

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE 2019-10**

**REPEALING SECTION 1226.06 “DESIGN STANDARDS” OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING  
NEW SECTION 1226.06 “DESIGN STANDARDS”**

**Whereas**, the Codified Ordinances of the Village of Yellow Springs regarding design standards currently do not address underground electric distribution or electric distribution systems as a part of required developer improvements; and

**Whereas**, because the Village of Yellow Springs owns and operates an electric utility, these items should be considered as part of the whole when discussing necessary infrastructure improvements;

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO  
HEREBY ORDAINS THAT:**

**Section 1.** Chapter 1226.06 entitled “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

**Section 2.** A new Chapter 1226.06 entitled “Design Standards” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and deleted language in ~~striketrough~~, which is attached hereto and incorporated herein.

**Section 3.** This ordinance shall take effect and be in full force at the earliest date permitted by law.

\_\_\_\_\_  
Brian Housh, President of Council

Passed: 4-15-2019

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

**ROLL CALL**

Brian Housh \_\_Y\_\_ Marianne MacQueen \_\_Y\_\_ Kevin Stokes \_\_Y\_\_

Lisa Kreeger \_\_Y\_\_ Kineta Sanford \_\_Y\_\_

## **1226.06 DESIGN STANDARDS.**

### **(a) Undeveloped Land.**

(1) **Streets.** Streets shall conform to the Official Thoroughfare Plan of the Village of Yellow Springs and shall be dedicated by the owner. Pavements of streets and construction of curbs, gutters, associated storm sewers, driveway aprons and water and sanitary sewer systems, shall be according to Greene County specifications, especially those found in Article 8 of the Subdivision Regulations of Greene County, Ohio, as amended. Calculation of potential runoffs and the storm sewer system so dictated shall be arrived at using the methods provided for in the “Run-off Control/Sediment Abatement Resolution, Greene County, Ohio.”

Estate streets, as designed according to Appendix A following the text of these Subdivision Regulations and by the applicable specifications contained in the Subdivision Regulations of Greene County, Ohio, as amended, may be authorized by the Planning Commission as a variation, in accordance with Section [1226.10](#), for the construction of local streets, when the following conditions can be met:

A. All lots fronting on the proposed estate street must collectively average 100 feet of frontage.

B. A storm water plan for the entire subdivision, prepared by a licensed engineer at the expense of the subdivider, shall be formally approved by a Village- designated engineer;

C. Driveway connections crossing drainage swales must conform to Greene County specifications complete with concrete headwalls as called for by Sections 816 and 817 of the Greene County Subdivision Regulations, as amended. These crossings are to be an integral part of the stormwater management plan as to location, grade and size.

(2) **Alleys.** Alleys shall be twenty feet in width. Alleys shall be paved and constructed according to Greene County specifications. Dead-end alleys are prohibited.

(3) **Sidewalks.** ADA compliant sidewalks shall be required along all public streets unless the estate street design is being utilized. The Planning Commission may require ADA compliant sidewalks along estate streets if they are deemed necessary. ADA compliant sidewalks along local streets shall be provided as required by the Commission and may include use of “black top” in lieu of concrete and of one-side-of-the-street installation. Such sidewalks shall meet sidewalk construction specifications approved by the Village of Yellow Springs.

(4) Electric. An underground electric distribution plan for the entire subdivision, prepared by a licensed engineer at the expense of the subdivider, shall be formally approved by a Village-designated engineer;

(45) **Easements.** Easements with right-of-way widths up to ten feet, as required, shall be provided on rear lot lines and along side lot lines in addition to those required by the developer.

(56) **Lots.** Every lot shall abut on a street and double frontage lots shall be avoided except where such lots will reduce curb cuts on heavily traveled thoroughfares. Area, dimensions and

layout of lots shall be in conformity with the Zoning Code and applicable provisions of Article 5 of the Subdivision Regulations of Greene County, Ohio, as amended, excluding Section 518(G). Uncommon lot configurations may be incorporated into a development where such division poses no apparent nuisance and the Commission deems it appropriate. Approval of such lots shall be granted upon review of the following additional criteria:

A. Adequate access to such lots is provided and poses no nuisance to adjoining lots. Adequate access shall accommodate emergency needs, parking and any other requirements specific to the location.

B. The relation to the adjoining lots is acceptable in that required setbacks can be maintained, adequate privacy is preserved and apparent nuisances (light, noise) are avoided.

C. A minimum frontage of twenty feet shall be required for all such lots.

D. Uncommon lot configurations are permitted access on local streets only.

(67) Street trees. All subdivisions shall contain plans for tree planting along public streets of the new development. The following guidelines shall be followed:

A. Tree selection shall be taken from the Village of Yellow Springs Recommended Trees list, contained in Appendix B following the text of these Subdivision Regulations.

B. Existing trees over two inches in caliper may be used to satisfy these requirements.

C. The minimum size (trunk caliper) for new trees shall be no less than one and one-half inches.

D. The developer shall be required to maintain the trees for one year after the trees are planted and to replace any tree that dies within such one-year period. At the end of one year, the trees become the responsibility of the Village of Yellow Springs.

E. The spacing between large trees (a mature height of fifty feet) shall be forty-five to fifty feet; the spacing between medium trees (a mature height of thirty feet to fifty feet) shall be thirty-five to forty feet, and the spacing between small trees (a mature height of ten to thirty feet) shall be twenty-five to thirty feet.

F. Tree location shall be at least twenty feet from street intersections, twenty-five feet from utility poles and ten feet from fire hydrants.

G. Tree lawns shall be a minimum of six feet.

(78) Interior landscaping. All subdivisions shall include an interior landscaping plan that shall consist primarily of new tree planting or the preservation of existing trees and/or hedges within the development site.

A. Preservation of existing landscaping materials. All trees having a trunk diameter of six inches or greater, as measured twenty-four inches from ground level, shall be preserved unless such trees are exempted as follows:

1. Trees within public rights-of-way or utility easements, or a temporary construction easement as approved by the Planning Commission;

2. Trees within the ground coverage of proposed structures or within twelve feet from the perimeter of such structures;

3. Trees within the driveway access to parking or service areas or proposed areas to service a single-family home;

4. Trees that, in the judgment of the Village Tree Committee or some other agent with similar expertise, are damaged, diseased or overmature, interfere with utility lines or are an inappropriate or undesirable species for the specific location.

B. Preservation of exempted trees. It is encouraged that exempted trees subject to destruction be preserved by relocation and replanting whenever possible.

C. Tree planting requirements for all new developments. The following landscape requirements shall apply:

Use	Requirements
All residential, residential PUD and PND, and residential site plan review districts.	Tree plantings equal to one-half inch in tree trunk size for every 150 square feet in ground coverage by a single-family structure. Such plantings shall be required within the property lines of each structure.
Educational Institution, Office/ Research and General Business Districts.	In addition to the requirements of <a href="#">Ch. 1264</a> , landscaped areas equal to 100 square feet for 1,000 square feet of building ground coverage or fraction thereof. Such landscaped areas shall contain trees, planting beds, hedges, fences, walls, earth mounds, benches or other materials designed and located complementary to the structures.
Light Industrial, commercial and industrial PUD.	In addition to the requirements of <a href="#">Chs. 1254</a> and <a href="#">1264</a> , there shall be plantings equal to one inch in tree size for every 2,000 square feet of building ground coverage or fraction thereof.

D. New tree plantings. If new tree plantings are required for conformance to the landscaping requirements of this chapter, the applicant shall indicate on the landscape plan the location and size of such tree plantings. If such landscape plan is approved, the applicant shall plant such trees within one year or at the next planting season after issuance of a building permit.

(b) Land Abutting Existing Streets. Where lots are platted along an existing street, the developer may be required to improve the street and storm sewer, water and sanitary sewer systems, electric distribution systems, and facilities and to provide ADA compliant sidewalks and street trees as specified in subsection (a) hereof insofar as such improvements are applicable.