



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

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

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

MINUTES: Regular Session – September 24, 2019

The Board met in regular session pursuant to adjournment of the September 17, 2019, meeting.

Shannon Jones – absent

Tom Grossmann – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of September 17, 2019 and September 19, 2019 meetings were read and approved.

19-1215 A resolution was adopted to approve promotion of James Brewer to the position of Water Distribution Worker III within the Water and Sewer Department.

Vote: Unanimous

19-1216 A resolution was adopted to approve end of 365-day probationary period and approve a pay increase for Andrew Napier within the Warren County Water and Sewer Department. Vote: Unanimous

19-1217 A resolution was adopted to approve end of 365-day probationary period and approve a pay increase for Olivia Elter within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous

19-1218 A resolution was adopted to approve end of 365-day probationary period and approve a pay increase for Tamara Thomas within the Warren County Department of Job and Family Services, Children Services Division.

Vote: Unanimous

19-1219 A resolution was adopted to authorize Vice President of the Board to sign permit applications from the Ohio Department of Commerce, Division of Liquor Control for a fundraising event at the Warren County Fairgrounds. Vote: Unanimous

- 19-1220 A resolution was adopted to declare various items within Board of Elections, Drug Task Force, Facilities Management, Juvenile Detention Center and Telecommunications as surplus and authorize the disposal of said items. Vote: Unanimous
- 19-1221 A resolution was adopted to advertise for bids for the FY19 Harveysburg Storm Sewer CDBG Project. Vote: Unanimous
- 19-1222 A resolution was adopted to approve and enter into lease agreement with Abuse and Rape Crisis Center of Warren County. Vote: Unanimous
- 19-1223 A resolution was adopted to approve and enter into an amendment to the Intergovernmental Agreement by and between this Board, the City of Franklin, City of Germantown, and Carlisle relative to the Franklin Regional Wastewater Treatment Plant. Vote: Unanimous
- 19-1224 A resolution was adopted to approve an amendment to the subcontractor agreement with Human Services Research Institute (HSRI) on behalf of Warren County Children Services (Subcontractor). Vote: Unanimous
- 19-1225 A resolution was adopted to approve agreement and addendum with Victory House LLC as a child placement and related services provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 19-1226 A resolution was adopted to approve final Change Order No. 1 to the contract with Rack & Ballauer Excavating Inc., for the construction of the Lower Springboro Road Water Improvement Phase 1 Project, Purchase Order No. 25505. Vote: Unanimous
- 19-1227 A resolution was adopted to approve final Change Order No. 1 to the contract with Rack & Ballauer Excavating Inc., for the construction of the Lower Springboro Road Water Improvement Phase II Project, Purchase Order No. 26519. Vote: Unanimous
- 19-1228 A resolution was adopted to enter into agreement with Verizon Wireless on behalf of Warren County Telecommunications. Vote: Unanimous
- 19-1229 A resolution was adopted to approve and authorize the President of the Board to enter into On-the-Job-Training Agreements on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 19-1230 A resolution was adopted to approve emergency repair to Waynesville backup generator. Vote: Unanimous
- 19-1231 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous

- 19-1232 A resolution was adopted to approve record plats. Vote: Unanimous
- 19-1233 A resolution was adopted to create new Debt Fund #3395 Jail Bonds 2019, accept an amended certificate, and approve supplemental appropriations for the December 2019 debt payments. Vote: Unanimous
- 19-1234 A resolution was adopted to approve operating transfers from Water 5510 (Surplus) into 5583 Water Revenue Projects. Vote: Unanimous
- 19-1235 A resolution was adopted to approve supplemental appropriation into Common Pleas Court Community Based Corrections #2289. Vote: Unanimous
- 19-1236 A resolution was adopted to approve supplemental appropriation into Workers Comp Self Insurance Fund #6632. Vote: Unanimous
- 19-1237 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Sheriff's Office – Corrections Fund #11012210. Vote: Unanimous
- 19-1238 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Clerk of Court Fund #11011260. Vote: Unanimous
- 19-1239 A resolution was adopted to approve appropriation adjustment within County Court Fund #11011280. Vote: Unanimous
- 19-1240 A resolution was adopted to approve appropriation adjustment from County Court Fund #11011283 into #11011280. Vote: Unanimous
- 19-1241 A resolution was adopted to approve appropriation adjustment within the Building and Zoning Department Fund #11012300. Vote: Unanimous
- 19-1242 A resolution was adopted to approve appropriation adjustment within the Juvenile Detention Fund #11012600. Vote: Unanimous
- 19-1243 A resolution was adopted to approve appropriation adjustment within Telecommunications Department Fund #11012810. Vote: Unanimous
- 19-1244 A resolution was adopted to approve appropriation adjustment within Telecommunications Department Fund #11012810. Vote: Unanimous
- 19-1245 A resolution was adopted to approve appropriation adjustment within Emergency Services/ Communications Center Fund #11012850. Vote: Unanimous

19-1246 A resolution was adopted to approve amendments to the Warren County Subdivision Regulations. Vote: Unanimous

DISCUSSIONS

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

PUBLIC HEARING

CONSIDER AMENDMENTS TO THE WARREN COUNTY SUBDIVISION REGULATIONS

The Board met this 24th day of September, 2019, in the Commissioners' Meeting Room, to consider amendments to the Warren County Subdivision Regulations.

Greg Orosz, Regional Planning Commission, presented the attached PowerPoint presentation reviewing the process, the purpose of the amendments, and the proposed amendments section by section.

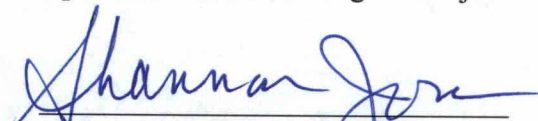
Mr. Orosz then stated that the Regional Planning Commission Executive Committee recommended approval of the amendments.

Commissioner Young questioned Bruce McGary, Assistant Prosecutor, relative to his review and recommendation.

Mr. McGary stated that he recommends approval as the majority of the amendments are brought about from specific experiences.

Upon further discussion, the public hearing was closed and the Board resolved (Resolution #19-1246) to approve amendments to the Warren County Subdivision Regulations.

Upon motion the meeting was adjourned.




Shannon Jones, President

David G. Young

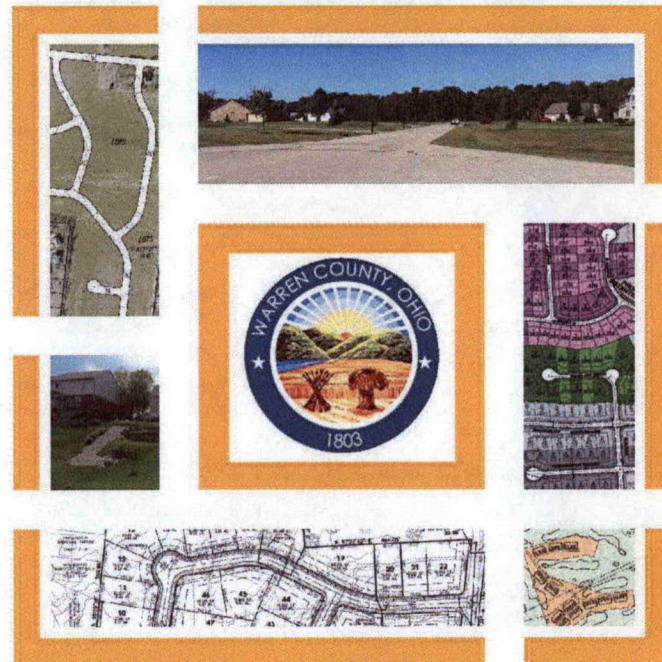
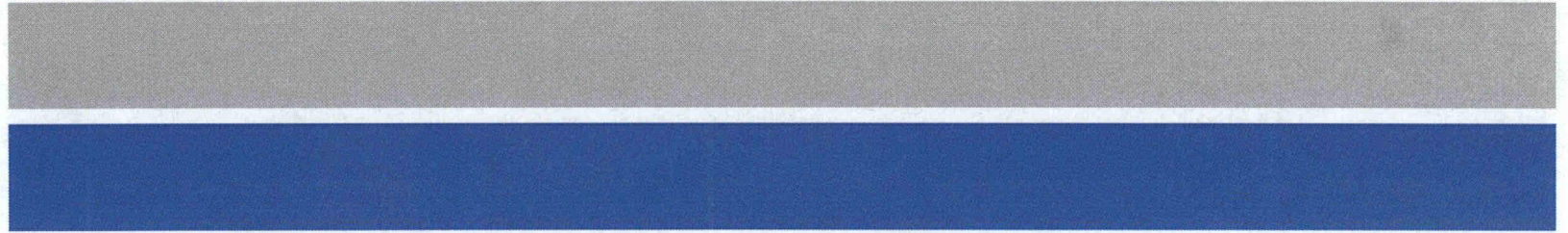
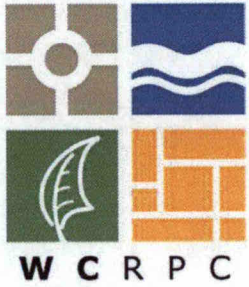


Tom Grossmann

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on September 24, 2019, in compliance with Section 121.22 O.R.C.



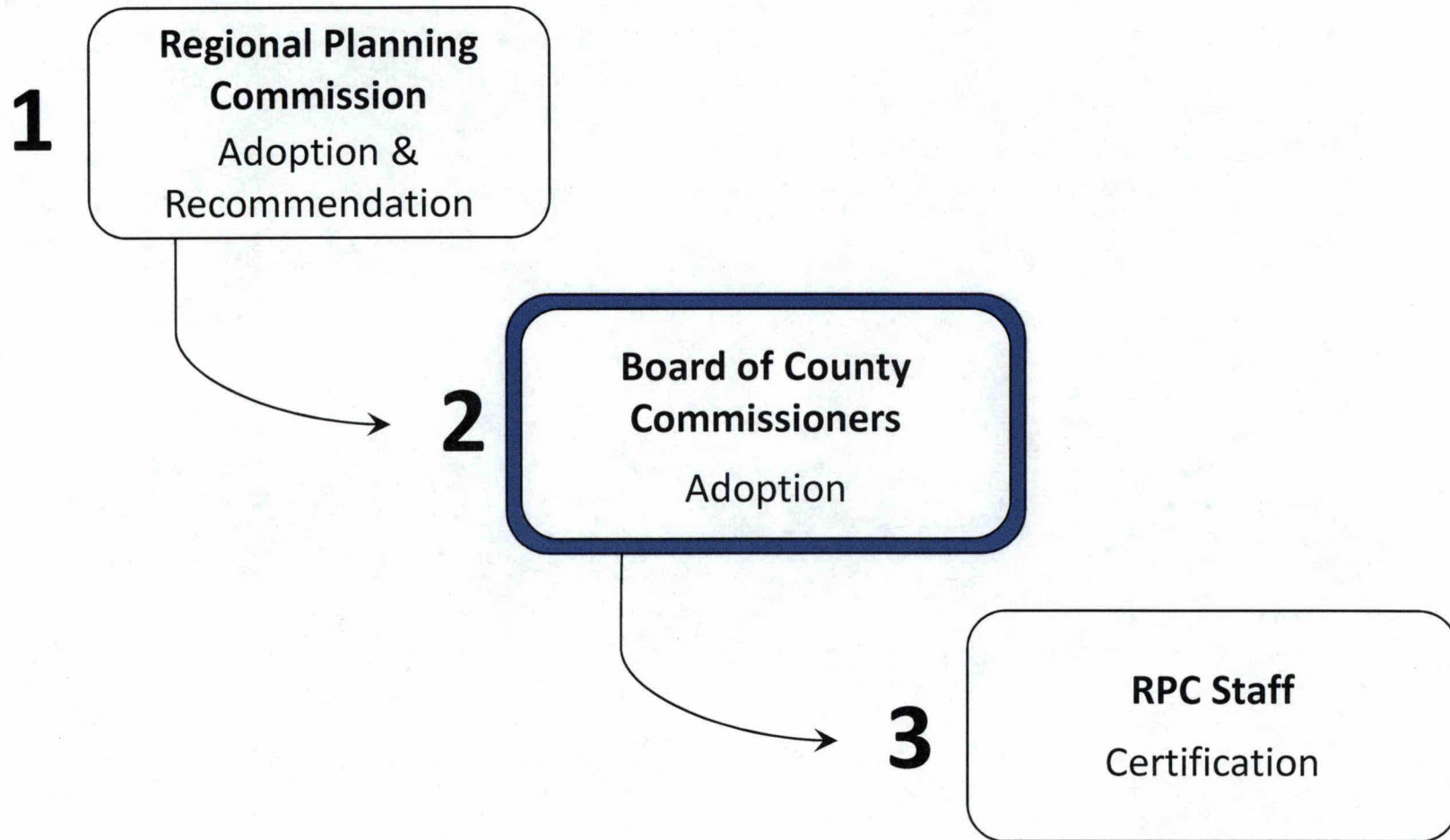
Tina Osborne, Clerk
Board of County Commissioners
Warren County, Ohio



Subdivision Regulations Update

September 23, 2019

Process



Purpose of Amendments

Recommendations from:

- Warren County Prosecutor's Office
- RPC Executive Committee
- Map Room and GIS Department
- Cincinnati and Dayton HBA

Interpretation and clerical clarification

Proposed Amendments

Section 106: Amendments – statement added using similar language from WCRZC that allows staff to make grammar/reference corrections to the Subdivision Regulations.

Interpretation and clerical clarification

Proposed Amendments

Section 301: Concept Plan Process – clarifies that official action may be taken at the Concept Plan stage when Access Waivers are involved.

- Currently no formal action at Concept Plan
- Formal action as waivers can be approved or denied

Recommendations from:

- Warren County Prosecutor's Office
- Cincinnati and Dayton HBA

Proposed Amendments

Section 308: Preliminary Plan Review and Approval

Add Preliminary Plan Review Criteria.

- Lots of adequate size & orientation
- Unusual topography
- Coordinated with public facilities
- Functional and accessible open space
- Adequate vehicular and pedestrian circulation

Recommendation from:

- Warren County Prosecutor's Office: Purpose and general statements do not hold up in court as enforceable.

Proposed Amendments

Section 310: Preliminary Plan Approved Copy – changes “no less than 30 days after the Regional Planning Commission meeting” to “prior to the application for final plat” when describing deadline for final copies of conforming Preliminary Plans.

Recommendation from:

- Cincinnati and Dayton HBA: Provides the applicant more flexibility and time.

Proposed Amendments

Section 311: Final Plat Requirements – criteria to identify when a revised preliminary plan is necessary, including allowing clusterbox mail delivery facilities to be reviewed by staff for already approved Preliminary Plans.

Recommendations from:

- RPC Executive Committee
- Cincinnati and Dayton HBA

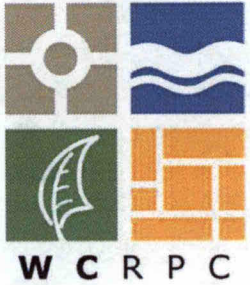


Proposed Amendments

Sections 314: Final Plat Contents, 320: Replats, & 321: Right-of-Way Dedication Plats – changes to Final Plat content requirements as recommended by WC GIS Department.

Recommendations from:

- Map Room and GIS Department

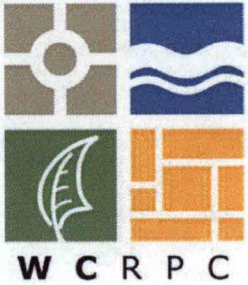


Proposed Amendments

Section 403: Traffic Management (G)&(H) – revised access point standards based on prior meetings/conversations.

Recommendations from:

- Warren County Prosecutor's Office
- RPC Executive Committee
- Cincinnati and Dayton HBA

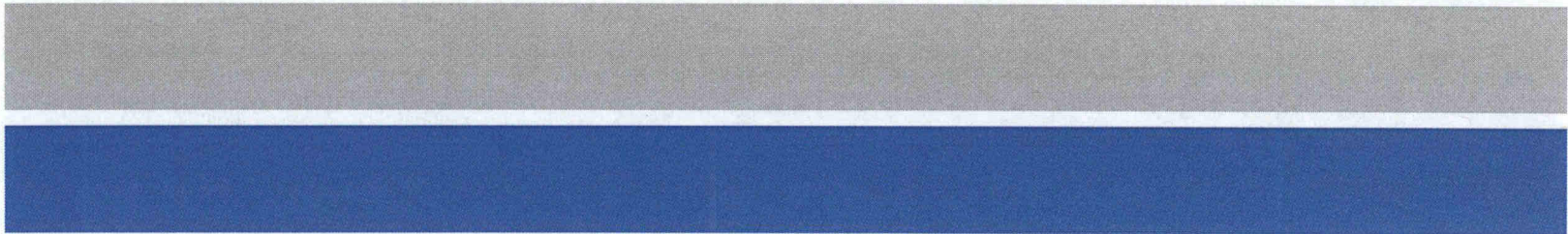
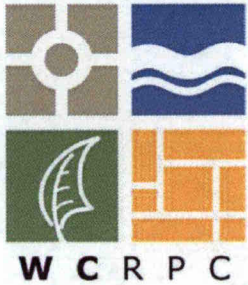


Proposed Amendments

Section 403: Traffic Management (G)&(H) – revised access point standards based on prior meetings/conversations.

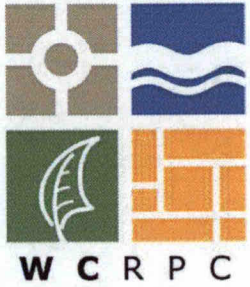
Recommendations from:

- Warren County Prosecutor's Office
- RPC Executive Committee
- Cincinnati and Dayton HBA



SECTION 403: TRAFFIC MANAGEMENT

- Add local subdivision streets as allowable access points to new subdivisions
- Allow exceptions for second access requirements where WCEO and ODOT determine constraints would prevent the provision of a second location
- Undeveloped property criteria
- Access point waiver criteria

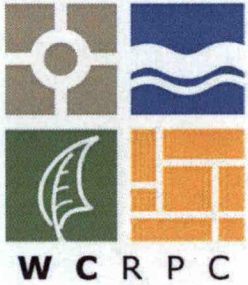


Proposed Amendments

Section 415: Postal Facilities – revised postal facilities standards in light of the issues faced with cluster mailbox units (CBUs).

Recommendations from:

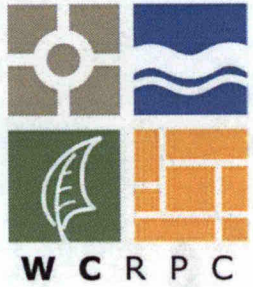
- RPC Executive Committee
- Cincinnati and Dayton HBA



SECTION 415: POSTAL FACILITIES

Where the USPS requires combined postal delivery:

- Cluster mailbox units responsibility of the homeowners
- A pull-off lane required cluster mailbox units to the satisfaction of the Warren County Engineer's Office
- Sidewalks from the road to cluster mailbox area

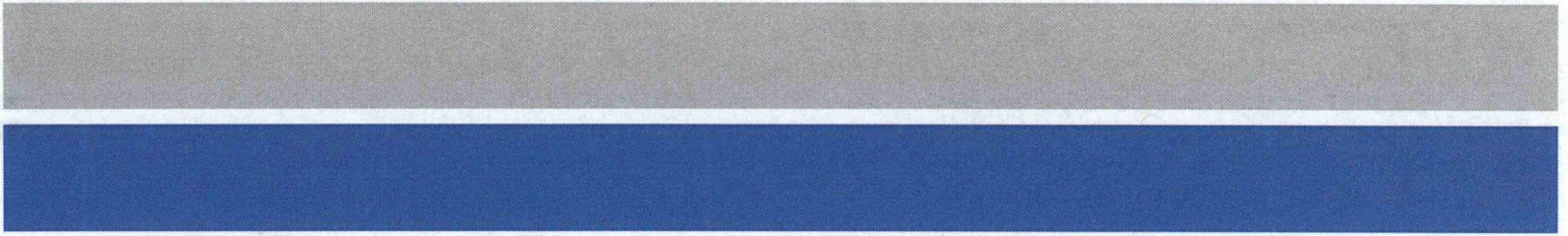


Proposed Amendments

Section 700: Required Statements – changes to the required statements on subdivision plats.

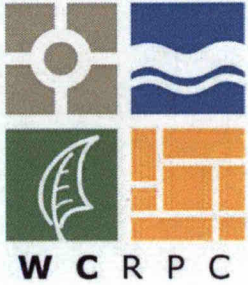
Recommendation from:

- Map Room and GIS Department



Recommendation

The Regional Planning Commission Full Board recommended **adoption** of the proposed amendments to the Warren County Subdivision Regulations.



Proposed Amendments

Section 106 - statement added using similar language from WCRZC that allows staff to make grammar/reference corrections.

These regulations may be amended, after public hearing and other requirements as specified in the Ohio Revised Code.

“Staff may make grammatical, numerical and section reference corrections to the Warren County Subdivision Regulations without such changes being subject to the review process provided that such changes do not alter the meaning of the regulations.”



Proposed Amendments

Section 301 – clarifies that official action may be taken at the Concept Plan stage when Access Waivers are involved

SECTION 301: CONCEPT PLAN PROCESS/TECHNICAL ADVISORY COMMITTEE REVIEW

Though there is no formal action by the RPC Executive Committee on a Concept Plan application, in some cases during the Concept Plan review stage, the Committee may take formal action on an application for one or more Access Point Waiver Requests pursuant to Section 403(H) herein.

Review Criteria:

- E. Review Criteria:** The Warren County Regional Planning Commission, pursuant to Ohio Revised Code Section 711.10 (B), may approve, approve with conditions, or deny a Preliminary Subdivision Plan. The RPC Executive Committee may approve a Preliminary Plan upon a finding that each criterion has been met or has been determined to be inapplicable. RPC approval may be conditioned upon review and approval of more detailed plans by the applicable department:



Proposed Amendments

Section 310 – changes “no less than” to “within” when describing deadline for final copies of Preliminary Plans

The updated ~~revised~~ preliminary plan shall be submitted within~~no less than~~ 30 days after the Regional Planning Commission meeting.

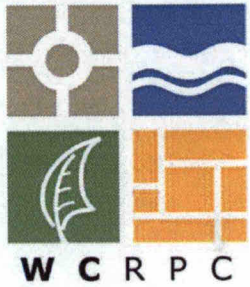


Proposed Amendments

Section 311 – criteria to identify when a revised preliminary plan is necessary

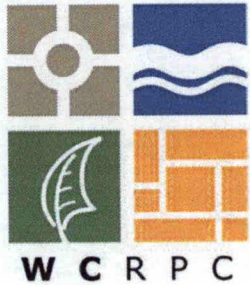
SECTION 311: FINAL PLAT REQUIREMENTS

A. The subdivider, having first received approval of the preliminary plan~~t~~ of the proposed subdivision, shall submit a final plat of the subdivision. ~~The final plat shall have incorporated all changes in the preliminary plat required by the Regional Planning Commission. Otherwise, it shall substantially conform to the approved preliminary plat.~~ An application for final plat approval may be submitted for a section of a subdivision.



Section 311 – criteria to identify when a revised preliminary plan is necessary

B. Final plat sections shall conform to the approved preliminary plan as determined by the RPC Executive Director or designee, inclusive of any conditions that may have been part of the approval. The applicant may proceed with submission of a final plat provided all of the following criteria are met in comparison to the approved preliminary plan:



Proposed Amendments

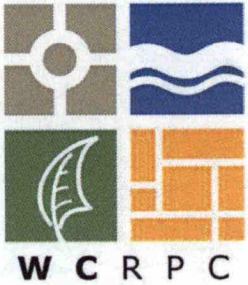
Section 311 – criteria to identify when a revised preliminary plan is necessary

1. There are no changes to the road network that alter the intersections with existing or planned streets, or overall connectivity of the network;
2. Any changes to proposed pedestrian trails or sidewalks do not alter the intent of the original pedestrian network shown on the Preliminary Plan;



Section 311 – criteria to identify when a revised preliminary plan is necessary

3. There is no change in the location of planned open space or conservation areas/easements and the total amount of such spaces planned within the overall subdivision does not decrease; and
4. There is no increase in the number of lots fronting along any given street/road segment planned within the subdivision, and the residential density of the overall subdivision does not increase.
5. There is no change to the Preliminary Plan boundary.



C. If the applicant plans to submit a final plat section that will in any way vary from the approved preliminary plan, the applicant shall consult with RPC staff to determine if a revised preliminary plan is necessary to achieve the variation. In cases where one or more of the criteria stated above in paragraph (B) cannot be met, a revision to the preliminary plan shall be required. Other variations or modifications shall be classified as minor and shall require submission of an updated Preliminary Plan; such submission shall not require approval by the RPC Executive Committee. However, the RPC Executive Director or designee may elect to submit the minor modification to the RPC Executive Committee for review as a revised Preliminary Plan.



Proposed Amendments

Section 403(G)&(H) – revised access point standards based on prior meetings/conversations



Proposed Amendments

Section 403(G)&(H) – revised access point standards based on prior meetings/conversations

SECTION 403: TRAFFIC MANAGEMENT

G. ACCESS POINTS. ~~At a minimum, access points are required in the following situations, except as provided in Section 403(H)~~The minimum access point requirements for major subdivisions which involve the construction/extension of public streets are as follows:



1. Access points to existing public roadways adjacent to the subdivision site, including (i.e. arterial, collector/distributor, collector, and local roads, as well as but not local subdivision streets) ~~adjacent to the subdivision site, as permissible by the access management regulations of Warren County or ODOT (as applicable)~~, are required as follows:
 - a. For subdivisions with less than fifty (50) units, a minimum of one (1) access point to an existing public roadway is required.

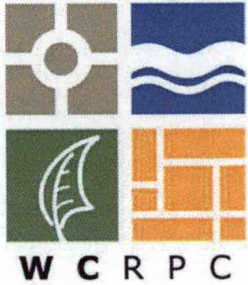


- b. For subdivisions with fifty (50) units or more, a minimum of two (2) access points to an existing ~~public~~ roadway or roadways are required, except in cases where the access management regulations of Warren County or ODOT (as applicable) would prevent the provision of a second location.
- c. For commercial and industrial developments, more than one (1) access point may be required if the development is estimated to generate fifty (50) or more peak hour trips.



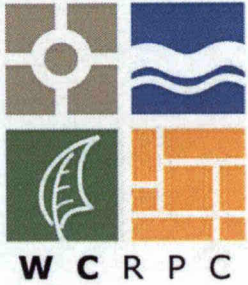
~~2. Access points to local subdivision streets (e.g., involving existing or future street stubs) are required as follows:~~

2a. Access points are required to connect to all existing street stubs (including “paper streets”) adjacent to the proposed subdivision site.



3b. Access points are required to connect to all street stubs which are planned as part of an approved preliminary plan or site plan on an adjacent site.

~~c. A minimum of one (1) access point is required to each adjacent property that is considered “undeveloped” by the RPC Executive Committee. The determination of whether a property is “undeveloped” is to the discretion of the RPC Executive Committee, and may be based on one (1) or more of the following factors~~



- ~~i. The adjacent property is unplatted.~~
 - ~~ii. The adjacent property is classified as agricultural or vacant by the Warren County Auditor.~~
 - ~~iii. The adjacent property is of sufficient size to accommodate a possible future expansion of development.~~
 - ~~iv. The adjacent property contains sufficient area free and clear of buildings, structures, or other obstacles to make future expansion of development possible.~~
- 4d. Access points are required in all other locations for future roadways as required by the Warren County Thoroughfare Plan.



5. A minimum of one (1) access point is required to each adjacent property that is considered undeveloped. An adjacent property shall be considered undeveloped if it meets all three of the following criteria:
- a. The adjacent property is unplatted.
 - b. The adjacent property is classified as agricultural or vacant by the Warren County Auditor.
 - c. There is no preliminary plan or site plan currently approved for the adjacent property.
6. A minimum of one (1) access point is required to each adjacent property that is considered undeveloped as determined by RPC staff, based on the following factors:



6. A minimum of one (1) access point is required to each adjacent property that is considered undeveloped as determined by RPC staff, **However, the RPC Executive Director or designee may elect to submit the minor modification to the RPC Executive Committee based on the following factors:**

- a. Whether the same property or properties are of sufficient size to accommodate a possible future expansion of development; and
- b. Whether the adjacent property or properties contain sufficient area free and clear of buildings, structures, or other obstacles to make future expansion of development possible.

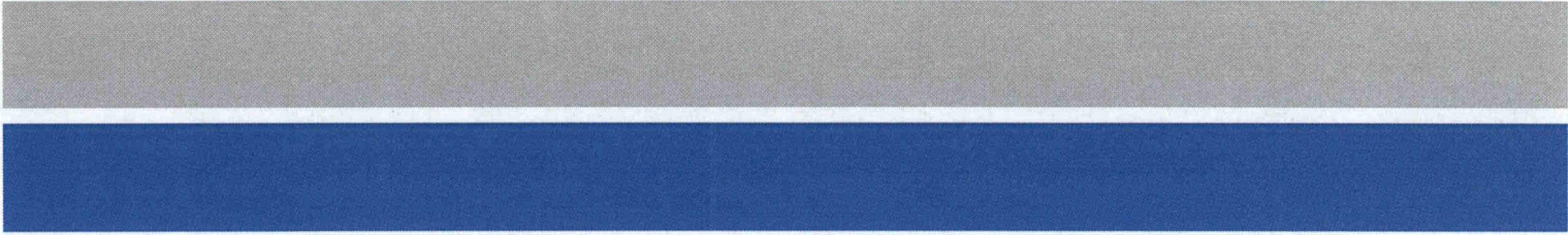


~~3. Access point requirements may be expanded or reduced on a case by case basis in special situations or due to unique circumstances, at the discretion of the RPC Executive Committee. Factors to consider in determining whether a situation or circumstance is special or unique include, but are not limited to, the following:~~

~~a. The existence of natural features, such as steep slopes, blue line streams, wetlands, significant wooded or vegetated areas, or other challenging topographic conditions;~~

~~b. Existing or projected traffic patterns;~~

~~c. Relationship to existing or planned roadway networks;~~



- ~~d. Ensuring better access management;~~
- ~~e. Existing or future land use classifications on adjacent properties and sites;~~
- ~~f. Existing zoning classifications on adjacent properties and sites;~~
- ~~g. The total number of access points which are planned for the subdivision;~~
- ~~h. Length of boundaries between the subdivision site and adjoining properties;~~
- ~~i. Length of boundaries between the subdivision site and adjoining right-of-way;~~
- ~~j. Access to certain amenities or points of interest, and~~



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~~j. Access to certain amenities or points of interest; and~~

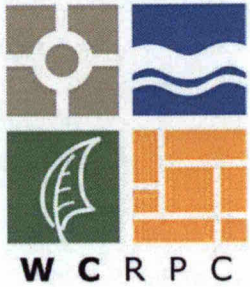
~~k. Comments from reviewing agencies/departments.~~

74. Nothing in above subsections (1) through (~~63~~) prevents ~~prohibits~~ a single access point from satisfying multiple provisions stated above.

H. ACCESS POINT WAIVER REQUESTS. Waiver requests for one (1) or more of the minimum access point requirements stated above in subsection (G) shall ~~may~~ be made by the applicant/developer to the Regional Planning Commission. Such request must be made in writing, specifying justification for the waiver, and submitted at the same time as ~~either the~~ a Concept Plan application; prior to Preliminary Plan submittal; or at the time of Revised Preliminary Plan Submittal.



Each required access point requested to be waived shall constitute a separate waiver request and a separate decision for the RPC Executive Committee to consider, although such decisions may be made by the Executive Committee in one motion. Factors the RPC Executive Committee may consider when making a determination of whether to grant or deny each access point waiver include, but are not limited to, those listed below: ~~in subsections (a) through (k) in Section 403(G)(3).~~



1. The existence of natural features, such as steep slopes, blue line streams, wetlands, significant wooded or vegetated areas, or other challenging topographic conditions;
2. Existing or projected traffic patterns;
3. Relationship to existing or planned roadway networks;
4. Ensuring better access management;
5. Existing or future land use classifications on adjacent properties and sites;
6. Existing zoning classifications on adjacent properties and sites;



7. The total number of access points which are planned for the subdivision (e.g. whether the total number of access points is considered sufficient for facilitating connection to possible future adjoining developments);
8. Length of boundaries between the subdivision site and adjoining properties (properties that share a long boundary with the subdivision site may be required to have multiple access points);
9. Length of boundaries between the subdivision site and adjoining right-of-way;
10. Access to certain amenities or points of interest;



11. Comments from reviewing agencies/departments;
12. Whether the adjacent property or properties are of sufficient size to accommodate a possible future expansion of development; and
13. Whether the adjacent property or properties contain sufficient area free and clear of buildings, structures, or other obstacles to make future expansion of development possible.



Proposed Amendments

Section 415 – revised postal facilities standards in light of the issues faced with cluster mailbox units (CBUs)

SECTION 415: POSTAL FACILITIES

~~A. Vehicle parking or waiting facilities shall be provided to serve combined postal delivery and collection units when they are employed to provide postal service to a subdivision. These facilities shall be located in the following areas:~~



~~1. Roadside 'pull-off' areas.~~

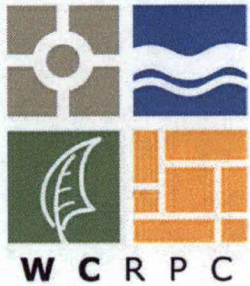
~~2. Cul-de-sac or mid block turnaround islands.~~

~~3. Along the perimeter of cul-de-sacs or mid block turnarounds, outside the travel way of the street.~~

~~B. The Regional Planning Commission shall approve all locations for combined postal delivery and collection units during the review of the preliminary plan for the subdivision.~~

~~C. Combined postal facilities shall be located no closer than one hundred (100) feet from any street intersection.~~

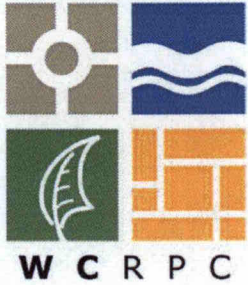
~~D. All vehicle parking or waiting areas for postal facilities shall be designed and constructed in accordance with the standards of the Warren County Board of Commissioners.~~



- A. These regulations do not regulate individual mailboxes.
- B. In situations where the USPS determines that new development will require combined postal delivery rather than individual mailbox delivery, the following requirements shall apply:
1. Maintenance of cluster mailbox units, as well as any associated shelters, structures, lighting, parking and other related amenities shall be the responsibility of the homeowners. Establishment of a homeowners' association is strongly encouraged in developments where individual mail delivery is unavailable.



2. Cluster mailbox units are encouraged, but not required, to be sheltered or housed within a building/structure. Whenever feasible, cluster mailbox units should be located within an amenity center (e.g. clubhouse), if one is proposed for the development. Parking shall be provided to serve cluster mailbox units, in which case the number of parking spaces to be provided shall be 1 per every thirty-two (32) individual address mail drops, rounded up to the nearest whole number.



4. Where off-street parking is not provided, a pull-off lane or driveway shall be required for all cluster mailbox units, the design of which shall be to the satisfaction of the Warren County Engineer's Office. The length of any such pull-off lanes/driveways shall accommodate a minimum of 1 parking/stacking space per every thirty-two (32) individual address mail drops, rounded up to the nearest whole number. Developers may install multiple pull-off lane/driveway locations throughout the subdivision, or concentrate all cluster mailbox units on one pull-off lane/driveway to serve the entire subdivision.



All pull-off lanes and driveways shall be located a minimum of one hundred (100) feet from the edge of pavement of all street intersections.

5. At a minimum, sidewalks shall be constructed from the pavement edge to the cluster mailbox area to facilitate pedestrian access and retrieval of mail by residents. Such sidewalks shall link into any other sidewalks that may be required by other provisions of these regulations.