

Ohio Administrative Code

3701-29-08 Subdivisions and new lots.

(A) The board of health review required in paragraph (C) of this rule shall be coordinated, as applicable, with authorities having responsibility for the requirements established in Chapter 711. of the Revised Code, zoning, recording of parcels of land, or other land use authorities. The board of health shall consult with appropriate sewer entity personnel such as a municipal or county sanitary engineer to confirm sewer accessibility as described in paragraph (T) of rule [3701-29-06](#) of the Administrative Code, and plans for sewer extensions by a municipality, sanitary district, regional water and sewer district, or other management entity or wastewater planning authority responsible for sanitary sewerage.

(B) Any person proposing a subdivision or new lot(s) for review by the board of health shall submit an application and sufficient information to determine compliance with the requirements of this chapter. Minimum information to be submitted or completed for review shall include the following:

(1) Completed application and any associated fees;

(2) Staked or marked locations of proposed lot corners/property lines on site;

(3) A scaled drawing. Any person proposing a subdivision may use previously prepared or otherwise available drawings such as a survey prepared by a registered professional surveyor, an aerial photograph or digital orthophotograph prepared from a geographical information system, a soil evaluation or other similar drawing for preliminary review. The drawing shall include the assessment and documentation of the following:

(a) The acreage of each proposed lot and the total land area of the proposed subdivision;

(b) Proposed lot lines with detail on site conditions including vegetation, and drainage features;

(c) Any site information deemed necessary by the board of health related to prior or existing land use including existing and proposed: easements, utilities, structures, wells, foundations, roads, drainage features, water bodies;

(d) Identification of one or more system type(s) that might be feasible on the proposed lots in accordance with this chapter; and

(e) For new lot or subdivision proposals having more than five lots, or for a fewer number when required by the board of health, the scaled drawing shall also include topographic detail with contour lines sufficient to determine slope and adequate length along the contour in the areas considered suitable for STS.

(4) A soil evaluation completed in accordance with rule [3701-29-07](#) of the Administrative Code for each proposed lot;

(5) If required or accepted by the board of health, an order one soil survey of sufficient detail to provide the soil profile information required in paragraphs (D) and (E) of rule [3701-29-07](#) of the Administrative Code. The preparation of an order one soil survey does not eliminate the need to conduct site specific soil evaluations for individual lots in paragraph (B)(4) of this rule in the subdivision during the system permitting process; and

(6) When a proposed subdivision includes the creation of at least twenty-five lots, or for any fewer numbers of lots as required by the board of health, the request shall include written consultation from Ohio EPA concerning the subdivision's accessibility to existing sanitary sewerage systems as described in paragraph (I) of rule [3701-29-06](#) of the Administrative Code, and risks to surface and ground water resources.

(7) When subdivisions are proposed within the boundaries of an inner management zone of a public water system, or located within a hydrogeologically sensitive area as delineated on a ground water pollution potential map from the Ohio department of natural resources, the application shall include the map or inner management zone information and how the proposed density and design of the STS shall ensure adequate treatment of effluent prior to discharge to groundwater.

(C) Proposed subdivisions and new lots shall be reviewed by the board of health to determine compliance with this chapter, including, but not limited to the following:

(1) For subdivisions proposed within inner management zones of public water systems or areas with high ground water pollution potential, the board of health may require, but is not limited to, alternative STS designs, increased O&M frequencies, a responsible management entity and/or establish a household sewage treatment district in accordance with paragraph (F) of rule [3701-29-19](#) of the Administrative Code.

(2) No lot shall be created which requires a NPDES permit for a discharging STS. All created lots shall meet the requirements of rule [3701-29-06](#) of the Administrative Code.

(3) All proposed STS will meet soil absorption sizing requirements in rule [3701-29-15](#) of the Administrative Code.

(D) When a board of health determines that the provisions of this chapter cannot be met or the submitted information is found to be incomplete or inaccurate, the board of health shall provide written documentation of noncompliance to the person proposing a subdivision or new lot(s).

(E) When the board of health determines that the provisions of this chapter can be met, the board of health shall provide written documentation of compliance to the person proposing a subdivision or new lot(s) subject to STS installation permit approval by the board of health. The written documentation of compliance with this chapter and the board of health review required by this rule shall not preclude the denial of an installation permit pursuant to rule [3701-29-09](#) of the Administrative Code if conditions change.

(F) Upon receiving preliminary approval, a survey prepared by a registered professional surveyor shall be required prior to final approval of the subdivision.

Replaces: 3701-29-03

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