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### **CHAPTER 1173 General Provisions**

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#### **CROSS REFERENCES**

Rules of construction generally - see ADM. Ch. 101

#### **1173.01 INTERPRETATION AND PURPOSE.**

In their interpretation and application, the provisions of these Subdivision Regulations shall be held to be the minimum requirements adopted for the protection of the public health, safety and welfare. To protect the public among other purposes, such provisions are intended to provide for permanently wholesome community environment, adequate public services and safer streets and highways.

(1980 Code 151.02)

**1173.02 SCOPE.**

(a) The provisions of these Subdivision Regulations shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of these Regulations. Nor is it intended by these Regulations to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or regulations, except those specifically repealed by these Regulations, or with private restriction placed upon property by deed, covenant or other private agreement, or with restrictive covenants running with the land to which the City is a party. Where the provisions of these Regulations impose a greater restriction upon land than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of these Regulations shall control.

(b) Commercial and Industrial. Subdividers or developers of shopping centers and other commercial as well as industrial uses shall comply with the same requirements as residential developers. Plans or written and signed statements regarding highway access points and planted areas and buffer strips may be required where applicable.  
(1980 Code 151.03)

**1173.03 ADMINISTRATION AND AUTHORITY.**

A major highway plan having been adopted by the City Planning and Zoning Commission according to statutory requirements, Council by virtue of the provisions of Ohio R.C. Chapter 711 is authorized subject to the holding of required public hearings, to adopt rules and regulations covering plats for subdivisions of land, and to approve, conditionally approve or disapprove plats or subdivisions of land falling within their jurisdiction. Administration of the rules and regulations contained herein, insofar as the adoption of proposed plats and related matters are concerned, shall be the responsibility of the Commission. Where reference is made herein for the administration of rules and regulations pertaining to any development or construction of improvements, such as streets, water lines, sanitary and storm sewers, but not limited solely to these improvements, the Director of Public Safety or the respective authority of Franklin County shall be responsible for the administrative duties rather than the Commission.  
(1980 Code 151.05)

**1173.04 AREA OF JURISDICTION.**

The following provisions of these Subdivision Regulations shall apply to all plats, subdivisions and conveyances of land in the City or within three miles of the corporate limits thereof as described in Ohio R.C. 711.09. The City Planning and Zoning Commission shall have the power of final approval of the plats, except that the provisions in Section 1173.03 in the three-mile radius shall be the jurisdiction of the County Engineer.  
(1980 Code 151.06)

**1173.05 PLAT APPROVAL REQUIRED.**

(a) It shall be unlawful for any person to subdivide or lay out into lots any land within the City or three-mile area unless it is by a plat complying with the regulations herein contained, and no plat shall be recorded and no lot or land shall be sold from any such plat until the plat has been approved as herein required.

(b) The design and layout of all subdivisions shall conform with the requirements of Chapter 1179. The subdivider shall make improvements and shall submit preliminary and final plans, all in accordance with Chapters 1177 and 1181.

(c) The division of a tract into five parcels or less, fronting upon an existing street, and where the transfer is to be accomplished by the recording of a deed rather than a plat, requires the approval of the City Planning and Zoning Commission before it can be recorded. Such approval may be accomplished in the manner provided in Chapter 1177.  
(1980 Code 151.07)

**1173.06 PUBLIC HEARING.**

The Planning and Zoning Commission, on its own initiative or upon petition by a citizen or neighboring property owner, may, prior to acting on a preliminary map of a subdivision, hold a hearing thereon at such time and upon such notice as the Commission may designate.  
(1980 Code 151.08)

**1173.07 EFFECTIVE DATE.**

The provisions of these Subdivision Regulations shall be effective following adoption by the City Planning and Zoning Commission and Council, after public hearing and certification to the Recorder as provided by law. Henceforth, any other regulations previously adopted by Council or the Commission shall be repealed. The provisions of these Regulations shall in no way affect any subdivision which has received preliminary approval from the Commission prior to the effective date of these Regulations, provided that no changes to the preliminary plan, as approved, are introduced by the subdivider.  
(1980 Code 151.09)

**1173.08 AMENDMENTS.**

Council may, after public hearing, amend, supplement or change the provisions of these Subdivision Regulations. Notice shall be given of the time and place of the public hearing by publication in at least one newspaper of general circulation published in the local area at least thirty days prior to holding of the hearing. The amendment or amendments shall be on file in the office of the Planning and Zoning Commission for public examination during this period.  
(1980 Code 151.10)