



FULTON COUNTY SUBDIVISION REGULATIONS

2022 Update

FULTON COUNTY REGIONAL PLANNING COMMISSION

List of Previous Editions

2008

2022*

*This document is the most up-to-date version of the Fulton County Subdivision Regulations, which are administered by the Fulton County Regional Planning Commission. This document was amended pursuant to Chapter 711.05 and Chapter 711.10 of the Ohio Revised Code. On Tuesday, 11/15/2022, this document was adopted via Resolution 2022-800 by the Fulton County Board of Commissioners during open session.

Table of Contents

ARTICLE I: GENERAL PROVISIONS	10
Section 100: TITLE.....	10
Section 101: ADMINISTRATION	10
Section 102: JURISDICTION & AUTHORITY	10
Section 103: RELATION TO OTHER LAWS.....	11
Section 104: PLANNED UNIT DEVELOPMENT ENCOURAGED	11
Section 105: AMENDMENTS.....	11
Section 106: SEPARABILITY	12
ARTICLE II: DEFINITIONS.....	13
Section 200: INTERPRETATION OF WORDS.....	13
Section 201: TERMINOLOGY	13
ARTICLE III: PROCEDURE FOR SUBDIVISION APPROVAL.....	24
Section 300: SUBDIVISION TYPES AND APPROVAL PROCEDURE	24
300.1: Review and Classification by Planning Commission	24
300.2: Approval Steps for Minor, Rural, and Major Subdivisions	24
300.2.1: Minor Subdivision (Lot Splits 5 Acres and Under).....	24
300.2.2: Major Subdivision	25
300.2.3: Rural Subdivision	25
300.3: Lot Standards Dimensions, Area, and Setbacks	25
300.3.1: Lot Arrangement and Design.....	26
Section 301: PRE-APPLICATION CONSULTATION	27
Section 302: PLATTING PROCEDURE	27
302.1: Residential, Commercial, and Industrial Planned Development.....	27
302.2: Administrative Approval When a Plat Is Not Required	28
Section 303: PRE-APPLICATION SKETCH CONTENT	29
Section 304: PRELIMINARY PLAT REQUIRED.....	29
Section 305: SUBMISSION TO OHIO DEPARTMENT OF TRANSPORTATION.....	30

Section 306: PROCESS FOR TENTATIVE APPROVAL	30
Section 307: PRELIMINARY PLAT CONTENTS.....	30
307.1: Descriptive Information	30
307.2: Graphic Information.....	33
307.3: Supplementary Information.....	34
Section 308: PRELIMINARY PLAT FORMS.....	35
Section 309: FILING.....	38
Section 310: PUBLIC HEARING	38
Section 311: APPROVAL OF THE PRELIMINARY PLAT.....	38
Section 312: APPROVAL PERIOD	39
Section 313: TECHNICAL DESIGN AND CONSTRUCTION PLAN APPROVAL	39
Section 314: TECHNICAL DESIGN AND CONSTRUCTION PLAN CONTENTS	39
Section 315: TECHNICAL DESIGN AND CONSTRUCTION PLAN FORMS	42
Section 316: TECHNICAL DESIGN AND CONSTRUCTION PLAN REVIEW.....	46
Section 317: FINAL PLAT SUBMISSION.....	46
Section 318: PROCESS OF APPROVAL OF FINAL PLAT	46
Section 319: REGULATIONS GOVERNING IMPROVEMENTS.....	47
Section 320: FINAL PLAT	47
Section 321: FINAL PLAT CONTENTS.....	47
321.1: Supplementary Final Plat Information	51
Section 322: FILING THE FINAL PLAT.....	52
Section 323: FINAL PLAT FORMS.....	52
Section 324: FINAL PLAT REVIEW	56
Section 325: RE-PLAT PROCEDURE	57
Section 326: RURAL SUBDIVISIONS	60
Section 327: RURAL SUBDIVISIONS OR LOT SPLITS WITH PRIVATE ROADS OR EASEMENTS FOR ACCESS.....	61
Section 328: RURAL SUBDIVISIONS OUTSIDE URBAN GROWTH AREAS	63
Section 329: LOT SPLIT GENERAL INFORMATION	63
329.1: Rear or Flag Lots	64
329.1.1: Rear or Flag Lot Approval Standards and Procedure	65

329.2: Land Contracts	65
Section 330: MINOR SUBDIVISIONS (Lot Splits).....	66
Section 331: LARGE LOT SPLITS	66
Section 332: LOT SPLIT APPLICATION FORM	67
Section 333: LOT SPLIT APPROVAL REQUIREMENTS	69
Section 334: SEWAGE SYSTEMS	74
Section 335: WATER SUPPLY	74
Section 336: DRAINAGE.....	75
Section 337: ACCESS MANAGEMENT	75
Section 338: FLOODPLAINS	75
Section 339: SUITABILITY	76
Section 340: WETLANDS.....	76
Section 341: WOODLANDS	76
Section 342: PERMITTING	77
342.1: Development Permit	77
342.2: Agricultural Use Exemption.....	77
342.2.1: Agricultural Use Exemption Form	78
Section 343: EXEMPT LOT SPLITS AGRICULTURAL/PERSONAL RECREATIONAL USE	79
Section 344: LOT SPLITS APPEALS.....	80
Section 345: LOT LINE ADJUSTMENT.....	80
345.1: Lot Line Adjustment General Information	81
345.2: Disapproval, Expiration, and Fees.....	82
345.3: Lot Line Adjustment Application.....	82
Section 346: MINIMUM DIMENSIONAL REQUIREMENTS	84
Article IV: SUBDIVISION PLANNING STANDARDS.....	85
Section 400: GENERAL STATEMENT	85
Section 401: CONFORMITY TO DEVELOPMENT PLANS AND ZONING.....	85
Section 402: SUITABILITY OF LAND AND PUBLIC FACILITIES.....	85
Section 403: STREETS	86

Section 404: STREET NAMING AND SIGNING.....	87
Section 405: LOTS	88
Section 406: SIDEWALKS	89
Section 407: PUBLIC SITES, OPEN SPACES AND NATURAL FEATURES	90
Section 408: GRADING PLAN.....	91
Section 409: FLOOD AREAS AND FLOOD PREVENTION REGULATIONS	91
Section 410: STORMWATER MANAGEMENT FACILITIES	92
Section 411: EXTENSION TO BOUNDARIES	96
Section 412: OFF-SITE EXTENSIONS	96
ARTICLE V: SUBDIVISION UTILITY PLANNING STANDARDS	97
Section 500: GENERAL STATEMENT	97
Section 501: SANITARY SEWER AND ON-LOT SEWAGE DISPOSAL.....	97
501.1: Policy Statement	97
501.2: Subdivision Sanitary Requirements	98
Section 502: WATER SUPPLY	99
502.1: Policy Statement	99
502.2: Subdivision Water Supply Requirements	99
Section 503: FIRE PROTECTION.....	101
Section 504: ELECTRIC, GAS, TELEPHONE, AND CABLE TV FACILITIES	101
Section 505: EASEMENTS	102
Section 506: OVER-SIZE AND OFF-SITE IMPROVEMENTS	102
Section 507: COST OF OVER-SIZE IMPROVEMENTS	102
ARTICLE VI: ACCESS MANAGEMENT	103
Section 600: CONGESTION PREVENTION	103
Section 601: INTENT AND PURPOSE	103
Section 602: APPLICABILITY.....	104
Section 603: DEFINITIONS	105
Section 604: CONGESTION PREVENTION CLASSIFICATION SYSTEM & STANDARDS	109

604.1: Classifications	109
604.1.1: Principal Arterial	110
604.1.2: Minor Arterial	112
604.1.3: Major Collector.....	113
604.1.4: Minor Collector	115
604.2: Lot Splits on Classified Roadways.....	116
604.3: General Roadway Standards.....	116
Section 605: GENERAL CONGESTION PREVENTION STANDARDS.....	117
605.1: Corner Clearance	117
605.2: Joint and Cross Access	118
605.3: Left Turn Lane Improvements and Requirements.....	119
605.4: Right Deceleration Lane Improvements and Requirements	121
605.5: General Access Connection and Driveway Design.....	122
605.6: Nonconforming Access Features.....	125
Section 606: MAJOR DEVELOPMENT MULTI-FAMILY, COMMERCIAL, INDUSTRIAL	125
606.1: Corridor Congestion Prevention Overlay	125
606.2: Reverse Frontage	127
606.3: Shared Access	127
606.4: Connectivity	127
606.5: Private Roads.....	128
Section 607: SITE PLAN REVIEW PROCEDURES.....	129

ARTICLE VII: MINIMUM STANDARDS FOR BOUNDARY SURVEYS AND MONUMENTATION 132

Section 701: INTRODUCTION	132
Section 702: DEFINITIONS	132
Section 703: RESEARCH AND INVESTIGATION	132
Section 704: MONUMENTATION	133
Section 705: MEASUREMENT SPECIFICATIONS.....	134
Section 706: PLAT OF SURVEY	135
Section 707: DESCRIPTIONS	136
Section 708: SUBDIVISION PLATS.....	137

ARTICLE VIII: SUBDIVISION FACILITIES DESIGN STANDARDS 138

Section 800: GENERAL STATEMENT 138

Section 801: STREET AND HIGHWAY DESIGN 138

Section 802: PAVEMENT WIDTH..... 139

Section 803: HORIZONTAL ALIGNMENT 139

Section 804: VERTICAL ALIGNMENT 139

Section 805: INTERSECTIONS 139

Section 806: DRIVEWAYS..... 139

Section 807: PRIVATE APPROACHES AND DRIVEWAYS AND DITCH ENCLOSURES... 140

Section 808: PAVEMENT THICKNESS DESIGN 141

Section 809: SUBGRADE..... 142

Section 810: BASES 142

Section 811: PAVEMENT 142

Section 812: CURBS AND GUTTERS 142

Section 813: GRADING 142

Section 814: STORMWATER..... 143

Section 815: BRIDGES AND CULVERTS..... 143

ARTICLE IX: SUBDIVISION FACILITIES CONSTRUCTION 144

Section 900: GENERAL STATEMENT 144

Section 901: GUARANTEE FOR INSTALLATION OF IMPROVEMENTS 144

Section 902: EROSION CONTROL 144

Section 903: FERTILIZING, SEEDING, AND MULCHING..... 144

Section 904: SURVEY MONUMENTATION..... 145

Section 905: STREET SIGNING 145

Section 906: FINAL INSPECTION 145

ARTICLE X: REVISIONS, ENFORCEMENTS 146

 Section 1000: RECORDING THE PLAT..... 146

 Section 1001: REVISION OF PLAT AFTER APPROVAL..... 146

 Section 1002: SALE OF LAND WITHIN SUBDIVISIONS..... 146

 Section 1003: SCHEDULE OF FEES, CHARGES, AND EXPENSES 146

 Section 1004: PENALTIES 146

 Section 1005: VARIANCES 148

 1005.1: Variances | General Information148

 1005.2: Variance Standards148

 1005.3: Variance Procedure149

ARTICLE XI: ENACTMENT 150

 Section 1100: EFFECTIVE DATE..... 150

ARTICLE I: GENERAL PROVISIONS

Section 100: TITLE

These Regulations shall officially be known and referred to as the “Subdivision Regulations of Fulton County, Ohio” and shall hereinafter be referred to as “these Regulations”.

Section 101: ADMINISTRATION

These Regulations shall be administered by the Fulton County Regional Planning Commission, hereinafter usually called “Commission” or “Planning Commission”. The Commission, assisted by other government agencies and legal counsel, shall administer and enforce these Regulations. Discretionary, conflicting, or disputed aspects of these Regulations shall be interpreted by the Fulton County Planning Director or other individuals designated by the County Commissioners or the Regional Planning Commission.

Section 102: JURISDICTION & AUTHORITY

- (a) These Regulations shall apply to all subdivisions of land twenty (20) acres or less and all development in the County’s unincorporated areas to encourage compliance with the established comprehensive plan and promote good planning practices.
- (b) The Planning Commission was created under an agreement among municipal planning commissions, township trustees, and county commissioners of one or more adjoining counties under provisions of Section 713.21 of the Ohio Revised Code.
- (c) Per Section 711 of the Ohio Revised Code, the County Commissioners and Planning Commission may adopt regulations concerning the platting and subdividing of land in the County’s unincorporated areas.

Section 103: RELATION TO OTHER LAWS

- (a) The provisions of these Regulations shall supplement any and all laws of the State of Ohio, the resolutions of the County, or any and all rules and regulations of laws that relate to the purpose and scope of these Regulations.
- (b) Whenever the requirements of these Regulations deviate from the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the more restrictive standards shall govern except as provided in Section 104 of these Regulations.
- (c) Per Chapter 711 of the Ohio Revised Code, subdivision plats are not to be approved for recording until the requirements of these Regulations are met, certified, and endorsed by appropriate authorities.
- (d) Chapters 303 and 519 of the Ohio Revised Code require proposed subdivisions to meet the requirements of a particular zoning code and subdivision regulations if a township or part thereof has adopted the aforementioned ordinances.

Section 104: PLANNED UNIT DEVELOPMENT ENCOURAGED

Planned Unit Development (PUD) is greatly encouraged. These Regulations may be modified as necessary to meet the standards required for residential, commercial, or industrial PUD, following the provisions of the respective zoning code. Nothing in this section shall exempt the developer from the requirements of subdivision plat approval as specified in Article III of these Regulations. All PUD shall be under the jurisdiction of the Commission.

Section 105: AMENDMENTS

The Commission may supplement or amend these Regulations per the appropriate sections of the Ohio Revised Code after a public hearing by the Commission. A public hearing shall also be held before the enactment of an amendment if it proposes alterations for the actual construction of streets, other facility improvements, mandatory dedication, or assurance of construction.

Section 106: SEPARABILITY

If any part of these Regulations shall be deemed invalid by a court of competent jurisdiction, such judgment shall not invalidate these Regulations as a whole, or any part other than the part deemed invalid. These Regulations shall not disqualify legal action pending under prior Subdivision Regulations. These Regulations shall not interfere with other applicable laws and regulations, or with established deed restrictions.

ARTICLE II: DEFINITIONS

Section 200: INTERPRETATION OF WORDS

Certain words used in these Regulations shall be interpreted as follows:

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

Section 201: TERMINOLOGY

Administrative Approval: Approval delegated by the Commission to an administrator.

Alley: A public way permanently reserved as a secondary means of access to abutting property.

Buffer: An area of a property or site, generally adjacent to and parallel with the property line, either consisting of existing vegetation or created by the intentional use of trees, shrubs, fences and/or beams, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.

Building Line: See **Setback**

Central Sewage Treatment: Wastewater treatment provided by county, city, village, or public utility, including sewers and treatment plants.

Commercial Development: Development for, or connected with, commerce or trade as defined by the appropriate zoning regulations.

Comprehensive Plan: A plan adopted by the Commission and/or the legislative authority of Fulton County showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Conditional Approval: Approval of the dimensions and area of a proposed lot split by the authorized representative of the Planning Commission. However, other conditions and improvements are necessary before the lot can become a building site. The conveyance shall not be approved until the stipulated conditions have been completed.

Corner Lot: See **Lot Types**

County: Fulton County, Ohio

Cul-de-sac: See **Thoroughfare**

Culvert: A structure designed to convey a watercourse not incorporated in a closed drainage system under a road or pedestrian walk.

Dead-end Street: See **Thoroughfare**

Dedication: The conveyance of private land, either in fee simple or as an easement, for public use.

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

- (1) Gross Density — the number of dwelling units per acre of the total land to be developed.
- (2) Net Density —the number of dwelling units per acres of land when the acreage involved includes land devoted solely to residential use.

Detention Basin: A man-made or natural water collection facility designed to collect surface and sub-surface water and impede its flow into natural or man-made outlets, to be released gradually at a rate not greater than that before the development of the property.

Developer: Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or other legal entity commencing proceedings under these Regulations to subdivide land for himself or another.

Application: The application form and all accompanying documents are required by resolution for approval of a subdivision plat or site plan.

Dwelling: Any building occupied or intended to be occupied exclusively for residential purposes. This definition does **not** include tents, RVs, trailer coaches, or other temporary or transient structures.

- (1) Single-Family — a building occupied or constructed to be occupied exclusively for residential purposes by one family or housekeeping unit.
- (2) Two-Family — a building occupied or constructed exclusively by not more than two (2) families or housekeeping units, including condominiums, which may be either attached side-by-side or one over the other. Each unit must have a separate entrance.
- (3) Multiple-Family — a building or portion thereof occupied or constructed to be occupied by more than two (2) families or housekeeping units, including condominiums, townhouses, or garden apartments with varying arrangements of entrance and wall.

Dwelling Unit: Space within a building including living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.

Easement: A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.

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.

Full Approval: Approval by the authorized representative of the Planning Commission of the proposed lot split. The conveyance shall also be approved.

General Development Plan: A plan outlining general, rather than detailed, development intentions. It describes the basic parameters of a major development proposal, rather than giving full engineering details. It allows general intentions to

be proposed and discussed without the extensive costs involved in submitting a detailed proposal.

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

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

Industrial Development: Development for or connected with industry as defined by the appropriate zoning regulations.

Location Map: See **Vicinity Map**

Lot: A parcel, tract, or area of land whose boundaries have been established by some legal instrument and is recognized as a separate legal entity for purpose of transfer of title. A lot frontage upon a public or private street and complies with the dimensional requirements of these Regulations.

Lot Frontage: The lot line that abuts a street or road. To determine yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and the yard shall be provided as indicated under **Yards** in this section.

Lot, Minimum Area of Land: A lot shall be measured as follows:

- (1) Lot Depth — the mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
- (2) Lot Width — the horizontal distance between the side lot lines of a lot, measured at the narrowest width within the first thirty feet (30') of lot depth immediately in the back of the front yard setback line. (Excepting lots fronting on the dead-end circle of a cul-de-sac and/or exterior angle of loop streets where the width of a lot is measured at the building setback line.)
- (3) Lot Area — the total size of a lot, using the formula $[lot\ depth] \times [lot\ width]$ to find the square footage of the lot.

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

Lot Split: The division of a parcel of land into two or more lots where the division does not meet the definition of *Subdivision* in the Subdivision Regulations. For the purpose of these Regulations, a lot split 5 acres or less is considered a *Minor Subdivision*.

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

- (1) A corner lot is located at the intersection of two (2) or more streets.
- (2) An interior lot has street frontage via one (1) lot line.
- (3) A through lot has frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.
- (4) A reversed frontage lot is a double frontage lot that is designed to be developed with the rear yard abutting a major street. The primary means of ingress and egress are provided on a minor street. A reversed frontage lot may also be a corner lot.
- (5) A flag lot provides frontage via a narrow strip of land devoted as driveway access to a public street.

Mandatory Dedication: A requirement that the subdivider dedicates land for public usage or payment instead of land dedication in amounts determined by the Commission.

Manufactured Home Park: Any site, or tract of land under single ownership, upon which three (3) or more residential manufactured homes are parked, either free of charge or for revenue purposes. This includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

Manufactured Housing: A factory-built, single-family structure that is manufactured under the authority of 42 U.S.C. Section 5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one (1) or more sections. It is built on a permanent frame and is used as a residence,

but it is not constructed with a permanent hitch or other device allowing transport of the unit other than for delivery to a permanent site. It does not have wheels or axles permanently attached to its body or frame.

Master Plan: A comprehensive, long-range plan intended to guide the growth and development of a community or region. It includes analysis, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, and land use.

Monuments: Permanent concrete or iron markers used to establish all lines of the plat of a subdivision, including all lot corners, and points of change in street alignment.

Multi-family Housing Development: Development consisting of three (3) or more dwelling units within a building. The lot shall be zoned for multi-family residential use.

Open Space: An area open to the sky, which may be on the same lot as a building. The area may include — along with the natural environmental features — swimming pools, tennis courts, or any other recreational facilities that the Planning Commission deems permissive. Streets and structures for habitation shall not be included.

One Lot: Property shown on a subdivision plat outside of the boundaries of the land that is excluded from the development of the subdivision.

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

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

Performance Bond or Surety Bond: An agreement by a subdivider or developer, adequately secured with the County, for the amount of the estimated construction cost, guaranteeing the completion of physical improvements according to plans and specifications within the timeframe listed in the subdivider's agreement.

Planned Dwelling Group: Residential structures consisting of single residential units, apartments, duplexes, fourplexes, high rise apartments, multi-family units, rowhouses, condominiums, or a combination thereof located on one individually owned parcel consisting of a private street(s). This includes Planned Unit Developments.

Planned Shopping Centers: Commercial development, containing at least three (3) individual business establishments conceived and designed as a single, comprehensively planned development project with appropriate relationships between the shopping centers buildings, activities, open spaces, parking areas, loading areas, driveways, other shared facilities, public areas, and adjoining streets, and held in single ownership or by participants in a condominium corporation or commercial cooperative.

Planned Unit Development (PUD): An area of land in which residences and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible lot dimension standards than the 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 Fulton County Regional Planning Commission, also referred to as the "Commission".

Plat: The map, drawing, or chart of which the developer's plan of subdivision is presented to the Commission for approval, and after such approval, to the County Recorder for recording.

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 public entity has a right, or which are dedicated, whether improved or not.

Replat: A reconfiguration of lots and/or further subdivision of lots in a recorded plat. It may include all or any part of a previously recorded plat.

Retention Basin: A pond, pool, or basin used for the permanent or temporary storage of water runoff.

Right-of-Way: A strip of land taken or dedicated for public access. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and

drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaping, viaducts, and bridges.

Setback: The distance between the street right-of-way line and the front line of a building or any projection thereof, excluding uncovered steps.

Sewers, Central or Group: An approved sewage disposal system that provides a collection network and disposal system and central sewage treatment facility for a structure, community, or region administered by a public body (city, village, county, or public utility).

Sewers, On-Site: A septic tank or similar installation on an individual lot that utilizes aerobic bacteriological processes or other approved processes to treat sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk: The improved portion of the road right-of-way beyond the roadway for the use of pedestrian traffic. (See **Walkway**)

Street: See **Thoroughfare**

Subdivider: See **Developer**

Subdivision:

- 1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots any one of which is less than five (5) acres for the purpose, whether immediate or future, of ownership, provided, however, that the division or partition of land into parcels of more than five (5) 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 (1) 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 leaseholders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities. (See **Minor Subdivision**)

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.

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

- 1) Level — land with a cross-slope range of four percent (4%) or less.
- 2) Rolling — land with a cross-slope range of more than four percent (4%), but not more than eight percent (8%).
- 3) Hilly — land with a cross-slope range of more than eight percent (8%), but not more than fifteen percent (15%).
- 4) Hillside — land with a cross-slope range of more than fifteen percent (15%).

Thoroughfare, Street, or Road: The full width between property lines bounding every public way of whatever nature, with part to be used for vehicular traffic. Designated as follows:

- 1) Alley — A minor street used primarily for vehicular service access to the back or side of properties abutting another street.
- 2) Arterial Street — A general term denoting a highway primarily for through traffic, carrying heavy loads and a large volume of traffic usually on a continuous route.
- 3) Collector Street — A thoroughfare, within residential, industrial, commercial or other types of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
- 4) Cul-de-sac — A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.

- 5) Dead-end Street — A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
- 6) Local Street — A street primarily for providing access to residential, commercial, or other abutting property.
- 7) Loop Street — A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one-hundred-eighty degree (180) system of turns are not more than one thousand (1,000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
- 8) 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)

Through Lot: See **Lot Types**

Urban Growth Area (UGA): Areas determined by the County's Comprehensive Plan to be desirable and appropriate for growth and development. UGAs are implemented to encourage controlled growth in productive areas with existing utilities and protect natural features of the surrounding landscape beyond the UGA.

Variance: 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 these Regulations would result in unnecessary and extraordinary hardship.

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

Walkway: A dedicated public way, four (4) or more feet in width, for pedestrian use only, whether along the side of the road or otherwise.

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

Wetlands: Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

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

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

ARTICLE III: PROCEDURE FOR SUBDIVISION APPROVAL

Section 300: SUBDIVISION TYPES AND APPROVAL PROCEDURE

300.1: Review and Classification by Planning Commission

Individuals who want to divide land must first fill out the proper application and submit it to a Fulton County Regional Planning Commission staff member. Exemptions from this requirement may be found in Section 120. There are three (3) types of subdivisions:

- Minor subdivisions
- Rural subdivisions
- Major subdivisions

300.2: Approval Steps for Minor, Rural, and Major Subdivisions

Procedures for the creation of a subdivision are listed in Sections 300.2.1, 300.2.2 and 300.2.3 of these Regulations.

300.2.1: Minor Subdivision (Lot Splits 5 Acres and Under)

Minor Subdivisions can be created by following these steps:

- 1) Schedule a consultation with a Planning Commission staff member to discuss proposed lot split.
- 2) Fill out a lot split application form and submit it to a Planning Commission staff member for review.
 - Per Section 301 of these Regulations

300.2.2: Major Subdivision

Major Subdivisions can be created by following these steps:

- 1) Fill out a pre-application form and schedule a consultation to discuss it with a Planning Commission staff member.
 - Per Section 301 of these Regulations

- 2) Fill out a major subdivision application form and submit it to a Planning Commission staff member for review.
 - Per Section 310 of these Regulations

300.2.3 : Rural Subdivision

Rural Subdivisions can be created by following these steps:

1. Schedule a consultation with a Planning Commission staff member before submitting the rural subdivision plat.
 - Per Section 334 of these Regulations

2. Plats that include the addition of private roads and/or access easements shall be submitted for approval
 - Per Sections 334 and 334.1 of these Regulations

300.3 : Lot Standards | Dimensions, Area, and Setbacks

Standards for lot dimensions, lot area, and lot setbacks must comply with the requirements of the applicable governing document.

If a parcel is subject to a specific zoning code or resolution, then that code will govern the minimum standards it must meet.

All other parcels in Fulton County are subject to the minimum standards of these Regulations.

300.3.1: Lot Arrangement and Design

- a) Lot arrangement and design will provide satisfactory building sites, properly related to the topography and the character of surrounding development.
- b) All lots in a rural and major subdivision shall be numbered consistent with the lot numbers in the Preliminary Subdivision Plan or the Improvement (Construction) Plan.
- c) The narrow appendages of irregularly-shaped lots, including those of rear or flag lots, with less than sixty (60) feet of width shall not be used to meet the required total minimum lot area.
- d) Side lot lines shall be approximately adjacent to the right-of-way line of the street on which the lot faces.
- e) Every lot of a subdivision shall abut a publicly-dedicated street.
- f) Corner lots shall be platted wider than interior lots to permit conformance with the front yard depth on the abutting street required by the applicable zoning resolution. No corner lot shall have a width at the building line of fewer than seventy-five (75) feet.
- g) No remainder parcels shall be permitted if they do not conform to all lot requirements, unless such parcels are accepted by the County, Township, other public agency or homeowners association for public purposes.
- h) Variances are permitted to accommodate barriers like streams and existing utility easements. However, side lot lines shall not deflect more than thirty (30) degrees from the perpendicular in relation to street centerlines.
- i) Double frontage and reversed frontage lots shall be avoided except where necessary to separate residential development from traffic arterials or to overcome specific disadvantages of topography and orientation. Residential lots abutting arterial or collector streets, where marginal access streets are not desirable or possible to attain, shall be designed as reverse lots or with

side lot lines parallel to the major traffic streets. These requirements may be waived by mutual consent of the Planning Commission and the County Engineer.

Section 301: PRE-APPLICATION CONSULTATION

All applicants are required to:

- 1) Fill out a pre-application form.
 - Does not apply to rural and minor subdivisions (lot splits)
- 2) Schedule a consultation with a Commission staff member, unless determined to be unnecessary by the Commission.

Section 302: PLATTING PROCEDURE

302.1: Residential, Commercial, and Industrial Planned Development

Manufactured Home Parks, Planned Dwelling Groups, Planned Shopping Centers, and Industrial Parks shall:

- 1) Follow the platting procedures as established for a major subdivision.
- 2) Have public water or sewer provided to the site.
- 3) Be located within an Urban Growth Area (UGA), as designated by the Fulton County Comprehensive Plan.
- 4) Adhere to access management requirements of these Regulations (Article VI).

302.2: Administrative Approval When a Plat Is Not Required

A Commission staff member may give administrative approval for the minor subdivision of lots five (5) acres or less when all the following conditions are met:

- Per Section 711.131 of the Ohio Revised Code

- 1) When all subdivision regulations are satisfied.
- 2) When the division results in no more than five (5) lots of the original tract owned by the person subdividing.
- 3) When the proposed division of land lies on an existing public road and does not involve the opening, widening, or extension of a street or road. *Lots along existing private easements or streets, dedicated to the use of owners (not public roads), do not qualify for administrative approval.*

A Commission staff member may give administrative approval for lot splits greater than five (5) acres and up to, and including, twenty (20) acres along an existing public street, not involving the opening, widening, or extension of any street or road.

- Per Section 711.133 of the Ohio Revised Code

The Commission shall require the following materials for administrative approval under typical circumstances:

- 1) A survey depicting the entire property from which a parcel is being subdivided. It shall depict the proposed buildings, ditches, roads, lanes, and physical features.
- 2) A completed application form and appropriate fee for the subdivision in question.
- 3) A legal description of the property to be conveyed.
- 4) A sketch of the property to be conveyed showing proposed drainage, sanitation, and intended uses.
- 5) Other information as requested by the Health Department, County Engineer, County Sanitary Engineer, or the Regional Planning Commission staff as is

necessary to determine compliance with the Fulton County Subdivision Regulations.

All regulations that do not come under this section shall require record plats.

Section 303: PRE-APPLICATION SKETCH CONTENT

The subdivider is encouraged to submit a sketch plan to the Commission, legibly drawn at a suitable scale and containing the following information:

- 1) The proposed subdivision in relation to existing community facilities, thoroughfares, and other transportation modes, shopping centers, manufacturing establishments, residential developments, and existing natural and manmade features such as soil types, vegetation, contours, and utilities in the neighboring area.
- 2) The layout and acreage of streets, lots, and any non-residential sites (commercial, manufacturing, educational facilities, or recreational uses) within the proposed subdivision.
- 3) The location of utilities in the proposed subdivision, if available, or the locations of the nearest sources for water and public facilities for the disposal of sewage and stormwater.
- 4) The scale and title of the subdivision, a north arrow, and the date.
- 5) Name, address, and telephone number of owners and developer.

Section 304: PRELIMINARY PLAT REQUIRED

After the pre-application stage, the subdivider shall submit a preliminary plat of the proposed subdivision, which shall conform to the requirements of sections 311 to 320, inclusive. The preliminary plat shall be prepared by a qualified registered engineer or surveyor.

Section 305: SUBMISSION TO OHIO DEPARTMENT OF TRANSPORTATION

- a) The Commission shall send notice by certified mail to the Ohio Department of Transportation (ODOT) Highway Director before approving a plat that affects the land within three hundred (300) feet of the centerline of a proposed new state highway.
- b) The Commission shall approve the plat one hundred twenty (120) days after ODOT has received the notice. If ODOT notifies the Commission that it shall proceed to acquire the land needed, the Commission shall refuse to approve the plan. If the Highway Director notifies the Commission otherwise, or when the one hundred twenty (120) day period (or a previously agreed upon extension, should it be necessary) has elapsed, the Commission shall, if the plat is in conformance with all provisions of these Regulations, approve the plat.

Section 306: PROCESS FOR TENTATIVE APPROVAL

An application, in writing, for the tentative approval of the preliminary plat, together with five (5) copies of the preliminary plat and other necessary supplementary information shall be submitted to the Commission.

- Per Sections 312 through 317 of these Regulations

Section 307: PRELIMINARY PLAT CONTENTS

307.1: Descriptive Information

The preliminary plat shall contain the following printed information:

- 1) Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the County.
- 2) Location by section, range, and township.

- 3) Names, addresses, and telephone numbers of the owner/subdivider, and professional engineer and registered surveyor who prepared the plat, and appropriate registration numbers and seals.
- 4) Date of survey.
- 5) Scale of the plat and north point.
- 6) The following statements shall be on the subdivision plat:

Situated in Section __, Township ____, Range ____, County of Fulton, Ohio.

Containing ____ acres and being the same tract as conveyed to _____ and described in the deed recorded in Deed Book _____, Fulton County, Ohio.

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

The undersigned further agrees that any use of improvements made on this land shall be in conformity with all existing valid zoning, platting, health, or other lawful rules and regulations including the applicable off-street parking and loading requirements of ____ (City, Village, County), Ohio for the benefit of himself and all other subsequent owners or assigns taking title from, under, or through the undersigned

In Witness thereof the day of _____, _____.

Witness (print name): _____ Signature:

We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct.

By: _____

STATE OF OHIO

COUNTY OF FULTON

Before me a Notary Public in and for said _____, (City Village ,
County) personally came _____, who acknowledged the signing
of the foregoing instrument to be their voluntary act, and deed for
the purposes therein expressed. In witness whereof I have
hereunder set my hand and affixed my official seal this day of ____.

Reviewed this day of _____ ____, ____.

Township Trustees: _____

Reviewed this day of _____ ____, ____.

Zoning Inspector: _____

Reviewed this day of _____ ____, ____.

County Engineer: _____

Reviewed this day of _____ ____, ____.

County Board of Health: _____

Reviewed this day of _____ ____, ____.

County Sanitary Engineer: _____

Reviewed this day of _____ , _____.

Regional Planning Commission _____

Reviewed this day of _____ , _____.

Fulton County Commissioners: _____

(Approval of this plat for recording does not constitute an acceptance of the dedication of any public street, road or highway dedicated on such plat, per Section 711.04 of the Ohio Revised Code).

307.2: Graphic Information

The preliminary plat shall contain the following graphic information:

- 1) Boundaries of the subdivision and its acreage.
- 2) Names of adjacent subdivisions, owners of adjoining parcels of non-subdivided land, and the location of their boundary lines.
- 3) Locations, widths, and names of existing streets; railroad rights-of-way; easements; parks; permanent buildings; corporation and township lines; the location of wooded areas and other significant topographic and natural section lines; features within two hundred (200) feet of the plat.
- 4) Location, names, and width of proposed streets and easements.
- 5) Existing sewers, water lines, culverts and other underground structures, and power transmission poles and lines within and adjacent to the tract.

- 6) Existing contours at an interval of not greater than two (2) feet if the slope of the ground is fifteen (15) percent or less; and not greater than five (5) feet where the slope is more than fifteen (15) percent.
- 7) Location and dimensions of all proposed utility and sewer lines.
- 8) Layout, number, and approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not at ninety (90) degree angles, the width at the property lines shall be shown.
- 9) Building setback lines with dimensions. Corner lots and double frontage lots fronting upon a public street must include the direction each building is facing.
- 10) Parcels of land in acres to be reserved for public use or to be reserved by covenant from residents of the subdivision.
- 11) A vicinity map at a scale of not less than two thousand (2,000) feet to the inch shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions, roads, and tract lines and the nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivision and those of the neighboring areas.
- 12) Zoning classification of the tract and zoning classifications found within a one (1) mile radius of the boundaries of the tract, and proposed zoning changes, if applicable.

307.3: Supplementary Information

The following information shall also be supplied:

- 1) Statement of proposed use of lots, including type and number of residential, commercial, or industrial units.
- 2) Location and approximate dimensions of all existing buildings.

- 3) For commercial and industrial development, the location, dimensions, and approximate grade of proposed parking and loading areas, alleys, pedestrian walks, streets, and the points of vehicular ingress and egress to the development.
- 4) Description of proposed covenants and restrictions.
- 5) In a letter accompanying the request for approval of the preliminary plat, the subdivider shall state the proposed type of sewage disposal and water supply. If the proposed method is not a public system, it shall be accompanied by a letter from the County Health Department stating the approved type of sewage disposal. Public sewage and public water systems shall be constructed by the subdivider when deemed necessary by the Commission, the appropriate Health Officer, Sanitary Engineer, or the Ohio EPA.

Section 308: PRELIMINARY PLAT FORMS

The application shall consist of the preliminary (proposed) plat along with the following forms:

- 1) Major Subdivision Application
- 2) Preliminary Plat Checklist



Major Subdivision Application

Applicant Information:

Application #:

Name of Applicant/Attorney: _____

Phone: _____ Email: _____

Engineer Information:

Name of Engineer: _____

Phone: _____ Email: _____

Property Owner Information:

Parcel Owner's Name: _____

Address: _____

Phone: _____ Email: _____

Information about the Parcel You're Applying to Subdivide:

Parcel Address: _____

Location (Section/Town/Range): _____ Township: _____

Name of Subdivision: _____ Number of Lots: _____

Current Zoning: _____

Which best describes the state of your parcel? Undeveloped Existing Residence Present Other: _____**Water and Sewer for Existing Residence:**

- Type of Water Supply: Public Private None or N/A
- Type of Sanitary Sewer System: Public Private None or N/A

Other Information for RPC Review:

- Does your proposed major subdivision **require a change in zoning classification?**
 - Yes No
 - Please list proposed zoning: _____
- Does your proposed major subdivision **require any easements?**
 - Yes No
- Does your proposed major subdivision **require any deed restrictions?**
 - Yes No

Developer's Ultimate Goal of Major Subdivision:(Please include any future **building plans** and **proposed use** (ex: residential, commercial, industrial, etc.)

PRELIMINARY PLAT CHECKLIST

Mark **Y** if item is present on plat, or mark **N** if item is not present. If item is not present, please provide a reason for its absence.

		Y	N
1)	Sheet size not larger than 24 in. by 36 in. (index sheet, if more than one (1) sheet)	<input type="checkbox"/>	<input type="checkbox"/>
2)	Proper scale	<input type="checkbox"/>	<input type="checkbox"/>
3)	Name of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>
4)	Locational Description	<input type="checkbox"/>	<input type="checkbox"/>
5)	Name and address of owner, subdivider, surveyor and engineer	<input type="checkbox"/>	<input type="checkbox"/>
6)	Date and North Point Arrow	<input type="checkbox"/>	<input type="checkbox"/>
7)	Names of adjacent subdivisions and owners	<input type="checkbox"/>	<input type="checkbox"/>
8)	Location, width, and names of existing streets, right-of-ways, easements	<input type="checkbox"/>	<input type="checkbox"/>
9)	Corporation, township, range, section lines	<input type="checkbox"/>	<input type="checkbox"/>
10)	Location and dimensions of existing buildings and parks	<input type="checkbox"/>	<input type="checkbox"/>
11)	Location of existing utilities including sewers, water lines, and communication lines or poles	<input type="checkbox"/>	<input type="checkbox"/>
12)	Topography at 2 ft. intervals (5 ft. intervals in hillside development)	<input type="checkbox"/>	<input type="checkbox"/>
13)	Zoning classification of all parcels and proposed changes	<input type="checkbox"/>	<input type="checkbox"/>
14)	Layout, names and width of proposed streets or easements and proper dedications	<input type="checkbox"/>	<input type="checkbox"/>
15)	Layout of proposed utility and sewer lines	<input type="checkbox"/>	<input type="checkbox"/>
16)	Layout of approximate dimensions of all lots	<input type="checkbox"/>	<input type="checkbox"/>
17)	Building setback lines	<input type="checkbox"/>	<input type="checkbox"/>
18)	Parks and open spaces and proper dedications	<input type="checkbox"/>	<input type="checkbox"/>
19)	Vicinity Map	<input type="checkbox"/>	<input type="checkbox"/>
20)	Proposed Use of Lots	<input type="checkbox"/>	<input type="checkbox"/>
21)	Layouts and grade of proposed parking and loading areas (for commercial and industrial development)	<input type="checkbox"/>	<input type="checkbox"/>
22)	Copy of proposed deed restrictions, if any	<input type="checkbox"/>	<input type="checkbox"/>

Section 309: FILING

The preliminary plat shall be considered officially filed on the day the completed application is received by the Commission. A filing fee shall be charged, as set by the Planning Commission.

Section 310: PUBLIC HEARING

The Commission, should a citizen or neighboring property owner request it, may hold a public hearing before finalizing its decision regarding the proposed subdivision.

Section 311: APPROVAL OF THE PRELIMINARY PLAT

- a) The Commission shall forward copies of the preliminary plat to officials and agencies for review and recommendation.
 - a. This shall include the following departments:
 - County Engineer
 - County Sanitary Engineer
 - Township Trustees
 - County Health Department
- b) The Commission shall determine whether the preliminary plat shall be approved, approved with modification, or denied. If a plat is denied, the reasons for denial shall be stated in writing. Specific unmet requirements, including the sections under which they are referenced, shall be included.
- c) The Commission shall act on the preliminary plat within thirty-five (35) business days after filing unless the timeline is extended by agreement with the subdivider.
- d) When a preliminary plat has been approved by the Commission, the chairman shall sign all copies and return one (1) to the subdivider for their records. The Commission will include specified requirements for final plat approval to the subdivider.

Approval of the preliminary plat shall be conditional upon compliance with all other applicable statutes, resolutions, and restrictions of Fulton County.

Section 312: APPROVAL PERIOD

The approval of the preliminary plat shall be effective for a maximum period of three (3) years and shall guarantee that the terms under which the approval was granted will not be affected by changes to the Subdivision Regulations unless final plats are not filed within the time period required by Section 333.

Section 313: TECHNICAL DESIGN AND CONSTRUCTION PLAN APPROVAL

An application provided by the Commission for the approval of the Technical Design and Construction Plan shall be submitted along with all associated plan materials required by Sections 400 through 900, inclusive. The Technical Design and Construction Plan may be submitted simultaneously with the preliminary plat for approval, or it may be submitted following the approval of the preliminary plat.

Section 314: TECHNICAL DESIGN AND CONSTRUCTION PLAN CONTENTS

Construction plans shall be prepared for all required improvements. Plans shall be drawn at a scale of no more than one (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the preliminary plat. The following shall be shown on the plan:

- 1) Existing and proposed elevations along the centerlines of all roads. Where a proposed road intersects an existing road, the elevation along the centerline of the existing road(s) within one hundred (100) feet of the intersection shall be shown. Approximate radii of all curves, lengths of tangents, and central angles on all streets shall be shown.
- 2) Where steep slopes exist, cross-sections of all proposed streets at one hundred (100) foot stations shall be shown at five (5) points as follows:

- On a line and right angles to the centerline of the street. Elevation points shall be at the centerline of the street, each property line, and points twenty-five (25) feet inside each property line.
- 3) Plans and profiles, construction details, and quantities that depict the locations and cross- section of street pavements, including:
- Curbs and gutters
 - Sidewalks
 - Drainage
 - Easements
 - Servitudes
 - Right-of-Way
 - Manholes
 - Catch basins
 - Locations of street trees
 - Street lighting standards
 - Street signs
 - Location, size, and invert elevations of existing and proposed sanitary sewers
 - Stormwater drains
 - Fire hydrants
 - Connection to any existing or proposed utility systems
 - Location and size of all water, gas, or other underground utilities or structures
- 4) Location, size, elevation, and other appropriate description of any existing facilities or utilities, including, but not limited to:
- Existing streets
 - Sewers
 - Drains
 - Water mains
 - Easements
 - Water bodies
 - Other pertinent features such as swamps, railroads, and buildings

- 5) Water elevations of adjoining lakes or streams at the date of the survey. Approximate water elevations shall be referred to in the U.S.G.S. datum plane. If the subdivision borders a lake, river, or streams, the distances and bearing of a meander line establishing not less than twenty (20) feet from the ordinary high water mark of such waterway.

- 6) All specifications and references required by the local government's construction standards and specifications, including a site-grading plan for the entire subdivision.

- 7) Notation of approval as follows:

Reviewed this day of _____, ____ , ____.

Township Trustees: _____

Reviewed this day of _____, ____ , ____.

Regional Planning Commission: _____

Reviewed this day of _____, ____ , ____.

County Engineer: _____

Reviewed this day of _____, ____ , ____.

County Board of Health: _____

Reviewed this day of _____ , _____.

County Sanitary Engineer: _____

Reviewed this day of _____ , _____.

County Commissioners: _____

8) Title, name, address, and signature of professional engineer and surveyor, and date, including revision dates.

Section 315: TECHNICAL DESIGN AND CONSTRUCTION PLAN FORMS

This application shall consist of all technical design and construction plan material required by Sections 400 through 900, inclusive, and the two (2) following forms entitled:

- 1) Technical Design and Construction Plan Application

- 2) Technical Design and Construction Plan Checklist



TECHNICAL DESIGN & CONSTRUCTION PLAN APPLICATION

Applicant Information:

Application #: _____

Name of Applicant/Attorney: _____

Phone: _____ Email: _____

Engineer Information:

Name of Engineer: _____

Phone: _____ Email: _____

Property Owner Information:

Parcel Owner's Name: _____

Address: _____

Phone: _____ Email: _____

Information about the Parcel You're Applying to Subdivide:

Parcel Address: _____

Location (Section/Town/Range): _____ Township: _____

Name of Subdivision: _____ Number of Lots: _____

	Improvement	Installation	Guarantee
1			
2			
3			
4			
5			
6			



TECHNICAL DESIGN & CONSTRUCTION PLAN CONFORMANCE CHECKLIST

Mark **Y** if the item conforms, or mark **N** if the item does not conform to the standards of the Fulton County Subdivision Regulations. Nonconforming items require a reason for non-conformance on a separate sheet of paper. Those items not conforming are explained on the final page.

Item	Conforms?	Y	N
General			
1) Conformance with county highway plan		<input type="checkbox"/>	<input type="checkbox"/>
2) Conformance with zoning regulations, or if not zoning		<input type="checkbox"/>	<input type="checkbox"/>
3) No flood hazards		<input type="checkbox"/>	<input type="checkbox"/>
4) Acceptable natural drainage and erosion control		<input type="checkbox"/>	<input type="checkbox"/>
5) Steep slopes not limiting factors		<input type="checkbox"/>	<input type="checkbox"/>
6) Large trees and other significant natural features		<input type="checkbox"/>	<input type="checkbox"/>
7) Areas of historical cultural significance		<input type="checkbox"/>	<input type="checkbox"/>
Streets			
1) Right-of-way widths		<input type="checkbox"/>	<input type="checkbox"/>
2) Pavement width		<input type="checkbox"/>	<input type="checkbox"/>
3) Radius of curvature		<input type="checkbox"/>	<input type="checkbox"/>
4) Horizontal alignment		<input type="checkbox"/>	<input type="checkbox"/>
5) Vertical alignment and visibility		<input type="checkbox"/>	<input type="checkbox"/>
6) Grades		<input type="checkbox"/>	<input type="checkbox"/>
7) Cul-de-sacs		<input type="checkbox"/>	<input type="checkbox"/>
8) Turn around radius right-of-way and pavement		<input type="checkbox"/>	<input type="checkbox"/>
9) Dead-end streets		<input type="checkbox"/>	<input type="checkbox"/>
10) Dedication and addition of half streets		<input type="checkbox"/>	<input type="checkbox"/>
11) Marginal access streets, points of access and planting strips		<input type="checkbox"/>	<input type="checkbox"/>
12) Alleys		<input type="checkbox"/>	<input type="checkbox"/>
13) Spacing of intersection relative to different road classifications		<input type="checkbox"/>	<input type="checkbox"/>
14) Avoidance of multiple intersections		<input type="checkbox"/>	<input type="checkbox"/>
15) Pavement and R.O.W. of intersections		<input type="checkbox"/>	<input type="checkbox"/>
16) Streets for commercial subdivisions		<input type="checkbox"/>	<input type="checkbox"/>
17) Streets for industrial subdivisions		<input type="checkbox"/>	<input type="checkbox"/>
18) Lengths of Blocks		<input type="checkbox"/>	<input type="checkbox"/>
19) Crosswalks		<input type="checkbox"/>	<input type="checkbox"/>
20) Street Monuments		<input type="checkbox"/>	<input type="checkbox"/>
21) Subgrade		<input type="checkbox"/>	<input type="checkbox"/>
22) Base Course		<input type="checkbox"/>	<input type="checkbox"/>
23) Surface Course		<input type="checkbox"/>	<input type="checkbox"/>
24) Curbs and Gutters		<input type="checkbox"/>	<input type="checkbox"/>
25) Bridges		<input type="checkbox"/>	<input type="checkbox"/>
26) Sidewalks		<input type="checkbox"/>	<input type="checkbox"/>
27) Street names and numbers, signs		<input type="checkbox"/>	<input type="checkbox"/>



TECHNICAL DESIGN & CONSTRUCTION PLAN CONTENT CHECKLIST

Mark **Y** if the item is included in the plan, or mark **N** if the item is not included in the plan. If the item is not included, please provide an appropriate reason for not doing so.

Item	Included?	Y	N
1) Lots		<input type="checkbox"/>	<input type="checkbox"/>
2) Size		<input type="checkbox"/>	<input type="checkbox"/>
3) Setback lines		<input type="checkbox"/>	<input type="checkbox"/>
4) Corner lot size		<input type="checkbox"/>	<input type="checkbox"/>
5) Avoidance of double frontage lots		<input type="checkbox"/>	<input type="checkbox"/>
6) Driveway culverts and grade		<input type="checkbox"/>	<input type="checkbox"/>
7) Monuments		<input type="checkbox"/>	<input type="checkbox"/>
8) Grading Plan		<input type="checkbox"/>	<input type="checkbox"/>
9) Parking and open space		<input type="checkbox"/>	<input type="checkbox"/>
10) Type of water supply		<input type="checkbox"/>	<input type="checkbox"/>
11) Test wells		<input type="checkbox"/>	<input type="checkbox"/>
12) Type of sewage treatment		<input type="checkbox"/>	<input type="checkbox"/>
13) Percolation test results		<input type="checkbox"/>	<input type="checkbox"/>
14) Storm drainage system type		<input type="checkbox"/>	<input type="checkbox"/>
15) Sufficient easements for utilities or open drainage		<input type="checkbox"/>	<input type="checkbox"/>
16) Other utilities		<input type="checkbox"/>	<input type="checkbox"/>
17) Underground utilities		<input type="checkbox"/>	<input type="checkbox"/>

Name: _____

Title: _____

Signature: X _____

Date: _____(MM/DD/YY)

Section 316: TECHNICAL DESIGN AND CONSTRUCTION PLAN REVIEW

The Commission shall forward copies of the technical design and construction plan to officials and agencies for reviews and recommendations. These agencies shall include:

- County Engineer
- County Health Department
- County Sanitary Engineer (when public sewer and public water are provided)

After these officials and agencies have reviewed and signed the plan(s), the Commission shall determine whether the Technical Design and Construction Plan shall be approved, approved with modification, or denied. If denied, the reason for denial shall be stated in writing. The Commission shall act on the technical design and construction plan within thirty (30) days after filing unless the deadline is extended.

Section 317: FINAL PLAT SUBMISSION

Once the preliminary plat and the Technical Design and Construction Plan for the proposed subdivision have been approved, the subdivider shall submit a final plat or plats of the subdivision and drawings and specifications of necessary improvements. The final plat shall have incorporated all changes required by the Commission in the preliminary plat and Technical Design and Construction Plan. Otherwise, the final plat shall conform to the preliminary plat, which the subdivider proposes to record and develop at the time. The final plat and the supplementary information shall be prepared by a qualified registered engineer or surveyor.

Section 318: PROCESS OF APPROVAL OF FINAL PLAT

An application for approval of the final plat shall be submitted on forms provided by the Commission, together with five (5) copies of the plat and the supplementary information specified to the Commission.

Section 319: REGULATIONS GOVERNING IMPROVEMENTS

Before the final plat is approved, the subdivider shall install the minimum required improvements, or shall provide a corporate surety bond, certified check, or assigned certificate of deposit for the amount of the estimated construction cost of the ultimate installation, which includes the cost of initial maintenance of improvements, as certified by the County Engineer. Before the surety is accepted, it shall be approved by the Commission. The completion date for the final plat project shall be no later than twelve (12) months after approval of said final plat. The Commission shall release ninety (90) percent of the security after completion of the project. Ten (10) percent shall be held for twelve (12) months to guarantee construction and initial maintenance.

Section 320: FINAL PLAT

The final plat shall be legibly drawn in black waterproof ink on tracing cloth or other material of equal permanence. It shall be drawn at a scale not less than one hundred (100) feet to the inch, and shall be one (1) or more sheets twenty-four inches by twenty-four inches (24" x 24") in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one (1) sheet to another clearly shown.

Section 321: FINAL PLAT CONTENTS

The final plat shall contain the following printed information:

- 1) Name of the subdivision.
- 2) Location by section, range and town of the subdivision.
- 3) Date of creation.
- 4) North point, scale, and acreage.
- 5) Names and addresses of the subdivider(s) and professional engineer and/or registered surveyor who prepared the plat, and appropriate registration numbers and seals.

- 6) Restrictions and covenants which the subdivider intends to impose by the final plat.
- 7) Certification by a registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional details are correct.
- 8) Notarized acknowledgment by the owner or owners of the adoption of the plat, and the dedication of streets and other public areas.

The following statements shall be affixed on the subdivision plat:

Situated in Section __, Township ____, Range ____, County of Fulton, Ohio.

Containing ____ acres and being the same tract as conveyed to _____ and described in the deed recorded in Deed Book _____, Fulton County, Ohio.

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

The undersigned further agrees that any use of improvements made on this land shall be in conformity with all existing valid zoning, platting, health, or other lawful rules and regulations including the applicable off-street parking and loading requirements of _____ (City, Village, County), Ohio for the benefit of himself and all other subsequent owners or assigns taking title from, under, or through the undersigned

In Witness thereof the day of _____ , _____.

Witness (print name): _____ Signature:

We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct.

By: _____

STATE OF OHIO

COUNTY OF FULTON

Before me a Notary Public in and for said _____, (City Village , County) personally came _____, who acknowledged the signing of the foregoing instrument to be their voluntary act, and deed for the purposes therein expressed. In witness whereof I have hereunder set my hand and affixed my official seal this day of ____.

Reviewed this day of _____ , ____ , ____.

Township Trustees: _____

Reviewed this day of _____ , ____ , ____.

Zoning Inspector: _____

Reviewed this day of _____ , ____ , ____.

County Engineer: _____

Reviewed this day of _____ , ____ , ____.

County Board of Health: _____

Reviewed this day of _____, ____ , ____.

County Sanitary Engineer: _____

Reviewed this day of _____, ____ , ____.

Regional Planning Commission _____

Reviewed this day of _____, ____ , ____.

Fulton County Commissioners: _____

(Approval of this plat for recording does not constitute an acceptance of the dedication of any public street, road or highway dedicated on such plat, per Section 711.04 of the Ohio Revised Code).

Transferred this day of _____, ____ , ____.

County Auditor: _____

Filed for Record this day of _____, ____ , ____ at _____ a.m. / p.m.

Recorded this day of _____, ____ , ____ in Slide _____, Page No.

Fulton County Recorder: _____

Note: *If public sewer and water are available, the plat need not be signed by the County Board of Health.*

The final plat shall contain the following graphic information:

- 1) Plat boundaries, based on accurate traverse, with angular and lineal dimensions. All dimensions, both linear and angular shall be determined by an accurate control survey in the field, which must balance and close within the limit of one (1) to ten thousand (10,000).
- 2) Bearings and distances to nearest established street lines or other recognized permanent monuments.
- 3) Radii, internal angles, points of curvatures, tangent bearings, lengths of arcs, and lengths and bearings of chords of all applicable streets within the plat area.
- 4) All easements and rights-of-way provided for public services or utilities.
- 5) All lot numbers and lines with accurate dimensions in feet and hundredths. When lots are located on a curve, the lot width at the building setback line shall be shown.
- 6) Accurate location and description of all monuments and pins.
- 7) Accurate outlines 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.

321.1: Supplementary Final Plat Information

The following information shall be supplied in addition to the requirements in Section 319:

- 1) If a zoning change is involved, certification from the County or Township Zoning Inspector shall be required indicating that the change has been approved and is in effect.
- 2) The Commission requires certification that all required improvements have been installed and approved by the proper officials, or that a bond or other

security has been furnished assuring installation and initial maintenance of the required improvements.

Section 322: FILING THE FINAL PLAT

- a) The final plat, based on an approved preliminary plat and Technical Design and Construction Plan, shall be filed with the Commission no later than twelve (12) months after the date of approval of the preliminary plat.
- b) Each subsequent final plat that is based on the same approved preliminary plat shall be filed with the Commission no later than twelve (12) months after the initial final plat was filed.
- c) One or more extensions to file a final plat or plats may be granted by the Commission upon good cause submitted in writing by the developer(s). Requests for an extension must be submitted before the initial filing period has passed. The Commission may not grant an extension after the developer(s) have failed to file a final plat within any one time period or extension thereof granted by the Commission.

Exception: The final plat shall be filed within thirty-six (36) months after the date the preliminary plat was approved. Failure to file a final plat within any of the aforementioned time periods shall make void the portion of the approved preliminary plat should the developer(s) neglect to file the final plat(s).

Section 323: FINAL PLAT FORMS

The application shall include all technical designs and construction plan matter approved and amended within Sections 329 through 323 inclusive of these regulations and the two (2) following forms:

- 1) Major Subdivision Application
- 2) Final Plat Checklist



Major Subdivision Application | Final Plat

Applicant Information:

Application #: _____

Name of Applicant/Attorney: _____

Phone: _____ Email: _____

Engineer Information:

Name of Engineer: _____

Phone: _____ Email: _____

Property Owner Information:

Parcel Owner's Name: _____

Address: _____

Phone: _____ Email: _____

Final Plat Requirements:

Preliminary Plat Approved? Yes No Approval Date: _____

Technical Design and

Construction Plan Approved? Yes No Approval Date: _____

Information about the Final Plat Contents:

Parcel Address: _____

Location (Section/Town/Range): _____ Township: _____

Name of Subdivision: _____ Number of Lots: _____

Additional Information:

Was a Zoning Change Requested?* Yes No Zoning District: _____

****If zoning change was requested, please provide proof of change approval.***

Have all required improvements been installed?* Yes No

****If you marked "yes", please provide a final copy of the installed improvements.***

-----*For Office Use Only*-----

Application #: _____

Date Received: _____

Fee Paid: \$ _____

Last Day for Review: _____

Fee Owed: \$ _____

Planning Commission Action: _____

If rejected, please provide reason(s) for rejection:



FINAL PLAT CHECKLIST

Mark **Yes** if item is present on plat, or mark **No** if item is not present. If item is not present, please provide a reason for its absence.

Date: _____ Application No. _____ Subdivision: _____

Please mark **yes** or **no** as to whether the following items are included on the final re-plat.

Applicant

RPC Office

Yes	No	Item	Yes	No
<input type="checkbox"/>	<input type="checkbox"/>	1. Submitted within twelve (12) months of preliminary approval	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	2. Conforms to preliminary plat and incorporate suggested changes	<input type="checkbox"/>	<input type="checkbox"/>
		3. Name of subdivision	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	4. Proper scale	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		5. Date and North Point	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	6. Locational Description	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	7. Sheet size not larger than 22 in. x 36 in. (index sheet if more than one (1) sheet)	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	8. Name and address of owner, surveyor, and engineer	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	9. Signatures and approval from all required government entities	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	10. Notarized acknowledgement of approval by owners of re-platted subdivision	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	11. Accurate survey date - seconds; lineal dimension to hundredths of feet; radii; internal angles; points of curvature; tangent bearing; length of arcs; lengths of cords	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	12. Closure Sections	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	13. Bearings and distances to permanent monuments	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	14. Name, location, width, and centerline of streets	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	15. Lot number and dimensions	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	16. Location and description of monuments	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	17. Building setback lines	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	18. Parks and open spaces and proper dedications	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	19. Final deed restrictions	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	20. Final Technical Design and Construction	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	21. Installation or guarantee of installation of improvements	<input type="checkbox"/>	<input type="checkbox"/>

Date: _____ Name/Title: _____

Applicant Signature: _____

Section 324: FINAL PLAT REVIEW

- a) The Commission shall approve or deny the final plat within thirty (30) days after it has been filed.
 - Failure of the Commission to act upon the final plat within such time shall be deemed as approval of the plat.
- b) If the plat is denied, the grounds for denial shall be stated in the records of the Commission, and a copy of said record shall be forwarded to the subdivider.
- c) The Commission shall not deny the final plat if the developer has adhered to the conditions and standards specified in the approved preliminary plat.
- d) If denied, the subdivider shall make the necessary corrections and resubmit the final plat within thirty (30) days to the Commission for its final approval.
- e) If the plat is refused by the Commission, the applicant may file a petition within ten (10) days with the Fulton County Court of Common Pleas following the refusal. The Court of Common Pleas may reconsider the action of the Commission, and the original tracing shall be returned to the subdivider. Should the plat be approved upon this reconsideration, the petitioner shall then file the plat with the County Recorder after all necessary certifications are received. In addition, a Mylar copy of the final plat shall be filed with the Fulton County Engineer's Office.

Section 325: RE-PLAT PROCEDURE

Per Section 711.24 of the Ohio Revised Code, any change to streets or lots in a platted subdivision is subject to the standards of Sections 317 through 324, inclusive, of these Regulations. An updated plat and a copy of the current lot and street configuration for reference, and any other pertinent information requested by the Planning Commission shall be submitted. A preliminary plan shall not be required when the final plat is a replat of existing platted lots. The following forms must be completed and submitted with the re-plat:

- 1) Re-plat Application
- 2) Re-plat Checklist

RE-PLAT APPLICATION

Contact Information

Applicant/Attorney: _____

Phone: _____ Email: _____

Property Owner: _____

Property Owner Address: _____

Phone: _____ Email: _____

Surveyor/Engineer: _____

Phone: _____ Email: _____

Subdivision Information

Name of Subdivision: _____

Date Original Plat Was Approved: _____ Township: _____

Location (Section/Town/Range): _____ Zoning District: _____

Property Owner: _____

Proposed Re-plat

Parcel Number: _____ Zoning District: _____

Parcel Owner: _____ Phone: _____

Water:	Y	N	Sewer:	Y	N
Private:	<input type="checkbox"/>	<input type="checkbox"/>	Private:	<input type="checkbox"/>	<input type="checkbox"/>
Public:	<input type="checkbox"/>	<input type="checkbox"/>	Public:	<input type="checkbox"/>	<input type="checkbox"/>



RE-PLAT CHECKLIST

Mark **Yes** if item is present on plat, or mark **No** if item is not present. If item is not present, please provide a reason for its absence.

Date: _____ Application No. _____ Subdivision: _____

Please mark **yes** or **no** as to whether the following items are included on the final re-plat.

Applicant			RPC Office	
Yes	No	Item	Yes	No
<input type="checkbox"/>	<input type="checkbox"/>	1. Submitted within twelve (12) months of preliminary approval	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	2. Conforms to preliminary plat and incorporate suggested changes	<input type="checkbox"/>	<input type="checkbox"/>
		3. Name of subdivision	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	4. Proper scale	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		5. Date and North Point	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	6. Locational Description	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	7. Sheet size not larger than 22 in. x 36 in. (index sheet if more than one (1) sheet)	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	8. Name and address of owner, surveyor, and engineer	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	9. Signatures and approval from all required government entities	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	10. Notarized acknowledgement of approval by owners of re-platted subdivision	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	11. Accurate survey data - seconds; lineal dimension to hundredths of feet; radii; internal angles; points of curvature; tangent bearing; length of arcs; lengths of cords	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	12. Closure Sections	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	13. Bearings and distances to permanent monuments	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	14. Name, location, width, and centerline of streets	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	15. Lot number and dimensions	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	16. Location and description of monuments	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	17. Building setback lines	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	18. Parks and open spaces and proper dedications	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	19. Final deed restrictions	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	20. Final Technical Design and Construction	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	21. Installation or guarantee of installation of improvements	<input type="checkbox"/>	<input type="checkbox"/>

Date: _____ Name/Title: _____

Applicant Signature: _____

Section 326: RURAL SUBDIVISIONS

- a) The rural subdivision provides limited development opportunity within an Urban Growth Area (UGA), usually for a landowner who wishes to continue agricultural operations, house family members on adjacent lots, or to raise income to supplement agricultural operations.

The rural subdivision permits development at minimal cost while providing access protection along existing streets. The rural subdivision permits a landowner to subdivide and create up to four (4) additional lots from a large tract: these lots are designated the “residential lots”. The remaining parcel is designated the “residual lot”. The residual lot shall be included as part of the final plat for recordation purposes. The residual lot shall be used in part for access and as a reserve for future development that promotes sound land use patterns. The residual lot shall contain a note alerting the residual lot owner of the requirements for development if a subdivision on such a lot is proposed.

- b) The parcel upon which a rural subdivision is proposed shall have at least two (2) and no more than four (4) lots, in addition to the residual lot.
- c) Special subdivisions shall meet the following conditions and limitations:
 - 1) For all subdivision types, the public right-of-way shall be dedicated to arterial or collector street standards as designated on the County Highway Map.
 - 2) All lots shall take access from an easement with a minimum frontage of sixty (60) feet located on the residual parcel.
 - 3) Any lot abutting an existing public right-of-way shall have an accompanying plat prohibiting access to that road or street.
 - 4) The residual lot owner shall pave roads and install all public utilities, including: water, sewer, and storm drainage.

- 5) Access easement for the initial lots shall be included as part of any subsequent subdivision of the residual property.
- 6) A note shall be placed on the final plat spelling out these responsibilities.

Section 327: RURAL SUBDIVISIONS OR LOT SPLITS WITH PRIVATE ROADS OR EASEMENTS FOR ACCESS

- a) A proposed rural subdivision or lot split with private roads or easements for access shall adhere to the platting requirements of the Subdivision Regulations and Section 326 and Section 605.5.1.

- b) Easements of Access and Private Roads

As defined in this section, access easements or private roads shall be called streets and shall meet the following requirements:

- 1) The minimum right-of-way shall be sixty (60) feet and platted as a separate access easement. A second access connection to a public road shall be required for private roads greater than two thousand (2,000) feet in length.
- 2) The street shall have a minimum of eighteen (18) feet of pavement, as per the Fulton County Engineer's specifications. A cul-de-sac shall be a minimum of one hundred twenty (120) feet in diameter. The Fulton County Engineer shall set the standards for street construction. Final acceptance will be granted following approval from the Fulton County Engineer.
- 3) An approved stop sign and private street sign indicating the name of the subdivision shall be required and shall include the following notice: "private road - not publicly maintained". Signs shall be approved by the Fulton County Engineer and placed according to Ohio Department of Transportation specifications.

- 4) All properties served by the private road shall provide adequate access for emergency vehicles, and shall conform to the approved local street numbering system. Each lot shall be identified by an address visible from the road. An area shall be set aside for mailboxes for properties within the subdivision.

c) Additional Plat Requirements:

- 1) A homeowners association shall be established to maintain the infrastructure of the subdivision.
- 2) The following statement shall be included on the plat:

“All property owners are responsible for maintenance of the street and neither the County nor Township shall accept the street for public use.

This plat contains private roads. The County allowed these roads to be constructed at a pavement width standard below that required for a public street in order to reduce the cost of the lots. All private roads are to be maintained by the homeowners association. Failure of the homeowners association to maintain the private roads could result in a petition by the majority of the landowners. Should this occur, the homeowners association will be assessed the cost of all road improvements.

This assessment will be incorporated into the real estate taxes of the residents. Before maintenance responsibility can be assumed by the Township, all property owners in the subdivision are required to sign a revised plat providing the right-of-way required for public roads.

Maintenance responsibility will not be assumed by the Township until the road is brought up to County standards.”

- 3) All requirements of the Fulton County Subdivision Regulations, Fulton County Health Department, and Fulton County Engineer’s Office shall apply.

Section 328: RURAL SUBDIVISIONS OUTSIDE URBAN GROWTH AREAS

Rural Subdivisions shall be permitted outside designated Urban Growth Areas (UGAs), provided the following requirements are met:

- 1) A residual lot shall not be required. No more than four lots shall be permitted.
- 2) The rural subdivision shall remain a private subdivision perpetually and shall be recorded as a private development.
- 3) All other requirements of Sections 328 and 329 shall be met.

Section 329: LOT SPLIT GENERAL INFORMATION

This section pertains to the proposed division of a parcel of land along an existing public street in the County's unincorporated areas, ranging in size from not less than one and one half (1.5) acres to not more than twenty (20) acres, which does not involve the opening, widening or extension of any street or road.

- a) If the lot split is approved and the authorized representative is satisfied that the proposed subdivision is not contrary to applicable subdivision and zoning regulations, then the Commission, within seven (7) business days after submission of the completed application, shall approve such proposed subdivision. Upon presentation of the proposed conveyance, the Commission's representative shall stamp and sign *Approved - No Plat Required* on the conveyance.
- b) The Commission shall request other agencies to review and comment on the proposed lot split. These agencies shall include, but not be limited to: the Fulton County Engineer, Fulton County Sanitary Engineer, and the Fulton County Health Department.
- c) Conditional approval may be granted when improvements are deemed necessary, and full approval shall be granted after the stipulated improvements have been completed.

- d) The lot split application is valid for a period of 2 years, beginning on the date the application is filed. If the proposed parcel is not conveyed with the 2-year timeframe, the application will expire, requiring resubmission of the application.

329.1 : Rear or Flag Lots

The Fulton County Regional Planning Commission may approve rear or flag lots if the proposed lot(s):

- 1) Is located on an existing public rural local road.
- 2) Has a minimum of thirty (30) feet of frontage for one (1) rear lot and a minimum of sixty (60) feet of frontage for two (2) to five (5) rear lots with abutting stems or a private street in an approved planned unit development.
 - a. If subdivision includes two (2) to five (5) proposed lots, the lots shall be served by an unobstructed and uninterrupted easement not less than sixty (60) feet in width which connects such rear lot(s) with the existing public or private street.
- 3) Is existing, as part of a planned unit development, which abuts an existing public or private street.
- 4) Permits more efficient lotting or avoids the construction of a street in an environmentally sensitive area.
- 5) Does not exceed five (5) lots per private access road.
- 6) The primary purpose is **not** to avoid the construction of a public street.
- 7) Would not create a safety hazard or be inconsistent with the surrounding pattern of circulation.
- 8) Include standard of driveway maintenance for emergency vehicular access.

329.1.1: Rear or Flag Lot Approval Standards and Procedure

Administrative approval for rear or flag lots may be issued only when:

- 1) The proposed rear or flag lot has frontage on a road that is NOT classified by Fulton County as:
 - a. Principal Arterial
 - b. Minor Arterial
 - c. Major Collector
 - d. Minor Collector
- 2) The larger, rectangular part of the lot meets the minimum width and maximum ratio requirements.
 - Per Section 333 of these Regulations

If the proposed rear or flag lot does not meet any of these standards, the lot shall be reviewed by the Planning Commission at their next general meeting. The applicant shall complete and submit a subdivision variance application at least seven (7) days before the meeting.

329.2: Land Contracts

All proposed lot splits, 20 acres and smaller, involving a land contract agreement shall be subdivided from the original tract prior to approval of the land contract agreement and shall meet the requirements of this section.

Section 330: MINOR SUBDIVISIONS (Lot Splits)

For the purpose of this section, "lot splits" five (5) acres and under shall be referred to as "minor subdivisions".

Under Section 711.131 of the Ohio Revised Code, administrative approval without a plat of a lot split no less than one and one half (1.5) acres and no more than five (5) acres may be granted by the Regional Planning Commission if the proposed division of a parcel meets all the following conditions:

- 1) The proposed subdivision is located along an existing public road and involves no opening, widening, or extension of any street or road.
- 2) No more than five (5) lots are involved after the original tract has been completely subdivided.
- 3) The proposed subdivision is not contrary to applicable subdivision or zoning regulations, or Article VI, Access Management requirements.
- 4) The proposed subdivision shall meet the requirements under Section 333 of these Regulations.

Section 331: LARGE LOT SPLITS

Under Section 711.133 of the Ohio Revised Code, lot splits greater than five (5) acres and up to, and including, twenty (20) acres, located along an existing public street and not requiring the opening, widening, or extension of any street or road:

- a) Shall not qualify as a subdivision under Section 711.001(B)(1)(a) of the Ohio Revised Code. These splits shall be referred to as "large lot splits" for the purpose of this section.
- b) Shall not be required to have an approved water supply unless the Fulton County Health Department or Sanitary Engineer determines that unique circumstances exist.
- c) Shall not be counted as a subdivision from an original tract. Under Section 711.131(C) of the Ohio Revised Code, the requirements of Section 711.131(A)

“involving no more than five lots after the original tract has been completely subdivided...” do not apply to large lot splits.

- d) Shall be subject to review by the Commission and follow the approval requirements outlined in Section 333 of these Regulations.

Section 332: LOT SPLIT APPLICATION FORM

The application materials required for lot split approval shall include a survey and legal description from an Ohio Certified Surveyor and the following application form provided by the Regional Planning Commission.



Lot Split Application

(For All Parcel Splits Up To and Including 20.0000 Acres)

Applicant Information:

Application #:

Name of Applicant/Attorney: _____

Phone: _____ Email: _____

Property Owner Information:

Owner's Name: _____

Address: _____

Phone: _____ Email: _____

Information about the Parcel You're Applying to Split:

Parcel Address: _____

Location (Section/Town/Range): _____ Township: _____

Size of Proposed Split: _____ Acres Size of Remainder Lot: _____ Acres

Which best describes the state of your parcel?

Undeveloped Existing Residence Present Other: _____

Water and Sewer for Existing Residence:

- Type of Water Supply: Public Private None or N/A
- Type of Sanitary Sewer System: Public Private None or N/A

Other Information for RPC Review:

- Does your lot split application **involve a Parcel Addition?**
 - Yes No
- Does your lot split application **involve an easement?**
 - Yes No
- Is your lot split application to be considered for **Agricultural/Recreational Use Only?**
 - Yes No

Property Owner's Ultimate Goal of Parcel Split:

(Please include any future **building plans here.**)

The following information shall also be provided:

2) Legal Description

- Attach a separate sheet with the legal description.

3) Survey

- Provide a survey of the proposed subdivision, including the approximate location of existing structures and pertinent natural features. The property survey must be prepared by a surveyor registered in the State of Ohio following the minimum standards as established by the State Board of Registration for Professional Engineers and Surveyors.

Section 333: LOT SPLIT APPROVAL REQUIREMENTS

An application for the approval of a lot split shall be submitted to the Commission for the establishment of any lot without a plat in accordance of this section. The proposed subdivision of land shall not be contrary to applicable zoning regulations, the County's land use plan, health regulations pertaining to water and sewage systems, access management regulations, and existing surface and subsurface drainage requirements as adopted by Fulton County and its administrative divisions.

1) ***Lot Splits***

Lot splits containing a minimum of one and one half (1.5) acres and up to and including twenty (20) acres in the unincorporated areas of Fulton County shall be regulated under this section.

2) ***Review Authority***

The proposed lot split shall conform to the following where applicable:

- Zoning regulations
- Health regulations, including regulations governing household sewage disposal systems
- Sanitary regulations
- Access Management regulations
- Regulations pertaining to existing surface and subsurface drainage

3) ***Parcel Dimensions for Splits with Private Water Supply and Sewer System****

The proposed parcel split shall adhere to requirements determined using road classifications of local (county and township) roads and state highways. Minimum lot frontage is dictated by driveway spacing standards and traffic volume. Proposed lot splits shall also meet additional requirements to accommodate Health Department and Sanitary Engineer requirements, if necessary.

The requirements are as follows*:

Lot Splits | Rural Local Road

Road Type	Low volume rural
Jurisdiction	County and township jurisdiction
Proposed Right-of-Way	60'
Speed Limit	55 MPH
Driveway Spacing	Not regulated
Lot Size	1.5 acres to 20 acres
Minimum Lot Frontage**	150'
Width to Depth Ratio	The maximum depth of the lot shall not exceed four (4) times the width of the lot
Minimum Depth	No minimum lot depth

Table 1: Lot Splits | Rural Local Road

****Local zoning regulations may take precedence over these requirements.***

*****Frontage may vary in the case of rear or flag lots; a minimum lot width of one hundred fifty (150) feet and maximum width to depth ratio must still be met by the lot itself (not including the strip of land that grants access to the road). These types of lots shall only be permitted on Rural Local Roads.***

Lot Splits | Rural Minor Collector

Road Type	Rural high volume cross-county roadway
Jurisdiction	County and township jurisdiction
Proposed Right-of-Way	72'
Speed Limit	55 MPH
Driveway Spacing	495' minimum
Lot Size	1.5 acres to 20 acres
Minimum Lot Frontage	250'
Width to Depth Ratio	The maximum depth of the lot shall not exceed four (4) times the width of the lot
Minimum Depth	No minimum lot depth

Table 2: Lot Splits | Rural Minor Collector

Lot Splits | Rural Major Collector

Road Type	Rural high volume cross-county roadway
Jurisdiction	State, county, and township jurisdiction
Proposed Right-of-Way	100'
Speed Limit	55 MPH
Driveway Spacing	495' minimum
Lot Size	1.5 acres to 20 acres
Minimum Lot Frontage	250'
Width to Depth Ratio	The maximum depth of the lot shall not exceed four (4) times the width of the lot
Minimum Depth	No minimum lot depth

Table 3: Lot Splits | Rural Major Collector

Lot Splits | Rural Minor Arterial

Road Type	Rural highest volume cross-county roadway
Jurisdiction	State, county, and township jurisdiction
Proposed Right-of-Way	120'
Speed Limit	55 MPH
Driveway Spacing	495' minimum
Lot Size	1.5 acres to 20 acres
Minimum Lot Frontage	250'
Width to Depth Ratio	The maximum depth of the lot shall not exceed four (4) times the width of the lot
Minimum Depth	No minimum lot depth

Table 4: Lot Splits | Rural Minor Arterial

Lot Splits | Rural Principal Arterial

Road Type	Rural highest volume cross-county roadways
Jurisdiction	State jurisdiction
Proposed Right-of-Way	120'
Speed Limit	55 MPH
Driveway Spacing	495' minimum
Lot Size	1.5 acres to 20 acres
Minimum Lot Frontage	250'
Width to Depth Ratio	The maximum depth of the lot shall not exceed four (4) times the width of the lot
Minimum Depth	No minimum lot depth

Table 5: Lot Splits | Rural Principal Arterial

4) Survey

A certified survey shall be required for lot split approval. Exempt parcels may be waived by the Fulton County Regional Planning Commission if the split can be described by a fractional description.

- Per Article VII: Minimum Standards for Boundary Surveys and Monumentation

5) Grading and Drainage Plan

The split application shall be accompanied by a Grading and Drainage Plan detailing how excess stormwater will be removed from the parcel to an open ditch or adequately sized and publicly maintained subsurface storm drain.

6) Water and Septic Requirement

An approved water source shall be required if the proposed split is 5 acres or smaller. Splits including existing homes must have an up-to-date septic system approved by the Health Department. All splits shall have a soil evaluation conducted by the Health Department prior to lot split approval.

- Per Article V: Subdivision Utility Planning Standards

7) Filing Fee

A filing fee shall be required for each proposed lot split application, which shall be paid in full upon submittal of the application.

8) Time Period for Review of Lot Splits

Number of Lots	Review Period
1 – 6 splits	7 Business Days
7 – 14 splits	14 Business Days
15 or more splits	21 Business Days

Table 6: Lot Split Review Period

The burden is on the applicant to comply with these Regulations. Incomplete or deficient proposals shall not be approved and the applicant shall be notified of reasons for disapproval. Per Section 711.133(A) of the Ohio Revised Code, the approved conveyance shall be stamped *Approved – No Plat Required* and signed and dated by the Director or designated representative. Deeds shall be recorded within two years from the date of approval, or the approval expires. When the approval

expires, any proposed subdivision of the subject tract shall be filed and processed as a new application.

Section 334: SEWAGE SYSTEMS

- a) All subdivisions with proposed private sewage disposal systems shall be reviewed by the Health Department for approval.
 - Per Section 711.131(A) of the Ohio Revised Code

- b) The following requirements shall apply, in addition to those in Article V: Subdivision Utility Planning Standards, Section 501:
 - 1) All components of the system serving a dwelling must be on the same property as the dwelling.
 - 2) Adequate land must be available to replace the sewage treatment system should this become necessary.
 - 3) The system must be adequate to handle the wastes from the home without causing a nuisance. Many times, lot splits involve existing homes with sewage disposal systems.

- c) Occasionally, components of an existing septic system are not located on the property with the home. This may involve the septic tank, tile disposal field, or subsurface filter. Systems that allow for the secondary treatment of five hundred seventy-five (575) feet of field tile were approved by the Health Department until 1967. Since the homeowner will no longer have control over the property where the field tile or other component is located, maintenance of this system is not possible.

Section 335: WATER SUPPLY

Water supply for applicable subdivisions shall adhere to Section 502: Water Supply, under Article V of these Regulations.

Section 336: DRAINAGE

A lot split proposal shall include a Grading and Drainage Plan that details the method of disposal for excess stormwater from the parcel to an open ditch or adequately-sized and publicly-maintained subsurface storm drain.

The Grading and Drainage Plan shall provide information regarding the following:

- Lot surface drainage discharge
- Building downspout discharge
- Building sump pump discharge
- Systematic subsurface lot drainage
- Septic system perimeter drain outlets, if required
- Bypassing drains from adjacent lots
- Pond overflow outlets

The Grading and Drainage Plan shall depict the size, type, and location of existing subsurface drains, proposed subsurface drains, and pond overflow outlets. The Plan shall depict the location of proposed grading patterns, including the surface drainage water outlet and receiving outlet.

Should a Home Owners Association (HOA) be established, and a drainage maintenance agreement created, said agreement shall be attached to the application.

Section 337: ACCESS MANAGEMENT

All subdivisions shall adhere to the Fulton County Access Management requirements in Article VI of these Regulations.

Section 338: FLOODPLAINS

Proposed subdivisions that have been determined to be located in a one hundred (100) year flood plain shall comply with the Fulton County Flood Damage Prevention Regulations. All subdivisions with designated floodplains must depict the floodplain area on the survey. The construction of buildings, wells, and septic systems within a floodplain shall be discouraged. The filling of floodplains may be permitted to protect existing structures or infrastructure and the applicant shall provide proper permitting documentation with application materials.

Section 339: SUITABILITY

If it has been determined during the review process that the subdivision will be detrimental to the surrounding area because of factors which may endanger health, life, or property, then the Planning Commission shall not approve the subdivision unless adequate methods or means are developed by the subdivider to solve the problems that will arise by subdividing the property.

Section 340: WETLANDS

Wetland systems, which may seasonally appear to be dry, function as a vital part of the Fulton County water system, and constitute a productive and valuable public resource. The benefits of wetlands are as follows:

- 1) Helps control flooding
- 2) Filters polluted surface waters
- 3) Replenishes subsurface water
- 4) Acts as holding tanks for excessive stormwater
- 5) Can be used as parks and recreation areas
- 6) Provides breeding and feeding sites for waterfowl and game fish

To achieve the goals of wetland protection, the Commission shall not approve any request that involves dredging, filling, or construction in a delineated wetland area without proof of acquisition of valid state and federal wetland development permits.

Section 341: WOODLANDS

It shall be the policy of the Commission to protect the woodlands of Fulton County. In cases where the literal interpretation of the Regulations would inhibit the protection of woodland areas, the Commission may grant a variance.

Section 342: PERMITTING

342.1: Development Permit

A development permit will be required for the construction of residential, commercial, industrial, and accessory buildings in the unzoned unincorporated areas of Fulton County. The purpose of the development permit is to regulate development according to the road setback requirements of the Subdivision Regulations, Floodplain Regulations, township and county drainage and access requirements, and Health Department Regulations. The Commission's administrator shall process, review, and approve or deny the development permit.

Required Setbacks for Construction	75' minimum from the road right-of-way
---	--

342.2: Agricultural Use Exemption

These Regulations do not confer any power on the Board of County Commissioners to prohibit the use of any land or the construction of accessory buildings for agricultural purposes. These Regulations do not confer any power with respect to the location, erecting, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, whether publicly or privately owned, or the use of any land by any public utility (except those engaged in the business of transporting property) or railroad for the operation of its business. Should the property owner's proposed construction be deemed applicable to the requirements of this section, the Planning Commission's designated administrator shall provide the Agricultural Use Exemption Form to the property owner and subsequently file the completed form for record-keeping purposes.

- Per Section 303.21(A) of the Ohio Revised Code

342.2.1: Agricultural Use Exemption Form

USE OF ACCESSORY BUILDING FOR AGRICULTURAL PURPOSES

If your proposed building is for agricultural use, no zoning permit or development permit are required, per Section 100-5.2 of the Fulton County Rural Zoning Code, and Section 345 of the County Subdivision Regulations.

Applicant Name: _____

Address: _____

Telephone #: _____

Township where construction will occur: _____

Building Location: _____

The proposed accessory structure will be utilized for agricultural purposes.

Description of Proposed Use: Dimensions of Structure: _____

Signature of Owner: _____

Date: _____ (MM/DD/YYYY)

Section 343: EXEMPT LOT SPLITS | AGRICULTURAL/PERSONAL RECREATIONAL USE

- a) Parcel splits greater than 5 acres that are proposed to be utilized for the purpose of agricultural and/or personal recreational uses are exempt from minor subdivision regulations. A lot split application shall be filed. The Fulton County Regional Planning Commission shall determine that such a parcel qualifies for exemption, per the following standards:
- Per Section 711.133(C) of the Ohio Revised Code
- 1) The seller and/or buyer shall certify that the parcel will be used exclusively for agricultural and/or private recreational purposes.
 - 2) No new residence shall be constructed on the parcel. Existing homesteads are permitted. The parcel may be in an Agricultural District, Agricultural Security Zone, or the Ohio CAUV Program. The land use shall meet local zoning requirements, if applicable.
- b) Any future division or change in use of said parcel shall not be exempted and must comply with these Regulations and local zoning regulations, where applicable.
- c) All conveyances under this section for agricultural and/or personal recreational land uses shall be stamped *No Approval or Plat Required per ORC 711.133 for Agricultural and/or Personal Recreational Uses Only* and shall be signed and dated by the Commission's properly authorized representative. The Commission may require additional statements on the property deed for compliance with these regulations.
- d) For the purpose of this section, "agricultural purposes" and "personal recreational purposes" shall be defined as follows:

Agricultural Purposes

A parcel devoted exclusively to animal or poultry husbandry, aquaculture, apiculture, and the production of field crops, tobacco, fruits, vegetables,

nursery stock, ornamental trees, sod, or flowers or other similar agricultural uses.

Personal Recreational Purposes

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

- e) For a single exempt parcel over five (5) acres, the minimum width of the access easement shall have a minimum width of sixty (60) feet. The Regional Planning Commission shall grant approval of the split if the following requirements are met:
 - 1) The access easement shall be used exclusively for agriculture or forestry.
 - a. The easement document shall state that access shall be solely for agricultural or forestry purposes.
 - 2) The easement shall not be used for residential, commercial, or industrial purposes.
 - 3) The easement shall not be contrary to good planning practices.

Section 344: LOT SPLITS | APPEALS

An applicant that has been denied approval of a lot split may file an appeal with the Court of Common Pleas.

- Per Section 711.05(C) of the Ohio Revised Code

Section 345: LOT LINE ADJUSTMENT

A lot line adjustment may occur when a minor alteration to a lot line is needed. A lot line adjustment is an administrative process conducted by the Commission that shall only apply to subdivided land created by a lot split. Lot line adjustments shall

not be used to create new parcels of record, but shall be a process used to make minor adjustments to lot lines in a proposed subdivision or split.

345.1: Lot Line Adjustment General Information

The following materials are required for the approval of a lot line adjustment:

- 1) Application including name, address, and phone number of current property owner and authorized representative, if applicable.
- 2) Application fee.
- 3) Deed describing updated legal descriptions of lots post-adjustment.
- 4) Survey illustrating the dimensions of the original parcels and each amended lot to be created.
- 5) Documentation of other items may be required depending on the specific application. These may include a drainage plan, deed wording addressing development issues or requirements, additional road or highway easements. Additional information may be required, including:
 - a) Proposed use
 - b) Building elevation and/or roadside, lot surface and subsurface drainage
 - c) Soils (general site limitations)
 - d) Wastewater treatment
 - e) Water supply
 - f) Compliance with zoning requirements
 - g) Existing and proposed right-of-way requirements

- h) Location and spacing of existing and proposed driveways
- i) Intersections
- j) Relationship of lot to adjacent property
- k) Floodplains, slopes and shallow bedrock

345.2: Disapproval, Expiration, and Fees

a) Disapproval

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

b) Expiration

A lot line adjustment is not effective until the legal description has been stamped by the Regional Planning Commission and has been transferred and recorded. An application that has not been stamped and recorded for more than two years from the date the application was approved shall automatically expire. An expired proposal may be refiled, accompanied by application fees, for reconsideration.

c) Fees

Lot line adjustment fees shall be determined by the Fulton County Regional Planning Commission and administered as such.

345.3: Lot Line Adjustment Application

Lot line adjustment applications for the unincorporated areas of Fulton County are to be filed by appointment with the Commission. The landowner or an authorized representative shall file a lot line adjustment application.



Lot Line Adjustment Application Form

(For All Parcel Up To and Including 20.0000 Acres)

Applicant Information:

Application #: _____

Name of Applicant/Attorney: _____

Phone: _____ Email: _____

Property Owner Information:

Owner's Name: _____

Address: _____

Phone: _____ Email: _____

Information about the Parcel:

Parcel Address: _____

Location (Section/Town/Range): _____ Township: _____

Size of Proposed Split: _____ Acres Size of Remainder Lot: _____ Acres

Which best describes the state of your parcel?

Undeveloped Existing Residence Present Other: _____

Water and Sewer for Existing Residence:

• Type of Water Supply: Public Private None or N/A

• Type of Sanitary Sewer System: Public Private None or N/A

Section 346: MINIMUM DIMENSIONAL REQUIREMENTS

To read this table, **first**, pick a development type, **then** read it from left to right, treating it as a **checklist**. **Ex:** A single-family development with no public water availability and no central sewage treatment availability will have a minimum lot frontage of 150-250 feet, a minimum lot area per family of 1.5 acres, and have to adhere to a minimum setback requirement of 75 feet.

DEVELOPMENT TYPE	PUBLIC WATER AVAILABILITY	CENTRAL SEWAGE TREATMENT AVAILABILITY	MINIMUM LOT FRONTAGE (FT.)	MINIMUM LOT AREA PER FAMILY	MINIMUM SETBACK REQUIREMENT ⁽²⁾ (FT.)
SINGLE-FAMILY	Yes	No	120	20,000 sq. ft.	75
	No	Yes	120	16,200 sq. ft.	75
	Yes	Yes	70	9,500 sq. ft.	75
	No	No	150-250	1.5 Acres	75
TWO-FAMILY	Yes	No	200	2 Acres	75
	No	Yes	120	16,200 sq. ft.	75
	Yes	Yes	70	9,500 sq. ft.	75
	No	No	Prohibited	-	-
MULTI-FAMILY	Yes	No	Prohibited	-	-
	No	Yes	100	3,300 sq. ft.	75
	Yes	Yes	100	3,000 sq. ft.	75
	No	No	Prohibited	-	-
COMMERCIAL	Yes	No	90 ⁽¹⁾	1.5 Acres	-
	No	Yes	90 ⁽¹⁾	20,000 sq. ft.	75
	Yes	Yes	90 ⁽¹⁾	20,000 sq. ft.	75
	No	No	90 ⁽¹⁾	1.5 Acres	-
INDUSTRIAL	Yes	No	100 ⁽¹⁾	1.5 Acres	-
	No	Yes	100 ⁽¹⁾	20,000 sq. ft.	75
	Yes	Yes	100 ⁽¹⁾	20,000 sq. ft.	-
	No	No	100 ⁽¹⁾	1.5 Acres	75

Table 7: Minimum Dimensional Requirements for Lots

(1) Subject to the approval of the Ohio Environmental Protection Agency and the Fulton County Sanitary Engineer.

(2) Measured from the proposed right-of-way, as established in the Access Management Map.

Zoned townships shall refer to their local zoning regulations.

Setback requirements are for all main buildings and accessory buildings.

Article IV: SUBDIVISION PLANNING STANDARDS

Section 400: GENERAL STATEMENT

This article shall guide and control the manner in which streets, lots, and other easements of a subdivision are arranged within its boundaries. These planning controls shall help ensure the construction of safe streets, creation of usable lots, and provision of space for public utilities and reservation of land for recreational uses. The planning of attractive and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, haphazard growth. The Commission is responsible for revising the planning of each future subdivision early in its development. The Commission shall require that standards under this article are satisfied.

Section 401: CONFORMITY TO DEVELOPMENT PLANS AND ZONING

The arrangement, character, width, and location of all thoroughfares or extensions thereof shall conform to the County Transportation Plan. Thoroughfares not contained in the aforementioned plan shall conform to the Commission's recommendation based upon the design standards described in this article. Additionally, no final plat of land within the area in which an existing zoning code is in effect shall be approved unless it conforms to the zoning code.

Section 402: SUITABILITY OF LAND AND PUBLIC FACILITIES

The developer and/or his representative shall contact the Fulton County Health Department or Sanitary Engineer for a determination of the method of wastewater treatment to be used within the proposed subdivision. The Commission shall not approve the proposed subdivision if the land is unsuitable for the proposed development due to no suitable method of wastewater treatment, frequent flooding, and poor drainage, unsuitable topography and/or inadequate water supply.

Additionally, if the Commission decides that the proposed subdivision would create an undue hardship for a public school, transportation facility, or cause other conditions that may endanger health, life, or property, or produce a public nuisance or result in conditions that are not in the best interest of the public, the Commission shall not approve the subdivision. It is the sole responsibility of the subdivider to provide acceptable solutions to issues with their proposed subdivision.

Section 403: STREETS

- a) The planning of adequate streets and their appurtenances is one of the most important elements of a successful subdivision. Regardless of the type of subdivision—residential, commercial, or industrial—the planning and design of adequate streets shall be based on the estimated amount of traffic. The facility will ultimately be required to accommodate the percentage of truck traffic (18 KIP Application) and the Support Capability Rating (CBR) of the soil on which it is to be built.
- b) For the purpose of these Regulations, the street or streets under consideration shall be in one of the following classifications: rural (local) street, minor collector, major collector, or arterial highway.

The criteria to determine the proper classification are:

- 1) Rural Street (Local) - Under 400 ADT and/or 5 daily 18 KIP Applications
 - 2) Minor Collector - 400 to 1,000 ADT and/or 14 daily KIP Applications
 - 3) Major Collector - Over 1,000 ADT and/or 140 daily 18 KIP Applications
 - 4) Minor Arterial - State Routes
 - 5) Principal Arterial - State Routes
- c) Regardless of classification, the resolute minimum right-of-way width shall be sixty (60) feet and the minimum pavement width shall be twenty-four (24) feet. The pavement width may be reduced upon approval of the Commission. There shall be no private streets, lanes, or ways, nor any private easements

used for the purpose of access to any subdivision except where a private lane is permitted, as is described in Section 327.

- d) Permanent dead-end streets shall not be permitted except those qualifying as a cul-de-sac. Temporary dead-end streets shall be permitted only as part of the continuing street plan, and only if a satisfactory temporary turnaround design is provided, and provisions for maintenance and removal are advanced. Temporary dead-end streets longer than two hundred (200) feet shall be permitted. Dedication of new half-streets shall not be permitted. Where a dedicated or platted half-street exists adjacent to the tract being subdivided, the other half shall be platted.

Section 404: STREET NAMING AND SIGNING

- a) Both public and private street name signs, as designed by the County Engineer, shall be approved by the County Engineer and the Commission, and shall be erected by the subdivider at all intersections.
- b) For the purpose of street naming, the following suffixes shall apply:
 - 1) "Avenue" shall be used only for streets that run in a generally east-west direction.
 - 2) "Boulevard" or "Drive" shall be used only for a large meandering type street.
 - 3) "Circle" or "Court" shall be used only for cul-de-sac type streets that run in a general east-west direction.
 - 4) "Land" or "Place" shall be used only for cul-de-sac type streets that run in a generally north-south direction.
 - 5) "Road" or "Way" shall be used only for streets that run in a diagonal manner, either a generally northwest-southeast direction or a northeast-southwest direction.

- 6) "Street" shall be used only for thoroughfares that run in a generally north-south direction.
- 7) The words "north", "south", "east" or "west" should be avoided as part of a street name whenever possible.
- 8) Whenever a new street is constructed along the approximate alignment or extension of an existing street, its name shall be the same as that of the existing one.
- 9) Whenever a street alignment changes direction more than seventy-five degrees (75) without a return to the original alignment within a distance of five hundred (500) feet, then the name of the street shall be changed at the point of curvature.
- 10) When a cul-de-sac street serves not more than three (3) lots, the name of the intersecting street shall apply to the cul-de-sac.
- 11) The Fulton County Auditor's office shall assign addresses, conforming to their street numbering system, for all public and private streets.

Section 405: LOTS

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

- 1) The lot arrangement and design shall be such that all lots will provide satisfactory building sites, properly related to topography and the character of surrounding development.
- 2) All lots shall conform to or exceed the requirements of the subdivision regulations and zoning district requirements for the district in which they are located and the use of which they are intended.
- 3) Each lot shall front on a public thoroughfare except as permitted in Section 327. The minimum lot size, width, and setback shall be as specified in Table 7.

- 4) All side lot lines shall be at right angle to street lines and radial to curved street lines, except where the Commission determines that variation of this rule would provide a better layout.
- 5) Lots with double frontage shall be avoided except where the Commission determines that it is essential to provide separation of residential development for arterial streets.
- 6) Where blocks are over nine hundred (900) feet in length, a crosswalk easement not less than ten (10) feet in width at or near the halfway point may be required, if necessary, to provide proper access to schools, recreational areas, shopping centers, and other facilities.

Zoned townships shall refer to their local zoning regulations. Setback requirements are for all main buildings and accessory buildings.

Section 406: SIDEWALKS

- a) Sidewalks shall be **required** within the dedicated non-pavement right-of-way of all business and industrial development. Sidewalks shall be **optional** within the dedicated non-pavement right-of-way of all low, medium, and high density residential development.
- b) All sidewalks shall be four (4) feet in width.
- c) Where a subdivision contains or is bordered by more than one (1) classification of street, the sidewalk requirement shall apply to only the development along the streets identified as requiring sidewalks.
- d) Sidewalks shall be required on local and collector streets only if the subdivision is projected to contain twenty-five (25) or more dwelling units.
- e) Sidewalks may also be required along at least one (1) side of a street, where deemed essential to pedestrian traffic safety by the Commission.
- f) Sidewalks may not be required for minor subdivisions.

Residential Density

Low Residential Density	Greater than or equal to an average of one (1) dwelling unit per gross residential acre or an average frontage of one hundred fifty (150) feet per dwelling unit.
Medium Residential Density	Greater than or equal to three (3) dwelling units per gross acre, or an average frontage of greater or equal to one hundred fifty (150) feet.
High Residential Density	An average of either greater than three (3) dwelling units per gross acre or an average frontage of between seventy (70) feet and one hundred nineteen (119) feet.

Table 8: Residential Density

Section 407: PUBLIC SITES, OPEN SPACES AND NATURAL FEATURES

Upon the creation of a County Park Board or similar organization, and where a park, playground, school, or public facility with access to water frontage (which is shown in the Comprehensive Development Plan) is located in whole or in part in the proposed subdivision, the Commission shall request the dedication of such area within the subdivision. The subdivider shall pay for only that portion of the cost determined by the Commission. Every subdivider of land for subdivisions not containing public sites shall be requested to provide land or payment in lieu thereof for the portion of benefits from public sites according to their land as determined by the Commission.

The Commission shall, wherever possible, establish the preservation of all natural features, which add value to residential developments and to the community, such as: large wooded areas, watercourses, areas of historical significance, and similar irreplaceable assets.

Section 408: GRADING PLAN

A grading plan shall be required of the entire subdivision to ensure proper drainage. This section provides information about surface drainage requirements to all areas to prevent property damage, inconvenience, and deterioration caused by ponding water. For each residential lot, storm drainage shall be provided in accordance with the following requirements:

- 1) Area around a residence shall be graded away from the residence in such manner as to allow surface runoff to escape from the immediate area around a residence.

- 2) New open drainage ditches, other than normal roadway gutters and those necessary to satisfy flood control and storm drainage, shall be prohibited. All drainage systems shall be reviewed subject to the approval of the County Engineer.

- Per Section 409 and Section 410

Section 409: FLOOD AREAS AND FLOOD PREVENTION REGULATIONS

Any area of a proposed subdivision located within, or expected to be located within, any flood hazard area of Fulton County shall be subject to the provisions of the Flood Damage Reduction Regulations (Resolution #2011-88) and Section 338 of these Regulations. The Flood Damage Reduction Regulations were adopted by the Board of Fulton County Commissioners on January 27th, 2011. The resolution adopted the regulations to govern development in flood hazard areas and for participation in the national flood insurance program under Section 307.37(2) of the Ohio Revised Code. To protect the health, safety, and general welfare of the public, the Commission shall reject any proposed subdivision that cannot satisfy the criteria of the Regulations. Otherwise, the proposal is also subject to the criteria under Section 410.

Section 410: STORMWATER MANAGEMENT FACILITIES

- a) All subdivisions and land developments shall have stormwater management facilities installed. Connections to existing roadside drainage tiles are prohibited. A stormwater management facilities design plan shall be approved with the County Engineer and County Sanitary Engineer prior to final plat approval. The subdivider shall make the improvements prior to final plat approval or be required to post surety, approved by the County Commissioners, to ensure completion of the work. The County Commissioners may grant a waiver to these requirements when one of the following conditions exist:
- Per Section 711.101 of the Ohio Revised Code
 - 1) The subject property is adequately served by a sub-regional stormwater system.
 - 2) The County agrees to accept an off-site improvement, to be funded by several properties, and receives the proportional share of the cost of such facilities from the landowner.
- b) A stormwater management system consists of the following elements:
- 1) Stormwater detention and runoff release structures
 - 2) Surface drainage ditches, diversion channels, and drainage swales
 - 3) Storm sewers and drainage tile systems
- c) Each development shall provide for the on-site or off-site detention of excess stormwater runoff resulting from the increase of impervious surface and other factors. Excess stormwater runoff shall include all increases in stormwater over the pre-existing site conditions resulting from:
- 1) An increase in the site's impervious surface from development of new buildings, roads, and/or parking lots.

- 2) Changes in soil absorption caused by compaction during development.
 - 3) Contour modifications, including filling or draining small depressional areas, altering drainageways, installing collection systems to intercept street flows, replacing swales or other drainageways.
 - 4) The altering of subsurface flows compared with the site in its natural state. Detention shall be required based on the land use, pervious surface, and impervious surface.
- d) No development shall cause downstream property owners, water courses, channels, or conduits to receive stormwater runoff from proposed developments at a higher peak flow rate than would have resulted from the same storm event occurring over the proposed development site with the land in its natural, "undeveloped condition", which shall include all natural retention areas and drainage ways, plus existing highway drainage structures, in the flow of calculations.
 - e) All stormwater storage facilities shall be designed with sufficient capacity to accommodate all runoff caused by the development in excess of the undeveloped condition.
 - f) The recommended method of calculating hydrographs and detention shall be the preferred method unless approved otherwise by the County Engineer.
 - g) All detention facilities and improvements required by this section shall comply with the following regulations:
 - 1) Outlet control structures shall be designed as simply as possible and shall operate automatically.
 - 2) Emergency overflow facilities shall be provided.
 - h) All dry bottom basins may be designed to serve secondary purposes for recreation, open space, or other types of use, which will not be adversely affected by occasional or intermittent flooding. All shall be:

- 1) Made to facilitate interior drainage, to include the provision of natural grades to outlet structures, longitudinal and transverse grades to perimeter drainage facilities, or the installation of subsurface drains.
- 2) Designed for periodic cleaning and removal of sediments, which shall be removed from the site or otherwise disposed of in an appropriate manner.
- 3) Water depth shall not exceed four (4) feet unless otherwise approved by the County Engineer. The final depth and time of release shall also be consistent with any proposed final use.

For basins designed with permanent pools (wet basins):

- 1) The minimum depth of the wet basin shall be determined by the Fulton County Drainage Engineer.
 - 2) For emergency purposes, cleaning, or shoreline maintenance, facilities shall be provided, or plans prepared, for the use of auxiliary equipment to permit emptying and drainage.
 - 3) Aeration facilities may be required when the influent quality and detention time would result in a lowering of the basin's dissolved oxygen content.
- i) Approach slopes shall be at least six-to-one (6:1), but not more than three-to-one (3:1), and shall be at least four (4) to six (6) feet wide and slope gently toward the shore to prevent people or objects from sliding into deep water. A freeboard of two (2) feet above the high water elevation shall be provided on all retention basins. Irregular, natural-appearing shorelines and vegetation shall be strongly encouraged.
 - j) The basins shall be designed to include sediment traps in all inlets. Sediment traps shall be designed to permit periodic cleaning and maintenance. A basin

maintenance plan shall be developed to ensure the design depths of the basin will remain over time.

k) Drainage outlets shall meet the following requirements:

- 1) New private drainage outlets shall be installed outside the road right-of-way with County Engineer approval.
- 2) Drainage outlets constructed across public roads will require a permit issued by the County Engineer or governing jurisdiction. The County will inspect the construction, at a fee set by the County Engineer, or the outlet will be installed by the County or a contractor and approved by the County at the owner's expense. All work shall be in accordance with County construction standards.

l) Building regulations:

- 1) Paved parking lots shall be designed to provide temporary detention storage with storage depths limited to prevent damage to parked vehicles. Outlets shall be designed to slowly empty the stored waters.
- 2) All or a portion of the detention storage may also be provided in underground detention facilities or in storage basins.
- 3) Retention in floodplains shall be permitted only where the cross section of floodplain is altered to provide the storage, and soils data indicates that high water tables would not reduce storage potential. There shall be no building constructed within a floodway, per the Fulton County Flood Damage Reduction Regulations.
- 4) All detention basins shall be located in stormwater control easements with access easements provided where required.
- 5) Basins shall be sodded or seeded with established growth and inspected by the County Engineer.

- 6) The developer shall be responsible for maintaining all improvements until such time as streets are accepted, the development is substantially completed, and occupancy permits are issued. However, the developer shall not transfer these maintenance improvements until final approval, final inspection, and a certificate of compliance is granted by the County. Thereafter, all detention improvements shall be maintained in perpetuity and cannot be developed for any other use, which would limit or cause to limit the use for detention.
- 7) The County Engineer or his representative shall inspect all drainage facilities during construction. When facilities are not constructed according to approved plans, the County Engineer has the explicit authority to compel compliance and require correction of any situations not complying with the approved.

Section 411: EXTENSION TO BOUNDARIES

The subdivider may be required to extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining subdivided land, as determined by the Commission.

Section 412: OFF-SITE EXTENSIONS

If streets or utilities are not available at the boundary of a proposed subdivision, and if the Commission finds the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a county expense until some future time, the subdivider shall be required, prior to approval of the final plat, to obtain necessary easements of right-of-way and construct and pay for such extension.

ARTICLE V: SUBDIVISION UTILITY PLANNING STANDARDS

Section 500: GENERAL STATEMENT

This article shall guide and control the planning of utilities and their placement for the proposed subdivision or split.

Section 501: SANITARY SEWER AND ON-LOT SEWAGE DISPOSAL

501.1: Policy Statement

Public sewer service may be provided to land located outside the Urban Growth Areas (UGA) or to unzoned areas to alleviate a serious health problem or for economic development purposes. The preferred method of sanitary sewage treatment is public sewer. All proposed subdivisions and splits shall have an approved means of sewage service prior to approval from either the County Sanitary Engineer or the County Health Department, or in the case of proposed lots of record, prior to closing on the property *unless* the sale is for agricultural purposes.

On-site sanitary systems for any subdivisions shall be approved by the Fulton County Health Department.

Public sewer service shall be provided by an existing municipal sewage treatment facility. Major subdivision sewage systems shall be approved by the County Sanitary Engineer and the municipal provider.

Where soils are suitable, these Regulations shall allow for on-site septic systems should it alleviate unnecessary hardship on the developer and property owners. Requirements for application include:

- 1) Septic system plan
- 2) Drainage (stormwater) plan

- 3) Water supply plan

501.2: Subdivision Sanitary Requirements

The following requirements shall govern sewage disposal improvements:

Major Subdivision Requirements (Public Sanitary Sewers and On-Site Sanitary Systems)

Public sewer service may be provided by an existing municipal sewer treatment facility, which is available within the Urban Growth Area (UGA) of each municipality or unincorporated area throughout the County. The County Sanitary Engineer, local municipality, and Ohio EPA standards and specifications are to be used for compliance with public sewer collection system installation requirements.

All development within two hundred (200) feet of a public sanitary sewer, new and existing, shall be required to extend a lateral to that line and connect.

In no case shall storm drains or sump pumps be connected to sanitary sewer lines.

Where suitable, these Regulations may allow for on-site sanitary systems should it alleviate unnecessary hardship on the developer and property owners. The on-site sanitary system shall be approved by the Health Department and Commission, and shall also meet the on-site sanitary system requirements listed under **Minor and Rural Subdivision Requirements (On-Site Sanitary Systems)**.

Minor and Rural Subdivision Requirements (On-Site Sanitary Systems)

Where public sanitary sewer is not available, a study of soils on the site shall be conducted to determine the feasibility of on-site systems for each proposed lot (soil evaluation). The soil evaluation may discover that the lot is unsuitable for on-site systems. The proposed rural or minor subdivision will have to be revised to combine such lots with those that can support on-site sewage disposal systems*. The following standards shall be used to determine the suitability of soils and lots for sanitary sewerage:

- 1) In accordance with the specifications established by the Health Department, test holes shall be dug on each proposed lot to determine the type of soils and depth to seasonal high water table. Sufficient holes shall be dug to ascertain that the tile field, and any required second fields, can be established in accordance with the standards of these regulations.

- 2) All on-site sewage disposal systems shall be installed with the bottom of the trench at least four (4) feet above the water table. Additional fill shall be required to comply with the four (4) foot requirement.

**The result may be lots considerably in excess of the minimum zoning or subdivision standards.*

Section 502: WATER SUPPLY

502.1: Policy Statement

Public water service may be provided to land located outside the UGA or to unzoned areas to alleviate a serious health problem or for economic development purposes. The preferred method of water supply is public water.

All proposed subdivisions shall have an approved water supply prior to final subdivision approval from the County Sanitary Engineer, County Health Department, or Ohio EPA; or, in the case of proposed lots of record, prior to closing on the property *unless* the sale is for agricultural purposes.

On-site private water supply systems for any subdivisions shall be approved by the Fulton County Health Department. For major subdivisions utilizing public water this water supply shall be approved by the municipal provider, Fulton County Sanitary Engineer, and the Ohio EPA.

502.2: Subdivision Water Supply Requirements

The following requirements shall govern water supply:

Major Subdivision Requirements (Public Water Service and On-Site Water Supply)

Public water service may be provided by an existing municipal water system, which is available within the Urban Growth Area (UGA) of each municipality or unincorporated area throughout the County. The County Sanitary Engineer and the local municipality standards and specifications are to be used for compliance with public water distribution system installation requirements.

In areas where public water supply is reasonably accessible or required because of pollution problems, the subdivision shall be provided with a complete public water distribution system, including a connection for each lot and fire hydrants where permitted or required, per determination of the Ohio EPA and/or the Fulton County Health Department.

Public water distribution and public water supply shall meet the requirements of the Fulton County Sanitary Engineer, the local municipality, the Ohio EPA, and any other applicable rules and regulations.

Where suitable, these Regulations may allow for an on-site water supply should it alleviate unnecessary hardship on the developer and property owners. The on-site water supply shall be approved by the Health Department and Commission, and shall also meet the on-site water supply requirements listed under **Minor and Rural Subdivision Requirements (On-Site Water Supply)**.

Minor and Rural Subdivision Requirements (On-Site Water Supply)

Where public water supply is not available or not required, the subdivider shall supply acceptable evidence of adequate capacity and quality of water. The subdivider will be required to install one (1) or more approved wells in the area to be platted or subdivided. Copies of well logs and pump reports shall include the name and address of the well driller and shall be submitted to the Planning Commission and the Fulton County Health Department.

Where a pond or hauled water system will be utilized as the potable water supply, a private water system installation permit must be obtained from the Health Department prior to final subdivision approval. The entirety of a pond shall be housed on a single parcel.

Water supply systems shall not be located within any areas of a designated 100-year floodplain. Individual private water supplies shall comply with Chapter 3701-28 of the Ohio Administrative Code and any additional requirements of the Fulton County Health Department.

Where an individual lot's well yield is less than five (5) gallons per minute, as determined by a 2-hour yield test, a note shall be placed on the plat or property deed for that lot or groups of lots having similar low yields.

The note shall state: **"Wells on this lot may prove inadequate under heavy usage, due to low yields."**

Section 503: FIRE PROTECTION

Fire hydrants with two and one-half (2½) inch outlets and one (1) large pumping connection shall be provided by the subdivider in all subdivisions with public water supplies. The hydrant should be located between property lines and curbs with all outlets facing or parallel to the street. Hydrants shall be placed at the corners of all blocks and at mid-block for blocks exceeding eight hundred (800) feet in length. Hydrants shall also be required at the entrance and end of all cul-de-sacs exceeding four hundred (400) feet in length. The type of hydrant and control valves and the location of the hydrant shall be approved by the Fire Chief having jurisdiction. The minimum size of any water line serving any hydrant shall not be less than eight (8) inches in diameter and should be circulating water lines. The size and location of water lines should be approved by the County Sanitary Engineer, the Fire Chief, and the Ohio EPA.

Section 504: ELECTRIC, GAS, TELEPHONE, AND CABLE TV FACILITIES

- a) Electric service and telephone service may be provided within each subdivision. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat.
- b) Overhead utility lines, where permitted, shall be located at the rear of all lots. The width of the easement per lot shall be not less than five (5) feet and the total easement width shall be not less than ten (10) feet.
- c) Whenever a sanitary sewer line and electric and/or telephone line are each placed underground in the same utility easement, the following provisions shall be applicable:

The total easement width shall be not less than twenty (20) feet. The sanitary sewer line shall be installed within five (5) feet of one side of the easement, and the electric and/or telephone lines shall be installed within three (3) feet of the opposite side of the easement.

- d) All utilities located in the street right-of-way shall submit proposed construction drawings to the County Engineer for approval before installation of the facilities.

Section 505: EASEMENTS

Easements at least twenty (20) feet in width, centered along rear or side lot lines, shall be provided where necessary for sanitary sewers, gas mains, water lines, and electric lines. Easements at least thirty (30) feet in width shall also be provided along every watercourse, storm sewer, drainage channel, or stream within a subdivision.

- Per Section 411 and Section 412 of these Regulations

Section 506: OVER-SIZE AND OFF-SITE IMPROVEMENTS

The utilities, pavements, and other land improvements required for the proposed subdivision shall be designed over-size, and/or extensions provided to serve nearby land which is an integral part of the neighborhood service or drainage area when determined by the appropriate agency.

Section 507: COST OF OVER-SIZE IMPROVEMENTS

The subdivider shall be required to pay a portion of the construction cost for the arterial streets, trunk sewers, or water lines that serve the proposed subdivision as determined by the appropriate agency and approval by the Commission. The County may pay the difference between the cost of required improvement for the proposed subdivision and improvements required to service the surrounding areas specified in Section 506.

ARTICLE VI: ACCESS MANAGEMENT

Section 600: CONGESTION PREVENTION

The relationship between transportation and land use is occasionally described as an ***ongoing cycle of obsolescence***. Fulton County's Comprehensive Land Use Plan identifies access management as an element of concern, most notably in areas undergoing development. Many areas of the County are experiencing urbanization. As urban development occurs, traffic continues to increase, which increases land values and encourages further development.

Business development along roadways results in more driveways, which may lead to greater congestion. As a result, traffic service levels may drop enough that roadway improvements, or completely new infrastructure, becomes necessary. This requires expenditure of tax-payer dollars on expensive land acquisition, physical construction, and traffic maintenance. This process can become cyclical, hence the need for development and access management practices.

Congestion prevention and access control measures offer great potential for slowing the cycle of functional obsolescence while maintaining acceptable and safe traffic operating conditions along arterial and collector streets. Inadequate controls may prematurely render a highway functionally obsolete, and contribute to potential safety issues, congestion, and air quality problems. Another important aspect of access management is the large public tax savings that occur by slowing this unmanaged growth. Additionally, this protects the property owner by ensuring safe access with less road congestion, and maintains land values.

Section 60:1 INTENT AND PURPOSE

The intent of this article is to provide and manage access to land development, while preserving the regional flow of traffic in terms of safety, capacity, and speed. Major thoroughfares, including highways and other arterials, serve as the primary network for moving people and goods. These transportation corridors provide access points for commercial and residential development. If access systems are not properly designed, these thoroughfares will be unable to accommodate the access needs of continued development while retaining their primary transportation function.

This article balances the right of reasonable access to private property with the need for safe and efficient travel, while significantly reducing dependence upon raising or diverting additional tax dollars for the costs associated with administration and management of road improvements. To achieve this policy intent, state and local thoroughfares have been categorized by function and classified for access purposes based upon their level of importance. Highest priority thoroughfares are listed on the Ohio Highway System, and secondary priority thoroughfares are listed on the primary network of regional and intra-regional arterials and collectors.

Regulations have been applied to these thoroughfares for the purpose of reducing traffic accidents, personal injury, and property damage attributable to poorly designed access systems, and to thereby improve safety, and reduce the overall improvement cost of the roadway network. In addition, these Regulations attempt to mitigate the congestion of existing roadways resulting from continued growth in the County, and increased air pollution caused by resulting traffic jams. These standards are designed to protect the substantial public investment in the existing transportation system and reduce the need for expensive, remedial measures. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems that prevent congestion and discourage the unplanned subdivision of land.

Section 602: APPLICABILITY

This section shall apply to all arterials and collectors within Fulton County as identified in these Regulations, and to all properties that abut these roadways. The requirements of unclassified roads will be evaluated in terms of the proposed development or lot split by the Fulton County Regional Planning Commission, the Fulton County Engineer, and, where applicable, the Ohio Department of Transportation (ODOT).

Section 603: DEFINITIONS

Access: A way or means of approach to provide vehicular or pedestrian entrance or exit to a property.

Access Classification: A ranking system for roadways used to determine the appropriate degree of access management and congestion prevention. Factors considered include functional classification, the appropriate local government's adopted plan for the roadway, existing or potential land use of abutting properties, and existing level of access control.

Access Connection: Any driveway, street, turnout, or other means of providing for the movement of vehicles to or from the public roadway system.

Access Management: The process of providing and managing access to land development while preserving the flow of traffic in terms of safety, capacity, speed, and the prevention of congestion while reducing the rate of increase in public expenditures for additional road capacity. (See **Congestion Prevention**)

Accessway: That area of road surface from curb line to curb line or between the edges of the paved or hard surface of the roadway, which may include travel lanes, parking lanes, and deceleration or acceleration lanes.

Classified Roadway: A roadway categorized by the amount of traffic it can or will carry and the amount of congestion prevention and access management it should receive. They are as follows: Principal Arterial, Minor Arterial, Major Collector, and/or Minor Collector as determined by the Fulton County Thoroughfare Plan.

Congestion Prevention: The process of providing and managing access to land development while preserving the flow of traffic in terms of safety, capacity, speed, and the prevention of congestion while reducing the rate of increase in public expenditures for additional road capacity.

Congestion Prevention Plan (Corridor): A plan illustrating the design of access for lots on a highway, arterial, or collector segment and/or an interchange area.

Connection Spacing: The distance between connections, measured from the closest edge of pavement of the first connection to the closest edge of pavement of the second connection along the edge of the traveled way.

Corner Clearance: The distance from an intersection of a public or private road to the nearest access connection, measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.

Corridor Overlay Zone: Special access requirements added onto existing land development requirements along designated portions of a public thoroughfare.

Cross Access: A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public roadway system.

Deed: A legal document conveying ownership of real property.

Direction Median Opening: An opening in a restrictive median, which provides for specific movement and physically restricts other movements. Directional median openings for two opposing left or U-turn movements along a road segment are considered one directional median opening.

Driveway: A private road that connects a parcel with a street.

Easement: A grant of one or more property rights for a specific purpose by a property owner to or for use by the public, or another person or entity.

Frontage Road: A public or private drive, which generally parallels a public street between the right-of-way and the front building setback line. The frontage road provides access to private properties while separating them from the arterial street. (See **Service Roads**)

Full Median Opening: An opening in a restrictive median that allows all turning movements from the roadway and the intersecting road or access connection.

Functional Area (Intersection): That area beyond the physical intersection of two roadway facilities that comprises decision and maneuver distance, plus and required vehicle storage length, and is protected through corner clearance standards and driveway connection spacing standards.

Functional Classification: A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

Joint Access (or Shared Access): The point where vehicles enter or leave the public roadway to or from a private lot, which is shared by two or more contiguous sites.

Limited Access Highway/Freeway: A highway especially designed for through traffic and over which abutting property owners have no easement or right of access by reason of the fact that their property abuts upon such highway. (See ORC Section 5511.02)

Location and Design Manual: A manual produced by the Ohio Department of Transportation, which provides for uniform standards and criteria for transportation facilities for both state and local roads.

Lot: A parcel, tract, or area of land whose boundaries have been established by some legal instrument, which is recognized as a separate legal entity for purposes of transfer of title, has frontage upon a public or private street, and complies with the dimensional requirements of this code.

Lot, Corner: Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees. Fulton County Subdivision Regulations -2008 56

Lot, Flag: A large lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.

Lot, Nonconforming: A lot that does not meet the dimensional requirements of the district in which it is located and that existed before these requirements became effective.

Lot, Through (also called a double frontage lot): A lot that fronts upon two streets that do not intersect at the boundaries of the lot.

Lot Frontage: That portion of a lot extending along a street right-of-way line.

Lot of Record: A lot or parcel that exists as shown or described on a plat or deed in the records of the County Recorder and Engineer.

Nonconforming Access Features: Features of the access system of a property that existed at the date of this articles adoption that do not conform with the requirements of these regulations.

Nonrestrictive Median: A median or painted centerline that does not provide a physical barrier between traffic traveling in opposite directions or turning left, including continuous center turn lanes and undivided roads.

Outparcel: A parcel of land abutting and external to the larger, main parcel, which is under separate ownership and has roadway frontage.

Parcel: A division of land comprised of one or more contiguous lots under the same ownership.

Plat: An exact and detailed map of the subdivision of land.

Private Road: Any road or thoroughfare for vehicular travel which is privately owned and maintained and which provides the principal means of access to abutting properties.

Public Road: A road under the jurisdiction of a public body that provides the principal means of access to an abutting property.

Reasonable Access: The minimum number of access connections, direct or indirect, necessary to provide safe access to and from the thoroughfare, as consistent with the purpose and intent of these regulations.

Restrictive Median: A physical barrier in the roadway that separates traffic traveling in opposite directions, such as a concrete barrier or landscaped island.

Right-of-Way: Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.

Service Road: A public or private street or road, auxiliary to and normally located parallel to a highway facility that maintains local road continuity and provides access to parcels adjacent to the regulated access highway.

Significant Change in Trip Generation: A change in the use of the property, including land, structures or facilities, or an expansion of the size of the structures or facilities, that creates an increase in the trip generation of the property exceeding ten percent (10%) more trip generation (either peak or daily) and 100 vehicles per day more than the existing use for all roads falling within these Regulations.

Stub Street: A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

Substantial Enlargements or Improvements: A ten (10%) increase in square footage or fifty (50%) increase in assessed valuation of the structure.

Temporary Access: Provision of direct access to the regulated access facility until that time when adjacent properties develop, in accordance with a joint access agreement or frontage road plan.

Vehicle Storage Length: That portion of the roadway or parking lot where vehicles line up waiting to turn onto an intersecting roadway or parking lot.

Section 604: CONGESTION PREVENTION CLASSIFICATION SYSTEM & STANDARDS

604.1: Classifications

All roadways in Fulton County have been classified for congestion prevention and access management. These classes are:

- 1) Principal Arterial
- 2) Minor Arterial
- 3) Major Collector
- 4) Minor Collector
- 5) Unclassified (Local Roads)

These Congestion Prevention requirements only apply to principal arterials, minor arterials, major collectors, and minor collectors. Roads not listed are considered lower order and do not need to meet the requirements of Article VI.

Each of the four (4) classifications has different degrees of access standards, the strictest applying to principal arterials and the least strict to minor collectors. Of major importance to congestion prevention and access management is driveway and roadway spacing (the distance between access points that enter a roadway).

The requirement for spacing between any access points and/or roads for a lot on any of these classified roadways is the **less strict** safe stopping distance required for either:

- 1) The speed limit of the road segment; or,

- 2) The designed speed limit for that road segment's classification. Detailed descriptions of the requirements for each particular road classification are described in Sections 604.1.1 through 604.1.4, inclusive.

604.1.1: Principal Arterial

- a) Fulton County has designated certain roadways in the County as "Principal Arterials" based on ODOT classifications. Principal arterial roadways are specifically designed for the movement of through traffic; therefore, only four (4) minor subdivisions (lot splits) that access a principal arterial shall be permitted in total from an original tract of land as it is recorded on the effective date of these Subdivision Regulations. Furthermore, these access points must be existing and cannot be created after the effective date of these Regulations. Land divisions that meet the major subdivision or major development process outlined in these regulations are permitted on principal arterial.
 - Per Section 5535.03 of the Ohio Revised Code
- b) No additional access points are permitted on a principal arterial, excepting new roads (existing access points may be relocated or closed to improve safety and/or traffic flow on a roadway). Large-scale developments may be required to provide additional access points when a Traffic Impact Study indicates such provision will enhance safety and/or traffic flow on the arterial. Review of commercial and residential developments for purposes of these regulations shall conform to the latest edition of the Traffic Access and Impact Studies for Site Development, by the Institute of Transportation Engineers. When a major change in use or trip (traffic) generation occurs, such development shall be required to meet the standards of this article (see definition: **Significant Change in Trip Generation**).
- c) New roads and access points requiring (or that may require in the future) traffic signals shall be spaced at half (1/2) mile intervals. Whenever feasible, new roads shall be a minimum of five hundred fifty (550) feet apart and directly across from (not offset from) other streets and drives. The required minimum driveway spacing shall be four hundred ninety-five (495) feet.

- d) Newly constructed roads that intersect a principal arterial shall construct left turn lanes and right turn deceleration lanes on the principal arterial; this includes the dedication of right-of-way sufficient for turn lanes along the entire frontage.
- e) For all land division or access improvement, half (1/2) of the right-of-way necessary to increase the right-of-way of the principal arterial to one hundred twenty (120) feet, or that necessary for a four (4) lane divided road section, shall be pinned, marked on the survey or plat, and recorded on the deed or plat as right-of-way setback along the entire parcel or development. Major subdivisions and major developments are required to dedicate this right-of-way to the County.
- f) All residential, commercial, and industrial developments shall be reviewed to ensure that ingress/egress, including on-site circulation, shall not interfere with roadway traffic. This review may require, but is not limited to, the addition of left and right turn lanes, minimum turning radii for driveways, minimum throat lengths between entrances and parking areas, and restricting ingress and egress to *Right In/Right Out* only.
- g) When the creation of a new access point, or a significant change in trip generation of an access point, is permitted, the property owner(s) must record an easement with the deed allowing access to and from other properties in the area. The property owner shall enter an agreement to dedicate remaining access rights along the arterial to the County, and enter into another agreement to be recorded with the deed that any pre-existing driveways on the arterial will be closed and eliminated after the construction of joint use driveways/access roads, or alternative means of access.
- h) Where a proposed subdivision or development abuts and, through internal roadways, connects to an existing subdivision or development that has access to a principal arterial, the proposed subdivision shall be required, where necessary, to upgrade the intersection of the principal arterial and the existing subdivision's roadway access.

- i) No increase in access will be granted on roadways where the access rights have been purchased by any governmental body.

604.1.2: Minor Arterial

- a) Fulton County has designated certain roadways in the County as “Minor Arterials” based on ODOT classifications. The minor arterial roadways are specifically designed for the movement of through traffic and therefore only four (4) minor subdivisions (lot splits) gaining access from a minor arterial shall be permitted in total form an original tract of land as it is recorded on the effective date of these Subdivision Regulations. Land division that meets the major subdivision or major development process outlined in these regulations are permitted on Minor Arterials.
 - Per Section 5535.03 of the Ohio Revised Code
- b) On a minor arterial, new driveway access points and new roadways shall be located based upon the existing speed limit of the arterial, or fifty-five (55) miles per hour; the required minimum driveway spacing shall be four hundred ninety-five (495) feet.
- c) For development other than single-family residential, joint use driveways and cross access and/or through access easements must be established wherever possible and the building site must incorporate a unified access and circulation system. Whenever the creation of a new access point or the increased use of an access point is permitted, the property owner(s) must record an easement with the deed allowing access to and from other properties in the area. The property owner shall enter an agreement to dedicate remaining access rights along the arterial to the County, and enter into another agreement to be recorded with the deed that any pre-existing driveways will be closed and eliminated after the construction of joint use driveways, access roads, or alternative means of access.
- d) For all land division or access improvement, half (1/2) of the right-of-way necessary to improve the right-of-way of the minor arterial to one hundred twenty (120) feet; or, that necessary for a four (4) lane divided road section, shall be pinned, marked on the survey or plat, and recorded on the deed or plat as *Right-of-way Setback* along the entire parcel or development. Major

subdivisions and major developments are required to dedicate this right-of-way to the County.

- e) Any lot permitted to create a new access point(s) shall be required to have deed restrictions allowing travel through that access to any contiguous lots of record.
- f) Where a proposed subdivision or development abuts and, through internal roadways, connects to an existing subdivision or development that has access to a minor arterial, the proposed subdivision shall be required, where necessary, to upgrade the intersection of the minor arterial and the existing subdivision's roadway access.
- g) No increase in access will be granted on roadways where the access rights have been purchased by any governmental body.

604.1.3: Major Collector

- a) No new direct access, other than for a new road, is permitted from any lot to a major collector, except for lot splits in residential or agricultural zoning districts. For development other than single family residential, joint use driveways and cross access and/or through access easements must be established wherever possible and the building site must incorporate a unified access and circulation system. Wherever the creation of a new access point or the increased use of an access point is permitted, the property owner(s) must record an easement with the deed allowing access to and from other properties in the area. The property owner shall enter an agreement to dedicate remaining access rights along the major collector to the county, and enter into another agreement to be recorded with the deed that any pre-existing driveways will be closed and eliminated after the construction of joint use driveways, access roads, or alternative means of access.
- b) Any new driveway access points and new roadways shall be located on a major collector in accordance with *AASHTO Safe Stopping Sight Distance Connection Spacing Standards* (Table 9) based upon the existing speed limit of the major collector.

- c) When new streets access a major collector, left turn lanes shall be constructed on the collector and flared right turn lanes shall be constructed according to the requirements of Section 605. Right-of-way shall be dedicated along the full frontage to the depth required by the turn lanes and/or other turn improvements.
- d) For all land improvement, half (1/2) of the right-of-way necessary to improve the right-of-way of the major collector to one hundred (100) feet, or that necessary for a four (4) lane road section, shall be pinned, marked on the survey or plat, and recorded on the deed or plat as a right-of-way setback along the entire parcel or development. All developments are required to dedicate this right-of-way to the County.
- e) Commercial and industrial subdivisions/developments shall construct left and right turn lanes and dedicate right-of-way as per above and meet the requirements of Section 605.
- f) All developments (residential, commercial, and industrial) shall be reviewed to ensure ingress/egress, including on-site circulation, shall not interfere with roadway traffic. This review may require, but is not limited to: the addition of left and right turn lanes, minimum turning radii for driveways, minimum throat lengths between entrance(s) and parking areas, and restricting ingress and egress to *Right In/Right Out* only.
- g) Where a proposed subdivision or development abuts and, through internal roadways, connects to an existing subdivision or development which has access to a Minor Collector, the proposed subdivision shall be required, where necessary, to upgrade the intersection of the major collector and the existing subdivision's roadway access.
- h) No increase in access will be granted on roadways where the access rights have been purchased by any governmental body.

604.1.4: Minor Collector

- a) New streets intersecting the minor collector shall meet the requirements of Section 605.
- b) New driveway access points and new roadways shall be located on a minor collector in accordance with *AASHTO Safe Stopping Sight Distance Connection Spacing Standards* (Table 9) based upon the existing speed limit of the minor collector.
- c) For all land division or access improvement, half (1/2) of the right-of-way necessary to improve the right-of-way of the minor collector to seventy-two (72) feet; or, that necessary for a three (3) lane road section, shall be pinned, marked on the survey or plat, and recorded on the deed or plat as a right-of-way setback along the entire parcel or development. Major subdivisions and major developments are required to dedicate this right-of-way to the County.
- d) Minimum turning radii for roadways where no right turn lane exists shall be fifty (50) feet for a development creating less than or equal to fifty (50) peak hour trips; otherwise, a right turn deceleration lane shall be constructed.
 - Per Section 605.4
- e) Where a proposed subdivision or development abuts and, through internal roadways, connects to an existing subdivision or development that has access to a minor collector, the proposed subdivision shall be required, where necessary, to upgrade the intersection of the minor collector and the existing subdivision's roadway access.
- f) No increase in access will be granted on roadways where the access rights have been purchased by any governmental body.

604.2: Lot Splits on Classified Roadways

- a) Lot splits are permitted along all roadways if the proposed split meets the following requirements: driveway spacing (Table 9), those listed under this article, and the requirements of Section 333.
- b) Minor arterials are limited access highways. To increase safety and prevent congestion of the public roadways, minor subdivisions gaining access from minor arterials are restricted to a total of five (5) lots, including the remainder of the original tract. Thus, five (5) lots may be created as lot splits from the original tract as it exists on the Fulton County tax maps as of the effective date of these regulations, provided the proposed minor subdivision(s) meet the requirements of Section 330.
- c) Principal arterials are limited access highways. Minor subdivisions gaining access from principal arterials will be permitted provided that they meet the same requirements as Section 604.2(b), and no new access points are created. A copy of the official driveway permit must be submitted with the application.

604.3: General Roadway Standards

- a) All connections located on roadway segments with an assigned an access classification shall meet or exceed the minimum connection spacing requirements of that access classification (Table 9).
- b) Driveway spacing shall be measured from the closest edge of the pavement to the next closest edge of the pavement. The projected future edge of the pavement of the intersecting road shall be used in measuring corner clearance, where widening, relocation, or other improvement is indicated in an adopted local thoroughfare plan.
- c) The Fulton County Regional Planning Commission may reduce the connection spacing requirements in situations where they prove impractical, but in no case shall the permitted spacing be less than eighty (80) percent of the applicable standard, except as provided in Section 605.2(d).

- d) If the connection spacing of this code cannot be achieved, then a system of joint use driveways and cross access easements may be required under Section 605.2.
- e) Variation from these standards shall be permitted at the discretion of the Commission to enhance the safety or operation of the roadway. Examples might include a pair of on-way driveways in lieu of a two-way driveway, or alignment of median openings with existing access connections. Applicants may be required to submit a study prepared by a registered engineer to assist the Commission in determining whether the proposed change would exceed roadway safety or operational benefits of the prescribed standard.

AASHTO Safe Stopping Sight Distance Connection Spacing Standards

SPEED (MPH)	DISTANCE (FEET)
35	250
45	360
55	495

Table 9: Connection Spacing Standards

Section 605: GENERAL CONGESTION PREVENTION STANDARDS

605.1: Corner Clearance

Corner clearance for connections shall meet the minimum connection spacing requirements for that roadway (Table 9).

New connections shall not be permitted within the functional area of an intersection or interchange as defined by the connection spacing standards of this code **unless**:

- 1) No other reasonable access to the property is available; or,
- 2) The Commission determines that the connection does not create a safety or operational problem upon review of a site-specific study of the proposed connection prepared by a registered engineer and submitted by the applicant.

Where no other alternatives exist, the Commission may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections (i.e. right in/out, right in only, or right out only) may be required.

In addition to the required minimum lot size, all corner lots shall be of adequate size to provide for required front yard setbacks and corner clearance on street frontage.

605.2: Joint and Cross Access

- a) Adjacent commercial or office properties shall provide a cross access drive and pedestrian access to allow circulation between sites.

A system of joint use driveways and cross access easements at least thirty (30) feet in width shall be established wherever feasible along arterials and collectors. The building site shall incorporate the following:

- 1) A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the congestion prevention classification system and standards.
 - 2) A design speed of ten (10) mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles.
 - 3) Stub streets and other design features to make it visually obvious that the abutting properties may be tied to provide cross-access via a service drive.
 - 4) A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.
- b) Per this section, property owners shall:

- 1) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive.
 - 2) Record an easement with the deed that remaining access rights along the thoroughfare will be dedicated to the Commission, and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway.
 - 3) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.
- c) The Commission may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
- 1) Joint access driveways and cross access easements are provided wherever feasible and in harmony this section.
 - 2) The site plan incorporates a unified access and circulation system.
 - 3) The property owner shall enter into a written agreement with the Commission, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.
- d) The Commission may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical.

605.3 : Left Turn Lane Improvements and Requirements

Adjacent commercial or office properties shall provide a cross access drive and pedestrian access to allow circulation between sites. When a new road is created connecting to a classified roadway, or a proposed parcel results in a significant change in trip generation for its access point on a classified roadway, a left turn

lane may be required to be constructed on the classified road. Left turn lanes shall be required under circumstances outlined in Table 10.

Conditions Requiring Left Turn Lane Improvements

Road Classification:	When Residential Lot Number Exceeds:	When Non-Residential Peak Hour Trips Exceed:
Minor Collector	50 lots or dwelling units	60 peak hour trips
Major Collector	50 lots or dwelling units	50 peak hour trips
Minor Arterial	25 lots or dwelling units	40 peak hour trips
Principal Arterial	10 lots or dwelling units	30 peak hour trips

Table 10: When Left Turn Lanes Are Required

When adjacent property is to be provided with access, either at the time of development or in the future, and this adjacent site does not have its own access or cannot meet the connection spacing standards, the number of dwelling units (if residential) or peak hour trips (if non-residential) shall be added to the total planned for the proposed site to determine whether a left turn lane is warranted.

When the adjacent property has its own access, twenty-five (25) percent of the lots or peak hour trips shall count toward the total for the proposed site. If the adjacent site (to be connected with a future access road) is currently undeveloped or contains only one structure, the total number of dwelling units or peak hour trips for that parcel shall be calculated by projecting the same density development as proposed on the current site.

605.4: Right Deceleration Lane Improvements and Requirements

When a new road is created connecting to a classified roadway, or a proposed parcel results in a significant change in trip generation for its access point on a classified roadway, a right turn improvement shall be required to be constructed on the classified road. Right turn lanes shall be required under circumstances outlined in Table 11.

Conditions Requiring Right Turn Lane Improvements

Number of Peak Hour Trips	Right Turn Lane Improvement Type
Less than or equal to 50	Larger turns radius of 50 feet
More than 50	Full-width right turn lane

Table 11: When Right Turn Lanes Are Required

If the right turn volume is less than or equal to fifty (50) vehicles per hour, a fifty (50) foot radius must be provided. If the right turn volume is over fifty (50) vehicles per hour, a full right turn lane must be constructed.

When an adjacent property is to be provided with access, either at the time of development or in the future, and this adjacent site does not have its own access or cannot meet the connection spacing standards (Table 9), the number of peak hour trips shall be added to the total planned for the proposed site to determine which type of right turn improvement is warranted. When the adjacent property has its own access, twenty-five (25) percent of the peak hour trips shall count toward the total for the proposed site. If the adjacent site (to be connected with a future access road) is currently undeveloped or contains only one structure, the total number of peak hour trips for that parcel shall be calculated by projecting the same density development as proposed on the current site.

605.5: General Access Connection and Driveway Design

- a) Driveway width shall meet the following guidelines:
 - 1) If the driveway is a one-way in or one-way out drive, then the driveway shall have a minimum width of sixteen (16) feet and shall have appropriate signage designating the driveway as a one-way connection.
 - 2) For two-way access, each lane shall have a width of twelve (12) feet and a maximum of four (4) lanes shall be allowed. Whenever more than two (2) lanes are proposed, entrance and exit lanes shall be divided by a median. The median shall be ten (10) feet wide, if three lanes are being proposed, or sixteen (16) feet wide if four (4) lanes are being proposed.
 - 3) Driveways that enter the major thoroughfare at traffic signals must have at least two (2) outbound lanes (one for each turning direction) at least twelve (12) feet wide, and one (1) inbound lane fourteen (14) feet in width.
- b) Driveways shall be located on the lowest order improved public roadway on which the lot has frontage or a shared access point, unless ODOT and/or the Commission determines that public safety would be better served through access on a higher order roadway. For major subdivisions with private roadways, driveway location will be determined during the Commission review process.
- c) Driveway grades shall conform to the requirements of ODOT's latest edition of *Location and Design Manual*.
- d) Driveway approaches must be designed and located to provide a vehicle unobstructed view upon departure. Construction of driveways along acceleration or deceleration lanes and tapers is discouraged due to the potential for vehicular weaving conflicts.

- e) Driveway width and flair shall be adequate to serve the volume of traffic and provide for rapid movement of vehicles off of the major thoroughfare, but standards shall not be so excessive as to pose safety hazards for pedestrians, bicycles, or other vehicles.

- f) The length of driveways or *Throat Length* shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. General standards appear in Table 12, but these requirements will vary according to the projected volume of the individual driveway. These measures generally are acceptable for the principle access to a property and are not intended for minor driveways. Variation from these standards shall be permitted for good cause upon approval of the Commission.

Generally Adequate Driveway Throat Lengths

Land Use	Size	Road Type	
		Arterial ¹	Collector ²
Light Industry	1) 100,000 square feet 2) 300,000 square feet 3) 500,000 square feet	1) 100 feet 2) 250 feet ³ 3) 400 feet ⁴	1) 75 feet 2) 200 feet ³ 3) 300 feet ⁴
Discount Store	1) 30,000 square feet 2) 100,000 square feet	1) 100 feet 2) 250 feet ³	1) 75 feet 2) 200 feet ³
Supermarket	1) 20,000 square feet 2) 50,000 square feet	1) 75 feet 2) 200 feet ³	1) 75 feet 2) 150 feet ³
Shopping Center	1) ≤ 100,000 square feet 2) 300,000 square feet 3) 500,000 square feet 4) ≥ 700,000 square feet	1) 150 feet ² 2) 300 feet ⁴ 3) 400 feet ⁴ 4) 500 feet ⁴	1) 150 feet 2) 250 feet ⁴ 3) 350 feet ⁴ 4) 450 feet ⁴
"Sit-Down" Restaurant	1) 15,000 square feet 2) 30,000 square feet	1) 50 feet 2) 75 feet	1) 50 feet 2) 50 feet
"Drive-Thru" Restaurant	1) 2,000 square feet 2) 4,000 square feet	1) 50 feet 2) 75 feet	1) 50 feet 2) 50 feet
Office Building	1) 100,000 square feet 2) 300,000 square feet 3) 500,000 square feet 4) 700,000 square feet	1) 150 feet ³ 2) 300 feet ⁴ 3) 400 feet ⁴ 4) 500 feet ⁴	1) 150 feet 2) 250 feet ⁴ 3) 350 feet ⁴ 4) 450 feet ⁴
Motel	1) 150 rooms	1) 75 feet	1) 50 feet
Apartment	1) 100 units 2) 200 units	1) 50 feet 2) 75 feet	1) 25 feet 2) 50 feet

Table 12: Driveway Throat Lengths

Note: Throat lengths are shown for a single lane based on applying ITE trip generation rates to the formula $N=2qr$, where q = [vehicles per lane per second] and r = [effective red time in seconds].

¹ Assumes a 60-second red light (stop) cycle (90-second cycle).

² Assumes a 50-second red light (stop) cycle (90-second cycle).

³ Requires multiple lanes **or** access points.

⁴ Requires multiple names **and** access points.

605.6: Nonconforming Access Features

- a) Permitted access connections in place as of the effective date of these Regulations that do not conform to the standards herein shall be considered as non-conforming features and shall be brought into compliance with applicable standards under the following conditions:
 - 1) When new access connection permits are requested;
 - 2) Substantial enlargements or improvements;
 - 3) Significant change in trip generation; or,
 - 4) As roadway improvements allow.
- b) If the principal activity on a property with non-conforming access features is discontinued for a consecutive period of two (2) years, then that property must thereafter be brought into conformity with all applicable connection spacing and design requirements, unless otherwise exempted by the Commission.

Section 606: MAJOR DEVELOPMENT | MULTI-FAMILY, COMMERCIAL, INDUSTRIAL

606.1 : Corridor Congestion Prevention Overlay

- a) The minimum lot frontage for all parcels with frontage on all arterials shall not be less than the minimum connection spacing standards of that thoroughfare, except as otherwise provided in this section. Rear or flag lots shall not be permitted direct access to the thoroughfare and interior parcels shall be required to obtain access via a public road in accordance with the requirements of these Regulations.
- b) The following requirements shall apply to segments of thoroughfares that are planned for commercial or intensive development. All land in a parcel having a single description number, as of the effective date of these

regulations, fronting on major thoroughfares shall be entitled one (1) driveway/connection per parcel as of right on said public thoroughfare(s). When subsequently subdivided, parcels designated herein shall provide access to all newly created lots via the permitted access connection. This may be achieved through subdivision roads, joint and cross access, service drives, and other reasonable means of ingress and egress in accordance with the requirements of these regulations. The following standards shall also apply:

- 1) Additional driveways may be permitted for parcels with large frontage provided that they are consistent with the applicable driveway spacing standards at the time of adoption of these Regulations.
- 2) Existing parcels with frontage less than the minimum connection spacing for that corridor may not be permitted a direct connection to the thoroughfare under this section where the Planning Commission determines alternative reasonable access is available to the site. The Planning Commission may allow for a temporary driveway as provided in Section 605.6 with the stipulation that joint and cross access be established as adjacent properties develop.
- 3) Additional access connections may be allowed where the property owner demonstrates that safety and efficiency of travel on the thoroughfare will be improved by providing more than one access to the site.
- 4) No parking or structure other than signs shall be permitted within twenty-five (25) feet of the roadway right-of-way. The twenty-five (25) foot buffer shall be landscaped with plants suitable to the soil and in a manner that provides adequate sight visibility for vehicles exiting the site. Property owners shall be permitted to landscape the right-of-way, pursuant to an approved landscaping plan.

606.2: Reverse Frontage

Access to double frontage lots shall be required on the street with the lower functional classification.

If a proposed residential subdivision will abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be denied and recorded with the deed. A berm buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm buffer yard shall not be located within the public right-of-way.

606.3: Shared Access

Lots created with frontage on a classified roadway may be required to be designed with a shared access point to and from the roadway at least thirty (30) feet in width. Typically, a maximum of two (2) accesses shall be allowed when the number of lots or businesses served is greater than three (3).

Cul-de-sacs shall not serve more than twenty-five (25) lots.

606.4: Connectivity

The street system of a proposed subdivision shall be designed to coordinate with existing, proposed, and planned streets outside of the subdivision as provided in this section.

Wherever a proposed development abuts non-platted land or a future development phase of the same development, street stubs shall be provided as deemed necessary by the Commission to provide access to abutting properties or to logically extend the street system into the surrounding area. The restoration and extension of the street shall be the responsibility of any future developer of the abutting land.

Collector streets shall intersect with collector or arterial streets at safe and convenient locations. Minor collector and local residential access streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation. Such connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.

606.5: Private Roads

- a) Private roads may be permitted in accordance with the requirements of this section. The following general standards shall apply:
- 1) All roadways shall be constructed to public specifications and have an easement of a minimum of sixty (60) feet in width.
 - 2) Private roads that by their existence invite the public in shall have all traffic control features, such as striping or markers, in conformance with the *Manual of Uniform Traffic Control Devices*.
 - 3) The minimum distance between private road outlets on a single side of a public road shall be five hundred fifty (550) feet, or less where provided by access classification and standards for state roads and local thoroughfares.
 - 4) All properties served by the private road shall provide adequate access for emergency vehicles and shall conform to the approved local street numbering system.
 - 5) All private roads shall be designated as such, and will be required to have a sign and name that meets Commission standards. The sign shall include the following notice: *Private Road - Not Publicly Maintained*.
 - 6) All private roads shall have a posted speed limit not to exceed twenty (20) miles per hour.
 - 7) A second access connection to a public road shall be required for private roads greater than two thousand (2,000) feet in length.
- b) Applications for lot split approval that include private roads shall meet all of the requirements of these Regulations and the requirements of Section 333.
- c) No private road shall be incorporated into the public road system unless it is built to public road specifications of the Commission. The property owners shall be responsible for bringing the road into conformance.

- d) Any plat served by a private road shall note that the property receives access from a private road that shall be maintained collectively by all property owners along the road; that the County and/or Township shall not be held responsible for maintaining or improving the private road. A right-of-way easement that provides the access to that property shall be recorded in the deed for that property.

Section 607: SITE PLAN REVIEW PROCEDURES

- a) Applicants shall submit a preliminary plan for review by the Fulton County Regional Planning Commission.

The site plan shall address the following access considerations:

- 1) The road system must be designed to meet the projected traffic demand, and the road network should consist of a hierarchy of roads designed according to function.
- 2) The road network should follow the natural topography and preserve natural features of the site as much as possible.
- 3) The road alignments should be planned so as to minimize grading requirements.
- 4) All access points must be properly placed in relation to sight distance, driveway spacing, and other related considerations. Where opportunities exist for joint and cross access, they should be given primary consideration. Entry roads must be clearly visible from the connecting thoroughfare.
- 5) All residential dwellings must front on residential access streets (local street, minor collector, marginal access street, or cul-de-sac) rather than major roadways (major collector, minor and principal arterials). This is also preferable for commercial and industrial buildings.

- 6) Automobile movement within the site should be designed to prevent vehicles accessing the site from having to use the peripheral road network.
 - 7) The road system must provide adequate access to the buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection.
 - 8) If sidewalks are provided alongside the road, they must be set back sufficiently from the road and a planting strip between the road and the sidewalk must be provided.
 - 9) A pedestrian path system should link buildings with parking areas, entrances to the development, open space, and recreational and other community facilities.
- b) The Commission reserves the right to require the developer to undertake a traffic impact analysis where safety is an issue or where significant problems already exist.
- Per Section 604 of these Regulations
- c) Thirty (30) days after filing the application, the Commission shall notify the applicant(s) if any additional information is needed to complete the application.
- d) Any application that involves access to the State Highway System shall be reviewed by ODOT for conformance with state standards. Where the applicant requires access to the State Highway System, and a zoning change, or subdivision or site plan review is also required, development review may be coordinated with the Ohio Department of Transportation, as follows:
- 1) A congestion prevention and/or site plan review committee that includes representatives of ODOT traffic operations, access permitting, and the local government may review the application. The committee shall inform the developer the information required for access review. Information required of the applicant may vary depending upon the

size and timing of the development, but shall at a minimum meet the requirements of this article.

- 2) Upon review of the application, the congestion prevention review committee shall advise the Commission whether to approve the access application, approve with conditions, or deny the application.
- e) If the application is approved with conditions, the applicant shall resubmit the plan with the conditional changes made. The plan, with submitted changes, will be reviewed within ten (10) working days and approved or rejected.
 - f) If the access permit is denied, the Commission shall provide an itemized letter detailing why the application has been rejected.
 - g) The County or Township zoning inspector shall not approve the zoning permit for a structure on a lot with access to a classified roadway without the site plan having been stamped by the Commission staff *Approved - No Plat Required*, signed, and dated.

ARTICLE VII: MINIMUM STANDARDS FOR BOUNDARY SURVEYS AND MONUMENTATION

Section 701: INTRODUCTION

These standards are intended to be the basis of all surveys relating to the establishment or retracing of property boundaries in the State of Ohio.

Where local or other prescribed regulations with greater restrictions exist, the more restrictive regulations shall prevail over these standards.

When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property affecting the interest of adjoining property owners, these standards shall apply to the survey of only the desired portion.

Section 702: DEFINITIONS

The manual, *Definitions of Surveying and Associated Terms*, prepared by a Joint Committee of the American Congress on Surveying and Mapping and the American Society of Civil Engineers in 1978, is hereby adopted as authoritative for defining all technical terminology used in these standards.

Section 703: RESEARCH AND INVESTIGATION

Every land survey shall conform to the apparent intent of the deed description of the property being surveyed, and shall also be reconciled with the apparent intent of the deed descriptions of adjoining properties.

When the deed description of the subject property and the deed descriptions of adjoining properties do not resolve the unique locations of the corners and lines of the property being surveyed, the surveyor shall consult other sources of information in order to assemble the best possible set of writing evidence of every corner and line of the property being surveyed. These sources include, but are not limited to: records of previous surveys; deed descriptions of adjacent properties;

records of adjacent highways, railroads, and public utility lines; also, subdivision plats, tax maps, topographic maps, aerial photographs; and other sources as may be appropriate.

After all necessary written documents have been analyzed, the survey shall be based on a field investigation of the property. The survey shall:

- 1) Make a thorough search for physical monuments
- 2) Analyze evidence of occupation
- 3) Confer with the owner(s) of the property being surveyed

In addition, the surveyor shall, when necessary:

- 1) Confer with the owner(s) of the adjoining property
- 2) Take testimony

Section 704: MONUMENTATION

- a) When control stations or boundary monuments required in the deed description of the property cannot be found, and it can be stated with certainty that they are lost; or, when establishing new boundaries, the surveyor shall set boundary monuments in accordance with established legal principles, so that, upon completion of the survey, each corner of the property and each referenced control station will be physically monumented.
- b) When it is impossible or impracticable to set a boundary monument on a corner, the surveyor shall set a reference monument, similar in character to the boundary monument and preferably along one of the property lines that intersect at that corner. When such reference monument is used, it shall be clearly identified as a reference monument on the plat of the property and in any new deed description written for the property.
- c) Every boundary monument and/or reference monument set by the surveyor shall, when practicable:
 - 1) Be composed of durable material.

- 2) Have a minimum length of thirty (30) inches.
 - 3) Have a minimum cross-sectional area of material of 0.2 square inches.
 - 4) Be identified with a durable marker bearing the surveyor's Ohio Registration Number and/or name or company name.
 - 5) Be detectable with conventional instruments for finding ferrous or magnetic objects.
- d) When a case arises, due to physical obstructions (such as pavements, large rocks, large roots, utility cables, etcetera), that a boundary monument or a reference monument cannot be conveniently or practicably set in accordance with Section 704(b) of these Regulations, then alternative monumentation, which is essentially as durable and identifiable (e.g., chiseled X in concrete, drill hold, etc.) shall be established for the particular situation.

Section 705: MEASUREMENT SPECIFICATIONS

All measurements shall be made in accord with the following specifications:

- 1) The surveyor shall keep his equipment in such repair and adjustment as to conform to the requirements of Section 4733.24 of the Ohio Revised Code.
- 2) Every measurement of distance shall be made either directly or indirectly in such manner that the linear error in the distance between any two (2) points shall not exceed the reported distance divided by five thousand (5,000).
- 3) When the reported distance is less than one hundred (100) feet, the linear error shall not exceed 0.02 foot (***Allowable angular error = allowable linear error reported distance***).
- 4) All new deed restrictions and plats of survey shall specify the lengths and directions of the lines so the mathematical error in closure of the property boundary does not exceed 0.02 foot in latitudes and 0.02 foot of departure.

Section 706: PLAT OF SURVEY

The surveyor shall prepare a scale drawing of every survey in which he retraces previously established property lines or establishes new boundaries.

A copy of this drawing shall be given to the client. Another copy shall be filed with the proper agency.

The surveyor shall include the following details:

- 1) A title such that the general location of the survey can be identified.
- 2) A north arrow with a clear statement as to the basis of the reference direction used.
- 3) The control station(s) or line cited in the deed description and the relationship of the property to this control.
- 4) A notation at each corner of the property stating that the boundary monument specified in the deed description was found, or that a boundary monument was set. In addition, there shall be a statement describing the material, size, position and condition of every monument found and/or set.
- 5) A general notation describing the evidence of occupation that may be found along every boundary line and/or occupation line.
- 6) The length and direction of each line as specified in the deed description of the property or as determined in the actual survey if this differs from what is stated in the deed description by more than the tolerance specified in these standards.
- 7) A citation of documentation and sources of data or testimony used as a basis for carrying out the work.
- 8) The written and graphical scale of the drawing.
- 9) The date of the survey.

- 10) The surveyor's printed name and registration number, signature and seal (in a form that will clearly reproduce on any copies which may be made of the original drawing).

Section 707: DESCRIPTIONS

- a) When a surveyor is called upon to prepare a new description, either to replace an inadequate existing description, or to create a new piece of property, said description shall include the following items:
 - 1) Sufficient caption so that the property can be adequately identified.
 - 2) A relationship between the property in question and clearly defined control station(s).
 - 3) The basis of the bearings.
 - 4) A citation to the public record of the appropriate prior deed(s).
 - 5) The surveyor's name, Ohio Registration Number and date of writing.
- b) A metes and bounds description shall include, in addition to Section 701:
 - 1) The direction of the boundary monument used as the direction of the basis of bearing.
 - 2) A series of calls for successive lines bounding the parcel, each of which specifies:
 - i. The intent in regards to adjoining properties or other existing features.
 - ii. The direction of the boundary monument used as the direction of the basis of bearing.
 - iii. The length of the line.

- iv. The description of the boundary monument (or reference monument) and whether found or set to identify the end of the particular line.
- v. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.
- vi. The reported boundary data shall meet the closure requirements of 705 of these Regulations.

Descriptions other than the metes and bounds form shall include sufficient and adequate legal and technical wording so that the property can be plainly located and defined.

A statement shall appear indicating that either:

- 1) The description was made in accordance with a recent survey and date thereof; or,
- 2) The description was made based on a previous survey; of a certain date, and date of description; or,
- 3) The description was not based on a survey.

When the surveyor knows a new description is to be used for a fee transfer, the surveyor shall base the description on a current survey of the property.

Section 708: SUBDIVISION PLATS

When a subdivision is created from a piece of property, or several adjoining pieces, the surveyor shall prepare a scale drawing showing all of the details specified in Article VII of these Regulations. In addition, the drawing will show all details of each new lot, street, easement, etc., including the length and direction of each new line. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.

ARTICLE VIII: SUBDIVISION FACILITIES

DESIGN STANDARDS

Section 800: GENERAL STATEMENT

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

Section 801: STREET AND HIGHWAY DESIGN

The design of streets and their appurtenances, including any item which is not specifically otherwise standardized within this document, shall be done in accordance with the current Ohio Department of Transportation Design Standards including, but not limited to: Location and Design Manuals, and *A Policy on Geometric Design of Highway and Streets* by the American Association of State and Transportation officials. Pavement thickness designs shall be based on the California Bearing Ratio (CBR) of the soil, and the class of street or highway (arterial, major collector, minor collector, or rural (local)). The design and plan items shall conform to the Ohio Department of Transportation *Construction and Material Specifications Manual*. All standards and requirements for streets shall follow the standards of the County Engineer. Information regarding Fulton County soils, their CBR ratings, traffic counts and most other technical information not otherwise contained herein are available for reference only in the Fulton County Engineer's Office.

Section 802: PAVEMENT WIDTH

Pavement widths shall be designed in accordance with the standards of the County Engineer and shall not be less than twenty-four (24) feet under any circumstances (unless permitted within rural subdivisions) and shall be increased in width in accordance with the amount and type of traffic that it will ultimately service. The pavement width shall be independent of and in addition to curb and gutter if required.

Section 803: HORIZONTAL ALIGNMENT

Horizontal curves shall be designed per the standards of the County Engineer.

Section 804: VERTICAL ALIGNMENT

The design of vertical curves for changes of grade shall be based upon the standards set by the Fulton County Engineer.

Section 805: INTERSECTIONS

The design and improvement standards for intersections must conform to the current standards of the Ohio Department of Transportation and the Fulton County Engineer.

Section 806: DRIVEWAYS

The construction of driveways, private approaches, and ditch enclosures shall follow the guidelines and requirements of the Fulton County Engineer.

Section 807: PRIVATE APPROACHES AND DRIVEWAYS AND DITCH ENCLOSURES

a) Responsibility for Construction and Maintenance

- 1) Section 5545.16 (7212) of the Ohio Revised Code provides: *"The owner of land shall construct and keep in repair all approaches or driveways from the public roads - if in the construction, improvement, maintenance, and repair of any road, the approach or driveway of an abutting property owner is destroyed, the authorities constructing, improving, maintaining, or repairing such road shall compensate the property owner for the destruction of his approach or driveway, or in lieu thereof - reconstruct it a public expense."*
- 2) All material, labor, and equipment necessary for the construction and power maintenance of approaches, driveways, and enclosure of roadside ditches shall be furnished by the property owner at his/her expense.

b) Design Regulations

- 1) Commercial drives shall be designed and installed as detailed in the *Driveway Access Manual* prepared by Ohio Department of Transportation, Bureau of Location and Design.
- 2) Approach or drive profile adjoining pavement shall conform to shoulder contour and be so constructed that no surface water will be drained onto State Highway pavement.
- 3) Pipe for drives and/or roadside ditch enclosures shall be laid in line and grade of adjacent roadside ditch, quality and diameter of pipe being specified by the District Deputy Director at time application for permit is approved. No pipe diameter will be specified less than eight (8) inches.

- 4) To assure proper installation, a qualified representative of the District Deputy Director shall inspect the installation of the pipe and catch basins authorized by permit.
- 5) The property owner shall notify the District Deputy at least twenty-four (24) hours prior to such installation.
- 6) An alternative to enclosure would be relocation away from roadway. Developer to relocate ditch to Engineer’s specifications or grant sufficient easements for future setback.

Summary of Design Standards

Minimum Right-of-Way Width	60 feet
Minimum Cul-De-Sac Radius to Right-of-Way	60 feet
Minimum Cul-De-Sac Radius to Outer Pavement Edge	45 feet
Minimum Edge of Pavement Radius at “T” Intersections	50 feet
Minimum Pavement Width	24 feet
Minimum Stopping Sight Distance	350 feet
Minimum Centerline Radius with an Angle Turn of:	
Between 80° and 100°	50 feet
Less than 80° or more than 100°	200 feet
Minimum Sidewalk Width (if Required)	4 feet
Minimum Grade	0.6%
Maximum Grade	3%

Table 13: Design Standards

Section 808: PAVEMENT THICKNESS DESIGN

It is not the intent of these standards to mandate one type of construction or product over another. However, it is intended to mandate a total effective thickness design, including base, regardless of the type. The determination of the type of construction is expected to be made by the subdivider with technical assistance from a licensed professional engineer. The type of construction shall conform to the acceptable standards of the Fulton County Engineer. The classification shall be determined by the amount of traffic (ADT) the facility will ultimately serve, including the percent of trucks or eighteen (18) KIP applications and the type of soil on which it will be built. The California Bearing Ratio (CBR) of the support soil, which as previously stated, is a design factor, and is provided herein. Further soil

information, including recent soil survey maps, is available in the Fulton County Engineer's Office for review.

Section 809: SUBGRADE

All soil subgrade shall be presented in accordance with ODOT's CMS Section 203.13.

Section 810: BASES

The developer has the option of using any type of base contained in ODOT's CMS Section 300. The thickness shall be determined by the design engineer as a portion of the total pavement thickness design.

- Per Section 808 of these Regulations

Section 811: PAVEMENT

The subdivider has the option of using either of the three pavement specified in ODOT's CMS Section 404, 450, or 452. The thickness thereof shall be determined as specified in Section 808.

Section 812: CURBS AND GUTTERS

The requirements for curbs and gutters will vary according to the character of the area and the density of development. In areas of notable flash flooding or heavy rain runoff, curbs shall be required to channel the flow of water. Curbs shall be required on all streets designed for areas where the existing or anticipated residential density of the area surrounding the proposed subdivision equals or exceeds three (3) dwelling units per net acre. In commercial developments, or where other similar intensive urban uses exist or are anticipated, curbs shall be required. Where curbs exist on abutting properties, their extension shall be required throughout the proposed subdivision. Curbs, combined curbs and gutters, shall be constructed in conformance with the current Construction and Materials Specifications of ODOT.

Section 813: GRADING

All streets shall be graded to their full right-of-way width, including slopes, to plan lines and grades completed in a manner that is conducive to seeing.

Section 814: STORMWATER

- a) The subdivider shall construct all necessary facilities, including underground pipe, inlets, catch basins, or drainage ditches, as determined by the County Engineer, to provide for the adequate disposal of subsurface and surface water and maintenance of natural drainage courses. The velocity of flow in an open ditch shall not exceed four (4) feet per second in soil ditches of six (6) feet per second in turf gutters. Paved gutters will be required if velocities of flow are greater than those specified or if it is otherwise likely that destructive erosion will result.
- b) Drainage ditches shall not be permitted to discharge into any sanitary sewer facility. Where an adequate public storm sewer is available at the plat boundary, the subdivider shall construct a storm sewer system and connect with such storm sewer line. If such a storm sewer system is not accessible, natural drainage channels with easement of adequate width shall be provided, as determined by the Engineer and approved by the Commission.
- c) Paved gutters or storm sewers shall be required if velocities of flow are greater than specified in Section 410 of these Regulations or cause destructive erosion. Storm drainage, including drain tile around the basement, shall not be permitted to discharge into any sanitary sewer facility but shall connect to an adequate drainage outlet.

Section 815: BRIDGES AND CULVERTS

Where natural drainage channels intersect any street right-of-way, it shall be the responsibility of the subdivider to have satisfactory bridges and/or culverts constructed. Where culverts are required, minimum requirements shall be set by the Fulton County Engineer.

ARTICLE IX: SUBDIVISION FACILITIES CONSTRUCTION

Section 900: GENERAL STATEMENT

The subdivider shall be responsible for the design and construction improvements, which must not be less than the standards outlined in these Regulations. The work shall be done under county supervision and inspection, and shall be completed within the time fixed or agreed upon in accordance with the standards of the current volume of Construction and Material Specifications of ODOT and the requirements of the Ohio EPA. All inspection costs shall be paid by the subdivider.

Section 901: GUARANTEE FOR INSTALLATION OF IMPROVEMENTS

All improvements required herein shall be constructed prior to the granting of the final plat approval by the Commission; or, the subdivider shall furnish the Commission with a corporate bond, surety, certified, check, or assigned certificate of deposit for the amount of the estimated construction cost for the ultimate installation and initial maintenance of the improvements.

Section 902: EROSION CONTROL

Erosion shall be controlled during construction and until seeding is established. Erosion control methods shall be used to prevent pipe, drains, ditches, catch basins, culverts, etc., for siltation. Erosion of ditch banks must be repaired and siltation removed from drains, etc., before acceptance of the project.

Section 903: FERTILIZING, SEEDING, AND MULCHING

All soil areas within the right-of-way shall be fertilized, seeded, and mulched as soon as possible following grading operations. Work shall be done in accordance with ODOT's CMS 659. Seeding formula shall conform to use CMS 659.09 for urban in character and in front for a residence. Plan gutter grades shall be maintained to prevent localized ponding of water.

Section 904: SURVEY MONUMENTATION

Subdivision boundaries and property lines shall be monumented as described. In addition, thereto, at the beginning and end of all curves, all points of curves where the radius or direction changes at such other points as are necessary to establish definitely all lines of the plats, except as governed in Section 333 where a single parcel of land is being split.

- Per Section 704 of these Regulations

Section 905: STREET SIGNING

The street name sign(s), identified in Section 404, along with any other necessary signs such as stop signs, speed limits, etc., shall be purchased by the subdivider and erected by the County Engineer's forces in accordance with the *Ohio Manual of Uniform Traffic Control Devices*.

Section 906: FINAL INSPECTION

Upon completion of all the improvements, the subdivider shall request, in writing, a final inspection by the County Engineer.

- Per Section 711.090 of the Ohio Revised Code

ARTICLE X: REVISIONS, ENFORCEMENTS

Section 1000: RECORDING THE PLAT

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

Section 1001: REVISION OF PLAT AFTER APPROVAL

No changes, erasures, modifications, or revisions shall be made in any plat of a subdivision once approval has been given by the Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Commission.

Section 1002: 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 said plat has been approved and recorded in the manner prescribed in these Regulations.

Section 1003: SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Commission 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 County Auditor, and may be altered, or amended only by the Commission. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application.

Section 1004: PENALTIES

The following penalties shall apply to the violation of these Regulations:

- 1) Whoever violates any rule or regulations adopted by the Fulton County Regional Planning Commission for the purpose of setting standards and securing the construction of improvements within a subdivision, or fails to comply with any order pursuant thereto is creating a public nuisance, and the creation thereof may be abated by action at suit of the county or any

citizen thereof. Whoever violates these regulations shall forfeit and pay not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000). The sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Fulton County.

- 2) A County Recorder who records a plat contrary to the provisions of these regulations shall forfeit and pay not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of Fulton County.
- 3) Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, transfers any lot, parcel or tract of such land from or in accordance with a plat of the subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500) for each lot, parcel, or tract of land sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in the Section.
- 4) Any person who disposes of, offers for sale, or leases for a time exceeding five (5) years, any lot or any part of a lot in a subdivision before provisions of these regulations are complied with shall forfeit and pay the sum of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500) for each lot or part of a lot so sold, offered for sale, or leased, to be recovered with costs in a civil action, in the name of the County Treasurer for use of the County.

Section 1005: VARIANCES

1005.1: Variances | General Information

Limited Authority

Where the Planning Commission finds that extraordinary hardship or exceptional practical difficulties may result from strict compliance with the requirements of these Regulations, the Planning Commission may grant a variance, or modification, therefrom so that substantial justice may be done and the public interest secured; provided, however, that such variances shall not have the effect of nullifying the intent and purpose of these Regulations, those of applicable zoning resolutions, or of modifying the Regulations of the office of the County Engineer or of any other office or agency having jurisdiction.

Additional Authority in Planned Unit Developments (PUD)

The Planned Unit Development (PUD) approach to development is encouraged as a means to further the policies and objectives set forth in Section 140. These Regulations may be modified to the degree necessary to accomplish the objectives and standards set forth in applicable zoning resolutions for planned unit developments of residential, commercial or industrial subdivisions, or a combination thereof. Provided, however, that such variations shall not exempt the subdivider from the requirements of subdivision plat approval as set forth herein nor have the effect of nullifying the intent and purpose of these Rules and Regulations or the applicable zoning resolution.

1005.2: Variance Standards

- a) The granting of the variance shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.
- b) To obtain a variance — a deviation from the established Subdivision Regulations — the applicant must provide proof of unique or special conditions that make strict application of the provisions impractical. This shall include proof that:
 - 1) Indirect or restricted access cannot be obtained.

- 2) No engineering or construction solutions can be applied to mitigate the condition.
 - 3) No alternative access is available from a street with a lower functional classification than the primary roadway.
- c) Under no circumstances shall a variance be granted, unless not granting the variance would deny all reasonable access, endanger public health, welfare or safety, or cause an exceptional and undue hardship on the applicant.
 - d) No variance shall be granted where such hardship is self-created.
 - e) 2-Year Limitation

If the Planning Commission approves a variance application, the variance must be fulfilled within a period of two (2) years commencing on the date the application is filed or the variance will expire requiring the application be resubmitted.

1005.3: Variance Procedure

Variance procedure is as follows:

- 1) A petition for any such variation shall be submitted in writing by the subdivider on an application form provided by the Planning Commission's administrator the earliest point in the process after the need for the variance becomes evident. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.
- 2) The subdivision variance application shall be reviewed by the Regional Planning Commission at the nearest upcoming regular meeting from its submission date.

ARTICLE XI: ENACTMENT

Section 1100: EFFECTIVE DATE

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

Date adopted:

FULTON COUNTY COMMISSIONERS