



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

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**TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG**

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

MINUTES: Regular Session – September 24, 2024

This is a summary of actions and discussions of the meeting. You may view this meeting through our YouTube Channel at <https://www.youtube.com/channel/UC1ELh0jGpXd4VV2DTgsuqPA> or by contacting our office.

The Board met in regular session pursuant to adjournment of the September 17, 2024, meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Krystal Powell, Clerk – present

Minutes of the September 17, 2024 meeting were read and approved.

- 24-1232 A resolution was adopted approving temporary pay increase for Tayler Bishop, Wastewater Superintendent, within the Water and Sewer Department.
Vote: Unanimous.
- 24-1233 A resolution was adopted hiring Gina Hineson as Custodial Worker II within Warren County Facilities Management. Vote: Unanimous.
- 24-1234 A resolution was adopted accepting the resignation of Jake Morrison, Senior Engineer, within the Warren County Water and Sewer Department, effective September 20, 2024. Vote: Unanimous.
- 24-1235 A resolution was adopted accepting resignation of Nicole Torres, Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division, effective September 27, 2024.
Vote: Unanimous.
- 24-1236 A resolution was adopted cancelling the regularly scheduled Commissioners' Meeting of Thursday, September 26, 2024. Vote: Unanimous.
- 24-1237 A resolution was adopted entering into contract with W.E. Smith Construction for the 2024 Hamilton Drilled Pier Wall Project. Vote: Unanimous.

- 24-1238 A resolution was adopted entering into contract negotiations with Conger Construction & MSP Design for Design-Build Services for the new Warren County Criminal Suppression Headquarters Project. Vote: Unanimous.
- 24-1239 A resolution was adopted approving Amendment No. 1 to the engineering contract with Fishbeck, Inc. on behalf of Warren County Engineer's Office. Vote: Unanimous.
- 24-1240 A resolution was adopted authorizing the President of this Board to sign a funding approval/agreement between Warren County and the U.S. Department of Housing & Urban Development relative to the Fiscal Year 2024 Community Development Block Grant (CDBG). Vote: Unanimous.
- 24-1241 A resolution was adopted approving the contract with Hardin County Commissioners on behalf of the Warren County Juvenile Court Mary Haven Youth Center Division. Vote: Unanimous.
- 24-1242 A resolution was adopted approving and entering into rental agreement with Pitney Bowes. Vote: Unanimous.
- 24-1243 A resolution was adopted approving addendum to the contract with Matrix Pointe Software, LLC on behalf of the Warren County Sheriff's Office. Vote: Unanimous.
- 24-1244 A resolution was adopted authorizing acceptance of renewal quote from Sayers on behalf of Warren County Telecommunications. Vote: Unanimous.
- 24-1245 A resolution was adopted authorizing acceptance of renewal quote from Vertiv on behalf of Warren County Telecommunications. Vote: Unanimous.
- 24-1246 A resolution was adopted approving Change Order No. 1 to the contract with National Water Services, LLC, for the construction of the Middletown Junction Production Well Drilling and Construction Project. Vote: Unanimous.
- 24-1247 A resolution was adopted entering into easement agreement for sanitary sewer and appurtenances with the Deerfield Township Board of Trustees for the parcel 16-10-351-010. Vote: Unanimous.
- 24-1248 A resolution was adopted waiving plan review and inspection fees for the City of Middletown Renaissance Pointe Project. Vote: Unanimous.
- 24-1249 A resolution was adopted authorizing Amendment No. 2 to the Master Service Agreement with Choice One Engineering for the Mulberry and Broadway Watermain Replacement Project. Vote: Unanimous
- 24-1250 A resolution was adopted entering into a Classroom Training Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous.

- 24-1251 A resolution was adopted declaring various items from Common Pleas Court, Board of Elections, Drug Task Force, Emergency Services, Engineer's Office, Facilities Management, Garage, Juvenile, Mary Haven, Prosecutor's Office, Sheriff's Office, Solid Waste Management, Telecommunications, and Water and Sewer Department as surplus and authorize the disposal of said items through internet auction. Vote: Unanimous.
- 24-1252 A resolution was adopted transferring vehicles and vehicle equipment no longer being utilized by the Warren County Sheriff's Office to Harveysburg Police Department and Harlan Township. Vote: Unanimous.
- 24-1253 A resolution was adopted acknowledging payment of bills. Vote: Unanimous.
- 24-1254 A resolution was adopted entering into street and appurtenances security agreement with Lamonte Holdings, Ltd for installation of certain improvements for Locust Grove at County Brook North, Section 4 situated in Clearcreek Township. Vote: Unanimous.
- 24-1255 A resolution was adopted entering into a subdivision public improvement performance and maintenance security agreement with Lamonte Holdings, Ltd for installation of certain improvements for Locust Grove at County Brook North, Section 4, situated in Clearcreek Township. Vote: Unanimous.
- 24-1256 A resolution was adopted approving various record plats. Vote: Unanimous.
- 24-1257 A resolution was adopted approving an appropriation adjustment within Prosecutor Fund #11011150. Vote: Unanimous.
- 24-1258 A resolution was adopted approving an appropriation adjustment from Commissioners General Fund #11011110 into Sheriff's Office – Corrections Fund #11012210. Vote: Unanimous.
- 24-1259 A resolution was adopted approving appropriation adjustments from Commissioner General Fund #11011110 into Building and Zoning Fund #11012300. Vote: Unanimous.
- 24-1260 A resolution was adopted approving an appropriation adjustment within Commissioners Fund #11011110. Vote: Unanimous.
- 24-1261 A resolution was adopted approving an appropriation adjustment within the Clerk of Courts General Fund #11011260. Vote: Unanimous.
- 24-1262 A resolution was adopted approving an appropriation adjustment within Facilities Management General Funds #11011600. Vote: Unanimous.
- 24-1263 A resolution was adopted approving an appropriation adjustment within Sheriff's Office Fund #11012200. Vote: Unanimous.

- 24-1264 A resolution was adopted approving an appropriation adjustment within Sheriff's Office Fund #11012211. Vote: Unanimous.
- 24-1265 A resolution was adopted approving an appropriation adjustment within Emergency Services Communications Fund #11012850. Vote: Unanimous.
- 24-1266 A resolution was adopted approving an appropriation adjustment within Human Services Fund #2203
- 24-1267 A resolution was adopted approving appropriation adjustments for Developmental Disabilities Fund #2205. Vote: Unanimous.
- 24-1268 A resolution was adopted approving appropriation adjustments within the OhioMeansJobs Warren County Fund #2258. Vote: Unanimous.
- 24-1269 A resolution was adopted approving an appropriation adjustment within Children Services Fund #2273. Vote: Unanimous.
- 24-1270 A resolution was adopted approving an appropriation adjustment within Sheriff's Office Fund #2285. Vote: Unanimous.
- 24-1271 A resolution was adopted approving an appropriation adjustment within Telecommunications Department Fund #4492. Vote: Unanimous.
- 24-1272 A resolution was adopted approving an appropriation adjustment within Sheriff's Office Fund #6630. Vote: Unanimous.
- 24-1273 A resolution was adopted approving an appropriation adjustment within Workers Comp Fund #6636. Vote: Unanimous.
- 24-1274 A resolution was adopted approving requisitions and authorizing the County Administrator to sign documents relative thereto. Vote: Unanimous.
- 24-1275 A resolution was adopted accepting the transfer and conveyance of unused real estate owned by Deerfield Township Board of Trustees. Vote: Unanimous.
- 24-1276 A resolution was adopted approving the appointment of Michelle Tegtmeier to the position of Deputy Director of Facilities Management. Vote: Unanimous.
- 24-1277 A resolution was adopted approving an appropriation adjustment within Mary Haven Fund #2270. Vote: Unanimous.
- 24-1278 A resolution was adopted approving an appropriation adjustment within Coroner's Fund #11012100. Vote: Unanimous.
- 24-1279 A resolution was adopted approving annexation of 19.665 acres, known as the Franklin Park Area Annexation, to the City of Franklin, Ben Yoder, Agent,

pursuant to Ohio revised code section 709.16 [A.K.A Municipal Owned Property Annexation.] Vote: Unanimous.

24-1280 A resolution was adopted approving amendments to the Warren County Subdivision Regulations. Vote: Unanimous.

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

The Board met this 24th day of September 2024, to consider the annexation of 19.665 acres to the City of Franklin, Ben Yoder, Agent, pursuant to Ohio Revised Code Section 709.16 (Municipal Owned Property Annexation) requested the Board's approval.

Upon discussion, the Board resolved (Resolution #24-1279) to approve the annexation petition.

Prosecutor David Fornshell and Sheriff Larry Sims were present to discuss the operation of the Warren County Child Advocacy Center (CAC).

Mr. Fornshell stated the county has received financial information from Dayton Children's Hospital since his last work session on June 4, 2024. He stated he is looking for authorization from the Board to execute documents to bring the CAC under the control of the Board.

Sheriff Sims stated he believes the Child Advocacy Center should have always been operated under the control of the Board of County Commissioners. He stated moving the center under the operation of the Board is a very important move for the county and will make the CAC stronger moving forward.

There was discussion relative to funding, operating costs, and future of the CAC.

Mr. Fornshell stated if the CAC continues to operate under the control of Dayton Children's Hospital it would hamper the county's ability to serve local children. He further stated the county has never had an issue with the treatment of children by Dayton Children's.

Upon further discussion, the Board recommended to continue working with the appropriate parties to create transition documents to bring the CAC under the control of the Board.

PUBLIC HEARING

CONSIDER AMENDMENTS TO THE WARREN COUNTY SUBDIVISION REGULATIONS

This Board met this 24th day of September 2024, in the Commissioners' Meeting Room, to consider amendments to the Warren County Subdivision Regulations.

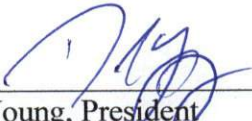
Cameron Goschinski, Regional Planning Commission, along with Justin Bedocs, Warren County Soil and Water Conservation District, presented the attached PowerPoint presentation reviewing the process, the purpose of the amendments, and the proposed amendments section by section.

Mr. Goschinski stated the Regional Planning Commission Executive Committee recommended approval of the proposed amendments which were sent to and reviewed by the Homebuilder Association Dayton and the Homebuilder Association of Greater Cincinnati prior to the public hearing.

Upon further discussion, the public hearing was closed and the Board resolved (Resolution #24-1280) to approve amendments to the Warren County Subdivision Regulations.

Upon unanimous call of the roll, the Board entered into executive session at 10:07 a.m. to discuss personnel matters to consider the dismissal or discipline of a public employee for the Water and Sewer Department pursuant to Ohio Revised Code Section 121.22(G)(1) and exited at 10:25 a.m.

Upon motion the meeting was adjourned.



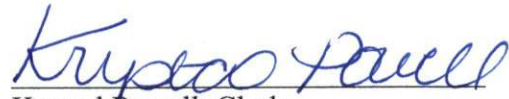
David G. Young, President



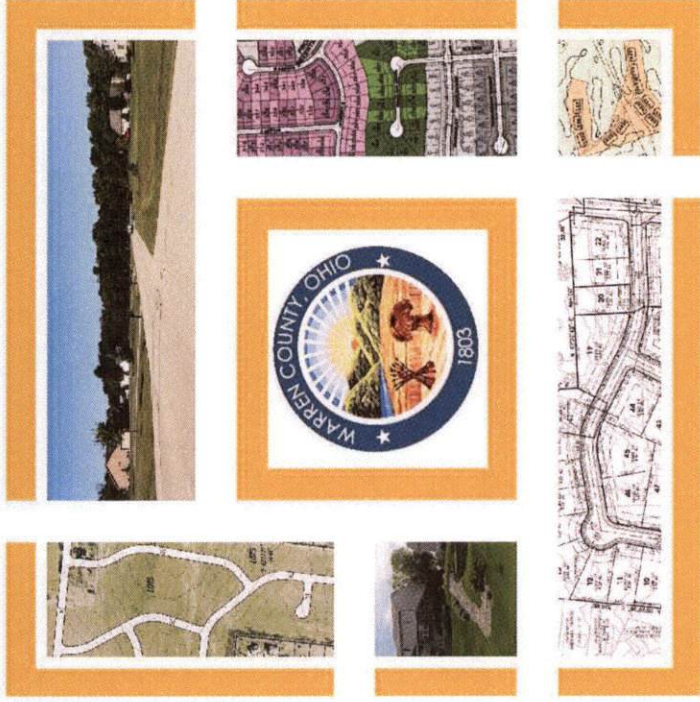
Tom Grossmann

Shannon Jones

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on September 24, 2024, in compliance with Section 121.22 O.R.C.

A handwritten signature in blue ink that reads "Krystal Powell". The signature is written in a cursive style with a horizontal line underneath the name.

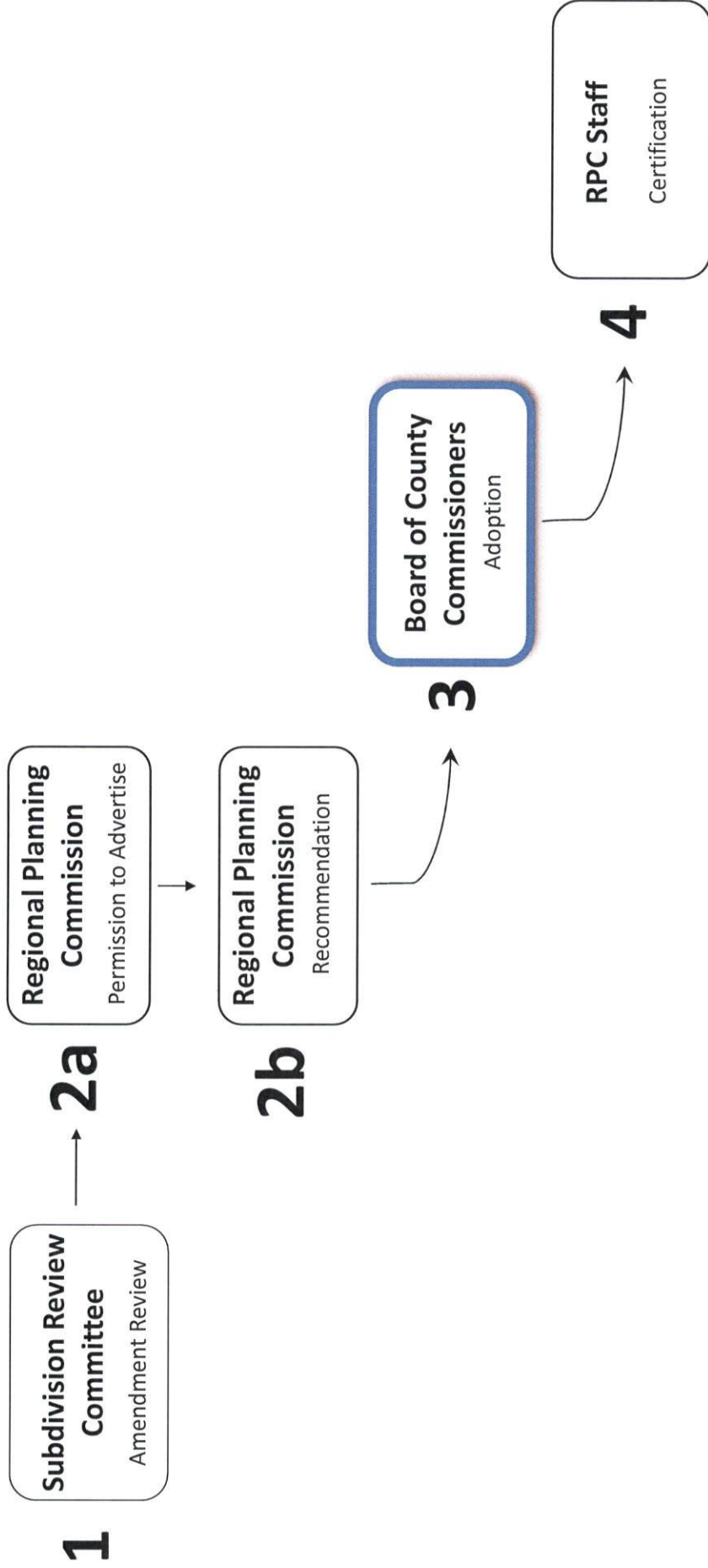
Krystal Powell, Clerk
Board of County Commissioners
Warren County, Ohio



Subdivision Regulations Update

September 24th, 2024

Process



Purpose of Amendments

- Interpretation and clerical clarification
- Amendments to Final Plat and Preliminary Plan approval periods and extension requests
- Redefine Earth Disturbing Activities



Subdivision Regulations

Clerical Amendment

Word Change: **Preliminary Plat** to **Preliminary Plan**

Final Plat Definition (Page 16)

Section 410: Commercial Subdivision Streets (Page 54)

Section 300: General Statement (Page 24)

Section 411: Industrial Subdivision Streets (Page 55)

Section 302: Concept Plan Application Requirements (E)(2) (Page 29)

Section 413: Driveways and Off-Street Parking (H) (Page 56)

Section 315: Final Plat Application Procedures (B) (Page 39)

Section 420: Wastewater Disposal (C) (Page 56)

Section 316: Approval of Final Plat (Page 40)

Section 900: Effective Date (Page 56)

11 Amendments

Amendments Requested by

Soil & Water Conservation District

4 Amendments

Definition: Earth Disturbing Activity

<p>Current Language (Page 15)</p>	<p>EARTH DISTURBING ACTIVITY – Any dumping, excavating, filling, or other alteration of the earth’s surface where natural or man-made ground cover is destroyed and which may result in or contribute to erosion and sediment pollution</p>
<p>Proposed Language</p>	<p>EARTH DISTURBING ACTIVITY – Per Warren County Storm Water Regulations, Resolution 20-1623, Earth Disturbing activities include any clearing, grading, excavating, grubbing, and/or filling or other alteration of the Earth’s surface where natural or man-made ground cover is destroyed, and which may result in or contribute to erosion and sediment pollution. Earth disturbing for agricultural purposes is exempt from the Earth Disturbing Permit.</p>

Definition: Storm Water Pollution Prevention Plan (SWPPP)

<p>New Language (Page 21)</p>	<p>Storm Water Pollution Prevention Plan (SWPPP) - The SWPPP is a stand-alone document required by the Warren County Storm Water Regulations and the Construction General Permit for all projects performing earth disturbing activity on one acre or more of land. The SWPPP describes all the construction site operator's activities to prevent storm water contamination, control sedimentation and erosion, and to manage post-construction storm water runoff to comply with the requirements of the Clean Water Act.</p>
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Section 312: Regulations Governing Improvements (A)

<p>Current Language (Page 36)</p>	<p>The subdivider shall submit improvement plans consisting of all construction drawings and specifications for the improvements required for the subdivision. The improvement plans shall be submitted to the Warren County Engineer and the Warren County Sanitary Engineer for review. The improvement plans shall be approved prior to the approval of a final plat for the subdivision.</p>
<p>Proposed Language</p>	<p>The subdivider shall submit improvement plans consisting of all construction drawings and specifications for the improvements required for the subdivision. The improvement plans shall be submitted to the Warren County Engineer, the Warren County Soil and Water Conservation District, and the Warren County Sanitary Engineer for review. The improvement plans shall be approved prior to the approval of a final plat for the subdivision.</p>

Section 312: Regulations Governing Improvements (A)(3)

<p>Current Language (Page 36)</p>	<p>Improvement plans shall also be accompanied by the Soil and Erosion Control Plan, as submitted to the Ohio Environmental Protection Agency (OEPA) for the purpose of obtaining a National Pollution Discharge Elimination System (NPDES) permit. A copy of this permit shall be submitted to Warren County Soil and Water Conservation District prior to the start of construction.</p>
<p>Proposed Language</p>	<p>Any project performing one or more acres of earth disturbing activities will require an Earth Disturbing Permit (EDP). The EDP application shall be submitted to the Warren County Soil and Water Conservation District (WCSWCD). The EDP application shall include improvement plans, a Stormwater Pollution Prevention Plan (SWPPP) and an EDP application fee. The improvement plans and SWPPP shall also be submitted to the Ohio Environmental Protection Agency (OHIO EPA) for the purpose of obtaining a National Pollution Discharge Elimination System (NPDES) Notice of Intent (NOI) permit. A copy of the NOI or NOI number shall be submitted to WCSWCD once received. Cutting of trees at the ground surface while leaving the roots intact does not classify as an earth disturbing activity.</p>

Article II

Definitions

3 Amendments

Definition: Earth Disturbing Activity

<p>Current Language (Page 15)</p>	<p>EARTH DISTURBING ACTIVITY – Any dumping, excavating, filling, or other alteration of the earth’s surface where natural or man-made ground cover is destroyed and which may result in or contribute to erosion and sediment pollution</p>
<p>Proposed Language</p>	<p>EARTH DISTURBING ACTIVITY – Per Warren County Storm Water Regulations, Resolution 20-1623, Earth Disturbing activities include any clearing, grading, excavating, grubbing, and/or filling or other alteration of the Earth’s surface where natural or man-made ground cover is destroyed, and which may result in or contribute to erosion and sediment pollution. Earth disturbing for agricultural purposes is exempt from the Earth Disturbing Permit.</p>

Definition: Fire Apparatus Access Road

**New
Language
(Page 16)**

A road or other passageway developed to allow the passage of fire apparatus that is not necessarily intended for vehicular traffic. The passageway provides an access point to the subdivision's internal road network, and may be interpreted to mean a local subdivision street or public roadway.

Definition: Storm Water Pollution Prevention Plan (SWPPP)

<p>New Language (Page 21)</p>	<p>Storm Water Pollution Prevention Plan (SWPPP) - The SWPPP is a stand-alone document required by the Warren County Storm Water Regulations and the Construction General Permit for all projects performing earth disturbing activity on one acre or more of land. The SWPPP describes all the construction site operator's activities to prevent storm water contamination, control sedimentation and erosion, and to manage post-construction storm water runoff to comply with the requirements of the Clean Water Act.</p>
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Article III

Procedures for

Subdivision Approval

5 Amendments

Section 304: Submission to Director of Transportation

<p>Current Language (Page 29)</p>	<p>Before any plan is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of the Ohio Department of Transportation or any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Regional Planning Commission shall give notice, by registered or certified mail to the Director of Transportation. The Regional Planning Commission shall not approve the plan for one hundred twenty (120) days, unless released by the Director of Transportation, from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Regional Planning Commission that he/she shall proceed to acquire the land needed, then the Regional Planning Commission shall refuse to approve the plan. If the Director of Transportation notifies the Regional Planning Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Regional Planning Commission shall, if the plan is in conformance with all provisions of these regulations, approve the plan. (Adapted from Section 5511.01, Ohio Revised Code)</p>
<p>Proposed Language</p>	<p>The Regional Planning Commission shall give notice, by certified mail to the Director of Transportation for any subdivisions proposed along a new or revised highway, as described in the certification by the director. Notification to the Director of Transportation is required within the following areas:</p> <ol style="list-style-type: none">1. Land within three hundred feet of the center line; or2. Land within a radius of five hundred feet from the point of intersection of that center line. <p>The Regional Planning Commission shall not approve the plan for one hundred twenty (120) days, unless released by the Director of Transportation, from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Regional Planning Commission that he/she shall proceed to acquire the land needed, then the Regional Planning Commission shall refuse to approve the plan. If the Director of Transportation notifies the Regional Planning Commission that acquisition at this time is not in the public interest, or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Regional Planning Commission shall, if the plan is in conformance with all provisions of these regulations, approve the plan. (Adapted from Section 5511.01, Ohio Revised Code)</p>

Section 312: Regulations Governing Improvements (A)

<p>Current Language (Page 36)</p>	<p>The subdivider shall submit improvement plans consisting of all construction drawings and specifications for the improvements required for the subdivision. The improvement plans shall be submitted to the Warren County Engineer and the Warren County Sanitary Engineer for review. The improvement plans shall be approved prior to the approval of a final plat for the subdivision.</p>
<p>Proposed Language</p>	<p>The subdivider shall submit improvement plans consisting of all construction drawings and specifications for the improvements required for the subdivision. The improvement plans shall be submitted to the Warren County Engineer, the Warren County Soil and Water Conservation District, and the Warren County Sanitary Engineer for review. The improvement plans shall be approved prior to the approval of a final plat for the subdivision.</p>

Section 312: Regulations Governing Improvements (A)(3)

<p>Current Language (Page 36)</p>	<p>Improvement plans shall also be accompanied by the Soil and Erosion Control Plan, as submitted to the Ohio Environmental Protection Agency (OEPA) for the purpose of obtaining a National Pollution Discharge Elimination System (NPDES) permit. A copy of this permit shall be submitted to Warren County Soil and Water Conservation District prior to the start of construction.</p>
<p>Proposed Language</p>	<p>Any project performing one or more acres of earth disturbing activities will require an Earth Disturbing Permit (EDP). The EDP application shall be submitted to the Warren County Soil and Water Conservation District (WCSWCD). The EDP application shall include improvement plans, a Stormwater Pollution Prevention Plan (SWPPP) and an EDP application fee. The improvement plans and SWPPP shall also be submitted to the Ohio Environmental Protection Agency (OHIO EPA) for the purpose of obtaining a National Pollution Discharge Elimination System (NPDES) Notice of Intent (NOI) permit. A copy of the NOI or NOI number shall be submitted to WCSWCD once received. Cutting of trees at the ground surface while leaving the roots intact does not classify as an earth disturbing activity.</p>

Section 316: Approval of Final Plat

<p>Current Language (Page 40)</p>	<p>The Regional Planning Commission staff shall approve or disapprove the final plat within thirty (30) business days after it has been officially filed or within such further time to which the applying party may voluntarily agree. Failure of the Regional Planning Commission staff to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Regional Planning Commission staff and a copy of said record shall be forwarded to the subdivider. The Regional Planning Commission staff shall not disapprove the final plat if the developer has done everything that he/she was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat. If disapproved, the subdivider shall make the necessary corrections and resubmit the final plat within thirty- (30) days to the Regional Planning Commission staff for its final approval. If the Regional Planning Commission refuses a plat, the person submitting the plat may file a petition within sixty- (60) days after such refusal in the Court of Common Pleas of the county in which the land described in said plat is situated to reconsider the action of the Regional Planning Commission.</p>
<p>Proposed Language</p>	<p>The Regional Planning Commission staff shall approve, conditionally approve, or disapprove the final plat within thirty (30) business calendar days after it has been officially filed or within such further time to which the applying party may voluntarily agree. Failure of the Regional Planning Commission staff to act upon the final plat within such time shall be deemed as approval of the plat, and the certificate of the Regional Planning Commission as to the date of the submission of the final plat for approval and the failure to take action on it within the thirty (30) calendar days shall be sufficient in lieu of the written endorsement or evidence of approval. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Regional Planning Commission staff and a copy of said record shall be forwarded to the subdivider. If disapproved conditionally approved, the subdivider shall make the necessary corrections and resubmit the updated final plat within thirty- (30) sixty (60) calendar days to the Regional Planning Commission staff for its final approval, or the Final Plat application will expire. The Regional Planning Commission staff shall not disapprove the final plat if the developer has done everything that he/she was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat plan. No plat shall be recorded until it is endorsed with the Regional Planning Commission's Executive Director's final or unconditional approval. If the plat is disapproved, the grounds for disapproval including citation of or reference to the rule violated by the plat shall be stated in the records of the Regional Planning Commission staff and a copy of said record shall be forwarded to the subdivider. If the Regional Planning Commission refuses to approve a plat, the person submitting the plat may file a petition within sixty- (60) days after such refusal in the Court of Common Pleas of the county in which the land described in said plat is situated to reconsider the action of the County's Regional Planning Commission. A board of township trustees is not entitled to appeal a decision of the Regional Planning Commission under this section.</p>

Section 316: Approval of Final Plat

- **Includes conditional approval**
- **Business days to calendar days**
- **Corrections proof copy required within 60 days versus 30 days**
- **Clarifies that applications will expire**

Section 316: Approval of Final Plat

Proposed Language

The Regional Planning Commission staff shall approve, conditionally approve, or disapprove the final plat within thirty (30) calendar days after it has been officially filed or within such further time to which the applying party may voluntarily agree. Failure of the Regional Planning Commission staff to act upon the final plat within such time shall be deemed as approval of the plat, and the certificate of the Regional Planning Commission as to the date of the submission of the final plat for approval and the failure to take action on it within the thirty (30) calendar days shall be sufficient in lieu of the written endorsement or evidence of approval. If conditionally approved, the subdivider shall make the necessary corrections and resubmit the updated final plat within sixty (60) calendar days to the Regional Planning Commission staff for its final approval, or the Final Plat application will expire. The Regional Planning Commission staff shall not disapprove the final plat if the developer has done everything that he/she was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plan. No plat shall be recorded until it is endorsed with the Regional Planning Commission's Executive Director's final or unconditional approval. If the plat is disapproved, the grounds for disapproval including citation of or reference to the rule violated by the plat shall be stated in the records of the Regional Planning Commission staff and a copy of said record shall be forwarded to the subdivider. If the Regional Planning Commission refuses to approve a plat, the person submitting the plat may file a petition within sixty- (60) days after such refusal in the Court of Common Pleas of the county in which the land described in said plat is situated to reconsider the action of the County's Regional Planning Commission. A board of township trustees is not entitled to appeal a decision of the Regional Planning Commission under this section.

Section 317: Final Plat Approval Period

<p>Current Language (Page 40)</p>	<p>The approval of a final plat by the Regional Planning Commission staff shall be effective for a period of six (6) months unless the Regional Planning Commission has granted an extension of the approval period. If the final plat is submitted to be recorded after the six (6) month period, the subdivider or their engineer must re-submit the plat to the Regional Planning Commission staff for re-approval and pay all applicable fees due at the time of re-submittal.</p>
<p>Proposed Language</p>	<p>The approval of a final plat by the Regional Planning Commission staff shall be effective for a maximum period of six (6) months unless the Regional Planning Commission staff has granted an extension of the approval period. If the final plat is submitted to be recorded after the six (6) month period, the subdivider or their engineer must re-submit the plat to the Regional Planning Commission staff for re-approval and pay all applicable fees due at the time of re-submittal. Procedures for an extension of a final plat approval period shall be in accordance with Section 801 of these Regulations.</p>

Article IV

Subdivision Design Standards and Improvements Requirements

5 Amendments

Section 403: Traffic Management (G)(1)

<p>Current Language (Page 49)</p>	<p>The minimum access point requirements for major subdivisions which involve the construction/extension of public streets are as follows:</p> <ol style="list-style-type: none">1. Access points to existing roadways adjacent to the subdivision site, including arterial, collector/distributor, collector and local roads, as well as local subdivision streets, are required as follows:<ol style="list-style-type: none">a. For subdivisions with less than fifty (50) units, a minimum of one (1) access point to an existing roadway is required.b. For subdivisions with fifty (50) units or more, a minimum of two (2) access points to an existing roadway or roadways are required, except in cases where the access management regulations of Warren County or ODOT (as applicable) would prevent the provision of a second location.c. For commercial and industrial developments, more than one (1) access point may be required if the development is estimated to generate fifty (50) or more peak hour trips.
<p>Proposed Language</p>	<p>The minimum access point requirements for major subdivisions which involve the construction/extension of public streets are as follows:</p> <ol style="list-style-type: none">1. An access point is required to all existing public roadways that front the subdivision site. Access points to existing roadways adjacent to the subdivision site, including arterial, collector/distributor, collector and local roads, as well as local subdivision streets, are required as follows:<ol style="list-style-type: none">a. For subdivisions with less than fifty (50) units, a minimum of one (1) access point to an existing roadway is required.b. For subdivisions with fifty (50) units or more, a minimum of two (2) access points to an existing roadway or roadways are required, except in cases where the access management regulations of Warren County or ODOT (as applicable) would prevent the provision of a second location.c. For commercial and industrial developments, more than one (1) access point may be required if the development is estimated to generate fifty (50) or more peak hour trips.

Section 403: Traffic Management (G) - Example



Proposal

- Approximately 25 Residential Lots
- Utilize proposed stub street from adjacent subdivision
- Would not connect to frontage Road

Section 403: Traffic Management (I) Fire Apparatus Access Roads

<p>New Language</p>	<p>Two fire apparatus access points are required for major subdivisions which involve the construction/extension of public/private streets, where the number of dwelling units exceeds 30. A fire apparatus access road provides external access to the subdivision for fire services. Fire apparatus access roads shall be developed in accordance with the construction standards in Appendix D of the Ohio Fire Code. A public/private roadway constitutes a fire apparatus access road.</p>
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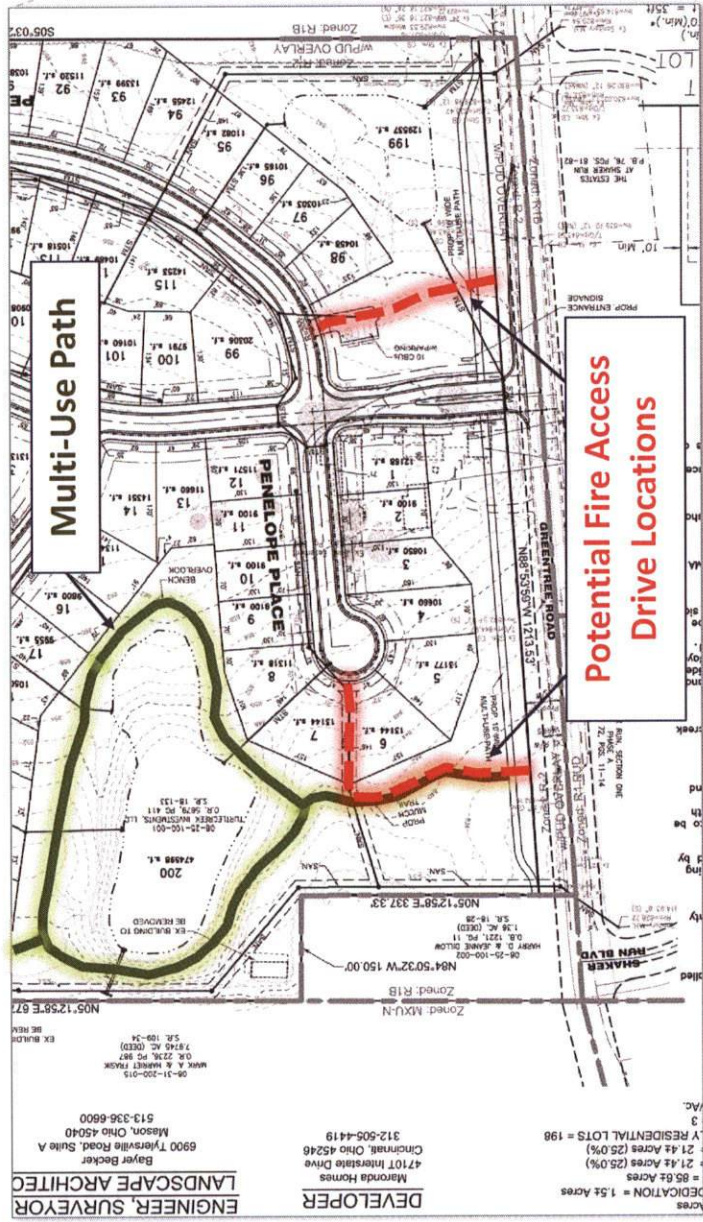
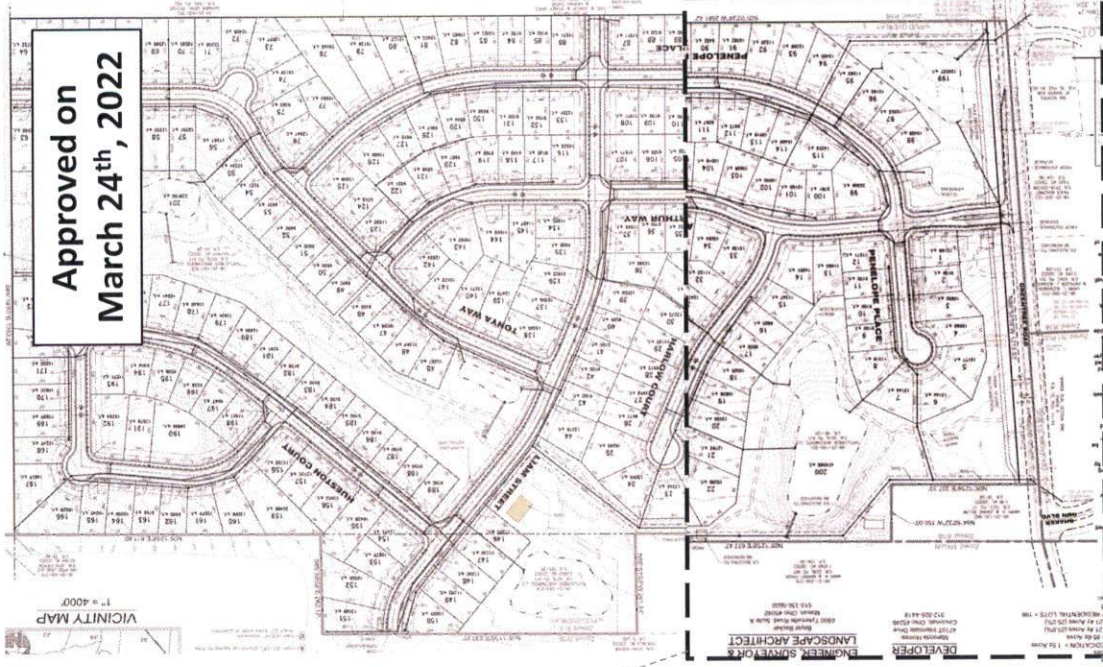
Section 403: Traffic Management (J) Fire Apparatus Access Roads Waiver Request

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<p>New Language</p>	<p>A waiver request may be granted by RPC Executive Committee at Concept Plan. Factors the RPC Executive Committee may consider when making a determination of whether to grant or deny a fire apparatus access road waiver include, but are not limited to, the following:</p> <ol style="list-style-type: none">1. Comments from the fire code official and review departments/agencies.2. The existence of natural features, such as steep slopes, blue line streams, wetlands, significant wooded or vegetated areas, or other challenging topographic conditions.
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Section 403: Traffic Management (J) Fire Apparatus Access Roads Waiver Request - Example

- 198 residential lots approved on one access point
- Located along Greentree Road



Section 405: Special Street Types (B)

<p>Current Language (Page 53)</p>	<p>Marginal Access Streets: Where a subdivision abuts or contains an existing or proposed Collector Distributor, a marginal access street shall be provided, if the subdivision design is such that lots would require direct vehicular access onto the Collector or Arterial Street.</p>
<p>Proposed Language</p>	<p>Marginal Access Streets: Where a major subdivision abuts or contains an existing or proposed collector or arterial street Distributor, a marginal access street shall be provided, if the subdivision design is such that lots would require direct vehicular access onto the collector or arterial street. Where a major subdivision abuts or contains an existing or proposed local street, a marginal access street may be required by the Warren County Engineer's Office, based on a Traffic Impact Analysis.</p>

Section 413: Driveways and Off-Street Parking (H)

<p>Current Language (Page 57)</p>	<p>The developer shall provide, as a part of the preliminary plat review, a driveway maintenance agreement for all lots using common driveways.</p>
<p>Proposed Language</p>	<p>The developer shall provide, as a part of the preliminary plat plan or minor subdivision review, a driveway maintenance agreement for all lots using common driveways. An updated recorded driveway maintenance agreement shall be submitted as part of replat, alternative plat, final plat, or updated preliminary plan review.</p>

Section 421: Stormwater Management and Maintenance (A)

<p>Current Language (Page 60)</p>	<p>Stormwater management facilities shall be provided in all new subdivisions. The design and construction of these facilities shall be in accordance with the standards as outlined in the Warren County Stormwater Management Regulations adopted by the Warren County Board of Commissioners.</p>
<p>Proposed Language</p>	<p>Stormwater management facilities shall be provided in all new subdivisions, and shall be permitted only on open space lots. The design and construction of these facilities shall be in accordance with the standards as outlined in the Warren County Stormwater Management Regulations adopted by the Warren County Board of Commissioners.</p>

Article VII

Required Statements and Signatures to be Affixed on the Plat

1 Amendment



Section 700: Required Statements (M)

<p>Current Language (Page 77)</p>	<p>The easement areas shall be maintained continuously by the lot owner(s). Within the easements, no structure, planting, fencing, culvert, or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through the watercourse. Easements shown on this plat and designated as “drainage easements” are dedicated to the Home Owners Association of (name of development).</p>
<p>Proposed Language</p>	<p>The easement areas shall be maintained continuously by the lot owner(s). Within the easements, no structure, planting, fencing, culvert, or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through the watercourse. Easements shown on this plat and designated as “drainage easements” are dedicated to the Home Owners Association of (name of development), or all lot owners.</p>

Article VIII

Extensions, Revisions, **Enforcement**, Fees, Penalties, Variances, Appeals, and Time Computation

6 Amendments

Section 800: Extension of Preliminary Plan Approval Period

<p>Current Language (Page 79)</p>	<p>A subdivider may request in writing an extension of time for the approval period of a preliminary plan or final plat. Up to three (3) such requests may be granted for any preliminary plan or final plat section and it shall be for no more than one (1) year. Upon expiration of the initial approval period or any extension thereof, a plat shall be resubmitted for approval under the procedures outlined for preliminary plans or final plats in Article III of these regulations.</p>
<p>Proposed Language</p>	<p>A subdivider may request in writing an extension of time for the approval period of a preliminary plan or final plat. Up to three (3) such requests may be granted for any preliminary plan by the Regional Planning Commission Executive Committee, or final plat section and it shall be for no more than one (1) year. Upon expiration of the initial approval period or any extension thereof, a plat shall be resubmitted for approval under the procedures outlined for preliminary plans or final plats in Article III of these regulations.</p>

Section 801: Extension of Final Plat Approval Period

**New
Language
(Page 79)**

A subdivider may request in writing an extension of time for the approval period of a final plat. Up to two (2) such requests may be granted for a final plat by the Regional Planning Commission staff, for no more than three (3) months, respectively. A final plat extension is contingent upon comments from the appropriate review departments. Upon expiration of the initial approval period or any extension thereof, a plat shall be resubmitted for approval under the procedures outlined for final plats in Article III of these regulations.

Section 802: Revision of Plat After Approval

<p>Current Language (Page 79)</p>	<p>No changes, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Regional Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Regional Planning Commission.</p>
<p>Proposed Language</p>	<p>No changes, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Regional Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Regional Planning Commission for a revised Preliminary Plan process. A revised Preliminary Plan shall follow the process of a Preliminary Plan application. The revision of a subdivision where all lots have been platted requires the signatures of all lot owners within the subdivision.</p>

Section 803: Exchange of Lots Between Recorded Subdivisions

A subdivider may modify the boundaries of a subdivision to exchange (incorporate or exclude) contiguous platted lot(s), following the applicable platting process, a revised Preliminary Plan or Alternative Plat. This process is required of both subdivisions and shall occur simultaneously.

The revision of a subdivision to modify the boundaries of a recorded plat requires the signatures of all of lot owners within the subdivision and requires a revised Final Plat (applicable for subdivisions subject to a Preliminary Plan). Platted lots shall only be conveyed as provided herein to a platted subdivision and cannot be vacated.

**New
Language
(Page 79)**

Section 803: Exchange of Lots Between Recorded Subdivisions - Example



Proposal

- Exchange Lot 1 from Meadowbrook Estates.
- Incorporate into Little Muddy Creek, simultaneously
- Platted lots can only be conveyed, and not vacated (unplatted)

Section 808: Month - Time Computation

If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month. In computing any period of time prescribed or allowed by the commission, the date of the event from which the period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it falls on a Saturday, Sunday, or legal holiday, in which case the period of time shall run until the end of the next day that is not a Saturday, Sunday, or legal holiday. (Adapted from Section 1.45 and Rule 4901-1-07, Ohio Revised Code)

**New
Language
(Page 81)**

Section 809: Day - Time Computation

**New
Language
(Page 81)**

Unless otherwise noted, time is measured in calendar, not business, days.

Additional

Slides



2017 Ohio Administrative Code 1301:7-7-05 Fire Service Features

Fire Apparatus Access Roads — Items Addressed:

- **Dimensions** (Width of not less than 20 feet, exclusive of shoulders)
- **Surface and Grade** (Designed and maintained to support the imposed loads of fire apparatus, and established by the fire code official)
- **Turning Radius** (Determined by fire code official)
- **Dead Ends** (If in excess of 150 feet in length, the passageway shall be provided with an approved area for turning around fire apparatus)
- **Gates or Barricades**
- **Marking and Signage** (Delineation may be required to prohibit obstruction of fire apparatus access roads)

Fire Apparatus Access Road – 503.2 Specifications

(a) 503.2.1 Dimensions

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with paragraph (C)(6)(503.6) of this rule, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

(b) 503.2.2 Authority

The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

Fire Apparatus Access Road – 503.2 Specifications

(c) 503.2.3 Surface

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities.

(d) 503.2.4 Turning Radius

The required turning radius of a fire apparatus access road shall be determined by the fire code official.

(e) 503.2.5 Dead Ends

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

Fire Apparatus Access Road – 503.2 Specifications

(f) 503.2.6 Bridges and Elevated Surfaces

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17 as listed in rule 1301:7-7-80 of the Administrative Code. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

Fire Apparatus Access Road – 503.2 Specifications

(g) 503.2.7 Grade

The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

(h) 503.2.8 Angles of Approach and Departure

The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

Fire Apparatus Access Road – 503.3 Marking

Where required by the fire code official, approved signs or other approved notices or markings that include the words "NO PARKING—FIRE LANE" shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Fire Apparatus Access Road — 503.4 Obstruction of Fire Apparatus Access Roads

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in paragraph (C)(2)(a)(503.2.1) and (C)(2)(b)(503.2.2) of this rule shall be maintained at all times.

Fire Apparatus Access Road – 503.5 Required Gates or Barricades

(5) 503.5 Required Gates or Barricades

The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325 as listed in rule 1301:7-7-80 of the Administrative Code. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200 as listed in rule 1301:7-7-80 of the Administrative Code.

(a) 503.5.1 Secured Gates and Barricades

Where required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by paragraph (C)(5)(503.5) of this rule shall not be trespassed on or used unless authorized by the owner and the fire code official.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

Ohio Revised Code – Section 1.45 | Time computation.

If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.

Ohio Revised Code – Rule 4901-1-07 | Computation of time.

Unless otherwise provided by law or by the commission:

- (A) In computing any period of time prescribed or allowed by the commission, the date of the event from which the period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it falls on a Saturday, Sunday, or legal holiday, in which case the period of time shall run until the end of the next day that is not a Saturday, Sunday, or legal holiday. Unless otherwise noted, time is measured in calendar, not business, days.
- (B) Whenever a party is permitted or required to take some action within a prescribed period of time after a pleading or other paper is served upon him or her and service is made by mail, three days shall be added to the prescribed period of time.
- (C) Whenever a party is permitted or required to take some action within a prescribed period of time after a pleading or other paper is served upon him or her and service is made by personal, facsimile transmission, or electronic message (e-mail) service and is completed after five thirty p.m., one day shall be added to the prescribed period of time. The applicable time zone is the time zone where the recipient is located, but it may not be earlier than the actual close of the commission offices.
- (D) If the commission office is closed to the public for the entire day that constitutes the last day for doing an act or closes before its usual closing time on that day, the act may be performed on the next succeeding day that is not a Saturday, Sunday, or legal holiday.

Ohio Revised Code – Section 711.10 | Platting in unincorporated territory – county or regional planning commission to adopt rules.

- (A) Whenever a county planning commission or a regional planning commission adopts a plan for the major streets or highways of the county or region, no plat of a subdivision of land within the county or region, other than land within a municipal corporation or land within three miles of a city or one and one-half miles of a village as provided in section 711.09 of the Revised Code, shall be recorded until it is approved by the county or regional planning commission under division (C) of this section and the approval is endorsed in writing on the plat.
- (B) A county or regional planning commission may require the submission of a preliminary plan for each plat sought to be recorded. If the commission requires this submission, it shall provide for a review process for the preliminary plan. Under this review process, the planning commission shall give its approval, its approval with conditions, or its disapproval of each preliminary plan. The commission's decision shall be in writing, shall be under the signature of the secretary of the commission, and shall be issued within thirty-five business days after the submission of the preliminary plan to the commission. The disapproval of a preliminary plan shall state the reasons for the disapproval. A decision of the commission under this division is preliminary to and separate from the commission's decision to approve, conditionally approve, or refuse to approve a plat under division (C) of this section.

Ohio Revised Code – Section 711.10 | Platting in unincorporated territory – county or regional planning commission to adopt rules. (continued)

(C) Within five calendar days after the submission of a plat for approval under this division, the county or regional planning commission shall schedule a meeting to consider the plat and send a notice by regular mail or by electronic mail to the fiscal officer of the board of township trustees of the township in which the plat is located and the board of health of the health district in which the plat is located. The notice shall inform the trustees and the board of health of the submission of the plat and of the date, time, and location of any meeting at which the county or regional planning commission will consider or act upon the plat. The meeting shall take place within thirty calendar days after submission of the plat, and no meeting shall be held until at least seven calendar days have passed from the date the planning commission sent the notice.

The approval of the county or regional planning commission, the commission's conditional approval as described in this division, or the refusal of the commission to approve shall be endorsed on the plat within thirty calendar days after the submission of the plat for approval under this division or within such further time as the applying party may agree to in writing; otherwise that plat is deemed approved, and the certificate of the commission as to the date of the submission of the plat for approval under this division and the failure to take action on it within that time shall be sufficient in lieu of the written endorsement or evidence of approval required by this division.

Ohio Revised Code – Section 711.10 | Platting in unincorporated territory – county or regional planning commission to adopt rules. (continued)

A county or regional planning commission may grant conditional approval under this division to a plat by requiring a person submitting the plat to alter the plat or any part of it, within a specified period after the end of the thirty calendar days, as a condition for final approval under this division. Once all the conditions have been met within the specified period, the commission shall cause its final approval under this division to be endorsed on the plat. No plat shall be recorded until it is endorsed with the commission's final or unconditional approval under this division.

The ground of refusal of approval of any plat submitted under this division, including citation of or reference to the rule violated by the plat, shall be stated upon the record of the county or regional planning commission. Within sixty calendar days after the refusal under this division, the person submitting any plat that the commission refuses to approve under this division may file a petition in the court of common pleas of the proper county, and the proceedings on the petition shall be governed by section 711.09 of the Revised Code as in the case of the refusal of a planning authority to approve a plat. A board of township trustees is not entitled to appeal a decision of the commission under this division.

Ohio Revised Code – Section 711.10 | Platting in unincorporated territory – county or regional planning commission to adopt rules. (continued)

After a county or regional street or highway plan has been adopted as provided in this section, the approval of plats and subdivisions provided for in this section shall be in lieu of any approvals provided for in other sections of the Revised Code, insofar as the territory within the approving jurisdiction of the county or regional planning commission, as provided in this section, is concerned. Approval of a plat shall not be an acceptance by the public of the dedication of any street, highway, or other way or open space shown upon the plat.

No county or regional planning commission shall require a person submitting a plat to alter the plat or any part of it as long as the plat is in accordance with the general rules governing plats and subdivisions of land, adopted by the commission as provided in this section, in effect at the time the plat is submitted.

A county or regional planning commission and a city or village planning commission, or platting commissioner or legislative authority of a village, with subdivision regulation jurisdiction over unincorporated territory within the county or region may cooperate and agree by written agreement that the approval of a plat by the city or village planning commission, or platting commissioner or legislative authority of a village, as provided in section 711.09 of the Revised Code, shall be conditioned upon receiving advice from or approval by the county or regional planning commission.

(D) As used in this section, "business day" means a day of the week excluding Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Revised Code.