



## ARTICLE 2: DEFINITIONS

### **Section 200**

#### **Interpretation of Terms or Words**

For the purpose of these Regulations, certain terms or words used herein shall be interpreted as follows:

1. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
4. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied.”
5. The word “lot” includes the words “platted lot” or “parcel.”

### **Section 201**

#### **Definitions**

##### Accept, Acceptance:

Acceptance means consenting to receive something. In the case of these regulations, public entities will consent to receive for public use and benefit subdivision improvements that meet regulatory standards and have been approved by the appropriate authorities.

##### Accessory Building:

See Building, Accessory.

##### Agricultural:

The science or practice of farming, including cultivation of the soil for the growing of crops and the rearing of animals to provide food, wool, and other products.

##### Alley:

See Thoroughfare, street or road.

Applicant:

The owner of land proposed to be subdivided or his/her representative who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the premises. Also see developer or subdivider.

As-built Drawings:

Drawings prepared by the developer's engineer that accurately depict the location, size, and elevation of on-site improvements as constructed such as but not limited to, all storm water structures, sanitary sewer structures, waterline and gas line structures such as valves and hydrants, service valves, sanitary, storm, and water connections in lots.

Association:

An organization, whether or not incorporated, that operates under and pursuant to recorded covenants or deed restrictions through which each owner of a portion of a subdivision, be it lot, parcel, unit, or any other interest, is automatically a member as a condition of ownership and each member is subject to a charge or assessment for a pro-rated share of expenses of the association which may become a lien against lot, parcel, unit or other interest of the member. Also see Homeowners Association.

Block (Also see "PLATTED BLOCK"):

A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of water bodies or boundary lines of political subdivisions.

Block Frontage:

Property abutting one side of a street and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and a railroad right-of-way, waterway or other definite barrier.

Board:

Board of County Commissioners of Portage County, Ohio. Also see Commissioners.

Buffer:

A designated area between different land uses or adjacent to the perimeter of natural features designed and intended to provide separation distance and protection. Buffers are usually landscaped and/or kept as natural open space, depending upon their purpose.

Building:

Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels or property.

1. Accessory Building: A subordinate building detached from but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.
2. Principal Building: A building in which is conducted the main or principal use of the lot on which said building is situated.

Building Line:

See Setback Line.

Building Site:

See Section 310.1C of these regulations.

Cash Equivalent Payment:

Payment of money into an earmarked fund to provide for acquisition/development of facilities off site in place of dedicating land or providing such facilities on site. Also see Fee in lieu of.

Commercial Use:

See Land Use, Commercial.

Commission:

Portage County Regional Planning Commission

Commissioners:

Board of County Commissioners of Portage County, Ohio

Common Driveway:

See Driveway.

Common Land:

A parcel, or parcels of land, together with the improvements thereon, the use and enjoyment of which are intended to be shared by the owners and occupants of the individual building units in a residential, commercial or industrial development.

Common Open Space:

Any land area, and associated facilities, within a development that is held in common ownership through a homeowners' association, community association or other legal entity, and is set aside for the active or passive enjoyment of owners in the development.

Comprehensive Development Plan:

See Plan, Comprehensive.

Condominium:

The land, together with all buildings, improvements, and structures thereon, all easements, rights and appurtenances belonging thereto, and all articles of personal property which have been submitted to the provisions of Chapter 5311 of the *Ohio Revised Code* and which are subject to said Chapter 5311.

Conservation Easement:

See Easement, Conservation.

Conservation Subdivision:

A development that groups houses or other structures on part of the property while maintaining a large amount of open space on the remaining land.

Contractor:

The contractor is any person, firm, or corporation undertaking the construction of any or all phases of the work contained in these Regulations.

Contour Line:

A line on a map joining points of equal elevation above a given level, usually mean sea level.

Corner Lot:

See Lot Types.

County:

Portage County, Ohio

County Highway Map:

A map showing existing thoroughfares within Portage County that designates each thoroughfare as an interstate, federal, state, county, municipal or township road.

County Planning Commission:

Portage County Regional Planning Commission

Covenant:

A binding agreement.

Cul-de-Sac:

See Thoroughfare, street or road.

Culvert:

A drain or pipe that allows water to flow under a road, railroad, or driveway.

Dam:

Any artificial barrier together with any appurtenant works, which either does or may impound water. Up-ground reservoirs and lagoons are considered to be dams. The storage volume and height of the dam shall determine whether it falls under the regulatory authority of the Ohio Department of Natural Resources.

Datum, Geodetic Datum:

An abstract coordinate system with a reference surface, such as sea level, that provides known locations to begin surveys and create maps.

1. Horizontal Datum: Used to measure positions (latitude and longitude) on the surface of the earth.
2. Vertical Datum: Used to measure land elevations and water depth.

Dead-end Street:

See Thoroughfare, street or road.

Dedicated:

In real property law, an appropriation of land to some public use, made by the owner of the property, and accepted for such use by or on behalf of the public.

Density:

A unit of measurement; the number of dwelling units per acre of land.

1. Gross Density: The number of dwelling units per acre of the total land to be developed.
2. Net Density: The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Design Storm:

A selected rainfall pattern of specified amount, intensity, duration, and frequency that is used as a basis for design of stormwater facilities.

Detention Basin:

Constructed for the purpose of temporary storage of stream flow or surface runoff for releasing the stored water at controlled rates.

Developer:

Any individual, Subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these Regulations to affect a subdivision of land for himself or for another.

Development:

The physical extension and/or construction of urban land uses; human-caused changes to improved or unimproved land and structures. Development activities include: construction or alteration of structures, roads, utilities, and other facilities and the installation of home sewage treatment systems.

Driveway:

A vehicular travel way used to provide access from a street to dwelling units or commercial or industrial activities. Driveways are designed for low travel speeds and are often used as, or are integral with, parking areas for vehicles.

Driveways types:

1. Agriculture Driveway: a driveway providing access to a field or farm used for agricultural activities.
2. Common Driveway: a driveway which provides access to more than one lot, each lot having at least the minimum required frontage on a public or private roadway as required by local zoning requirements.
3. Residential Driveway: a driveway providing access to a single-family residence, a duplex, or to an apartment building containing not more than 4 residential units.
4. Commercial Driveway: a driveway providing access to an office, business, retail or institutional building, or residential facility having five or more dwelling units. These establishments are customarily serviced by trucks as an incidental rather than a principal driveway use. Industrial plant driveways that primary serve administrative or employee parking lots are considered commercial driveways.
5. Industrial Driveway: a driveway directly serving substantial numbers of truck movements to and from loading docks of an industrial facility, warehouse or truck terminal. A centralized retail development, such as community or regional shopping

center, may have one or more driveways, specifically designed and located to provide access for trucks. These also are classified as industrial driveways.

Dwelling Unit:

A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Easement:

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

1. Access Easement: A legal right granted by the owner of a strip of land to any person by which such person is afforded the right to use such strip for pedestrian and/or vehicular access. Such legal right may be granted by the conveyance of an easement, an undivided fractional interest in fee, or any other form of conveyance which conveys such a right. Such legal right may also be granted by a license.
2. Conservation Easement: A legal interest in land which restricts development and other uses of the property for the purpose of preserving the rural, open, natural or agricultural qualities of the property.

Easement of Access:

See Easement, Access.

Engineer:

Any person registered to practice professional engineering by the state board of registration as specified in *Ohio Revised Code* Section 4733.

The Engineer:

The Portage County Engineer or one of his duly authorized deputies or assistants.

Erosion:

The scouring and wearing down of the earth's surface by water and wind.

Escrow:

A deposit of cash with the board of county commissioners or an escrow agent to secure the promise to perform some act.

Excavate:

To remove by digging or scooping out.

Exceptional Replat:

See Replat, Exceptional.

Exemption:

With regards to the division of land, an exemption is a division of land not subject to Subdivision Regulations, which requires administrative endorsement of the Regional Planning Commission staff to ensure it meets the definition of exempt per *Ohio Revised Code* Section 711.001 before being put to record. (Also see Sections 309 and 310 of these regulations.)

Extension of time:

A written agreement between the Regional Planning Commission and an applicant who submits a subdivision for review, subject to certain time constraints specified in the *Ohio Revised Code* or in these regulations that allows additional time for the Regional Planning Commission or its staff to act on that subdivision.

Fee in Lieu of:

See Cash Equivalent Payment.

Flood Hazard Area or Special Flood Hazard Area:

Also known as “Areas of Special Flood Hazard.” The land in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency (FEMA) as Zone A, AE, AH, AO, A1-30, and A99 on Flood Insurance Rate Maps (FIRM), Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps. Special flood hazard areas may also refer to areas that are flood prone and designated as such by other federal, state or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas and flood prone soils associated with a watercourse.

Flood Insurance Rate Map (FIRM):

An official map on which the Federal Emergency Management Agency (FEMA) or the U.S. Department of Housing & Urban Development has delineated the areas of special flood hazard.

Flood Plain:

See Flood Hazard Area.



Floodway:

The channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis.

Frontage:

See Lot, Frontage.

Grading:

Changing the ground level to a smooth horizontal or gently sloping surface.

Haul Road:

A crude, temporary road built to facilitate the movement of people, equipment and/or materials along the route of a job.

Highway, Limited Access:

A freeway, expressway or major arterial providing a traffic way for through traffic, in respect to which owners or occupants of abutting property or lands have no legal right to access to or from the same, except at such points and in such manner as may be determined by the public authority having jurisdiction of the traffic way.

Highway Plan:

See Plan, Thoroughfare or Street.

Homeowners Association:

An organization operating under a recorded land agreement through which each lot owner in a subdivision or development is a member and/or each lot is subject to charges for a proportionate share of the expenses for the organization's activities, such as maintenance of common land and/or private roads. Also see Association.

Household Sewage Treatment System or Home Sewage Treatment System:

Devices and/or components for treatment and disposal that receive sewage from a single-family, two-family, three-family dwelling or as specified in the *Ohio Administrative Code* (OAC) 3701-29-01. Also see Sewers, Onsite.

Improvement Plan:

See Plan, Improvement.

Improvements:

Street pavement or resurfacing, grading, curbs, gutters, 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.

Industrial Use:

See Land Use, Industrial.

Inspector:

The inspector is an authorized representative of the County Engineer, County Water Resources or Soil and Water Conservation District assigned to make a detailed inspection of any or all portions of the work or materials thereof.

Land Use:

1. Commercial: An activity related to doing business or for business purposes.
2. Industrial: The production of goods, especially those made in factories.
  - a. Heavy Industrial: The part of industry that involves the production of steel, coal, or large goods such as aircraft.
  - b. Light Industrial: The part of industry that involves the production of small goods, for example electronic equipment.
3. Mixed Use: Land, buildings or structures designed to encourage a diversity of compatible uses, typically a mixture of residential, office, retail and recreation, but not industrial uses.
4. Residential: Restricted to or occupied by places where people live instead of stores or businesses.

Location Map:

See Vicinity Map.

Lot:

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 required herein or in other applicable regulations. Lots shall have frontage on an improved public street or on an approved private street.

Lot Frontage:

See Lot Measurements, Frontage.

### Lot Line:

See Yard.

### Lot Measurements:

For purposes of these regulations, lots shall be measured as follows. However, definitions herein shall not over-ride applicable regulations regarding lot measurements in township zoning resolutions.

1. Lot Area: The area of a lot shall be computed according to the legal description of the property.
2. Minimum Lot Area: The minimum area of a lot shall be measured exclusive of any portion of the right-of-way of any public or private street unless otherwise indicated in applicable regulations.
3. Lot Depth: The depth of a lot shall be measured as the average distance between the front and rear lot lines.
4. Lot Frontage: The horizontal distance measured between the side lot lines at the street right-of-way and corresponding to the curve of the right-of-way. 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.
5. Lot Width: The width of a lot shall be measured as the distance between the side lot lines, measured parallel to the road right-of-way at the building setback line unless otherwise specified.

### 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 so recorded.

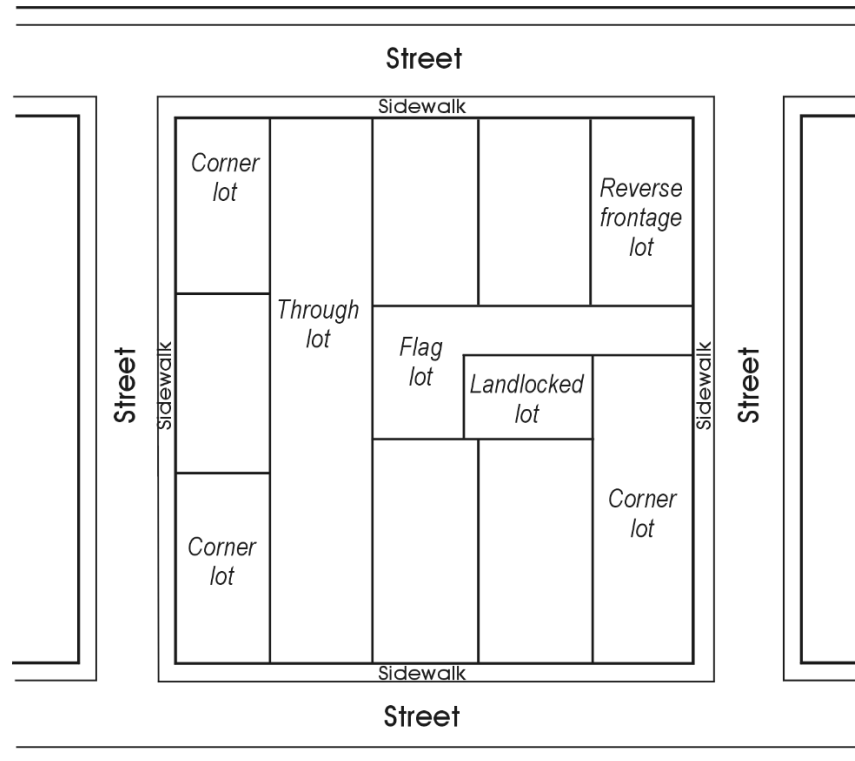
### Lot Types:

Terminology used in these regulations with reference to corner lots, interior lots and through lots is as follows: (See Figure 1)

1. Corner Lot: A lot located at the intersection of two or more streets.
2. Flag Lot: A lot whose only frontage on a public street is a narrow strip of land generally wide enough to accommodate a driveway, but too narrow to accommodate any structure. Any improvement of the lot is done towards the rear of the lot where it widens out.
3. Interior Lot: A lot other than a corner lot with frontage on only one street.
4. Landlocked Lot: A lot that does not have frontage on a public or private street.
5. Out Lot: Sometimes referred to as a PLATTED BLOCK. A tract of land: 1) whose boundary and legal description are defined by a subdivision plat, 2) which has not been further

subdivided into sublots, and 3) that may become a future phase of the subdivision. Also see “OUT LOT” under “LOT TYPES.

6. Reverse Frontage Lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
7. Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.



**Figure 1: Types of Lots**

**Maintenance Guarantee:**

An agreement between developer and the county, financially backed by the developer, guaranteeing the maintenance of physical improvements for a period defined by these regulations or the appropriate authority.

**Major Subdivision:**

See Subdivision Types.

**Minor Subdivision:**

See Subdivision Types.

Mixed Use:

See Land Use.

Monument:

A surveying reference point marked by a permanently fixed marker used to definitively establish all lines of the plat of a subdivision, including all lot corners, boundary line corners, and points of change in street alignment.

Mulching:

Application of plant residue or other suitable materials to the soil surface to reduce evaporation and soil erosion.

Natural Depression:

In the landscape, any low area created by natural occurrence such as glaciation.

Natural Resource:

Existing natural elements related to land, water, air, plant and animal life, including but not limited to soils, geology, topography, surface and subsurface waters, wetlands, vegetation and animal habitats, that are recognized as assets.

Ohio Administrative Code (OAC):

The *Ohio Administrative Code* contains all rules adopted by the agencies of the State of Ohio. These rules were adopted to carry out the policies and intent of laws passed by the General Assembly.

Ohio Revised Code (ORC):

The *Ohio Revised Code* contains all acts passed by the Ohio General Assembly and signed by the Governor.

Open Space:

An area open to the sky which may or may not be on the same lot with a building. The area may include, along with the natural environmental features, swimming pools, tennis courts, or any other recreational facilities that the Planning Commission or township zoning regulations deems appropriate. Streets, structures for habitation, and the like shall not be considered open space.

Original Tract:

For purposes of these regulations, an original tract will be defined by ownership of that parcel of land. A new owner of a parcel of land creates a new “original tract.”

Out Lot:

See Lot Types.

Pad:

A building site prepared by artificial means, including, but not limited to, grading, excavation, filling or any combination thereof.

Parcel:

An area of land described by a current deed, typically referring to areas of land with metes and bounds descriptions rather than lots in platted subdivisions.

Parking Space, Off Street:

For the purpose of these regulations, an off-street parking space consists of 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, and located totally outside of any street or alley right-of-way.

Performance Guarantee:

A financially backed security provided by a Developer and accepted by the County for the amount of the estimated construction cost guaranteeing the completion of physical Improvements according to plans and specifications within the time prescribed by the Developer’s agreement. Refund of the performance guarantee may be tied to the Subdivider’s compliance with requirement to transfer ownership of Open Space parcels to the HOA.

Permanent Seeding:

See Seeding, Permanent.

Phase, Phasing:

The area of development that will be individually constructed in distinguishable and logical sections.

Plan:

1. Comprehensive Plan, Comprehensive Development Plan, Comprehensive Land Use Plan: A plan, or any portion thereof, adopted by the Commission and/or a legislative authority, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.
2. Thoroughfare Plan, Street Plan: An adopted plan for vehicular circulation showing existing and proposed thoroughfares and secondary streets.
3. Improvement Plan: Drawings showing the specific location and design of improvements, such as roads, culverts, or sewer and water lines, to be installed in a subdivision, in accordance with the requirements of these regulations.
4. Master Plan: A plan focused on one or more sites that is intended to guide growth and development over a number of years or in several phases.
5. Preliminary Plan: A map of a proposed subdivision prepared by a registered surveyor in accordance with these regulations that includes explanatory exhibits and text, and is submitted to the Regional Planning Commission for its review and comments. The Preliminary Plan, if approved or conditionally approved by the Regional Planning Commission, shall provide the basis for proceeding with the preparation of the final plat of a proposed subdivision.

Planned Residential Development (PRD):

See Planned Unit Development.

Planned Unit Development (PUD):

An area of land in which a variety of housing types and/or related open spaces and/or commercial and industrial facilities are accommodated in a pre-planned environment under more flexible design standards, than would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans. Also known as Planned Residential Developments (PRD) where only residential uses are planned.

Planning Commission:

Portage County Regional Planning Commission

Plat, Final Plat:

The final map of a proposed subdivision, prepared by a registered surveyor, indicating specific features of the development, including but not limited to the exact locations of lot lines, right-of-ways, easements and dedicated areas. The final plat is reviewed by the Regional Planning Commission and, if approved, is recorded in the office of the County Recorder in accordance with these regulations and Chapter 711 of the *Ohio Revised Code*.

Platted Block: a tract of land: 1) whose boundary and legal description are defined by a subdivision plat, 2) which has not been further subdivided into sublots, and 3) that may become a future phase of the subdivision. Also see “OUT LOT” under “LOT TYPES.”

Preliminary Plan:

See Plan, Preliminary.

Principal Building:

See Building, Principal.

Private Street:

See Thoroughfare, Street or Road.

Public Way:

An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other way to which the general public or a public entity has a right or which is dedicated, whether improved or not. Also See Thoroughfare, Street or Road, Public.

Recreation:

1. Active Recreation: Recreation that requires physical alteration to the area in which it is performed. This type of recreation may involve high vehicle trip generation or the potential for greater nuisance to adjacent properties due to noise, light, glare, or odor. Such areas are intensively used and include but are not limited to playgrounds, tennis or other court games, baseball or other field sports, golf courses or swimming pools.
2. Passive Recreation: Recreation that involves little alteration or disruption to the area where it is performed. This type of recreation usually involves low vehicle trip generation and has a low potential for nuisance to adjacent property owners. Examples include but are not limited to: sitting areas, walking, jogging, or hiking paths or trails, horseback riding and bicycle paths or trails, or picnicking areas.

Replat:

1. A map of the Developer’s plan for changing the lots, streets and alleys of a previously platted Subdivision. (*Ohio Revised Code* Section 711.24)
2. Exceptional Replat:  
A map of the plan for changing the lots within or involving a previously platted Subdivision where there is a sale or exchange of property between adjoining lot owners and no new building sites are created.



Residential Use:

See Land Use, Residential.

Retention Pond or Basin:

A natural or artificial basin that functions similar to a detention structure except that it maintains a permanent water supply.

Riparian:

Vegetated lands adjacent to water bodies and streams that lessen the impacts of flooding and erosion and which often provide wildlife habitat.

Right-of-Way:

A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges.

Road:

See Thoroughfare, Street or Road.

Run-off:

Rainfall, snowmelt or irrigation water that has not evaporated or infiltrated into the soil, but flows over the ground surface. Also see Storm Water.

Sanitary Sewers or Central Sewers:

An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sediment:

Matter that settles to the bottom of a liquid. With regards to land use, it typically refers to eroded materials that are swept away due to rain or snow melt.

Sediment Basin:

A temporary pond built on a construction site to capture eroded or disturbed soil that is washed off during rain storms, protecting the water quality of a nearby stream, river, lake or bay. The sediment-laden soil settles in the pond before the runoff is discharged.

Seeding:

The establishment of vegetative cover on disturbed areas by planting seed.

1. Permanent Seeding: The establishment of perennial vegetative cover.
2. Temporary Seeding: The establishment of temporary vegetative cover on disturbed areas by seeding with appropriate, rapidly growing annual plants.

Setback:

The required distance between a building and a lot line, street right-of-way, pavement, stream or riverbank, wetland or other delineated site feature.

Setback Line:

A line established by the subdivision regulations and/or zoning resolution, generally parallel with and measured from the lot lines, defining the limits of a yard in which no building may be located above ground, except as may be provided in said codes. Also see Yards.

Sewers, Central or Group:

See Sanitary Sewers.

Sewers, On-Site:

On each individual lot, a household sewage treatment system that complies with the current regulations of the Ohio Department of Health and the Portage County Combined General Health District and provides proper and safe disposal of sewage subject to the approval of the Portage County Combined General Health District. Also see Household Sewage Treatment System.

Sidewalk:

That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic. Also see Walkway.

Silt:

Fine sand, clay or other material carried by running water and deposited as sediment, especially in a stream or water body.

Sketch Plan:

A sketch of a proposed subdivision prepared for an informal review to enable the subdivider to discuss objectives and applicable regulations and policies prior to formal plan reviews.

Sodding:

Stabilizing fine-graded, disturbed areas by establishing permanent grass stands with a surface mat of grass and grass roots.

Soil Stabilization Blankets and Matting:

The installation of a protective covering (blanket) or a specially designed mat on a prepared planting area of steep slope, channel, or shoreline to prevent erosion.

Storm Drain Inlet Protection:

A sediment filter or an excavated impounding area around a storm drain drop inlet or a curb inlet.

Storm Water:

That portion of run-off that flows from the land surface of a site either naturally, in man-made ditches or in a closed conduit system. Also see Run-off.

Storm Water District:

A vehicle to implement and fund public services related to storm water quality management.

Storm Water Management Facility:

Any structure, natural or man-made, that, due to its condition, design or construction, conveys, stores or otherwise affects storm water runoff. Typical storm water management facilities include, but are not limited to, detention and retention basins or ponds, open channels, storm sewers, pipes and infiltration structures. Also see detention basin and retention pond or basin.

Storm Water Pollution Prevention Plan (SWPPP):

A plan prepared in accordance with appropriate guidelines that is required for any facility or development that discharges storm water. The SWPPP identifies potential pollutant sources and describes practices that will be implemented to prevent or control pollutant releases.

Street:

See Thoroughfare, Street or Road.

Subdivider:

See Developer.

Subdivision: (*Ohio Revised Code* Section 711.001(B)):

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax list and duplicate of real and public utility property, 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 following are exempt:
  - A. A division or partition of land into parcels of five (5) acres or more not involving any new streets or easements of access.
  - B. The sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites.
  - C. If the planning authority adopts a rule in accordance with Section 711.133 of the *Ohio Revised Code* that exempts from division (711.001 (B1)) any parcel of land that is four (4) acres or more, parcels in the size range delineated in that rule.
2. The improvement of one 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 public or private street or streets, except private streets serving industrial structures, or involving 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 or private sewer, water, storm drainage or other similar facilities.

#### Subdivision Types:

1. Major Subdivision: All subdivisions not classified as Subdivisions Exempt from Platting.
2. Minor Subdivision or Subdivision Exempt from Platting: A proposed division of a parcel of land along an existing public road, involving at least one proposed parcel less than 5 acres, and not involving the opening, widening or extension of any streets or roads, whether public or private. If an original tract is subdivided into more than 5 lots, any one of which is less than 5 acres, it is no longer considered a minor subdivision and must be platted as a major subdivision.

#### Surveyor:

A person registered to practice surveying by the state board of registration as specified in Section 4733.14 of the *Ohio Revised Code*.

#### Temporary Seeding:

See Seeding, Temporary.

#### Thoroughfare, Street, or Road:

A vehicular way, public or private, that affords the principle means of access to abutting property. The terms 'thoroughfare,' 'street' and 'road' may be used interchangeably in this document.

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street: A term denoting a highway primarily for through traffic, carrying heavy loads and a large volume of traffic, usually on a continuous route.
3. Collector Street: A street, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-de-Sac: A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-end Street: A street having only one (1) outlet for vehicular traffic and intended to be extended or continued to adjacent properties in the future, where appropriate.
6. Local Street: A street providing access to residential, commercial or other abutting property.
7. Loop Street: A type of local street with ends that terminate at an intersection with the same arterial or collector street. Normally the ends of the loop street are no more than six hundred (600) feet from each other.
8. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from heavier traffic on arterial or collector streets. (Also called a Frontage Street.)
9. Private Street: A street providing vehicular and pedestrian access to residential, commercial or industrial structures or groups of structures that is not dedicated as a public right-of-way. Private streets are maintained by the owners or an association of the owners.
10. Public Street: A street under the control of and kept by the public, established by regular governmental proceedings or dedicated by the owner of the land and accepted by the proper authorities responsible for the maintenance of said street.

Through Lot:

See Lot Types.

TR-55 Software:

The Soil Conservation Service method of calculating run-off from developing areas.

Trail:

An off-road path generally for non-motorized recreational use that can serve as an alternative mode of transportation. Trail characteristics vary depending on location and type.

Transfer of Development Rights:

The conveyance of development rights by deed, easement, or other legal instrument, authorized by ordinance, resolution or regulation, to another parcel of land and the recording of that conveyance.

Transportation Plan:

See County Highway Plan.

Utility:

Any closely regulated agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar services.

Variance:

A requested modification of specific regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in an extraordinary and unnecessary hardship.

Vicinity Map:

A map showing the location of the proposed development in relation to abutting properties, major streets and other known landmarks.

Walkway:

A public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not. Also see Sidewalk.

Water Supply, Private:

Any water system, other than a public system, for the provision of water for human consumption, if the system has fewer than 15 service connections and does not regularly serve an average of at least 25 individuals daily at least sixty (60) days a year, or as defined in OAC 3701-28-01.

Watershed:

A region draining to a specific stream, river, river system or body of water.

Wetlands:

Those areas inundated or saturated by surface or groundwater 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. Wetlands generally include swamps, marshes, bogs and similar areas. (U.S. EPA regulations listed at 40 CFR 230.3(T))

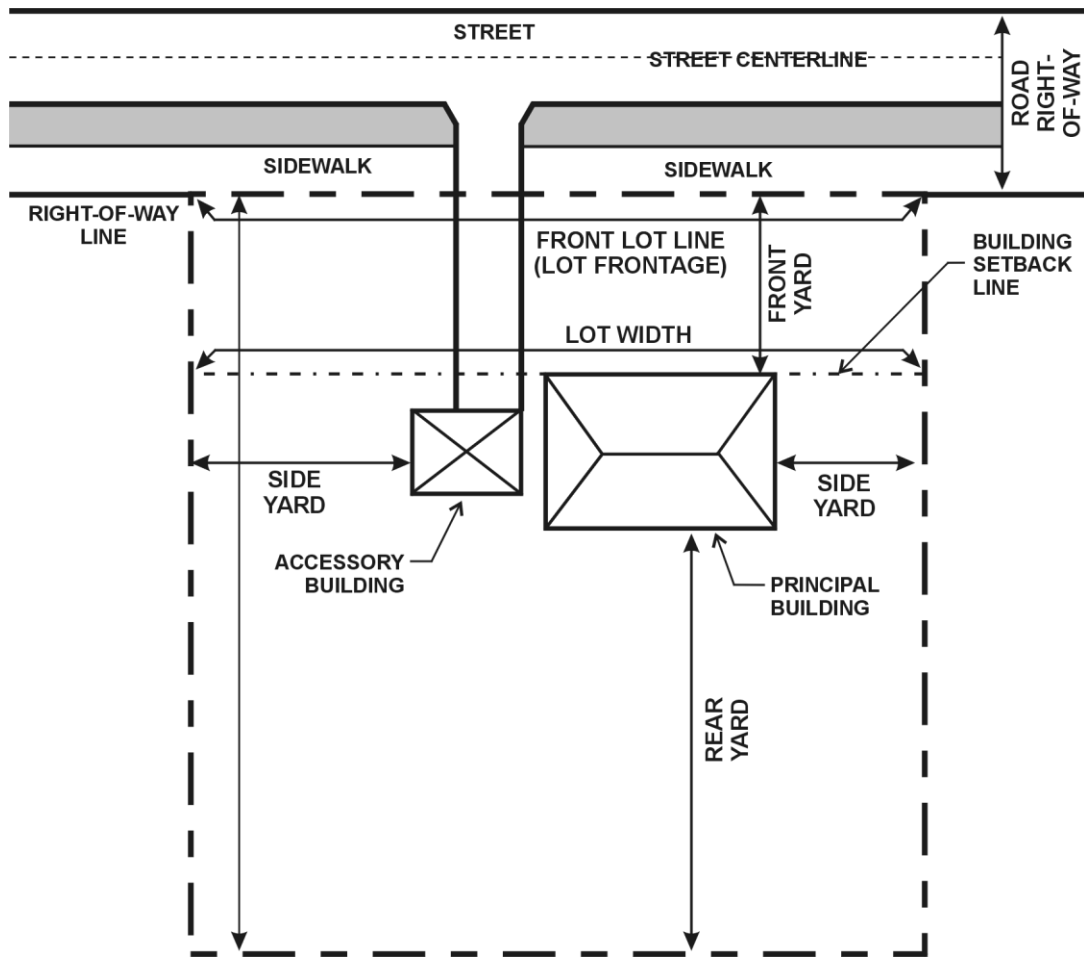
Work:

All activities related to the plans and construction of contemplated improvements covered by these regulations and supplemental agreements thereto.

Yard:

A required area on a lot unoccupied by structures above grade except for projections and the specific minor uses or structures allowed in such areas under the provisions of these or local zoning regulations. A yard extends from the ground upward. (See Figure 2)

1. Front Yard: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. Rear Yard: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Side Yard: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.



**Figure 2: Yard Types**

### Zoning, Zoning Regulations:

The division of a community by legislative regulation into areas, zones or districts within which the community may dictate the size, location and use of buildings or land.