

## CHAPTER 1153

### Purpose, Scope and Application

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### CROSS REFERENCES

Plat and subdivision defined - see Ohio R.C. 711.001  
Recording plat - see Ohio R. C. 711.06; P. & Z. 1155.07  
Plat approval required - see Ohio R. C. 711.09; P. & Z. 1155.09  
Appeal - see P. & Z. 1155.11

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#### **1153.01 AUTHORITY OF PLANNING COMMISSION.**

The City Planning Commission, hereinafter known as the Commission, derives its authority to regulate subdivisions by virtue of and in accordance with Ohio R. C. Chapter 711. The Commission is authorized to adopt rules and regulations governing plats and subdivisions of land falling within its jurisdiction. (Ord. 44-66. Passed 10-17-66.)

#### **1153.02 PURPOSE OF REGULATIONS.**

The Subdivision Regulations are adopted to secure and provide for:

- (a) The proper arrangement of streets or other highways in relation to existing or planned streets or highways or to City or regional plans; and
- (b) Adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, air, and for the avoidance of congestion of the population. (Ord. 44-66. Passed 10-17-66.)

#### **1153.03 APPLICATION OF REGULATIONS.**

These Subdivision Regulations shall apply to all subdivisions hereinafter made of all land within the City's jurisdiction.

#### **1153.04 JURISDICTION.**

- (a) No person shall subdivide or lay out into lots any land within the municipality or within the City's thoroughfare plan except in conformity to these Regulations.
- (b) Within three miles of the corporate limits of the City, the City Planning Commission shall have authority for preliminary and final review and approval of major subdivisions, any minor subdivisions requiring any variance, and any other

minor subdivisions within this three-mile limit for which it may choose to exercise its authority.

### **1153.05 REGULATIONS ARE MINIMUM; GREATER RESTRICTION TO CONTROL.**

The provisions of these Subdivision Regulations shall be held to be minimum requirements. Where these Regulations impose a greater restriction than is required by existing laws, covenants, rules, regulations or restrictions, the provisions of these Regulations shall govern.

### **1153.06 RELATIONSHIP TO ZONING.**

Whenever a proposed subdivision is located in an area that is zoned under the provisions of Ohio R.C. Chapter 713, it shall conform to the requirements of the zoning plan except as specified in Section 1153.05.

### **1153.07 CLASSIFICATION AND DETERMINATION OF SUBDIVISION TYPE.**

There are two basic types of subdivisions:

- (a) Minor Subdivision. The following are determined to be minor subdivisions:
- (1) The division of land into parcels of more than twenty acres not involving any new streets, public utilities or easement of access as determined by the Planning Commission.
  - (2) The sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites as defined by zoning or these subdivision regulations or reduce the original tract below the requirements of zoning or these regulations.
  - (3) The establishment of private streets serving industrial structures on their own property where there is no division of land.
  - (4) The division of land along an existing public street, not involving the opening, widening or extension of any street or road or public utility and involving no more than five lots after the original tract has been completely subdivided (ORC 711.131).
  - (5) The division or partition of land into parcels of five to twenty acres where such parcels are used only for agricultural or personal recreation purposes and not involving any new streets, public utilities, or easements of access.
- (b) Major Subdivision. Any subdivision that does not meet the requirements of a minor subdivision is a major subdivision.
- (c) Large Lot Subdivision. The division of land into parcels of five to twenty acres along an existing public street, not involving the opening, widening, or extension of any street or road, and involving the establishment of any parcel that is not contrary to any applicable zoning, health, sanitary, or access management regulations. No parcel shall be created which has less than 75 feet of frontage on a public street or roadway, and shall not exceed the width to depth requirements of 1161.10.

**1153.08 MINOR SUBDIVISIONS.**

The Safety-Service Director may determine that a proposed subdivision of land is a minor subdivision when it meets the requirements of 1153.07(a) and therefore will be subject to Section 1157.01 of these regulations.

**1153.09 MAJOR SUBDIVISIONS SUBJECT TO REGULATIONS.**

All divisions of land not exempt as set forth in Section 1153.07(a) or (c) are major subdivisions and shall be subject to the provisions of these subdivision regulations.

**1153.10 LARGE LOT SUBDIVISION**

The Safety-Service Director may determine that a proposed subdivision of land is a large lot subdivision which meets the requirements of 1153.07(c) and therefore will be subject to Section 1157.03.