegetation shall demonstrate minimal adverse impacts on the existing condition of the site.
- D. The smallest practical area of land should be exposed at any one time during development and should be kept to the shortest practical period of time.

## **SECTION 520            OPEN SPACE**

- A. The Planning Commission shall encourage every applicant to provide open space for various functions including but not limited to protecting plant and wildlife habitat, providing identity, and providing recreation. The area of each parcel of open space designed for active and passive recreational purposes shall be of such minimum dimensions as to be functionally usable to the dwelling units they are intended to serve.
- B. To comply with Section 503, an applicant may designate all or part of any Sensitive Development Areas as open space.

- C. An applicant may designate lands as open space for the provisions of parks, play grounds, squares, nature areas, other recreational facilities, storm water retention/detention, or other appropriate use.
- D. As a general principle, passive open space should be left in its natural state. A developer may make certain improvements such as the cutting of trails for walking or jogging, or the provision of picnic areas, and other recreation genres that can be considered as being minimally invasive in character.
- E. Where the Planning Commission has an adopted master plan for the construction of parks, schools, and other public facilities that pertains to the parcel to be subdivided, the Planning Commission shall require the incorporation of such facility into the subdivision design. Whenever the Township of jurisdiction has established a master plan for the construction of parks, schools, and other public facilities, the Planning Commission shall not permit development in conflict with said plan. Incorporation of planned facilities shall be accomplished by dedication, reservation for use acquisition, or any other method acceptable to the Planning Commission, provided that the action taken does not constitute a taking without compensation as defined by O.R.C Section 711.10, nor shall the action taken result in the placement of an unreasonable burden upon the applicant.

## **SECTION 521        OPEN SPACE OWNERSHIP**

- A. Any lands dedicated for open space purposes shall contain appropriate covenants and be noted on the record plat indicating:
  - 1.     The intended use of the open space
  - 2.     The use of the open space will continue in perpetuity for the purpose specified
  - 3.     Future further development of the open space area will not be contrary to its stated use
  - 4.     Appropriate provisions will be made for the maintenance of the open space.
- B. The ownership of land dedicated for open space shall be appropriate for the intended purpose and shall be selected by the owner, developer, or applicant. Type of ownership may include but is not necessarily limited to the following:
  - 1.     The County, subject to acceptance by the Commissioners
  - 2.     Other public jurisdictions or agencies subject to their acceptance
  - 3.     Quasi-public organizations, subject to their acceptance
  - 4.     Private non profit organizations subject to their acceptance

5. Homeowner, or condominium associations or organizations
6. Shared, undivided interest by all property owners in the subdivision.

## **SECTION 522 FLOOD PLAIN DEVELOPMENT**

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

## **SECTION 523 AMENITIES**

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

## **SECTION 524 OFF-STREET PARKING** (APPLIES WHERE NO ZONING IS IN EFFECT)

- A. Number of Spaces--An adequate number of off-street parking spaces shall be required in all developments to accommodate residents and visitors:
  1. For One/Two Family Dwellings-2 parking spaces/dwelling unit
  2. Townhouses and Multi-Family-2 parking spaces/dwelling unit
  3. Mobile homes-2 parking spaces/dwelling unit
- B. Size of Spaces--Each off-street parking space shall measure nine (9) feet in width by eighteen (18) feet in length. Parking spaces for the physically handicapped shall measure twelve (12) feet in width. Handicapped accessible spaces shall be provided in accordance with the American Disabilities Act (ADA).
- C. Parking Areas:
  1. Off-street parking areas shall be located within a reasonable walking distance of the buildings they are designed to serve.

2. Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to ensure ease of mobility, ample clearance, and emergency vehicle and pedestrian access.
3. Parking areas for townhouses and multi-family dwellings should be screened along lot lines bordering institutional or residential uses and along streets. Native trees and shrubs shall be planted wherever possible.
4. The width of the aisles providing direct access to individual parking spaces shall be at least eighteen (18) feet wide.

**SECTION 525      MINIMUM LOT SIZES AND SETBACKS**  
 (APPLIES WHERE NO ZONING IS IN EFFECT)

<b>MINIMUM LOT SIZES (IN UNZONED AREAS) TABLE</b>		
<b>TYPE OF DEVELOPMENT</b>	<b>W/OUT PUBLIC WATER AND SEWER</b>	<b>W/ PUBLIC WATER AND SEWER</b>
<b>SINGLE FAMILY</b>	At least. 65,000 sq.ft.  Minimum lot width shall be 150 feet measured at the building line.	At least 10,000 sq.ft. Minimum lot width shall be 75 ft. measured at the building line.
<b>MULTI-FAMILY</b>	Not permitted without prior approval of Board of Health.	At least 5,000 sq.ft. per unit (20,000 sq.ft. for any single lot). Minimum lot width shall be 150ft. measured at building line.

<b>MINIMUM SETBACKS (IN UNZONED AREAS) TABLE</b>			
<b>TYPE OF DEVELOPMENT</b>	<b>MINIMUM SETBACK IN FEET FROM RIGHT-OF-WAY</b>		
	<b>FRONT YARD</b>	<b>SIDE YARD</b>	<b>REAR YARD</b>
<b>SINGLE FAMILY</b>	50*	10	35
<b>MULTI-FAMILY</b>	50	10	35

Note: \* 35 ft. minimum setback shall be permitted for 10,000 sq. ft. lots



**ARTICLE VI**  
**DESIGN STANDARDS FOR COMMERCIAL AND**  
**INDUSTRIAL SUBDIVISIONS**

**SECTION 601      PURPOSE**

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

**SECTION 602      PROCEDURE**

The plat for a commercial/industrial subdivision shall be submitted in accordance with the procedures and standards of Article III and IV.

**SECTION 603      STREETS**

- A. As a general rule, streets in all commercial/industrial developments shall be public streets and shall be constructed in conformance with the criteria established in the *Subdivision Street Design and Construction Standards for Clermont County*.
- B. All public streets in proposed Commercial and/or Industrial subdivisions shall be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Street pavement widths and minimum Right-of-Way requirements shall conform to the minimum requirements established in the following table:

**MINIMUM PAVEMENT WIDTH STANDARDS FOR PUBLIC STREETS IN COMMERCIAL AND/OR INDUSTRIAL SUBDIVISIONS**

<b>Minimum Required Pavement Width</b>	<b>28 Feet</b>
<b>Minimum Required Dedicated Right-of-Way</b>	<b>50 Feet</b>

- C. Private streets shall not be permitted by the Planning Commission in Commercial and/or Industrial subdivisions.
- D. Permanent dead end streets shall not be permitted in any Commercial or Industrial Subdivision. Temporary dead-end streets shall be permitted only as part of a continuing street plan. All temporary dead end streets shall conform to requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

- E. Streets shall be planned to connect with arterial or collector streets, so that the vehicular traffic generated by the commercial and/or industrial subdivision would bypass local residential streets.
- F. The intersection of driveways from parking areas with arterial or collector streets shall be located in conformance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
- G. Street Identification signage shall comply with the specifications in the Subdivision Street Design and Construction Standards for Clermont County.
- H. Street illumination may be required by the Planning Commission if deemed appropriate for public safety.
- I. A Traffic Impact Study shall be performed by the applicant as stipulated by the requirements set forth in the *Applicants Guide: Traffic Access Impact Studies for Proposed Development for Clermont County*, as administered by the Clermont County Engineer's Office.

## **SECTION 604      SIDEWALKS**

### **A. Sidewalk Requirements for Development along Existing Public Thoroughfares:**

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

1. The Planning Commission shall determine whether sidewalks are required along all regional arterials, suburban arterials, and primary collector streets as identified in the Official Thoroughfare Plan for Clermont County. In deciding upon whether sidewalks shall be installed along all regional arterials, suburban arterials, and primary collector streets, the Planning Commission shall consider the following criteria:
  - a. If deemed appropriate by the Planning Commission, sidewalks shall be required to be installed as indicated by the Sidewalk Regulations of the applicable Township (if enacted).
  - b. Sidewalks shall be required as a continuation of any existing sidewalk adjoining the lands to be subdivided.
  - c. Sidewalk requirements shall be waived whenever the Planning Commission determines them to be a direct threat to the public health, safety, or general welfare.
2. When deciding whether to waive a sidewalk requirement along regional arterials, suburban arterials, and/or primary collector streets in a Commercial and/or Industrial



Subdivision, the Planning Commission shall consider the comments of the County Engineer's Office, any comments received from the Township agencies having jurisdiction over the lands to be subdivided, as well as comments from other sources of information solicited by the Planning Commission or its designated representative.

3. All sidewalks required to be installed along regional arterials, suburban arterials, and primary collectors shall extend the full distance of the proposed development.
4. Sidewalks required along regional arterials, suburban arterials, and primary collectors shall be designed and installed in conformance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

**B. Sidewalk Requirements – Internal Sidewalk Network Requirements:**

In order to promote pedestrian safety, and to improve the relationship between motorists and pedestrian traffic, the following requirements shall govern internal sidewalk networks along proposed streets within Commercial and/or Industrial Subdivisions:

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

**SECTION 605      CURB & GUTTER REQUIREMENTS**

Curbs, gutters, and storm sewers shall be installed in all Commercial and/or Industrial subdivisions. All curbs gutters, and storm sewers shall be installed in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.

**SECTION 606      BUFFERING**

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

**SECTION 607            DETENTION/RETENTION PONDS**

- A. Detention/retention ponds shall be shown on the Design Plan and Construction Drawings.
- B. The design of retention/detention pond, including below ground storage, shall meet the requirements of the *Clermont County Water Management and Sediment Control Regulations*.
- C. Provisions for the maintenance of any detention/retention ponds shall be included on the Final Record Plat.

**SECTION 608            UTILITIES**

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

**SECTION 609            OFF STREET PARKING**  
 (APPLIES WHERE NO ZONING IS IN EFFECT)

- A. Number of Spaces--An adequate number of off-street parking spaces shall be required in all developments to accommodate residents and visitors--see **Recommended Parking Requirements in Unzoned Areas** table:

<b>RECOMMENDED PARKING REQUIREMENTS IN UNZONED AREAS</b>	
<b>Types of Uses</b>	<b>Off-Street Parking Requirements</b>
<b>Office Uses</b>	2 spaces plus 1 space for each 200 sq.ft. of usable floor area
<b>Industrial Uses</b>	1 space per employee in the largest working shift
<b>Churches</b>	1 space for each 3 seats
<b>School</b>	2 per classroom, but not less than 1 per teacher and staff
<b>Restaurant</b>	1 per 3 seats
<b>Fast-Food Restaurant</b>	1 per 30 sq.ft. of usable floor area

<b>Retail Store</b>	1 per 200 sq.ft. of usable floor area
<b>Shopping Center under 400,000 sq. ft.</b>	4 per 1,000 sq.ft. of usable floor area
<b>Shopping Center 400,000 to 599,999 sq. ft.</b>	4.5 per 1,000 sq.ft. of usable floor area
<b>Shopping Center 600,000 + sq. ft.</b>	5 per 1,000 sq.ft. of usable floor area
<b>Medical Center</b>	1 per 250 sq.ft. of usable floor area

B. Size of Spaces—Each off-street parking space shall measure at least nine (9) feet in width by eighteen (18) feet in length. Handicapped accessible spaces shall be provided in accordance with the American Disabilities Act (ADA).

C. Parking Areas:

1. Off-street parking areas shall be located within a reasonable walking distance of the buildings they are designed to serve.

2. Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to ensure ease of mobility, ample clearance, and emergency vehicle and pedestrian access.

3. Parking areas should be screened along lot lines bordering institutional or residential uses and along streets. Native trees and shrubs shall be planted wherever possible.

4. The width of the aisles providing direct access to individual parking spaces shall be at least eighteen (18) feet wide.

**SECTION 610            MINIMUM LOT SIZES & SETBACKS**  
 (APPLIES WHERE NO ZONING IS IN EFFECT)

<b>MINIMUM LOT SIZES IN UNZONED AREAS</b>		
<b>TYPE OF DEVELOPMENT</b>	<b>WITHOUT PUBLIC WATER AND SEWER</b>	<b>WITH PUBLIC WATER AND SEWER</b>
Commercial	At least 20,000 sq.ft. Minimum lot width shall be 100 ft. measured at the building line.	At least 10,000 sq.ft. Minimum lot width shall be 75 ft. measured at the building line.
Industrial	At least 20,000 sq.ft. Minimum lot width shall be 100 ft. measured at the building line.	At least 10,000 sq.ft. Minimum lot width shall be 75 ft. measured at the building line.

<b>MINIMUM LOT SETBACKS IN UNZONED AREAS</b>			
<b>TYPE OF DEVELOPMENT</b>	<b>FRONT YARD</b>	<b>SIDE YARD</b>	<b>REAR YARD</b>
Commercial	50	None*	None*
Industrial	50	None**	None**

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

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

## **ARTICLE VII**

### **REQUIREMENTS FOR SPECIAL DEVELOPMENTS**

#### **SECTION 701      GENERAL PROVISIONS**

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

#### **SECTION 702      PLANNED UNIT DEVELOPMENTS**

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

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

In all instances, the applicant shall comply with the appropriate zoning regulations for Planned Unit Developments (PUDs), and the review requirements of these regulations

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

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

## **SECTION 703            LARGE LOT SUBDIVISIONS**

- A. A proposed subdivision may be designated as a large lot subdivision for the purpose of encouraging the provision and maintenance of open space for the residents of the subdivision (by virtue of the larger lots), encouraging creativity, variety, efficiency, and economy in the physical development pattern of the community, or assuring the preservation of desirable natural features of the community and their inclusion in the development.
- B. The plat for a large lot subdivision shall be submitted in accordance with the procedures and standards of Article III section 301-320 and Article IV.
- C. General Requirements for Large Lot Subdivisions:
  - 1. Lot layout shall encourage the best possible relationship between the development and the natural environment.

2. Subdivisions shall be designed in accordance with Article V Section 503 Capability/Suitability of Lands and Soils.
3. Unless specifically cited in this section, the requirements of Article V shall not apply to this form of subdivision. The large lot subdivision shall conform to the requirements listed in this Section 703 of these regulations.
4. No formal plan within the area in which an existing zoning resolution is in effect shall be approved unless it conforms to such resolution.

D. Lots

1. Minimum lot size shall be two acres (87,120 square feet).

E. Streets in all Large Lot Subdivisions should be designed in such a manner so as to:

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

F. **PUBLIC STREETS** - Public streets in Large Lot Subdivisions shall be designed to be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Public streets in Large Lot Subdivisions shall meet the following design criteria:

1. The minimum pavement width **requirements** for public streets **are as follows:**

**MINIMUM PAVEMENT WIDTH STANDARDS FOR PUBLIC STREETS IN LARGE LOT SUBDIVISIONS**  
**(EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)**

**Minimum Required Pavement Width** **18 Feet**

**Minimum Required Right-of-Way Width** **50 Feet**

2. Curb and gutter shall not be required unless, in the opinion of the County Engineer, they are deemed to be an essential element in the protection of the pavement edge, and/or they comprise part of a safe and efficient street network, and/or as otherwise required by the Clermont County Engineer.
3. Public streets shall be designed in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.
4. Driveways accessing public streets in Large Lot Subdivisions shall be designed and installed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

G. **PRIVATE STREETS** - Private streets in Large Lot Subdivisions shall be designed to be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision.

1. Private streets in Large Lot Subdivisions shall be paved in accordance with the criteria established in the *Subdivision Street Design and Construction Standards for Clermont County*.
2. Private street pavement widths shall conform to the minimum requirements established in the following table:

**MINIMUM PAVEMENT WIDTH STANDARDS FOR PRIVATE STREETS IN LARGE LOT SUBDIVISIONS**  
**(EXCLUDING FIVE ACRE PLUS SUBDIVISIONS)**

**Minimum Required Pavement Width** **16 Feet**

**Minimum Required Ingress/Egress Easement Width** **40 Feet**



3. All Private Streets in Large Lot Subdivisions shall be constructed utilizing the same design specifications and construction standards that are used in the construction of public residential streets in Large Lot Subdivisions, and shall be designed and installed in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.
4. The developer shall be required to provide a typical cross section of the Private Street on the plans, and on the Record Plat, indicating the pavement width and thickness, and the type(s) of materials used in the construction of the Private Street.
5. Any Private Street in a Large Lot Subdivision shall serve a minimum of six residential dwellings in order to be platted and recorded as a Private Street. Any private vehicular travel-way serving less than six residential lots shall be labeled as a common driveway on the plan, and shall be recorded as such.
6. All lots utilizing a Private Street for access shall be provided with a maintenance agreement, to be noted on the plans and on the record plat. Provisions for maintenance shall be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained.

H. **COMMON DRIVEWAYS** - In order to minimize the impact on the natural environment, the use of common driveways to serve multiple building sites shall be encouraged.

1. Common driveways shall be designed in accordance with the following requirements:
  - a. No more than five lots shall be served by a common driveway.
  - b. All lots using common driveways shall provide a driveway easement and maintenance agreement noted on the record plat.
  - c. Portions of the common driveway located in the right-of-way shall be designed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
  - d. The pavement design of the driveway apron shall be one of the designs shown in the *Subdivision Street Design and Construction Standards for Clermont County*.
  - e. Driveway drainage permits shall be required.
- I. All Public Streets in Large Lot Subdivisions shall be classified as local streets, unless a higher functional classification is necessary. In the event of a dispute regarding the functional classification of streets in Large Lot Subdivisions, the decision of the County Engineer shall be final.

J. Special Public Streets shall conform with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

K. Water supply to Large Lot Subdivisions shall conform to the following criteria:

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

L. All Large Lot Subdivisions shall make provisions for some form of Sanitary Wastewater disposal. Sanitary Wastewater disposal may be accomplished via a connection to an existing Sanitary Sewer system, or with the installation of an approved On-Site Sanitary Wastewater disposal system. All Sanitary Wastewater disposal systems shall meet the following requirements:

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

M. Site protection in Large Lot Subdivisions shall be accomplished in a manner consistent with the following criteria:

1. Site grading, construction, and clearance shall conform with the requirements established in the *Clermont County Water Management and Sediment Control Regulations*.
2. Debris pits shall be located outside of the buildable area, drainage ways, and/or drainage easements.
3. Extensive change or removal of vegetation shall demonstrate minimal adverse impacts on the existing condition of the site.
4. The smallest practical area of land should be exposed at any one time during development and the exposure should be kept to the shortest practical period of time.

N. The applicant may provide for dedicated Open Space in any Large Lot Subdivision. If Open Space is to be dedicated, it shall conform to the following criteria:

1. Any lands dedicated for open space purposes shall contain appropriate covenants and be noted on the record plat indicating:
  - a. The intended use of the open space
  - b. The use of the open space will continue in perpetuity for the purpose specified
  - c. Future further development of the open space area will not be contrary to its stated use
  - d. Appropriate provisions will be made for the maintenance of the open space.
2. The ownership of land dedicated for open space shall be appropriate for the intended purpose and shall be selected by the owner, developer, or applicant. Types of ownership may include, but is not necessarily limited to, any one and/or combination the following:
  - a. The County, subject to acceptance by the Commissioners
  - b. Other public jurisdictions or agencies subject to their acceptance
  - c. Quasi-public organizations, subject to their acceptance
  - d. Private non profit organizations subject to their acceptance

- e. Homeowner, or condominium associations or organizations
  - f. Shared, undivided interest by all property owners in the subdivision
- O. As a measure for the protection of the health, safety and welfare of the people of Clermont County, Ohio, the Planning Commission shall not approve any Large Lot Subdivision located in areas subject to periodic flooding, unless it can be satisfactorily demonstrated that the development conforms with the following criteria:
- 1. The Planning Commission may approve all or part of the subdivision located in areas subject to periodic flooding, provided the applicant agrees to perform such improvements in compliance with the requirements established by the *Clermont County Flood Damage Reduction Regulations* and all other applicable rules and regulations, so as to render the area substantially safe for residential, commercial, or industrial development.
  - 2. If a stream flows through, or adjacent to, the proposed subdivision, the plat shall provide for a storm water easement along the stream sufficient to accommodate the 100-year storm event.
- P. A large lot subdivision may be re-subdivided only where no new building sites are created or where the re-subdivider constructs all improvements or additional improvements to the design requirements set out in Article V. The record plat of a Large Lot Development must clearly indicate that it is a Special Development approved under Article VII of the Clermont County Subdivision Regulations and shall include in its covenants and restrictions a clause prohibiting the re-subdivision of any lot within the development except where in compliance with the requirements of these regulations.

**SECTION 704      FIVE ACRE PLUS SUBDIVISIONS**

- A. The plat for a five acre plus subdivision shall be submitted in accordance with the procedures and standards established in Articles III and IV of these regulations governing Five Acre Plus Subdivisions.
- B. General Requirements:
- 1. Lot layout shall encourage the best possible relationship between the development and the natural environment.
  - 2. Unless specifically cited in the this section, the requirements of Article V shall not apply to these subdivisions, and all Five Acre Plus Subdivisions shall only conform to the requirements listed in this section of these regulations.

C. The minimum lot size shall be five acres (or 217,800 square feet). Lots shall not be less than two hundred 200 feet in width at building line.

1. Pie-Shaped lots located at the terminus of any cul-de-sac in a Five Acre Plus Subdivision shall be exempt from the minimum lot width requirement of 200 feet at the building line.
2. The area contained in the panhandle of any Panhandle lot in a proposed Five Acre Plus Subdivision shall be included as part of the total acreage for the lot(s) in question.

D. Streets in a Five Acre Plus Subdivision should be designed in such a manner so as to:

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

E. **PUBLIC STREETS** - Public Streets in Five Acre Plus Subdivisions shall be designed to be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Public streets in all Five Acre Plus Subdivisions shall meet the following design criteria:

1. The minimum pavement width requirements for Public Streets in Five Acre Plus Subdivisions are as follows:

**MINIMUM PAVEMENT WIDTH STANDARDS FOR PUBLIC STREETS IN FIVE ACRE PLUS SUBDIVISIONS**

<b>Minimum Required Pavement Width</b>	<b>18 Feet</b>
<b>Minimum Required Right-of-Way Width</b>	<b>50 Feet</b>

2. Curb and gutter shall not be required in any Five Acre Plus Subdivisions. Provisions for drainage and storm water conveyance shall be made in accordance with the requirements established in the *Water Management and Sediment Control Regulations for Clermont County*.
3. Public streets shall be designed in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*.
4. Driveways located along public streets in Five Acre Plus Subdivisions shall be designed and installed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

F. **PRIVATE STREETS** - Private Streets in all Five Acre Plus Subdivisions shall be designed and constructed in a manner that ensures that the street will **safely and adequately** meet the traffic demands generated by the Five Acre Plus Subdivision. Private Streets in all Five Acre Plus Subdivisions shall meet the following requirements:

1. The minimum pavement width requirements for Private Streets in Five Acre Plus Subdivisions are as follows:

**MINIMUM PAVEMENT WIDTH STANDARDS FOR PRIVATE STREETS IN FIVE ACRE PLUS SUBDIVISIONS**

<b>Minimum Required Pavement Width</b>	<b>16 Feet</b>
 <b>Minimum Required Ingress/Egress Easement</b>	 <b>40 Feet</b>

2. The minimum street width requirement may be waived in any Five Acre Plus Subdivision if the applicant can satisfactorily demonstrate that a reduction in street width will result **in at least one or more** of the following outcomes:
  - a. The reduction in width would result in the preservation of valuable natural features present on the site, such as trees, lakes, ravines, or any other environmentally sensitive areas.
  - b. The proposed reduction in width of the private street would further strengthen the positive relationship between the development and the natural features unique to the project site.

- c. Physical barriers located on the site necessitate a reduction in width of the roadway as proposed (i.e. steep slopes, wetlands, lakes, topographical challenges), provided that a mechanism exists to alleviate potential circulation problems for lots utilizing the Private Street for access.
  3. Pavement materials and pavement thickness for Private Streets in all Five Acre Plus Subdivisions shall be designed and constructed in conformance with the minimum requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*, as administered by the Clermont County Engineer.
  4. There shall be no minimum requirements for street grade or radii, as to permit flexibility of design, and to encourage the most positive relationship between the street network and the existing natural features.
  5. All private streets shall be noted on the record plat, and shall be labeled with the following statement:

“Private street(s), not for public maintenance.”
  6. Wherever a Private Street intersects an existing or proposed Public Street, the Private Street shall be paved in accordance with the *Subdivision Street Design and Construction Standards for Clermont County*.
  7. All lots utilizing the Private Street for access shall be provided with a maintenance agreement, to be noted on the plans and on the Record Plat. Provisions for maintenance shall be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained. A Homeowners Association or other appropriate method for maintenance shall be ~~is~~ established to maintain the private street system.
  8. Private streets should not be planned to be extended into adjacent property unless they become public or unless otherwise deemed appropriate by the Planning Commission, or their designated representative.
  9. Any Private Street in a Five Acre Plus Subdivision shall serve a minimum of six (6) residential dwellings in order to be platted and recorded as a Private Street. Any private vehicular travel-way serving less than six (6) residential lots shall be labeled as such on the plan, and shall be platted as a common driveway.
- G. There shall be no requirement for minimum street frontage (either public or private streets) when it can be shown that easements of adequate dimensions are provided for access, utilities, and storm drainage.

H. **COMMON DRIVEWAYS** - In order to minimize the impact on the natural environment, the use of common driveways to serve multiple building sites shall be encouraged.

1. Common driveways in Five Acre Plus Subdivisions shall be designed in accordance with the following requirements:

- a. No more than five (5) lots shall be served by a common driveway.
- b. All lots using common driveways shall provide a driveway easement and maintenance agreement noted on the record plat.
- c. Portions of the common driveway located in the right-of-way shall be designed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
- d. The pavement design of the driveway apron shall be one of the designs shown in the *Subdivision Street Design and Construction Standards for Clermont County*.
- e. Driveway drainage permits shall be required.
- f. All Public Utilities shall be recorded with easements.

I. The street design and classifications in Five Acre Plus Subdivisions shall conform to the *Official Thoroughfare Plan of Clermont County*. All streets in Five Acre Plus subdivisions shall be designated with a functional classification of Local Street, unless otherwise indicated by the County Engineer. In the event of a dispute regarding the functional classification of streets in any Five Acre Plus Subdivision, the decision of the County Engineer shall be final.

J. Special Public Streets in Five Acre Plus Subdivisions shall conform to the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

K. Water supply to Five Acre Plus Subdivisions shall conform to the following criteria:

1. All applicants proposing to subdivide any lands in Clermont County shall demonstrate that the proposed method of water supply is adequate to sufficiently serve each lot in the development. Adequate water supply may be provided via an approved connection to the system maintained by the Water District having jurisdiction over lands in the proposed subdivision, or adequate water supply may be provided utilizing an approved private water system that is designed and installed in accordance with the rules and regulations of the Clermont County General Health District and/or the Ohio Environmental Protection Agency (OEPA).



2. Five Acre Plus Subdivisions that create twenty (20) or more building lots or twenty (20) or more dwelling units shall connect to any public water main within 1500 feet of the development, in accordance with the rules and regulations of the Water District of jurisdiction.
  3. All water mains and pipes shall be installed in accordance with the rules and regulations of the Water District of jurisdiction.
  4. Fire flows shall be established by the Fire Department having jurisdiction over the proposed subdivision, and shall be based upon the lot size and density of the proposed development.
  5. Any private water system shall conform to the rules and regulations of the Clermont County General Health District and/or the Ohio Environmental Protection Agency (OEPA).
- L. All Five Acre Plus Subdivisions shall make provisions for some form of Sanitary Wastewater disposal. Sanitary Wastewater disposal may be accomplished via a connection to an existing Sanitary Sewer system, or with the installation of an approved On-Site Sanitary Wastewater disposal system. All Sanitary Wastewater disposal systems shall meet the following requirements:
1. Where Public Sanitary Sewers are not provided, the applicant shall provide either:
    - a. A central treatment plant installed in accordance with the Ohio Environmental Protection Agency (OEPA) requirements;
    - or:
    - b. Individual disposal systems installed in accordance with the rules and regulations of the Clermont County Health District.
- M. Site protection in Five Acre Plus Subdivisions shall be accomplished in a manner consistent with the following criteria:
1. Site grading, construction, and clearance shall conform with the requirements established in the *Clermont County Water Management and Sediment Control Regulations*.
  2. Debris pits shall be located outside of the buildable area, drainage ways, or drainage easements.
  3. Extensive change or removal of vegetation shall demonstrate minimal adverse impacts on the existing condition of the site.

4. The smallest practical area of land should be exposed at any one time during development and the exposure should be kept to the shortest practical period of time.
- N. The applicant may provide for dedicated Open Space in any Five Acre Plus Subdivision. If Open Space is to be dedicated, it shall conform to the following criteria:
1. Any lands dedicated for open space purposes shall contain appropriate covenants and be noted on the record plat indicating:
    - a. The intended use of the open space
    - b. The use of the open space will continue in perpetuity for the purpose specified
    - c. Future further development of the open space area will not be contrary to its stated use
    - d. Appropriate provisions will be made for the maintenance of the open space.
  2. The ownership of land dedicated for open space shall be appropriate for the intended purpose and shall be selected by the owner, developer, or applicant. Types of ownership may include, but is not necessarily limited to, any one and/or combination the following:
    - a. The County, subject to acceptance by the Commissioners
    - b. Other public jurisdictions or agencies subject to their acceptance
    - c. Quasi-public organizations, subject to their acceptance
    - d. Private non profit organizations subject to their acceptance
    - e. Homeowner, or condominium associations or organizations
    - f. Shared, undivided interest by all property owners in the subdivision
- O. As a measure for the protection of the health, safety and welfare of the people of Clermont County, Ohio, the Planning Commission shall not approve any Five Acre Plus Subdivision located in areas subject to periodic flooding, unless it can be satisfactorily demonstrated that the development conforms with the following criteria:
1. The Planning Commission may approve all or part of the subdivision located in areas subject to periodic flooding, provided the applicant agrees to perform such improvements in compliance with the requirements established by the *Clermont County Flood Damage Reduction Regulations* and all other applicable rules and

regulations, so as to render the area substantially safe for residential, commercial, or industrial development.

2. If a stream flows through, or adjacent to, the proposed subdivision, the plat shall provide for a storm water easement or along the stream sufficient to accommodate the 100-year storm event.
- P. A five acre plus subdivision may be re-subdivided only where no new building sites are created, where the re-subdivider constructs all improvements or additional improvements to the design requirements set out in Article V, or the re-subdivision is for the sole purpose of conveying the remainder land to a qualified conservation organization to be preserved. The record plat of a five acre plus development must clearly indicate that it is a Special Development approved under Article VII of the Clermont County Subdivision Regulations and shall include in its covenants and restrictions a clause prohibiting the re-subdivision of any lot within the development except where in compliance with the requirements of these regulations.

## **SECTION 705            HYBRID SUBDIVISIONS**

The classification for the term “Hybrid Subdivision” is utilized to classify any subdivision submitted to the Planning Commission that contains a mixture of Five Acre Plus Lots and lots that are less than five acres in size.

- A. Hybrid Subdivisions shall be submitted in accordance with the procedures and standards established in Articles III and IV of these regulations governing Concept Plan and Design Plan Reviews, and shall be subject to review by the Planning Commission.
- B. Lots contained in any Hybrid Subdivision that are **less than five acres** in size shall be subject to the same standards and design criteria established in Article V of these regulations.
- C. Lots in any Hybrid Subdivision that are **greater than five acres** in Size shall be subject to the same standards and design criteria established in Article VII, Section 704 of these regulations.
- D. **PUBLIC STREETS** - Public streets in Hybrid Subdivisions shall be designed to be the minimum width necessary to safely and adequately accommodate the vehicular traffic needs generated by the proposed subdivision. Public streets in Hybrid Subdivisions shall meet the following design criteria:

1. The minimum pavement width requirements for public streets are as follows:

**MINIMUM PAVEMENT WIDTH STANDARDS FOR PUBLIC STREETS IN HYBRID SUBDIVISIONS**

**Minimum Required Pavement Width** **18 Feet**

**Minimum Required Right-of-Way Width** **50 Feet**

2. Curb and gutter shall not be required in any Hybrid Subdivision. Provisions for drainage and storm water conveyance shall be made in accordance with the requirements established in the *Water Management and Sediment Control Regulations for Clermont County*.
3. Public streets shall be designed in conformance with the *Subdivision Street Design and Construction Standards for Clermont County*
4. Driveways accessing proposed or existing public streets in Hybrid Subdivisions shall be designed and installed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.

E. **PRIVATE STREETS** - Private Streets in Hybrid Subdivisions shall be designed and installed in accordance with the following requirements:

1. Wherever a Private Street in a Hybrid Subdivision adjoins any existing or proposed lot and/or parcel **less than five acres in size**, and/or wherever a new or existing lot **less than five acres in size** utilizes a Private Street in a Hybrid Subdivision for access, the Private Street shall be paved along the entire length of the property line in accordance with the *Subdivision Street Design and Construction Standards for Clermont County*.
2. The minimum pavement width requirements for Private Streets in Five Acre Plus Subdivisions are as follows:

**MINIMUM PAVEMENT WIDTH STANDARDS FOR PRIVATE STREETS IN HYBRID SUBDIVISIONS**

**Minimum Required Pavement Width** **16 Feet**

**Minimum Required Ingress/Egress Easement** **40 Feet**

3. The minimum street width requirement may only be waived in any Hybrid Subdivision if the applicant can satisfactorily demonstrate that a reduction in street width will result **in at least one or more** of the following outcomes:
  - a. The reduction in width would result in the preservation of valuable natural features present on the site, such as trees, lakes, ravines, or any other environmentally sensitive areas.
  - b. The proposed reduction in width of the private street would further strengthen the positive relationship between the development and the natural features unique to the project site.
  - c. Physical barriers located on the site necessitate a reduction in width of the roadway as proposed (i.e. steep slopes, wetlands, lakes, topographical challenges), provided that a mechanism exists to alleviate potential circulation problems for lots utilizing the Private Street for access.
4. Pavement materials and pavement thickness for Private Streets in all Hybrid Subdivisions shall be designed and constructed in conformance with the minimum requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*, as administered by the Clermont County Engineer.
5. There shall be no minimum requirements for street grade or radii, as to permit flexibility of design, and to encourage the most positive relationship between the street network and the existing natural features.
6. All private streets shall be noted on the record plat, and shall be labeled with the following statement:

“Private street(s), not for public maintenance.”
7. Wherever a Private Street intersects an existing or proposed Public Street, the Private Street shall be paved in accordance with the *Subdivision Street Design and Construction Standards for Clermont County*.
8. All lots utilizing the Private Street for access shall be provided with a maintenance agreement, to be noted on the plans and on the Record Plat. Provisions for maintenance shall be outlined with the appropriate covenants and restrictions as to ensure that the private street is appropriately maintained. A Homeowners Association or other appropriate method for maintenance shall be established to maintain the private street system.
9. Private streets should not be planned to be extended into adjacent property unless they become public or unless otherwise deemed appropriate by the Planning Commission.

10. Any Private Street in a Hybrid Subdivision shall serve a minimum of six (6) residential dwellings in order to be platted and recorded as a Private Street. Any private vehicular travel-way serving less than six (6) residential lots shall be labeled as such on the plan, and shall be platted as a common driveway.
- F. **COMMON DRIVEWAYS** - In order to minimize the impact on the natural environment, the use of common driveways to serve multiple building sites shall be encouraged.
1. Common driveways in Hybrid Subdivisions shall be designed in accordance with the following requirements:
    - a. No more than five lots shall be served by a common driveway.
    - b. All lots using common driveways shall provide a driveway easement and maintenance agreement noted on the record plat.
    - c. Portions of the common driveway located in the right-of-way shall be designed in accordance with the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
    - d. The pavement design of the driveway apron shall be one of the designs shown in the *Subdivision Street Design and Construction Standards for Clermont County*.
    - e. Driveway drainage permits shall be required.
    - f. All Public Utilities shall be recorded with easements.
- G. There shall be no requirement for minimum street frontage (either public or private streets) when it can be shown that easements of adequate dimensions are provided for access, utilities, and storm drainage.
- H. The street design and classifications in Hybrid Subdivisions shall conform to the *Official Thoroughfare Plan of Clermont County*. All streets in Five Acre Plus subdivisions shall be designated with a functional classification of Local Street, unless otherwise indicated by the County Engineer.
- I. Special Public Streets in Hybrid Subdivisions shall conform to the requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.
- J. Water supply to Hybrid Subdivisions shall conform to the following criteria:
1. All applicants proposing to subdivide any lands in Clermont County shall demonstrate that the proposed method of water supply is adequate to sufficiently

- serve each lot in the development. Adequate water supply may be provided via an approved connection to the system maintained by the Water District having jurisdiction over lands in the proposed subdivision, or adequate water supply may be provided utilizing an approved private water system that is designed and installed in accordance with the rules and regulations of the Clermont County General Health District and/or the Ohio Environmental Protection Agency (OEPA).
2. Hybrid Subdivisions that create twenty (20) or more building lots or twenty (20) or more dwelling units shall connect to any public water main within 1500 feet of the development, in accordance with the rules and regulations of the Water District of jurisdiction.
  3. All water mains and pipes shall be installed in accordance with the rules and regulations of the Water District of jurisdiction.
  4. Fire flows shall be established by the Fire Department having jurisdiction over the proposed subdivision, and shall be based upon the lot size and density of the proposed development.
  5. Any private water system shall conform to the rules and regulations of the Clermont County General Health District and/or the Ohio Environmental Protection Agency (OEPA).
- K. All Hybrid Subdivisions shall make provisions for some form of Sanitary Wastewater disposal. Sanitary Wastewater disposal may be accomplished via a connection to an existing Sanitary Sewer system, or with the installation of an approved On-Site Sanitary Wastewater disposal system. All Sanitary Wastewater disposal systems shall meet the following requirements:
1. Where Public Sanitary Sewers are not provided, the applicant shall provide either:
    - a. A central treatment plant installed in accordance with the Ohio Environmental Protection Agency (OEPA) requirements;
    - or:
    - b. Individual disposal systems installed in accordance with the rules and regulations of the Clermont County Health District.
- L. Site protection in Hybrid Subdivisions shall be accomplished in a manner consistent with the following criteria:
1. Site grading, construction, and clearance shall conform with the requirements established in the *Clermont County Water Management and Sediment Control Regulations*.

2. Debris pits shall be located outside of the buildable area, drainage ways, and/or drainage easements.
  3. Extensive change or removal of vegetation shall demonstrate minimal adverse impacts on the existing condition of the site.
  4. The smallest practical area of land should be exposed at any one time during development and the exposure should be kept to the shortest practical period of time.
- M. The applicant may provide for dedicated Open Space in any Hybrid Subdivision. If Open Space is to be dedicated, it shall conform to the following criteria:
1. Any lands dedicated for open space purposes shall contain appropriate covenants and be noted on the record plat indicating:
    - a. The intended use of the open space
    - b. The use of the open space will continue in perpetuity for the purpose specified
    - c. Future further development of the open space area will not be contrary to its stated use
    - d. Appropriate provisions will be made for the maintenance of the open space.
  2. The ownership of land dedicated for open space shall be appropriate for the intended purpose and shall be selected by the owner, developer, or applicant. Types of ownership may include, but is not necessarily limited to, any one and/or combination the following:
    - a. The County, subject to acceptance by the Commissioners
    - b. Other public jurisdictions or agencies subject to their acceptance
    - c. Quasi-public organizations, subject to their acceptance
    - d. Private non profit organizations subject to their acceptance
    - e. Homeowner, or condominium associations or organizations
    - f. Shared, undivided interest by all property owners in the subdivision
- N. As a measure for the protection of the health, safety and welfare of the people of Clermont County, Ohio, the Planning Commission shall not approve any Hybrid Subdivision located in areas subject to periodic flooding, unless it can be satisfactorily demonstrated that the development conforms with the following criteria:



1. The Planning Commission may approve all or part of the subdivision located in areas subject to periodic flooding, provided the applicant agrees to perform such improvements in compliance with the requirements established by the *Clermont County Flood Damage Reduction Regulations* and all other applicable rules and regulations, so as to render the area substantially safe for residential, commercial, or industrial development.
  2. If a stream flows through, or adjacent to, the proposed subdivision, the plat shall provide for a storm water easement or along the stream sufficient to accommodate the 100-year storm event.
- O. A Hybrid Subdivision may be re-subdivided only where no new building sites are created, where the re-subdivider constructs all improvements or additional improvements to the design requirements set out in Article V and VII, or the re-subdivision is for the sole purpose of conveying the remainder land to a qualified conservation organization to be preserved. The Record Plat for any Hybrid Subdivision must clearly indicate that it is a Special Development approved under Article VII of the Clermont County Subdivision Regulations and shall include in its covenants and restrictions a clause prohibiting the re-subdivision of any lot within the development except where in compliance with the requirements of these regulations.



**ARTICLE VIII**  
**REQUIREMENTS FOR CONSTRUCTION OF**  
**IMPROVEMENTS**

**SECTION 801        GUARANTEE FOR INSTALLATION OF IMPROVEMENTS**

**A. General Statements**

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

**B. Bonding and Assurance of Completion**

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

1. To construct all improvements directly affecting the subdivision, as required by the Commission, prior to the final approval of the record plat; or
2. In lieu of the completion of the improvements, the applicant shall furnish a bond in a form acceptable to the Prosecuting Attorney, as outlined below:
  - a. The County Engineer will accept a bond in a form approved by the Prosecuting Attorney for the construction of streets, sidewalks, and storm sewers, which can be submitted with one of the following forms of surety when approved by the Prosecuting Attorney. The bond shall be equal to the cost of construction and inspection plus thirty (30%) percent as approved by the County Engineer.
    - I. Commercial Surety
    - II. Certified Check
    - III. Letter of Credit
    - IV. Cash Deposit
    - V. Other Method as approved by the Prosecutor's Office
  - b. The Clermont County Water & Sewer District/Sanitary Engineer will accept a bond in a form approved by the Prosecuting Attorney for the construction of water and/or sanitary sewer infrastructure, which *can* be submitted with one of the following forms of surety when approved by the Prosecuting Attorney. The bond shall be equal to the cost of construction and inspection plus thirty (30%) percent, as approved by the Sanitary Engineer. In no instance shall any building permits be issued until the construction of all proposed water and/or sanitary sewer infrastructure improvements has been completed in accordance with the approved plans.
    - I. Certified Check
    - II. Letter of Credit
    - III. Cash Deposit
    - IV. Other Method as approved by the Prosecutor's Office

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

**C. Conditions**

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

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

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

**D. Extension of Time**

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

**E. Inspection and Testing**

1. Street Improvements

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

## 2. Water Supply and Sanitary Sewer Improvements

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

## F. Acceptance

### 1. Street Improvements

When the construction of street improvements have been constructed and inspected to the satisfaction of the County Engineer in compliance with the approved construction plans and these rules and regulations, a recommendation for the release of the performance bond shall be made to the Board of County Commissioners indicating the work has been completed in compliance with the work drawings and provision of these specifications. Upon acceptance of the recommendation by the Board of County Commissioners, the performance bond will be released upon the filing of a maintenance bond. The maintenance bond shall be a surety bond, recognizance, certified check or letter of credit of five (5) percent of the estimated cost, however the actual amount will be determined by the County Engineer or his representative. The maintenance bond shall be made out to the Clermont County Board of Commissioners and shall include an agreement and/or description of the purpose of the bond. The bond shall be for a period of one (1) year upon a form approved by the County Prosecutor. The County Engineer shall act as agent for the Board of County Commissioners in this matter. The maintenance bond shall guarantee the replacement or repair of any damage caused by poor workmanship, faulty materials, snow and ice removal, or other causes for which the developer is directly responsible as well as keeping the right of way and the street area clean of obstructions or materials which would hinder the public. The developer shall be responsible for year round maintenance on the street and shall keep ditches open and free flowing, mud off of the streets, building materials out of the right of way, track equipment off of pavement and shall remove snow and/or ice. The required one year maintenance bond shall begin with the date of the Commissioner's certificate of acceptance of the

maintenance bond or at a date as recommended by the County Engineer and accepted by the County Commissioners. The developer shall hold Clermont County free and harmless from any and all claims for damages of every nature arising or growing out of the construction of the required street improvements and shall defend, at his or their own cost and expense, each and every cause of action brought against said Clermont County by reason thereof until the final acceptance, on the expiration date of the maintenance bond, has been made by the County Engineer and Board of County Commissioners.

## 2. Water Supply and Sanitary Sewer Improvements

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

### G. Failure to Comply

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

## **SECTION 802            CONSTRUCTION PROCEDURE & MATERIALS**

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

## **SECTION 803            SURVEY MONUMENTS**

A complete survey shall be made by a surveyor licensed to practice in the State of Ohio. At least two (2) coordinates of the survey shall be tied to the State Plane Coordinate System. The traverse of the exterior boundaries of the tract of each block, when computed from field measurements of the ground, shall close within a limit or error of one foot to ten thousand (10,000) feet of the perimeter before balancing the survey. Permanent reference monuments shall be placed in accordance with the requirements specified in the Ohio Revised Code and the



*Subdivision Street Design and Construction Standards for Clermont County.* There shall be no release of performance bond until after monuments have been placed.

#### **SECTION 804           EXTENSIONS TO BOUNDARIES**

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

#### **SECTION 805           FINAL INSPECTION**

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



**ARTICLE IX**  
**ADMINISTRATION AND ENFORCEMENT**

**SECTION 901        ADMINISTRATION**

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

**SECTION 902        RECORDING OF PLAT**

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

**SECTION 903        REVISION OF PLAT AFTER APPROVAL**

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

**SECTION 904        RESUBDIVISION**

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

**SECTION 905        SALE OF LAND WITHIN SUBDIVISIONS**

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

## **SECTION 906            SCHEDULE OF FEES, CHARGES, & EXPENSES**

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

## **SECTION 907            PENALTIES & FORFEITURES**

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

## **SECTION 908            VARIANCES**

### **A. Procedures**

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

### **B. General**

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

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

4. The variation requested is the minimum adjustment necessary to mitigate the hardship brought by these regulations.

## **SECTION 909      APPEAL**

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



**ARTICLE X**  
**ENACTMENT**

**SECTION 1001      EFFECTIVE DATE – OCTOBER 1, 2005**

These regulations as amended shall become effective from and after the date of its approval and adoption by the Clermont County Planning Commission and Board of County Commissioners after public and certification to the Clermont County Recorder. Henceforth, any other rules and regulations regarding the subdivision, improvements, or conveyance of land adopted under Chapter 711 of the Ohio Revised Code shall be deemed to be repealed. These regulations shall in no way affect any subdivision having received formal subdivision plan approval prior to the effective date provided, however, that no formal subdivision plan so approved shall be valid for more than three (3) years after its original approval date, and that no changes to the formal subdivision plan, as approved, are to be introduced by the applicant.

**PUBLIC HEARINGS**

**AMENDMENTS PUBLIC HEARING**

JANUARY 25, 2005

MAY 24, 2005

MARCH 23, 2005

AUGUST 3, 2005

Resolved by the Board of County Commissioners:

Date: 08/03/2005

\_\_\_\_\_  
Robert L. Proud, President

\_\_\_\_\_  
Mary C. Walker, Vice President

\_\_\_\_\_  
R. Scott Crosswell, III, Member

Attest: \_\_\_\_\_  
Clerk of the Board

Resolved by the Clermont County Planning Commission

Date: 08/23/2005

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

# **APPENDIX**



**APPROVAL CLAUSES FOR**  
**RECORD PLATS**

**DEDICATION FOR PUBLIC USE AND ACKNOWLEDGEMENT**

We, the undersigned, as all of the record owners and lien holders of the lands herein platted, do hereby accept and adopt the said plat and voluntarily consent to execution and recording of same, and we hereby dedicate all streets (rights of way), pedestrian walkways, parks or public grounds and public easements as shown hereon to public use forever as public facilities for purposes of ingress and egress, construction, operation, maintenance, repair, replacement and/or removal of public utilities and access during times of such construction and for the express privilege of removing any and all trees or other obstruction to the free use of said streets, rights of way, and public utilities which are to be maintained as such forever. Said streets and utilities shall be constructed in accordance with the specifications established by the Board of County Commissioners of Clermont County, Ohio as they may from time-to-time be amended and acceptance of said improvements shall be in accordance with the provisions of Chapter 711 of the Ohio Revised Code.

The remaining easements shown on this plat are granted for the construction, operation, maintenance, repair, replacement or removal of private utilities or other services, private connection of sewer and water utilities and for surface water control and are established for the purpose and benefit of all property owners within the platted area, their heirs, successors and assigns, forever.

**OWNERS**

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

State of Ohio, County of \_\_\_\_\_, s.s.

Be it remembered that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for said County and State, personally came

\_\_\_\_\_  
and acknowledged the signing and execution of this plat to be their voluntary act and deed for the purposes herein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal on the day and year last foresaid,

\_\_\_\_\_  
Notary Public

**LIEN HOLDER**

\_\_\_\_\_  
Name, Title

\_\_\_\_\_  
Institution

\_\_\_\_\_  
Name, Title

\_\_\_\_\_  
Institution

State of Ohio, County of \_\_\_\_\_, s.s.

Be it remembered that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the subscriber, a Notary Public in and for said County and State, personally appeared the corporation whose name is subscribed to and which executed the foregoing instrument, and for themselves and as such officers respectively, and for and on behalf of said corporation, acknowledged the signing and execution of said instrument; and acknowledge that the seal affixed to the said instrument is the corporate seal to, and otherwise executed, said instrument by authority of the Board of Directors, and on behalf, of said corporation; and that the signing and execution of said instrument is their free and voluntary act and deed, their free act and deed as such officers respectively, and the free and voluntary act and deed of said corporation, for the uses and purposes in said instrument mentioned.

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affixed my Notarial Seal on the day and year last foresaid.

\_\_\_\_\_  
Notary Public

**SURVEYOR’S CERTIFICATION**

I hereby certify that this subdivision plat is a true and complete survey made under my supervision and that all monuments are set as shown.

\_\_\_\_\_  
Registered Surveyor

**ZONING CERTIFICATION**

I hereby certify that this subdivision satisfies all applicable requirements of the zoning district governing the use of the land at the time of execution.

\_\_\_\_\_  
Township Zoning Inspector

**APPROVAL BY PUBLIC OFFICIALS**

This plat has been approved by the Clermont County Planning Commission and the Recorder of Clermont County, Ohio, is hereby authorized to file this plat for record.

Approved: \_\_\_\_\_, 20\_\_\_\_.  
Clermont County Planning Commission  
By \_\_\_\_\_  
Authorized Representative

Approved: \_\_\_\_\_, 20\_\_\_\_.  
Clermont County Engineer  
By \_\_\_\_\_  
Authorized Representative

Approved: \_\_\_\_\_, 20\_\_\_\_.  
Clermont County W.M.S.C  
By \_\_\_\_\_  
Authorized Representative

Approved: \_\_\_\_\_, 20\_\_\_\_.  
Clermont County Water and Sewer District  
By \_\_\_\_\_  
Authorized Representative

By resolution, the Clermont County Commissioners hereby approve the Performance Bond for the construction of the public improvements required by the Subdivision Regulations of Clermont County, Ohio, which has been filed with the Clermont County Commissioners. However, we specifically reserve our acceptance of the streets on this plat as public roads until such time as they have been constructed in accordance with the *Subdivision Street Design and Construction Standards for Clermont County*, the construction of said streets have been certified as complete by the County Engineer and a Resolution so stating has been adopted and placed on record by the Clermont County Commissioners.

The Clermont County Commissioners assume no legal obligation to maintain or repair any open drainage ditches, closed storm sewer systems, or channels designated as "Drainage Easements" on this plat. The easement area of each lot and all improvements with it shall be maintained continuously by the lot owner. Within the easements, no structure, planting, fencing, culvert or other material shall be placed or permitted to remain which may obstruct, retard or divert the flow through the water course.

**ATTEST:**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Clermont County Commissioners

\_\_\_\_\_  
Plat Number Assigned

Please Note: The proper notarial acknowledgment depends on whether the owners or lien holders are individuals or corporations.

**CERTIFICATE OF TITLE**

Date: \_\_\_\_\_, 20\_\_\_\_  
Batavia, Ohio

To the Board of County Commissioners  
Of Clermont County, Ohio:

The undersigned, \_\_\_\_\_, an attorney-at-law, practicing in \_\_\_\_\_ County, Ohio, hereby certifies that he/she has examined the title to all land dedicated to public use as Public Roads and/or walkways and/or Easements for maintenance and operation of Storm and/or Sanitary Sewers, as shown on the proposed plat of \_\_\_\_\_ Subdivision, approved by the Clermont County Planning Commission, on \_\_\_\_\_, 20\_\_\_\_, and that \_\_\_\_\_ (owner/developer) has good and marketable title thereto in fee simple, subject only to the following:

Taxes– Current, Unpaid: \_\_\_\_\_  
Taxes–Delinquent: \_\_\_\_\_  
Assessments: \_\_\_\_\_  
Other Liens and Encumbrances: \_\_\_\_\_

\_\_\_\_\_  
Attorney-at-Law

**GUARANTEE OF PAYMENT OF ASSESSMENTS**

In consideration of the acceptance of the property described in the foregoing certificate and tendered on the plat therein described, the undersigned agree to pay all taxes and assessments which now are a lien, or which may become a lien on the said premises prior to such time as the same are accepted as public ways.

\_\_\_\_\_  
Owner or Developer

\_\_\_\_\_  
Signature