



Subdivision Regulations of the Village of Galena, Ohio

**Adopted
April 27, 2020
Ordinance 2020-03**

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Ordinance 2023-07**

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Village of Galena Individual Lot Grading Permit
Individual Lot Application

Preliminary Review: (Check One)

Initial Submittal Single Family (\$500/ Lot) ☐

Initial Submittal Multi-Family (\$500/ Building) ☐

Waiver Request (No Fee) * ☐

Revision: (Check One)

Revision (\$150) ☐

Revision Re-submittal and Backcheck (\$150) ☐

Total Fees Paid

(Make checks payable to: Village of Galena)

| | | |
|--|-----------------------------|-----------------------------------|
| Subdivision Name: <input type="text"/> | Lot #: <input type="text"/> | Walkout: <input type="checkbox"/> |
| Project Address: <input type="text"/> | | Township: <input type="text"/> |
| Owner: <input type="text"/> | Phone: <input type="text"/> | Email: <input type="text"/> |
| Owner Address: <input type="text"/> | | |
| Site Contact: <input type="text"/> | Phone: <input type="text"/> | Email: <input type="text"/> |

Applicant Name * Email:

Applicant Signature Date

Submit To:

Village of Galena
Attn: Zoning Inspector
109 Harrison St
Galena, Ohio 43021
(740) 965-2484

Attachments:

1. Lot Grading Plan Subdivision Code 313.
2. Copy of Master Grading Plan for Subdivision (If applicable)

Office Use Only

Approved: _____
Village Engineer

* Waiver:

Projects disturbing less than 1 acre and are not part of an engineered subdivision or common access drive (CAD) can request a waiver.

.....Error! Bookmark not defined.

Village of Galena Individual Lot Grading Permit

Footer Elevation Certificate

| | | | |
|--------------------------|--|------------|--|
| Date | | Builder | |
| Property Address | | | |
| Subdivision | | Lot Number | |
| Contact Name/Phone/Email | | | |

I hereby certify that:

- The **FOOTER** elevations shown are the result of an actual survey (attached) performed on _____, 202_. These elevations are consistent with the approved building and engineering plans and will allow for construction of basement walls consistent with the approved First Floor Elevation or Finished Grade Elevations.
- Elevation readings were taken from:
Check one only:
☐ Top of poured footer
☐ Top of proposed footer form
- Estimated elevation taken from a minimum of one reading per footer section
Average Elevation _____
- Multi-level or step plans shall include a schematic of building footprint with reading locations and elevations identified

Signed _____
Print _____ Date _____
Professional Surveyor

Return to:
Village of Galena
Village Engineer
mrufener@kemccartney.com

P.S. STAMP HERE

Office Use Only

Approved: _____
Galena Village Engineer

**THIS FORM MUST BE APPROVED AND PROVIDED ON SITE AT THE TIME OF THE
FOUNDATION INSPECTION OR INSPECTION WILL NOT BE PERFORMED**

.....Error! Bookmark not defined.

Village of Galena Individual Lot Grading Permit
Final As-Built Survey Certificate

Date _____ Builder _____

Property Address _____

Subdivision _____ Lot Number _____

I hereby certify that:

- The finish grade elevations, recorded easements, storm sewer manholes, storm water structures and the flood routing shown on this plot/ grading plan are the result of an actual as-built survey (attached) performed on _____, 202__. These "as-built" elevations are consistent with the approved engineering plans. Established drainage away from the structure(s) and off the lot has been verified.

Signed _____ Print _____ Date _____

Professional Surveyor

P.S.
STAMP HERE

- The purchaser has been informed of the need to maintain established drainage patterns as shown on the final as-built survey;
- I understand that with the submittal of this certificate, final as-built survey and photo documentation, a final ILG inspection may be performed within 5 business days of the receipt.

Signed _____ Print _____ Date _____

Project Manager

Approved: _____

Galena Village Engineer

Pedestrian Scale Design 99

INTRODUCTION

Subdividing or platting is the usual means by which farm land or other open land is converted into building sites. It consists of laying out such land into streets and lots and the accompanying installation of the street and sanitary improvements necessary to provide for traffic access and for water, sewage disposal, and other utility services. Subdividing is usually the first step in the process of urbanization and urban expansion.

Subdivisions make up the Urban or Urbanizing areas

Every real estate subdivision laid out becomes a permanent feature of an urban and/or urbanizing area, and its effects, good or bad, are reflected on the surrounding area for an extended period of time. The ground plans of communities and their environs, with few exceptions, are simply a composite of the plans of individual subdivisions. The area concerned, on the other hand, acquires an addition whose character will affect not only its future physical development but the cost of public facilities, services, and general living conditions. It is in recognition of this vital interest of the community in subdividing or platting practices and standards that the State of Ohio, by means of statutory provisions, has conferred upon municipal governments the authority to control the subdividing of real estate.

Subdivision Control is a Function of the Planning and Zoning Commission

Subdivision control is the exercise by public authority of the right to withhold the privilege of public record from subdivision plats which have been poorly or inappropriately designed, or which are not properly adjusted to the existing or potential development of adjoining areas or to an officially adopted comprehensive land use or master plan. The statutes of the State of Ohio vest the control over subdivisions within the corporation limits of an incorporated village, in the Village Planning and Zoning Commission (also referred to as the Commission).

Subdivisions defective in one or several of the above particulars or similar respects, generally do not afford satisfactory living conditions for their residents, besides hindering the orderly and sound development of the area. In addition, they often cause an undue burden by reason of the excessively high cost of street or utility improvements or their maintenance, unnecessarily high operating costs for public services, or expensive corrective improvements required in later years to remedy or lessen shortcomings due to defective original layout or development.

Subdivision Regulations

Broadly stated, subdivision regulations are intended to serve as an aid in preventing undesirable practices in land subdividing and as a tool to be applied by the Planning and Zoning Commission in the processing and reviewing of plats for the purpose of promoting desirable modern concepts of land planning and the coordination of the layout of all new subdivisions with long-term plans for the village's desirable future development. They are no guarantee that all subdivisions complying with them will be fully satisfactory or acceptable. This will depend on the competence of the designer in applying the principles and standards set forth in the regulations. Nevertheless, many defects in design will be prevented and the quality of future subdivisions generally improved.

Scope and Contents of Proposed Subdivision Regulations

The main body of the Subdivision Regulations presented herein consists of the actual filing and processing procedure and prescribes the documentation to be submitted on and in support of the plat. Article 2 sets forth in detail principles of design and the minimum requirements for the layout of subdivisions; the street and block layout; minimum right-of-way widths for highways and streets of various categories; alleys and easements for utilities; minimum pavement widths; maximum street grades and minimum sight distances; treatment of intersections; the sizes, shapes; layouts of lots; and, recommendations with respect to recreational and other desirable open spaces. Article 3 regulates the installation of public improvements and facilities in the subdivisions. Subsequent articles deal with the details of the platting and implementation of subdivisions.

An important requirement stipulates that the subdivision be designed so as to provide for all public facilities which directly affect the tract to be platted. These may include highways and thoroughfares, school sites, parks, playgrounds, and other public facilities. The subdivision layout is required to conform further with the provisions of the Zoning Ordinance, as these will bear directly on the street layout, lot sizes, and other features of design appropriate for the subdivision in a particular area.

All existing or proposed highways and thoroughfares shown on the major road plan as crossing or bordering a proposed subdivision are required to be provided for the general location and at the width designated on the Delaware County's major thoroughfare plan. In the event that a subdivision embraces any part of a proposed park, playground, or school site, the subdivider should be required to dedicate such site, or at least reserve it for the indicated use, thereby affording the opportunity of acquiring the needed land before it is improved.

The requirement of the installation of street, storm, and sanitary improvements prior to building construction is among the most important provisions of the Subdivision Regulations. To provide that such requirements will not cause a hardship for a developer in the case of a large tract, the regulations permit the developer or subdivider to limit installation of improvements to a portion of the subdivision, no matter how small, provided this conforms with the preliminary plat of the whole subdivision as tentatively approved.

Since there may be exceptional situations where strict application of the general standards or requirements would cause difficulty or undue hardship, the Planning and Zoning Commission would be expected in such cases to vary the rules to relieve any such hardship or difficulty, provided such relief could be granted without detriment to the public good or without impairing the desirable general development of the area as a whole.

It should be apparent that the Subdivision Regulations should prove one of the most effective and beneficial instruments for furthering the desirable future development of the Village of Galena. Effectively enforced, the regulations are an important tool for coordinating all new subdivisions with long-term plans for the Village. In undeveloped areas, the right-of-way needed for future thoroughfares or highways, or the strips necessary for the widening of existing ones, can generally be secured without cost to the public, and usually at little to no cost to the subdivider. While not true in the same degree for parks, playgrounds, or school sites, the acquisition and location of these should be facilitated, and their cost to the public minimized.

ARTICLE 1

100.00 - General

101.00 - Authority

The Village of Galena Planning and Zoning Commission, hereinafter known as the Commission, and the Council of the Village of Galena, hereinafter known as the Council, derive their authority by virtue of Chapter 303 and Chapter 711 of the Ohio Revised Code. The Council is authorized to adopt rules and regulations governing plats and subdivisions of land, and to approve, conditionally approve, or disapprove plats or subdivisions of land falling within its jurisdiction.

102.00 - Title

The official name of this document shall be "Subdivision Regulations of the Village of Galena, Ohio" hereinafter known as "Regulations."

103.00 - Purpose

These regulations are intended to:

103.01

Secure and provide for the public health, safety, comfort, and general welfare.

103.02

Provide for future growth and development of the Village in accordance with the Master Plan and policies and resolutions adopted by the necessary authorities.

103.03

Provide for adequate and convenient open spaces for traffic, utilities, access to service and emergency vehicles, recreation, light, air, and for the avoidance of congestion of population as it would affect the public health, safety, and welfare.

103.04

Protect the public's rights of access to sunlight and wind energy, promote the conservation of non-renewable energy resources, and promote the most responsible uses of renewable energy resources.

103.05

Provide safety from fire, flood as governed by full compliance with appropriate floodplain and zoning requirements and the requirements of Section 1910.3 of the Federal Insurance Administration Regulations as may be amended, and other dangers.

103.06

Provide for adequate transportation, drainage, wastewater treatment, water supply, schools, open space, and other public requirements and facilities.

103.07

Provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways for efficient flow.

103.08

Provide reasonable standards of design procedures for subdivisions and re-subdivisions, in order to further the orderly layout and use of the land, and to insure proper legal descriptions and documenting of subdivided land.

103.09

Prevent the pollution of air, streams, and ponds, to assure the adequacy of drainage facilities, and to safeguard surface and groundwater.

103.10

Provide the most beneficial relationship between the use of land and buildings through the proper location of lot lines and building setback lines, and encourage innovative forms of development.

103.11

Provide for the administration of these regulations and define the powers and duties of the Commission, the respective Village offices, and other agencies having jurisdiction as they relate to these Regulations.

104.00 - Jurisdiction

The Regulations shall be applicable to the following:

104.01

Any development of land or any modification of land located within the areas under the jurisdiction of the Village of Galena, Ohio

The subdivision of land located within the area or areas under the jurisdiction of the Village Council and the Commission of the Village of Galena, Ohio.

105.00 - Interpretation

The provisions of these Regulations shall be minimum requirements. Whenever these provisions are different from the requirements of other lawfully adopted regulations such as Homeowner's Associations, Condominium Associations or private deed restrictions, the more restrictive rule or standard shall take precedence.

106.00 - Separability

If any section, subsection, sentence, clause, or phrase of these Regulations is found to be invalid, such decision shall not affect the validity of the remaining portions of these Regulations.

107.00 - Reserved

108.00 - Amendments

For the stated purposes of these Regulations, the Commission may, from time to time, amend the provisions imposed by the Regulations. Public hearings on all proposed amendments shall be held according to the procedures and requirements of Chapter 711 of the Ohio Revised Code.

109.00 - Scope

These Regulations are not intended to repeal, abrogate, annul, or in any way impair or interfere with the existing provisions of other laws or regulations, except those specifically repealed by or in conflict with these Regulations, or with private restrictions placed upon property by deed, covenant or other private agreement, or with restrictive covenants running with the land to which the Village is a party.

110.00 - Partitions

Whenever land is to be divided by the process of partition in court pursuant to Section 5307.06 of the Ohio Revised Code, all petitions for the partition shall be submitted to the Commission, which shall take action thereon within thirty-six (36) days or within such additional time as agreed upon by the petitioners, according to the procedures and provisions of these Regulations. The resulting partition shall be subject to all applicable zoning and subdivision requirements.

111.00 - Land Contracts

All land contracts affecting a present or future subdivision of land, as defined in these Regulations, shall be subject to the requirements of these Regulations.

112.00 - Vacation of Public Ways

Public ways may be vacated by the legislative authority of the Village of Galena, Ohio subject to the provisions of Ohio Revised Code (ORC). A plat must be prepared and certified by a surveyor or engineer, and a cross-reference to the vacated portion of the street shall be made on the original plat.

113.00 - Administration

It shall be the responsibility of the Commission to administer these Regulations except where specific authority and responsibility is given to some other office as set forth in these Regulations.

114.00 - Enforcement

It shall be the duty of the Commission and its staff together with other appropriate Village offices to enforce these Regulations within all areas under the jurisdiction of the Village.

115.00 - Zoning

All proposed subdivisions shall conform to all applicable zoning requirements.

ARTICLE 2

200.00 - Procedures for Subdivision Approval

201.00 - Low Impact Development

New subdivisions in the Village should meet low impact design standards to be sustainable developments with minimal environmental impact. The Village encourages good environmental stewardship, conservation design, renewable energy, and innovative storm water management systems. To that end, to gain subdivision approval, those engaged in land subdivision are required to meet these minimum standards:

201.01: Permeable Surfaces

At least twenty percent of all hard surfaces such as driveways, streets, sidewalks, trails, and parking lots will be permeable.

201.02: Natural Soils and Drainage Courses

Natural soils and drainage courses will be maintained unless the subdivider proves to the Commission a compelling reason that these standards cannot be met.

201.03: Storm Water BMPs

Best management practices (BMPs) for storm water management are used in not less than thirty percent of the development. Examples include, but are not limited to, permeable paving, bio swales, silva cells, rain gardens, and gray water irrigation systems.

201.04: Green Building and Renewable Energy

Green Building Code compliance shall be observed subject to the Delaware County Building Code for the appropriate occupancy. Renewable energy sources are encouraged in at least ten percent of a residential development and not less than twenty percent in an industrial or commercial occupancy.

201.05: Trails and Interconnectivity

The incorporation of multi-use trails, a minimum of not less than ten feet wide, interconnected with green space and other neighborhood and commercial areas of the Village is a high priority feature for new subdivision development.

201.06: Native Trees and Vegetation

Native and regionally appropriate trees and vegetation should be preserved or planted to limit water demand, improve filtration, and enhance the natural environment. Parkway and street trees should be planted at approximately 35-foot intervals to reduce wind speeds, help stabilize soils, and improve air quality. Trees planted on private property are encouraged to increase site shading and reduce energy needs for buildings. Trees should be planted in such a manner as to not impair visibility at any corner. A list of approved street trees is available from the Village.

202.00 - Approval Required

Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of any permanent buildings in such proposed subdivision shall be granted, the subdivider shall apply for and secure approval of such proposed subdivision in accordance with these regulations and other applicable Village ordinances.

203.00 - Subdivision Name

The proposed subdivision name shall not duplicate or closely approximate the name of any existing subdivision in the Village or within Delaware County, Ohio.

204.00 - Lots

The following shall govern the design and layout of lots:

204.01: Lot Arrangement

The lot arrangement and design shall be such that all lots will provide satisfactory building sites properly related to the topography and character of the surrounding development. All lots shall be numbered consecutively within a block.

204.02: Lot Requirements

All lots shall conform to or exceed the requirements of these regulations and the zoning requirements for the district in which they are located.

204.03: Lot Frontage

Each lot shall front on an approved street unless otherwise allowed by the Commission.

204.04: Side Lot Lines

All side lot lines shall be at right angles to street lines and radial to curved street lines, except where the Commission determines that a variation to this rule would provide a better layout. The Commission may grant variations to this specific rule independent of normal subdivision variance procedures.

204.05: Double Frontage and Reverse Frontage Lots

Double frontage and reverse frontage lots shall be required to provide separation of residential, commercial, or industrial development from traffic arteries. A buffer of at least twenty (20) feet, across which there would be no rights of vehicular access, shall be provided along the lot lines abutting such traffic arteries.

204.06: Corner Lots

No corner lot shall have a width at the building line of less than required under the applicable regulation or as approved by the Commission. A corner lot shall also have adequate area to permit alternate homesite arrangement allowing a home to face either street.

204.07: Lot Depth

No lot shall have an average depth which is more than three-and-one-half (3½ or 3.5) times its average width unless otherwise approved by the Commission.

204.08: Lot Width

Lots for residential purposes shall be at least eighty (80) feet wide at the building set-back line in order to comply with the side yard requirements of the zoning ordinance; except, in areas zoned for Planned Residential Districts (PRD) for the purpose of constructing common-wall, cluster, or patio single family structures or variations thereof, wherein the lot width, depth, set-back, side yard, and rear yard distances shall be governed by the zoning ordinance. Unless permitted otherwise in these regulations or the zoning ordinance or by the Commission, no lot shall have an average depth which is more than three and one half (3 ½) times its average width.

205.00 - Screening & Buffering Provisions**205.01: Preliminary Plans**

When screening and buffering provisions are required by the applicable regulations, the screening and buffering provisions shall be part of the preliminary plan.

205.02: Buffering Roads and Noise

The Commission may require screening and buffering provisions for any lot abutting a thoroughfare, a limited access highway, a railroad, or other major physical barrier or significant noise source, abutting any property not in the municipality where buffering is required by the terms of the *Ohio Revised Code*. No screening and buffering provisions shall be permitted in Village rights-of-way unless allowed by the Commission.

205.03: Types of Screening and Buffering

The Subdivider may utilize walls, fences, mounding, landscaping, trees, or any combination thereof to accomplish the required screening and buffering, provided that it meets the following criteria: If screening is to be accomplished by use of vegetation, the materials should be sufficient to achieve the required standards within a period of time equal to that time necessary to accommodate not more than three quarters of the build out of all the subdivision phases, if any.

206.00 - Residential, Commercial, and Industrial Developments

All proposed residential, commercial, and industrial developments shall be subject to the procedures and requirements of these regulations, and as permitted in an Approved Planned District.

207.00 - Planned Unit Developments**207.01: Conservation Design**

The planned unit development approach with conservation design concepts as set forth in the zoning ordinance is encouraged by the Commission.

207.02: Zoning and Subdivision Regulations

It is the intent of these regulations that subdivision review be carried out simultaneously with the review of flexible zoning applications under the zoning ordinance. The plans required for flexible zoning applications shall be submitted in a form to satisfy the requirements of these Subdivision Regulations.

207.03: Flexibility of Standards and Requirements

Where deemed necessary by the Commission, the design standards and improvement specifications of these regulations may be altered to allow for flexibility in areas zoned for planned development, providing such alterations are in keeping with the spirit and intent of these regulations and providing such alterations meet the requirements of the zoning ordinance. If sufficient detail is provided during rezoning proceedings and a planned development rezoning is approved, a subdivision variance will not be required.

208.00 - Provisions for Alternative Energy Systems

208.01: Energy System General Standards

It is the Commission's policy to make subdivision design standards flexible where necessary and appropriate to make the use of alternative energy systems when feasible. Generally, solar panels, both photovoltaic and thermal, are permitted and encouraged. If possible, roof-mounted units must be below the peak of the roof and be located on a side or rear yard facing roof. If ground-mounted, they must be less than eight feet tall and be setback 10 feet from the side and rear property lines. They are not permitted in the front yard, unless they are two square feet or smaller, or installed by a utility company or the Village. Ground mounted panels also must be fully screened from adjacent properties, by fencing, landscaping, or other accessory structures. Wind turbine towers must be located within the buildable area of the lot and maintain a setback of two times the tower height minus 40 feet.

208.02: Variances

The Commission may vary subdivision design standards necessary to accommodate alternative forms of energy without requiring a formal variance application, provided that the proposal meets with all applicable zoning requirements and provided that the subdivider supplies sufficient written guarantees to the effect that alternative energy systems will be utilized as proposed.

208.03: Private Covenants

Private covenants or deed restrictions that either express or imply prohibition of the use of such alternative energy systems, such as architectural provisions that prohibit rooftop equipment, shall be discouraged by the Commission.

209.00 - Minor Subdivisions Approval Procedures

(No Plat Required, Lot Splits)

209.01: Conditions Requiring Minor Subdivision Approval

Notwithstanding any other provisions of these Subdivision Regulations, a proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving no more than five lots after the original tract has been completely subdivided, may be submitted to the Planning and Zoning Commission for approval without a plat. If the Planning and Zoning Commission, acting through its Zoning Inspector finds that a proposed division is not contrary to applicable platting, subdividing, zoning, health, sanitary, or access management regulations adopted under division B3 of section 307.37 of the *Ohio Revised Code* regarding existing surface or

subsurface drainage or household sewage rules adopted under *Ohio Revised Code* section 37.18.02, the Zoning Inspector shall approve the proposed division within seven (7) business days after its submission and on presentation of a conveyance of the parcel, shall stamp the conveyance “Approved by the Village of Galena, No Plat Required”, and have it signed by its secretary or other official as may be designated by it. The Planning and Zoning Commission may require the submission of a sketch and such other information as is pertinent to its determination herein. Minor subdivision plat approval may also be sought when the sale or exchange of parcels between adjoining property owners occurs; and where such sale or exchange does not create additional building sites; and where the lots resulting are not reduced below minimum sizes required by the Zoning Ordinance.

209.02: Preliminary Discussion Phase and Application and Review Process

The subdivider is encouraged to contact the Village and to meet with the Commission prior to developing any surveys or legal descriptions affecting a minor subdivision or combination of land in order to discuss the procedures involved and become familiar with any subdivision and zoning regulations pertaining to the property and the proposed action. It is helpful to provide a sketch plan, showing approximations of the existing property lines and proposed property lines. The sketch plan may be a rough drawing and need not be detailed. It may also be helpful to meet with Village staff at the site of the proposed subdivision prior to developing the minor subdivision plan.

209.03: Minor Subdivision Plan

Prior to receiving consideration for a minor subdivision, the subdivider should prepare and submit a Minor Subdivision Plan consisting of the following elements which shall conform to the minimum requirements for a Survey, based on an actual property survey and such other information as is pertinent to determine that such proposed division is not contrary to applicable platting, subdividing, or zoning regulations. At a minimum the following submissions are required for the proposed minor subdivision:

1. A property survey prepared by a registered professional surveyor.
2. The deed and the legal description as previously approved by the County Engineer’s Office shall be submitted.

Approval of the proposal must be granted by the Commission or its designated representative before a conveyance of said parcel(s) may be approved by the Delaware County Engineer’s Office for recording. The conveyance must conform to the intent of the approved proposal and contain any requirements or restrictions as specified by all approving authorities. If the proposed subdivision does not meet the requirements of these regulations and the zoning ordinance, the Commission or its Zoning Inspector shall not approve the proposed minor subdivision. The burden shall be upon the subdivider to amend the proposed subdivision to meet all applicable requirements.

209.04: Fees Required

Village Council shall establish fees to be deposited with each application.

210.00 - Minor Subdivision Plan Requirements (No Plat Required, Lot Splits)

210.01: Required format and information minor subdivision plans

The plan for a minor subdivision shall be subject to the following requirements:

The plan shall be drawn in ink on durable paper or rendered via computer graphics no smaller than 8½" x 11". Cloth or vellum is not required. The scale should be no smaller than one inch equals one-hundred feet (1"=100').

The plan shall show:

- A. A title such that the general location of the survey can be identified (i.e. - State, County, Township and Range, Township, Section and Lot, etc.).
- B. North arrow and scale.
- C. An accurate control station and its relation (bearing and distance) to the subject property. The beginning point must be referenced to something identifiable on the tax map (i.e., road intersection, lot line, subdivision corner, etc.). A simple Deed Book and Page or Highway Station reference alone is not acceptable.
- D. Length and direction (bearing or interior angle) of each line for all metes and bounds descriptions.
- E. Subject owner's name, deed book and page number wherein the deed in which the acquired property may be found, and a statement of the total acreage involved in the transfer.
- F. Adjacent owners' names, deed book and page number, and acreage and/or subdivision name and deed book and page number, if applicable.
- G. Original tract number and original acreage.
- H. If the tract(s) or lot(s), as surveyed, fall within two or more existing parcels, as currently shown on the County Auditor's Tax Duplicate, or within two or more general areas (e.g., quarter-townships, sections within quarter-townships, farm lots, Virginia Military Surveys, city lots, etc.), then the plat and/or written description shall include the areas broken down accordingly.
- I. Whenever a division of any parcel of land into two or more parcels is created, the plat shall graphically show the relationship of the newly created parcel(s) to the parent parcel and shall show the acreage and the recording reference of the parent parcel.
- J. Current road names and route numbers. For railroads it shall show current name of the railroad and the right-of-way width.
- K. A list of all references to ascertain property lines, i.e. survey volume, deed book and page number, old surveys, etc.
- L. All corner markers identified with iron pins located, railroad spikes set, etc.
- M. Certification statement, seal, registration number, and signature of the registered surveyor.
- N. Date of survey.
- O. If the boundary closure is questionable, the survey will be calculator checked for flat closure. An error of no more than 1:10,000 will be acceptable.
- P. Plat copies must be legible and if any information is hard to read, the plat will not be accepted.
- Q. Area of survey. When a tract is split by anything such as a farm lot line, corporation line, township line, tract line, etc., the acreage must be broken down accordingly and shown on the plat.

210.02: Additional information that may be required

Any of the following may be required by the Commission on the basis of the characteristics of the subject property:

- A. Topographical contours in one (1) foot or two (2) foot intervals, showing existing and natural features, and topographical contours.
- B. A lot grading and drainage plan illustrating the handling of surface and sub-surface drainage, showing proposed finished grade elevations, the type, size, location, and outlet of all drainage improvements, swales, easements, and the proposed ground cover.
- C. Spot elevations, when topographical conditions warrant.
- D. Soil borings, if on-site systems are proposed.
- E. Minimum ground floor building elevations in conjunction with the required lot grading and drainage plan.
- F. 100-year flood plain and floodway fringe elevations and delineations.
- G. A complete Erosion and Sedimentation Control Plan.
- H. A Comprehensive Stormwater Management Plan
- I. Screening and buffering provisions.
- J. A development staging plan showing future subdivision and re-subdivision potentials.
- K. A surety bond for the construction of improvements.
- L. A Subdivider's Agreement.
- M. Access information including driveway type and location, culvert, line of sight pertinent to public safety.
- N. Other provisions as deemed necessary by the Commission in order to create buildable sites and promote the public's health, safety, and welfare.

210.03: Minimum Right-of-Way Required

When a proposed minor subdivision abuts a public road right-of-way, additional right-of-way for road purposes may be required within the area encompassed by the said minor subdivision proposal to bring about conformance with the minimum public road right-of-way requirements as set forth by these regulations.

210.04: Private Deed Restrictions

The Commission may require the use of private deed restrictions to make provisions for the use, maintenance, building requirements, or improvements within a proposed minor subdivision. Such restrictions shall be placed upon the deed(s) for the proposed minor subdivision prior to approval.

211.00 - Major Subdivision Approval Procedures**211.01: Conditions Requiring Major Subdivision Approval**

Any subdivision involving the following shall be subject to the procedures and requirements set forth by these regulations for major subdivision approval:

- A. More than five (5) lots, inclusive, after the tract of record has been completely subdivided, or;
- B. The opening, widening or extension of a street or streets, or;

- C. The division or allocation of land as open space for common use by owners, occupants, or leaseholders, or
- D. The division of land as easements for the extension and/or maintenance of public sewer, water, storm drainage, or other public facilities.

211.02: Application and Review Procedure

The major subdivision process is broken into three phases. See *Development Manual* for an outline of the Village's general Development Process.

- A. Pre-Application Review: This phase is recommended but optional and allows the subdivider to present conceptual plans to the Commission for discussion and feedback See Section 211.05
- B. Preliminary Plan Process: A more formal application and plan are developed encompassing feedback from the Commission and staff that will go through the Technical Review Group's scrutiny. See Section 213.00
- C. Final Plan Process: After approval of a Preliminary Plat, the final engineering drawings are developed in preparation for formally recording the plat and subdividing the land. See Section 214.00

211.03: Sketch, Preliminary, and Final Construction Plans

All sketch, preliminary, and final construction plans are to be approved by the Village of Galena. Plan requirements details and specifications, unless noted otherwise in this document, shall be the Delaware County Engineer's Standards. Final plans shall also show in greater detail all items on the approved sketch. Any changes from the approved sketch and approved preliminary plan shall be addressed in a letter for approval for final plan approval.

211.04: Submission to State Highway Director

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

211.05: Pre-Application Review (Recommended but Optional)

Prior to developing a preliminary plan for a proposed subdivision, the subdivider should arrange for an informal meeting with the staff in order to discuss the procedures and requirements for subdivision approval in the Village of Galena, Ohio. A sketch plan may be submitted to the Zoning Inspector prior to or at the meeting. Within such time as the subdivider may agree to, the Commission, acting through its staff, shall inform the subdivider

whether the proposal meets the Village's Subdivision regulations. If a subdivider would like the feedback of the Village engineer, the subdivider must agree to pay the engineering costs.

211.06: Contents of Sketch Plan

The subdivider shall submit to the Commission, a Sketch Plan, that is intended to be a general indicator of the existing property conditions and proposed property layout. The plan may be freehand and in pencil but should be legible. The following should be included and is recommended in the sketch plan;

- A. Property location map.
- B. Name, address, and phone number of owner or controlling interest and subdivider.
- C. Name of surveyor or engineer, if any.
- D. North arrow.
- E. Scale, if known.
- F. Existing and proposed zoning.
- G. Dimensions and acreage of property.
- H. Location, dimensions, and acreage of the proposed lots.
- I. Depiction of stakes showing property lines, lots, roads, and tile lines.
- J. Planned method of handling sewage, showing the location of any existing or proposed outlets.
- K. Location, size, and depth of existing drainage tile lines.
- L. Locations of existing and/or proposed streets and public rights-of-way,
- M. Location of existing or proposed easements on the property.
- N. Direction of surface water flow.
- O. Locations of streams, drainage routes, and other significant natural features.
- P. Existing buildings, septic sanitary facilities, and other improvements.
- Q. Proposed location of buildings, driveways, culverts, sidewalks, and other pertinent facilities and features.
- R. Proposal for Stormwater Management.

213.00 - Preliminary Plan Process

213.01: Application and Preliminary Plan Submission

Upon approval of the sketch plan, the subdivider may prepare a Preliminary Plat, in accordance with the requirements of these regulations. An Application, in order to qualify as an acceptable submission, for Preliminary Plan Approval should be completed and submitted with ten (10) copies of the proposed Preliminary Plat and three (3) copies of the soils information sheet together with payment of all required fees.

213.02: Circulation of Application

Upon receipt of the Application for Preliminary Plat Approval, the Village staff shall circulate copies of the application to the Technical Review Group, and other organizations or groups that the staff determines should be informed.

213.03: Subdivision Technical Review

- A. A Technical Review Group shall consist of Village officials including but not limited to: Engineering, Planning, and Zoning and such other representatives as deemed pertinent by the Commission. The Technical Review Group shall meet or confer as necessary to review the proposed subdivision.
- B. A representative of the proposed subdivider is encouraged to attend to ask or answer any questions which may arise.
- C. Recommendations of the Technical Review Group shall be written and forwarded to the applicant after the review meeting is concluded. Comments shall be considered by the applicant in the preparation of the Final Plan.
- D. A plat map containing the information required by this article must be submitted by the subdivider prior to any Technical Review Group meeting or conference.
- E. The Subdivision Review file number and classification name will be assigned by the Technical Review Group and shall be used on all future correspondence.
- F. A fee shall be established by council to cover the cost of such on-site inspection.

213.04: Land Preparation for Review

The land to be reviewed by the Technical Review Group shall be clearly staked at the front and back lot lines of the proposed subdivision lots; at the center line of a proposed road; and along any drainage easements and outlets. The stakes shall be clearly marked so that they can be seen. The land to be reviewed shall be reasonably clear of growth and crop cover. Delay in the Pre-Application Review process will result if these conditions are not met.

213.05: Notification

Within thirty (30) days following the Technical Review meeting, the Village staff shall notify the applicant in writing of the comments and recommendations made by the Technical Review Group.

213.06: Time Limit

The Pre-Application Review report is valid for one (1) year from the date of review, for the purpose of the preparation of a plat. An extension of time may be requested in writing and granted by the Commission.

213.07: Fees Required

Upon the recommendation of the Commission, Village Council shall establish and maintain fees as appropriate for subdivision review.

213.08: Scale Requirements

The Preliminary Plan shall be drawn to a scale of not smaller than one hundred (100) feet to the inch, and preferably to fifty (50) feet to the inch, except where prior approval for use of a smaller scale is granted by staff. If more than two (2) sheets are required, an index sheet must be included.

213.09: Preliminary Plan Requirements

The Preliminary Plan shall meet the minimum requirements of the Delaware County Engineer's Standards and shall include the following additions:

- A. A buffering and screening plan.
- B. Noise abatement measures.
- C. The location of any trails, sidewalks, walkways, and proposed bike path easements showing connectivity with the existing similar systems and neighborhoods. Trails and paths shall be a minimum of ten feet (10') wide in a twenty foot (20') easement or tract and shall be as otherwise required by the Village. Where trails and paths also serve as access drives, the width shall be a minimum of twelve feet wide and shall be as required by the Village.
- D. The location of proposed aesthetic enhancements such as:
 - 1. Visual enhancements such as clusters of trees, flowers, etc.
 - 2. Proposed moving water features such as fountains or integrated waterfall features.
 - 3. Integrated walking paths and trails or level areas into inviting places overlooking waterfalls, or scenic places including decorative fountain areas.
 - 4. Enhancement with brick/stone walls or brick/stone features is desirable.
 - 5. If a wet pond is proposed, provide a description of suitability of the existing soils or proposed soils in the area of the pond for maintaining a permanent pool.

Please check with the Village Engineer for any supplemental specifications or modifications to the Delaware County Engineer's standards.

213.10: Drainage and Grading

A master drainage plan meeting the requirements of these regulations for subdivisions shall be submitted as a part of the plat. The subdivider shall also submit a copy of the final engineering plans to the Village. Proper grading of the subdivision is important to ensure a safe building site and usable yard areas. Improper grading of a subdivision can result in severe erosion and maintenance problems, or create a need for costly corrective measures such as additional drainage facilities, retaining walls, and the like. In severe cases, improper grading can cause newly constructed homes to be unsuitable for habitation. The subdivision grading plan is general in nature and is intended to serve in establishing lot grading and erosion control plans. It should allow for the independent improvement of each lot.

Note: If the footer is being constructed at a different elevation than the elevation approved by the Commission, the contractor, prior to requesting the foundation inspection from the County, shall notify the Village and the Village Engineer about the difference and detail why the footer will not comply with the approved plans. The Village may or may not approve the revised footer elevation. The Village may request a letter in writing from the contractor detailing the difference and addressing adverse effects the constructed improvements may have on the site or adjacent properties.

213.11: Filing

The preliminary plat and construction plans shall be filed with the Commission not later than twelve (12) months after the initial submission, otherwise such review process will be considered void, unless an extension is requested by the subdivider and granted in writing by the Commission.

213.12: Approval of Preliminary Plat

The Clerk shall forward copies of the preliminary plan to the Village Engineer and the Zoning Inspector for the purpose of study and recommendations, as to its conformity with the Thoroughfare Plan, zoning requirements, health and safety regulations, and other rules and regulations of the Commission, together with the improvements proposed to be installed. Upon receipt of the recommendations and advice from these officials, the Commission shall approve, approve with modifications, or disapprove the preliminary plan. If a plan is disapproved, the reasons for such disapproval shall be stated in writing. If approved with modifications, the modifications must be shown. The approval of the preliminary plan is to be considered only as an approval of the layout, with the understanding the engineer, of other officials having jurisdiction, may modify any engineering or construction details proposed by the subdivider whenever it would be required for the protection of the public interest. When a preliminary plan has been approved by the Commission, the chairman and at least two other members of the Commission shall sign all copies and return one (1) copy to the subdivider for compliance with the final approval requirements.

214.00 - Final Plan Process**214.01: Improvement Assurance**

Assurances of Improvements are to be executed prior to filing the final plat with the Commission.

214.02: Application and Final Plan Submission

Upon approval of the preliminary plan, the subdivider may prepare a Final Plan in accordance with the requirements of these regulations. An Application, in order to qualify as an acceptable submission for final Plan Approval, should be completed and submitted with ten (10) copies of the proposed Final Plan together with payment of all required fees.

214.03: Fees Required

Upon the recommendation of the Commission, Village Council shall establish and maintain fees as appropriate for subdivision review.

214.04: Scale Requirements

The preliminary plan shall be drawn to a scale of one hundred (100) feet to the inch, and preferably to fifty (50) feet to the inch, except where prior approval for use of larger scale is granted by staff. If more than two (2) sheets are required, an index sheet must be included.

214.05: Plan Requirements

The Final Plan shall meet the minimum requirements of the Delaware County Engineer's Standards for Final Engineering and Construction Plan and shall include the following additions:

- A. A buffering and screening plan
- B. Noise abatement measures
- C. The location any trails, driveways sidewalks, and proposed bike path easements showing connectivity with existing similar systems and neighborhoods. Trails and paths shall be a minimum of ten feet wide and shall be as otherwise required by the Village. Where trails and paths also serve as an access drive, the width shall be a minimum of twelve feet wide and shall be as otherwise required by the Village.
- D. The location of proposed aesthetic enhancements such as:
 - 1. Visual enhancements such as clusters of trees, flowers, etc.
 - 2. Proposed moving water features such as fountains or integrated waterfall features
 - 3. Integrated walking paths and trails or level areas into inviting places overlooking waterfalls, or scenic places including decorative fountain areas.
 - 4. Enhancement with brick/stone walls or brick/stone features is desirable
 - 5. If a wet pond is proposed, provide a description of suitability of the existing soils or proposed soils in the area of the pond for maintaining a permanent pool
- E. Optional Requirements the Commission may require the following to be shown on or accompanying the plan:
 - 1. Copy of deed restrictions and /or private covenants, when proposed by the subdivider;
 - 2. Descriptions of the intended use of proposed public or common areas;
 - 3. The location of airport zones and flight paths in relation to the proposed subdivision if the proposed subdivision is within an airport zone;
 - 4. The location of existing or proposed traffic control measures including roundabouts, traffic calming devices, turning lanes, special curbing, and other public safety devices;
 - 5. The type and width of street pavement to be used, when the Engineer hired by the Village determines that a special pavement is necessary;
 - 6. Future Subdivision Provisions: The plan shall show the location or potential location of all future collector streets for all land adjacent to or within the tract that is under the same ownership or control as the area being subdivided.

214.06: Conformity with Master Drainage Plan

The subdivision grading plan shall conform to the master drainage plan and other applicable drainage plan and street improvements planned for the proposed subdivision

214.07: Filing

Final Plan and construction plans shall be filed with the Commission not later than twelve (12) months after the initial submission, otherwise such review process will be considered void, unless an extension is requested by the subdivider and granted in writing by the Commission

214.08: Approval of Final Plan

The Commission shall forward copies of the final plan to the Village Engineer and the Zoning Inspector for the purpose of study and recommendations, as to its conformity with the Thoroughfare Plan, zoning requirements, health and safety regulations, and other rules and regulations of the Commission, together with the improvements proposed to be installed. Upon receipt of the recommendations and advice from these officials, the Commission shall approve, approve with modifications, or disapprove the final plan. If a plan is disapproved,

the reasons for such disapproval shall be stated in writing. If approved with modifications, the modifications must be shown. The approval of the final plan is to be considered only as an approval of the layout, with the understanding the engineer, of other officials having jurisdiction, may modify any engineering or construction details proposed by the subdivider whenever it would be required for the protection of the public interest. When a final plan has been approved by the Commission, the chairman and at least two other members of the Commission shall sign all copies and return one (1) copy to the subdivider for compliance with the final approval requirements.

214.09: As-Built Drawings

Within thirty (30) days after completion of the contract work for any of what may be several construction phases, the subdivider shall submit to the Village Engineer a complete set of plans including the following:

- A. As-built plans which shall utilize the NAD-83 Ohio North State Plans coordinate system for horizontal control and NAVD-1988 for vertical control. Digital copies of all “As-Built” plans in PDF and AutoCAD or MicroStation format;
- B. One set of prints on reproducible Mylar;
- C. Two sets of prints on paper;
- D. Certification of as-built plans.

The surveyor or engineer shall certify on the as-built drawing that he construction site drainage, site grades, and floor elevations comply with the approved site plan. The as-built plan shall include the following statement:

I hereby certify the constructed site drainage, ground elevations, and floor elevation have been substantially completed per plan.

If the constructed site drainage, site graded, and floor elevations do not comply with the approved site plan, the surveyor shall submit the as-built drawings with a letter describing what elements of the constructed improvements do not comply with the approved plan. The letter must also state any adverse effect the constructed improvements may have on the subject site or adjacent properties.

214.10: Improvement assurance

Assurance of Improvements is to be executed prior to filing the final plat with the Commission.

215.00 - Final Plat Process

215.01: Major Subdivision, Final Plat Process

The subdivider, having received approval of the final plat of the proposed subdivision and upon completion of all improvements or the necessary improvement assurances, shall prepare the final plat of the proposed subdivision. The final plat shall incorporate all changes in the preliminary plat required by the Commission. Otherwise, it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time. The final plat will be approved or disapproved and shall conform to the requirements set forth in these regulations.

215.02: Plat and Application Required

An application, together with three (3) black-line or blue-line prints of the final plat, shall be submitted to the Commission. The plat shall be accompanied with a certification of title showing the ownership of all lands dedicated to the public and that the title is free and unencumbered. The final plat shall be prepared by a registered surveyor and/or professional engineer.

215.03: Fees Required

Upon the recommendation of the Commission, the Council shall establish a fee for final plat approval.

215.04: Electronic Image File for E-Plans

The subdivider shall provide digital files for each plan submittal of the project. Such submissions shall contain a TIFF or PDF or AutoCAD image of each sheet of the plan set being submitted.

215.05: Scale

Scale requirements for the final plat shall be the same as for the preliminary plat. Drawing sheets shall be 15" x 17" unless an exception is granted by the Commission.

215.06: Survey of Dedications

Every plat shall be superimposed on a survey of the lands of the dedicators from which such plat is drawn and shall contain an accurate background drawing of any metes and bounds descriptions of the lands of the dedicators from which such plat is drawn.

215.07: Materials

For recording purposes, the final plat must be submitted on matte polyester material, and drawn in black ink. The plat shall contain enough information to properly determine tax structure. A copy of the final plat shall be provided electronically on CD or other reproducible electronic media, and shall otherwise meet the recording requirements of Delaware County or other recording authorities.

215.08: Required content and information on the Plat

The Plat Shall Show and Include:

- A. The name of the subdivision.
- B. Survey location information such as farm lot, section, township and range.
- C. The total acreage of the subdivision and the acreages within each taxing district.
- D. Statement of one hundred percent (100%) ownership by the subdivider of all lands in the subdivision by indication of Deed Book Volume(s) and page(s).
- E. The names and addresses of the owner of the land, the subdivider, and the surveyor and/or engineer.
- F. The names of adjacent subdivisions and the names of recorded owners of adjacent parcels of un-platted land with the Deed Book Volume and pages indicated.
- G. North-point, date, and scale of not more than one hundred (100) feet to one (1) inch and preferably fifty (50) feet to one (1) inch, size permitting.
- H. A vicinity sketch shall be drawn on the plat showing the location of said subdivision and its relationship to the roads, streets, and alleys in the area.

- I. The total area of the parcel. Descriptions other than the metes and bounds form shall include sufficient and adequate legal and technical wording so that the property can be definitively located and defined.
- J. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.
- K. A known reference point shall be accurately tied to the lines of the subdivision by distances and bearings and any municipal, township, county, or section lines transgressing a plat or immediately adjacent thereto shall be shown with acreage breakdown in each division.
- L. The accurate location and material of all permanent reference monuments (ORC).
- M. Accurate layout and dimensions of lots and blocks with the necessary distances, bearings, and angles.
- N. Accurate layout of easements for public use, services, utilities, and drainage with dimensions and appropriate bearings, and with the limitations of the rights definitively stated on the plat.
- O. In case the subdivision transverses a water course, channel, stream, or creek, the plat shall show directions of flow, the prior or present location of such water course, channel, stream, or creek and an easement for the maintenance thereof.
- P. If the tract(s) or lot(s), as surveyed, fall within two or more existing parcels, as currently shown on the County Auditor's Tax Duplicate, or within two or more general areas (e.g., quarter-townships, sections within quarter-townships, farm lots, Virginia Military Surveys, city lots, etc.), then the plat and/or written description shall include the areas broken down accordingly.
- Q. When a division of any parcel of land into two or more parcels is created, the plat shall graphically show the relationship of the newly created parcel(s) to the parent parcel and shall show the acreage and the recording reference of the parent parcel.
- R. Lot numbers, block letters, identification of individual subdivision sections (if any), and addresses as received from the village zoning office. List the front, side and rear setbacks as approved for the subdivision.
- S. Street names of all streets in the subdivision or paralleling the boundaries of the subdivision.
- T. The proposed ground elevation at each corner of the lot and at each corner of the proposed structure shall be established and shown on each lot of the subdivision based on U.S.G.S. elevation or those as approved by the County.
- U. The accurate outline of all property which is offered for dedication for public use; and of all property that may be reserved by covenant in deeds for the common use of the property owners in the subdivision, with the purpose indicated.
- V. A list of any restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision. A copy of the Homeowners Association Regulations, if it is proposed to be included in and with the subdivision so the Village can determine if there is a conflict with any Village regulations.
- W. Certification by a registered surveyor to the effect that:
 - 1. The plat represents a field survey of the boundaries and all lots in the subdivision made by the surveyor;
 - 2. All monuments indicated that actually exist and their location, size, and material are correctly shown, and;
 - 3. That all requirements of these Regulations have been complied with fully.

- X. A notarized certification by the owner or owners of the land of the adoption of the plat and the dedication of streets and other public areas.
- Y. The zoning inspector's signature on the plat prior to the filing with the Commission to show that the plat conforms to the zoning requirements and that the correct zoning is in effect.

216.00 - Filing

216.01: Approval of the Final Plat

The final plat shall be filed with the Commission no later than one (1) year after the date of the approval of the preliminary plat, otherwise the proposed subdivision will be considered void unless an extension is requested by the subdivider and granted in writing by the Village Council on the recommendation of the Commission.

The Village shall approve or disapprove the final plat within sixty (60) days after it has been filed or within such further time as the applying party may agree to. Failure of the Village to act upon the final plat within such time shall be deemed as approval. If the plat is disapproved, the grounds for disapproval, stating the rule or regulation violated, shall be stated in writing and shall be forwarded to the subdivider. If disapproved, the subdivider may make the necessary corrections and resubmit the final plat within thirty (30) days after the decision by the Village for review and action by the Zoning Inspector. If a plat is again refused by the Village, the person submitting the plat may file a petition within (60) days after the initial refusal, in the Court of Common Pleas of Delaware County to have such Court reconsider the action of the Village.

The approval of the final plat by the Village shall not be deemed to constitute or effect an acceptance by the public of dedication of any street or other proposed public way or space, shown on said plat.

216.02: Signature and Recording of the Plat

Within ninety (90) days after the date of approval by the Village, the plat shall be submitted by the subdivider to the following offices for signatures:

- A. Council and Officials of the Village of Galena. After these signatures are procured, the plat shall be submitted to the following offices for signatures:
- B. Delaware County Auditor for purpose of tax records.
- C. Delaware County Recorder for recording purposes.
- D. Delaware County Map Room.

216.03: Transmittal of Copies

After filing with the County Recorder, final signed copies of the plat shall be submitted by the subdivider to:

| | Type* | Copies | Size** |
|------------------------------------|--------------|---------------|---------------------------|
| Delaware County Recorder | A** | 1 | 14"x17" |
| Delaware County Auditor | A | 2 | 14"x17" |
| Delaware County Map Department | B | 1 | Full-Size Plan Set (TIFF) |
| Village Planning and Zoning Office | A | 2 | Full-Size Plan Set (TIFF) |

*Type Description

A = Permanent Photo Positive

B = Blue-Line or Black-Line

**Unless otherwise approved by County Recorder

217.00 - Subdivider's Agreement

As a condition prior to the village engineer's approval of the final plat, the subdivider of the land covered by the said plat shall pay all applicable fees and execute and submit to the Commission three (3) signed copies of a Subdivider's Agreement (see *Development Manual* for an example), which shall be binding on his or her heirs, personal representatives, and assigns, a part of which agreement shall state that unless otherwise allowed by the engineer, no building shall be occupied or receive a certificate of occupancy until all improvements required under these Regulations have been made in the manner prescribed by these Regulations.

ARTICLE 3

300.00 - Design Standards and Requirements

301.00 - Streets

301.01: Standards

Street standards shall be the Delaware County Engineer's Standards.

301.02: Relationships

All streets shall be considered in relation to existing and planned streets; the Delaware County Thoroughfare Plan topographical conditions; public convenience and safety; and, in their appropriate relation to the proposed uses of the land to be served by such streets.

The subdivision standards are general guidelines and shall not limit the right of the Village to impose additional, more stringent requirements, nor shall the standards limit the right of the Village to waive individual requirements.

301.03: Master Plan Conformance

The arrangement, character, extent, width, grade, and location of all streets shall conform to the Village Master Plan and as appropriate.

301.04: Right-of-Way Dedication

When a subdivision abuts a public right-of-way, and additional right-of-way for the street exceeding the existing right-of-way is required, the subdivider shall dedicate to the Village the additional right-of-way.

301.05: Collector, Local, and Marginal Access Streets

For any subdivision fronting along an existing Village road, provisions shall be made to set aside the necessary right-of-way for traffic, utilities, and drainage, in accordance with the minimum for local streets as provided in these Regulations.

301.06: Lot Access on Major Arterials

The creation of lots which would have direct access from a major arterial street, as identified by the criteria in these Regulations, shall be discouraged.

301.07: Lots Abutting Arterials

Where a proposed subdivision abuts or contains an existing or proposed arterial street, the Commission may require:

- A. Marginal access streets;
- B. Frontage roads;
- C. Reverse frontage lots with depth adequate to insulate the building area from the arterial street;
- D. Buffering and screening provisions as addressed in Article 3 of these Regulations, or such other treatment as may be necessary for the separation of through traffic from the activities of the proposed building areas; and,

E. Driveways with turn-arounds.

301.08: Subdivisions Abutting Physical Barriers

Where the proposed subdivision abuts physical barriers, the Commission may require:

- A. Frontage streets approximately parallel to, and on each side of such barrier;
- B. The placement of higher intensity nonresidential uses or open space adjacent to such right-of-way in order to buffer residential uses; and,
- C. Landscaping and buffering provisions as addressed in Article 3 of these Regulations.

301.09: Classification

Each street in a subdivision shall be classified and designed in accordance with the Delaware County Engineer's Standards.

301.10: Minor Street Design

Minor streets shall be so laid out that their use by through traffic will be discouraged. The Commission may require that the subdivider alter the street layout in order to discourage its use by through traffic.

301.11: Provision for Future Subdivisions

Where the plat submitted includes only part of the tract owned or intended for development by the subdivider, a plan showing the future street system and general lot layout for the unsubdivided portion shall be prepared and submitted by the developer. If the plat abuts land expected to be developed in the future, then the plan shall show future connections.

301.12: Special Street Types

301.121: Dead End Streets

Permanent dead-end streets without an approved cul-de-sac or other approved permanent turn-around facility shall not be permitted. Temporary dead-end streets shall be permitted only as part of an approved continuing street plan, and only if a temporary "T" turn-around is provided in accordance with these Regulations

301.122: Half Streets

Dedication of new half-streets shall not be permitted. Where a dedicated or platted half-street exists adjacent to the tract being subdivided, the other half shall be platted and constructed according to the provisions of these Regulations.

301.123: Service Roads or Alleys

As a general rule, alleys or service roads will not be approved in residential subdivisions unless specifically included in a planned development zoning. Alleys may be required in commercial and industrial districts if other provisions cannot be made for adequate service access.

301.124: Driveways

The maximum grade on driveways shall not exceed fifteen percent (15%) for residential drives and eight percent (8%) for commercial and industrial drives.

302.00 - General Subdivision Standards

302.01: Curb and Gutter

Curbs and gutters on streets shall be required and designed as specified by the Engineering Standards except where approved as part of a Low Impact Design (LID) to channel storm water into bio retention swales or other innovative storm water design techniques.

302.02: Street Names

The names of proposed streets in the subdivision shall not duplicate or closely resemble the names of existing streets in the Village. New streets which are extensions of, or in alignment with, existing streets shall bear the name of the existing streets. The subdivider or developer shall confirm at the earliest date possible the use of proposed street names with the Village Planning and Zoning Commission. It shall be the responsibility of the Planning and Zoning Commission to assure correct street names. All new streets shall be named in the following manner:

| Direction | More than 1,000 feet long | Less than 1,000 feet long |
|------------------|----------------------------------|----------------------------------|
| North / South | Street | Place |
| East / West | Avenue | Court |
| Diagonal | Road | Way |
| Curving | Drive / Loop | Circle |

303.00 - Sidewalks

303.01: Sidewalks

Sidewalks are required in residential subdivisions on both sides of each street. Public sidewalks shall be required for commercial or industrial lots, subject to approval by the Commission. Sidewalks shall meet all requirements under the current building code but shall not be less than forty-eight (48) inches in width in developments served with paved trails. In developments not served by paved public trails, the minimum sidewalk width shall be not less than sixty (60) inches. Sidewalk and lawn slopes shall be constructed according to standard industry practice and meet all ADA Accessibility Guidelines (ADAAG).

Commercial sidewalks shall be a minimum of seventy-two (72) inches in width. Sidewalk planning should include a clear or unobstructed pedestrian travel way with no interruption with light poles, utilities, signs, fire hydrants, mail boxes, parking meters and street furniture (benches shelters, bike racks.etc.). Placement of utility covers, gratings and other covers should be kept off of the sidewalk to the maximum extent feasible.

303.02: Double Sidewalk Exceptions

The Commission shall have the discretion to make exceptions to having sidewalks on both sides of the street in favor of interconnected trail systems.

303.03: Double Frontage Lot Sidewalks

All double frontage (corner) lots are required to have sidewalks on both street frontages.

303.04: Grassed Area

A grassed area having a minimum width of twenty (20) feet shall be provided between the pavement of the arterial street and the pavement of the marginal access street. The minimum width of the marginal access right-of-way shall be fifty (50) feet. Bio swales to handle storm water drainage are permitted and encouraged in this area.

303.05: Interconnectivity

All sidewalks and trails shall interconnect with other neighborhoods and with the Village's parks, open space, and multi-use trail system.

303.06: Accessibility

All sidewalks shall be designed and constructed to current Federal and State accessibility standards.

303.07: Multi-Use Trails

The Village encourages the incorporation and integration of multi-use trails in all new subdivisions. Trails within the Village shall incorporate a twenty (20) foot easement and a ten (10) foot wide trail surface. To the maximum extent possible, trails shall integrate with existing and planned parks and trail system.

304.00 - Streetlights**304.01: Streetlight Type**

Street lights will be the Main Street Lighting Inc., twelve (12) foot aluminum *Old Economy* smooth pole style, with a Series 7-C luminary including a spun aluminum opaque cap. The pole should have the appropriate A.B. Chance Co. auger-type foundation. The luminary and pole should be New Albany Green with the lamp to be 60 Watts light emitting diode (LED), installed complete to standard manufacturer's specifications. (See *Development Manual* for additional details.)

304.02: Light Bulbs

All new street lights will be illuminated with or upgraded to LED Main Street lighting brand retrofit modules. The LED modules are to be a minimum of 60 watts, 6,000 lumens with a service life expectancy of at least 80,000 hours. Module identification is Main Street Lighting, Kit-D4-XX, as of February 03, 2015. LED light bulbs are encouraged and use of renewable energy sources such as solar are preferable.

304.03: Street Light Spacing

Street light spacing shall be not closer than one-hundred-fifty (150) feet nor farther apart than 180 feet, but in no case to exceed a maximum spacing of two-hundred (200) feet. Street lights will be required in an alternating pattern on both sides of new streets. At least one light is to be provided at the end of each bulb type cul-de-sac in addition to the above standard spacing distance.

304.04: Street Lighting Design and Layout

The design and layout for the street lighting, the underground wiring, and other pertinent equipment to be used shall be designed by a registered engineer and approved by the Village

Zoning Inspector and Engineer. All energy lines leading to the light standard shall be underground whenever reasonably possible. All street lighting designs are to be coordinated with the supplier of electric energy. The drawings and specification sheets for street light standards, luminaries, lamps, and pedestal termination points will be available at the Village Offices. Fixtures must be wired and installed according to the current edition of the *National Electric Code (NEC)* and manufacturer's specifications.

The Street Lighting Plan shall indicate the manner of assessment and the responsibility for payment of the electrical costs to operate the street lights. The final installation shall be shown on the as built plans for the development

304.05: Wiring

Panel grounding will conform to NEC.

- A. An eight (8) foot grounding electrode must be installed adjacent to the service panel. A #6 copper grounding electrode conductor shall bond the service. The grounding electrode conductor must be installed in a one-and-one-quarter (1¼ or 1.25) inch rigid metallic conduit to protect it from any physical damage.
- B. The feeder conductor must be a minimum #12-2 type U. F. The conductor must be protected by one-and-one-quarter (1¼ or 1.25) inch rigid metallic conduit, installed a minimum of eighteen inches below grade, and be properly terminated with bushings. Adequate length of the conductors must be provided to facilitate the installation to the transformer.
- C. Buried branch circuit conductors must be installed in a one-and-one-quarter (1¼ or 1.25) inch rigid non-metallic conduit and installed a minimum of eighteen (18) inches below grade. The conduit must be changed to a rigid metallic conduit where above grade and entering the service panel. The conduit must terminate with proper bushings. The branch circuit conductors shall be not less than #12 A.W.G. copper THHN with one black, one white and one green lead.
- D. Installations shall conform to the current edition of the National Electrical Code and the buried utilities shall conform to standard utility marking for safe identification.

304.06: Street Lighting Plan

The Street Lighting Plan must be submitted to the Galena Planning and Zoning Commission and Village Engineer for review and approval. The plan must show the location of proposed fixtures, locations of utility easements, and the proposed routing of the branch circuits. Easements shall be provided as needed for access and maintenance. The streetlighting system shall be shown on the as built drawings.

304.07: Street Light Inspection

An inspection by the Village Engineer is required and shall include fixture footings, underground conduit prior to backfill, electrical service inspection, and final inspection of fixtures. It shall be the responsibility of the Village to secure the energy for lighting unless the developer uses renewable energy sources such as solar. Inspection costs shall be paid by the subdivision developer or as otherwise stated under the development agreement.

305.00 - Mailboxes & House Numbers

305.01: Mailbox Standards

When permitted by the United States Postal Service (USPS), the post support assembly is to be a minimum four-by-four (4x4) inch, unfinished cedar, with cross arm and support bracket, cantilever type, as approved by the Postal Service for standard residential applications. The support post is to be buried not less than thirty-six (36) inches below finished yard grade and backfilled with gravel, set plumb, and tamped firm. Driven steel post support mounting brackets are acceptable if approved for postal use and installed to full manufacturer's specifications.

The mail box container is to be a standard black steel postal service approved letter box, with all related required equipment, mounting material, fasteners, flag, door, all in serviceable condition, mounted level, to postal regulation height of not less than forty-two (42) inches and not more than forty-five (45) inches, measured from the finished yard grade to the bottom of the mailbox. The opening of the box shall face the street or in a direction approved by the local Postmaster. The front or opening side of the mailbox container shall not extend beyond the front face of the curb or as otherwise approved by the Postmaster.

When required by the USPS cluster mail boxes shall be used and installed to USPS standards. The location of cluster mail boxes shall be shown on the engineering drawings subject to the review and approval of the USPO. Areas used for cluster mail boxes shall be set aside with fee simple transfer of land or easements. Maintenance of the cluster boxes and cluster box area shall be the responsibility of the HOA in platted subdivisions.

305.02: Mailbox House Numbers

When permitted by the United States Postal Service (USPS), house number identification is to be affixed to the top section of the post above the level of the top of the mailbox. Address numerals shall be not less than three-and-a-half (3½ or 3.5) inches and be no more than four (4) inches in vertical height. Numerals shall be painted black and installed vertically on both sides of the main post support facing the street. Address numbers shall identify the property with the number in proper descending order, correctly spaced, from the top of the post down, and securely fastened in place to manufacturer's directions.

305.03: Emergency Numbers

Green emergency 911 house numbers can be installed edge mounted vertically on the back side of the post (house side versus street side) so as to be visible from the street.

305.04: House Numbers

House numbers shall be displayed on each residence and installed so as to be plainly visible from the street. Numbers shall be a minimum of three (3) inches in height and finished in a color to contrast with the background on which they are placed. House numbers shall usually be placed near the main entrance of the building and shall be secured to standard industry practice.

305.05: Street Name Signs

Street signs will be the Champion America nine inch double sided aluminum *Old Time Street Signs* with white reflective letters, six inch uppercase and four inch lowercase, on a green and white background. They should be the two street style with a green center rod and bracket, mounted on a minimum ten (10) foot long by two-and-three-eighths ($2\frac{3}{8}$ or 2.375) inch diameter galvanized pole. Street signs shall meet the current Federal Highway Administration standards for size and reflectivity.

In addition all new street signs are to conform to the Manual on Uniform Traffic Control Devices (MUTCD). Signs shall not be less than nine (9) inches in blade width and have six (6) inch upper and four (4) inch lower case letters. Colors are to be white lettering on a green background with hip indents.

306.00 - Blocks

306.01: Arrangement

The arrangement of blocks shall conform to the street planning criteria set forth in this section and shall be arranged to accommodate lots and building sites of the size and character required for the district as set forth in these Regulations or the appropriate Zoning Ordinance, and to provide for the required community facilities.

306.02: Irregular Blocks

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

306.03: Block Length

No block shall be longer than fifteen hundred (1,500) feet and the block width shall accommodate two (2) tiers of lots, except where unusual topography or other exceptional physical circumstances exist.

306.04: Block Crosswalks

Where blocks are more than nine-hundred (900) feet in length, a crosswalk easement no less than ten (10) feet in width at or near the halfway point may be required to provide proper access to schools, recreational areas, commercial centers, trails, and other facilities.

306.05: Blocks on Hillsides

For slope areas where the average topographic slope is fifteen percent (15%) or greater, please contact the Village Engineer.

307.00 - Reserves

For each reserve established within a subdivision, there will be wording on the plat indicating the intended future use of the reserve subject to future approval by the Planning and Zoning Commission.

308.00 - Easements

308.01: Utilities

Easements of at least twenty (20) feet in total width, along rear or side lot lines, shall be provided, where necessary, for utilities.

308.02: Watercourse Easement

Easements shall be provided along every watercourse, drainage channel, stream, or other environmentally sensitive area.

308.03: Other Easements

If included in the subdivision, multi-use trail easements of at least twenty (20) feet in total width shall be provided and shown on the plat with notation of intended ownership.

309.00 - Utilities Placement

All proposed utilities within the boundaries of the subdivision shall be placed underground unless otherwise allowed by the Commission.

310.00 - Resubdivision Provisions

When a tract is subdivided into larger than required building lots or parcels, such lots or parcels shall be arranged to permit the logical location of future streets and lots.

311.00 - Streetscaping

Street trees when planted shall be located outside of the street right-of-way or any utility easements that may be adjacent to the street right-of-way and planted in such a manner as to not impair visibility at any corner. A minimum six (6) foot-wide street lawn will be required between the edge of the roadway and sidewalk or multi-use trail for all new residential uses. As part of an approved plan by the Commission, the street lawn shall be planted in grass or other suitable ground cover or in appropriate plants for innovative storm water design. It is strongly recommended that all subdividers or developers retain existing trees and plant trees on each lot. The Commission will cooperate in giving advice on species of trees which are acceptable for plantings.

311.01: Purpose

The purpose is to recommend specific trees to be planted, and to set standards for the minimum size, spacing, and location in the public right-of way, and public spaces.

311.02: The Street Tree Commission

The Village Planning and Zoning Commission shall serve as the Street Tree Commission for the Village of Galena, Ohio for the purpose of advising the Village Council on any program or legislation regarding plants in public spaces and ways. The Commission is charged with the education of the public regarding the selection, planting, and care of trees.

The community benefits from street trees include:

- A. Trees are natural air filters, removing dust and some toxic pollutants.

- B. Trees can reduce air conditioning requirements of a building by ten percent to fifty percent (10% to 50%).
- C. Trees increase property values by up to twenty-five percent (25%).
- D. In photosynthesis, each tree stores about thirteen (13) pounds of carbon annually.
- E. A single tree can transpire up to two-hundred (200) gallons of water a day during hot summer months.
- F. Studies show that people recover quicker after illness when they have trees around them.
- G. Areas and neighborhoods with trees show less crime and domestic violence than non-treed areas.

The Subdivision Regulations require the planting of street trees in new subdivisions. Prior to a zoning permit being granted, the Commission shall approve the street tree plan in cooperation with the zoning official.

312.00 - Tree Preservation

312.01: Purpose

These regulations are established in order to recognize the vital importance of tree growth in the ecological system so that Village residents may benefit from a healthy urban forest, while also allowing for reasonable development of land within the Village of Galena. When preparing and reviewing subdivision plans, good faith effort shall be made to preserve natural vegetation areas. Streets, lots, structures, utilities, and parking areas shall be laid out to avoid the unnecessary destruction of heavily wooded areas or Protected Trees. Land developers are encouraged to designate heavily wooded areas as park preserves.

The purpose of this section is to conserve and protect to the greatest extent possible the existing trees, natural wooded areas, and fencerows in the Village and encourage replacement of damaged or removed trees in order to:

- A. Enhance and promote the community image;
- B. Enhance and preserve economic property values and the quality of life in the Village;
- C. Aid in the prevention of erosion, siltation, and other harmful effects of land disturbing activities;
- D. Assist in controlling the quantity and intensity of storm water runoff and alleviate non-point source water pollution;
- E. Reduce noise pollution and light glare;
- F. Conserve energy;
- G. Protect and promote the use of existing vegetation as noise and visual buffers;
- H. Preserve and promote the environmental and ecological benefit of trees on clean air quality and reduction of dust and carbon dioxide levels;
- I. Reduce energy consumption through the wind break and shade effects of properly placed trees;
- J. Preserve and enhance nesting areas for birds and other wildlife and preserve wildlife movement corridors;
- K. Enhance visual and aesthetic qualities; and,
- L. Promote the public health, safety, and welfare through the preservation and

replacement of trees while allowing for the reasonable development of lands in such a manner that implements the Village's goals, objectives, policies, and standards.

312.02: Applicability

This section applies to trees which have a minimum six-inch diameter breast height (DBH), hereinafter known as Protected Trees, on all properties in all zoning districts, unless exempted below.

On lots containing no more than one detached single-family dwelling, tree replacements shall apply only to those areas of the single-family lot designated as a No Build Zone, No Disturb Zone and/or as a Tree Preservation Zone and to trees required as front yard trees in "Minimum Landscape Requirements." All other sections of this chapter shall be applicable to single-family residential lots.

This tree preservation section shall not apply to sites that have previously approved final development plans, final plat, or a certificate of zoning compliance or other similar final approval by the Village prior to the date this provision takes effect.

312.03: Pre-Construction Activities

- A. **General Regulations** - Prior to any construction activities on a site containing Protected Trees, a Tree Preservation Plan including a Tree Survey, and a Tree Removal Permit Application (if applicable) must be submitted to the Village for review and approval. No trees shall be removed from any parcel of land until a Tree Removal Permit is issued by the Village, unless specifically exempted.
- B. **Site Layout and Design.** - All reasonable efforts shall be undertaken in the architectural layout and site engineering design of the proposed development to preserve existing Protected Trees. All structures and construction activity shall be located upon a parcel of land in such a way as to minimize tree damage and/or removal, consistent with the various setback requirements of the Village Zoning Code, and consistent with standard engineering practices for the design of public and private utilities, and with established erosion and sedimentation control practices, and consistent with the Village's Storm Water regulations.
 - 1. It shall be required that building(s), driveway(s), sidewalks, bike paths, storm water management facilities, utilities, and parking areas be designed in such a way as to avoid unnecessary removal of Protected Trees.
 - 2. The required drainage and grading plan, including storm water management facilities, shall be developed in such a way as to avoid removal of Protected Trees and Tree Preservation Zones thereby causing risk of loss through change in grade or moisture.
 - 3. Every effort shall be made to protect existing Protected Trees and Tree Preservation Zones during the placement of utility service lines including augering and/or jacking as opposed to open cutting, as appropriate. A copy of the Tree Preservation Plan and this section shall be submitted at the preliminary plat stage by the applicant to the appropriate public utilities in order to alert said public utilities to the proposed placement of the utility service lines.

4. Landscape planning shall include the preservation of existing healthy Protected Trees and Tree Preservation Zones.
 5. Every effort shall be made during layout and design, including grading and utility placement, of the proposed development to preserve Protected Trees and Tree Preservation Zones on the development parcel as well as on adjacent parcels through sensitivity to the Protected Trees' Critical Root Zones.
- C. **Clearing of Land** - No trees shall be removed from any parcel of land until a Tree Removal Permit has been issued signifying compliance with the regulations of this section. Trees removed on any parcel of land within one (1) year prior to annexation or rezoning shall be subject to a Tree Replacement Plan as if the parcel had been a part of the Village when the removal occurred.
- D. **New Development** - No Zoning Permit or Certificate of Compliance shall be issued for any development or construction of any building, structure, or vehicular use area without it first being determined through the development plan process that the proposed development is in conformance with the provisions of this section.
- E. **Substantial Alteration or Expansion of an Existing Development** - No building, structure, or vehicular use area shall be substantially altered or expanded without it first being determined through the development plan process that the proposed development is in conformance with the provisions of this section.

312.04: Tree Preservation Plan

- A. A Tree Preservation Plan which includes a Tree Survey and Replacement and Maintenance Plan shall be filed in connection with the following projects:
1. Excavation, clearing and grubbing, and earth moving;
 2. Demolition;
 3. Road construction, extensions, and widening;
 4. Parking lot construction;
 5. Utility service lines and structures installation;
 6. Storm water facilities excavation and construction;
 7. Trails, pedestrian walkways, bike paths, and sidewalks construction; and
 8. Construction of new buildings or building additions and accessory structures.
- B. The Tree Preservation Plan shall be filed prior to the commencement of any construction activities, including clearing and grubbing, and must be approved by the Village. The Tree Preservation Plan shall specify the following:
1. Identify the Tree Preservation Zones designating which Protected Trees will remain on site after the construction and development is completed;
 2. Identify the Building Activity Area on the site;
 3. Proposed placement of all utility service lines and facilities.
 4. Specified locations for ingress, egress, operation, and parking of all construction vehicles and equipment, and storage of solvents, hazardous materials, and soil and material stockpiles;
 5. Specified locations and plans for all clearing, grubbing, grading, and excavation;

6. Other measures such as construction pruning and root pruning of trees directly impacted by construction must also be indicated on the plan. Pruning shall be performed in accordance with International Society of Arboriculture Standards;
7. Indicate protective measures and restrictions to be taken during construction for the Tree Preservation Zones as well as Protected Trees and their Critical Root Zones that are on site and on parcels directly adjacent. This shall include, but not be limited to the following:
 - a. Temporary fencing around the Critical Root Zone of the trees;
 - b. No soil disturbance, clearing, grubbing, grading, or stockpiling of soil or other materials shall occur within the Critical Root Zone of the tree;
 - c. No change in grade within the Critical Root Zone of the tree;
 - d. No redirection of surface runoff towards any Tree Preservation Zones or Protected Trees;
 - e. No trenched installation of utilities within the Critical Root Zone of Tree Preservation Zones or Protected Trees. Utilities within the Critical Root Zone shall be bored a minimum of twenty-four (24) inches in depth below the root system.
8. A Tree Survey detailed in this section;
9. Include a Tree Replacement and Maintenance Plan as required by this section.

312.05: Tree Survey

The Tree Survey should include the following:

- A. Shall be drawn to a suitable scale, not to exceed one inch equals fifty feet (1" = 50');
- B. Showing all existing Protected Trees on the site and directly adjacent to the site with a six (6) inch DBH or greater.
- C. Identify the location, scientific and common names, and size (DBH) of all Protected Trees and their Critical Root Zones (or fifteen (15) feet, whichever is greater) on the development site and directly adjacent to the site;
- D. Identify all Protected Trees that will be removed as permitted by this section and indicate where Protected Trees will be replaced, or if they cannot be replaced on site, what method will be used in lieu of replacement.
- E. When a site exceeds five (5) acres, an estimate of the number and size of Protected Trees on the site may be submitted. In preparing this estimate, site photographs, aerial photography, and site visits to check average densities may be permitted at the discretion of the Planning and Zoning Commission.

312.06: Tree Replacement and Maintenance Plan

The Tree Replacement and Maintenance Plan shall be approved by the Planning and Zoning Commission as part of the site development plan. The Tree Replacement and Maintenance Plan shall include the following:

- A. Tree replacements shall be indicated on a plan, drawn to a scale of not less than one inch equals fifty feet (1" = 50'), which includes the proposed location and a plant list to include quantity, species' scientific and common names, installation DBH size, and total replacement DBH.
- B. Detail the short-term and long-term maintenance plans.
- C. Provide a draft Guarantee Period maintenance bond or letter of credit for Village review and approval.

312.07: Exempt Trees

All Protected Trees shall be preserved in their current location and condition unless such trees are exempted as follows:

- A. The tree will be located within a public right- of-way or easement;
- B. The tree is within the footprint of a proposed structure, or within fifteen (15) feet from the tree's Critical Root Zone to the perimeter of such structure and the proposed structure cannot be located in a manner to avoid removal of the tree at the same time permitting desirable and logical development of the lot;
- C. The tree will be located within the proposed access drive or walk area for a single-family residential unit;
- D. The tree is diseased, damaged, a safety hazard, or interferes with utility lines; or,
- E. The tree is on the Village's Prohibited Trees list.

The approval to remove Exempted Protected Trees does not remove the property owner's responsibility to replace the removed Protected Trees in accordance with this chapter.

312.08: Tree Removal

- A. **Removal** - Beyond cutting down of a tree; a tree shall be deemed removed if one or more of the following occurs:
 - 1. Damage is inflicted to the root system by machinery, storage of materials, and/or soil compaction.
 - 2. The natural grade is changed above or below the root system or around the trunk.
 - 3. Damage is inflicted on the tree that would permit fungus or pest infestation.
 - 4. The tree is excessively pruned or thinned.
 - 5. Areas are to be paved with concrete, asphalt, or other impervious material within such proximity to the tree as to be harmful to the tree.
- B. **Permit** - No person shall remove, injure, destroy, disturb, or undertake any procedure which is likely to cause the death or substantial damage or destruction of any Protected Tree without first procuring a Tree Removal Permit from the Village. Tree Removal Permits authorizing the removal of a Protected Tree may be issued by the Zoning Inspector or designee for the following reasons:
 - 1. The tree is dead or dying;
 - 2. The tree is affected with any injurious disease, fungus, insect, or other pest;
 - 3. The tree is damaged or injured to the extent that it is likely to die or become diseased or constitutes a hazard to persons or property; or
 - 4. The Planning and Zoning Commission has approved a removal via a as part of a subdivision or development plan.
- C. **Application for Tree Removal Permit** - The application for a Tree Removal Permit shall contain:
 - 1. Name and address of applicant;
 - 2. Name and address of property owner;
 - 3. Address of property where Protected Tree(s) sought to be removed is located;
 - 4. A written statement indicating the reason for removal of the Protected Tree(s);
 - 5. Name and address of contractor or other person who is proposed as having responsibility for tree removal;
 - 6. A Tree Preservation Plan in conformance with this Ordinance;

7. A Tree Survey (For sites on which development activity is to occur on less than the entirety of the site, the Village may provide that the Tree Survey exclude those portions of the site which it determines will not be affected by the current development activities.);
 8. A report from a certified arborist, if required by the Village;
 9. A Tree Replacement and Maintenance Plan and associated maintenance bond or letter of credit (for developments only); and,
 10. A Tree Removal Permit Fee.
- D. **Receipt of Tree Removal Permit** - Upon receipt of a Tree Removal Permit, the permittee:
1. May remove the tree(s) as provided in the permit;
 2. Shall replace the Protected Tree removed if it was damaged or injured by other than natural causes;
 3. Shall replace the Protected Tree if it was removed without a Tree Removal Permit, or there is a violation of the Tree Removal Permit;
 4. Is encouraged to replace the Protected Tree if it was diseased, dead, or dying from natural causes;
 5. Is encouraged to replace the Protected Tree on a single-family lot if it is removed from outside the No Build Zone, No Disturb Zone, or Tree Preservation Zone.
- E. **Zoning Permit and Certificate of Zoning Compliance** - A Zoning Permit or a Certificate of Zoning Compliance shall not be issued unless the Tree Preservation Plans have been submitted and approved by the Village. No work shall begin on the site until the site has been inspected by the Village for compliance with the Tree Preservation Plan, including installation of protective fencing and tree preservation signage on the protective fencing. In the event that work is started without Village inspection, a re-inspection fee will be collected for each re-inspection.
- F. **Emergencies** - In order to avoid danger or hazard to persons or property, during emergency conditions requiring the immediate cutting or removal of a Protected Tree(s), a Tree Removal Permit will be issued by the Village without formal application. In the event of such an emergency, it shall be lawful to proceed with the cutting of the tree or trees to the extent necessary to avoid immediate danger or hazard. In such event the person causing the removal shall report the action taken to the Zoning Inspector or designee within forty-eight (48) hours thereof.

312.09: Construction Activities

- A. **Protective Fencing** - The owner shall be responsible for the construction, erection, and maintenance of temporary fencing or other physical barriers around the Tree Preservation Zones so that all Zones and Protected Trees shall be preserved. The fencing or other protective barrier must be located a distance from the trunk that equals, at a minimum, the distance of the Critical Root Zone or fifteen (15) feet, whichever is greater, unless otherwise approved by the Zoning Inspector or designee. The fencing or other physical barrier must remain in place and be secured in an upright position during the entire construction period to prevent impingement of construction vehicles, materials, spoils, and equipment into or upon the Tree

Preservation Zone and/or Protected Trees. Tree protection signs must be located along the fencing designating no trespassing in the Tree Preservation Zone. Any change in the protective fencing must be approved by the Zoning Inspector.

- B. **Tree Preservation Plan** - The approved Tree Preservation Plan shall be available on the building site before work commences and at all times during construction of the project. The owner shall be responsible for notifying all contractors and utilities involved with a given project of the Tree Preservation Plan.
- C. **Construction Measures** - During all phases of construction, all steps necessary to prevent the destruction or damage to Protected Trees (other than those specified to be removed) shall be taken, including but not limited to the following:
1. No construction activity, movement and/or placement of equipment, vehicles, or materials or spoils storage shall be permitted within the Tree Preservation Zone. No excess soil, additional fill, liquids, or construction debris shall be placed within the Critical Root Zone of any tree that is to be preserved;
 2. All required protective fencing or other physical barrier and signs must be in place around the Tree Preservation Zone and approved by the Village prior to the beginning of construction, including site clearing. The fencing or other protective barrier must be located a distance from the trunk that equals, at a minimum, the distance of the Critical Root Zone or fifteen (15) feet, whichever is greater, unless otherwise approved by the Zoning Inspector or designee. The fencing or other physical barrier must remain in place and be secured in an upright position during the entire construction period to prevent impingement of construction vehicles, materials, spoils, and equipment into or upon the Tree Preservation Zone. Any change in the protective fencing must be approved by the Zoning Inspector;
 3. No attachments, including but not limited to ropes, nails, advertising posters, signs, fences, or wires (other than those approved for bracing, guying, or wrapping) shall be attached to any Protected Trees;
 4. No gaseous liquids or solid substances which are harmful to trees shall be permitted within the Tree Preservation Zone;
 5. No fire or heat shall be permitted within the Tree Preservation Zone;
 6. Unless otherwise authorized by the Tree Removal Permit, no soil is to be removed from or placed upon the Critical Root Zone of any tree that is to remain; and
 7. All utilities, including service lines, shall be installed in accordance with the Tree Preservation Plan. Public utilities shall be responsible for adhering to said Tree Preservation Plan during installation of necessary utility service lines and facilities. Every effort shall be made to protect existing Protected Trees during the placement of utility service lines including augering and/or jacking as opposed to open cutting as appropriate.
- D. **Compliance** - It shall be unlawful for any person, firm, or corporation, including public utilities, to fail to abide by the terms of any Tree Preservation Plan or Tree Removal Permit issued by the Village. If, in the opinion of the Village, the necessary precautions as specified in the Tree Preservation Plan were not undertaken before construction commenced or are not maintained at any time during construction, a Stop Work Order will be issued by the Village until such time as the permittee complies with these precautions.

312.10: Acceptable and Prohibited Trees

A list of Acceptable and Prohibited Trees is available from the Village.

312.11: Tree Replacements

A. Replacement Trees - The requirements for replacing Protected Trees are as follows:

1. The replacement trees shall be in addition to and coordinated with any landscaping or screening requirements.
2. The total number of DBH inches of replacement trees for a site shall equal or exceed the total number of DBH inches of the Protected Tree(s) removed.
3. All replacement trees shall match those on the Village's Acceptable Trees list.
4. In no case shall any replacement tree have a DBH of less than two-and-a-half (2½ or 2.5) inches.
5. Replacements shall be made within one year of the date of the removal of any trees for which such replacement is required.
6. The owner shall be required to maintain all tree replacements in good health for a period of two years.
7. Tree replacements will not be required on single-family residential except when a Protected Tree has been removed from a No-Build Zone, No Disturb Zone, or Tree Preservation Zone. In the event that a Protected Tree is removed from a No-Build Zone, No Disturb Zone, or Tree Preservation Zone, tree replacement criteria in this Ordinance shall be followed.

B. Replacement Options

1. **On-Site Replacement** - The requirement for tree canopy coverage shall be considered as being in addition to any other landscaping required by this Ordinance. A minimum of fifty percent (50%) of the required replacement trees shall be replanted on the affected lot, subdivision phase, or entire subdivision to maintain the natural distribution of tree cover in the Village. Owners may use larger caliper replacement trees to achieve a planting of equal or greater value with fewer numbers of trees.
2. **Tree Bank** - Where it is impractical or not feasible to replace trees on the affected lot or within the affected subdivision, the owner may replace the trees elsewhere in the Village at a designated public or private Tree Bank Site.
3. **Park Fund** - In the event the Zoning Inspector or designee determines that full replacement would result in the unreasonable crowding of trees upon the site, or it is not possible to replant on a Tree Bank Site, a fee shall be paid into the Village's general fund. This fee will be based upon an estimate of cost prepared by a landscape architect that includes the cost of trees, supplies, planting, labor, maintenance, and any other pertinent cost associated with the tree planting.

312.12: Short-term and Long-term Tree Maintenance Procedures

- A. Inspection** - Upon replacement, nursery tags should be left on the trees. The owner shall contact the Village for the Zoning Inspector to inspect the replacement trees. If approved, the Two-Year Guarantee Period begins. If not approved, the owner shall replace the trees or rectify the improper planting conditions. Again, upon

replacement, the owner shall contact the Village for the Zoning Inspector to inspect the replacement trees. Upon inspection approval, the Two-Year Guarantee Period begins.

- B. **Two-Year Guarantee Period** - The owner shall be required to maintain all replacement trees in good health for a Two-Year Guarantee Period. At the end of the Two-Year Guarantee Period, the owner shall contact the Village for the Zoning Inspector to inspect the replacement trees. If the trees are thriving, the Guarantee Period ends and the bond is released. Any replacement tree that does not exhibit proper growth or good health within the Two-Year Guarantee Period shall be replaced by the owner within one year of notification. Upon replacement, a new Two-Year Guarantee Period begins.
- C. **Maintenance Bond** - No zoning permit shall be approved until a two-year maintenance bond or letter of credit has been submitted to and approved by the Village. The bond or letter of credit must be in full force and effect at the time on the permit approval. The bond or letter of credit shall be in the amount of one-hundred percent (100%) of the cost, prepared by a landscape architect that includes the cost of trees, supplies, planting, labor, maintenance, and any other pertinent cost associated with the tree planting. Such bond shall not be valid unless persons doing the work are covered by the bond. Such bond may cover other work done by the applicant.

312.13: Restrictive Covenants

The property owner shall add restrictive covenants to the deeds that shall inform subsequent purchasers, lessees, or occupants of the site that Protected Trees and their replacements shall not be subsequently removed from the site except pursuant to these regulations. No Build Zones, No Disturb Zones, and Tree Preservation Zones shall be shown on the deeds. Copies of the deeds will be furnished to the Village for review prior to recording and copies of the final deeds will be furnished to the Village at the time of their recording.

312.14: Penalty

Protected Trees and replacement trees shall not be subsequently removed from a site unless approved by the Village. Removal of a Protected Tree without a permit or failure to replace a Protected Tree as required by this Ordinance within one year of the approval of the application is a violation of the Subdivision Regulations and violations and penalties apply for each separate failure to replace a tree.

312.15: Appeals

Any aggrieved property owners may follow the appeal process of these regulations.

313.00 - Individual Lot Grading Plan

313.01: Submission Procedure

An individual lot grading plan shall be required by the Commission before the Commission shall consider an application for a zoning permit. The lot grading plan may be shown on the plot plan for the structure and included in the Application for a Zoning Permit. In some cases, the Commission will require that lot grading plans be submitted with the subdivision plan.

313.02: Conformity with Master Drainage and Subdivision Grading Plan

Individual lot grading plans shall conform to the Master Drainage Plan and the Subdivision Grading Plan.

313.03: Individual Lot Grading Plan Requirements

- A. The plan shall be drawn at a scale of not less than one inch equals twenty feet (1" = 20'), or one inch equals thirty feet (1" = 30'), unless otherwise allowed by the Commission.
- B. The plan shall show:
 - 1. Existing topographical contours at one (1) foot intervals. Sufficient elevations shall be shown on the plan to indicate all proposed swale locations and drainage directions, including all proposed surface grade breaks.
 - 2. Proposed finish grade elevations including spot elevations of the existing and finished grade where less than a two percent (2%) slope exists, curb or edge of pavement elevations, and proposed ground at the right-of-way.
 - 3. The proposed locations and dimensions of all buildings, paved areas, wells, sewage disposal facilities, drainage tile, and other improvements.
 - 4. Side elevations of that portion of any structure which is adjacent to the 100-year flood routing path, as shown on the Master Drainage Plan. No basement entrances or basement level garage entrances shall be permitted adjacent to the 100-year routing path. The minimum building elevation adjacent to the 100-year routing plan shall be one (1) foot above the 100-year flood elevation as shown on the Master Drainage Plan.
 - 5. The direction of surface water flow along proposed swales.
 - 6. The swales necessary to carry surface water away from the building area, sanitary facilities, and/or paved areas. All swale gradients must be shown. All swales must have a gradient of one percent (1%) or greater, unless otherwise allowed by the Commission.
 - 7. See the current Village *Comprehensive Storm Water Management Ordinance* for details.
 - 8. Erosion control elements, Recorded easements, storm sewer, manholes, stormwater structures and flood routing information
 - 9. See the current Village *Comprehensive Storm Water Management Ordinance* for details.
 - 10. The Village Engineer can require additional information as needed to approve the lot grading plan.

313.04: As-Built Requirements

- A. A footer elevation certificate, signed by a professional surveyor certifying that the footer elevations are consistent with approved grading plan is required prior to the foundation inspection. This certification will be in a form approved by the Village Engineer.
- B. A Final as-built survey certificate, signed by a professional surveyor certifying that the as-built elevations are consistent with the approved lot grading plan is required prior to certificate of occupancy. This certificate will be in a form approved by the Village Engineer.

314.00 - Engineering Design for Sidewalks, Trails, and Driveways

In addition to the standards and requirements contained in Article 4, the following shall apply for designing sidewalks, trails, and driveways:

314.01: Permit Required

No person shall construct, reconstruct, alter, repair, remove, or replace any driveway, sidewalk or pathway on any public property within the Village limits without first obtaining a permit from the Zoning Office, unless the driveway sidewalk or pathway is included on the construction plans for an existing approved zoning permit.

314.02: Maintenance Bond

No such permit shall be approved until proof of bonding coverage has been submitted to the Village and a two-year maintenance bond in the amount of ten percent (10%) of the total cost of construction covering the driveway, sidewalk or pathway is in full force and effect at the time on the permit approval. Such bond shall not be valid unless persons doing the work are covered by the bond. Such bond may cover other work done by the applicant. The Village Administrator may waive the maintenance bond requirement for repair to an existing sidewalk or pathway.

314.03: Inspection Required

All work done in construction, reconstruction, alteration, repair, or removal or replacement of driveways, sidewalks or pathways shall be inspected by the Village to assure compliance with these regulations. When other public improvements are required, final acceptance of all other improvements shall not be made until sidewalks or pathways are approved.

314.04: Minimum Sidewalk or Pathway Width

All sidewalks shall be engineered to conform to the latest edition of the disability laws and building code requirements. All sidewalks and pathways shall be constructed in the area between the curb or grade line of the public street and the abutting property line unless the pathway is situated within a dedicated pathway easement or right-of-way. The edge of the sidewalk or pathway shall generally be parallel with the curb line and be situated no more than one (1) foot from the abutting property line. The Village Administrator may approve a plan to alter the location of a sidewalk to preserve a tree or for aesthetic purposes. One additional foot of width shall be added to a sidewalk that abuts a street curb.

314.05: Construction Materials

Sidewalks shall be constructed of Portland cement concrete with a minimum thickness of not less than four (4) inches. Pathway system sidewalks shall be a minimum thickness of five (5) inches. Concrete for sidewalks and pathways shall be Class "A" and consist of five (5) sacks (minimum) of Portland cement for each cubic yard of concrete mix and have a seven (7) day flexural strength of five-hundred (500) pounds per square inch (500 psi) and twenty-eight (28) day compressive strength of three-thousand (3,000) pounds per square inch (3,000 psi). Reinforcement shall be in accordance with standard industry practice or the Delaware County Engineering and Construction Standards. In such cases, reinforcements shall be #3 steel deformed reinforcing bars on eighteen (18) inch centers. Sidewalks shall be installed over tamped and graded clean gravel ballast a minimum of four (4) inches thick.

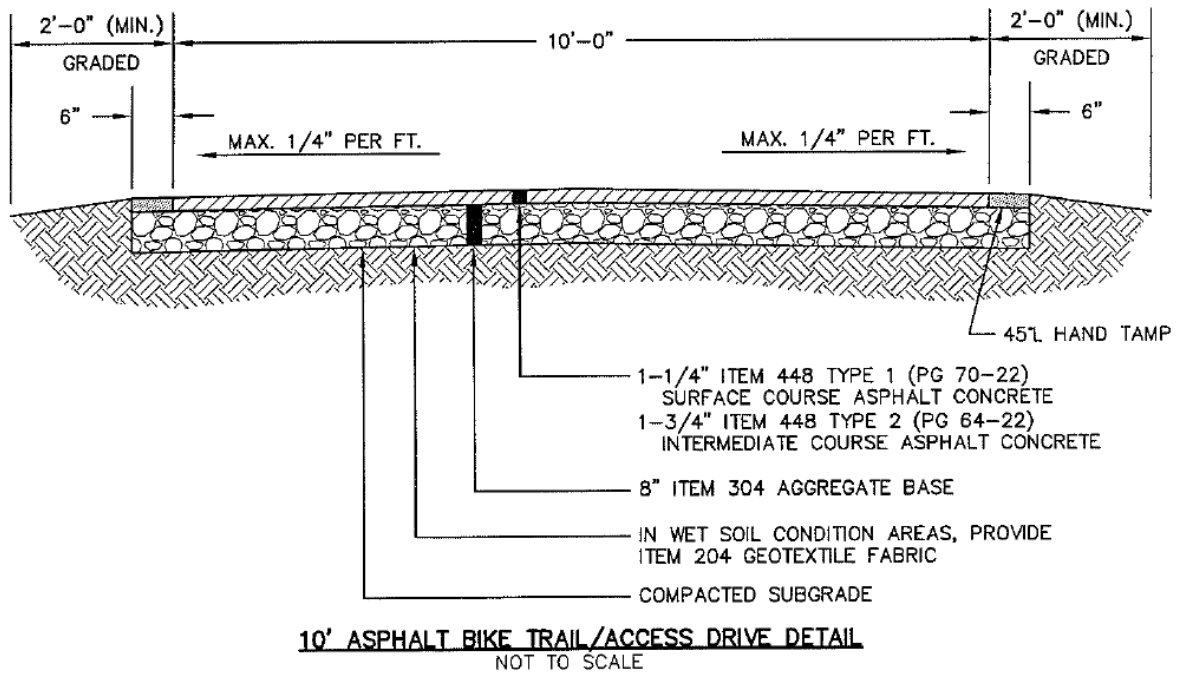
314.06: Architectural Barriers Act

All sidewalks at street intersections shall be constructed so as to provide a ramp that complies with the Architectural Barriers Act. Barrier free ramps shall be provided for access to the street. The following specification shall apply:

- A. Ramp to be minimum five (5) feet in width.
- B. Ramp to be constructed with Class “A” concrete.
- C. Ramp concrete thickness shall be the same as the street thickness and a minimum of not less than six (6) inches for normal residential.
- D. Number 3 bar shall be used for reinforcement every twenty-four (24) inches on center.
- E. The curb return shall match existing curb height of the street and taper to the connecting walk with a one (1) foot radius.
- F. The street shall be blocked out a maximum of twelve (12) inches and dowels installed.
- G. Saw joints shall be made one-and-a-half (1½ or 1.5) inch minimum depth and sealed with silicone joint sealant material.
- H. Subgrade shall be prepared to a minimum depth of six (6) inches.
- I. At no time shall the walk running parallel to the street be altered.
- J. The surface of the walk shall be coarse and ribbed to provide extra traction.
- K. Concrete pours shall be respectful of the weather and be installed, protected, and cured to standard industry practice.
- L. All dead-end sidewalks will return to the street via a wheelchair accessible ramp, and cross to another wheelchair accessible ramp where the sidewalks permit.
- M. Contact OUPS before any excavation or construction activity.

314.07: Driveway Standards

- A. For driveway entrances over or across public right-of-way for residential use, the minimum width of the apron at the curb line shall not be less than sixteen (16) feet. The minimum depth of the concrete shall not be less than six (6) inches. Commercial and industrial shall not be less than twenty (20) feet wide.
- B. Driveway flare, grade, reinforcement, control joints, joining and matching to existing work, surface finish, sealing shall be in accordance with the subdivision plans, the approved permit and installed to not less than standard industry practice.
- C. Curb cuts and driveway installations are to be pre-approved by the Village using approved curb cutting methods where curbs exist. Where curbs do not exist, the Village requires engineering details on the location of the driveway, the line of sight distances, the direction of ditch flow, the dimensions of the culvert, and the manner of backfill to protect the travelled way.
- D. Pavement restoration and site restoration shall be the responsibility of the installer and the property owner.
- E. Contact OUPS before any excavation or construction activity.



ARTICLE 4

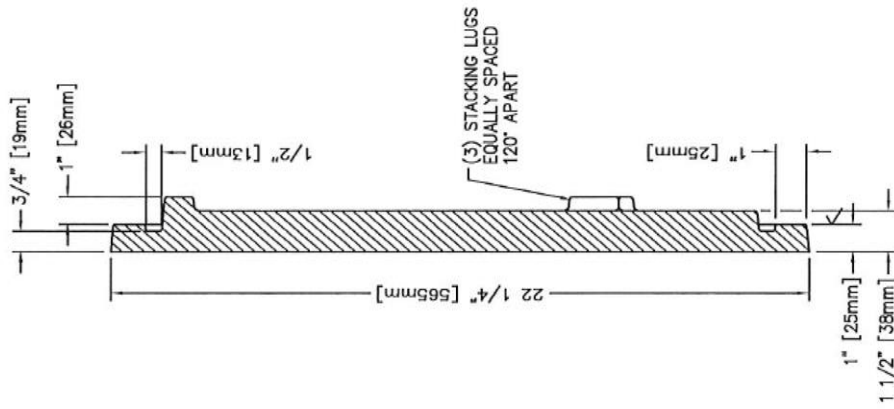
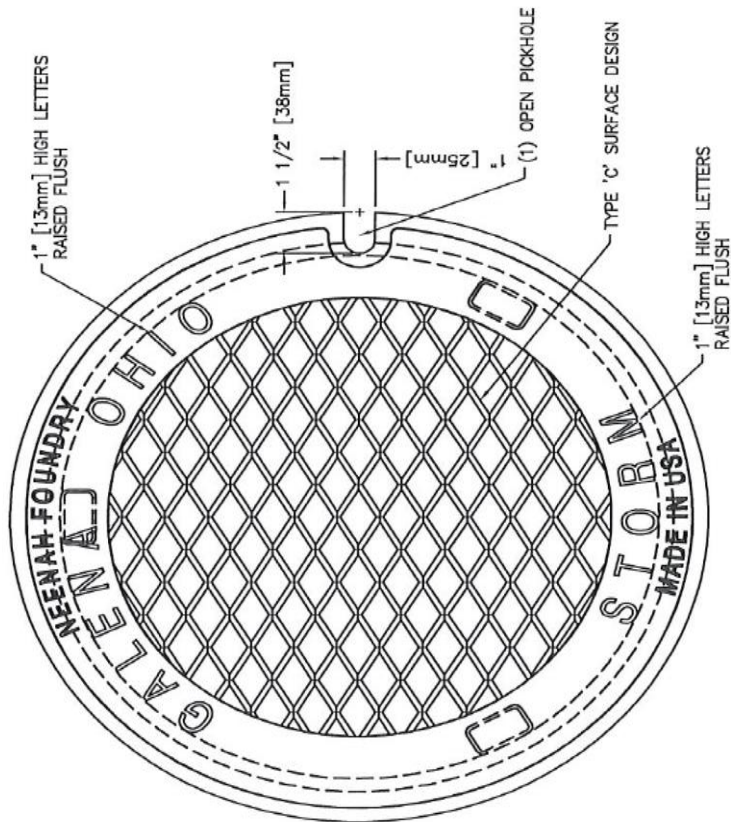
400.00 - Comprehensive Storm Water Management

401.00 - Regulations

401.01: Refer to the Village Comprehensive Storm Water Management Ordinance.

402.00 - Storm Sewer Lid Cover Standards

402.01: See the attached standards for applications in the Village of Galena.

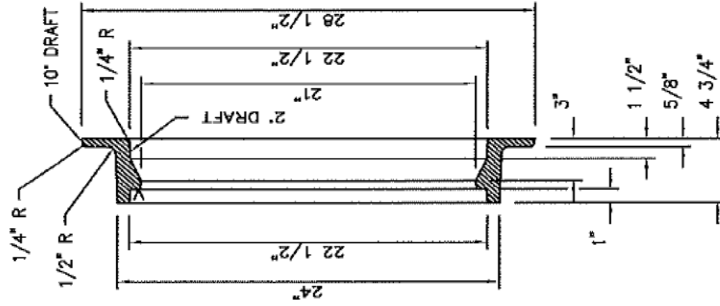
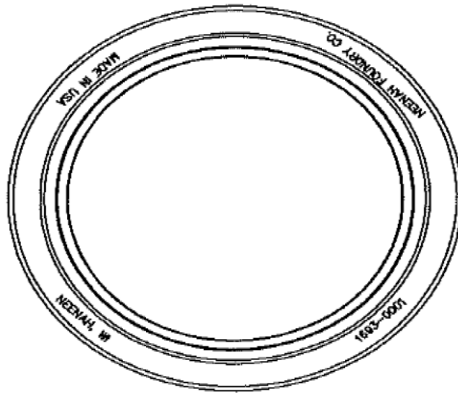


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| DR. | E. NIVER | SCALE | TITLE |
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| CH. | RKE | 1/4"=1" | R-1762, PLATEN LID |
| APP. | SPT | | LTRD. 'GALENA OHIO' 'STORM' |
| DATE | 04-02-2018 | | NEENAH FOUNDRY |
| | | | NEENAH WISCONSIN 54656 PHONE 800-336-5075 LINCOLN, NEBRASKA 68508 PHONE 800-234-7468 |
| | | | NF-1762T45 |

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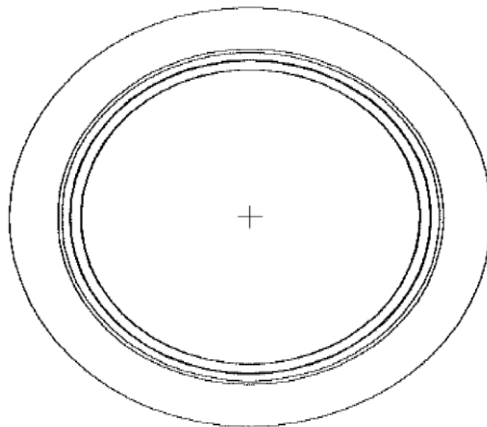
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| DATE 11-10-87 | OK. | NF-16930001 B |

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| 10-17-96 | ADD NIGHT M-305 NOTE | CSK | |
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ARTICLE 5

500.00 - Open Space, Parks, and Trails

501.00 - Statement of Policy

With respect to residential subdivisions and developments to which this regulation applies, at least five (5) acres of property for each one-thousand (1,000) persons shall be devoted for park and recreational purposes by, or at the expense of, the subdividers and developers of the dwellings in which such persons shall reside. Every subdivider or developer who files with the Commission any proposal, plan or map for the subdivision or development of land within the Village shall either dedicate a portion of such land, pay a fee-in-lieu of land dedication, or dedicate land and pay a fee-in-lieu of land dedication, as set in these regulations, for the purpose of providing park and recreation facilities to serve future residents of each subdivision or development.

502.00 - Amount of Land to be Dedicated

The amount of land to be dedicated by a subdivider or developer pursuant to this resolution shall be determined in accordance with the following formula:

| | | | | |
|---------------------------------|---|--------------------------------------|---|-------|
| Acres of Land for Dedication | = | Total Population as determined below | x | 0.005 |
|---------------------------------|---|--------------------------------------|---|-------|

503.00 - Determination of Total Population

503.01: Population Factor

For the purpose of these regulations, a population factor for each dwelling planned for a subdivision or development shall be determined as follows:

Single-family Dwellings:

| Number of Bedrooms | Population Factor |
|--|-------------------|
| 1 | 1.75 |
| 2 | 2.5 |
| 3 | 3.25 |
| 4 | 4.00 |
| Each additional bedroom in excess of 4 | 1.00 |

Multi-family Dwellings:

| Number of Bedrooms | Population Factor |
|--|-------------------|
| 1 | 1.5 |
| 2 | 2.25 |
| 3 | 3.00 |
| Each additional bedroom in excess of 3 | 0.75 |

503.02: Total Population

Total population for any subdivision shall equal the sum of the population factors of all dwellings to be included in the subdivision or development. For the purposes of these regulations, the Commission shall determine the number and types of dwellings to be built in any subdivision or development on the basis of such relevant information as it may have, or be able to obtain, tending to show the same, including, without limitation, any plans, estimates, or statements of intention furnished by the subdivider or developer relating to the proposed improvement of the subdivision or development, the nature, topography of the land involved, and the nature and kind of improvement actually planned or probable thereon.

504.00 - Option of Land or Fee-in-Lieu

504.01: Determination by Commission

The Commission shall determine whether a subdivider or developer shall dedicate land, pay a fee-in-lieu of land dedication, or provide a combination of land dedication and fee payment.

504.02: Procedure

In making the determination, the following procedure shall apply:

504.021: Filings

At the time of filing the preliminary design plan map or the final development plan for approval, each subdivider shall, as a part of such filing, indicate whether they plan to dedicate land for park and recreational purposes, to pay a fee-in-lieu of dedication, or to meet the requirements of this regulation by a combination of land dedication and fee payment. If such subdivider or developer plans to dedicate land, he shall indicate the area he desires to dedicate on the preliminary design plan map or development plan.

504.022: Commission Determination

After the Commission has reviewed such preliminary design plan maps and/or final development plans, it shall determine whether the plans of the subdivider or developer to dedicate land, pay a fee-in-lieu of dedication, or provide a combination of dedication and payment of fee are acceptable. The Commission shall make the determination so required within sixty (60) days of each submission unless the subdivider or developer agrees in writing upon an extended period for such determination. If the Commission fails to make a determination within said sixty (60) day period, or within agreed extension period, such submission shall be deemed to be approved.

504.023: Minimum Dedication

Notwithstanding any other provisions of these regulations, a fee-in-lieu of dedication shall be paid in the event the amount of dedication required by these regulations would be less than one (1) acre, except in the event the land so dedicated could be added to the adjoining, contiguous land area of an existing park or recreational facility. This consideration shall not be construed to prohibit the voluntary dedication of lands by subdividers and developers in addition to the requirements imposed by these regulations.

504.024: Adverse Effects of Development; Reclamation

If, in the opinion of the Commission, any portion of land proposed for dedication has been, or will be, adversely affected by the operation of a subdivider or developer and such land or portion thereof will require reclamation in order to render it suitable as a park or recreational facility planned therefore, the Commission may require the subdivider or developer to furnish a plan for such reclamation. The Commission shall seek the advice of the Village engineer with respect to any such plan, and shall determine, on the basis of such advice, whether such plan is acceptable in view of the purpose of this regulation.

If the subdivider or developer fails to implement such reclamation plan prior to the approval of the final development plan or subdivision plan, the Commission may, without prejudicing any rights the Village may have at law or in equity, withhold approval of the final development or subdivision until such reclamation has begun. Such required reclamation may, however, be covered in the developer's bond.

504.025: Criteria

In making its determination, the Commission shall utilize the following criteria:

- A. **Unity** - Dedicated land must form a single parcel of land except in the event the Commission determines that two or more parcels would be in the best public interest.
- B. **Shape and Topography** - The shape of the dedicated parcel of land must be sufficiently geometric to be usable for recreational activities such as softball, tennis, football, and other active recreational pursuits. In addition, steep slopes, streams, lakes, water courses, and flood plains may constitute a maximum of forty percent (40%) of the dedicated land. A minimum of sixty percent (60%) of the recreational land requirement shall be suitable for dry ground recreational use. In this latter regard, fifty percent (50%) of the dry ground recreation area shall not exceed three percent (3%) grade, and the remaining dry ground recreation area shall not exceed five percent (5%) grade; provided, however, that this requirement may be waived, in whole or in part, if the Commission determines that, although certain land areas to be dedicated are not usable for dry ground recreational use, such areas are of unique natural beauty or environmental or historic value.
- C. **Location** - Dedicated land must be centrally located in order to serve the recreation and open space needs of the subdivision or development for which the dedication was made. The recreation land in a subdivision or development must be located so that it is reasonably accessible from all dwelling units within the subdivision.
- D. **Access** - Public access and maintenance access to the dedicated parcel, or parcels, shall be provided by adjoining street frontage.
- E. **Preservation of Natural Beauty** - In all instances, natural features of scenic beauty such as trees, plant life, brooks and other watercourses, topography,

historic locations, views, and similar conditions which, if preserved, will add attractiveness and value to the dedicated land, shall be considered and preserved in the dedication of open space, parks, and recreation areas.

505.00 - Fee-In-Lieu of Dedication

505.01: Amount of Fee-in-Lieu

In the event the Commission determines that a subdivider or developer must pay a fee-in-lieu of land dedication, the amount of such fee shall be determined by the following formula:

| | | | | |
|-----------------------------------|---|--|---|-------------------|
| Fee-in-lieu of land dedication | = | Land area that would otherwise be required to be dedicated pursuant to Section 502.00 of this Regulation | x | Fair Market Value |
|-----------------------------------|---|--|---|-------------------|

506.00 - Determination of Fair Market Value

For the purposes of this resolution, fair market value shall be determined as follows:

506.01: Time for Determination

Fair market value shall equal the average value per acre of all land in each subdivision or development in its raw, undeveloped state, determined by application of one of the following procedures:

506.011: By Agreement

By agreement between the subdivider or developer and the Commission; or

506.012: Current Assessment Practices

In the event the subdivider or developer and the Commission cannot agree, by determination of the Commission on the basis of assessed value for property tax purposes of all land in the subdivision, or development, modified to equal market value in accordance with current assessment practices, and divided by the total number of acres within the subdivision or development; or

506.013: Independent Appraiser

In the event the subdivider or developer objects to the valuation method by a qualified independent appraiser approved by the Commission in accordance with the Ohio Revised Code; or

506.014: Board of Appraisers

In the event the subdivider or developer objects to all foregoing methods of valuation, then the valuation shall be set by a three (3) member board of appraisers, one of whom shall be appointed by the Commission, one of whom shall be appointed by the subdivider or developer, and one of whom shall be selected by the two appraisers so appointed. The decision of a majority of such a board shall be final.

507.00 - Credit for Private Open Space

507.01: Allowance of Credit

In the event the developer or subdivider provides private open space for park and recreational purposes and such space is to be privately owned and maintained by the future residents of the subdivision or development, or by the subdivider or developer, and in the event the Commission determines that such private open space adequately fulfills the park and recreation needs of the proposed subdivision or development, the fair market value of such areas shall be credited against the land dedication and park development fee requirements of these regulations.

507.02: Standards and Limitations

Notwithstanding the preceding subsection 507.01, the credit for private open space shall be allowed only if the following standards are met.

507.021: Already Required

Yards, court areas, setbacks, and other such open areas required by the zoning ordinance shall not be included in the computation of such private open space.

507.022: Valid and Enforceable Undertakings

Private ownership, development, and maintenance of the open space shall be assured by valid and enforceable undertakings on the part of the subdivider or developer; or

507.023: Recorded Covenants

The use of private open space is restricted for park and recreational purposes by recorded covenants that run with the land in favor of the future owners of the property within the subdivision or development, and cannot, by their terms, be defeated or eliminated without the consent of the Commission.

507.024: Reasonable and Adaptable

The proposed private open space is reasonably adaptable for park and recreational uses, taking into consideration such factors as size, shape, topography, geology, access, and location of the private open space land; and

507.025: Compatibility with Parks Plan

Facilities proposed for the private open space are reasonably compatible with those required by the Village plans.

508.00 - Reduction of Minimum Lot Size and Frontage Requirements

508.01: Land Dedication Only

In the event a subdivider or developer elects to fulfill the land dedication requirements of these regulations solely by dedicating land for the park and recreational use, and such action is approved by the Commission as provided herein, the minimum lot area standard and frontage requirements applicable to such subdivision or development provided in the zoning ordinance may be reduced at the request of the subdivider or developer if approved by the Commission. Provided, however that in the event a lot size and frontage reduction pursuant

to this subsection enables a subdivider or developer to erect additional dwellings, a fee-in-lieu of land dedication in an amount determined in accordance with the provisions of this resolution shall be required with respect to the additional dwelling, as determined in accordance with Section 502.00 of this resolution.

508.02: Land Dedication and Fee-in-Lieu

If the subdivider or developer elects to fulfill the requirements of these regulations in part through the dedication of park land, and in part through Fee-in-Lieu, and the Commission approves such action, the minimum lot area standards and frontage requirements applicable to such subdivision or development may be reduced if approved by the Commission.

508.03: Additional Voluntary Land Dedication

In the event a subdivider or developer wishes to dedicate land for a park and recreational use in addition to the dedication and fee-in-lieu requirements of these regulations, the subdivider or developer may reduce the minimum lot area requirements and frontage requirements applicable to the subdivision or development by subtracting the additional land area to which the minimum lot area requirement would otherwise be applied, provided; however, that no such voluntary dedication shall result in a reduction of the minimum lot area requirements in excess of five percent (5%) in addition to the reductions allowed pursuant to section 608.01 hereof; and provided further, that no such additional reduction in minimum lot area requirements shall result in the erection of additional dwellings.

509.00 - Treatment of Land to be Dedicated; Procedure for the Dedication of Land and Payment of Fees

509.01: Unaltered

Following approval of a preliminary design plan which designates land for park dedication, the existing vegetation (except growing commercial crops other than growing timber), topography, features of historic value, stream courses, soil, rock strata and other natural features of such dedicated land shall not be altered or their condition adversely affected in any way without the consent of the Commission.

509.02: General Warranty Deed

Dedication of land to the Village shall be by general warranty deed conveying to the Village good and marketable title to the real estate described in such deed, free and clear of all liens and encumbrances. Dedicator shall also deliver an Owner's Policy of Title Insurance to the Village in the amount of the value of the property being so dedicated. This deed shall be executed and delivered to the County Recorder for recording prior to the approval of the final plat map or development plan of any section or any portion of the subdivision or development, the boundary of which is contiguous with the proposed park and recreational facility. In the event that a final plat map or development plan of any portion of the subdivision or development, the boundary which is not contiguous with the proposed park and recreational facility is filed, the developer shall place the required dedication in escrow or may receive total credit for the entire preliminary plat at that time. Open space covenants for private park or recreational facilities shall be submitted to the County Recorder prior to approval of the final plat map of the development plan and shall be recorded contemporaneously with the final plat map or development plan. In the event fees are

required, the amount thereof shall be deposited with the Commission prior to the approval and recording of the final plat map or development plan.

510.00 - Limitation on Use of Land and Fees

Any land and fees received by the Village pursuant to these sections shall be used only for the purpose of providing park and recreational facilities.

511.00 - Adjustment Provisions

Notwithstanding any provision of these regulations to the contrary, the Commission may, in cases of an unusual or exceptional nature allow for adjustments in the park land dedication and fee-in lieu regulations and park development fee requirements as established in, and required by, the provisions of this regulation. Adjustments may be allowed when, in the opinion of the Commission, it has been determined and satisfactorily shown that character of the particular subdivision or development, and the park and recreation need generated by and associated with any subdivision or development, sufficiently justify such adjustment or adjustments.

512.00 - Multi-Use Trails

All subdivisions shall incorporate twenty (20) foot-wide easements and ten (10) foot-wide multi-use trails that interconnect with other parks and neighborhoods in the Village. The Commission shall have the discretion to make exceptions to having sidewalks on both side of the development in favor or interconnected trail systems.

ARTICLE 6

600.00 - Water Supply Systems

601.00 - Water Supply Policies

601.01: Accessible Water System

Where a public central water system is reasonably accessible, the subdivider shall connect to it and provide water mains accessible to each lot in the proposed subdivision. The determination of whether or not the central system is reasonably accessible shall be made by the Commission.

601.02: Water Line Sizes

The water lines and appurtenances shall meet the requirements of the public water distribution system pertinent to the development.

Note: Water distribution systems and water well systems shall also meet the requirements of the Ohio EPA. All well systems shall meet the requirements of the Delaware County Board of Health.

601.03: Fire Hydrant Lines

The minimum size water line serving one fire hydrant shall be six (6) inch diameter. When two or more fire hydrants will draw water through the same waterline, the minimum diameter shall be eight (8) inches. Fire hydrants shall be spaced so that any point of an inhabited building can be reached by using less than five hundred (500) feet of fire hose from two fire hydrants unless these minimum requirements are superceded by the applicable regulations of the fire district.

601.04: Wells

Where a public water supply is not available or not required, the subdivider shall supply acceptable evidence of the availability of water. The subdivider may be required to make one or more test wells in the area to be platted if such evidence is deemed not acceptable. Copies of well logs which are obtained shall include the name and address of the well driller and shall be submitted with the plat to the Commission.

601.05: Well Locations

Individual private wells shall be located at least twenty-five (25) feet from property lines; fifty (50) feet from all septic tanks; fifty (50) feet from all tile disposal fields and other sewage disposal facilities; twenty (20) feet from all cast iron or plastic sewer lines; fifty (50) feet from any vitrified sewer tile lines; and, shall not be located within any flood plain. As a precaution against seepage, a watertight seal shall be provided around the pump mounting, and in all cases where it has been determined that individual water supplies from private wells are not feasible, a public water distribution system shall be required.

601.06: Public Water Accessible Within 10 Years

Where a public central water system is not reasonably accessible, but will become available within a reasonable time (not to exceed ten (10) years), easements for a central water system shall be provided on the subdivision plat.

601.07: Public Water Not Accessible Within 10 Years

Where public central water supply systems are not reasonably accessible and will not become accessible for a period in excess of ten (10) years, the subdivider may install a community system in accordance with these Regulations and the regulations of the Delaware County Board of Health and the Village engineer.

601.08: On-Lot Water Systems

In the event that a public central water supply system or community water supply system cannot reasonably be made available, on-lot systems may be allowed, provided that such systems are in accordance with the Delaware County Board of Health and the Ohio Environmental Protection Agency.

601.09: Test Wells for Low Yield Areas

When Ohio Capability Analysis Program (OCAP) maps, or other geologic information shows that groundwater yields may be questionable for the proposed development, the Commission may require that the subdivider drill a minimum of three (3) test wells, or more, as may be required by the County Board of Health. The test wells should be drilled at locations and depths necessary to determine the horizontal and vertical dimensions of any water bearing strata proposed as a source of water supply. The Board of Health may require the construction of central water facilities, including a water tower or storage wells, where necessary.

602.00 - Critical Water Supply Areas**602.01: Lot Sizes Near Reservoirs**

All residential, commercial, or industrial lots in the following areas not served by public or group sanitary sewer shall meet the following requirements:

Lots not served by public or group sanitary sewer within two thousand (2,000) feet of the Big Walnut and Little Walnut Creek, and Hoover Reservoir shall have a frontage of at least one-hundred-fifty (150) feet and at least two (2) acres (87,120 square feet) in area.

602.02: Cul-de-sac Lots

In areas where a two-acre minimum is required, pie-shaped lots may be reduced to a lot frontage of sixty (60) feet but in no case shall the width at the building line be less than one-hundred-fifty (150) feet.

602.03: Rights-of-Way Excluded

In order to secure and provide the necessary area for percolation, the area requirements heretofore mentioned shall be in addition to any existing or proposed road or road easements.

ARTICLE 7

700.00 - Sanitary Sewer Improvements

701.00 - Development Agreement

As a condition prior to the Village engineer's signature of the final plat, the subdivider of the land covered by the plat shall pay all applicable fees and execute and submit to the Commission three (3) signed copies of a Subdivider's Agreement which shall be binding on his or her heirs, personal representatives, and assigns. Part of which agreement shall state that unless otherwise allowed by the Village engineer, no building shall be occupied or receive a certificate of occupancy until all improvements required by these regulations are accepted by the Commission including but not limited to: operation and maintenance, and inspection of the lateral connection to service the building.

701.01: Methods for the Installation of Improvements

Prior to the recording of the final plat, the subdivider shall, pursuant to the ORC, install or provide for the installation of sanitary sewer improvements by one of the following methods:

701.011: Completion of Improvements

After final plat approval is obtained from the Commission, and prior to signature of the final plat by the Village engineer, the subdivider shall complete all the required improvements, and provide for the maintenance and/or dedication of these improvements, free and clear of all encumbrances on the property. Prior to the installation of these improvements, the improvement plans must be approved by the Commission, the Village engineer, Ohio EPA and any other responsible agency which may be involved.

701.012: Surety Provisions

The subdivider shall deposit with the Commission payable to the Village, an amount equal to one hundred percent (100%) of the estimated cost of the improvements, the said improvements including the sewers and wastewater treatment facilities and all components of the system. The cost shall be determined by or approved by the Village engineer, in a surety sufficient to secure for the Commission the satisfactory construction, installation, and dedication of the incomplete portion of the required improvements.

Such surety shall comply with all statutory requirements and shall be satisfactory to the Village in said surety's form, content, and manner of execution. Sureties in a format other than the examples in the Appendix must receive prior approval from the Village solicitor.

- A. **Completion Period** - The period within which required improvements shall be completed shall not exceed one (1) year from the date of final approval. Approval of the subdivision may be rescinded if all improvements have not been installed and formally accepted by the Village within this one (1) year period. The Commission may grant extension(s) to the one (1) year period.
- B. **Surety Reduction** - The surety may be reduced by no more than seventy-five percent (75%) of the actual construction in place and acceptable to the Village prior to com-

pletion of the subdivision. Said reduction and the percentage thereof shall be determined by the Commission upon written request of the subdivider.

- C. **Subdivision Plat Vacation** - At any time after providing a surety and recording a subdivision plat, prior to the transfer of land in the subdivision, and prior to initiation of the construction of required improvements, a subdivision plat may be vacated in its entirety upon the mutual agreement of the subdivider and the Village. Said surety may be released in its entirety after said subdivision plat vacation is completed in accordance with applicable statutes of the Ohio Revised Code.

701.02: Hold Harmless

The subdivider shall hold the Village free and harmless from any and all claims for damages of every nature arising or growing out of the construction of such improvements, and shall defend, at their own cost and expense, each and every lawsuit brought against the Village by reason thereof until the improvement has been accepted by the Village engineer, and the Village Council.

701.03: Maintenance

The Village may, where appropriate in the opinion of the Village engineer, require the subdivider to submit a warranty/maintenance surety in an amount not exceeding ten percent (10%) of the original cost of the improvements which shall be in force for no less than one (1) year following the final acceptance of any required improvements and shall guarantee satisfactory performance of the those improvements.

701.04: Conditions

All of the required sanitary improvements to be installed under the provisions of these regulations shall be subject to inspection by the Village engineer. Inspection expenses incurred as a result of the improvements shall be paid and reimbursed to the Village by the subdivider.

The Development Agreement establishes an escrow fund for the use of the Village for engineering expenses for inspecting the construction.

No final plat shall be signed or approved by the Commission until the Commission receives reports signed and approved by the Village engineer certifying the improvements described therein, or in the agreements and documents which provide for the installation of improvements as stipulated under these regulations, meet the requirements of the applicable authority(s).

702.00 - Sanitary Sewer Improvements Procedure

702.01: Approvals

Please refer to the Village of Galena Ordinance for Sanitary Sewer Improvements.

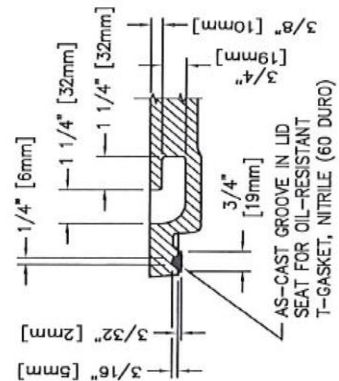
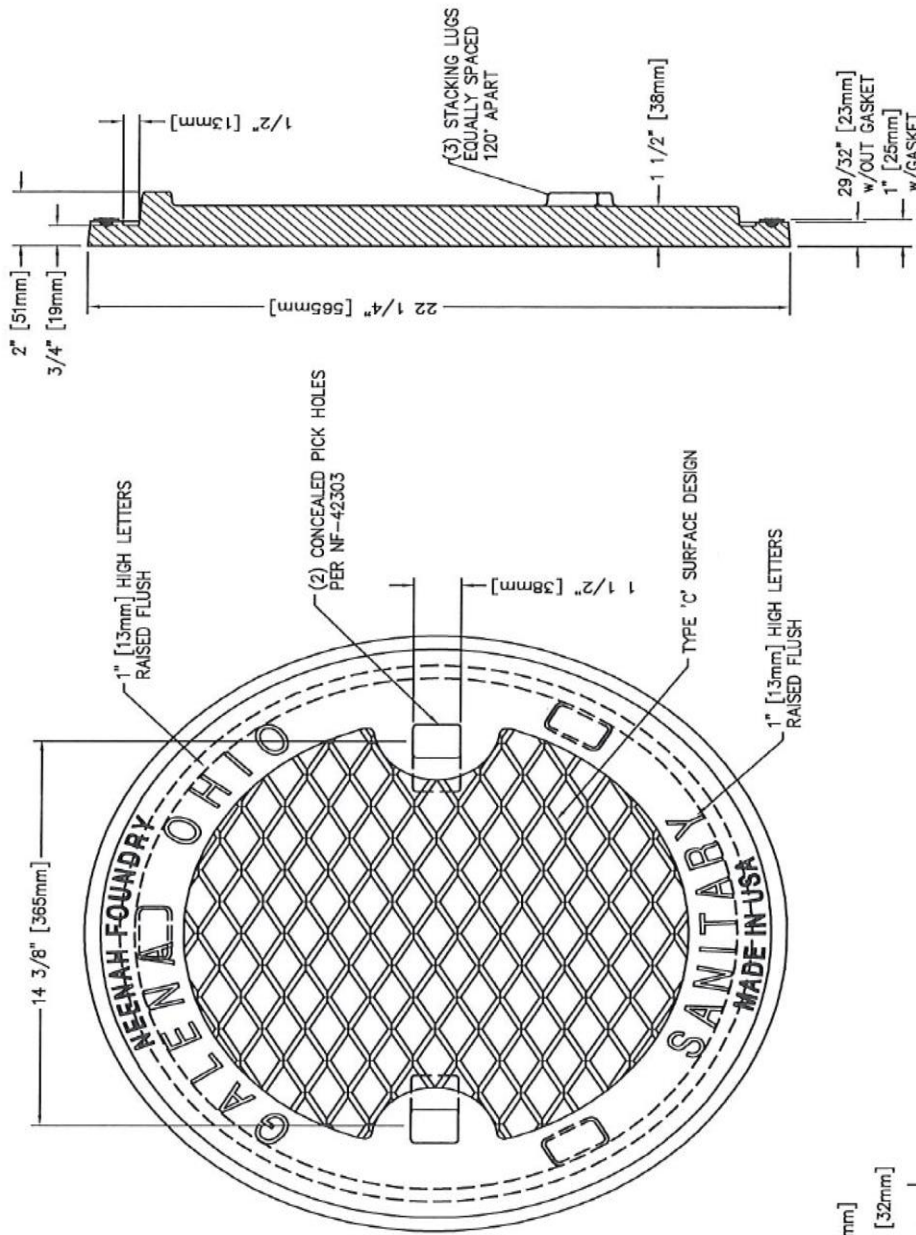
702.02: Standards

The Sanitary Sewer Improvement Standards of the Village of Galena shall be the Delaware County Regional Sewer District Rules and Regulations, Construction and Materials Specifications, Standard Drawings and Standard Notes (Current Editions).

Where the Sanitary Engineer is referenced said reference shall be understood to be the Village of Galena, Ohio Engineer. Exceptions to these standards will be kept on file with the Village of Galena Engineer. Delaware County Standards can be accessed at: <http://www.co.delaware.oh.us/engineer/development/standards.htm>. Consult with the Village Engineer for any local modifications.

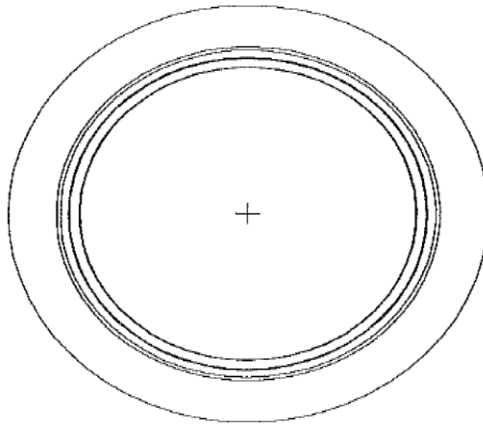
702.03: Sanitary Lid Covers

Please see the attached drawings for information on the specifications for sanitary sewer covers and lids.

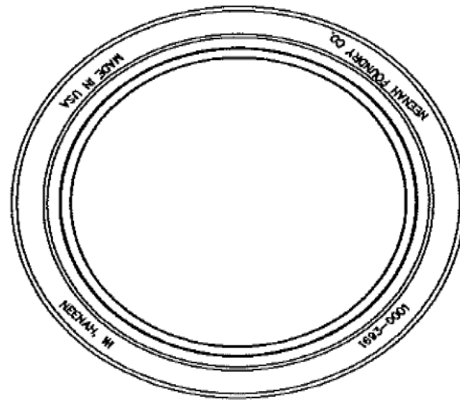
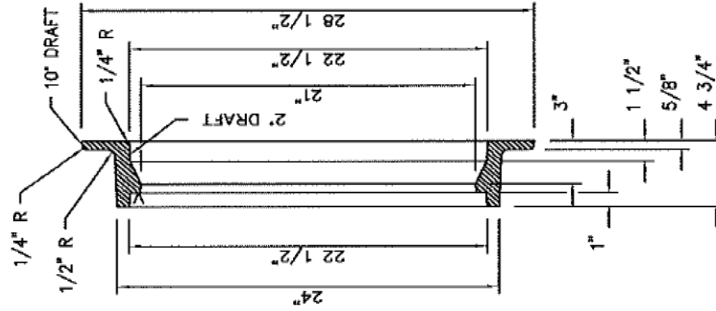


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 NOTE: ALL DIMENSIONS SHOWN ARE IN ENGLISH AND [METRIC].
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 FINISH: NO PAINT
 WEIGHT: 126#

| DR. | E. NIVER | SCALE | 1/4"=1" | TITLE | R-1762, PLATEN LID |
|------|------------|-------|---------|-------|--|
| CL. | RKB | | | | LTRD. 'GALENA OHIO' 'SANITARY' |
| APP. | SPT | | | | NEENAH FOUNDRY |
| DATE | 04-02-2018 | | | | NEENAH, WISCONSIN 54656 PHONE 800-359-5075 LINCOLN, NEBRASKA 68508 PHONE 800-234-7461 |
| | | | | | NF-1762T44 |



| | | |
|------------|-------------------------|-----|
| 12-18-2000 | ADDED 1/18" RAD. | MMH |
| 10-17-96 | ADD ASBESTO 4-205 WHITE | CSX |
| DATE | REVISION | BY |



MATERIAL: CAST GRAY IRON ASTM A-48, CLASS 35B

FINISH: NO PAINT

WEIGHT: 127#

1762-A low profile frame

| DR. | E. | SCALE | TITLE |
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| CH. | REMME | 1/8"=1" | R-1693 FRAME |
| APP. | | DIM. CHK. | NEENAH FOUNDRY COMPANY NEENAH, WISCONSIN 54956 |
| DATE | 11-10-87 | D.K. | NF-16930001 B |

CAD DWG. REF: 16930001-1

ARTICLE 8

800.00 - Variances and Revisions

801.00 - General

Where the Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these Regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these Subdivision Regulations so that substantial justice may be done and the public interest served, provided that such variance shall not have the effect of nullifying the intent and purpose of these Regulations; and further provided the Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

801.01: Not Detrimental

The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;

801.02: Unique Conditions

The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;

801.03: Hardship

Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these Regulations are carried out;

801.04: Will Not Vary Other Requirements

The variances will not in any manner vary the provisions of the Zoning Ordinance, comprehensive plans, or other applicable guidelines and regulations.

802.00 - Conditions

In approving a variance, the Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these Regulations.

803.00 - Procedure for Variance Approval

803.01: Filing and Fees

The applicant shall file for the subdivision variance at the time of preliminary plan. Applications are available from the Village offices. A fee established by Council shall be paid by the subdivider or applicant as a condition of acceptance of the variance application.

803.02: Fee Exemptions

Applications for a variance from the three-and-a-half to one (3½-to-1) depth-to-width ratio provisions of these Subdivision Regulations shall be exempt from the fee requirements and technical review provisions but shall be subject to all other variance procedures. Applications

for variances from the three-and-a-half to one (3½-to-1) standard must be filed at least twenty-one (21) working days in advance of the next regular meeting of the Commission.

803.03: Subdivision Technical Review Group Meeting

The variance application shall be placed on the agenda of and considered at the first Commission meeting occurring within twenty (20) days after submission of the application and shall be referred to the Subdivision Technical Review Group within ten (10) days from the date of such meeting.

The Subdivision Technical Review Group will be comprised of the Village Administrator, Engineer, Zoning Inspector, and Solicitor as well as representatives of other entities affected by the subdivision such as the County Engineer. Members shall review and comment on the variance application within two (2) weeks of the time it is submitted to the Subdivision Technical Review Group and within said two-week period shall submit a written report to the Commission. The Commission shall then give its decision on the variance application within sixty (60) days of its original submission to said Commission.

803.04: Staff Report

Within three (3) weeks following the Subdivision Technical Review Group meeting, Village staff shall notify the applicant in writing of the comments and recommendations made by the Subdivision Technical Review Group members.

ARTICLE 9

900.00 - Violations and Penalties

901.01: Disclaimer of Liability

- A. Compliance with the provisions of these regulations shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or any particular parcel of property.
- B. By approving a Comprehensive Storm Water Management Plan (CSWMP) under these Regulations, the Village does not accept responsibility for the design, installation, operation, and maintenance of storm water management systems.

901.02: Conflicts, Severability, Nuisances and Responsibility

- A. Where these Regulations conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the Village engineer, shall prevail.
- B. If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of proper jurisdiction, the validity of the remainder shall not be affected thereby.
- C. These Regulations shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of these Regulations shall not be a defense in any action to abate such a nuisance.

901.03: Misrepresentation

No subdivider shall represent that any improvement in the subject subdivision has been constructed, inspected, or supervised according to the plans and specifications of these Regulations when such improvements have not been so constructed, inspected, or supervised.

901.04: Violations

Any person, firm, entity, or corporation; including but not limited to, the owner of the property, his agents and assigns, occupants, property managers, developers, and any contractors or subcontractors who violate, or fail to comply with any provision of these Regulations is guilty of a minor misdemeanor and shall be fined no more than one hundred dollars (\$100.00) for the first offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. A second offense will result in a misdemeanor of the third degree, a fine of five-hundred dollars (\$500.00) and no more than sixty (60) days in jail.

No person shall violate, cause, or knowingly permit to be violated any of the provisions of these Regulations, or fail to comply with any such provisions or with any lawful requirements of any public authority made pursuant to this regulation, or knowingly

use, cause, or permit the use of any lands in violation of this regulation or in violation of any permit granted under this regulation.

901.05: Appeal

Any person who believes he has been aggrieved by these Regulations has all the rights of appeal as set forth in the ORC. Any person aggrieved by any order, requirement, determination, or any other action or inaction by the Village in relation to these regulations may appeal to the court of common pleas. Written notice of appeal shall be served on the Village. Appeals shall conform to the appropriate sections of the Ohio Revised Code.

901.06: Notices

The appropriate agency may serve a written notice or order upon the person responsible whenever the agency is satisfied that any work is being done or any transactions are being made in violation of the provisions of these Regulations or in violation of a detailed statement or plan submitted and approved by the Commission. Such notice shall direct the discontinuance of any illegal action and the correction of the condition that is in violation of the provisions and requirements of these Regulations.

In case such notice or order is not promptly complied with, the appropriate agency shall notify the other public offices, utility companies, and other officials concerned therewith and shall request the same to withhold their approval and stop all services to the property where such violation is concerned and to refuse such services until these Regulations are complied with. The appropriate agency may also request the Village solicitor to institute the appropriate action or proceeding at law or equity to restrain, correct, remove, or prosecute such violation.

901.07: Penalty

The imposition of any other penalties provided herein shall not preclude the Village from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful development, or restrain, correct, or abate a violation, or to require compliance with the provisions of these Regulations or other applicable laws, ordinances, rules, or regulations, or the orders of the Village of Galena.

ARTICLE 10

1000.00 - Required Information on the Subdivision Plat

1001.01: Required Statements to be Affixed on the Subdivision Plat

The following statement shall be affixed on the subdivision plat:

"Situated in the Village of Galena, County of Delaware, State of Ohio, and being part of Section _____, Township Range _____, (Land Grant, U.S. Military etc.) or Subdivision (or Addition) to the Village of Galena containing _____ acres and being the same tract as conveyed to _____ and described in deed recorded in Deed Book _____, Page _____, Recorder's Office, Delaware, Ohio.

We, the undersigned, being all the owners and lien holders of the land platted herein, certify that the attached plat correctly represents our _____, a subdivision of lots _____ to _____, inclusive, do hereby accept this plat of same, do voluntarily consent to the execution of said plat. (If any new streets are platted, the following statement must be included.) All streets shown hereon will not be accepted for public use until such time as construction is complete and said streets are formally accepted as such by the Village of Galena."

In Witness thereof _____ have hereunto set their hands this _____ day of _____, 20____.

Witness _____ Signed _____

Witness _____ Signed _____

Witness _____ Signed _____

"Easements are reserved for the construction, operation and maintenance of all public and private utilities purposed above and beneath the surface of the ground, and where necessary, are for the construction, operation, and maintenance of service connections to all lots and lands, and for storm water drainage.

The dimensions of the lots and streets are shown on the plat in feet and decimal parts thereof."

In Witness thereof _____ have hereunto set their hands the _____ day of _____, 20____.

Witness _____ Signed _____

Witness _____ Signed _____

Witness _____ Signed _____

Surveyed and Platted by: _____
Registered Surveyor

“We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct. Dimensions on curves are chord measurements.”

By _____
Registered Surveyor

STATE OF OHIO
COUNTY OF DELAWARE

Before me a Notary Public in and for said County personally came _____ who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for uses and purposes therein expressed.

In witness whereof I have hereunto set my hand and affixed my official seal this _____ day of _____ 20_____.

Notary Public

Approved this _____ day of _____ 20_____

Village Engineer

Approved this _____ day of _____ 20_____

Mayor/Chairman, Village of Galena
Planning and Zoning Commission

This _____ day _____, 20_____, rights-of-way for all, roads, boulevards, etc., herein dedicated to public use are hereby approved and accepted as such for the Village of Galena, County of Delaware, State of Ohio.

Mayor, Village of Galena

Zoning Officer, Village of Galena

This plat shall not be transferred or recorded until all above required signatures are placed on this plat.

Transferred this _____ day _____, 20_____

Delaware County Auditor

Filed for record this _____ day _____, 20_____, at _____M.
Recorded this _____ day _____, 20_____, in plat Book _____,
Page No. _____.

Delaware County Recorder Deputy Recorder

Minimum floor elevation as shown on this plat shall not be lowered unless approved by the Village's Building Inspector.

"The owners, their successors, heirs or assigns of the herein delineated lots agree that when a central sewerage system is constructed within two hundred feet of a structure constructed on a said delineated lot, said lot shall be connected to said central sewer system. Acceptance of title to a delineated lot of the subdivision shall constitute waiver of further notice or hearing on this requirement. This covenant shall be included in conveyances of title for said lots."

"The earthwork contractor shall comply with all federal, state, and local laws and regulations regarding all drainage, soil and erosion control, and storm water pollution requirements.

NOTES:

1001.02: Subdivision Review Number

The subdivision review number, as assigned by the Village of Galena Zoning and Planning Commission, shall be placed in the upper right hand corner of all subdivision plats and topographical maps in a block at least one (1) inch by two (2) inches.

ARTICLE 11

1100.00 - Legislation adopting these Subdivision Regulations

ORDINANCE NO. 2020-03 (3rd Reading, Emergency)

AN ORDINANCE ADOPTING A COMPREHENSIVE REVISION OF THE SUBDIVISION REGULATIONS OF THE VILLAGE OF GALENA.

WHEREAS, Council had previously adopted *Subdivision Regulations* and,

WHEREAS, The Planning & Zoning Commission has recommended a comprehensive revision and modification of these *Subdivision Regulations* and,

WHEREAS, the Public Hearing having been scheduled on this issue for January 27, 2020 and having concluded on January 27, 2020, with at least thirty (30) days advanced public notice of the time and place of such Public Hearing having been given as otherwise provided by law and,

WHEREAS, Council having concurred that the *Subdivision Regulations* must be modified comprehensively rather than piecemeal.

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE OF GALENA, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1. Council hereby accepts the recommendation of the Planning & Zoning Commission to adopt a comprehensive revision of the *Subdivision Regulations* for the Village of Galena which are attached hereto and incorporated herein by reference.

Section 2. Any prior versions of the *Subdivision Regulations* are hereby repealed.

Section 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this *Ordinance* were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Village of Galena which resulted in such formal actions were in a meeting so open to the public in compliance with all legal requirements of the Village of Galena, Delaware County, Ohio.

VOTES ON RULE SUSPENSION: Y _____ N _____

VOTES ON ORDINANCE NO.: 2020-03 Y 6 N 0

Jill Love 4-29-20
Jill Love, Mayor Date

Suzanne Rease 4/29/20
Suzanne Rease, Fiscal Officer Date

APPROVED AS TO FORM:

Kenneth J. Molnar 4/30/20
Kenneth J. Molnar, Solicitor Date

ORDINANCE NO. 2023-07 (3rd Reading)

AN ORDINANCE ADOPTING A COMPREHENSIVE REVISION OF THE SUBDIVISION REGULATIONS OF THE VILLAGE OF GALENA.

WHEREAS, Council had previously adopted Subdivision Regulations and,

WHEREAS, The Planning & Zoning Commission has recommended a comprehensive revision and modification of these Subdivision Regulations and,

WHEREAS, the Public Hearing having been scheduled on this issue for June 21, 2023 and having concluded on June 21, 2023 with at least thirty (30) days advanced public notice of the time and place of such Public Hearing having been given as otherwise provided by law and,

WHEREAS, Council having concurred that the Subdivision Regulations must be modified comprehensively rather than piecemeal.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF GALENA, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1. Council hereby accepts the recommendation of the Planning & Zoning Commission to adopt a comprehensive revision of the Subdivision Regulations for the Village of Galena which are attached hereto and incorporated herein by reference.

Section 2. Any prior versions of the Subdivision Regulations are hereby repealed.

Section 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Village of Galena which resulted in such formal actions were in a meeting so open to the public in compliance with all legal requirements of the Village of Galena, Delaware County, Ohio.

VOTES ON RULE SUSPENSION:

Y _____ N _____

VOTES ON ORDINANCE NO.: 2023-07

Y 5 N 0

 9-25-23
Jill K. Love, Mayor Date

 9-25-23
Michelle Dearth, Fiscal Officer Date

APPROVED AS TO FORM:

 9/25/23
Kenneth J. Molnar, Solicitor Date

APPENDIX

Rules

For the purpose of these Regulations, words used in the present tense include the future tense; and the singular includes the plural, unless the context clearly indicates the contrary.

The term "shall" is always mandatory and not discretionary; the word "may" is permissive.

The word or term not interpreted or defined by this article shall be used with a meaning of common or standard utilization, so as to give these Regulations the most responsible application.

Definitions

Acceleration Lane

An added roadway lane which permits integration and merging of slower moving vehicles into the main vehicular stream.

Access

A way or means of approach to provide physical entrance to a property.

Access Road

A street designed to provide vehicular access to abutting property and to discourage through traffic.

Accessory Structure

A structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure.

Accretion

The creation of land by the recession of a lake or stream or by the gradual deposit of solid material by water.

Acre

An acre is a measurement of area equaling 43,560 square feet.

ADT

See "Average Daily Traffic".

Aerial Map

A map created from a process involving the taking of photographs from the air.

Aggregate Diameter

The combined diameter of a multiple trunk tree measured at diameter breast height.

Alley

A public right-of-way not less than twenty (20) feet or more than thirty (30) feet wide which functions as a service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

Alternative Energy

Any energy source that is an alternative to fossil fuel.

Annexation

The incorporation of a land area into an existing municipality with a resulting change in the boundaries of that community.

Applicant

A person submitting an application for development.

Application for Development

The application form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.

Approving Agency

Approving Agency means a governing body or its duly designated representative. The agency, board, group or other legally designated individual or authority which has been charged with review and approval of plans and applications.

Approved Plan

A plan which has been granted final approval by the appropriate approving authority.

Area Scale

A graphic display of the relationship between area on a map and actual areas.

Arterial Street

See “Streets”.

As-Built Plans

Plans which reflect the actual construction and are accompanied by text explaining differences from the final approved plan.

As-Built Survey

An As-Built Survey is a survey shown on a plan or drawing prepared by a Registered Surveyor indicating the actual dimensions, elevations, and locations of any structures, underground utilities, swales, detention facilities, and sewage treatment facilities after construction has been completed.

Assemblage

The merger of separate properties into a single tract or land also known as Consolidation.

Average Daily Traffic (ADT)

The total traffic volume during a given time period (in whole days greater than one (1) day and less than one (1) year) divided by the number of days in that time period.

Base Map

A map having sufficient points of reference, such as state, county or municipal boundary lines, streets, easements, and other selected physical features to allow the platting of other data.

Basement

A space having one-half ($\frac{1}{2}$ or 0.5) or more of its floor-to-ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height or not less than six-and-a-half ($6\frac{1}{2}$ or 6.5) feet.

Beltway

A highway usually of limited access, around an area of high traffic congestion or urban development.

Berm

A mound of earth, or the act of pushing earth into a mound.

Bikeway

A pathway, often paved and separated from streets and sidewalks, or along the side of a street, designed to be used by bicyclists.

Best Management Practices (BMPs)

Best Management Practices (BMPs) are a schedule of activities, prohibitions of practices, operation and maintenance procedures, treatment requirements, and other practices considered by an industry to be optimal and preferred.

Bio Swale

Landscape elements designed to remove silt and pollution from surface runoff water. They consist of a swale drainage course with gently sloped sides (less than six percent) and filled with vegetation, compost and /or riprap. Storm water runoff conveyances are systems that provide an alternative to storm sewers. They can absorb low flows or carry runoff from heavy rains and snowmelt to storm sewer inlets or directly to surface waters, or to infiltrate ground water.

BMP

See “Best Management Practices”.

Bond

A formal obligation entered into between a developer and the Village to insure completion of infrastructure.

Borrow Pit

The excavation of an area for the purpose of removing earth material to utilize at another area.

Bridge

A structure having a clear span of more than twenty (20) feet designed to convey vehicles and/or pedestrians over a watercourse, railroad, public or private right-of-way, streets, trails, sidewalks, or depression.

Buffer

Any combination of mounds, fencing, plantings, etc. intended to separate one land use or activity from another.

Building Activity Area

The area of a lot in which construction and building activities are to be limited and hence shall be the smallest possible area of a lot or parcel of land within which building activity may take place, including the entire area affected by building and grading activities related to the proposed construction, to be determined with maximum regard for existing trees.

Buildable Area

The area of a lot remaining after the minimum yard and open space requirements of the zoning ordinance have been met.

Building Coverage

The horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a lot.

Building Inspector

That individual designated by the appointing authority to enforce the provision of the building code.

Building Line

A line parallel to the street line at a distance therefrom equal to the depth of the front yard required for the zoning district in which the lot is located.

CAD

See “Common Access Drive”.

Caliper

The diameter of a tree trunk six (6) inches above the existing grade or proposed planted grade. This measurement is used for nursery-grown trees.

Catch Basin

An inlet designed to intercept and redirect surface waters.

CDA

See “Community Development Authority”.

Central Sewer System

See “Wastewater Treatment Systems”

Central Water System

See “Water Supply Systems”

Certificate of Compliance

A document issued by the proper authority that construction adheres to the approved plans for a proposed use and meets all applicable codes and regulations.

Certificate of Occupancy (CO)

A document issued by the proper authority allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with its approved permit and with all the applicable municipal codes and ordinances.

Certification

A written statement by the appropriate official that required constructions, inspections, tests, or notices have been performed and comply with applicable requirements.

Certificate of Deposit

A certificate held on deposit by a financial institution for the benefit of the Village until which time as the subdivider has fulfilled their obligation to install the required improvements. Also: A certificate or evidence of debt which protects against loss due to inability or refusal of an individual or contractor to perform his or her contract as in or used as a Performance Bond.

Channel

A natural stream that conveys water; a ditch excavated for the flow of water.

Clean Water Act

Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, Pub. L. 97-117, and Pub. L. 100-4, 33 U.S.C. 1251 et. seq. Referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972.

Cluster

A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Cluster Subdivision

A form of development for single-family residential subdivisions that permits a reduction in lot area and bulk requirement, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant land area is devoted to open space.

Collector Streets

See “Streets”.

Commission

The Village of Galena Planning and Zoning Commission.

Common Access Drive (CAD)

A Common Access Drive (CAD) is a privately constructed, privately owned and privately maintained driveway within an ingress/egress easement, serving more than one lot or parcel, but not more than five lots (or parcels), properly installed accordance with these Regulations for which the municipality accepts NO responsibility for plan review, approval, and construction inspection and for which the municipality accept NO responsibility for maintenance, either initially, or at any time in the future.

Community Association

A homeowner's association organized to own, maintain, and operate common facilities and to enhance and protect their common interests.

Commission

The Zoning and Planning Commission of the Village of Galena, Ohio.

Community

The Village of Galena, its designated representatives, boards, or commissions.

Community Development Authority (CDA)

A tax district that a developer enters into with the Village that provides an additional tax on each lot sold to benefit the or other service agencies including the Village and school system. It may also include the developer to reimburse for infrastructure costs.

Community Water System

See "Water Supply System".

Complete Application

An application form completed as specified by ordinance and the rules and regulations of the municipal agency including all accompanying documents required by ordinance for approval of the application.

Comprehensive Plan

The master land use plan for the Village of Galena, Ohio.

Comprehensive Storm Water Management Plan (CSWMP)

The written document and plans meeting the requirements of these regulations that sets forth the plans and practices to minimize storm water runoff from a development area; to safely convey or temporarily store and release post-development runoff at an allowable rate to minimize flooding and stream bank erosion; and, to protect or improve storm water quality and stream channels.

Condominium

A building or group of buildings, in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

Condominium Association

The organization which administers and maintains the common property and common elements of a condominium development.

Conservation Easement

An easement precluding future or additional development of the land.

Consolidation

The removal of lot lines between contiguous parcels.

Contiguous

Next to, abutting, or touching and having a boundary, or portion thereof, which is co-terminous, also abutting and adjoining lot or land.

Council

The elected representatives of the Village who serve as the Village Council.

County

Delaware County, State of Ohio.

County Commissioners

The Board of Delaware County Commissioners or its designated representative.

County Engineer

The Delaware County Engineer or his/her designated representative.

County Sanitary Engineer

The Delaware County Sanitary Engineer or his/her designated representative.

Crawl Space

A space between the ceiling of one story and the floor of the next, which usually contains pipes, ducts, and wiring, and permits access but is too low for an individual to stand.

Creek

A small stream, either intermittent or perennial in flow, and somewhat larger than a brook.

Critical Area

An area with one or more of the following characteristics:

- slopes in excess of twenty percent (20%);
- floodplain;
- soils classified as having a high-water table;
- soils classified as highly erodible, subject to erosion or highly acidic;
- land formerly used for landfill operations or hazardous industrial use;
- fault area;
- stream corridors;
- mature stands of native vegetation;

- aquifer recharge and discharge areas.

Critical Root Zone

The area inscribed by an imaginary line on the ground beneath a tree having its center point at the center of the trunk of the tree and having a radius equal to one foot for every inch of diameter breast height.

Critical Storm

A storm calculated by means of the percentage increase in volume of runoff by a proposed development area. The critical storm is used to calculate the maximum allowable storm water discharge rate from a developed site.

CSWMP

See “Comprehensive Storm Water Management Plan”.

Cul-De-Sac

The turnaround at the end of a dead-end-street.

Culvert

A drain, ditch, or conduit not incorporated in a closed system that carries drainage water under a driveway, roadway, railroad, pedestrian walk, or public way.

Curb

A stone or concrete boundary usually marking the edge of the roadway or paved area.

Curb Cut

The opening along the curb line at which point vehicles may enter or leave the roadway.

Curb Level

The permanently established grade of the curb top in front of a lot.

Curb Return

The connecting link between the street curb and the ramp curb.

Current Planning Capacity

A measure of the ability of a region to accommodate the growth and development within the limits defined by existing infrastructure and natural resource capabilities.

Curvilinear Street System

A pattern of streets which is curved.

Datum

A reference point, line, or plane used as a basis for measurements.

Datum Plane

A surface used for reference from which heights or depths are calculated.

DBH

See “Diameter at Breast Height”.

DCRPC

Delaware County Regional Planning Commission.

Deck

A building protrusion, either at grade or elevated, as regulated under the Village Zoning Ordinance.

Dedication

Gift or donation of property by the owner to another party.

Delaware County Engineering and Surveying Standards for Subdivision Development

Hereinafter referred to as "County Engineer's Standards."

DSWCD

Delaware County Soil and Water Conservation District.

Deed Restriction

A restrictive covenant or a restriction on the use of land usually set forth in the deed. Also a limitation on property which may be created in a property deed, lease, mortgage, through certain zoning or subdivision regulations, or as a condition of approval of an application for development

Density

The average number of families, persons, or housing units per unit of land; usually density is expressed “per acre”. Thus, the density of a development of 300 units occupying 40 acres is 7.5 units per acre. Density gross is the total area divided by the total units without regard to streets and open spaces. Net Density is the total area minus the streets and open spaces divided by the total number of units.

Detention Facility

A basin, pond, oversized pipe, or other structure that reduces the peak flow rate of storm water leaving the facility by temporarily storing a portion of the storm water entering the facility.

Developer

The legal or beneficial owner or owners of any land included in a proposed development including the holder of an option or contract to purchase, or other persons having enforceable proprietary interests in such land. Typically someone who plans to subdivide, develop, and sell land.

Development Area

A parcel or contiguous (abutting) parcels owned by one person or persons, or operated as one development unit, and used or being developed for commercial, industrial, residential, institutional, or other non-farm purposes, upon which earth-disturbing activities are planned or underway or other construction or alteration that changes runoff characteristics.

Development

The division of a parcel of land into two or more parcels, for the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and, any use or extension of the use of the land. The improvement of one or more parcels of land for commercial, industrial, residential, institutional or other non-farm purposes including: construction, reconstruction, structural alterations, relocation, or enlargement of any structure: any mining, excavation, landfill, or land disturbance; and any use or extension of the use of the land.

Development Drainage Area

A combination of each hydraulically unique watershed with individual outlet points on the development area.

Diameter Breast Height (DBH)

The diameter of a tree measured at four-and-one-half (4½ or 4.5) feet above the existing grade at the base of the tree. This measurement is used for existing forest trees.

District

District means a soil and water conservation district, organized under Chapter 1515 of the Ohio Revised Code.

Disturbed Area

An area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.

Ditch

An excavation either dug or natural for the purpose of drainage or irrigation with intermittent flow.

Drainage

The removal of excess surface water or groundwater from land by surface or subsurface drains.

Drainageway

An area of concentrated water flow other than a river, stream, ditch, or grassed waterway.

Driveway

A private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure.

Dumping

Grading, pushing, piling, throwing, unloading, or placing.

Earth-Disturbing Activity

Any grading, 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.

Earth Material

Soil, sediment, rock, sand, gravel, and organic material or residue associated with or attached to the soil.

Easement

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property. A grant of one or more of the property rights by the property owner to and /or for the use by the public, a corporation or another person or entity.

Egress

An exit.

Engineer

A registered engineer authorized to practice professional engineering by the State Board of Registration as specified in Section 4733.14 of the Ohio Revised Code.

Erosion

The wearing away of the land surface by running water, wind, ice, or other geological agents, or any combination of those forces, including such processes as gravitational creep.

Escrow Fund

Cash placed by the subdivider in an account to be held by a financial institution in favor of the Village to guarantee infrastructure installation according to the provision of these Regulations.

Final Approval

The last official action of the Zoning and Planning Commission taken on a development plan which has been given preliminary approval, after all conditions and requirements have been met, and the required improvements have been installed or guarantees have been properly posted for their installation, or approval conditioned upon the posting of such guarantees.

Finish Elevation

The proposed elevation of the land surface of a site after completion of all site work.

FIRM

See "Flood Insurance Rate Map".

Fiscal Officer

The Village officer in charge of financial matters.

Floodplain

The areas adjoining a water course which are expected to be flooded as a result of a severe combination of meteorological and hydrological conditions.

Floodway

The channel of the watercourse and those portions of the adjoining floodplains which are reasonably required to carry and discharge a 100-year flood.

Floodway Fringe

That portion of the floodplain outside of the floodway.

Flood Insurance Rate Map (FIRM)

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Final Stabilization

All soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least eighty percent (80%) coverage for the area has been established or equivalent stabilization practices, such as the use of mulches or geo-textiles, have been employed.

Force Main

A sanitary sewer line through which waste water is pumped rather than carried by gravity flow

Forest

Areas or stands of trees the majority of which are greater than twelve inches (12”) in diameter, measured four feet above grade, covering an area greater than one-quarter acre; or groves of mature trees without regard to minimum area consisting of more than ten individual specimens.

Garage

A deck, building, or structure, or part thereof, used or intended to be used for the parking and storage of vehicles.

Grade

A rating of the degree in slope.

Grading

The process in which the topography of the land is altered to a new slope.

Green Area and Green Belt

Land shown on a development plan, master plan, or official map for preservation, recreation, landscaping, trail, park and/or an open area which may be cultivated or maintained in a natural state surrounding development or used as a buffer between land uses or to mark the edge of an urban or developed area.

Green Development

Green development is a real estate development concept that carefully considers social and environmental impacts of development. It is defined by three sub-categories: environmental responsiveness, resource efficiency, and community and cultural sensitivity.

Gross Density

Gross density includes all of the land within the boundaries of a particular area excluding nothing.

Half Street

Means a right of way dedicated for a new street by a developer along such developer's perimeter property line equal to only one-half of the total right-of-way width required by this Code. Dedication of a "half street" presumes future dedication of a corresponding amount of right-of-way from adjoining land in order to provide the total right-of-way required for a proposed street. The dedication of additional right-of-way along an existing street is not considered a "half street."

Hillside

An area with an average slope of more than fifteen percent (15%).

Home Owners Association (HOA)

A community association, other than a condominium association, which is organized in a development in which individual owners share common interests in open space or facilities.

Hydrologic Unit Code (HUC)

A cataloging system developed by the United States Geological Survey and the Natural Resource Conservation Service to identify watersheds in the United States.

Impervious Cover or Surface

Any surface that cannot effectively absorb or infiltrate water and may include roads, streets, parking lots, rooftops, sidewalks, and other areas not covered by vegetation. Any material which reduces and prevents absorption of storm water into previously undeveloped land.

Impoundment

A body of water, such as a pond, confined by a dam, dike, floodgate, or other barrier.

Improvements

Street pavement or resurfacing, curbs, gutters, trails, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

Index Map

A map supplied with street construction plans showing the street and storm water system at a one inch equals two-hundred feet (1"=200') scale.

Infiltration

A storm water management practice that does not discharge to a water resource during a storm water quality event, requiring collected runoff to either infiltrate into the groundwater and/or be consumed by evapo-transpiration, thereby retaining storm water pollutants in the facility.

Infrastructure

Facilities and services needed to sustain industry, residential and commercial activities.

Ingress

Access or entry.

Inspection Fee

Cost to the Village of supervising construction to be paid by the subdivider or developer.

Joint Economic Development District (JEDD)

A Joint Economic Development District (JEDD) is an agreement between one or more municipal corporations and one or more townships culminating in the creation of an entirely separate, yet mutually beneficial, political subdivision. The formation of a JEDD is governed by several sections of the Ohio Revised Code (ORC).

Key (Location) Map

A drawing at a reduced scale located on the plat which shows legibly, by dimension and/or other means, enough area beyond the bounds of the proposed subdivision to locate and orient the subdivision within Delaware County, and the relationship of the site to the community facilities which serve or influence the property. Also known as a vicinity map.

Land Surveyor

One who is licensed by the State of Ohio as a land surveyor and is qualified to make accurate field measurements and mark, describe, and define land boundaries.

Land Use Plan

A plan showing the existing and proposed location, extent, and intensity of land development to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational, institutional, and other public and private purposes or combination of purposes. Also known as a Master Plan or Comprehensive Plan.

Larger Common Plan of Development

A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

Letter of Credit

An irrevocable letter issued by a bank attesting to good credit subject to the provisions of Chapter 1305 of the Ohio Revised Code.

Lift Station

See “Pumping Station”.

Lot

For the purpose of these Regulations, a lot is a parcel of land of sufficient size to meet minimum health and zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

A single lot of record;

A portion of a lot of record; or,

A combination of complete lots of record, or of portions of lots of record.

Lot Frontage

The front of a lot that shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots, and through lots, all sides of a lot adjacent to streets shall be considered frontage. Lot frontage shall be measured as the straight line distance between the points where the side lot lines intersect the street right-of-way.

Lot, Minimum Area of

The area of a lot that is computed exclusive of any portion of the public or private street right-of-way.

Lot Measurements

A lot shall be measured as follows:

Depth of a lot shall be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

Lot of Record

A lot which is part of a subdivision recorded in the Office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been recorded.

Lot Split

See "Subdivision Minor".

Lot Types

Terminology used in these Regulations with reference to corner lots, interior lots, and through lots is as follows:

A corner lot is defined as a lot located at the intersection of two (2) or more streets.

An interior lot is a lot other than a corner lot with only one (1) frontage on a street.

A double frontage lot is a lot other than a corner lot with frontage on more than one (1) street.

A reversed frontage lot is a double frontage lot located along a collector or arterial that derives access from an interior local street.

Low Impact Development (LID)

An approach to land development (or redevelopment) that works with nature to manage storm water as close to its source as possible modeled after nature to manage rainfall at the source using uniformly distributed, decentralized micro-scale controls. LID is also development which through its low negative environmental impact, enhances or does not significantly diminish environmental quality.

Major Thoroughfare Plan

A comprehensive plan made and adopted by Council indicating the general location recommended for the main thoroughfare, primary, and secondary streets within the Village.

Marginal Access Street or Road

A service roadway parallel to a feeder road which provides access to abutting properties and protection from through traffic.

Master Plan

The plan or plans made and adopted by council, indicating the general locations recommended for the principal streets, parks, public buildings, zoning districts, character and extent of community development, and other physical aspects of urban and rural planning, on file in the village office. The Master Plan may also be known as the Land Use Plan, or the Comprehensive Plan.

Maximum Extent Practicable

The level of pollutant reduction that operators of small municipal separate storm sewer systems (MS4), regulated under 40 C.F.R. Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, must meet.

Minor Subdivision Approval

A splitting or division of land for or by a property owner. This procedure is limited to the first four lots split from the original parcel. The original parcel is defined as that land purchased by the present owner. All lots must front on an existing approved street or road and be five acres or less in size. Lots greater than five acres in size that front on an approved street or road are not subject to these administrative approval regulations. (see Section ORC)

Monuments

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

MORPC

Mid-Ohio Regional Planning Commission.

MS4

Small Municipal Separate Storm Sewer Systems that are required to file an NPDES and Storm Water Management Plan with the Ohio EPA.

National Pollutant Discharge Elimination System (NPDES)

National Pollutant Discharge Elimination System: A regulatory part in the Federal Clean Water Act that prohibits the discharge of pollutants into surface waters of the United States without a permit. The NPDES sets stringent discharge limits.

NCA

See “New Community Authority”

Net Density

Net density excludes certain areas within the boundaries of a given area such as streets, easements, water areas, and other environmental constraints.

New Community Authority (NCA)

Economic Development Agreement, defined as the overall business terms of the public- private partnership.

No Build Zone (NBZ)

An open area where construction is prohibited. All structures including, but not limited to buildings, parking, driveways, sidewalks, sheds, swimming pools, patios, decks or other accessory structures, fences, antennae, and basketball courts or other sport courts are prohibited in order to preserve open space.

No Disturb Zone (NDZ)

An area designated on a subdivision plat required to remain free of any structures including, but not limited to, drives, walks, buildings and outbuildings, sheds, fences, swimming pools, decks, swing sets/play structures, satellite dish antennae, basketball courts, etc. The existing natural features shall not be disturbed, removed, or physically altered unless written permission is granted by the Zoning Inspector or designee. Grading activities and placement of utilities within said zones are not permitted unless written permission is granted by both the Zoning Inspector and the Village Engineer or designees. Utilities may cross at right angles to the said zones or run outside and parallel it.

Nonstructural Storm Water Management Practice

Storm water runoff control and treatment techniques that use natural practices to control runoff and/or reduce pollution levels.

NPDES

See “National Pollutant Discharge Elimination System”.

ODNR

The Ohio Department of Natural Resources.

ODOT

The Ohio Department of Transportation.

OEPA

The Ohio Environmental Protection Agency.

Official Soil Map

Maps delineating soil types that are part of a soil conservation service soil survey including the written description of soil types and their characteristics and accompanying maps which are part of a recognized soil survey.

On-Site Sewer System

See “Wastewater Treatment Systems”.

On-Site Water System

See “Water Supply System”.

One-Hundred Year Flood

A flood with a percentage frequency of occurring with a chance of one in one hundred.

ORC

The Ohio Revised Code.

Out Lot

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

Package Treatment Plant

See “Wastewater Treatment Systems”.

Parking Space, Off-Street

An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, located totally outside of any street or alley right-of-way.

Parking Space, On-Street

An area adequate for parking automobiles in the right-of-way of a public street, nose in or parallel, marked with proper striping.

Patio

A level, landscaped and/or surfaced area directly adjacent to a principal building at or within three feet of the finished grade and not covered by a permanent roof. It may also be known as a Terrace.

Pavement

Brick, stone, concrete, or asphalt placed on the surface of the land, and/or that part of a street having an improved surface.

Performance and Indemnity Bond or Surety Bond

An agreement by and between a subdivider or developer and a bonding company in favor of the Village for the amount of the estimated construction cost guaranteeing the completion of the physical improvements according to plans and specifications within the time prescribed by the Development Agreement.

Permeable Surface

A surface capable of being permeated or penetrated, especially by liquids or gasses.

Permeable Paving

Pavement surface capable of being permeated or penetrated, especially by liquids.

Person

Any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, or any combination thereof.

Plan, Preliminary

Drawings, maps, and other materials depicting a proposed subdivision meeting the requirements of these Regulations.

Plan, Sketch

A drawing of a proposed subdivision intended to be used as a general indicator of how the proposed area may be subdivided, as per these Regulations.

Plat, Final

The drawing of a proposed subdivision, drawn on durable material as specified in these Regulations and intended for recording, meeting all the requirements as herein enumerated.

Post-Development

The conditions that exist following the completion of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of storm water runoff.

Pre-Construction Meeting

A meeting prior to construction between all parties associated with the construction of the project including government agencies, contractors, and owners to review agency requirements and plans as approved and submitted.

Pre-Development

The conditions that exist prior to the initiation of soil disturbing activity in terms of topography, vegetation, land use, and the rate, volume, quality, or direction of storm water runoff.

Professional Engineer

A person registered in the State of Ohio with specific education and experience, acting in conformance with the Code of Ethics of the Ohio State Board of Registration for Engineers and Surveyors.

Protected Tree

A Protected Tree is any tree having a diameter of six inches DBH or larger or having an aggregate diameter of fifteen (15) inches DBH or larger or a tree which has been designated by the Village to be of high value or interest to the city because of its location or historic association, or other professional criteria.

Public Utility

Any firm, corporation, governmental agency, or board having a public utility commission permit to furnish to the public, under regulations, electricity, gas, sewer, telephone, transportation, water, storm sewer, or other similar public services.

Pumping Station (Lift Station)

A building or structure containing the necessary equipment to pump sewage to a higher point.

Rain Garden

A garden using rainfall and storm water runoff in its design and plant selection. Usually, a small garden which is designed to withstand the extremes of moisture and concentration of nutrients, particularly Nitrogen and Phosphorous, that are found in storm water runoff.

Redevelopment

A construction project on land where impervious cover has previously been developed and where the new land use will not increase the runoff coefficient. If the new land use will increase the runoff coefficient, then the project is considered to be a new development project rather than a redevelopment project.

Regulations

Subdivision Regulations for the Village of Galena, Ohio.

Remove or Removal

The causing or accomplishing of the actual physical removal of a tree, or the effective removal through damaging, poisoning, or other direct or indirect action resulting in, or likely to result in, the death of a tree.

Renewable Energy

Any naturally occurring, theoretically inexhaustible source of energy, as biomass, solar, wind, tidal, wave, and hydroelectric power that is not derived from fossil fuel.

Reserves

Parcels of land within a subdivision set aside for future subdivision or set aside for other purposes, as noted on the plat.

Retention Facility

An engineered basin or receptacle designed to accept and hold surface water drainage.

Right-of-Way (ROW)

The width between property lines, of a street, alley, crosswalk, or easement.

Runoff

The portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually returned to water resources.

Sediment Basin

A barrier, dam, or other suitable detention facility built across an area of waterflow to settle and retain sediment carried by the runoff waters.

Sediment Control Plan

A written description, acceptable to the approving agency, of methods for controlling sediment pollution from accelerated erosion on a development area of five or more contiguous acres.

Setback Line, Building

A line indicating the minimum horizontal distance between the street easement or right-of-way line and buildings, as governed by the applicable Zoning Ordinance and Master Plan.

Shared Lanes

Lanes of traffic shared by motor vehicles and bicycles.

Silt Fence

A woven material fence used to catch silt in surface water runoff, while letting the water pass through.

Site Owner or Operator

Any individual, corporation, firm, trust, commission, board, public or private partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency, the federal government, other legal entity, or an agent thereof that is responsible for the overall construction site.

Soil Disturbing Activity

Clearing, grading, excavating, filling, or other alteration of the earth's surface where natural or human made ground cover is destroyed and that may result in, or contribute to, increased storm water quantity and/or decreased storm water quality.

Street, Collector

Provides both land access and traffic circulation within residential, commercial, and industrial areas. It differs from the arterials in that collector streets may penetrate these areas and arterials usually do not. Collector streets distribute traffic from arterial streets and channel traffic from local streets. Further, streets that are projected to carry an average daily traffic volume of twenty-five hundred (2,500) or more and of which traffic half or less originates (i.e., has one trip

end located) on properties contiguous to the street shall be designated a collector street or some higher classification.

Street, Cul-de-Sac

A local street not exceeding six-hundred (600) feet in length provided with a permanent bulb-type turn around facility.

Street, Frontage Road

A minor street which is generally parallel and contiguous to an expressway, freeway, parkway, major or minor arterial street and is so designed as to intercept, collect and distribute traffic desiring to cross, enter or leave such street, and which provides access to abutting properties and protection from through traffic.

Street, Local

Includes all streets not otherwise listed on a higher roadway classification system. The primary purpose of local streets is to provide direct access to adjacent land.

Street, Loop

A local street not exceeding three thousand (3,000) feet in length having two intersections in close proximity on the same local or collector street.

Street, Major Arterial

Serves major activity centers, high traffic volume corridors, and longer trips. With major arterials, service to the adjacent land is subordinate to the provision of travel service.

Street, Minor Arterial

Interconnects and augments the major arterial system and provides service for trips of moderate length. This class of roadway places more emphasis on land access and less on travel mobility than the major arterial system.

Street, Minor

See “Street, Local”.

Street, Private

A right-of-way, owned privately, which provides vehicular and pedestrian access to adjacent properties. Maintenance of such a street is the responsibility of the owner(s).

Street, Public

A right-of-way, dedicated to public use, which provides vehicular and pedestrian access to adjacent properties.

Subdivider

Any person, persons, corporation, or duly authorized agent who undertakes or makes preparation for the subdivision of land as defined in these Regulations.

Subdivider's Agreement

An agreement by and between a subdivider and/or developer and the Commission that sets forth the manner in which the subdivider and/or developer agrees to proceed with the construction of public improvements and the disposition of lots in the subject subdivision. See *Development Manual*.

Subdivision, Major

The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided; however, that the division or partition of land is into parcels of more than five (5) acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or The improvement of one (1) or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets, except private streets serving industrial land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Subdivision, Minor

A division of a parcel of land not requiring a record plat subject to ORC 711.131. Also known as “Administrative Approval” or “Lot Split”.

Surety

A certificate of deposit, performance bond, irrevocable letter of credit, or cash escrow account in favor of the Village designed to guarantee the construction of improvements required in these Regulations.

Surface Waters of the State

All streams, lakes, reservoirs, marshes, wetlands, or other waterways situated wholly or partly within the boundaries of the state, except those private waters which do not combine or affect a junction with surface water. Waters defined as sewerage systems, treatment works, or disposal systems in Section 6111.01 of the Ohio Revised Code are not included.

Surveyor

A registered surveyor, authorized to practice professional surveying by the State Board of Registration, as specified in Section 4733, Ohio Revised Code.

Technical Review Group

The Technical Review Group for the Commission and the Village consisting of, but not limited to, representatives from the engineer(s) hired by the Village, The Village planning official, the zoning inspector of the Village, and pertinent representatives of Delaware County and or surrounding communities as deemed appropriate by the Commission

Terrace

A level, landscaped and/or surfaced area directly adjacent to a principal building at or within three feet of the finished grade and not covered by a permanent roof.

TIF

Tax Increment Finance.

TIFF

A digital format which stands for *Tagged Image File Format*.

Total Maximum Daily Load (TMDL)

The sum of the existing and/or projected point source, non-point source, and background loads for a pollutant to a specified watershed, water body, or water body segment. A TMDL sets and allocates the maximum amount of a pollutants that may be introduced into the water and still ensures attainment and maintenance of water quality standards.

Transfer of Development Rights (TDR)

The removal of the right to develop or build expressed in dwelling units per acre, from land in one zoning district to land in another district where such transfer is permitted.

Tree

Any self-supporting woody plant together with its root system, growing upon the earth usually with one trunk, or a multi-stemmed trunk system, supporting a definitely formed crown.

Tree Preservation Plan

A proposal which includes a tree survey and a written plan with text and/or graphic illustrations indicating the methods which are to be used to preserve existing trees during construction, and methods for ongoing maintenance, including fertilizing and pruning.

Tree Preservation Zone

The area of a parcel of land in which all trees shall not be removed and shall be protected during all phases of construction. This area shall be designated on the final plat or site plan with restrictions noted regarding removal of trees.

Tree Removal Permit

The permit required by this section to be issued in order to remove any protected tree within the corporate limits of the city.

Tree Survey

A graphic display drawn to scale, not to exceed one inch equals fifty feet (1"=50'), showing all existing trees on a site with a six (6) inch DBH or greater. The tree survey shall include species, conditions, and contain the outline of the critical root zone of each such tree.

Urban Service Boundary

A defined region, not always coincidental with a municipality's corporate boundary, that defines the geographical limit of government supplied public facilities and services.

Utility, Private or Public

Any agency under public franchise or ownership, under certificate of convenience and necessity, or a closely regulated private enterprise with an exclusive franchise for providing a public service, that provides the public with electricity, gas heat. Steam, communication, rail transportation, water, sewage collection or other similar services

Utility Services

Establishments engaged in the generation, transmission, and/or distribution of electricity, gas or steam, water and irrigation systems, and sanitary systems used for the collection and disposal of garbage, sewage, and other wastes by means of destroying or processing materials.

Variance

A modification of the strict terms of the relevant standards where such modification will not be contrary to public interest and where owing to conditions peculiar to the subject property and not the result of the action of the applicant and where a literal enforcement of the standards would result in unnecessary and undue hardship. Variances are by application, reviewed during a public hearing before the commission, and the commission's decision is final but can be appealed.

Village Engineer

A registered engineer employed by the Village of Galena.

Village

The Village of Galena, Delaware County, Ohio

Wastewater Treatment System - Central Public

A sewage system, including collection and treatment facilities, designed and operated by a division of local government intended to service a region larger than the proposed subdivision.

Wastewater Treatment Systems - Household or On-Lot

A septic or aerobic facility on an individual lot servicing that lot only, for the proper and safe disposal of sewage, subject to all requirements and approvals necessitated by these Regulations and the health and sanitation officials having jurisdiction.

Wastewater Treatment System - Package System

A sewage system, including collection and treatment facilities, installed by the subdivider, developer, or village and transferred to the Village for maintenance and operation according to the terms of these and other applicable Regulations, intended to service the proposed subdivision and/or other adjacent or nearby areas.

Water Quality Volume

The volume of runoff from a contributing watershed that must be captured and treated, equivalent to the maximized capture volume as defined in the *American Society of Civil Engineers (ASCE) Manual and Report on Engineering Practice No. 87 and Water Environment Federation Manual of Practice No. 23 titled Urban Runoff Quality Management*.

Water Resource Crossing

Any bridge, box, arch, culvert, truss, or other type of structure intended to convey people, animals, vehicles, or materials from one side of a watercourse to another. This does not include private, non-commercial footbridges or pole mounted aerial electric or telecommunication lines, nor does it include below grade utility lines.

Water Supply System - Central Public

A water supply system, including water collection, purification, and distribution systems, installed by the subdivider or other private party and transferred to the Village and/or Del-Co Water for maintenance and operation, or operated as a privately owned utility, subject to all requirements of these and other applicable Regulations.

Water Supply System - On-Lot

A water collection device located on an individual lot and intended to service that lot only, subject to all requirements of these Regulations and the regulations of the health and sanitation agencies having jurisdiction.

Watershed

The total drainage area contributing storm water runoff to a single point.

Wetland

Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

Zoning and Building Inspector

The Zoning and Building Inspector of or for the Village of Galena.

Pedestrian Scale Design

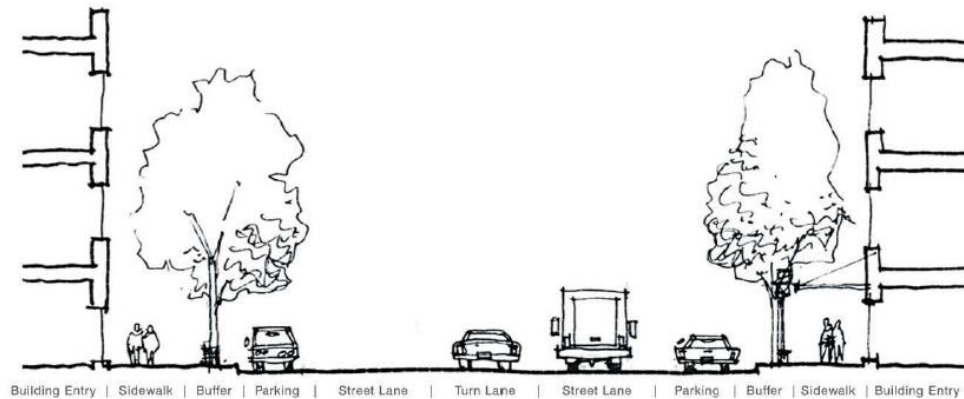
Reprinted by permission from the City of Powell, Ohio

Pedestrian Friendly

An area or neighborhood designed to encourage and support pedestrian traffic.

Pedestrian: A person traveling on foot; a walker

Friendly: 1. favorably disposed; inclined to approve, help, or support 2. easy to understand or use;



Successful Pedestrian Friendly Streetscape



Successful Pedestrian Friendly Streetscape

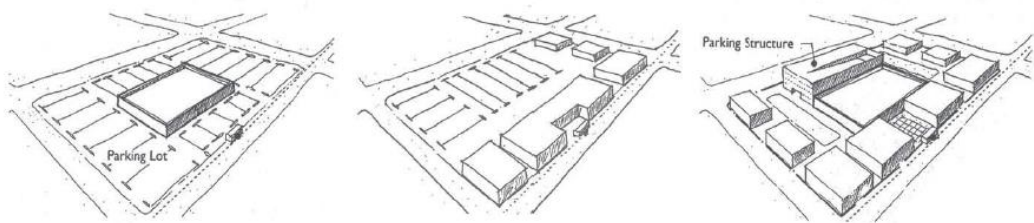
Pedestrian Friendly Zones: Pedestrian friendly zones are defined primarily by three things:

1. The destinations in the pedestrian friendly area must be within walking distance from residences or vehicular collection points. Essentially, the pedestrian must be able to arrive in the area, and be on foot.
2. The combination of routes and destinations throughout the area must be safe and supportive (friendly) to pedestrians. The pedestrian must feel comfortable walking from one place to the next and then ultimately back to where they entered the area.
3. The area should be attractive to pedestrians. Once they have arrived and are presented with the functional requirements of safe and manageably walkable routes, the finishing touches are needed to encourage the pedestrian to actually walk.

Pedestrian Friendly Design: The above requirements can be achieved through good design that carefully considers basic architectural concepts like site planning, circulation, massing, proportion, etc. The following pages discuss these ideas in greater detail.

Site Planning

The organizational stage of the design process that involves an analysis of composition and placement of a building within its surrounding environment.



Above: Planning diagrams of the same site; left depicting vehicular based planning, middle showing vehicles accommodated in a pedestrian area, and right strongly pedestrian based traffic.

Diagrams by P. Calthorpe, *The Next American Metropolis*.



Site planning with parking in front of building.



Site planning with main parking behind the buildings.

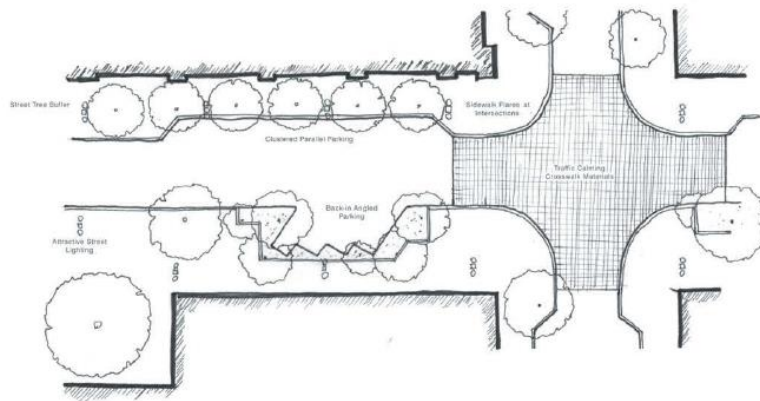
Site Planning and Context: A building should participate with the language of its environment. More importantly, successful pedestrian friendly buildings should maintain strong contextual elements in order to contribute to the “sense of place” of a particular city, region, or area. By continuing the quality and the character of its surroundings, the building facilitates the continuity of the vernacular style.

Site Planning and Connectivity: Good vehicular, bicycle, and pedestrian circulation ensures connectivity to and from the building, while accommodating successful links of the entire urban fabric. Sidewalks, walkways, intersections, crosswalks, signage, landscaping, and lighting should be considered from a master site planning scale in order to fully understand the building's impact on the surrounding area. Discontinued sidewalks and bike paths are just as pedestrian un-friendly as not having any of these amenities.

Site Planning and Parking: The placement of parking says a lot about a building's pedestrian friendly nature, as evident in the two diagrams above. A building engaged with the street edge and its environment is important for pedestrian accessibility, whereas a building surrounded by a parking lot is isolated and unapproachable.

Circulation

The path of movement conceived as the perceptual thread that links the spaces of a building, or any series of interior or exterior spaces together. A vehicle requires a path with smooth contours that reflect its turning radius; however, the width of the path can be tailored tightly to its dimensions. Pedestrians can tolerate abrupt changes in direction, but require a greater volume of space relative to their bodily



This sample block plan demonstrates successful integration of vehicular and pedestrian circulation routes.



Pedestrians Buffered from Vehicles

Circulation and Sidewalks: As the primary means of pedestrian circulation, sidewalks are an important part of pedestrian friendly design. Sidewalks should be continuous from block to block and neighborhood to neighborhood. They should provide a clear and direct route and be wide enough to comfortably accommodate expected traffic levels and the street furniture that enhance pedestrian oriented areas.

Circulation and Intersections: Pedestrian friendly intersections should have a turning radius of 5 to 10 feet. A tighter radius makes turning vehicles more aware of pedestrians than large sweeping turns where cars barely need to slow down. Narrow turns also reduce the distance of street that the pedestrian must cross.

Circulation and Crosswalks: All crosswalks should be well marked and well lit. Crosswalk markings vary and can include crosswalk signs, unique paving, raised plateaus, sidewalks that flare into the parking lane, and simple street marking lines.

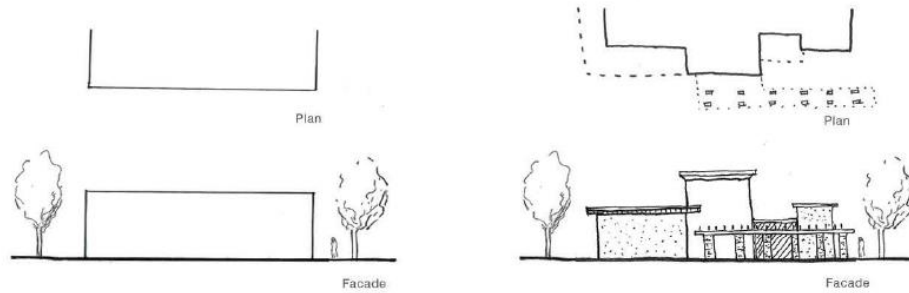
Circulation and Traffic Buffers: Pedestrian circulation paths should be buffered from vehicular circulation by parking lanes, street trees, bollards, street furniture, and street lights. Not all of these elements are required all of the time but the idea is that an actual, firm barrier exist and not simply a narrow strip of grass.



Sidewalk Flared at Intersection

Massing

The three-dimensional volume of a building, with an understanding of its overall impression of weight, density, and bulk.



Above: Diagrams depicting massing based on a vehicular scale (left) and massing based on a pedestrian scale (right).



Monolithic Target.



Pedestrian Scaled Target.

Massing and the Human Scale: Pedestrian oriented massing should reflect the human scale within its overall composition. The interplay of solid and void can be used to help break down the general volume of the building and relate it back to human proportion and scale. Additionally, window size and placement can help facilitate the scalar difference from the overall building massing and the pedestrian.

Massing and the Ground Level: Irregularities in the design of a façade are important to break down massing, especially on the ground level where a pedestrian interacts with the building. Composition pertaining to columns, doorways, arches, awnings, niches, corners, covered walkways, and other details is as important as the overall building itself. These items provide a varied visual stimulus and further break down the building's massing to keep the pedestrian engaged within his / her surroundings.

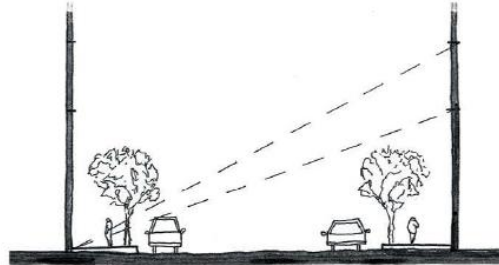
Massing and Density: The semblance of density can also be achieved by a building's massing, as evident in the above right diagram. A strong street edge is successful to a pedestrian friendly environment, therefore massing that breaks down the composition into a smaller, denser series of volumes should be considered.

Proportion

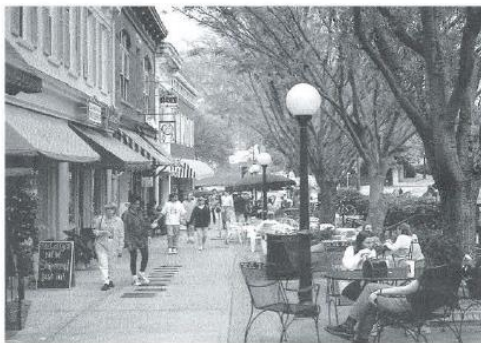
The proper or harmonious relation of one part to another or to the whole with respect to spatial quality. Proportional theories have been prevalent throughout architectural history, and remain a guiding force in design. Renaissance architect Alberti called beauty, "the harmony of all parts in relation to one another" and thus analogous to proportion.



A figure ground study of downtown Los Angeles (left) and Irvine California (right) shows how the proportions of city blocks affect walkability.



A street section showing common street width to building height ratios that create visual enclosure.



Visual Enclosure.



Pedestrian Friendly Signage.

Proportion and Block Length: New developments should utilize short to medium length blocks. A higher proportion of intersections along a roadway creates more opportunities for pedestrians to cross streets, slows traffic, and provides more relief to the pedestrian than long uninterrupted blocks. Blocks 300 to 500 feet are good for pedestrians. Blocks over 600 feet should not be considered pedestrian oriented.

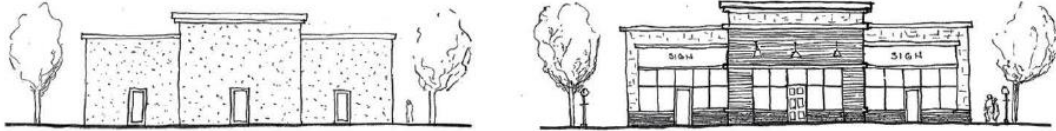
Proportion and Street Oriented Buildings: The ratio of building height to street width is important for creating visual enclosure for pedestrians. Visual enclosure occurs when bordering buildings on a street occupy most of a pedestrian's cone of vision. Successful visual enclosure creates an "outdoor room" that the pedestrian occupies.

Proportion and Facade Design: The proportion of various architectural elements also has an affect on the pedestrian. The dimensions of windows, doorways, arches and columns are most accommodating when they are not overwhelming in size. Formidable elements are difficult for the pedestrian to interact with while human scaled elements are comfortable and relatable.

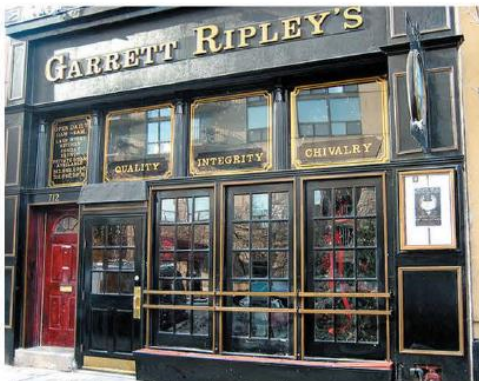
Proportion and Signage: Signage should be designed with consideration of street width, traffic speed and land use. For a pedestrian oriented area, signs should be mounted at a comfortable height and be clear and legible from the close range at which a pedestrian encounters the sign.

Materiality

The concept of, or applied use of, various materials or substances in the medium of building.



Above: Different material qualities as depicted on the same building.



Proportion and modularity based on materiality.



Uniformly material building facade.

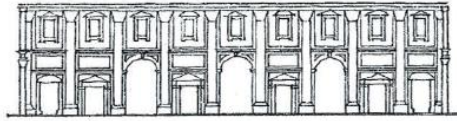
Materiality and the Pedestrian: Materiality gives a pedestrian tactile experience of the building's façade and streetscape. Weight and scale are perceived differently due to light and sound absorption, therefore, texture and color affect the overall perception of the building's façade. Materiality also adds depth to of how a building is perceived: from afar through a visual understanding of form and color, and from closer inspection through texture and grain.

Materiality and External Elements: Humans are corporal creatures, relying on all of their senses to experience the world. Material differentiation can also be introduced through signage, landscaping, lamp posts, fencing, pavers, benches, planters, sculpture, café tables, chairs, art work, and other similar items. These external elements add to the ground floor design of a building allowing the pedestrian to relate to the building through its environment.

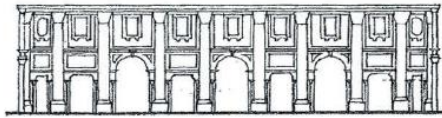
Materiality and Modularity: Modularities in window sizes, door sizes, brick and block dimensions, and other sheathing materials should be in direct proportion to the human scale. Likewise, material proportion should relate to the overall proportion of the building, creating a harmony of parts to the whole.

Rhythm

Movement characterized by a patterned repetition or alternation of formal elements or motifs in the same or a modified form. (F. Ching)



a . b . a . b . a . b . a . b . a .
a . a . b . a . b . a . b . a . a .
A . B . C . B . C . B . C . B . A



a . b . b . b . b . b . b . b . a .
c . a . b . a . b . a . b . a . c .
A . B . C . B . C . B . C . B . A

Above: Rhythm diagrams depicting repetitive moments in a building's facade.

Diagrams by F. Ching, *Architecture: Form, Space, and Order*.



Non-rhythmic facade.



Rhythmic facade based on the repetition of a modified form.

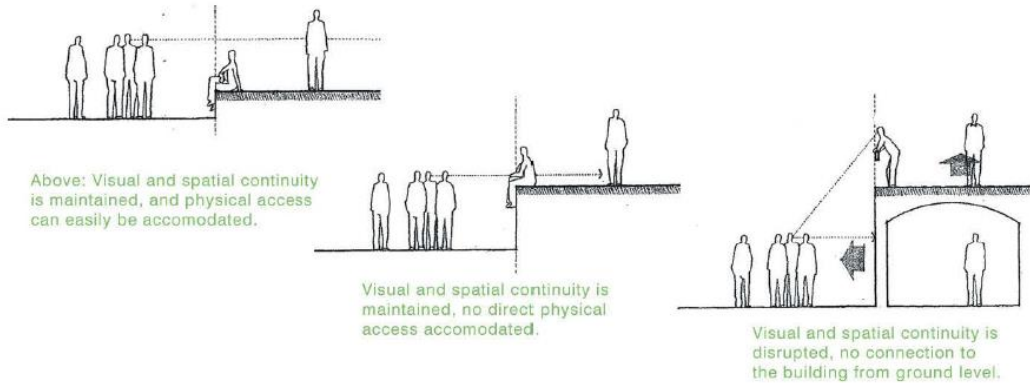
Rhythm and Repetition: Most buildings incorporate elements that are repetitive by nature. Beams and columns create modules of space that are perceived as rhythmic. Likewise, repetitive elements on the exterior of a building, such as window and door spacing, create rhythmic components that are easily read by a pedestrian. Rhythmic pattern alludes to continuity and is vital for pedestrian life.

Vertical vs. Horizontal Rhythm: Most pedestrian friendly buildings incorporate vertical elements or rhythms along the ground floor of the facade. Horizontal rhythms tend to represent a long expanse, leaving the pedestrian feeling overwhelmed with large distance to travel. A better perspective for eye-level is short and staccato vertical elements, such as columns or window framing, that move the pedestrian from "column to column" and keep them engaged with the building's rhythm.

Rhythm and Context: Rhythm should also extend to the overall building block or street edge. Continuity of rhythm from one building facade to the next can be done using similar proportionate and scalar elements, such as window and door placement and sizes, or the continuation of an architectural detail, such as a cornice or roof edge.

Transparency

The degree of enclosure and openness from one space to the next, implying a visual connectivity and/or an interchange of flow of space.



Diagrams by F. Ching, *Architecture: Form, Space and Order*.



No visual continuity into the building.



Complete visual transparency from inside to the street.

Transparency and the Ground Floor: The ground floor façade should be the single most activated interface between city and building. Open and welcoming buildings bring with them a sense of security and accessibility that are important qualities for successful pedestrian life. Views into and out of a building visually connects the building with the pedestrian and the surrounding environment.

Transparency and Exterior Enclosures: Transparency into a building can be generated in a number of ways. Large doors and windows maintain visual connectivity, while openings within the building's overall mass, such as entry courts, create pockets of exterior space that open the building up even further. This visual and physical continuity extends the building's program to its environment and generates a sense of an exterior enclosure or "outdoor room."

Transparency and Programming: Pedestrian friendly buildings use programmatic elements to engage with the outdoors. Successful ground floor program includes, but is not limited to, cafés, restaurants, shops, farmers markets, and other socially driven program. Outdoor seating brings program out of the building leading to an even greater sense of exterior enclosure, and blurs the boundary of where the street begins and the building ends.

Detail

A small elaborated element of a work of art, craft, or design. “Details are much more than subordinate elements; they can be regarded as the minimal units of signification in the architectural production of meanings.” –Marco Frascari



1. The majority of the facade is visible and seen as a whole. Materials are seen primarily as a color field.



2. The facade is seen only in fragments. Individual elements are clearer and materials are more clearly expressed.



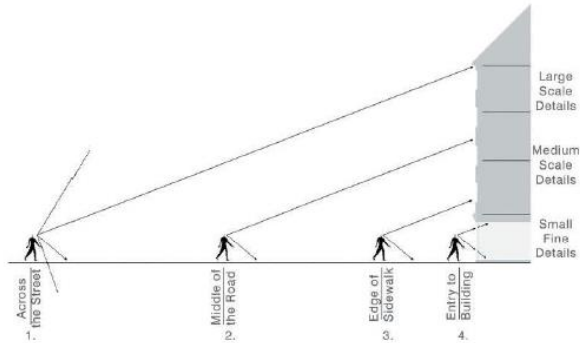
3. Only a small area of the facade is visible. The joints in materials are visible and details are easily read.



4. Only an individual element is visible. The smallest details are clear and materials are now tactile as well as visual.



Detailed Tree Grate



A pedestrian's view of a building is greatly reduced as they move closer to the building, but the ability to perceive detail is increased.

Detail and Architecture: Buildings in pedestrian oriented areas are experienced more intimately than buildings in higher speed car oriented areas. At close range and low speed, the pedestrian has time to admire rich textures, fine materials and subtle variations in design. This experience can also extend into the building through the transparency of the entry and display windows along the elevation. Pedestrian friendly buildings should provide these kinds of details for by passers.

Detail and Street Furniture: As an important part of walkable neighborhoods, the design of street furniture should also enrich the pedestrian experience. Decorative lamp posts, bollards, tree grates, benches, bike racks, and even parking meters add interest and approachability in pedestrian zones. Many of these items are necessary for legal, maintenance, or safety reasons so it requires only a little extra effort to detail them so that they become an asset as well as a requirement.

Detail and Public Art: Public art can both enhance the pedestrian experience, and create a uniqueness of place that adds distinction to an area. Unique works of art add to the individuality of the neighborhood, square or town where they are located. Art can also play an important role in reinforcing physical and visual connections between a place and its surroundings.