

**ARTICLE V
SUBDIVISION PROCEDURES**

Section 5.01 Pre-Application Meeting

Prior to preparation of a preliminary plan, an Owner/Developer is encouraged to meet with the Director of Public Service and/or the Planning and Zoning Commission to familiarize himself/herself with the provisions of this Code, the zoning ordinance and other applicable regulations. The submittal of a concept or sketch plan for the proposed development, incorporating existing aerial photographs and topographic information, and plans for adjacent areas, is strongly recommended.

Section 5.02 Submittal of Minor Subdivisions ("Lot Splits")

If the Director of Public Service, or his/her designated agent, determines that the proposed subdivision of land meets the following criteria, then it shall be classified as a *minor subdivision*:

- A. adjoins an existing public street and does not involve opening, widening, extension or improvement of any roadway or the installation of any public utilities, and
- B. creates no more than five (5) lots including the remainder, and
- C. complies with the requirements of Chapter 711 of the Ohio Revised Code and applicable zoning regulations of the City.

If the subdivision is considered as a minor subdivision, only such drawings and information as is determined necessary by the Director of Public Service to determine compliance with pertinent subdivision, zoning and other regulations need to be submitted for approval. At a minimum, the submitted material shall include a survey of the property by a Registered Surveyor, along with a completed application form as provided for such purpose by the Office of Public Service.

After determination that such action meets the criteria for a minor subdivision and within ten (10) business days after it has been submitted, the Director of Public Service may approve or disapprove said minor subdivision by indicating upon the preliminary plan or instrument of conveyance "*Approved (Disapproved) Circleville Planning and Zoning Commission / No Plat Required*", or he/she may refer such submittal to the full Planning and Zoning Commission. In cases of approval or disapproval, one (1) copy of the preliminary plan or instrument of conveyance, with such notation thereon, shall be retained for the files of the Planning and Zoning Commission. The decision of the Director of Public Service may be appealed in writing to the full Planning and Zoning Commission within thirty (30) days from the date of the approval or disapproval.

If no action on the proposed minor subdivision is taken within thirty (30) days from submittal, then the minor subdivision shall be considered as approved by the Planning and Zoning Commission

Section 5.03 Application for Preliminary Plan

Upon determining to proceed with a preliminary plan, the Owner/ Developer shall submit nine (9) complete sets of drawings and other material for an application as specified in

Section 5.04 below, to the Director of Public Service, along with applicable fees as established by City Council in separate Ordinance.

Within fifteen (15) working days from receipt, the Director of Public Service shall review the submitted materials to determine completeness. If the application meets the submittal requirements as specified in Section 5.04 below, the Director of Public Service shall certify such application and proceed with review. If the application is found to be incomplete, the Owner/Developer shall be notified, and the submitted materials shall be so marked.

Section 5.04 Contents of Application for Preliminary Plan

The application for preliminary plan shall, at a minimum, include the following information:

- A. Proposed name of the subdivision and its location;
- B. Names, addresses and telephone numbers of owners and/or developers;
- C. Name, address and registration number of the Professional Engineer or Professional Surveyor preparing the plan.
- D. Date, north arrow and plan scale;
- E. Boundary lines of the proposed development and the total tract owned or controlled by Owner /Developer, along with the acreage of both;
- F. Existing physical features, including any existing structures, with contour lines at not more than two foot (2') intervals if slope of the site is fifteen percent (15%) or less, and five feet (5') feet if slope of the site is more than fifteen percent (15%). Contours shall be based on USGS topographic information, recent aerial photography and/or ground surveys;
- G. Portions of the site identified by the Federal Emergency Management Agency (FEMA) as within the Official Flood Hazard Area for the 100-Year Flood, as specified on Official Flood Hazard studies, or Flood Hazard Boundary Map(s) for Circleville, as may be amended.
- H. Portions of the site subject to federal wetlands requirements.
- I. Existing sewers, water mains, transmission lines, culverts and other underground structures within the tract, adjacent to the tract or that will be used in developing the tract, indicating pipe sizes, grades and locations;
- J. Proposed lot or parcel dimensions, street rights-of-way widths, water, sanitary sewer and storm sewer layout, along with grades and elevation of proposed streets, storm sewers and sanitary sewers;
- K. Other utility system layouts and requirements;
- L. Proposed methods for addressing storm runoff;
- M. Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the conditions proposed for such covenant, and for the dedications;
- N. For commercial and/or industrial development, the location, dimensions and grades of proposed parking and loading areas, alleys, streets and points of vehicular ingress and egress to the site.

All drawings shall be submitted in AutoCAD format and as PDF images.

Section 5.05 Submittal of Preliminary Plan to Planning and Zoning Commission

Upon certification of the preliminary plan application pursuant to Section 5.03 above, the Director of Public Service shall review said application and submit same to other City departments and/or other entities as deemed appropriate for input. In addition, the Director of Public Service may seek the input of special consultants for the express purpose of providing

input on particular issues. After review, the Director of Public Service shall submit the preliminary plan to the Planning and Zoning Commission, along with a compilation of comments, recommendations and input received from other sources and his/her recommendations for action. The date of submittal of the preliminary plan shall be deemed the date of the first Planning and Zoning Commission meeting following completion of review by the Director of Public Service.

Section 5.06 Action on Preliminary Plan by Planning and Zoning Commission

The Planning and Zoning Commission shall review and take action on the preliminary plan not later than thirty (30) days from submittal of the preliminary plan to the Commission by the Director of Public Service pursuant to Section 5.05 above, or within such further time as is agreed upon by the Owner/Developer. In reviewing the preliminary plan, the Planning and Zoning Commission shall consider the input received from the Director of Public Service.

A preliminary plan shall not be approved unless the Planning and Zoning Commission finds that:

- A. The preliminary plan complies with the provisions of the Ohio Revised Code these regulations and other codes of the City, and
- B. The subdivision can be adequately served with public facilities and services suitable under the specific circumstances, and
- C. Land intended for building sites appears suitable for development and is not likely to be subject to peril from floods, erosion, continuously high water table, poor soil conditions or other menace; however, preliminary approval shall not be construed to imply or infer any warranty or assurance by the City that such hazards do not exist, or any liability thereof.

The Planning and Zoning Commission may approve, disapprove, or approve with modification the submitted plan. The grounds for the action, including citation or reference for rules violated by the plan, shall be stated in the written record of the Commission. Any approval of a preliminary plan shall be effective for a period of two (2) years.

In the event that modifications are required, a copy of the revised preliminary plan incorporating such modifications shall be completed by the Owner/Developer and submitted to the Commission for the permanent file.

Approval of the preliminary plan shall confer upon the applicant the right for a two (2) year period from the date of approval that the general terms and conditions under which approval was granted will not be changed, and that within such two (2) year period, the whole, including all parts of the preliminary plan shall be submitted for final approval, pursuant to Section 5.07 below, unless an extension of such time is granted by the Planning and Zoning Commission

Section 5.07 Application for Final Plat

Upon approval of the preliminary plan, an application for a final plat for land being subdivided shall be submitted by the Owner/Developer to the Director of Public Service. It shall incorporate all modifications required by the Planning and Zoning Commission during approval of the preliminary plan, and otherwise conform to the preliminary plan as approved. The Owner/Developer may apply for a final plat covering that portion of an approved preliminary plan which he/she proposes to develop and record at the time, provided that such portion conforms to all provisions of these regulations.

Section 5.08 Plans and Specifications for Site Improvements

Prior to action on a final plat by the Planning and Zoning Commission, the applicant shall prepare Construction and Grading Plans, specifications and cost estimates of the required site improvements. Such cost estimates shall reflect current prevailing wage rates, and be prepared and certified by a Professional Engineer. A minimum of twenty (20) copies of such material shall be submitted to the Director of Public Service, who shall provide copies of the plans and estimates to local utilities, as applicable. All drawings shall be submitted in AutoCAD format and as PDF images, and shall comply with the requirements of the Department of Public Service

The estimates shall be grouped according to the following:

- A. Street improvements, including curb, gutter, pavement, sidewalks, street lighting, storm drainage and signage;
- B. Water mains, including lines, valves and hydrants;
- C. Sanitary sewers, including lines, manholes, lift stations and service taps if located within the public street right-of-way;
- D. Storm drainage improvements, including pipes, drainage structures, and grading and earthwork for detention/retention areas and open channels.
- E. Site improvements, including seeding, sodding, and erosion control.
- F. Other site improvements as required by the Director of Public Service.

Section 5.09 Review by Director of Public Service

The Director of Public Service shall review the plans submitted pursuant to Section 5.08 above, and, subject to his review, they shall be approved or returned with comments. The Director of Public Service may submit the plans for review by special consultants selected by the City for that purpose, if it is determined by the Director that such review is warranted. The costs associated with such reviews shall be paid for by the Owner/Developer.

Section 5.10 Construction of Improvements and Performance Guarantees

The Owner/Developer may install, construct, have inspected and approved by the Director of Public Service all required site improvements prior to submitting the application for approval of a final plat or he/she may furnish satisfactory performance guarantees, pursuant to Article XXXVII, for the construction of such improvements.

No lot, parcel or tract shall be transferred from the proposed development nor shall any construction work on such development, including street grading, be started until the Owner/Developer has obtained approval of the final plat, approval of the Construction and Grading Plans from the Director of Public Service, approval of necessary bonds and/or letters of credit, payment of all applicable inspection and other development fees, execution of any development agreement, and recording of such plat by the Pickaway County Recorder.

Section 5.11 Application for Approval of Final Plat

Upon determining to proceed with a final plat, the Owner/ Developer shall submit six (6) complete sets of drawings and materials as specified in Section 5.12 below to the Director of Public Service. The applicant shall submit all fees as applicable for a final plat, as established by City Council. The application shall be submitted within two (2) years after approval of the preliminary plan; otherwise, approval of the preliminary plan shall become null and void unless an extension is granted by the Planning and Zoning Commission. Within

ten (10) working days, the Director of Public Service shall review the application, and determine if such application is complete and if all applicable requirements of this Ordinance have been met. If he/she determines that all applicable requirements have been met, the Director of Public Service shall transmit the application to the Planning and Zoning Commission at its next regularly scheduled meeting, which shall be deemed the date of submission of the final plat.

Section 5.12 Contents of Application for Final Plat

A final plat shall be drawn to a scale of one (1) inch to one-hundred feet, capable of printing on sheet or sheets 24"X 36" in size, or other size and scale as determined appropriate by the Director of Public Service. All drawings shall be submitted in AutoCAD format and as PDF images. The final plat shall contain the following items:

- A. Name of the subdivision and the section number, if it is a portion of the total subdivision.
- B. A legal description giving the number of acres, City, township, section, range, parcel identification number and property owner's name.
- C. All required certifications and approvals
- D. Requested covenants and/or deed restrictions
- E. Sheet and total number for each sheet, including covenant sheet and construction plan
- F. Scale and north indicator
- G. The bearings and distances of the boundary lines of the subdivision
- H. The bearings and distances of all lot lines or areas dedicated to public uses within the subdivision. In case of curved sides of lots, the tangent deflection angle, the length of the tangent, the length of radius, the length of arc and the length and bearing of the chord shall be given
- I. Lot numbers
- J. The bearing and distances of all straight sections of street center lines. Curved sections of street center lines shall show the same information as curved lot lines
- K. Street names
- L. Street, alley and easement widths. Any easements not parallel to property lines shall show the bearings and distances of the lines
- M. The location of all permanent markers or monuments
- N. Building setback lines with their distance from the right-of-way lines
- O. The proposed location of all utilities and easements, including dimensions
- P. Certification of engineering data on the plat by a Professional Engineer or Surveyor
- Q. All of the above, including any additional requirements as may be cited by the Pickaway County Auditor or Recorder.

Section 5.13 Action by Planning and Zoning Commission

If the final plat as submitted to the Commission pursuant to Section 5.11 above conforms to the provisions of the Ohio Revised Code and this Ordinance, and is consistent with the preliminary plan with such changes as required by the Planning and Zoning Commission, and if satisfactory provision is made regarding site improvements, and costs pursuant to Section 5.08 of this Ordinance, the Commission shall take action on the final plat within thirty (30) days from the date that the final plat is submitted, or within such further time as the Owner/Developer may agree to. The approval of the final plat shall be indicated in writing on the original tracing by the signature of the Chairman of the Planning and Zoning Commission. Reasons for disapproval of a final plat shall be stated in the records of the

Commission, including citations or references to the requirements or provisions of the applicable Ordinance(s) that are inconsistent with the final plat.

If the Commission fails to act upon the final plat within the time allotted, the plat shall be considered as approved, and the certificate of the Planning and Zoning Commission as to the date of the submission of the plat for approval, and the failure to take action thereon within such time, shall be issued on demand and shall be sufficient in lieu of the written endorsement or other evidence of approval.

Section 5.14 Conditional Approval

The Commission may grant conditional approval to a final plat by requiring the Owner/Developer to alter the plat or any part of it, within a specified period after the end of the thirty (30) calendar days, as a condition for final approval. Once all conditions have been met within the specified period, the Commission shall cause its final approval to be endorsed on the plat. No plat shall be recorded until it is so endorsed with the Commission's final or unconditional approval.

Section 5.15 Appeal of Plat Refusal

Within sixty (60) days after final plat denial, the Owner/Developer may file a petition in the Court of Common Pleas, in which he/she shall be named Plaintiff. The petition shall contain a copy of the plat sought to be recorded, a statement of facts justifying the propriety and reasonableness of the proposed subdivision, and a prayer for an order directed to the Pickaway County Recorder to record such plat. Such petition may include a statement of facts to support the claim that the rules and regulations of the Planning and Zoning Commission are unreasonable and/or unlawful. The Planning and Zoning Commission of the City of Circleville and the Pickaway County Recorder shall be joined as Defendants, and summons shall be issued upon such Defendants as in civil action. This appeal shall proceed in accordance with the terms and conditions set forth in ORC Section 711.09.

Section 5.16 Acceptance of Public Lands and Improvements

Within thirty (30) days after approval of the final plat by the Planning and Zoning Commission, the Director of Public Service shall forward the plat to the City Council for acceptance of the public rights-of-way and easements dedicated or granted thereon. Action of the City Council shall be by separate ordinance, containing a statement authorizing the clerk of Council to sign the plat and instructing him/her when such signing shall occur.

Section 5.17 Recording of Plat

Upon approval of the final plat, a copy thereof shall be properly recorded in the office of the Pickaway County Recorder, at the sole expense of the Owner/Developer. The Final Plat shall be so recorded within sixty (60) days after such plat is approved by the City Council. In the event that the Final Plat is not recorded within sixty (60) days, the approval of such Final Plat shall thereupon become null and void, unless an extension of such time is granted by the City Council. At such time as the final plat is submitted for recording, the final plat shall contain the City lot number designations, as well as a statement that the public improvements associated with the plat shall be completed within twenty-four (24) months from final plat approval, pursuant to Section 5.13 above.

Subsequent to the recording required hereby, one copy shall be returned to the Director of Public Service, along with the assurances for completion of improvements as required in Articles XXXVIII and XXXIX of this Ordinance.

PART FIVE

SUBDIVISION DEVELOPMENT REQUIREMENTS

ARTICLE XXXVII

OBLIGATIONS OF OWNER/DEVELOPER AND CITY

Section 37.01 Required Improvements

The Owner/Developer who desires to subdivide or develop any land subject to this Ordinance shall provide and pay the entire cost of improvements to such land as follows:

- A. Streets and parking areas, graded full width and paved, including drainage structures, bridges, sidewalks (including provisions for handicapped access as may be required by ADA), curbs and other improvements as may be required by these regulations and/or the *City Standard Plans and Specifications*.
- B. Sanitary sewers, including manholes, services and all appurtenances.
- C. Water distribution system including mains, services, valves, fire hydrants and all appurtenances.
- D. Storm drainage improvements, including both enclosed and non-enclosed systems, as well as all appurtenances to such systems.
- E. Monuments, stakes and property pins.
- F. Street signs designating the name of each street at each intersection within the development and other traffic control signage as determined necessary by the Director of Public Service.
- G. Street lighting including poles, underground conduits and appurtenances;
- H. Utilities, including electric, telephone and cable television services.
- I. All other improvements shown on the plans as approved by the City.

The Owner/Developer shall provide for the future extension of streets and water, sanitary sewer and storm drainage lines from his/her site to adjacent property as deemed necessary by the Planning and Zoning Commission.

Section 37.02 Obligations of Owner/Developer

The Owner/Developer of the land being developed shall be subject to the following obligations:

- A. All construction work and materials used in connection with improvements shall conform to the requirements of the City and be installed under the general supervision of the Director of Public Service. The Owner/Developer shall be responsible for the payment of all fees incurred by the City pertaining to inspection of the improvements.
- B. The Owner/Developer, or his agent, shall give not less than three (3) working days notice to the City for any inspection to be conducted. The Owner/Developer shall also insure that no work shall be covered or obscured prior to inspection by the City.
- C. The Owner/Developer shall provide proof of insurance and hold the City free and harmless from any and all claims for damage of every nature arising or growing out of the construction of improvements or resulting from improvements and shall defend, at his own cost and expense, any suit or action brought against the City by reason thereof.
- D. All improvements and utilities will be satisfactorily installed within one (1) year from the date of approval of the Construction Plans or within such other time schedule as specifically approved by the Department of Public Service.

- E. As an alternative to the construction and approval of the required public improvements prior to recording the final plat, an acceptable performance assurance equal to one-hundred ten percent (110%) of the estimated cost of all required improvements, as approved by the Director of Public Service, shall be deposited with the City. Such performance assurance shall consist of one of the following:
1. A performance or construction bond equal to one-hundred ten percent (110%) of the estimated construction cost as approved by the Director of Public Service for the public improvements. Such bond shall be without time limit and shall be on such forms as provided by the City, or
 2. A certified check equal to one hundred ten percent (110%) of the estimated construction cost as approved by the Director of Public Service for the public improvement.
- F. All permits and approvals shall be obtained and all fees and deposits paid prior to beginning any construction of any improvements;
- G. During construction and prior to acceptance of any public improvement, the Owner/Developer shall remove or cause to be removed such dirt and debris and foreign matter from all public rights of way, improvements and/or easements as were deposited, left or resulted from the construction of improvements of any nature within the development. Such removal shall take place within twenty-four (24) hours after being notified by the City that such work is required, and shall be completed to the satisfaction of the Director of Public Service.
- H. All public improvements shall be guaranteed by the Owner/Developer for a period of one (1) year from the date such improvement is accepted, in writing, by the City. Such guarantee shall consist of a maintenance bond, certified check or other acceptable instrument, for ten percent (10%) of the total cost of the improvements. Such guarantee shall include any and all defects and deficiencies in workmanship and materials. The cost of all labor, materials, equipment and other incidentals required to maintain, repair and replace any or all of such improvements and to maintain them in good and proper condition, excluding ordinary wear and tear, but including filling trenches and restoring lawns, sidewalks, yards, streets, sewers, pipe lines, etc., during the one year guarantee period shall be assumed by such Owner/Developer. In the event the Owner/Developer fails to make such maintenance, repairs or replacements within a reasonable time after notice in writing by the City, or in the event of an emergency which may endanger life or property, the City may make or cause to be made, such repairs or replacements from the above guarantee.
- I. The Owner/Developer shall execute a development agreement with the City, specifying the terms and conditions required under this Section of this Ordinance.
- J. The Owner/Developer shall furnish to the City final plats and as-built drawings of all improvements as required by these regulations.
- K. No person or owner shall violate any of the regulations established in this Section and, upon violation, the City shall have the authority to:
1. Stop all work on the development site forthwith;
 2. Hold the bonding company responsible for the completion of the public improvement according to the approved construction drawings and the agreement.

Section 37.03 Costs to be Shared by the City

In consideration for the agreement by the Owner/Developer of the land being developed to install utilities and/or streets to sizes and configurations in excess of the needs of the land being developed, the City shall share in the cost of the excess size and configuration of the utilities and/or streets as stipulated herein:

- A. A utility or street shall be considered excessive to needs of the land being developed when any of the following conditions exist:
 - 1. The City specifically requires a greater width, size or configuration of any nonadjacent street for the purpose of meeting the future needs of the City as provided for a comprehensive or thoroughfare plan, or similar study, as adopted by City Council;
 - 2. There is additional pavement width and depth and/or additional length of storm sewers and other improvements required for all thoroughfares;
 - 3. The City requests that a water line be more than twelve inches (12") in diameter, when such size is not required to meet the needs of the land being developed;
 - 4. A sanitary sewer line is more than fifteen inches (15") in diameter, unless this size is required for the land being developed by reason of grade or trench loading requirements of the land being developed, or because of anticipated sewerage flows from the land being developed;
 - 5. Other conditions warrant cost sharing and such conditions are approved by City Council.

- B. The City shall share in the cost of improvements by:
 - 1. Paying for all the material costs only for the size difference of the waterline, sanitary sewer pipe and the appurtenances thereto between what is required for the land being developed and what is excessive to the needs of the land being developed;
 - 2. Paying for all materials F.O.B. the plant, factory, supply depot or warehouse for such other improvements that are excessive to the land being developed;

- C. Nothing in this section shall be interpreted, read or construed to obligate the City for expenses incurred by the Owner/Developer, contractor, subcontractor or other persons because of:
 - 1. Equipment or labor cost due to the oversizing or increased depth of waterlines or sewers;
 - 2. Equipment, labor or material cost due to improperly and/or unacceptable installed improvements including the removal and replacement thereof; or
 - 3. Any improvements installed prior to the approval of the cost sharing by the City.

- D. Upon approval by Planning and Zoning Commission of the preliminary plat for the land being developed, the following procedure shall be followed:
 - 1. The Director of Public Service shall identify all improvements eligible for cost sharing, and shall estimate the cost of the City's portion of such improvements;

2. If applicable, an ordinance shall be submitted to Council for approval, appropriating funds to cover the City's portion;
 3. Upon completion and acceptance of the work and quantities thereof by the Director of Public Service, the costs shall be certified to the chief fiscal officer of the City.
- E. Failure of the Owner/Developer of the land to provide the City with copies of billings, invoices, contracts, agreements or such other evidence of construction costs as the Engineer deems necessary within six (6) months of completion and acceptance of the improvements by the City, shall constitute just cause to declare the City's agreement to cost share as provided herein null and void and no reimbursement shall be made or monies paid without reapproval by Council.

ARTICLE XXXVIII

MINIMUM DESIGN STANDARDS AND REQUIREMENTS

Section 38.01 Conformity with Requirements

The design standards and requirements of this Article shall apply to all subdivisions of land as defined in Article II of this Ordinance.

A. Conformity with City Standards

All public improvements undertaken in any subdivision shall conform to the standards of this Article, the *City Standard Plans and Specifications*, and the *City of Circleville Development Resource Guide*.

B. Conformity with Zoning and Plans

No final plat of land within the area in which an existing zoning code or resolution is in effect shall be approved unless it conforms with such code or resolution. The design of a proposed subdivision shall be in general conformity with adopted land use and/or comprehensive master plan(s) prepared by the City for the area.

Section 38.02 General Subdivision Design

The design of the subdivision shall be based on an analysis of environmental characteristics of the site. To the maximum extent possible, development shall be located so as to:

- preserve the natural features of the site,
- avoid areas of environmental sensitivity, and
- minimize negative impacts on and alteration of natural features.

The following specific areas should be preserved as undeveloped open space, to the extent consistent with reasonable utilization of the land.

- A. Wetlands, as defined in Section 404, Federal Water Pollution Control Act Amendments of 1972, subject to field verification by the U.S. Army Corps of Engineers, or other agency authorized to make such determination;
- B. Lands subject to flooding, pursuant to Section 38.03 below;
- C. Slopes in excess of fifteen percent (15%) unless appropriate engineering methods are employed to address erosion, stability and resident safety;
- D. Historically significant structures and/or sites as listed, or eligible for inclusion, on the National Register of Historic Places;

Section 38.03 Land Not Suited for Development

If the Planning and Zoning Commission finds that land proposed for subdivision development is unsuitable due to flooding, poor drainage, topography, inadequate public

facilities, and/or other condition that may be detrimental to the general health, safety or welfare of the public, and if it is determined that the land should not be developed for the purpose proposed, the Planning and Zoning Commission shall not approve such subdivision unless adequate methods are proposed by the Owner/Developer for alleviating the problems that would be created by development of the land.

A. Land Subject to Flooding

The subdivision of land or lands within areas subject to flooding, as specified in City Ordinance, shall be subject to the standards and regulations of those Ordinances, and shall in addition, be subject to the following requirements:

1. No subdivision or part thereof shall be approved if the proposed subdivision development will, individually or collectively, significantly increase flood flows, heights or damages.
2. No subdivision, or part thereof, shall be approved which would substantially affect the storage capacity of the flood plain.
3. Building sites used or intended to be used for human occupation shall not be permitted in floodway areas. Sites for these uses may be permitted outside the floodway if the sites or structures are elevated to such height that the lowest floor of the structure is least one (1) foot above the 100-year base flood elevation, as established by the Federal Emergency Management Agency (FEMA), the Ohio Department of Natural Resources (ODNR), or other authorized agency, in a flood study or report approved by the City. Required fill areas must extend fifteen (15) feet beyond the limits of the structure(s).
4. When the Planning and Zoning Commission determines that only part of a proposed plat can be developed in compliance with these requirements, it shall limit development to only that portion, and shall require that the method of development is consistent with its determination.
5. The Planning and Zoning Commission may attach other reasonable conditions as is appropriate to the approval of plats within areas subject to flooding. Such conditions may include, but are not limited to, requirement for the construction of dikes, levees or other similar measures, or flood proofing of structures, as recommended by the Director of Public Service.

Section 38.04 Erosion and Sedimentation Control

The Owner/Developer shall use adequate measures to minimize erosion and its impacts during subdivision construction activity. The Director of Public Service shall have the authority to require detailed erosion and sedimentation plans be submitted if it is determined that the size and/or scale of the proposed subdivision warrants such action. Generally, such a plan shall be required for, but not limited to, major subdivisions comprising more than twenty-five (25) lots or more than fifteen (15) acres, or if the subdivision is located where average slope exceeds five percent (5%). Such plans shall be prepared by a Professional Engineer, and indicate the techniques to be used to control erosion both during construction and permanently, and include a schedule for installing same. Erosion control plans shall be based on the control of erosion on-site, with the objective of eliminating or minimizing erosion and sedimentation impacts off-site. Techniques, devices and/or measures used shall be reviewed and approved by the Director of Public Service.

All erosion and sedimentation control devices shall be in place at the start of construction activity.

Section 38.05 Storm Water Management

A. Compliance with Storm Water Management Plan

All development activity under the jurisdiction of this Ordinance shall comply with the requirements of the Storm Water Management Plan, as adopted by City Council in Ordinance 04-15-2007, on April 3, 2007, as may be subsequently amended.

B. Erosion and Sedimentation Control

1. Applicability

This Section shall apply to earth disturbing activities on areas as designated below which are within the jurisdiction of the City of Circleville, unless otherwise excluded within this regulation or unless expressed excluded by State law, including land used or being developed for commercial, industrial, residential, recreational, public service or other non-farm purpose.

2. Disclaimer of Liability

Neither submission of a plan under the provisions of this Section, nor compliance with the provisions of this Section shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law, nor impose any liability upon the City of Circleville for damage to any person or property.

3. Requirements

No person shall cause or allow earth- and/or land-disturbing activities on a development area except in compliance with the requirements of this Section and the allowable items below:

- a) An erosion and sedimentation control plan shall be submitted and approved prior to any land-disturbing activities on development areas involving earth disturbance of one (1) or more acres, including those development areas being a part of any larger common plan of development or sale. The person proposing such land-disturbing activities shall develop and submit for approval a plan containing erosion and sediment pollution control practices so that compliance with other provisions of this regulation will be achieved during and after development. The Owner/Developer shall use adequate measures to minimize erosion and its impacts during all construction activity. The person proposing land-disturbing activities shall submit the plan and supporting information, as outlined in this Section, to the Director of Public Service.
- b) For proposed development areas involving land-disturbance of less than one (1) acre, the Director of Public Service shall have the authority to require detailed erosion and sedimentation plans be submitted if it is determined that the size and/or scale of the proposed land-disturbing activity warrants such action. Such plans shall be prepared by a registered Professional Engineer, and indicate the techniques

to be used to control erosion both during construction and permanently, and include a schedule for installing same. Erosion control plans shall be based on the control of erosion on-site, with the objective of eliminating or minimizing erosion and sedimentation impacts off-site.

- c) Any person seeking approval of an Erosion and Sedimentation Control Plan shall submit to the Director of Public Service a "Notice of Intent" that seeks coverage under the latest version of the State of Ohio Pollutant Discharge Elimination System General Permit for Construction that has been or will be filed with the Ohio Environmental Protection Agency (OEPA)
- d) The city may inspect the construction site for compliance with approved erosion and sedimentation control plan and, if found lacking, the Director of Public Service may issue a permit violation, stop work order, fine or other measure to ensure compliance.

C. Storm Water Runoff Control Standards

- 1. Post Construction Storm Water Management
So that receiving streams' physical, chemical and biological characteristics are protected and stream functions are maintained, post-construction storm water practices shall provide for the perpetual management of runoff quality and quantity, pursuant to the standards established below:

- a) Storm Water Runoff Quality Control
Storm water runoff quality controls shall be implemented into sites within developing areas in accordance with general and specific requirements outlined in the latest version of the State of Ohio National Pollutant Discharge Elimination System General Permit for Construction Activity. Development or redevelopment sites may be inspected for compliance and, if found lacking, the Director of Public Service may issue a permit violation, stop work order, or fine to ensure compliance. Fines, as specified by separate ordinance, may be levied by the City as soon as one (1) week after notice of violation.
- b) Storm Water Runoff Quantity Control
The requirement for and design of storm water runoff quantity controls (i.e., permanent drainage systems) shall be based upon the general and specific policies, standards and specifications as outlined in the latest version of the City of Circleville Storm Water Management Policy. The Planning and Zoning Commission shall have the authority to deny subdivision approval for areas of extremely poor drainage, including subdivisions in areas dominated by hydric soils. In any subdivision, the storm drainage system shall be separate and independent of any sanitary sewer system.
- c) Preservation of Natural Drainage Courses
The flow of all existing drainage courses, including underground drainage systems, shall not be impeded. Such underground systems, including farm field tile systems, shall be identified and mapped as part of the preliminary plan. No

natural drainage course shall be altered and no fill, buildings or structures shall be located unless provision is made for the flow of storm runoff and/or surface water. An easement shall be provided on both sides of the existing surface drainage course adequate for the purpose of future widening, deepening, enclosing or otherwise improving said drainage course. If such drainage course crosses private property, easements must be obtained by the Owner/Developer for construction and future maintenance. These easements must be shown on the Construction Plans, including the volume and page number of the recorded easement.

- d) Outlets
No subdivision plan or plat shall be approved by the Planning and Zoning Commission unless an adequate outlet for storm water, as shown on the plan or plat, is approved by the Director of Public Service. Generally it will be necessary to pipe storm water to an adequate watercourse, stream or existing storm system which has the capacity to accommodate the flow, or to utilize acceptable on-site water retention methods adequate to minimize excessive off-site storm water flows.
- e) Submittal Data
Storm water conveyance systems shall be designed so as to adequately address the ten (10) year storm under residential streets and the fifty (50) year storm under collector and arterial streets. The Director of Public Service may require the Owner/Developer to pay for an analysis of the existing storm water system to determine how best to connect the proposed development to the existing system or any required improvements downstream so as not to overload the system. The post development runoff rate may not exceed the predevelopment runoff rate as determined by using criteria established in the current edition of the Pickaway County Engineer's "technical Design Standards" Section 303 General Design Criteria.
- f) Culverts
The requirement for and design of all culverts utilized in subdivisions shall have the appropriate headwalls and/or other structures and improvements to protect the facility.
- g) Open Drainage Channels
The determination as to whether a specific drainage course shall be enclosed or open shall be made by the Director of Public Service. The cross section and profile of any open channel and its banks shall be determined by the Director of Public Service.

Section 38.06 Streets

A. General

All streets shall be designed with appropriate regard for topography, streams, wooded areas, soils, geologic limitations and natural features. Roadways shall further be designed to permit efficient drainage and utility systems layouts while providing safe and convenient access to property.

B. Classification, Street Widths and Street Grades

The arrangement and classification of all streets in newly developed areas shall conform to the Thoroughfare Plan. For streets not indicated on the Thoroughfare Plan, the arrangement shall provide for appropriate extensions of existing streets. The Planning and Zoning Commission shall make the final determination as to the classification of any new street, based on the potential development of the site, and its potential traffic volume, expressed in ADT (Average Daily Traffic), the character of the surrounding area, and the Thoroughfare Plan. Rights-of-way, pavement widths and street grades shall be as specified in **APPENDIX B**, which is hereby made a part of this Ordinance.

C Alignment

1. The street pattern shall make provision for the continuance of streets into adjoining areas and for the connection to existing rights-of-way in adjacent areas.
2. If a subdivision adjoins or contains an existing or proposed arterial or major collector street, direct access points to such street shall be minimized. The Planning and Zoning Commission may require marginal access streets or reverse frontage with a planting strip of a minimum width of twenty (20) feet on the rear of those lots abutting the street, and no vehicular access across the strip.
3. If a subdivision adjoins an existing or proposed arterial or major collector street, the Planning and Zoning Commission may require drainage improvements and the construction of separate turn lanes and/or traffic signals on such streets into the proposed subdivision.
4. Local streets shall be laid out so as to discourage use by through traffic.
5. Streets shall intersect one another at ninety (90) degrees, or as near to ninety (90) degrees as possible, but in no case less than seventy-five (75) degrees. The intersecting street must remain within these degree parameters for a distance of not less than one-hundred feet (100') from the intersection.
6. Street jogs shall be discouraged. Where such jogs are unavoidable, in no case shall the centerlines be offset by less than 125 feet.
7. The maximum length of a cul-de-sac shall be 600 feet, measured from the centerline of the intersecting street to the middle of the turn around.
8. Half width streets shall be prohibited.

D. Dedication

The necessary rights-of-way for widening or extension of all thoroughfares, as delineated in the Thoroughfare Plan, shall be dedicated to public use. When a subdivision fronts on an existing City street, or County or township road, dedication shall be made to the proper authority so as to meet the requirements of the table in **APPENDIX B**.

E. Blocks

Blocks shall not exceed 1,200 feet in length except where specific topographic conditions require a greater length.

F. Street Names

The names of new streets shall not duplicate names of existing dedicated streets except that new streets which are extensions of existing streets shall bear the names of such existing streets. All new roadways shall be named according to the following manner:

DIRECTION	CUL-DE-SACS.	ALL OTHER STREETS.
<i>North/South</i>	<i>Place</i>	<i>Avenue</i>
<i>East/West</i>	<i>Court</i>	<i>Street</i>
<i>Diagonal</i>	<i>Way</i>	<i>Road</i>
<i>Curving (over 1,000 ft.)</i>	-	<i>Drive</i>
<i>Curving (under 1,000 ft.)</i>	<i>Way</i>	<i>Circle</i>

G. Curbs, Gutters and Sidewalks

Curbs, gutters and sidewalks shall be required in all subdivisions. In no case shall a certificate of zoning compliance be granted for a building within a new subdivision where sidewalks are required until such sidewalks are constructed on the lot(s) and approved. Sidewalks shall be constructed of at least Class C concrete and shall comply with the *City of Circleville Development Resource Guide*.

H. Recreational Trails

The City shall require construction of recreational trails or parts thereof that may be within the proposed subdivision, as shown on the Comprehensive Plan.

I. Driveways

1. All driveways shall be at least three (3) feet from the side lot line.
2. No driveway shall be approved providing direct access from a single or two family residential lot to a street designated on the Thoroughfare Plan as an arterial or major collector street, except where no alternative access is available.

Section 38.07 Lots

A. All lots shall have the required frontage on an improved public street or an approved private street.

B. Lots in subdivisions located within the City of Circleville shall meet the dimension and area requirements of the zoning district in which such subdivision is located. Residential lots that are located outside the zoning authority of the City of Circleville but within the subdivision jurisdiction of

this Ordinance shall conform to the zoning requirements of the jurisdiction in which they are located. All lots shall also meet the following requirements:

1. All residential lots shall be approximately rectangular in shape, and should not have a depth in excess of three (3) times their width, except where extra depth is necessary due to topography and/or natural conditions, or to meet other requirements of this Ordinance.
2. Double frontage and reverse frontage lots should be avoided, except where required to provide separation from arterial streets, or to overcome specific conditions of topography and/or orientation. In such cases, an easement shall be provided along the rear lot line across which there shall be no vehicular access.
3. Whenever possible, residential subdivisions shall be designed so that corner lots have a larger area than interior lots
4. Whenever possible, side lot lines should be at right angles or radial to street lines.
5. When necessary, easements shall be provided along side and rear lot lines for utility lines. Easements shall be provided on both sides of any open drainage course, for the purposes of widening, deepening or general maintenance. Such easements shall comply with the requirements of Section 38.08 below. In no case shall a fence or any other obstruction be constructed on this easement. Notwithstanding the above, the removal of any existing obstruction within such easement shall be the responsibility of the owner of the property at the time such action is required.

Section 38.08 Easements

A. Utility Easements

Easements shall be required for poles, wire, cable, conduits, storm and sanitary sewers, water lines, gas lines and/or other utility lines. Generally, such easements shall be a minimum of ten feet (10') in width and be located along front, rear and/or side lot lines. Easements of greater width may be required in particular cases, upon determination of the Director of Public Service.

B. Watercourse Easements and Riparian Setbacks

When any stream or surface drainage course is located within a proposed subdivision, the Owner/Developer shall provide an easement along each side of such stream or water course for the purpose of widening, deepening, relocating or other maintenance. The width of such easement shall be determined by the Director of Public Service. Provisions shall be made by the Owner/Developer for perpetual maintenance of all watercourse easements.

Section 38.09 Sanitary Sewers

- A. Sanitary sewers should be designed to maintain a minimum velocity of two (2) feet per second. The design of the overall sewer system shall be in conformance with the requirements of the City Standard Specifications, the Ohio Environmental Protection Agency (OEPA), the Ohio Department of Health and *Recommended Standards for Wastewater Facilities* (Great Lakes - Upper Mississippi River Board of State Public Health and Environmental Managers: 1990) as may be subsequently updated or amended.
- B. Sanitary sewer lines should be located in the street right-of-way, except under special conditions, when this requirement may be waived by Director of Public Service.
- C. Only under circumstances of extreme hardship shall sewage lift stations, sewage grinder pumps or individual household sewage disposal systems be permitted in subdivisions established after the effective date of this Ordinance. Such systems shall only be permitted with the approval of the Planning and Zoning Commission. The Owner/ Developer shall be responsible for all costs associated with any lift station until such time that sixty percent (60%) of the lots in the subdivision are developed.
- D. Minimum line size shall be eight inches (8"). Downstream sewer pipe sizes shall be greater than or equal to the upstream size unless otherwise approved by the Planning and Zoning Commission. If larger pipe sizes are required to accommodate future growth, the City may participate in the costs associated with the larger sizes, in accordance with Article XXXVII of this Ordinance.

Section 38.10 Water Lines

- A. Water lines shall be designed, sized and constructed so as to be in conformance with the *City Standard Plans and Specifications*. Fire hydrants shall be located, so that adequate fire flow to each structure, based on the current guidelines of the Insurance Services Office (ISO) can be met, but, no case shall be more than 350 feet, or as required by the City Fire Department.
- B. Water lines should be located within the street right-of-way, except under special circumstances, when this requirement may be waived by the Director of Public Service.
- C. The standard minimum size of water mains shall be eight inches (8"). If larger line sizes are required to accommodate future growth, or to provide for fire flows in excess of those required for the proposed development, the City may participate in costs for the size increase, in accordance with the procedures of Article XXXVII of this Ordinance.
- D. Minimum cover for water lines shall be forty-eight inches (48"). Water mains shall be laid so that at least ten feet (10') of horizontal distance and eighteen inches (18") vertical distance is maintained between the water main and sanitary sewer line. In cases where ten feet (10') of horizontal distance cannot be maintained, such as a crossing, the vertical distance shall be maintained and such sewer lines shall be constructed of water line material. At crossings, one full length of water pipe should be used so both joints will be as far away from the sewer line as possible.

Section 38.11 Underground Utilities and Street Lighting

- A. Underground utilities shall be required for all subdivisions within the City of Circleville. Unless specific approval is granted by the Director of Public Service, all utility boxes shall be located in side or rear yards
- B. Street lights shall be required for all subdivisions within the City of Circleville. Street lights and all appurtenances shall be installed by the Owner/Developer, and shall be of a type acceptable for cost-effective service by the electric utility providing service to the City. The City shall have the authority to assess costs associated with the operation and maintenance of the system to the lots within the subdivision.
- C. Illumination for street lights shall be uniform and shall follow the recommendations of the current Illuminating Engineering Society (IES) Handbook. Generally, street lights shall be located not less than 200 feet nor more than 350 feet apart. Lights shall be placed within 200 feet from the closed end of each cul-de-sac, and at each street intersection.
- D. The location of all street lights shall be shown on the street construction plans. The Owner/Developer shall develop a structure for assessing the future costs of street lighting to property owners in the subdivision.

Section 38.12 Street Trees

- A. Street trees shall not be planted in the right-of-way of any street designated as an arterial roadway in the Circleville Thoroughfare Plan, unless specific approval is granted by the Planning and Zoning Commission.
- B. Trees planted in the right-of-way of any other street shall not be planted in any location where the Director of Public Service determines that such placement would create a safety hazard. In no case shall a street tree be planted within fifty feet (50') from an intersection, within thirty feet (30') from any alley approach, or ten feet (10') from any driveway approach.
- C. The following species of trees shall be considered undesirable species and shall not be used as street trees within the City:
 - 1. Box Elder (*Acer negundo*)
 - 2. Silver Maple (*Acer saccharinum*)
 - 3. Catalpa (*Catalpa speciosa*)
 - 4. Tulip tree (*Liriodendrum tulipifera*)
 - 5. Mulberry (*Morus Alba*)
 - 6. Poplars and Cottonwoods (all species) (*Populus*)
 - 7. Willows (all species) (*Salix*)
 - 8. Siberian Elm (*Ulmas pumila*)
- D. Any portion of any tree that extends over the curb line shall be maintained to a minimum of fifteen feet (15') from the top of limb to lowest point on portion extending over the curb, and a minimum of eight feet (8') from the sidewalk to the lowest portion of the tree extending over such sidewalk.

Section 38.13 Public Sites and Open Space

A. Required Dedication or Reservation

Where a proposed park or school site, as shown on the Comprehensive Plan as adopted by City Council, is located in whole or in part within a proposed subdivision, the Planning and Zoning Commission may require the following:

1. the dedication to the public of part or all of the proposed site and/or
2. reservation of the site for a period of up to three (3) years to enable acquisition by the appropriate agency or entity.

B. Minimum Dedication Requirements

In all subdivisions or developments which result in additional dwelling units within the City, the Owner/Developer shall be required to dedicate land to public sites and open space without compensation or to pay an amount equal to the value as defined in Section 38.13 D below, of such land to the Board of Park Commissioners for the purpose of developing public sites and open space. The amount of land to be dedicated by the Owner/Developer shall be determined according to the following formula:

$$\text{Acres of Land for Dedication} = \text{Total Population} \times .005$$

The total population of any subdivision will be determined by:

1. determination of a population factor for each dwelling unit in the subdivision
2. summation of all population factors for each dwelling unit in the subdivision

The population for each dwelling unit shall be as follows:

<i>Single-Family Dwelling</i>	<i>3.0</i>
<i>One Bedroom Multiple Family</i>	<i>1.5</i>
<i>Two Bedroom Multiple Family</i>	<i>2.0</i>
<i>Three Bedroom Multiple Family</i>	<i>3.0</i>

C. Modifications to Requirements

The Planning and Zoning Commission, in conjunction with the Circleville Board of Park Commissioners may modify the requirements as specified above when the Owner/Developer has shown that at least one of the following conditions exist:

1. the development will house a population substantially lower than that established above.
2. the development will have a low need for parks and recreation services.
3. the unique or special characteristics of the project that justify modification of these requirements can be reasonably expected to continue for the life of the project.

D. Fee in Lieu of Dedication

The Planning and Zoning Commission, in conjunction with the Board of Park Commissioners, shall determine if land proposed for public sites and/or open space is suitable and desirable for such purpose. If it is determined that the land is not suitable for such purposes, the Owner/Developer shall pay a fee-in-lieu of land dedication to the Board of Park Commissioners, for the purposes of developing other sites or open spaces.

The amount of such fee shall be \$200 for each dwelling unit within the subdivision.

E. Private Recreational Areas

In lieu of the requirements of Section 38.13 B and D above, the Owner/Developer may devote not less than the acreage required in 38.13B to a private recreation area for the use of the occupants of the subdivision. The recreation area must be of suitable size for recreational purposes, as determined by the Board of Park Commissioners and the Planning and Zoning Commission. The Owner/Developer must present a plan for development and perpetual maintenance of the site proposed, and such plan must be reviewed and approved by the Board of Park Commissioners and the Planning and Zoning Commission. The Owner/Developer shall also provide security to ensure development and maintenance of the site in the form of a bond, deposit of funds or other form satisfactory to the Planning and Zoning Commission.

Section 38.14 Monuments

A. General Requirements

All research, investigation, monumentation, measurement specifications, plats of survey, descriptions, and subdivision plats shall conform to the *Minimum Standards for Boundary Surveys in the State of Ohio*, Section 4733-37-03 (Administrative Code) Ohio Revised Code. These standards are intended as a minimum requirement, and where the surveying profession requires or recommends a higher level of standards, the higher or most restrictive of such standards shall apply. Additional standards for monumentation may be found in the *City Standard Plans and Specifications*.

B. Location

Monuments shall be placed at all angle points on the outside boundary of the subdivision. Iron pins shall be placed at all corners of all lots, intersections of the centerlines of streets, and at the beginning and end points of each curved street section centerline. In those cases where sanitary sewer manholes prevent the setting of monuments, such monuments shall be offset five feet (5') in each direction along the street centerline. Monuments are to be tied to existing City of Circleville monumentation and reported in Ohio State Plane South NAD83 (Horizontal) and NAVD29 (Vertical).

C. When Set

Monuments in the street centerlines shall be placed upon the completion of paving of the streets. All other monuments are to be set upon completion of the street, water, sanitary sewer improvements, and over lot grading and before acceptance of improvements by the City of Circleville. Iron pins designating lots shall be set after grading of lots, but prior to pouring of sidewalks.

D. Materials

Monuments to consist of, at a minimum, brass cap and 3/8" rebar set in concrete. Iron pins shall be as per the standards cited above in Section 38.14A.

E. Flood Plains

When all or part of a proposed subdivision is located within land subject to flooding, as defined in Article II, the Owner/Developer shall direct and cause the surveyor to place at least one benchmark tied to USGS elevation data.

F. Reference to State Plane Coordinate System

The Owner/Developer shall direct and cause the surveyor to place and set at least one (1) intervisible pair of NGS Class C monuments referenced to Ohio State Plane Coordinate System.

**ARTICLE XXXIX
SITE IMPROVEMENTS**

Section 39.01 General

The improvements required by these subdivision regulations shall conform to the *City Standard Plans and Specifications*, the *City of Circleville Development Resource Guide* and other applicable portions of the Codified Ordinances of the City, as may be subsequently amended. All site improvements shall be designed, furnished and installed by the Owner/Developer of the subdivision. The Owner/Developer shall be responsible for the costs of all tests required by the Director of Public Service to establish that the materials and methods utilized in construction of the improvements meets the specifications. Subdivisions shall be provided with the same improvements whether the streets are public or private, except in special situations as approved by the Planning and Zoning Commission.

Section 39.02 Streets

A. Street Grading

No street grading shall be permitted until the final construction plans have been approved by the Director of Public Service and inspection fees have been paid. No street grading shall be commenced without a forty-eight (48) working hour notice to the Director of Public Service.

B. Street Subgrade

All streets shall be graded to their full width, including side slopes. No obstructions shall be placed or allowed to remain in the street right-of-way. The subgrade shall be free of sod and/or vegetative or organic matter. Soft clay and other unsuitable material shall be cleared to a depth as determined by the Director of Public Service. The subgrade shall be shaped and compacted subject to the requirements of the Director of Public Service, and no fill shall be placed until said subgrade has been inspected and approved.

C. Pavement Application

No pavement shall be placed until the prepared subgrade has been inspected and approved. The finish pavement course shall not be placed over the base course until a period of time as specified by the Director of Public Service has elapsed. All failures in the base course must be repaired prior to installation of the finish course.

D. Street Signs

The Owner/Developer shall provide all traffic control, street name and parking signs at intersections and other locations as designated by the Director of Public Service. Such signs shall be purchased from the City. The City shall be responsible for the installations and maintenance of all such signs.

Section 39.03 Sanitary Sewers

A. Concrete Encasement

Concrete encasement shall be used when required for the sanitary sewer to withstand trench loadings, when rock is encountered in the trench bottom, when the cover is less than two-and-one-half (2 1/2) feet, or when such sewer line crosses a stream with year-round flow.

B. Testing

Leakage tests are required for all sanitary sewers except building sewers.

C. Private Sanitary Sewers

All private sanitary sewer laterals shall be six inches (6") minimum diameter PVC plastic conforming to ASTM D-3034 SDR 35 with flexible gaskets conforming to ASTM D-3212, unless otherwise specifically approved by the Director of Public Service. Before any building sewer is constructed, a tap permit must be obtained from the City. Installation of building sewers shall conform to applicable regulations of the City. An "S" shall be stamped into the face of the curb at the location of any building sewer tap.

Section 39.04 Water Systems

A. Water Service Lines

Water service lines shall be installed consistent with *Ten State Standards*. All water service lines shall be either HDPE 200 PSI (CTS) or Type K copper. All water service lines shall be protected from freezing and frost penetration, but in no case shall be installed less than forty-eight inches (48") below the ground or pavement surface. Services shall be constructed after the street is rough graded and prior to the installation of paved surfaces and curbs.

B. Curb Boxes and Meter Pits

Curb boxes shall be located within the tree lawn not less than two feet (2') behind the back of the curb. All curb boxes shall be adjusted to the finished ground surface. The Director of Public Service may require an alternative location of curb stops and/or meter pits.

Section 39.05 Certification of Improvements

Upon the completion of construction, and prior to acceptance by the City, the Owner/Developer shall provide the City with a letter which certifies that the construction is in conformance with the approved Construction Plans and the City Standard Plans and Specifications.

Section 39.06 Responsibility and Liability During Construction

No streets or public improvements shall be the responsibility of any public entity prior to formal acceptance. Until such time as improvements have been approved and accepted, the Owner/Developer shall assume full responsibility and liability for all areas dedicated to the public, and improvements thereon. The Owner/Developer shall agree to indemnify and hold harmless the City of Circleville until such time as the improvements are accepted.

ARTICLE XXXX

NONRESIDENTIAL SUBDIVISIONS

Section 40.01 General

If a proposed subdivision or development includes land that is zoned for commercial or industrial uses, the proposed subdivision or development shall be subject to the submittal and approval of a separate site development plan by the Planning and Zoning Commission. In reviewing such site development plan, the Planning and Zoning Commission shall have the authority to modify and/or reduce the requirements of this Ordinance when, on the basis of evidence submitted by the Owner/Developer, it is determined that such modification is warranted.

Section 40.02 Standards

The Owner/Developer of a commercial and/or industrial subdivision shall provide evidence that the following standards shall be met, and the Planning and Zoning Commission shall consider such evidence in evaluating the site development plan, as required in Section 40.01 above:

- A. The proposed industrial/commercial parcels shall be suitable in area and dimensions to the types of industrial or commercial development proposed.
- B. Street rights-of-way and standards shall be adequate to accommodate the type and volume of traffic anticipated to be generated by the development.
- C. Accommodation shall be made for special requirements for street, curb, gutter and sidewalk design and construction, and installation of public utilities, including water, sewer and storm drainage.
- D. Adverse impacts to any adjacent residential areas are identified, and measures are employed to protect adjacent residential areas from such adverse impacts.
- E. Streets carrying nonresidential traffic shall not normally be extended to the boundaries of existing residential areas, or areas proposed for residential use in any land use or comprehensive plan for the City, as adopted by City Council.

ARTICLE XXXXI

RESERVED FOR FUTURE USE

APPENDIX A

**REQUIRED STATEMENTS AND SIGNATURES TO
BE AFFIXED TO FINAL PLATS**

SITUATED IN THE STATE OF OHIO, COUNTY OF PICKAWAY, CITY OF CIRCLEVILLE, LYING IN SECTION __, TOWNSHIP __, RANGE __, CONTAINING ALL OF THE _____ ACRE TRACT CONVEYED TO _____ IN OFFICIAL RECORD VOLUME __, PAGE __, RECORDS OF THE RECORDER'S OFFICE, PICKAWAY COUNTY, OHIO.

THE UNDERSIGNED OWNER/DEVELOPER, BY _____, TITLE AND/OR OWNER, BEING THE OWNER OF THE LAND PLATTED HEREIN, DULY AUTHORIZED IN THE PREMISES DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS THEIR _____ SUBDIVISION, LOTS __ THROUGH __ AND RESERVES __ AND __, INCLUSIVE AND DO HEREBY ACCEPT THIS PLAT OF SAME AND DEDICATE TO PUBLIC USE, AS SUCH, ALL OF THE DRIVES, PLACE, COURT AND PIKE SHOWN HEREON AND NOT HERETOFORE DEDICATED.

EASEMENTS, WHERE INDICATED ON THIS PLAT, ARE HEREBY GRANTED TO THE COMPANIES, MUNICIPALITIES OR ENTITIES PROVIDING PUBLIC UTILITY SERVICES, UNCLUDING BUT NOT LIMITED TO WATER, SANITARY SEWER, ELECTRICITY AND TELEPHONE, TO COMPANIES PROVIDING CABLE TELEVISION AND/OR CABLE SIGNAL TRANSMISSION SERVICES AND TO MUNICIPALITIES RESPONSIBLE FOR STORM WATER DRAINAGE SYSTEMS, FOR THE CONSTRUCTION OPERATION AND MAINTENANCE OF THE FACILITIES TO PROVIDE SUCH SERVICES ABOVE AND BENEATH THE GROUND AND WITH THE EXPRESS PRIVELEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID EASEMENTS.

IN WITNESS WHEREOF, OWNER/DEVELOPER, TITLE, HAS CAUSED THIS PLAT TO BE EXECUTED THIS _____ DAY OF _____, 20__.

WITNESSES:

DEVELOPER

PRINTED: _____

NAME
TITLE

PRINTED: _____

STATE OF OHIO SS:

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____, TITLE, FOR SAID _____ WHO ACKNOWLEDGES THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS FREE AND VOLUNTARY ACT AND DEED, AND THE FREE AND VOLUNTARY ACT AND DEED OF SAID _____, FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITENSS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED BY OFFICIAL SEAL THIS _____ DAY OF _____, 20__.

MY COMMISSION EXPRIRES _____

NOTARY PUBLIC, STATE OF OHIO

IN WITNESS WHEREOF, _____ *OWNER* _____, HAS CAUSED THIS PLAT TO BE EXECUTED THIS _____ DAY OF _____, 20__.

WITNESSES:

PRINTED: _____

(OWNER)

PRINTED: _____

STATE OF OHIO SS: ..

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____, WHO ACKNOWLEDGES THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS/HER FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED BY OFFICIAL SEAL THIS _____ DAY OF _____, 20__.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC, STATE OF OHIO

APPROVED THIS ___ DAY OF _____, 20__

CHAIRMAN, CIRCLEVILLE PLANNING COMMISSION

APPROVED THIS ___ DAY OF _____, 20__

DIRECTOR OF PUBLIC SERVICE

THIS ___ DAY OF _____, 20__, RIGHTS-OF-WAY FOR ALL STREETS, ALLEYS, ROADS, ETC. HEREIN DEDICATED FOR PUBLIC USE ARE HEREBY APPROVED AND ACCEPTED AS SUCH FOR THE CITY OF CIRCLEVILLE (PICKAWAY COUNTY) PURSUANT TO ORDINANCE (RESOLUTION) NUMBER _____ DATED _____, 20__.

CLERK OF COUNCIL

DATE

AND/OR

TRANSFERRED THIS _____ DAY OF _____, 20__

AUDITOR, PICKAWAY COUNTY, OHIO

FILED FOR RECORD THIS _____ DAY OF _____, 20__ AT ____:____.M.

RECORDED THIS _____ DAY OF _____, 20__ PLAT CABINET _____ SLIDES

RECORDER, PICKAWAY COUNTY, OHIO

APPENDIX B

STREET AND ROADWAY CLASSIFICATION SYSTEM

APPENDIX B

STREET AND ROADWAY CLASSIFICATION SYSTEM

<u>STREET CLASS</u>	<u>ADT RANGE</u>	<u>MINIMUM R.O.W. (FT.)</u>	<u>PAVEMENT WIDTH (FT.)</u>	<u>MAXIMUM GRADE</u>	<u>MINIMUM GRADE</u>
Arterial	5,000+	90	(see note 2)	6%	.5%
Collector (Major)	2,000-5,000	70	36	6%	.5%
(Minor)	500-2,000	70	36	6%	.5%
Local	under 500	60	30	6%	.5%
Cu-de-Sac	under 500	60	30	6%	.5%
Industrial	NA	60	40	6%	.5%

NOTES:

1. Pavement width is measured from face of curb to face of curb. Required pavement width may be increased if on-street parking is allowed.
2. Pavement width on Arterial Streets to be determined on a case-by-case basis by the Planning and Zoning Commission.

