

Solicitors
COPY

ORDINANCE NO. 92-019
SUBDIVISION REGULATIONS
OF
BLANCHESTER, OHIO
Adopted August 13, 1992
by Village Council, City of Blanchester, Ohio

HURLEY, SCHNAUFER & ASSOCIATES

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SUBDIVISION REGULATIONS

OF

BLANCHESTER, OHIO

JULY 16, 1992

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**ARTICLE I: AUTHORITY, JURISDICTION, SUBDIVISION TYPES,
VARIANCES**

A. Authority

These Subdivision Regulations are adopted under the authority granted by Chapter 711 of the Ohio Revised Code. The regulations shall be administered by the Blanchester Planning Commission and may be amended, after hearings and other requirements as specified in the Ohio Revised Code.

B. Policy

- a. It is hereby declared to the policy of the municipality to consider the subdivision of land and the subsequent development of the sub-divided plat as subject to the control of the municipality pursuant to any officially adopted development plan(s) of the municipality for the orderly, planned, efficient, and economical development of the municipality.
- b. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until available public facilities and improvements exist and proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities and improvements.
- c. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in any officially adopted development plans of the municipality (including the Blanchester Land Use Plan and Development Policies) of the municipality, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, zoning ordinances, and capital budget and program of the municipality.

C. Purposes of the Subdivision Regulations

- a. To protect and provide for the public health, safety, and general welfare of the municipality.
- b. To guide the future growth and development of the municipality, in accordance with the official development plan(s).
- c. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.
- d. To protect the character and the social and economic stability of all parts of the municipality and to encourage the orderly and beneficial development of all parts of the municipality.
- e. To protect and conserve the value of land throughout the municipality and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
- f. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewage, schools, parks, playgrounds, recreation, and other public requirements and facilities.
- g. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.

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- h. To establish reasonable standards of design and procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land.
- i. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- j. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the municipality in order to preserve the integrity, stability, and beauty of the community and the value of the land.
- k. To preserve the natural beauty and topography of the municipality and to insure appropriate development with regard to these natural features.

- 1. To provide for open spaces through the most efficient design and layout of the land, while preserving the density of land as established in the zoning ordinance of the municipality.

D. Parcels Sold by Land Contract

Parcels or tracts of land sold by land contract or other means of conveyance are not excluded from the subdivision regulations.

E. Jurisdiction

These regulations shall govern all subdivisions of land within the corporate limits of Blanchester, Ohio, as now or hereafter established. Within these regulations the term "subdivision" shall mean:

- a. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (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
- b. The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening and 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 as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

F. Subdivision Types

Minor - Subdivision of land involving the creation of five (5) lots or less when any one of the lots is less than five (5) acres and the subdivision is for the transfer of ownership, whether immediate or future, and none of the lots involve any streets, open spaces or easements.

Parcels or tracts of land sold by land contract or other means of conveyance and meeting the above criteria are not excluded from the subdivision regulations.

Major - Any subdivision of land involving the creation of more than five (5) lots and any one of the lots is less than five (5) acres and the subdivision is for the purpose of transfer of ownership, whether immediate or future. Any other subdivision of land, even when no new lots are created, involving: (1) any division or allocation

of land for the opening, widening or extension of any public or private street or streets, excluding only private streets to industrial structures; (2) any division or allocation of land as open spaces for common use by owners, occupants or lease holders; or (3) any division or allocation of land as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

ARTICLE II: PROCEDURE FOR APPROVAL FOR MINOR SUBDIVISIONS

Whenever a division of a tract of land meets the criteria stated under Article I, Minor Subdivision, the procedure for approval of such division shall be as follows:

1. The owner and/or his agent of the tract of land shall have prepared by a Registered Surveyor an accurate drawing to a scale not less than 1" = 50', or to such other scale acceptable to the Planning Commission, showing the following:
 - a. The name and address of the owner(s), and the name of the registered surveyor who prepared the drawing.
 - b. Date, approximate north point and graphic scale.
 - c. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements on the land to be subdivided.
 - d. The locations, widths, and other dimensions of proposed easements, parks, and other open spaces, reservations, lot lines, building lines, and utilities.
 - e. The acreage of each individual parcel being created by the division.
2. The owner and/or his agent shall provide the Planning Commission's Authorized Engineer with the original drawing. If the Authorized Engineer is satisfied that such proposed division is not contrary to the General Requirements and Standards of Design of these Subdivision Regulations; is not contrary to other applicable platting, subdividing, or zoning regulations; and that approval of such subdivision will not create or lead to the creation of any serious health threat he shall within seven (7) working days after submission approve such division and shall sign a "Certificate of Approval for Recording" on the plat (see following Form 3). If such division is not approved the reasons for such action shall be stated to the owner and/or his agent in writing. All applications and subsequent action taken on such subdivisions shall be reported to the Planning Commission at the following regular meeting of the Planning Commission.

If the owner and/or his agent of the property disagree with the decision or requirements specified by the Authorized Engineer, he may then appeal to the Planning Commission.

Once approval is granted by the Authorized Engineer acting for the Planning Commission or by the Planning Commission the original drawing shall be filed with the County Recorder as the official drawing of record. Failure to file such approved drawing within one year of such approval shall void the approval.

To prevent the many development problems that occur from subdividing land along existing roadways on a piecemeal basis, the following regulations shall apply:

- a. No owner of any parcel of land as shown on the tax maps on June 5, 1957 shall subdivide such land into more than five (5) lots of less than five (5) acres as a Minor Subdivision.

b. No frontage of any existing street shall be subdivided to the extent that less than 50% of the original parcel frontage as shown on the June 5, 1957 tax maps is retained as a part of such original parcel unless exempted by the Planning Commission.

Whenever a proposed subdivision of land exceeds any of the above limitations, such subdivision of land shall follow the Procedure for Plat Approval for Major Subdivisions. Exceptions to the above may be granted by the Planning Commission, only when it can be clearly shown that platting under the Procedure for Major Subdivisions would be of no value in obtaining better subdivision of the land.

For any reason the Planning Commission's Authorized Engineer, or the subdivider may require that the Minor Subdivision be submitted under the regulations for Major Subdivisions.

A Minor Subdivision shall contain the following certificates in lieu of those required for a Major Subdivision.

**Form 1
(on plat)**

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent and establish the minimum building restriction lines.

Date _____

Owner(s) _____

**Form 2
(on plat)**

CERTIFICATE OF ACCURACY

I hereby certify that the plat shown and described hereon is true and correct survey to the accuracy required by the Blanchester Planning Commission.

Date _____

Registered Surveyor _____

**Form 3
(on plat)**

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the Minor Subdivision shown on this plat does not involve the creation of new public streets or any change in existing public streets, that the subdivision shown is in all respects in compliance with the Blanchester Subdivision Regulations and that this plat has been approved by the Blanchester Planning Commission's Authorized Engineer on behalf of the Blanchester Planning Commissioners, subject to its being recorded within one year of the date below.

Date _____

Authorized Engineer
Blanchester Planning Commission

**Form 4
(on plat)**

CERTIFICATE OF COUNTY AUDITOR

I hereby certify that there are no delinquent or unpaid taxes of record upon the subdivision plat as shown hereon as of the date of transfer.

Transferred _____ Date _____

Clinton County Auditor

**Form 5
(on plat)**

CERTIFICATE OF COUNTY RECORDER

I hereby certify that the attached plat was received for record on _____ in Volume _____, Page _____ of the Clinton County Records.

Fee Paid \$ _____

Clinton County Recorder

ARTICLE III: PROCEDURE FOR PLAT APPROVAL FOR MAJOR SUBDIVISIONS

The procedure for review and approval for Major Subdivisions consists of two separate steps. The initial step is the preparation and submission to the Planning Commission of a preliminary plat of the proposed subdivision. The second step is the preparation and submission to the Planning Commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the Office of the Recorder of the County when duly signed by the Chairman of the Planning Commission.

A. Preliminary Considerations

In order to make the most of the opportunities to the subdivision and to conserve time, effort and expense, the subdivider should consult with the Planning Commission, the Planning Commission's Authorized Engineer, Board of Public Affairs, Fire Department, Board of Public Affairs, Street Commissioner, County Soil Conservation District, and other public officials prior to the preparation of the preliminary plat of the subdivision. Official plans for Blanchester and zoning of the area should be reviewed to determine how the proposed subdivision will fit into such plans. Requirements of the official plans; school and recreational sites; shopping centers, community facilities; sanitation; water supply and drainage; and relationship to other developments, existing and proposed in the vicinity, should be determined in advance of the preparation of the subdivision plan. Consultation should also be held with those familiar with the economic factors affecting the subdivision. A thorough estimate of the situation will result in sound decisions with respect to the form, character and extent of the proposed subdivision. No land shall be subdivided for residential use unless adequate access to the land over improved streets or thoroughfares exists or will be provided by the subdivider, or if such land is considered by the Planning Commission to be unsuitable for such use by reason of flooding or improper drainage, objectionable earth and rock formation, topography or any other feature harmful to the health and safety of possible residents and the community as a whole.

B. Preliminary Plat

1. At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the Planning Commission six (6) copies of a preliminary plat of the proposed subdivision drawn to a scale of not less than 1" = 100'.

Upon receipt of the copies of the preliminary plat, the Planning Commission shall forward copies of the preliminary plat to the Clinton County Soil Conservation District, the Fire Department, the Board of Public Affairs, and the Street Commissioner, and to the Planning Commission's Authorized Engineer for the purpose of study and recommendation. These officials shall be informed of the meeting date at which the preliminary subdivision plat is to be considered and requested to make a report on such subdivision to the Planning Commission by or on such date:

2. The preliminary plat which shall meet the minimum standards of design and the general requirements for the construction of improvements as set forth in Article IV shall give the following information insofar as possible:

- a. The proposed subdivision name and location, the name and address of the owner or owners, and the name of the registered surveyor who prepared the plat.
- b. Date, approximate north point and graphic scale.
- c. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, any public utility easements, and the present zoning classification on the land to be subdivided.
- d. The location, widths and purposes of easements shall be indicated.
- e. The names/locations, widths and other dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines, and utilities.
- f. Utilities, including sanitary and storm sewer, other drainage facilities; water lines; gas mains; electric utilities and other facilities, size or capacity of each should be shown and the location and distance to each existing utility indicated. All sanitary sewers and water supply systems shall be connected to the Blanchester sanitary sewer and water supply systems.
- g. Contours at vertical intervals of two (2) feet if the general slope is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%) of not more than five (5) feet.
- h. Plans for minimizing erosion and sediment on the land to be developed unless exempted by the Planning Commission.
- i. The acreage of the land to be subdivided.
- j. Location sketch map showing relationship of subdivision site to area including thoroughfares, commercial or railroads, and other natural or man-made features.

3. In addition to the preliminary plat the subdivider shall submit the following:

- a. An area plan, except when not determined necessary by the Planning Commission, showing the relationship of the proposed subdivision to the area including thoroughfares, railroads, commercial or industrial uses in the vicinity, schools, parks, water courses or lakes, wooded areas and other natural or man-made features. The area plan should also show how the adjacent land can be subdivided in subsequent development phases and how it could relate to the proposed subdivision.
- b. Proposed covenants and restrictions to be incorporated into the plat of the subdivision.
- c. Profiles, typical cross-sections and specifications for proposed street improvements.
- d. Profiles and other explanatory data concerning the installation of sanitary and storm sewage systems, the water distribution system, and any flood control system.

4. Within thirty (30) days after submission of the preliminary plat to the Planning Commission or its authorized Engineer or within such further time as the applicant may agree to, the Planning Commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plat is

disapproved, reasons for such disapproval will be stated in writing. The grounds for disapproval, including citation of or reference to the rule or regulation violated by the plat, shall be entered in the minutes of the Commission and the refusal endorsed on at least one of the plats. If approved subject to modifications, the nature of the required modification will be indicated.

5. After acceptance of the preliminary plat for review by the Planning Commission or its Authorized Engineer, failure of the Planning Commission to act on the preliminary plat within thirty (30) days or within such further time as the applicant may agree to will be deemed approval of this plat.
6. The approval of the preliminary plat by the Planning Commission will not constitute acceptance of the final plat and will not be indicated on the preliminary plat.
7. One copy of the preliminary plat will be retained in the Planning Commission files, and one copy will be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.
8. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within one (1) year from the date of such approval unless an extension of time is applied for and granted by the Planning Commission.

C. Final Plat

1. The final plat shall conform substantially to the preliminary plat as approved, and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations.
2. At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit the original drawing and three (3) copies (blackline or blue-line prints), together with any street profiles or other plans that may be required by the Planning Commission.
3. The plat shall be drawn to a scale of 1" = 100' and preferably 1" = 50' to the inch where possible unless otherwise approved by the Planning Commission or Authorized Engineer. Drawings must be drawn in India or permanent ink on tracing cloth or permanent reproducible material.
4. When the plat has been approved by the Planning Commission, one (1) copy will be returned to the subdivider and one (1) copy to the County Recorder, both with the approval of the Planning Commission certified thereon. One (1) copy shall be retained in the Planning Commission files. The original tracing containing the certification of the Planning Commission will be filed with the County Engineer. In the case the subdivider wishes to retain the original tracing, he must provide a duplicate permanent transparency acceptable to the County Engineer.
5. The Planning Commission shall approve or disapprove this final plat within thirty (30) days after its submission to the Planning Commission or its Authorized Engineer. Failure of the Planning Commission to act on this final plat within these thirty (30) days shall be deemed approval of it. If the plat is disapproved the grounds for disapproval shall be stated upon the records of the Planning Commission.
6. Approval of the final plat by the Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.

5. The final plat shall show:

- a. The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitation.
- b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether curved or straight and including north point. This shall include complete curve data on all curve lines.
- c. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
- d. Location and description of monuments.
- e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
- f. A list of agreements and appropriate guarantees, if required by the Planning Commission, stating provisions that will be made for sedimentation and erosion control.
- g. A list of all restrictions and covenants, if any, the developer intends to include in the deeds to the lots in the subdivision.
- h. Date, title, name and location of subdivision, graphic scale, and north point.
- i. Location sketch map showing site in relation to the area.
- j. Certification showing that applicant is the land owner and dedicates streets, rights-of-way and any sites for public use.
- k. Certification by registered surveyor to accuracy of survey and plat and placement of monuments.
- l. Certification of approval by the Planning Commission's Authorized Engineer approving the plat and engineering details of the proposed roads and other improvements.
- m. Certification by the Board of Trustees of Public Affairs that the subdivider has complied with one of the following alternatives:
 - (1) All water, sanitary sewer and electrical systems have been installed in accord with the requirements of the Board of Public Affairs and the Ordinances of Blanchester.
 - (2) A security bond has been posted in sufficient amount to assure completion of all required water, sewer and electrical improvements.
- n. Certification by the Planning Commission's Engineer that the subdivider has complied with one of the following alternatives:
 - (1) All street and other improvements have been installed in accord with the requirements of the regulations and that the required maintenance bond has been received by the Village, or
 - (2) A security bond has been posted in sufficient amount, as determined by the Commission's Authorized Engineer to assure such completion of all required streets, sanitary, storm drainage, and other improvements within a specified period of time.
- o. Certification of approval to be signed by the Chairman of the Planning Commission.

- p. Place for statement of no tax delinquencies and transfer by County Auditor to be signed immediately prior to recording and signing by County Recorder.
- q. Place for statement of recording by County Recorder to be signed after signed approval of the Planning Commission.

ARTICLE IV: GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

A. Conformity to Official Blanchester Plans

1. General

The subdivision shall conform to any officially adopted development plan(s) of the municipality for land use or public facilities.

2. Infrastructure Plans

All improvements to municipal streets, utilities, and storm drainage shall be constructed in conformance with plans prepared by a professional engineer registered in the State of Ohio.

B. Streets

1. Conformity to the Thoroughfares

The location and width of all streets and roads shall conform to any land use or thoroughfare plan officially adopted by Blanchester and to good design practices which take into consideration the topography of the land, natural features, and other assets which will enhance the environment of the subdivision and surrounding development.

2. Relation to Adjoining Street System

The proposed street system shall extend existing streets at the same or greater width, but in no case less than the required minimum width unless exempted for good reason by the Planning Commission.

3. Street Right-of-Way and Improvement Requirements

The following exhibit indicates, by Street Classification, the minimum requirements for pavement width, curbs and gutters, sidewalks, shoulders, graded areas, and right-of-way width.

STREET RIGHT-OF-WAY AND IMPROVEMENT REQUIREMENTS

Average Daily Traffic (ADT)	Number Dwelling Units Served	Street Classification	Minimum Pavement Width	Curb & Gutter	Sidewalk, Shoulder or Graded Area	Minimum Total Right-of-Way
0 to 300	50 or Less	Local Street (13,600 sq. ft. lot minimum)	26'	yes	sidewalk both sides	60'
300 to 2,000	50 to 500	Collector Street (13,600 sq. ft. lot minimum)	28'	yes	sidewalk both sides	60'
		Alley	10 to 18'	no	graded area	20'
		Cul-de-sac	(see footnote a)			
		Marginal Access	(see footnote b)			
		Divided Street	(see footnote c)			
		Commercial/Industrial	(see footnote d)			
		Major Thoroughfares	(see footnote e)			

Notes:

- (a) Pavement and right-of-way widths of cul-de-sacs and right-of-way requirements should conform to standards of either local or collector streets as dictated by anticipated average daily traffic. Cul-de-sac turnarounds shall have a minimum pavement radius of 40 feet and a minimum right-of-way radius of 55 feet.
- (b) Pavement and right-of-way widths of marginal access streets and right-of-way requirements should conform to the standards of either local or collector streets as dictated by anticipated daily traffic.
- (c) Pavement and right-of-way widths of divided streets and right-of-way requirements should conform to the standards of street classification as dictated by anticipated average daily traffic and be applied to aggregate dimensions of the two street segments.
- (d) Pavement and right-of-way widths of commercial and industrial streets, such as in industrial parks and/or commercial complexes shall be designed in consideration of average daily traffic flow and shall be subject to approval by the Planning Commission and their traffic engineer.
- (e) Major thoroughfares are for the most part already established and existing in Blanchester. Some proposed major thoroughfares are indicated on officially adopted Blanchester plans. Pavement and right-of-way and any existing or new major thoroughfare will be determined by the Blanchester Council, Planning Commission and their traffic engineer on a case-by-case basis depending upon traffic flow, uses served and other conditions. Average daily traffic flow will generally exceed 2,000 motor vehicles per day.

Pavement width is measured from the middle of the curb face to the opposite middle of the curb face, or when no curbs exist, from pavement edge to pavement edge.

EXHIBIT I

STREET RIGHT-OF-WAY AND IMPROVEMENT REQUIREMENTS

Average Daily Traffic (ADT)	Number Dwelling Units Served	Street Classification	Pavement Width	Curb & Gutter	Sidewalk, Shoulder or Graded Area	Total Right-of-Way
0 to 300	50 or Less	Local Street (13,600 sq. ft. lot minimum)	20'	no	graded area	50'
0 to 300	50 or Less	Local Street (7,200 sq. ft. lot minimum)	26'	yes	graded area	50'
300 to 2,000	50 to 500	Collector Street (13,600 sq. ft. lot minimum)	28'	no	sidewalk one side, graded area	60'
300 to 2,000	50 to 500	Collector Street (7,200 sq. ft. lot minimum)	36'	yes	sidewalk one side, graded area	60'
		Alley	10 to 18'	no	graded area	20'
		Cul-de-sac	(see footnote a)			
		Marginal Access	(see footnote b)			
		Divided Street	(see footnote c)			
		Commercial/Industrial	(see footnote d)			
		Major Thoroughfares	(see footnote e)			

Notes:

- (a) Pavement and right-of-way widths of cul-de-sacs and right-of-way requirements should conform to standards of either local or collector streets as dictated by anticipated average daily traffic. Cul-de-sac turnarounds shall have a minimum pavement radius of 40 feet and a minimum right-of-way radius of 55 feet.
- (b) Pavement and right-of-way widths of marginal access streets and right-of-way requirements should conform to the standards of either local or collector streets as dictated by anticipated daily traffic. If the classification is a collector requiring a 36-foot pavement, pavement width may be reduced to 28 feet since frontage is restricted to one side of the street.
- (c) Pavement and right-of-way widths of divided streets and right-of-way requirements should conform to the standards of street classification as dictated by anticipated average daily traffic and be applied to aggregate dimensions of the two street segments.
- (d) Pavement and right-of-way widths of commercial and industrial streets, such as in industrial parks and/or commercial complexes shall be designed in consideration of average daily traffic flow and shall be subject to approval by the Planning Commission and their traffic engineer.
- (e) Major thoroughfares are for the most part already established and existing in Blanchester. Some proposed major thoroughfares are indicated on officially adopted Blanchester plans. Pavement and right-of-way of any existing or new major thoroughfare will be determined by the Blanchester Council, Planning Commission and their traffic engineer on a case-by-case basis depending upon traffic flow, uses served and other conditions. Average daily traffic flow will generally exceed 2,000 motor vehicles per day.

Pavement width is measured from the middle of the curb face to the opposite middle of the curb face, or when no curbs exist, from pavement edge to pavement edge.

4. Additional Width of Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the center line of the existing roadway shall be provided. In no case shall the resulting right-of-way width be less than forty (40) feet.

5. Street Grades

Grades on Collector streets shall not exceed seven (7) percent. Grades on Local streets may exceed seven (7) percent but not ten (10) percent. In hillside areas with an average slope of ten (10) percent or more, the slope on Local streets may be increased to twelve (12) percent, but only for short, straight, stretches upon approval of the Planning Commission.

6. Horizontal Curves

Where a deflection angle of more than ten (10) degrees in the alignment of a street occur, a curb of reasonable long radius shall be introduced. On Major Thoroughfares the center line radius of curvature shall be not less than three hundred (300) feet; on Local and Collector streets not less than one hundred (100) feet. In hillside areas with an average slope of ten (10) percent or more, the center line radius of curvature may be reduced to not less than two hundred (200) feet on Major Thoroughfares and to not less than seventy-five (75) feet on Local and Collector streets upon approval of the Planning Commission.

7. Vertical Curves

All changes in grade shall be connected by vertical curbs of minimum length in feet equal to fifteen (15) times the algebraic difference in rates of grade for major streets and one-half this minimum length for minor streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than 1" = 100' horizontal, and 1" = 20' vertical, may be required by the Planning Commission. In hillside areas with an average slope of ten (10) percent or more this minimum length may be further decreased upon approval of the Planning Commission.

8. Street Elevations

The Planning Commission shall not approve any streets which will be subject to inundation or flooding. All streets must be located at elevations which will make them flood free in order that portions of the subdivisions will not be isolated by floods. Where flood conditions exist, the Planning Commission shall require street profiles and elevations in order to determine the advisability of permitting the proposed subdivision activity.

9. Intersections

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than eighty (80) degrees.

Curb line radii at street intersections of two minor streets shall be twenty (20) feet. Larger curb radii may be required at other types of intersections. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

All streets entering on a heavily travelled street shall have sufficient safe site distance and in no case less than three hundred fifty (350) feet.

All driveways shall be more than thirty (30) feet from any street intersections.

10. Tangents

A tangent of at least one hundred (100) feet long shall be introduced between reverse curves on Major Thoroughfares. In hillside areas with an average slope of ten (10) percent or more this requirement for Major Thoroughfares may be reduced to fifty (50) feet subject to approval of the Planning Commission. There shall be no tangent requirement for reverse curves on Local or Collector Streets unless required by the Planning Commission.

11. Street Jogs

Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be allowed except in cases where warranted by unusual topography or other circumstances and subject to approval of the Planning Commission.

12. Dead End Streets and Cul-de-Sacs

- a. Streets or courts designed to have one end permanently closed shall be no more than five hundred (500) feet long. They shall be provided at the closed end with a turn around having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred ten (110) feet. When dead end streets are not more than two hundred (200) feet long "T" type or other types of turn-arounds not requiring the use of private property may be utilized when approved by the Planning Commission.
- b. Where, in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead end streets shall be provided with an appropriate turnaround subject to approval of the Planning Commission. Dead end streets shall not exceed 500 feet.

13. Private Streets and Reserve Strips

Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets except where the control of such strips is definitely placed with the Municipality under conditions approved by the Planning Commission.

14. Street Names

Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court.

15. Alleys

Alleys shall not be approved in residential subdivisions, except where justified by extreme conditions. Alleys may be required in commercial and industrial districts if other provisions cannot be made for adequate service access.

C. Blocks

1. Length

Blocks shall not be less than four hundred (400) nor more than twelve hundred (1,200) feet in length, except as the Planning Commission may permit to secure efficient use of the land or desired features of street pattern. In blocks over eight hundred (800) feet in length the Planning Commission may require one or more public crosswalks of not less than

ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

2. Width

Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the Planning Commission will approve a single tier of lots of minimum depth.

3. Irregular Shapes

Irregular shaped blocks, those intended for cul-de-sac or loop streets, and those containing interior parks or playgrounds, may be approved by the Planning Commission if property designed and located and if maintenance of interior public spaces is covered by agreements.

D. Lots

1. Arrangement

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front upon a public street of road right-of-way which is not less than fifty (50) feet in width.

2. Minimum Lot Size

- a. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purpose.
- b. The size and widths of lots shall in no case be less than the minimum requirements of the Blanchester Zoning Ordinance in effect.
- c. No lot may have a depth of more than two and one-half (2½) times the average width of the lot except as approved by the Planning Commission, or less than one hundred (100) feet in depth.

3. Minimum Lot Width

No lot shall have less lot width at the building line than is required by the Blanchester Zoning Ordinance applying to the area in which it is located. No lot shall abut on a street for a distance less than forty (40) feet.

4. Building Setback Lines

The minimum depth of building setback lines from the street right-of-way shall not be less than required by the Minimum Yard Depth as established in the Blanchester Zoning Ordinance, and in no case shall any residential Building Setback Line be less than thirty (30) feet, and in the case of corner lots thirty (30) feet from the side street.

Building setback lines from the street right-of-way on all U.S. and State highways and/or major thoroughfares shall not be less than one-half (½) the existing or proposed right-of-way width, whichever is greater.

5. Corner Lots

Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of any zoning ordinance or building setback lines outlined in the previous paragraph.

E. Drainage and Storm Sewers

1. General Conditions

The Planning Commission shall not approve any plat of subdivision which does not make adequate provisions for storm or flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by the Rational Method, or other methods as approved by the Planning Commission, and a copy of design computations shall be provided so that surface water is not carried across or around any intersection, nor for a distance of more than 600 feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point, and basins shall be used to intercept flow at that point. Surface water drainage patterns shall be shown for each and every lot and block.

2. Requirements For Storm Water Facilities

a. Location

The applicant may be required by the Planning Commission to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with Ohio Department of Transportation specifications.

b. Accessibility to Public Storm Sewers

Where a public storm sewer is accessible, the applicant shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the municipality's Authorized engineer. However, in subdivisions containing lots less than 13,600 square feet in area and in business and industrial districts, underground storm sewer systems shall be constructed throughout the subdivisions and be conducted to an approved out-fall. Inspection of facilities shall be conducted by the municipality's Authorized Engineer.

If a connection to a public storm sewer will be provided eventually, as determined by the municipality's Authorized Engineer and the Planning Commission, the developer shall make arrangements for future storm water disposal by a public utility system at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the performance bond required for the subdivision plat.

c. Accommodation of Upstream Drainage Areas

A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The municipality's Authorized Engineer shall review and approve the necessary size of the facility, as designed by the subdivider, based on the provisions of the construction standards and specifications assuming conditions of maximum potential watershed development permitted by the municipality's official plans and zoning ordinance.

d. Effect On Downstream Drainage Areas

The municipality's Authorized Engineer shall also study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Drainage studies together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the

Planning Commission may withhold approval of the subdivision until provision has been made for the improvement of said potential condition in such sum as the Planning Commission shall determine. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.

e. Areas of Poor Drainage

Whenever a plat is submitted for an area which is subject to flooding, the Planning Commission may approve such subdivision provided that the applicant fills the affected area of said subdivision to an elevation sufficient to place the elevation of streets and lots at a minimum of twelve (12) inches above the elevation of the maximum probable flood, as determined by the municipality's Authorized Engineer. The plat of such subdivision shall provide for an overflow zone along the bank of any stream or watercourse, in a width which shall be sufficient in times of high water to contain or move the water, and no fill shall be placed in the overflow zone nor shall any structure be erected or placed therein. The boundaries of the overflow zone shall be subject to approval by the municipality's Authorized Engineer. Areas of extremely poor drainage should be discouraged.

f. Flood Plain Areas

The Planning Commission, may when it deems it necessary for the health, safety, or welfare of the present and future population of the area and necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the officially designated flood plain of any stream or drainage course. These flood plain areas shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps, except at the discretion of the Planning Commission.

3. Dedication of Drainage Easements

a. General Requirements

Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.

b. Drainage Easements

When topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.

When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.

The subdivider shall dedicate, either in fee or by drainage or conservation easement of land on both sides of existing watercourses, to a distance to be determined by the Planning Commission and/or its Authorized Engineer.

Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their

natural state as drainage ways. Such land or lands subject to periodic flooding shall not be computed in determining the number of lots to be utilized for average density procedure nor for computing the area requirement of any lot.

F. Public Use and Service Area

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas.

1. Public Open Space

Where a school, neighborhood park, or recreation area, or public access to water frontage, shown in a plan made and officially adopted by Blanchester, is located in whole or in part in the applicant's subdivision, or is desirable in the opinion of the Planning Commission, the Planning Commission may require the reservation of such open space within the subdivision for park, school, or recreation purposes for up to two (2) years to achieve acquisition by the appropriate agency.

2. Easements for Utilities

The Planning Commission may require easements, not exceeding twelve (12) feet in width, for poles, wires, conduits, storm and sanitary sewers, gas, water, and heat mains or other utility lines, along all rear lot lines and/or along all side lot lines if necessary. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities.

3. Easements Along Streams and Drainage Courses

Whenever any stream or important surface drainage course is located in the area being subdivided, the subdivider shall provide an adequate easement as determined by the Planning Commission and/or its Authorized Engineer along each side of the stream for the purpose of widening, deepening, relocating or protecting the stream or drainage course for drainage or public use.

4. Community Assets

In all subdivisions due regard shall be shown for all natural features such as large trees, water courses, historical spots, and similar community assets which is preserved, will add attractiveness and value to the property and community.

G. Suitability of the Land

The Planning Commission shall not approve the subdivision of land if from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazards. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

The Planning Commission may refuse to approve what it considers to be scattered or premature subdivision of the land which would involve danger or injury to the public health, safety, welfare, or prosperity by reason of lack of adequate water supply, schools, proper drainage, good roads, and transportation facilities or other public services; or which would necessitate an excessive expenditure of public funds for the supply of such services.

H. Large Tracts or Parcels

When the land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further resubdivision.

I. Group Housing Developments

A comprehensive group housing development, including the large scale construction of housing units together with necessary drives and ways of access may be approved by the Planning Commission although the design of the project does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

J. Zoning or Other Regulations

No final plat of land within the force and effect of the Blanchester Zoning Ordinance will be approved unless it conforms with such ordinance.

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the highest standard shall apply.

K. Central Water and Sanitary Sewer Facilities Are Required

The subdivider shall connect each lot to the Blanchester public water and sanitary sewer system and provide connections to each lot in accord with the rules and regulations of the Blanchester Board of Public Affairs.

L. Handicapped Access

Whenever curb and gutter construction is used on public streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with published standards of the Ohio Department of Transportation.

ARTICLE V: DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A. Required Improvements

The following improvements are required before Final Plat approval or the subdivider shall furnish a guarantee as set forth in these Subdivision Regulations.

1. Monuments

- a. Concrete monuments four (4) inches in diameter or square, three (3) feet long, with flat top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, at angle points and points of curbs of the street right-of-way line and at all corners on the plat. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade. Concrete monuments of different construction may be permitted upon written approval of the Planning Commission or its Authorized Engineer.

- b. All other lot corners shall be marked with iron pipe not less than five-eighths (5/8) inches in diameter and thirty (30) inches long and driven so as to be flush with the finished grade or other as approved by the Planning Commission.

- c. **Certification of Monuments:** Before final acceptance of the street improvements by the Municipality, the subdivider or developer shall, through a registered surveyor, certify to the Municipality that all required monuments are in place or that those removed during construction have been replaced.

2. **Grading Specifications**

All streets, roads, and alleys shall be graded to their full widths by the subdivider so that pavements and sidewalks can be constructed. The subgrade shall be free of sod, vegetative or organic matter, soft clay, and other objectionable materials for a depth of at least two (2) feet below the finished surface. The subgrade shall be properly rolled, shaped, and compacted, and shall be subject to the approval of the Planning Commission's Authorized Engineer.

3. **Storm Drainage**

An adequate drainage system, including necessary open ditches or squalls, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. This system shall be based on State Department of Transportation Standards and subject to approval of the Planning Commission's Authorized Engineer.

Where an adequate public storm sewer main is available at the plat boundary, the subdivider shall construct a storm sewer system and connect with such storm sewer main. A storm sewer system shall be constructed whenever curbs and gutters are required.

4. **Pavement Specification for Streets**

Other than the following minimum standards, the base and surface courses of streets shall be constructed in accordance with the designated specifications as set forth by the current "Construction and Material Specifications" of the Ohio Department of Transportation.

a. **State and U.S. Highways**

State and U.S. Highways shall be subject to only State and Federal construction standards.

b. **All other streets**

All other streets shall be constructed with one of the following alternates:

- (1) Residential Access Streets - 8" 304 aggregate base, 0.25 gal./sq. yd. prime coat, 1 1/2" asphalt concrete, 0.1 to 0.3 gal./sq. yd. tack coat if required, and 1 1/2" 404 asphalt concrete surface.
- (3) Collector Streets - 4" 310 aggregate base, 8" 304 aggregate base, 0.25 gal./sq. rd. primate coat, 2" 402 asphalt concrete, 0.1 to 0.3 gal./sq. rd. tack coat if required, and 2" 404 asphalt concrete surface.
- (3) Other as may be approved by the Planning Commission and only if the proposed construction is equivalent or better than the above.

~~c.~~ **Pavement width**

Pavement width shall be measured from the middle of the curb face to the middle of the opposite curb face, or when no curbs exist, from pavement edge to pavement edge.

~~d.~~ **Local Street**

20 feet

A twenty (20) foot pavement width shall be permitted, no curbs and gutters required, when the following conditions exist:

- 1) Lots abutting, the streets are not less than 13,600 square feet per dwelling unit.
- 2) The sole function of the street is to provide access to abutting properties.
- 3) The street will serve no more than 50 dwelling units and/or will have an average daily traffic flow of not more than 300 trips per day.
- 4) Curbs, gutters and storm sewers are not needed to achieve proper drainage.

e. Local Street with Curbs, Gutters and Storm Sewers

A twenty-six (26) foot pavement width shall be required, with curbs, gutters and storm sewers when the following conditions exist:

- 1) Lots abutting the street are less than 13,600 square feet per dwelling unit.
- 2) The sole function of the street is to provide access to the abutting properties.
- 3) The street is designed to serve no more than 50 dwelling units and/or will have an average daily traffic flow of not more than 300 trips per day.
- 4) Curbs, gutters and storm sewers are needed to achieve proper drainage.

f. Collector Street 28 feet

A twenty-eight (28) foot pavement width shall be required, no curbs and gutters required, with a sidewalk on one side when the conditions exist:

- 1) Lots abutting the street are not less than 13,600 square feet per dwelling unit.
- 2) The street will serve more than 50 dwelling units and/or will have an average daily traffic flow of more than 300 trips per day.
- 3) Curbs, gutters and storm sewers are not needed to achieve proper drainage.

g. Collector Street with Curbs, Gutters and Storm Sewers 36 feet

A thirty-six (36) foot pavement width shall be required with curbs, gutters, storm sewers and a sidewalk on one side when the following conditions exist:

- 1) Lots abutting the street are less than 13,600 per dwelling unit.
- 2) The street will serve more than 50 dwelling units and/or will have an average daily traffic flow of more than 300 trips per day.
- 3) Curbs, gutters and storm sewers are needed to achieve proper drainage.

When the nature of the street demands, pavement widths larger than the above minimums may be required by the Planning Commission. Commercial and Industrial streets will often require a larger pavement width.

6. Curbs and Gutters

The subdivider shall provide 24" wide concrete curb and gutter, when required by these subdivision regulations. Such curbs shall have a vertical face, except in areas of low traffic volume where rolled curbs may be approved by the Planning Commission. Curbs shall be constructed in conformance with the current "Construction and Material Specifications" of the Department of Transportation, State of Ohio, as they pertain to this type of improvements. Curbs of different construction than specified may be permitted upon approval of the Planning Commission if the curbs proposed meet equivalent standards of those specified above.

7. Sidewalks

For the safety of pedestrians and of children at play, Collector Streets and other streets with heavy traffic will be required on at least one side of the street. Sidewalks, when required, shall be located not less than one foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on the property line at a later date. When required in a single family residential area, concrete sidewalks shall be four (4) feet wide and four (4) inches thick. In multi-family or group housing developments, sidewalks shall be five (5) feet wide and up to ten (10) feet wide in commercial areas. Sidewalks shall be constructed in accordance with Ohio Department of Transportation specifications.

8. Installation of Utilities

Utilities, including but not necessarily limited to gas, water, sewage, overhead electric power, telephone, and cable TV facilities, shall be provided in the street right-of-way in the grass plot area, except underground residential electrical systems may be on private right-of-way. When desirable, utilities may be installed in the rear lot easements. Installation of water, sewage and electric power facilities is subject to the rules and regulations of the Blanchester Board of Public Affairs.

Before any pavement base is applied all grading must be completed and approved by the Planning Commission's Authorized Engineer, and all of the in-street underground work -- water mains, gas mains, etc., all service connections -- shall be completely installed and approved by the Authorized Engineer throughout the length of the street and across the flat section. The subdivider shall install all laterals to the lot line prior to construction of the street.

9. Water Supply System

The subdivider shall construct a complete water distribution system which shall adequately serve all lots and which shall include appropriately spaced fire hydrants, and this system shall be properly connected with the Blanchester public water supply in accord with the rules and regulations of the Blanchester Board of Public Affairs.

10. Sanitary Sewers

The subdivider shall construct a sanitary sewer system to adequately serve all lots and connect the sanitary system to the existing system in accord with the rules and regulations of the Blanchester Board of Public Affairs.

11. Electric Specifications

Electric lines, when and if constructed, shall be in conformity with the rules and regulations of the Blanchester Board of Public Affairs and the servicing company and shall conform to specifications approved by the servicing company, except as may be regulated by other provisions of these subdivision regulations and the Board of Public Affairs.

12. Gas Specifications

Gas lines, when and if constructed, shall be in conformity to the rules and regulations of the servicing company and shall conform to the specifications approved by the servicing company, except as may be regulated by other provisions of these subdivision regulations.

13. Signs

Street name and traffic control signs shall be placed at all intersections, per ODOT standards.

14. Utility Markings

All underground utilities shall be identified by permanent markings in the curb or by monument at the edge of the street right-of-way.

15. Trees and Shrubs

All trees and shrubs planted in or near the street right-of-way shall conform to the municipal tree and shrub ordinance.

B. Guarantees or Completion of Improvements

No final subdivision plat shall be approved by the Planning Commission until one of the following alternatives has been achieved:

- (1) All improvements listed on the plat have been constructed in satisfactory manner and approved as follows:
 - (a) Sanitary sewer extensions and water systems have been approved by the Board of Public Affairs.
 - (b) All other improvements including monuments, storm drainage, street paving, curbs and gutters, sidewalks, and street name signs have been approved by the Planning Commission's Authorized Engineer.
- (2) Security bonds or certified checks have been reviewed by the municipality's Solicitor and accepted by the Municipality as follows:
 - (a) Sanitary sewer and water facilities have been bonded in accord with rules and regulations of the Board of Public Affairs.
 - (b) Grading, storm drainage, street paving, curbs and gutters, sidewalks, street name signs, and any other required improvements have been assured by a security bond or certified check accepted by the Municipality and made payable to Blanchester in an amount at least equal to the estimated cost subject to approval of the Planning Commission's Authorized Engineer, whereby such improvements may be completed without cost to the Municipality in event of default of the subdivider. The bond or check shall be subject to the condition that the improvements will be completed within one (1) year after approval unless an extension is granted by the Planning Commission.

ARTICLE VI: ENFORCEMENT, FEES, NOTICES, PENALTIES, AND VALIDITY

A. Enforcement

- 1. No lot split or plat of a subdivision of land shall be transferred when such transfer is intended for transfer of ownership, now or in the future, by land contract or by any other method or instrument of conveyance

until such subdivision as shown on the required plat or drawing has been approved in writing by the Planning Commission or their Authorized Engineer and such approved plat or drawing has been recorded by the County Recorder.

2. No County Auditor or other person shall acknowledge or participate in any transfer when such transfer is intended for transfer of ownership now or in the future, of any parcel or tract of land in any subdivision until such subdivision as shown on the required plat or drawing has been approved in writing by the Planning Commission.
3. No improvement of one or more existing parcels of land as described in Minor Subdivisions, shall be started or made until such proposed improvement as shown on the required plat or drawing has been approved in writing by the Planning Commission or their Authorized Engineers and such approved plat or drawing has been recorded by the County Recorder.
4. No County Recorder or other person shall admit to the records of the County or receive for record for County such subdivision or proposed improvement such as is described in these regulations until such subdivision or proposed improvement has been approved in writing by the Planning Commission or their Authorized Engineer as required by these Subdivision Regulations.
5. No board, public officer, or authority shall accept, layout, improve, or authorize utilities to be laid in any street within the Municipality unless the street is shown on a subdivision plat or a street plat which has been approved by the Planning Commission or its Authorized Engineer.
6. Inspection of street and any sidewalk construction shall be made by the Planning Commission's Authorized Engineer. Such construction shall be inspected within forty eight (48) hours after notice. Failure to comply with the above may result in the rejection of the work and the project. Failure to reject any defective work or material shall not in any way prevent later rejection when such defects be discovered, or obligate the municipality to final acceptance.
7. Inspection of construction of water and sewage disposal systems shall be made by the Board of Public Affairs in accord with Blanchester ordinances and rules and regulations of the Board of Public Affairs. Failure to comply with the above may result in the rejection of the work and the project. Failure to reject any defective work or material shall not in any way prevent later rejection when such defects be discovered, or obligate the Municipality to final acceptance.

B. Fees

1. Minor Subdivisions involving five (5) lots or less, at the time of submitting the required drawing to the Planning Commission's Authorized Engineer, and before approval of the subdivision, the subdivider shall pay a filing fee by legal tender, certified check or money order made payable to the Village. The filing fee shall be one hundred (100) dollars.
2. Major Subdivisions - At the time of submitting a preliminary plat the subdivider shall pay a filing fee of one hundred (100) dollars plus twenty (20) dollars for each lot of site in excess of five (5). The filing fee shall be legal tender or by certified check or money order made payable to the Municipality and deposited with the Village Clerk.
3. A fee for recording of any plat or drawing may be charged by the County Recorder in accord with State law and shall be paid by the subdivider.
4. If a subdivider requires special study by the municipality's Authorized Engineer, such study shall be paid by the Subdivider.

C. Notices

The enforcement office of any appropriate agency may serve a written notice or order upon the person responsible whenever he is satisfied that any work is being done or any transactions are being made in violation of the provisions of these regulations or in violation of a detailed statement or plan. Such notice shall direct the discontinuance of any illegal action and the remedying of the condition that is in violation of the provisions and requirements of these regulations.

In case such notice of order is not promptly complied with, the enforcement office of the appropriate agency shall notify other public offices, utility companies, and other officials concerned therewith and shall request the same to withhold their approval and stop all services to the property where such violation is concerned and to refuse such services until these regulations are complied with. The enforcement officer of any appropriate agency, in any case, may also request the Blanchester Solicitor to institute the appropriate action or proceedings at law or equity to restrain, correct, remove or prosecute such violation.

D. Penalties

1. Whoever violates any rule or regulation of these Subdivision Regulations or fails to comply with any order pursuant thereto is creating a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action or suit of the Village. Whoever violates these regulations shall forfeit and pay not less than ten (10) dollars, nor more than one thousand (1,000) dollars as provided in the Ohio Revised Code, Section 711-102, as amended.

2. A County Recorder who records a plat contrary to the provisions of these regulations shall forfeit and pay not less than one hundred (100) dollars, nor more than five hundred (500) dollars, to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of the County as provided in the Ohio Revised Code, Section 711-12, as amended.

3. Whoever, being the owner or agent, of the owner of any land, transfers any lot, parcel, or tract of such land from or in accordance with the plat of a subdivision as specifically defined in these regulations, before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than ten (10) dollars nor more than five hundred (500) dollars 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 within this section. Such sum may be recovered in a civil action, brought by the Village Solicitor in the name of the Village and for the use of the street repair fund thereof as provided in the Ohio Revised Code, Section 711-13, as amended.

4. Any person who disposed of, offers for sale, or leases for a time exceeding five (5) years, any lot, or any part of a lot, in a subdivision with the intent to violate the provisions of these subdivision regulations shall forfeit and pay the sum of not less than ten (10) nor more than five hundred (500) dollars for each lot or part of lot so sold, offered for sale, or leased, to be recovered with cost, in a civil action, in the name of the County Treasurer for the use of the County as provided in the Ohio Revised Code, Section 711-15, as amended.

E. Validity

If any section, subsection, sentence, clause or phrase of these Subdivision Regulations is for any reason held to be unconstitutional or void, such decisions shall not affect the validity of the remaining portions of these Regulations.

ARTICLE VII: DEFINITIONS

A. Definitions

Alley: A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

Applicants: The owner of land proposed to be subdivided or his Engineer. Consent shall be required from the legal owner of the premises.

Authorized Engineer: Engineer authorized by the Blanchester Village Council and Planning Commission to act on their behalf on Minor Subdivisions and to review and inspect Major Subdivisions. The Authorized Engineer shall have no conflict of interest when reviewing or acting upon any subdivision.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, water-ways, or boundary lines of municipalities.

Bond: Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the municipality. All bonds shall be approved by the municipality wherever a bond is required by these regulations.

Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.

Building Line: See Setback Line.

Developer: See Subdivider.

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

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 facilities normally associated with the development of raw land into building sites.

Lot: For purposes of these regulations, a lot is a parcel of land of sufficient size to meet any minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required.

Major Subdivision: Subdivision of land involving the creation of more than five (5) lots and any one of the lots is less than five (5) acres and the subdivision is for the purpose of transfer of ownership, whether immediate or future. Any other subdivision of land, even when no new lots are created, involving: (1) any division or allocation of land for the opening, widening or extension of any public or private street or streets, excluding only private streets to industrial structures; (2) any division or allocation of land as open spaces for common use by owners, occupants or lease holders; or (3) any division or allocation of land as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Minor Subdivision: Subdivision of land involving the creation of five (5) lots or less when any one of the lots is less than five (5) acres and the subdivision is for the transfer of ownership, whether immediate or future, and none of the lots involve any streets, open spaces or easements.

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

Municipality: Village of Blanchester, Ohio.

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, and other recreational facilities that

the Planning Commission deems permissive. Streets, structures for habitation, and the like shall not be included.

Planning Commission: The Blanchester Planning Commission.

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

Public Improvement: Any drainage ditch, roadway, utility, sidewalk, pedestrianway, tree, lawn, off-street parking area, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established. All such improvements shall be properly bonded.

Right-of-Way: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates any curbs, lawn strips, sidewalks, lighting, utilities and drainage facilities.

Screening: Either (a) a strip of at least ten (10) feet wide, densely planted (or having equivalent natural growth) with shrubs or trees at least four (4) feet high at the time of planting, of a type that will form a year-round dense screen at least six (6) feet high; or (b) an opaque wall or barrier or uniformly painted fence at least six (6) feet high.

Either (a) or (b) shall be maintained in good condition at all times and may have no signs affixed to or hung in relation to the outside thereof except the following: for each entrance, one (1) directional arrow with the name of the establishment with "For Patrons Only" or like limitation, not over two (2) square feet in area, which shall be nonilluminated. Where required by the Planning Commission, a screen shall be installed along or within the lines of a plot as a protection to adjoining or nearby properties.

Setback Line: A line established by the Subdivision Regulations and/or Zoning Ordinance, generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure may be located above ground, except as may be provided.

Street: The full width between property lines bounding every public way of whatever nature, with a part thereof for vehicular traffic as follows:

- 1) **Local Street** - a street which will serve no more than 50 dwelling units and/or will have an average daily traffic flow of not more than 300 trips per day.
- 2) **Collector Street** - a street which will serve no more than 500 dwelling units and/or will have an average daily traffic flow of not more than 2,000 trips per day.
- 3) **Cul-de-Sacs/Dead End Streets** - Local streets with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.
- 4) **Marginal Access Street** - a street in which frontage is restricted to one side of the street.
- 5) **Divided Street** - a street with a landscaped strip in the center of the street.
- 6) **Commercial/Industrial Street** - a street serving primarily commercial and/or industrial establishments.
- 7) **Major Thoroughfares** - streets indicated on the Blanchester Land Use Plan and which are essential for moving traffic through and within Blanchester.

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 transfer 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 of exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or

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

Subdivider: Any individual, developer, 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.

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

ARTICLE VIII: ADOPTION AND AMENDMENTS

A. Adoption and Amendments

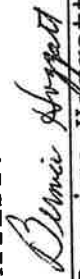
Before adoption of these Subdivision Regulations by the Blanchester Council, or any amendments thereto, a public hearing shall be held by the Blanchester Council. A public notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the Municipality in accordance with the Ohio Revised Code.

These Subdivision Regulations shall become effective following adoption by the Blanchester Council and certification to the County Recorder as provided by law. Henceforth, Subdivision Regulations of Blanchester previously adopted by the Blanchester Council on June 5, 1957, as amended, shall be deemed to be repealed.

This Subdivision Regulation Ordinance is adopted under the authority of Chapter 711 of the Ohio Revised Code after public hearing and shall be administered by the Blanchester Planning Commission as may from time to time be amended after hearings and other requirements as specified in the Ohio Revised Code, and is enacted for the purposes of the Regulations as set forth in Article I, Paragraph C of this Ordinance and shall take effect at the earliest period allowed by law.

Passed this 13th day of August, 1992.

ATTEST:


Bernice Hoggatt, Village Clerk


Lee Miller, Mayor of the
Village of Blanchester, Ohio

SUGGESTED FORMS FOR FINAL PLAT CERTIFICATION

Form 1
(on plat)

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open spaces to public or private use as noted.

Date _____, 19____ Owner(s) _____

Form 2
(on plat)

CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is true and correct survey to the accuracy required by the Blanchester Planning Commission and that the monuments have been placed as shown hereon.

Date _____, 19____ Registered Surveyor _____

Form 3
(on plat)

CERTIFICATION OF THE APPROVAL OF PLAT AND ENGINEERING DETAILS

I hereby certify that I have approved the plat and engineering details of the proposed roads, and other proposed public facilities in the subdivision plat as shown hereon.

Date _____, 19____ Planning Commission's
Authorized Engineer _____

Form 4
(attached
to plat)

CERTIFICATE OF APPROVAL OF WATER, SANITARY SEWER AND ELECTRICAL SYSTEMS

I hereby certify (only one shall be certified):

- (1) That all water, sewer and electrical systems have been installed in accord with the ordinances of Blanchester for the Subdivision entitled:

Date _____, 19____ Chairman, Board of
Trustees of Public
Affairs _____

(2) That a security bond has been posted in sufficient amount to assure completion of the water, sewer and electrical systems in case of default.

Date _____, 19____ Chairman, Board of Trustees of Public Affairs

Form 5
(attached to plat)

CERTIFICATION OF THE APPROVAL OF STREETS AND OTHER IMPROVEMENTS

I hereby certify (only one of the following shall be certified):

(1) That streets and other required improvements have been installed in an acceptable manner according to Blanchester specifications and that the required maintenance bond has been received by Blanchester for the subdivision entitled:

Date _____, 19____ Planning Commission's Authorized Engineer

(2) That a security bond in the amount of \$ _____ has been posted with Blanchester to assure completion of all required improvements in case of default.

Date _____, 19____ Planning Commission's Authorized Engineer

Form 6
(on plat)

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Blanchester, Ohio, with the exception of such variances, if any, as are noted in the minutes of the Blanchester Planning Commission and that it has been approved for recording in the Office of the County Recorder.

Date _____, 19____ Chairman, Blanchester Planning Commission

**Form 7
(on plat)**

CERTIFICATE OF COUNTY AUDITOR

I hereby certify that there are no delinquent or unpaid taxes of record upon the subdivision plat as shown hereon as of the date of transfer.

Transferred _____, 19 ____
Date

Clinton County Auditor

**Form 8
(on plat)**

CERTIFICATE OF COUNTY RECORDER

I hereby certify that the attached plat was received for record and was recorded _____, 19 ____ at _____, 19 ____ in Volume _____, Page _____ of the Clinton County Records.

Fee _____

Clinton County Recorder

SUBDIVISION RECORD FOR MINOR SUBDIVISIONS



Owner _____ Address _____

Telephone _____
Agent _____ Address _____

Telephone _____
Surveyor _____ Address _____

Telephone _____

Date Submitted for Approval _____

_____ Filing fee paid _____ Date _____
_____ Accurate drawing received showing all required information.

_____ Subdivision attached hereto is not contrary to General Requirements and Standards of Design of the Blanchester Subdivision Regulations; it is not contrary to other applicable platting, subdividing or zoning regulations; and will not create or lead to the creation of any serious health threat.

Approved _____ Date _____

Disapproved _____ for the following reasons:

Signed _____
Blanchester Planning Commission's
Authorized Engineer

Variances granted:

Disapproved _____ for following reasons:

Signed:

**Authorized Engineer,
Blanchester Planning Commission**