

ARTICLE I

TITLE, SCOPE AND JURISDICTION

Section 100 TITLE

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

Section 110 ADMINISTRATION

These regulations shall be administered by the Fulton County Regional Planning Commission, hereinafter usually called “Commission” or “Planning Commission”.

Section 120 JURISDICTION

These regulations shall be applicable to all subdivisions of land within the unincorporated area of the county.

Section 130 RELATION TO OTHER LAWS

The provisions of these regulations shall supplement any and all laws of the State of Ohio, resolutions of the county or any and all rules and regulations promulgated by authority of such laws or resolutions relating the purpose and scope of these regulations. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive or that imposing the higher standards shall govern except as provided in Section 140 of these regulations.

Section 140 PLANNED UNIT DEVELOPMENTS ENCOURAGED: REGULATIONS MAY BE MODIFIED

The planned unit development approach to development is greatly encouraged. These regulations may be modified by the degree necessary to accomplish the objectives and standards required by the planned unit development of residential, commercial or industrial subdivisions, or a mixture thereof, in accordance with the provisions of the zoning resolution. Nothing within this Section, however, shall exempt the developer from the requirements of subdivision plat approval as specified in Article 3 of these regulations. All planned unit developments will be under the jurisdiction of the Planning Commission.

Section 150 AMENDMENTS

These regulations may be amended after a public hearing by the Commission; providing that any amendment altering the requirements for actual construction of streets, other improvements of facilities, mandatory dedication or assurance of construction shall necessitate a public hearing by the Board of County Commissioners prior to enactment.

Section 160 SEPARABILITY

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

ARTICLE II

DEFINITIONS

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

1. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
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”.

Administrative Approval (5 lots or less): Administrative approval (approval delegated by the Commission to an administrator) can be given when all the following conditions are met:

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, public or private.

It shall be the policy of the Commission staff to require the following for approval under normal circumstances:

1. A survey showing the entire property from which a parcel is being subdivided showing the proposed buildings, ditches, roads, lanes, and physical features;
2. A legal description of the property to be conveyed;
3. A sketch of the property to be conveyed showing proposed drainage, sanitation, and intended uses;

4. Such 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.

The Director of the Fulton County Regional Planning Commission, or his authorized administrator's signature, shall be required for approval. Lots along existing private easements or streets, dedicated to the use of owners, (not public roads), do not qualify for administrative approval. All subdividing regulations that do not come under this Section shall require record plats. Actions of the administrator of five (5) lots or less, approval may be appealed to the full Planning Commission when submitted to them in writing.

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

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

Buffer: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the 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 that is for the purpose of or connected with commerce or trade as defined by the appropriate zoning regulations, or in the absence of effective zoning, as defined by the Fulton County Zoning Resolution. The lot shall be zoned for commercial use by the appropriate local government or deed restrictions shall require Commission approval of any subsequent change in land use or any other method shall be employed so as to retain the property for commercial purposes.

Commission: Fulton County Regional Planning Commission

Comprehensive Development Plan: A plan, or any portion thereof, adopted by the Commission and/or the legislative authority of the County of Fulton 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 by the authorized representative of the Planning Commission of the dimensions and area of the proposed lot split. However, other conditions and improvements are necessary before the lot can become a building site. The conveyance shall not be approved until such time as 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 act transmitting property or interest thereto.

Density: A unit of measurement: 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 only the land devoted to residential use.

Detention Basin: A man-made or natural water collector facility designed to collect surface and sub-surface water in order to impede its flow and to release the same gradually at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

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

Dwelling: Any building or portion thereof occupied or intended to be occupied exclusively for residential purposes, but not including a tent, cabin, trailer coach or other temporary or transient structure of facility.

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 party wall.

Dwelling Unit: Space, within a building, comprising 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, 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. As such, 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 or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

Industrial Development: Development that is for the purpose of or connected with industry as defined by the appropriate zoning regulations or, in the absence of effective zoning, as defined by the Fulton County Zoning Resolution. The lot shall be zoned for industrial use by the appropriate local government or deed restrictions shall require Commission approval prior to a change in land use or any other method may be employed so as to retain the property for industrial purposes.

Location Map: See Vicinity Map

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.
(See *Illustration 1*)

Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yard shall be provided as indicated under Yards in this Section.

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

1. Depth of a lot shall be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in the front and the rearmost points of the side lines in the rear.
2. Width of a lot shall be considered to be the distance between straight lines connecting front or rear lot lines at each side of the lot measured at the lot frontage: except in the case of lots fronting on the dead end circle of a cul-de-sac and/or exterior angle of loop streets where the width of a lots is measured at the building setback line.
3. Lot area measured exclusive of right-of-way.

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 Types: Terminology used in these regulations with reference to corner lots, interior lots and through lots is as follows: (See *Illustration 2*)

1. A corner lot is defined as a lot located at the intersection of two (2) or more streets.
2. An interior lot is a lot other than a corner lot with only one (1) frontage on a street.

3. A through lot is a lot other than a corner lot with 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 lot, one of which is a right angle to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Mandatory Dedication: A requirement that the subdivider dedicate land for public usage or payment in lieu 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 manufactured homes used for habitation are parked, either free of charge or for revenue purposes; including 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, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which 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. 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 definitely 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 with 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, structures for habitation and the like, shall not be included.

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

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

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

Performance Bond 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 time prescribed by the subdivider's agreement.

Planned Dwelling Group: Residential structures consisting of single residential units, apartments, duplexes, fourplexes, high rise apartments, multiple family units, quadraplexes, row houses, 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: A commercial development, containing at least three 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: An area of land in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans.

Planning Commission: The Fulton County Regional Planning Commission, or hereinafter known as “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 (final) 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.

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 use as a public way. 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, landscaped areas, 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 which provides a collection network and disposal system and central sewage treatment facility for a development, 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 which utilizes aerobic bacteriological process or equally satisfactory process for the treatment of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved 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 lease holders, 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, 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” is that land which has a cross slope range of four percent (4%) or less;
2. “Rolling” is that land which has a cross slope range of more than four percent (4%), but not more than eight percent (8%);
3. “Hilly” is that land which has a cross slope range of more than eight percent (8%), but not more than fifteen percent (15%);
4. “Hillside” is that land which has 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 a part thereof to be used for vehicular traffic as designated as follows:
(See *Illustration 3*)

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on 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, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic for 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 and 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

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

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within Fulton County in order 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 not.

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

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

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, provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility. (*See Illustration 1*)

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 PLATTING PROCEDURES

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, as designated by the Fulton County Comprehensive Plan.
4. Adhere to access management requirements of this resolution.

Section 301 PREAPPLICATION

The subdivider is required to meet the Planning Commission or its designated representative prior to submitting the preliminary plat. The purpose of this meeting is to discuss early and informally the purpose and effect of these regulations and the criteria and standards contained therein; and to familiarize the developer with the Comprehensive Plan, the County Highway Plan, the Parks and Public Open Space Plan, the Zoning Resolution, access management, and the drainage, sewage, and water systems of Fulton County.

Section 302 PREAPPLICATION SKETCH CONTENT (*See Illustration 4*)

The subdivider is encouraged to submit to the Commission a sketch plan, 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 man made 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 such as commercial, manufacturing, school 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 storm water.
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 310 PRELIMINARY PLAT REQUIRED

After the pre-application stage, the subdivider shall submit a preliminary plat of the proposed subdivision, which shall conform with the requirements set forth in Section 311 to 320, inclusive. The preliminary plat shall be prepared by a qualified registered engineer or surveyor. (*See Illustration 5*)

Section 311 SUBMISSION TO STATE HIGHWAY DIRECTOR

Before any plat is approved affecting and land within three hundred (300) feet of the centerline of a proposed new highway for which changes are proposed as described in the certification to local officials by the State Highway Director of any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the Highway Director. The Commission shall not approve the plat for one hundred twenty (120) days from the date the notice is received by the Highway Director. If the Highway Director notifies the Commission that he shall proceed to acquire the land needed, then the Commission shall refuse to approve the plat. If the Highway Director notifies the Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) period or any extension thereof agreed upon by the Highway Director and the property owner, the Commission shall, if the plat is in conformance with all provisions of these regulations, approve the plat.

Section 312 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 the supplementary information specified in Section 312 to 317, inclusive, shall be submitted to the Commission.

Section 313 PRELIMINARY PLAT FORM

313.1 Printed 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 or other surveys.
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; north point.
6. Zoning classification of this tract, zoning classifications found within a one (1) mile radius of the boundaries of this tract, and proposed zoning changes, if applicable.
7. 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:

_____ Signed _____

_____ Signed _____

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 _____, _____.

By: _____

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, Section 711.04 and 711.040, Ohio Revised Code).

313.2 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 unsubdivided land, and the location of their boundary lines.
3. Locations, widths, and names of existing streets, railroad right-of-way, easements, parks, permanent buildings, and corporation, township lines, and location of wooded areas and other significant topographic and natural section lines; features within and adjacent to the plat for minimum distance of two hundred (200) feet.
4. Existing sewers, water lines, culverts and other underground structures, and power transmission poles and lines within and adjacent to the tract.
5. Existing contours at an interval of not greater than two (2) feet if the slope of the ground is fifteen percent (15%) or less; and not greater than five (5) feet where the slope is more than fifteen percent (15%).
6. If more than one (1) zoning classification exists in the area defined by the proposed subdivision and adjoining properties; they shall be so identified.
7. Location, names, and width of proposed streets and easement.
8. Location and dimensions of all proposed utility and sewer lines.
9. 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-degree (90°) angles, the width at the property lines shall be shown.
10. Building setback lines with dimensions and with corner lots and double frontage lots, the direction that each building is fronting upon a public street.
11. Parcels of land in acres to be reserved for public use or to be reserved by covenant from residents of the subdivision.
12. 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.

Section 315 SUPPLEMENTARY INFORMATION

The following information shall be supplied in addition to the requirements in Section 313:

1. Statement of proposed use of lots, giving type and number of dwelling units and type of business or industry.
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 type of sewage disposal he proposes to use. If other than a public sanitary system, it shall be accompanied by a letter from the County Health Department stating what type of sewage disposal will be approved for the soil conditions encountered in the area of the proposed subdivision. 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 E.P.A.

Section 316 PRELIMINARY PLAT APPLICATION

The application shall consist of the preliminary plat along with the following forms entitled APPLICATION FOR TENTATIVE APPROVAL OF PRELIMINARY PLAT AND PRELIMINARY PLAT CHECKLIST.

APPROVAL FOR TENTATIVE APPROVAL OF PRELIMINARY PLAT
FULTON COUNTY, OHIO

- 1. Name of Applicant: _____
Address: _____
Telephone No.: _____
- 2. Name of Surveyor or Engineer: _____
Address: _____
Telephone No.: _____
- 3. Name of Subdivision: _____
- 4. Locational Description (In addition, please attach a copy of the legal description)
Section: _____
Town: _____
Range: _____
Other: _____
- 5. Proposed Use: _____
- 6. Present Zoning District: _____
- 7. Proposed Zoning Change: _____
- 8. Number of Lots: _____ Area of Parcel: _____
- 9. Do you propose deed restrictions? Yes _____ No _____
- 10. What type of sewage disposal do you propose? _____

- 11. Source of water supply? _____
- 12. List other materials submitted with this application.
(Item) (No.)

Applicant

Surveyor or Engineer

(For Administrative Use)

Date Received: _____

Date of Meeting of Planning Commission: _____

Action of Planning Commission: _____

If plat is rejected, list reason (s) for rejection:

Date: _____

Chairman: _____

PRELIMINARY PLAT CHECKLIST

Date: _____

Application No. _____

Subdivision: _____

The following item (s) (does, does not) conform to the requirements of the Fulton County Subdivision Regulations. Those items not conforming are explained on the final page. Applicable sections of the subdivision regulations are enclosed in parentheses.

1.	Does	Does Not	
	_____	_____	Sheet size not larger than 24 in. by 36 in. (index sheet, if more than one (1) sheet)
	_____	_____	Proper scale
	_____	_____	Name of Subdivision
	_____	_____	Locational Description
	_____	_____	Name and address of owner, subdivider, surveyor and engineer
	_____	_____	Date and North Point
	_____	_____	Names of adjacent subdivisions and owners
	_____	_____	Location, width, and names of existing streets, right-of-ways, easements
	_____	_____	Corporation, township, range, section lines
	_____	_____	Location and dimensions of existing buildings and parks
	_____	_____	Location of existing utilities including sewers, water lines, and communication lines or poles
	_____	_____	Topography at 2 ft. intervals (5 ft. intervals in hillside development)
	_____	_____	Zoning classification of all parcels and proposed changes
	_____	_____	Layout, names and width of proposed streets or easements and proper dedications
	_____	_____	Layout of proposed utility and sewer lines
	_____	_____	Layout of approximate dimensions of all lots
	_____	_____	Building setback lines
	_____	_____	Parks and open spaces and proper dedications
	_____	_____	Vicinity Map
	_____	_____	Proposed Use of Lots
	_____	_____	For commercial and industrial development; the layouts and grade of proposed parking and loading areas
	_____	_____	Copy of proposed deed restrictions, if any

Signature: _____

Section 317 FILING

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

Section 318 PUBLIC HEARING

The Commission, on its own initiative, or upon petition by a citizen, or neighboring property owner, may, prior to acting on a preliminary plat or a subdivision, hold a public hearing thereon at such time and upon such notice as the Commission may designate.

Section 319 APPROVAL OF PRELIMINARY PLAT

The Commission shall forward copies of the preliminary plat to such officials and agencies as may be necessary for the purpose of study and recommendation. These shall include the County Engineer, County Sanitary Engineer, Township Trustees and the County Health Department, along with their signatures on the plat. The Commission shall determine whether the preliminary plat shall be approved, approved with modification or disapproved. If a plat is disapproved, the reasons for such disapproval shall be stated in writing with specific mention of appropriate section numbers. The Commission shall act on the preliminary plat within thirty-five (35) business days after filing unless such time is extended by agreement with the subdivider. When a preliminary plat has been approved by the Commission, the chairman shall sign all copies and return one (1) to the subdivider for compliance with final approval requirements. Approval of the preliminary plat shall be conditional upon compliance with all other applicable statutes, resolutions and restrictions of Fulton County.

Section 320 APPROVAL PERIOD

The approval of the preliminary plat shall be effective for a maximum period of thirty-six (36) months and shall guarantee that the terms under which the approval was granted will not be effected by changes to these regulations, unless final plats are not filed within the time period required by Section 331.

Section 321 PROCESS FOR TECHNICAL DESIGN AND CONSTRUCTION PLAN APPROVAL

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

Section 322 TECHNICAL DESIGN AND CONSTRUCTION PLAN FORM

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:

1. Profiles showing existing and proposed elevations along centerlines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the centerline of the

existing road or roads 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.

2. The Planning Commission may require, where steep slopes exist, that cross-sections of all proposed streets at one hundred (100) foot stations be shown at five (5) points as follows: on a line and right angles to the centerline of the street, and said 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, showing the locations and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage, easements, servitudes, right-of-way, manholes, and catch basins; the locations of street trees, street lighting standards, and street signs; the location, size, and invert elevations of existing and proposed sanitary sewers, stormwater drains, and fire hydrants, showing connection to any existing or proposed utility systems; and exact 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, streams and other pertinent features such as swamps, railroads, and buildings. The water elevations of adjoining lakes or streams at the date of the survey, and the approximate high water elevations shall be referred to 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.
5. All specifications and references required by the local government's construction standards and specifications, including a site-grading plan for the entire subdivision.
6. 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 _____, _____.

Fulton County Commissioners: _____

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

Section 323 APPLICATION FOR TECHNICAL DESIGN AND CONSTRUCTION PLAN APPROVAL

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 APPLICATION FOR TECHNICAL DESIGN AND CONSTRUCTION PLAN APPROVAL and TECHNICAL DESIGN AND CONSTRUCTION PLAN CHECKLIST.

APPLICATION FOR TECHNICAL DESIGN AND CONSTRUCTION PLAN APPROVAL
FULTON COUNTY, OHIO

Date: _____ Application No. _____

1. Name of Subdivision: _____
2. Location Description
 Section: _____
 Town: _____
 Range: _____
 Other: _____
3. Name of Applicant: _____
 Address: _____
 Telephone No.: _____
4. Name of Surveyor or Engineer: _____
 Address: _____
 Telephone No.: _____

List all proposed improvements and utilities and state your intention to install or post a guarantee prior to actual installation.

	Improvement	Installation	Guarantee
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____
e.	_____	_____	_____
f.	_____	_____	_____

TECHNICAL DESIGN AND CONSTRUCTION PLAN LIST

The following items do or do not conform with or do not apply (N/A) to the Fulton County Subdivision Regulations. Those items not conforming are explained on the final page.

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

(Technical Design and Construction Plan List)

	Does	Does Not	N/A	Item
				<u>Lots</u>
1.	_____	_____	_____	Size
2.	_____	_____	_____	Setback lines
3.	_____	_____	_____	Corner lot size
4.	_____	_____	_____	Avoidance of double frontage lots
5.	_____	_____	_____	Driveway culverts and grade
6.	_____	_____	_____	Monuments
7.	_____	_____	_____	Grading Plan
8.	_____	_____	_____	Parking and open space
9.	_____	_____	_____	Type of water supply
10.	_____	_____	_____	Test wells
11.	_____	_____	_____	Type of sewage treatment
12.	_____	_____	_____	Percolation test results
13.	_____	_____	_____	Storm drainage system type
14.	_____	_____	_____	Sufficient easements for utilities or open drainage
15.	_____	_____	_____	Other utilities
16.	_____	_____	_____	Underground utilities

Date

Title

Signature

Section 324 APPROVAL OF TECHNICAL DESIGN AND CONSTRUCTION PLAN

The Commission shall forward copies of the technical and construction plan to such officials and agencies as may be necessary for the purpose of study and recommendation. These agencies shall at least include the County Engineer and the County Health Department. The County Sanitary Engineer shall receive technical and construction plans when public sewer and public water are provided. After receipt of written reports from such officials and agencies along with the signatures of the construction plans, the Commission shall determine whether the technical design and construction plan shall be approved, approved with modification, or disapproved. If disapproved, the reason for such disapproval shall be stated in writing. The Commission shall act on the technical design and construction plan within thirty (30) days after filing unless such time is extended by agreement with the subdivider.

Section 325 FINAL PLAT REQUIRED (*See Illustration 6*)

The subdivider, having received approval of the preliminary plat and the technical design and construction plan of the proposed subdivision, shall submit a final plat or plats of the subdivision and drawings and specifications of the improvements required therein. The final plat shall have incorporated all changes in the preliminary plat and technical design and construction plan required by the Commission. Otherwise the final plat shall conform to the preliminary plat, which the subdivider proposes to record and develop and the time. The final plat and the supplementary information shall be prepared by a qualified registered engineer or surveyor.

Section 326 PROCESS OF APPROVAL OF FINAL PLAT

An application for approval for 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 327 REGULATIONS GOVERNING IMPROVEMENTS

Prior to the granting of approval of the final plat the subdivider shall have installed the minimum required improvements, or shall have furnished a corporate surety bond, certified check, or assigned certificate of deposit for the amount of the estimated construction cost of the ultimate installation of the initial maintenance of the 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 percent (90%) of the security after completion of the project. Ten percent (10%) shall be held for twelve (12) months to guarantee workmanship and initial maintenance.

Section 328 FINAL PLAT FORM

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 24 in. x 24 in. 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 329 FINAL PLAT CONTENTS

The final plat shall contain the following printed information:

1. Name of the subdivision, location by section, range and town, or by other number; date, north point, scale, and acreage.
2. Name and addresses of the subdividers and professional engineer and/or registered surveyor who prepared the plat and appropriate registration numbers and seals.
3. Restrictions and covenants which the subdivider intends to impose by the final plat.
4. 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.
5. Notarized acknowledgment by the owner or owners of the adoption of the plat and the dedication of streets and other public areas.
6. The following statements shall be affixed on the subdivision plat:

Situated in Section _____, Town, ____, Range, ____, County of Fulton, Ohio. Containing ___ acres and being the same tract as conveyed to _____ and described in the deed recorded in Deed Book _____, County, Ohio.

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

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 _____ day of _____, _____.

Witness: _____

Signed: _____

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 acknowledges the signing of the foregoing instrument to be their voluntary act and deed for the purpose therein expressed.

In witness whereof I have hereunto set my hand and affixed my official seal this ____ day of _____, _____.

By: _____

Reviewed this ____ day of _____, _____.

Township Trustees: _____

President

Approved this ____ day of _____, _____.
Zoning Inspector

Approved this ____ day of _____, _____.
County Engineer

Approved this ____ day of _____, _____.
County Board of Health

Approved this ____ day of _____, _____.
County Sanitary Engineer

Approved this ____ day of _____, _____.
Regional Planning Commission

Approved 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. Section 711.04 and 77.040, Ohio Revised Code.)
Note: If public sewer and water are available, the plat need not be signed by the County Board of Health.

Transferred this ____ day of _____, _____.
County Auditor

Filed for Record this ____ day of _____, _____, at _____(time).

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

Fulton County Recorder: _____

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 right-of-ways 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.

Section 330 SUPPLEMENTARY 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. Certification shall be required showing that all required improvements have been either 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 331 FILING

The first 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. Each subsequent final plat based on the same approved preliminary plat shall be filed with the Commission no later than twelve (12) months after the filing on the final plat next previously filed on the same approved preliminary plat, except that no filing of the final plat will be permitted more than thirty-six (36) months after the date of approval of the preliminary plat. Failure to file a final plat within any one of said time periods shall make void the portion of the approved preliminary plat with respect to which a final plat or plats have not been filed at the time of such default. One or more extensions to file a final plat or plats may be granted by the Commission upon good cause being timely shown in writing by the developer, provided no extension may be granted by the Commission after failure to file a final plat within any one time period or extension thereof granted by the Commission.

Section 332 FINAL PLAT APPLICATION

The application shall consist of all technical designs and construction plan matter approved and amended within Sections 321 through 323 inclusive of these regulations and the two (2) following forms entitled APPLICATION FOR FINAL PLAT APPROVAL AND FINAL PLAT APPROVAL CHECKLIST.

APPLICATION FOR FINAL PLAT APPROVAL
FULTON COUNTY, OHIO

Date: _____ Application No. _____

1. Name of Applicant: _____
Address: _____
Telephone No.: _____

2. Name of Surveyor or Engineer: _____
Address: _____
Telephone No.: _____

3. Name of Subdivision: _____

4. Date Preliminary Plat Approved: _____

5. Date Technical Design and Construction Plans Approved: _____

6. Was a zoning change requested? Yes _____ No _____
If yes, the plan may not be approved until it conforms to the local zoning. Include a certification of zoning compliance if a change was requested.

7. Have all required improvements been installed? _____
If yes, please attach a final copy.

8. List other materials submitted with this application.

(Item)	(No.)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(For Official Use)

Date Received: _____

Date of Meeting of Planning Commission: _____

Plat Fee \$ _____ Inspection Fee \$ _____

Action by Planning Commission: _____

If rejected, reason (s) for rejection: _____

Date: _____ Chairman: _____

FINAL PLAT CHECKLIST

Date: _____

Application No. _____

Subdivision: _____

The following item (s) (does, does not) conform to the requirements of the Fulton County Subdivision Regulations. Those items not conforming are explained on the final page.

1.	Does	Does Not	Item
	_____	_____	Submitted within twelve (12) months of preliminary approval
	_____	_____	Conforms to preliminary plat and incorporate suggested changes
	_____	_____	Name of subdivision
	_____	_____	Proper scale
	_____	_____	Date and North Point
	_____	_____	Locational Description
	_____	_____	Sheet size not larger than 22 in. x 36 in. (index sheet if more than one (1) sheet)
	_____	_____	Name and address of owner, surveyor, and engineer
	_____	_____	Accurate survey date - seconds; lineal dimension to hundredths of feet; radii; internal angles; points of curvature; tangent bearing; length of arcs; lengths of cords
	_____	_____	Closure Sections
	_____	_____	Bearings and distances to permanent monuments
	_____	_____	Name, location, width, and centerline of streets
	_____	_____	Lot number and dimensions
	_____	_____	Location and description of monuments
	_____	_____	Building setback lines
	_____	_____	Parks and open spaces and proper dedications
	_____	_____	Final deed restrictions
	_____	_____	Final Technical Design and Construction
	_____	_____	Installation or guarantee of installation of improvements

Date: _____

Title: _____

Signature: _____

Section 333 APPROVAL OF FINAL PLAT

The Commission shall approve or disapprove the final plat within thirty (30) days after it has been filed. The signature on the plat shall be obtained prior to approval. Failure of the Commission to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Commission, and a copy of said record shall be forwarded to the subdivider. The Commission shall not disapprove the final plat if the developer has done everything that he was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat. If disapproved, the subdivider shall make the necessary corrections and resubmit the final plat within thirty (30) days to the Commission for its final approval. If the plat is refused by the Commission, the person submitting the plat which the Commission refused to approve, may file a petition within ten (10) days after such refusal in the Court of Common Pleas of the county in which the land described in said plat is situated to reconsider the action of the Commission, the original tracing shall be returned to the subdivider for filing with the County Recorder after all necessary certifications are received and a mylar copy of the final plat shall be filed with the Fulton County Engineer's Office.

Section 334 RURAL SUBDIVISIONS

1. This subdivision option provides limited development opportunity within an urban growth area and the landowner desires to continue agricultural operations, house family members, or raise income to supplement agricultural operations. This 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 at such time further subdivision on such "lot" is proposed.
2. 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.
3. Special subdivisions shall meet the following conditions and limitations:
 - a. For all subdivision types, public right-of-way shall be dedicated to arterial or collector street standards as designated on the County Highway Map.
 - b. All lots shall take access from an easement having a minimum width of sixty (60) feet located on the residual parcel.
 - c. Any lot abutting an existing public right-of-way shall have an accompanying plat prohibiting access to that road or street.
 - d. The residual lot owner shall pave roads and install all public utilities, water, sewer, and storm drainage in the access easement for the initial lots as part of any subsequent subdivision of the residual property. A note shall be placed on the final plat spelling out this responsibility.

Section 334.1 RURAL SUBDIVISIONS OR PARCEL SPLITS
WITH PRIVATE ROADS OR EASEMENTS FOR ACCESS

1. The proposed development shall adhere to the platting requirements of the Fulton County Subdivision Regulations and Section 334 Rural Subdivisions.
2. Easements of Access/Private Roads
As defined in this section, access easements or private roads shall be called streets and shall meet the following requirements:
 - a. 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 2,000 feet in length.
 - b. The street shall have a minimum of eighteen (18) feet of pavement, as per 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 of the Fulton County Engineer.
 - c. 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 O.D.O.T. specifications.
 - d. 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.
3. Additional Plat Requirements
 - a. A homeowners association shall be established to maintain the infrastructure of the subdivision.
 - b. 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.
 - c. All requirements of the Fulton County Subdivision Regulations, Fulton County Health Department, and Fulton County Engineer's Office shall be adhered to.
4. A single parcel split that is five (5) acres or larger, with an access easement, shall meet the requirements of the Fulton County Subdivision Regulations and may then be approved by the

Fulton County Regional Planning Commission, per the variance process. The minimum width of the access easement shall be sixty (60) feet.

The Regional Planning Commission Director shall have the option to follow the variance process OR waive the variance process and grant approval of the access easement, if the following requirements are met:

- a. The access easement shall be used exclusively for agriculture or forestry and shall be a minimum of 60 feet in width.
- b. The easement document shall state that access shall be solely for agricultural or forestry purposes.
- c. The easement shall not be used for residential, commercial, or industrial purposes.
- d. The easement shall not be contrary to good planning practices.

Section 334.2 RURAL SUBDIVISIONS OUTSIDE URBAN GROWTH AREAS

Rural Subdivisions shall be permitted outside designated urban growth areas, provided the following requirements:

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 Section 334 and 334.1 shall be followed.

Section 335 MINOR SUBDIVISIONS (Lot Splits)

Administrative approval without a plat of a minor subdivision 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; provided however, that a proposed conveyance of parcel on which a dwelling unit erected before September 3, 1974 and connected to an existing public road by a private lane of not less than thirty (30) feet in width shall be permitted. Such a private lane must be owned exclusively in fee simple by the owner of the parcel proposed to be conveyed, may not serve as access to, or be used by the owner or occupant of any other parcel, and not be considered for the purpose of determining the frontage, depth, width, and area of the parcel proposed to be conveyed.
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.

Land Contracts

All proposed minor subdivisions, 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 336 APPLICATION FOR MINOR SUBDIVISION APPROVAL

The application for minor subdivision approval shall consist of a survey from an Ohio Certified Surveyor and the following application form provided by the Regional Planning Commission.

Minor Subdivision Approval Form

Name of Applicant/Attorney: _____

Phone #: _____ Fax #: _____

Property Owner: _____

Address: _____

Phone #: _____

Former Property Owner/Year: _____

Parcel Address: _____

Location (Section/Town/Range): _____

Township: _____

Size of Parcel: _____ Acres

Special Comments: bare land new building easement
 existing building other: _____

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

Date Filed: _____ Fee Paid: \$ _____

Last Day For Review: _____

Action Taken: Approved Denied

Comments: -----

Survey Deed Health Dept. Engineer's Dept. Waterline Assessment

Floodplain Map #: _____ Notify Trustee Deed to Auditor

The following information shall also be provided:

1. Description: Attach a separate sheet with the legal description.
2. Survey: Provide a survey of the proposed subdivision also indicating 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 337 APPROVAL OF MINOR SUBDIVISION

If approval is to be given under Section 333 and the authorized representative is satisfied that the proposed subdivision is not contrary to applicable subdivision and zoning regulations, the Commission, within seven (7) business days after submission of the completed application, shall approve such proposed subdivision, and upon presentation of an application for Minor Subdivision Approval for said parcel and the proposed conveyance, stamp "Approved by the Fulton County Regional Planning Commission; No Plat Required" on said application and conveyance and the authorized representative of the Commission shall sign the application for minor subdivision approval.

The Fulton County Regional Planning 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. Conditional approval may be granted when improvements are deemed necessary and full approval shall be granted after the stipulated improvements have been completed.

The Minor Subdivision Approval Form (Lot Split Application) is valid for a period of 2 years, commencing on the date the application is filed. If the proposed parcel is not conveyed with the 2-year timeframe, the application will expire requiring the lot split be resubmitted.

Section 338 SEWAGE SYSTEMS

The Fulton County Subdivision Regulations require that all rural subdivisions and lot splits be reviewed by the Health Department for approval of the private sewage disposal systems to be used. The following regulations shall apply, including Article V "Subdivision Utility Planning Standards", Section 501: Sanitary Sewer and On-Lot Sewage Disposal

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 and sewage disposal systems. In inspecting these systems, many times it is found that not all of the components will be on the property with the home. This may involve the septic tank, tile disposal field, subsurface filter, or more typically 575 feet of field tile following the septic tank before the effluent enters the ditch. The systems allowing the secondary treatment of 575 feet of field tile was 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 the system is not possible.

Section 339 WATER SUPPLY

Water supply for both minor and rural subdivisions shall adhere to Article V, Section 502: Water Supply.

Section 340 ACCESS MANAGEMENT

All parcel splits, including minor lot splits and rural subdivisions, shall adhere to the Fulton County Access Management requirements in Article VI.

Section 341 FLOOD PLAINS

Proposed parcel splits that have been determined to be located in a one hundred (100) year flood plain shall comply with the Fulton County Flood Plain Regulations, which are incorporated within these regulations. All major, rural and minor subdivisions with designated flood plains must depict the flood plain area on the survey.

Section 342 SUITABILITY

If it has been determined by the public agencies in the review process that the parcel split will be detrimental to the surrounding area because of water supply, increased flood, or excessive density which may endanger the health, life, or property, the Planning Commission shall not approve the land for subdivision unless adequate methods or means are developed by the subdivider for solving the problems that will be created by further splitting of property.

Section 343 WETLANDS

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

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

In order to achieve the goals of wetland protection, the Regional Planning Commission will 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 344 WOODLANDS

It will be the policy of the Commission to protect 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 345 DEVELOPMENT PERMIT

A development permit will be required for the construction of residential, commercial, industrial, and accessory buildings in the unincorporated areas of Fulton County. The purpose of the development permit is to regulate the road setback requirements of the county subdivision regulations, county flood plain regulations, township and county drainage requirements, Fulton County health regulations, and County access requirements. The Commission shall approve an appropriate permit for the administration of the development permit.

Section 350 LARGE LOT DEVELOPMENT REGULATIONS
Per O.R.C. Section 711.133, Platting (5 to 20 Acres)

These regulations pertain to the proposed division of a parcel of land along an existing public street, ranging in size from not less than five (5) acres to not more than twenty (20) acres, which does not involve the opening, widening or extension of any street or road. Application for approval shall be made to the Fulton County Regional Planning 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, 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. Parcel Divisions

Parcel splits containing a minimum of 5.001 acres and up to and including 20 acres in the unincorporated areas of Fulton County shall be regulated per this section. See Sections 334 and 335 and O.R.C. §711.131 pertaining to parcel splits smaller than 5 acres.

2. Review Authority

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

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

3. Parcel Dimensions

Lot Size: 5.001 acres up to and including 20 acres

Minimum Lot Frontage: 250 ft., measured at the building setback line

Width to Depth Ratio: Refer to local zoning requirements.

Minimum Depth: The minimum depth requirement is based on the road’s classification, as determined by the Fulton County Access Management Plan.

<u>Road Classification</u>	<u>Minimum Depth</u>
Principal Arterial	410 ft.
Minor Arterial	410 ft.
Major Collector	400 ft.
Minor Collector	385 ft.
Non Classified	380 ft.

Local zoning regulations may take precedence over these requirements.

4. Survey
A certified survey will be required, per Article VII, “Minimum Standards for Boundary Surveys and Monumentation”. Exempt parcels may be waived by the Fulton County Regional Planning Commission, if the split can be described by a fractional description.
5. Water Requirement
An approved water source will not be required, unless the Fulton County Health Department determines that unique circumstances exist.
6. 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.
7. Time Period for Review of Large Lot Developments

(# of Parcels)	(Review Period)
1 - 6	7 Calendar Days
7 - 14	14 Calendar Days
15 or More	21 Calendar Days

The burden is upon the applicant to demonstrate compliance with these Regulations. Incomplete or deficient proposals shall be disapproved and the applicant notified of issues and reasons for disapproval. Upon presentation of an approved conveyance of said parcel, the conveyance shall be stamped “Approved by Fulton County Regional Planning Commission; No Plat Required under R.C. 711.133” and signed and dated by the Director or his designated representative. Deeds shall be recorded within two years from the date of approval, or the approval expires. Upon the expiration of the approval, any proposed subdivision of the subject tract shall be filed and processed as a new application.

8. Agricultural and Personal Recreational Purposes Exemption
Parcel splits utilized for the purpose of agricultural and/or personal recreational uses are exempt from large lot development regulations. A lot split application shall be filed. The Fulton County Regional Planning Commission shall determine that such a parcel complies for exemption, per the following standards.
 - a. The seller and/or buyer shall certify that the parcel will be used exclusively for agricultural and/or private recreational purposes.
 - b. Exemption Requirements:
 - 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.
 - c. Any future division of said parcel or change in use of said parcel shall not be exempted and must comply with Subdivision Regulations and local Zoning Regulations, where applicable.

- d. 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 Director or designated representative. The Regional Planning Commission may require additional statements on the property deed for compliance of these regulations.
 - e. For purposes of this Section, the terms “agricultural purposes” and “personal recreational purposes” shall be defined as follows:
 - Agricultural Purposes: a parcel or parcels that are 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 or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcels(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit.
9. Appeal by Applicant
An applicant that has been denied approval of a lot split may file an appeal with the Court of Common Pleas as set forth in the O.R.C., Chapter 711.

ARTICLE IV

SUBDIVISION PLANNING STANDARDS

Section 400 GENERAL STATEMENT

The following regulations, Section 400 to 414 inclusive, shall guide and control the planning of a proposed subdivision. They shall control the manner in which streets, lots and other easements of a subdivision are arranged within its boundaries. These planning controls shall help insure convenient and safe streets, creation of usable lots, 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 has the responsibility for revising the planning of each future subdivision early in its development. The Commission shall insure that all of the requirements of Section 400 to 414 inclusive, are satisfied.

Section 401 CONFORMITY TO DEVELOPMENT PLANS AND ZONING

The arrangement, character, width and location of all thoroughfares or extensions thereof shall conform with the transportation plan. Those thoroughfares not contained in the aforementioned plan shall conform to the recommendation of the Commission based upon the design standards set forth in Section 400 to 414 inclusive. Additionally, no final plat of land within the area in which an existing zoning resolution is in effect shall be approved unless it conforms with such resolution.

Section 402 SUITABILITY OF LAND AND PUBLIC FACILITIES

The developer and/or his representative shall contact the Fulton County Health Department or County Sanitary Engineer for a determination of the method of wastewater treatment to be used within the proposed subdivision.

If the Commission finds that the land, proposed to be subdivided, is unsuitable for the proposed development because of lack of a suitable method of wastewater treatment, frequent flooding, and poor drainage, unsuitable topography and/or inadequate water supply, the Commission shall not approve the land for subdivision. Additionally, should the Commission decide that the proposed subdivision would create an undue hardship for a public school, transportation facility or cause other conditions, which may endanger health, life or property; produce a public nuisance or engender conditions that are not in the best interest of the public, the Commission shall not approve the land for subdivision.

It is the sole responsibility of the subdivider who may create deficiencies in any of aforementioned areas, because of the proposed subdivision, to provide sound and acceptable solutions thereto.

Section 403 STREETS

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 what percent of traffic will be truck (18 KIP Application) and the support capability (CBR Rating) of the soil on which it is to be built. The street or streets under consideration shall be in one of the following classifications; rural (local) street, minor collector, major

collector or arterial highway (for our purpose, includes all state routes). The criteria to determine the proper classification is as follows:

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. Major Arterial - State Routes

Regardless of classification, the resolute minimum right-of-way width shall be sixty (60) feet and minimum pavement width shall be twenty-four (24) feet. The pavement width may be reduced (*See Section 334.1*) 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 thereto is permitted under Section 334.1 hereof.

Permanent dead-end streets shall not be permitted except those qualifying as cul-de-sac. Temporary dead-end streets shall be permitted only as part of the continuing street plan, and only if a temporary turn-around satisfactory to the Commission in 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

1. 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.
2. For the purpose of street naming, the following suffixes shall apply:
 - a. Avenue shall be used only for streets that run in a generally east-west direction.
 - b. Boulevard or drive shall be used only for a large meandering type street.
 - c. Circle or court shall be used only for cul-de-sac type streets that run in a general east-west direction.
 - d. Land or place shall be used only for cul-de-sac type streets that run in a generally north-south direction.
 - e. Road or way shall be used only for streets that run in a diagonal manner, either a generally northwest-southeast direction or a northeast-south-west direction.
 - f. Street shall be used only for thoroughfares that run in a generally north-south direction.
 - g. The words north, south, east, or west should be avoided as part of a street name whenever possible.
3. 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.
4. 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.
5. 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.
6. 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 334. The minimum lot size, width, and setback shall be as specified in Table 1.
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 center, and other facilities.

TABLE 1
MINIMUM DIMENSIONAL REQUIREMENTS

Development Type	Public Water Availability	Central Sewage Treatment Available	Minimum Lot Frontage (ft.)	Lot Area Per Family	Minimum Setback ⁽³⁾
Single-Family	Yes	No	120	20,000 sq. ft.	75
	No	Yes	120	16,200 sq. ft. ⁽¹⁾	75
	Yes	Yes	70	9,500 sq. ft.	75
	No	No	150	1 Acre ⁽⁴⁾	75
	No	No	250	2 Acres ⁽⁵⁾	75
Two-Family	Yes	No	200	2 Acres	75
	No	Yes	120	16,200 sq. ft. ⁽¹⁾	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 ⁽²⁾	1 Acre	-
	No	Yes	90 ⁽²⁾	20,000 sq. ft.	75
	Yes	Yes	90 ⁽²⁾	20,000 sq. ft.	75
	No	No	90 ⁽²⁾	1 Acre	-
Industrial	Yes	No	100 ⁽²⁾	1 Acre	-
	No	Yes	100 ⁽²⁾	20,000 sq. ft.	75
	Yes	Yes	100 ⁽²⁾	20,000 sq. ft.	-
	No	No	100 ⁽²⁾	1 Acre	75

- (1) The minimum required lot depth of 135 feet is assumed.
- (2) Subject to the approval of Ohio Environmental Protection Agency and the Fulton County Sanitary Engineer.
- (3) Measured from the proposed highway right-of-way, as established by the Access Management Map.
- (4) The minimum lot depth is 235 feet.
- (5) Minimum Lot Depth for Parcels 2 Acres and Greater

Principal Arterial	410 ft.
Minor Arterial	410 ft.
Major Collector	400 ft.
Minor Collector	385 ft.
Unclassified	380 ft.

Townships that are zoned shall refer to their local zoning regulations.
Setback requirements are for all main buildings and accessory buildings.

Section 408 SIDEWALKS

1. Sidewalks shall be included within the dedicated non-pavement right-of-way of all roads as shown in Table 2.

TABLE 2: SIDEWALKS REQUIRED

(Road Classification)	<u>Residential</u>			<u>Business/Industrial</u>
	<i>Low Density</i>	<i>Medium Density</i>	<i>High Density</i>	
Local	optional	optional	optional	required
Collector	optional	optional	optional	required
Arterial	optional	optional	optional	required

- a. Low Residential Density is defined as either 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.
 - b. Medium Residential Density is defined as either 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.
 - c. High Residential Density is defined as 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.
2. All sidewalks shall be four (4) feet in width.
 3. 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 in Table 2.
 4. Sidewalks shall be required on local and collector streets only if the subdivision is projected to contain twenty-five (25) or more dwelling units.
 5. Sidewalks may also be required along at least one (1) side of a street, where deemed essential to pedestrian traffic safety by the Commission.
 6. Sidewalks may not be required for minor subdivisions.

Section 409 PUBLIC SITES, OPEN SPACES AND NATURAL FEATURES

1. Upon the creation of a Fulton County Park Board or similar organization and where a park, playground, school, or public 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 that portion of benefits from public sites according to his land as determined by the Commission.

2. 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, watercourse, areas of historical significance, and similar irreplaceable assets.

Section 410 GRADING PLAN

A grading plan shall be required of the entire subdivision for the purpose of providing good drainage. It is the intent of this Section to provide surface drainage to all areas to prevent property damage, inconvenience and deterioration caused by ponding water to the owner and/or resident.

Within 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 (Section 411 and 412) will be prohibited. All drainage systems shall be reviewed subject to the approval of the County Engineer.

A sample grading plan (Illustration 7) demonstrates the intent of this Section.

Section 411 FLOOD AREAS AND FLOOD PREVENTION REGULATIONS

Any area of a proposed subdivision, which is located within or expected to be located within any flood hazard area of Fulton County, shall be subject to the provisions of the current "Flood Drainage Prevention Regulations". Said regulations, which are not included within this document but under separate cover, were adopted by the Board of Fulton County Commissioners on October 15, 1987 and became effective November 15, 1987, and was amended March 27, 1997. The resolution, which adopted the regulations for flood hazard areas, was necessary for participation in the National Flood Insurance program and to minimize flood losses.

In order to protect the health, safety and general welfare of the public, the Commission shall reject any proposed subdivision, which cannot satisfy the criteria of the regulations. Otherwise, the proposal is also subject to the criteria contained in Section 412.

Section 412 STORMWATER MANAGEMENT FACILITIES

1. All subdivisions and land developments shall have stormwater management facilities installed. Connections to existing roadside drainage tiles are prohibited. The design of such stormwater management facilities shall be approved with final engineering, prior to approval of the final plat. The subdivider shall make the improvements prior to final plat approval or be required to post surety, approved by the County Prosecutor, to insure the work is completed. The County Engineer may grant a waiver to these requirements when one of the following conditions exist:
 - a. The subject property is adequately served by a subregional stormwater system.
 - b. 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.

2. A stormwater management system consists of the following elements:
 - a. Stormwater detention and runoff release structures;
 - b. Surface drainage ditches, diversion channels, and drainage swales;
 - c. Storm sewers and drainage tile systems.
3. 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:
 - a. An increase in the site's impervious surface resulting from any new buildings, roads, and/or parking lots;
 - b. Changes in soil absorption caused by compaction during development;
 - c. Contour modifications, including filling or draining small depressional areas, altering drainageways, installing collection systems to intercept street flows, replacing swales or other drainageways;
 - d. 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.

4. 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. For this section's purposes, "undeveloped condition" shall include all natural retention areas and drainageways, plus existing highway drainage structures, in the flow of calculations.
5. All stormwater storage facilities shall be designed with sufficient capacity to accommodate all runoff caused by the development in excess of the natural, undeveloped condition.
6. The recommended method of calculating hydrographs and detention shall be the rational method or another method approved by the County Engineer.
7. All detention facilities and improvements required by this section shall comply with the following regulations:
 - a. Outlet control structures shall be designed as simply as possible and shall operate automatically.
 - b. Emergency overflow facilities shall be provided.
 - c. 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.
- d. 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.
 4. Approach slopes shall be at least 6:1, but not more than 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.
 5. 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.
- e. Drainage Outlets
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.
- f. 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.
- g. 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 Floodplain Regulations.
- h. All detention basins shall be located in stormwater control easements with access easements provided where required.

- i. Basins shall be sodded or seeded with established growth and inspected by the County Engineer.
8. 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.
 9. 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 413 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 Planning Commission.

Section 414 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

The following regulations, Section 500 to 507 inclusive, shall guide and control the planning of utilities and their placement for the proposed subdivision.

Section 501 SANITARY SEWER AND ON-LOT SEWAGE DISPOSAL

Policy Statement

No public sewer service shall be provided to land located outside the Urban Growth Areas or to unzoned areas, unless to alleviate a serious health problem or for economic development purposes. The preferred method of sanitary sewerage treatment is public sewer.

All proposed major and minor subdivisions shall have an approved means of sewer service prior to subdivision approval from either the County Sanitary Engineer or the County Health Department, or in

the case of proposed lots of record, prior to the closing on the property unless the sale is for agricultural purposes. 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. On-site sanitary systems for minor lot splits and rural subdivisions shall be approved by the Fulton County Health Department.

Major Subdivision Requirements

(Public Sanitary Sewers) Public sewer service is to 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 E.P.A. 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.

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. This study may lead to lots being declared unsuited for on-site systems and 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 result may be lots considerably in excess of the minimum zoning or subdivision standards. The following standards shall be used to determine the suitability of soils and lots for sanitary sewerage.

1. On each proposed lot test holes shall be dug, in accordance with the specifications of the County Health Dept., to determine the type of soils and depth to seasonal high water table. Sufficient holes must be dug to establish 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.

Section 502 WATER SUPPLY

Policy Statement

No public water service shall be provided to land located outside the Urban Growth Areas or to unzoned areas, unless to alleviate a serious health problem or for economic development purposes. The preferred method of water supply is public water.

All proposed major and minor subdivisions shall have an approved water supply prior to final subdivision approval from either the County Sanitary Engineer, County Health Department, or Ohio E.P.A. or in the case of proposed lots of record, prior to the closing on the property, unless the sale is for agricultural purposes. On-site private water supply systems for minor and rural subdivisions shall be approved by the Fulton County Health Department. Major subdivisions shall be required to have public water approved by the municipal provider, Fulton County Sanitary Engineer, and Ohio E.P.A. The following requirements shall govern water supply improvements.

Major Subdivision Requirements

Public water service is to 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 reasonable accessible or required because of pollution problems, in the determination of OEPA or the Fulton County Health Department, 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. Public water distribution and public water supply shall meet the requirements of Fulton County, the local municipality, and the Ohio Environmental Protection Agency and all applicable rules and regulations.

Minor and Rural Subdivision Requirements

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.

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

Where an individual lots 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 that: "Wells on this lot may prove inadequate under heavy usage, due to low yields."

Where a pond or hauled water system will be utilized as the potable water supply, an issued private water system installation permit must be obtained from the Fulton County Health Department, prior to final subdivision approval.

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 E.P.A.

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

1. Electric service and telephone service shall 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.
2. 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.
3. 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:
 - a. The total easement width shall be not less than twenty (20) feet; and
 - b. 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.
4. 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, as provided for in Section 411 to 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 for only that part of the construction cost for the arterial streets, trunk sewers, or water lines which are serving 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 sometimes described in terms of an ongoing cycle of obsolescence. Fulton County Comprehensive Plan identifies access management as an element of concern. This is especially evident in areas undergoing development. Many areas of Fulton County are experiencing just this type of urbanization. As development occurs, traffic continues to increase, which drives up land values and spurs further development. More business development along the roadway brings more driveways, more conflicts and more congestion. Eventually traffic service levels drop so low that roadway improvements or completely new infrastructure becomes necessary. This requires the expenditure of scarce tax-payer dollars on expensive land acquisition, physical construction, and traffic maintenance. Then the increased accessibility provided by the improved/new roadway starts the cycle all over again.

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 render a highway functionally obsolete well in advance of its design life and contribute to potential safety problems, congestion, and air quality problems. Another important aspect of access management is the large public tax savings that occur by slowing this unmanaged growth. In addition, it protects the property owner by ensuring safe access with less road congestion, which in turn maintains land values.

Section 601 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 also provide access to businesses and homes and have served as the focus 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 right of the citizens of Fulton County to safe and efficient travel, while significantly reducing the need to raise or divert additional tax dollars to cover 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 with highest priority on the Ohio Highway System and secondary priority 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 the safety, operation, 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 the increased air pollution caused by resulting traffic jams. This will 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 Appendix A, and to all properties that abut these roadways. The capacity and classification of those streets not listed in Appendix A 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.

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 "Major Arterial", "Minor Arterial", "Major Collector", and/or "Minor Collector" as determined by the Fulton County Thoroughfare Plan and Appendix A.

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. (See *Figure 1*)

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. (*See Figure 4*)

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 also 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. (*See Figure 2*)

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. (ORC 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.

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

Section 604.1 CLASSIFICATIONS

All roadways in Fulton County have been classified for congestion prevention and access management (See Appendix A). These classes are “Major Arterials”, “Minor Arterials”, “Major Collector”, “Minor Collector”, and lower order. These Congestion Prevention requirements only apply to the first four roadway classes. Those roads not listed are considered lower order and do not need to meet the requirements of Article VI. Within the first four classifications, each has different degrees of access standards, with the most strict applying to major arterials and the least strict to minor collectors. Of major importance to congestion prevention and access management is driveway and roadway spacing; in other words the distance between access points onto 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 of the 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. What follows is a more detailed description of the requirements for each particular road classification.

Section 604.2 MAJOR ARTERIAL

1. In accordance with ORC 5535.03, Fulton County and the Fulton County Comprehensive Plan have designated certain roadways in the county as Major Arterials based on Ohio Department of Transportation classifications. These Major Arterial roadways are specifically designed for the movement of through traffic and therefore only four (4) minor land divisions (lot splits) gaining access from a Major Arterial shall be permitted in total form 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 (*See #2 below*). Land divisions that meet the major subdivision or major development process outlined in these regulations are permitted on Major Arterials.
2. No additional access points are permitted on a Major Arterial, other than for 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 Study¹ indicates such provision will enhance safety and/or traffic flow on the arterial.

¹ 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"*).

3. New roads/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 550 feet apart and directly across from (not offset from) other streets and drives.
4. New roads that are constructed intersecting a Major Arterial shall construct left turn lanes and right turn deceleration lanes on the Major Arterial; this includes the dedication of right-of-way sufficient for turn lanes along the entire frontage.
5. For all land division or access improvement, half (1/2) of the right-of-way necessary to improve the R.O.W. of the Major Arterial to 120 feet, or that necessary for a four 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.
6. All developments – residential, commercial, and industrial, 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 entrance and parking areas (*See Table 6*), and restricting ingress and egress to Right In/Right Out only.
7. Whenever 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.
8. Where a proposed subdivision or development abuts and, through internal roadways, connects to an existing subdivision or development which has access to a Major Arterial, the proposed subdivision shall be required, where necessary, to upgrade the intersection of the Major Arterial and the existing subdivision's roadway access.
9. No increase in access will be granted on roadways where the access rights have been purchased by any governmental body.

Section 604.3 MINOR ARTERIAL

The criteria for Minor Arterial shall apply with the exception of the following:

1. In accordance with ORC 5535.03, Fulton County and the Fulton County Comprehensive Plan has designated certain roadways in the county as Minor Arterials based on Ohio Department of Transportation classifications. These Minor Arterial roadways are specifically designed for the movement of through traffic and therefore only four (4) minor land divisions (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.
2. New driveway access points and new roadways shall be located on a Minor Arterial, based upon the existing speed limit of the arterial (*See Table 3*) or 55 miles per hour (495 feet).
3. For other than single family residential developments, 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.
4. For all land division or access improvement, half (1/2) of the right-of-way necessary to improve the R.O.W. of the Minor Arterial is 120 feet, or that necessary for a four 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.
5. 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.
6. Where a proposed subdivision or development abuts and, through internal roadways, connects to an existing subdivision or development which 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.
7. No increase in access will be granted on roadways where the access rights have been purchased by any governmental body.

TABLE 3: AASHTO Safe Stopping Sight Distance Connection Spacing Standards

<u>SPEED (MPH)</u>	<u>DISTANCE (FEET)</u>
35	250
45	360
55	495

Section 604.4 MAJOR COLLECTOR

1. No new direct access (driveway) other than for a new road is permitted from any lot to a Major Collector, except for minor lot splits in residential or agricultural zoning districts. For other than single family residential developments, 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.
2. Any new driveway access points and new roadways shall be located on a Major Collector in accordance with either AASHTO SAFE STOPPING SIGHT DISTANCE criteria based upon the existing speed limit of the Major Collector (*Table 3*).
3. 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.
4. For all land improvement, half (1/2) of the right-of-way necessary to improve the R.O.W. of the Major Collector to 100 feet, or that necessary for a four lane 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. All developments are required to dedicate this right-of-way to the county.
5. 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.
6. 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 and parking areas, and restricting ingress and egress to Right In/Right Out only.
7. 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.
8. No increase in access will be granted on roadways where the access rights have been purchased by any governmental body.

Section 604.5 MINOR COLLECTOR

1. New streets intersecting the Minor Collector shall meet the requirements of Section 605.
2. New driveway access points and new roadways shall be located on a Minor Collector in accordance with either AASHTO SAFE STOPPING SIGHT DISTANCE criteria based upon the existing speed limit of the Minor Collector (*Table 3*).
3. For all land division or access improvement, half (1/2) of the right-of-way necessary to improve the R.O.W. of the Minor Collector to 72 feet or that necessary for a three lane 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.
4. Minimum turning radii for roadways where no right turn lane exists shall be 50 feet for a development creating less than or equal to 50 peak hour trips, otherwise a right turn deceleration lane shall be constructed (*See Section 605.4*).
5. 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 minor collector and the existing subdivision’s roadway access.
6. No increase in access will be granted on roadways where the access rights have been purchased by any governmental body.

Section 604.6 MINOR LAND DIVISION (LOT SPLIT) ON CLASSIFIED ROADWAYS

1. Minor land divisions are permitted along all roadways except Major and Minor Arterials provided that the proposed driveway spacing meets the requirements of Table 3: AASHTO Safe Stopping Sight Distance Connection Spacing Standards and this article and the proposed minor land division(s) meet the requirements of Section 334.
2. Minor Arterials are limited access highways, so in order to increase safety and prevent congestion of the public roadways, minor land divisions gaining access from Minor Arterials are restricted to a total of five (5) lots, including the remainder of the original tract. Thus five lots may be created as minor land divisions 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 land division(s) meet the requirements of Section 334.
3. Major Arterials are also limited access highways, so minor land divisions gaining access from Major Arterials will be permitted provided that they meet the same requirements as Section 604.6, #2 above and no new access points are created. A copy of the official driveway permit must be submitted with the application.

Section 604.7 GENERAL ROADWAY STANDARDS

1. All connections on roadway segments that have been assigned an access classification shall meet or exceed the minimum connection spacing requirements of that access classification as specified in Table 3.
2. Driveway spacing shall be measured from the closest edge of the pavement to the next closest edge of the pavement (*See Definition Section: "connection spacing" and Figure 1*). 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.
3. The Fulton County Regional Planning Commission (FCRPC) may reduce the connection spacing requirements in situations where they prove impractical, but in no case shall the permitted spacing be less than 80% of the applicable standard, except as provided in Section 605.2 - #4.
4. If the connection spacing of this code cannot be achieved, then a system of joint use driveways and cross access easements may be required in accordance with Section 605.2.
5. Variation from these standards shall be permitted at the discretion of the Fulton County Regional Planning Commission (FCRPC) where the effect would be 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 FCRPC in determining whether the proposed change would exceed roadway safety or operational benefits of the prescribed standard.

Section 605 GENERAL CONGESTION PREVENTION STANDARDS

Section 605.1 CORNER CLEARANCE

1. Corner clearance for connections shall meet the minimum connection spacing requirements for that roadway.
2. 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 (*See Table 3*), unless:
 - a. No other reasonable access to the property is available, and
 - b. The FCRPC 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.
3. Where no other alternatives exist, the FCRPC 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.
4. In addition 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.

Section 605.2 JOINT AND CROSS ACCESS

1. Adjacent commercial or office properties shall provide a cross access drive and pedestrian access to allow circulation between sites.
2. A system of joint use driveways and cross access easements at least thirty (30) feet in width, as shown in *Figure 4*, shall be established wherever feasible along arterials and collectors and the building site shall incorporate the following:
 - a. 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;
 - b. A design speed of 10 mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles;
 - c. 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;
 - d. A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.
3. Pursuant to this Section, property owners shall:
 - a. 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;
 - b. Record an easement with the deed that remaining access rights along the thoroughfare will be dedicated to the FCRPC and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
 - c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.
4. The FCRPC may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
 - a. Joint access driveways and cross access easements are provided wherever feasible in accordance with this Section.
 - b. The site plan incorporates a unified access and circulation system in accordance with this Section.
 - c. The property owner shall enter into a written agreement with the FCRPC, 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.
5. The FCRPC 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.

Section 605.3 LEFT TURN LANE IMPROVEMENTS AND REQUIREMENTS

When a new road is being created connecting to a classified roadway or a parcel is creating 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 in the following instances:

TABLE 4: Conditions Requiring Left Turn Lane Improvements

<u>Fulton County Road Classification</u>	<u>Residential Required When Number of Lots Exceed</u>	<u>Non-Residential Required When Peak Hour Trips Exceed</u>
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
Major Arterial	10 lots or dwelling units	30 peak hour trips

When adjacent property is to be provided with an 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, 25% 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.

Section 605.4 RIGHT DECELERATION LANE IMPROVEMENTS AND REQUIREMENTS

When a new road is being created connecting to a classified roadway, or a parcel is creating 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. The type of improvement depends on the peak hour trips and shall be as follows:

TABLE 5: Conditions Requiring Right Turn Lane Improvements

<u>Number of Peak Hour Trips</u>	<u>Minimum Right Turn Improvement Type</u>
Less than or equal to 50	Larger turn radius of 50 Ft.
More than 50	Full-width right turn lane

Thus if the design right turn volume is less than or equal to 50 vehicles per hour, a 50 foot radius must be provided. If the design right turn volume is over 50 vehicles per hour, a full right turn lane must be constructed.²

When adjacent property is to be provided with an 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 peak hour trips shall be added to the total planned for the proposed site to determine what type of right turn improvement is warranted. When the adjacent property has its own access, 25% 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.

² National Cooperative Research Program standards

Section 605.5 GENERAL ACCESS CONNECTION AND DRIVEWAY DESIGN

1. Driveway width shall meet the following guidelines:
 - a. If the driveway is a one-way in or one-way out drive, then the driveway shall be a minimum width of 16 feet and shall have appropriate signage designating the driveway as a one-way connection.
 - b. For two-way access, each lane shall have a width of 12 feet and a maximum of four lanes shall be allowed. Whenever more than two lanes are proposed, entrance and exit lanes shall be divided by a median. The median shall be 10 feet wide, if three lanes are being proposed or 16 feet wide if four lanes are being proposed.
 - c. Driveways that enter the major thoroughfare at traffic signals must have at least two outbound lanes (one for each turning direction) of at least 12 feet in width, and one inbound lane with 14 feet of width.
2. 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 Fulton County Regional Planning 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 FCRPC review process.
3. Driveway grades shall conform to the requirements of ODOT's Location and Design Manual, latest edition.
4. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers is discouraged due to the potential for vehicular weaving conflicts. (*See Figure 5*)
5. 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.
6. The length of driveways or "Throat Length" (*See Figure 6*) 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 6, 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 FCRPC.

TABLE 6 Generally Adequate Driveway Throat Lengths

LAND USE	SIZE	TYPE OF ROAD	
		ARTERIAL *1	COLLECTOR *2
Light Industry	100,000 sq. ft.	100	75
	300,000 sq. ft.	250 *3	200 *3
	500,000 sq. ft.	400 *4	300 *4
Discount Store	30,000 sq. ft.	100	75
	100,000 sq. ft.	250 *3	200 *3
Supermarket	20,000 sq. ft.	75	75
	50,000 sq. ft.	200 *3	150 *3
Shopping Center	≤ 100,000 sq. ft.	150 *2	150
	300,000 sq. ft.	300 *4	250 *4
	500,000 sq. ft.	400 *4	350 *4
	≥ 700,000 sq. ft.	500 *4	450 *4
“Sit-Down” Restaurant	15,000 sq. ft.	50	50
	30,000 sq. ft.	75	50
“Drive-In” Restaurant	2,000 sq. ft.	50	50
	4,000 sq. ft.	75	50
Office Building	100,000 sq. ft.	150 *3	150
	300,000 sq. ft.	300 *4	250 *4
	500,000 sq. ft.	400 *4	350 *4
	700,000 sq. ft.	500 *4	450 *4
Motel	150 rooms	75	50
Apartment	100 units	50	25
	200 units	75	50

NOTES: 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 60 second red cycle (90 second cycle).
- *2 Assumes 50 second red cycle (90 second cycle).
- *3 Requires multiple lanes or access points.
- *4 Requires multiple lanes and access points.

Section 605.6 REQUIREMENTS FOR OUTPARCELS AND PHASED DEVELOPMENT PLANS

1. In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall not be considered separate properties in relation to the access standards of these regulations. The number of connections permitted shall be the minimum number necessary to provide reasonable access to these properties not the maximum available for that frontage. All necessary easements, agreements, and stipulations required under Section 605.2 shall be met. This shall apply to phased development plans. The owner and all lessees within the affected area are responsible for compliance with the requirements of these regulations.
2. All access to the outparcel must be internalized using the shared circulation system of the principle development or retail center. Access to out parcels shall be designed to avoid excessive movement across parking aisles and queuing across surrounding parking and driving aisles.
3. The outparcels shall have a minimum lineal frontage of 300 feet per outparcel or greater where spacing standards for that roadway require. This frontage requirement may be waived where access is internalized using the shared circulation system of the principle development or retail center. In such cases the right of direct access to the roadway shall be dedicated to the county and recorded with the deed.

Section 605.7 NONCONFORMING ACCESS FEATURES

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

Section 606 MAJOR DEVELOPMENT: MULTI-FAMILY/COMMERCIAL/INDUSTRIAL

Section 606.1 CORRIDOR CONGESTION PREVENTION OVERLAY

1. 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. 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 this Code.

2. 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:
 - a. Parcels with large frontages may be permitted additional driveways at the time of adoption of these regulations provided they are consistent with the applicable driveway spacing standards.
 - b. 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. (Note: The Planning Commission could allow for a temporary driveway as provided in Section 605.4 with the stipulation that joint and cross access be established as adjacent properties develop.)
 - c. 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.
 - d. No parking or structure other than signs shall be permitted within 25 feet of the roadway right-of-way. The 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.

Section 606.2 REVERSE FRONTAGE

1. Access to double frontage lots shall be required on the street with the lower functional classification.
2. When a residential subdivision is proposed that would 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.

Section 606.3 SHARED ACCESS

1. 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. Normally a maximum of two accesses shall be allowed when the number of lots or businesses served is greater than 3.
2. Cul-de-sacs shall not serve more than 25 lots.

Section 606.4 CONNECTIVITY

1. The street system of a proposed subdivision shall be designed to coordinate with existing, proposed, and planned streets outside of the subdivision as provided in this Section.
2. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided as deemed necessary by the Planning 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.
3. Collector streets shall intersect with collector or arterial streets at safe and convenient locations.
4. 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, but such connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.

Section 606.5 PRIVATE ROADS

1. Private roads may be permitted in accordance with the requirements of this Section and the following general standards shall apply:
 - a. All roadways shall be constructed to public specifications and have an easement of a minimum of 60 feet in width.
 - b. 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”.
 - c. The minimum distance between private road outlets on a single side of a public road shall be 550 feet, or less where provided by access classification and standards for state roads and local thoroughfares.
 - d. All properties served by the private road shall provide adequate access for emergency vehicles and shall conform to the approved local street numbering system.
 - e. All private roads shall be designated as such and will be required to have a sign and name meeting FCRPC standards and shall include the following notice: “Private Road - Not Publicly Maintained”.
 - f. All private roads shall have a posted speed limit not to exceed twenty miles an hour.
 - g. A second access connection to a public road shall be required for private roads greater than 2,000 feet in length.
2. Applications for subdivision approval that include private roads shall meet all of the requirements of these regulations and the requirements of Section 334.
3. No private road shall be incorporated into the public road system unless it is built to public road specifications of the FCRPC. The property owners shall be responsible for bringing the road into conformance.
4. 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 maintenance or improving the private road; and that a

right-of-way easement to provide the only access to that property has been recorded in the deed for that property.

Section 607 SITE PLAN REVIEW PROCEDURES

1. Applicants shall submit a preliminary plan for review by the Fulton County Regional Planning Commission.
2. The site plan shall address the following access considerations:
 - a. 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.
 - b. The road network should follow the natural topography and preserve natural features of the site as much as possible. In addition, the road alignments should be planned so as to minimize grading requirements.
 - c. 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.
 - d. 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 major arterials). This is also preferable for commercial and industrial buildings.
 - e. Automobile movement within the site should be designed to prevent vehicles accessing the site from having to use the peripheral road network.
 - f. The road system must provide adequate access to the buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection.
 - g. 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.
 - h. A pedestrian path system should link buildings with parking areas, entrances to the development, open space, and recreational and other community facilities.
3. The FCRPC reserves the right to require the developer to undertake a traffic impact analysis in accordance with Section 604 where safety is an issue or where significant problems already exist.
4. After 30 days from filing the application, applicants must be notified by the FCRPC if any additional information is needed to complete the application.
5. Any application that involves access to the State Highway System shall be reviewed by the Ohio Department of Transportation 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:
 - a. A congestion prevention/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 what information will be 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.

- b. Upon review of the application, the congestion prevention review committee shall advise the FCRPC whether to approve the access application, approve with conditions, or deny the application.
6. 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 10 working days and approved or rejected.
7. If the access permit is denied, the FCRPC shall provide an itemized letter detailing why the application has been rejected.
8. 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 FCRPC staff "Approved – No plat required", signed, and dated.

Section 608 VARIANCE STANDARDS

1. The granting of the variation 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.
2. Applicants for a variance from these standards must provide proof of unique or special conditions that make strict application of the provisions impractical. This shall include proof that:
 - a. Indirect or restricted access cannot be obtained;
 - b. No engineering or construction solutions can be applied to mitigate the condition; and
 - c. No alternative access is available from a street with a lower functional classification than the primary roadway.
3. 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. No variance shall be granted where such hardship is self-created.

ARTICLE VII

MINIMUM STANDARDS FOR BOUNDARY SURVEYS AND MONUMENTATION

Section 701 INTRODUCTION

1. 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.
2. Where local or other prescribed regulations exist which are more restrictive than these standards, the more restrictive regulations shall prevail.
3. When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property which 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", 1978, prepared by a Joint Committee of the American Congress on Surveying and Mapping and the American Society of Civil Engineers, is hereby adopted as authoritative for defining all technical terminology used in these standards.

Section 703 RESEARCH AND INVESTIGATION

1. 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.
2. 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.
3. After all necessary written documents have been analyzed, the survey shall be based on a field investigation of the property. The survey shall:
 - a. Make a thorough search for physical monuments;
 - b. Analyze evidence of occupation;
 - c. Confer with the owner (s) of the property being surveyed.

In addition, the surveyor shall, when necessary:

- a. Confer with the owner (s) of the adjoining property;
- b. Take testimony.

Section 704 MONUMENTATION

1. When control stations or boundary monuments called for 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.
2. When it is impossible or impracticable to set 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 which 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, which may be written for the property.
3. Every boundary monument and/or reference monument set by the surveyor shall, when practicable:
 - a. Be composed of durable material;
 - b. Have a minimum length of thirty (30) inches;
 - c. Have a minimum cross-sectional area of material of 0.2 square inches;
 - d. Be identified with a durable marker bearing the Surveyor's Ohio Registration Number and/or name or company name;
 - e. Be detectable with conventional instruments for finding ferrous or magnetic objects.
4. When a case arises, due to physical obstructions such as pavements, large rocks, large roots, utility cables, etc., so that neither a boundary monument or a reference monument can be conveniently or practicably set in accordance with Section 4.3 of these Standards, 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 5,000.

$$\text{Allowable angular error} = \frac{\text{allowable linear error}}{\text{reported distance}}$$

When the reported distance is less than one hundred (100) feet, the linear error shall not exceed 0.02 foot.

3. In all new deed restrictions and plats of survey, the lengths and directions of the lines shall be specified so that 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

1. The surveyor shall prepare a scale drawing of every survey in which he retraces previously established property lines or establishes new boundaries.
2. A copy of this drawing shall be given to the client. Another copy shall be filed with the proper agency.
3. The surveyor shall include the following details:
 - a. A title such that the general location of the survey can be identified;
 - b. A north area with a clear statement as to the basis of the reference direction used;
 - c. The control station (s) or line cited in the deed description and the relationship of the property to this control;
 - d. 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;
 - e. A general notation describing the evidence of occupation that may be found along every boundary line and/or occupation line;
 - f. 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 Section 5.2 of these Standards;
 - g. A citation of documentation and sources of data or testimony used as a basis for carrying out the work;
 - h. The written and graphical scale of the drawing;
 - i. The date of the survey;
 - j. The surveyor's printed name and registration number, signature and seal (in a form which will clearly reproduce on any copies which may be made of the original drawing).

Section 707 DESCRIPTIONS

1. When a surveyor is called upon to prepare a new description, either to replace an existing description which is inadequate or to create a new piece of property, said description shall include the following items:
 - a. Sufficient caption so that the property can be adequately identified;
 - b. A relationship between the property in question and clearly defined control station (s);
 - c. The basis of the bearings;
 - d. A citation to the public record of the appropriate prior deed (s);
 - e. The surveyor's name, Ohio Registration Number and date of writing.
2. A metes and bounds description shall include, in addition to Section 7.1 of these standards:
 - a. The direction of the boundary monument used as the direction of the basis of bearing;
 - b. A series of calls for successive lines bounding the parcel, each of which specifies:
 1. The intent in regards to adjoiners or other existing features;
 2. The direction of the boundary monument used as the direction of the basis of bearing;

3. The length of the line;
 4. The description of the boundary monument (or reference monument) and whether found or set to identify the end of the particular line;
 5. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity;
 6. The reported boundary data shall meet the closure requirements of Section 5.4 of these Standards.
3. Descriptions other than the metes and bounds form shall include sufficient and adequate legal and technical wording so that the property can be definitely located and defined.
 4. A statement shall appear indicating that either:
 - a. The description was made in accordance with a recent survey and date thereof; or
 - b. The description was made based on a previous survey; of a certain date, and date of description; or
 - c. The description was not based on a survey.
 5. 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 Section 7 of these Standards. 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 Transportation Plan of the County of Fulton, 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. (*See Illustration 3 and Definitions: Thoroughfare*) The street pattern shall discourage through traffic in the interior of a subdivision. The subdivider shall provide, within the boundaries of the subdivision plat, the necessary 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

1. Responsibility for Construction and Maintenance

- a. 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.
- b. 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.

2. Design Regulations

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. The property owner shall notify the District Deputy at least twenty-four (24) hours prior to such installation.
- f. 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.

TABLE 7: 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 Center Line 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	percent
Maximum Grade	3	percent

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 18 KIP applications and the type of soil on which it will be built (See Section 403). 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 O.D.O.T.'s CMS 203.13.

Section 810 BASES

The developer has the option of using any type of base contained in O.D.O.T.'s CMS Section 300. The thickness, thereof shall be determined by the design engineer as a portion of the total pavement thickness design as specified in Section 808. (*Also refer to Section 808, Typical Section - Illustration 8*).

Section 811 PAVEMENT

The subdivider has the option of using either of the three pavement sections shown in *Section 808 - Typical Section - Illustration 8*, and further specified in O.D.O.T.'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 run-off, 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 the State of Ohio Department of Transportation. (*See Illustration 8 - Typical Section*)

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. (*See Illustration 8 - Typical Section*)

Section 814 STORM WATER

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 or 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. 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 County Engineer and approved by the Planning Commission. Paved gutters or storm sewers shall be required if velocities of flow are greater than specified in Section 412 of these regulations or cause destructive erosion. Storm drainage, including drain tile around basement, shall not be permitted to discharge into any sanitary sewer facility, but shall connect to an adequate drainage outlet.

Section 815 BRIDGE 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 the State of Ohio Department of Transportation and the requirements of the Ohio Environmental Protection Agency. 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 Planning 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 O.D.O.T.'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

Reference is hereby made to Section 704. 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 335 where a single parcel of land is being subdivided.

Section 905 STREET SIGNING

The street name sign (s) are 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 as required under Section 711.090 of the Ohio Revised Code.

ARTICLE X

REVISIONS, ENFORCEMENTS

Section 1000 RECORDING OF 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 after approval has been given by the Planning 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 Fulton County Regional Planning 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 Regional Planning 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 requiring 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 so 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

The following regulations shall govern the granting of variances:

1. Where the Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations due to exceptional topographic or other physical conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community. Such variation shall not have the effect of nullifying the intent and purpose of these regulations, the comprehensive plan, or the zoning resolution, if such exists.
2. In granting variances or modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

2-Year Limitation

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

Subdivision Variance Application

The application for a subdivision variance is as follows:

•SUBDIVISION VARIANCE APPLICATION•
Fulton County Regional Planning Commission

Date: _____ Application No.: _____

Address: _____

Telephone: _____

1. Locational Description: _____

2. Describe Nature of Variance Requested: _____

3. Justification of Variance: On a separate sheet, please attach a statement relative to why the variance from requirements of the subdivision regulations is requested. Identify and describe such items as:

- a) exceptional topographical or other conditions peculiar to this particular parcel of land;
- b) why a literal interpretation of the regulations would deprive the applicant of rights enjoyed by other property owners;
- c) that the peculiar conditions do not result from previous actions of the applicant;
- d) that the requested variance is the minimum variance that will allow a reasonable division of the land; and
- e) a sketch of the area showing the location and characteristics of the requested variance.

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

Signature: _____

.....
PLANNING COMMISSION USE ONLY

Date Received: _____

Action: _____

Fee Paid: _____

Comments: _____

Signature: _____

Section 1006 APPEAL

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

ARTICLE 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

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