

# AN ACT

To amend sections 505.75, 711.001, 711.10, 711.131, 711.132, 713.21, and 713.22 and to enact section 711.133 of the Revised Code to permit the exemption from the definition of "subdivision" in the Platting Law of certain parcels of land, to permit the regulation of certain parcels between four and twenty acres for approval without plat, to change the procedure for the approval of plats by county or regional planning commissions, to provide different methods for implementing the statute authorizing the approval of certain subdivisions without the submission of a plat, to permit the payment of compensation to the appointive members of county or regional planning commissions, to permit townships to contract with other townships to administer and enforce building regulations, and to authorize the conveyance of certain state-owned real estate located in Summit County.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 505.75, 711.001, 711.10, 711.131, 711.132, 713.21, and 713.22 be amended and section 711.133 of the Revised Code be enacted to read as follows:

Sec. 505.75. (A) A board of township trustees may, by resolution, adopt by incorporation by reference, administer, and enforce a standard code pertaining to the erection, construction, repair, alteration, and maintenance of single-family, two-family, and three-family dwellings promulgated by the state, or any department, board, or other agency ~~thereof of the state~~, or by any municipal corporation or county in this state, within the unincorporated territory of the township, or establish districts in any part of the unincorporated territory and adopt, administer, and enforce such a standard code in the affected districts. When adopted, all regulations contained in

such a standard code, including those establishing service charges, shall be uniform within all districts in which building codes are established, except that more stringent regulations may be imposed in flood hazard areas in order to prevent or reduce the hazard resulting from flooding. In no case shall regulations exceed the scope of regulating the safety, health, and sanitary conditions of such buildings. Any person adversely affected by a resolution of the board adopting, amending, or rescinding a regulation may seek a declaratory judgment pursuant to Chapter 2721. of the Revised Code on the ground that the board failed to comply with the law in adopting, amending, rescinding, publishing, or distributing the regulation, or that the regulation, as adopted or amended by the board, is unreasonable or unlawful, or that the ~~revision~~ rescinding of the regulation was unreasonable or unlawful.

A township building code may include regulations that are necessary for participation in the national flood insurance program and are not in conflict with the Ohio building code, governing the prohibition, location, erection, construction, or floodproofing of new buildings or structures, or substantial improvements to existing buildings or structures, in unincorporated territory within flood hazard areas identified under the "Flood Disaster Protection Act of 1973," 87 Stat. 975, 42 U.S.C.A. 4002, as amended, including, but not limited to, residential, commercial, or industrial buildings or structures.

(B) Regulations or amendments to regulations may be adopted under this section only after public ~~hearing~~ hearings at not fewer than two regular sessions of the board of township trustees. The board shall cause to be published in a newspaper of general circulation in the township notice of the public hearings, including time, date, and place, once a week for two weeks immediately preceding the hearings. The proposed regulations or amendments shall be made available by the board to the public at the board office.

The township building code shall be adopted if it is approved by an affirmative vote of all members of the board ~~of township trustees~~.

The building code and any amendments to the building code adopted by the board become effective thirty days after the date of adoption unless, within thirty days after the adoption of the building code or amendments, there is presented to the board a petition, signed by a number of qualified voters residing in the unincorporated area of the township equal to not less than eight per cent of the total vote cast for all candidates for governor in the area at the most recent general election at which a governor was elected, requesting the board to submit the building code or amendments to the electors of ~~such~~ the area for approval or rejection at the next primary or

general election.

No building code or amendments for which the referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the building code or amendments. Upon certification by the board of elections, they take immediate effect.

(C) The board of township trustees may establish a building regulation department and employ personnel to enforce building regulations. Upon certification of the building department under section 3781.10 of the Revised Code, the board of trustees may direct the township building department to exercise enforcement authority and to accept and approve plans pursuant to sections 3781.03 and 3791.04 of the Revised Code for any other kind or class of building in the unincorporated territory of the township.

For the purposes of administering and enforcing the building regulations, the board of township trustees may create, establish, fill, and fix the compensation of the position of township building inspector. The inspector shall be the chief administrative officer of the township building regulation department and shall administer and enforce the building regulations. In lieu of the creation of the position of township building inspector, the board may assign the duties of the inspector to an existing township officer.

(D) The board of township trustees may contract with any other township, any municipal corporation, or ~~with~~ a board of county commissioners for the administration and enforcement of building regulations, and any other township, any municipal corporation, or a board of county commissioners may contract with a board of township trustees for the administration and enforcement of the building regulations of the other township, the municipal corporation, or the county.

Sec. 711.001. As used in ~~sections 711.001 to 711.38, inclusive, of the Revised Code~~ this chapter:

(A) "Plat" means a map of a tract or parcel of land.

(B) "Subdivision" means either of the following:

(1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax roll list and duplicate of real and public utility property, into two or more parcels, sites, or lots, any one of which is less than five 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 more than five acres not involving any new streets or easements of access, ~~and the~~;

(b) The sale or exchange of parcels between adjoining lot owners, where

~~such that~~ sale or exchange does not create additional building sites, ~~shall be exempted; or~~

(c) If the planning authority adopts a rule in accordance with section 711.133 of the Revised Code that exempts from division (B)(1) of this section any parcel of land that is four 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~~ leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other ~~public~~ similar facilities.

Sec. 711.10. (A) Whenever a county planning commission or a regional planning commission adopts a plan for the major streets or highways of the county or region, no plat of a subdivision of land within the county or region, other than land within a municipal corporation or land within three miles of a city or one and one-half miles of a village as provided in section 711.09 of the Revised Code, shall be recorded until it is approved by the county or regional planning commission under division (C) of this section and the approval is endorsed in writing on the plat. Within

(B) A county or regional planning commission may require the submission of a preliminary plan for each plat sought to be recorded. If the commission requires this submission, it shall provide for a review process for the preliminary plan. Under this review process, the planning commission shall give its approval, its approval with conditions, or its disapproval of each preliminary plan. The commission's decision shall be in writing, shall be under the signature of the secretary of the commission, and shall be issued within thirty-five business days after the submission of the preliminary plan to the commission. The disapproval of a preliminary plan shall state the reasons for the disapproval. A decision of the commission under this division is preliminary to and separate from the commission's decision to approve, conditionally approve, or refuse to approve a plat under division (C) of this section.

(C) Within five calendar days after the submission of a plat for approval under this division, the county or regional planning commission shall schedule a meeting to consider the plat and send a notice by regular mail or by electronic mail to the clerk of the board of township trustees of the township in which the plat is located. The notice shall inform the trustees of

the submission of the plat and of the date, time, and location of any meeting at which the county or regional planning commission will consider or act upon the plat. The meeting shall take place within thirty calendar days after submission of the plat, and no meeting shall be held until at least seven calendar days have passed from the date the planning commission sent the notice ~~was sent by the planning commission.~~

The approval of the county or regional planning commission, the commission's conditional approval as described in this division, or the refusal of the commission to approve shall be endorsed on the plat within thirty calendar days after the submission of the plat for approval; under this division or within such further time as the applying party may agree to in writing; otherwise that plat is deemed approved, and the certificate of the ~~planning~~ commission as to the date of the submission of the plat for approval under this division and the failure to take action on it within that time shall be sufficient in lieu of the written endorsement or evidence of approval required by this ~~section~~ division. ~~A~~

A county or regional planning commission shall not require may grant conditional approval under this division to a plat by requiring a person submitting the plat to alter the plat or any part of it, within a specified period after the end of the thirty calendar days, as a condition for final approval, as long as the plat is in accordance with the general rules governing plats and subdivisions of land, adopted by the commission as provided in this section, in effect at the time the plat is submitted. The under this division. Once all the conditions have been met within the specified period, the commission shall cause its final approval under this division to be endorsed on the plat. No plat shall be recorded until it is endorsed with the commission's final or unconditional approval under this division.

The ground of refusal of approval of any plat submitted under this division, including citation of or reference to the rule violated by the plat, shall be stated upon the record of the county or regional planning commission. Within sixty calendar days after the refusal under this division, the person submitting any plat that the county or regional planning commission refuses to approve under this division may file a petition in the court of common pleas of the proper county, and the proceedings on the petition shall be governed by section 711.09 of the Revised Code as in the case of the refusal of a planning authority to approve a plat. A board of township trustees is not entitled to appeal a decision of the county or regional planning commission under this section division.

A county or regional planning commission shall adopt general rules, of uniform application, governing plats and subdivisions of land falling within

its jurisdiction, to secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the county or regional plan, for adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air, and for the avoidance of congestion of population. The rules may provide for their modification by the ~~county or regional planning~~ commission in specific cases where unusual topographical and other exceptional conditions require the modification. The rules may require the county department of health to review and comment on a plat before the ~~county or regional planning~~ commission acts upon it and also may ~~also~~ require proof of compliance with any applicable zoning resolutions as a basis for approval of a plat.

Before adoption of its rules or amendment of its rules, the commission shall hold a public hearing ~~shall be held~~ on the adoption or amendment ~~by the commission~~. Notice of the public hearing shall be sent to all townships in the county or region by regular mail or electronic mail at least thirty business days before the hearing. No county or regional planning commission shall adopt any rules requiring actual construction of streets or other improvements or facilities or assurance of that construction as a condition precedent to the approval of a plat of a subdivision unless the requirements have first been adopted by the board of county commissioners after a public hearing. A copy of the rules shall be certified by the planning commission to the county recorders of the appropriate counties.

After a county or regional street or highway plan has been adopted as provided in this section, the approval of plats and subdivisions provided for in this section shall be in lieu of any approvals provided for in other sections of the Revised Code, ~~so far~~ insofar as the territory within the approving jurisdiction of the county or regional planning commission, as provided in this section, is concerned. Approval of a plat shall not be an acceptance by the public of the dedication of any street, highway, or other way or open space shown upon the plat. ~~Any~~

No county or regional planning commission shall require a person submitting a plat to alter the plat or any part of it as long as the plat is in accordance with the general rules governing plats and subdivisions of land, adopted by the commission as provided in this section, in effect at the time the plat is submitted.

A county or regional planning commission and a city or village planning commission, or platting commissioner or legislative authority of a village, with subdivision regulation jurisdiction over unincorporated territory within the county or region may cooperate and agree by written agreement that the

approval of a plat by the city or village planning commission, or platting commissioner or legislative authority of a village, as provided in section 711.09 of the Revised Code, shall be conditioned upon receiving advice from or approval by the county or regional planning commission.

(D) As used in this section, "business day" means a day of the week excluding Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Revised Code.

Sec. 711.131. (A) Notwithstanding sections 711.001 to 711.13 of the Revised Code and except as provided in division (C) of this section, unless the rules adopted under section 711.05, 711.09, or 711.10 of the Revised Code are amended pursuant to division (B) of this section, a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and involving no more than five lots after the original tract has been completely subdivided, may be submitted to the planning authority having approving jurisdiction of plats under section 711.05, 711.09, or 711.10 of the Revised Code for approval without plat. If the authority acting through a properly designated representative ~~is satisfied~~ finds that the a proposed division is not contrary to applicable platting, subdividing, zoning, health, sanitary, or access management regulations or regulations adopted under division (B)(3) of section 307.37 of the Revised Code regarding existing surface or subsurface drainage, including, but not limited to, rules governing household sewage disposal systems, it shall ~~within seven working days after submission~~ approve the proposed division within seven business days after its submission and, on presentation of a conveyance of the parcel, shall stamp the conveyance "approved by (planning authority); no plat required" and have it signed by its clerk, secretary, or other official as may be designated by it. The planning authority may require the submission of a sketch and other information that is pertinent to its determination under this ~~section~~ division.

(B) For a period of up to two years after the effective date of this amendment, the rules adopted under section 711.05, 711.09, or 711.10 of the Revised Code may be amended within that period to authorize the planning authority involved to approve proposed divisions of parcels of land without plat under this division. If an authority so amends its rules, it may approve no more than five lots without a plat from an original tract as that original tract exists on the effective date of the amendment to the rules. The authority shall make the findings and approve a proposed division in the time and manner specified in division (A) of this section.

(C) This section does not apply to parcels subject to section 711.133 of

the Revised Code.

(D) As used in this section:

(1) "Business day" means a day of the week excluding Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Revised Code.

(2) "Household sewage disposal system" has the same meaning as in section 3709.091 of the Revised Code.

Sec. 711.132. No rule or regulation of a planning commission adopted pursuant to the provisions of this chapter, including any rule adopted under section 711.133 of the Revised Code, shall become effective until the same shall have it has been approved, after public hearing, by the legislative authority of the municipal corporation in the case of a municipal planning commission or by the board of county commissioners in the case of a regional or county planning commission.

Sec. 711.133. (A) Notwithstanding anything to the contrary in sections 711.001 to 711.13 of the Revised Code, rules may be adopted and amended that require a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and involving the establishment of any lot that meets acreage requirements under division (B) of this section, to be submitted to the planning authority having approving jurisdiction of plats under section 711.05, 711.09, or 711.10 of the Revised Code for approval without plat in accordance with this section. The rules shall provide that, if the authority acting through a properly designated representative finds that a proposed division is not contrary to any applicable zoning, health, sanitary, or access management regulations, regulations adopted under division (B)(3) of section 307.37 of the Revised Code regarding existing surface or subsurface drainage, including, but not limited to, rules governing household sewage disposal systems, or regulations adopted under division (D) of this section, it shall approve the proposed division within the applicable timeframe listed in division (F) of this section and, on presentation of a conveyance of the parcel, shall stamp the conveyance "approved by (planning authority); no plat required" and have it signed by its clerk, secretary, or other official as may be designated by it. For purposes of this division, "household sewage disposal system" has the same meaning as in section 3709.091 of the Revised Code.

(B) Rules adopted under this section shall designate the size range of parcels to be approved in compliance with this section; parcels may be in a range of not less than four acres and not more than twenty acres. If the designated size range includes any parcels of four to five acres in size, the rules shall state that the proposed division shall not be considered a

subdivision for purposes of division (B)(1) of section 711.001 of the Revised Code and need only be approved as specified in division (A) of this section and the rules adopted under this section.

(C) Rules adopted under this section shall exempt from the approval requirements of this section parcels of land to be used only for agricultural or personal recreational purposes. On the presentation of a conveyance of such a parcel, the authority's designated representative shall stamp the conveyance "no approval or plat required under R.C. 711.133; for agricultural or personal recreational use only" and have it signed by its clerk, secretary, or other official as the authority may designate. Nothing in this division excludes, or shall be construed as excluding, parcels that are exempt under this division as being used only for agricultural or personal recreational purposes, from the provisions of this chapter for any future divisions or partitions of those parcels.

When parcels of land that are exempt under this division from the approval requirements of this section are subsequently to be used for other than agricultural or personal recreational purposes, the planning authority shall first determine that such a parcel complies with the rules adopted under this section.

(D) Rules adopted under this section may regulate lot frontage and width to depth ratios for parcels to be approved in compliance with this section, but those regulations shall apply to a parcel only if there is no applicable zoning regulation for lot frontage or width to depth ratios that apply to the parcel.

(E) Rules adopted under this section may require the submission of a sketch and other information that is pertinent to the authority's determination under this section.

(F) A proposed division subject to approval in accordance with this section shall be approved within one of the following timeframes:

(1) For proposed divisions into not more than six separate parcels, approval shall be within seven calendar days after its submission.

(2) For proposed divisions into more than six separate parcels but less than fifteen separate parcels, approval shall be within fourteen calendar days after its submission.

(3) For proposed divisions into fifteen parcels or more, approval shall be within twenty-one calendar days after its submission.

Sec. 713.21. (A) The planning commission of any municipal corporation or group of municipal corporations, any board of township trustees, and the board of county commissioners of any county in which ~~such~~ the municipal corporation or group of municipal corporations is located

or of any adjoining county may ~~co-operate~~ cooperate in the creation of a regional planning commission, for any region defined as agreed upon by the planning commissions and boards, exclusive of any territory within the limits of a municipal corporation not having a planning commission. After creation of a regional planning commission, school districts, special districts, authorities, and any other units of local government may participate in the regional planning commission, upon ~~such terms as may be~~ agreed upon by the planning commissions and boards. ~~The~~

The number of members of such a regional planning commission, their method of appointment, and the proportion of the costs of such regional planning to be borne respectively by the various municipal corporations, townships, and counties in the region and by other participating units of local government shall be such as is determined by a majority of the planning commissions and boards. Costs may include, but are not limited to, compensation and actual and necessary expenses for appointive members of a regional planning commission who are not also holding another public office to which they were elected. Any member of a regional planning commission may hold any other public office and may serve as a member of a city, village, ~~and a~~ or county planning commission, except as otherwise provided in the charter of any city or village. ~~Such~~

Boards of township trustees, boards of county commissioners, and legislative authorities of such municipal corporations, and the governing bodies of other participating units of local government, may appropriate their respective shares of such the costs of regional planning. The Those sums so appropriated shall be paid into the treasury of the county in which the greater portion of the population of the region is located, and shall be paid out on the certificate of the regional planning commission and the warrant of the county auditor of such that county for the purposes authorized by sections 713.21 to 713.27, inclusive, of the Revised Code. The

(B) The regional planning commission may accept, receive, and expend funds, grants, and services from the federal government or its agencies; from departments, agencies, and instrumentalities of this state or any adjoining state or; from one or more counties of this state or any adjoining state or; from any municipal corporation or political subdivision of this or any adjoining state, including county, regional, and municipal planning ~~commission~~ commissions of this or any adjoining state; or from civic sources; ~~and. The regional planning commission may~~ contract with respect thereto to those funds, grants, and services, either separately, jointly, or cooperatively, and may provide such the information and reports as may be necessary to secure such financial aid those funds, grants, and services.

Within the amounts ~~thus~~ agreed upon and appropriated or otherwise received, the regional planning commission may employ necessary engineers, accountants, consultants, and employees ~~as are necessary~~ and may rent or lease ~~such~~ space, purchase, lease, and lease with option to purchase ~~such~~ equipment, and make ~~such other~~ purchases ~~as it deems~~ considers necessary to its use. The regional planning commission may purchase, lease with option to purchase, or receive as a gift property and buildings within which it is housed and carries out its responsibilities, provided that the rules of the commission provide for the disposition of the property and buildings ~~in the event that~~ if the commission is dissolved or otherwise terminated.

(C) The regional planning commission may establish ~~such~~ committees with ~~such the~~ powers as it finds necessary to carry on its work, including an executive committee to make ~~such~~ final determinations, decisions, findings, recommendations, and orders ~~as the provided in the commission's rules of the regional planning commissions provide~~. All actions of ~~such these~~ committees shall be reported in writing to the members of the regional planning commission no later than ~~the its~~ next meeting ~~of the regional planning commission~~ or within thirty days from the date of the action, whichever is earlier. The regional planning commission may provide a procedure to ratify committee actions by a vote of the members. ~~The~~

(D) The regional planning commission may make agreements with other ~~agencies;~~ public or private; agencies for the temporary transfer or joint use of staff employees, and may contract for professional or consultant services for or from other governmental and private agencies and persons.

Sec. 713.22. (A) The board of county commissioners of any county may, and on petition of the planning commissions of a majority of the municipal corporations in the county having those planning commissions shall, provide for the organization and maintenance of a county planning commission. A county planning commission shall consist of the members of the board of county commissioners, or their alternates designated in accordance with this division, and eight other members appointed by the board in accordance with divisions (B)(1) to (4) of this section or their alternates designated and approved in accordance with this division. Any alternate designated under this division shall be a resident of the county.

To designate an alternate for a member of the board of county commissioners, the board member shall send a letter of appointment to the alternate and deliver a copy of that letter to the clerk of the board of county commissioners. At the next regular meeting of the board, the clerk shall inform the board of the designation of the alternate, and the board shall have

the designation entered on the journal.

To designate an alternate for any other member of the planning commission, the member shall send a letter of appointment to the clerk of the board of county commissioners designating an individual to serve as that member's alternate. At the next regular meeting of the board, the clerk shall inform the board of the designation of the alternate, which designation the board may either approve or disapprove. The board shall enter its decision on the board's journal and, if the alternate is approved, designate the name of the alternate on the journal. The clerk of the board shall notify the commission member of the board's action, and the commission member shall inform the alternate.

A designated alternate shall serve at the pleasure of the member who makes the designation. Removal of an alternate shall be made by a letter of removal, delivered and journalized by the same method that the alternate was designated.

Once an alternate is designated for a member of the planning commission, if that commission member is absent from a planning commission meeting, the alternate has the right to vote and participate in all proceedings and actions of the commission at that meeting as if that alternate were the commission member.

(B)(1) Except as provided for counties with two or less townships in division (B)(4) of this section, if the population of the portion of any city located in the county exceeds fifty per cent of the total population of the county, the board of county commissioners shall select three of the appointive members from persons nominated by the planning commission of that city. The board shall appoint three members from the unincorporated territory of the county from persons recommended by the townships to the county, except that, if one or more of those townships in the county is a limited home rule government township, then the board shall appoint at least one of these three township appointees from the persons recommended by a limited home rule government township. The remaining two appointees shall be selected at the discretion of the board and shall be residents of the county, one residing in the unincorporated territory of the county and representing townships and the other residing in the incorporated territory of the county and representing municipal corporations in the county.

(2) Except as provided for counties with two or less townships in division (B)(4) of this section, if a county does not contain the portion of any city with at least fifty per cent of the total population of the county but contains one or more limited home rule government townships, one of the appointees shall be a resident of a limited home rule government township

in the county, selected at the discretion of the board of county commissioners from persons recommended by a limited home rule government township in the county. One appointee shall be a resident of the municipal corporation with the largest population contained within the portion of the municipal corporation located in the county, selected at the discretion of the board of county commissioners from persons recommended by that municipal corporation. The remaining six appointees shall be residents of the county, selected at the discretion of the board of county commissioners.

(3) Except as provided for counties with two or less townships in division (B)(4) of this section, if a county does not contain the portion of any city with at least fifty per cent of the total population of the county and does not contain a limited home rule government township, the board of county commissioners shall appoint eight residents of the county selected at the discretion of the board.

(4) If a county contains two or less townships with unincorporated territory, the board of county commissioners shall appoint eight residents of the county selected at the discretion of the board, except that, if the population of the portion of any city located in the county exceeds fifty per cent of the total population of the county, then at least three of the appointive members shall be selected from persons nominated by the planning commission of that city.

(C) Subject to division (F) of this section, the appointive members of a county planning commission shall be appointed for terms of three years, except that, of the eight members first appointed, three shall be appointed for terms of two years, and two shall be appointed for a term of one year. The appointive members shall serve without pay may be allowed their actual and necessary expenses and the compensation that the board of county commissioners determines to be appropriate. Any member of a county planning commission may hold any other public office and may serve as a member of a city, village, and regional planning commission, except as otherwise provided in the charter of any city or village.

(D) The compensation and expenses of the appointive members of a county planning commission and the compensation of planning commission employees shall be paid from appropriations made by the board.

The county planning commission may employ engineers, accountants, consultants, and employees as are necessary, and make purchases as may be needed to the furtherance of its operation.

The county planning commission may accept, receive, and expend funds, grants, and services from the federal government or its agencies, from

departments, agencies, and instrumentalities of this state or any adjoining state, from one or more counties of this state or any adjoining state, from any municipal corporation or political subdivision of this or any adjoining state, including a county, regional, and municipal planning commission of this or any adjoining state, or from civic sources, may contract with respect thereto, either separately, jointly, or cooperatively, and may provide information and reports as may be necessary to secure such financial aid.

(E) A county planning commission may adopt a policy under which members of the board of county commissioners, as members of that commission, or their designated alternates must abstain from participating and voting on the commission's recommendation, whenever a county planning commission is required by section 303.12 of the Revised Code to recommend the approval or denial of a proposed amendment or approval of some modification of an amendment to the county zoning resolution, or is required by section 303.07 of the Revised Code to approve or disapprove, or make suggestions about, a proposed county zoning resolution. The policy may require that a quorum of the commission under those circumstances be determined on the basis of an eight-member commission instead of an eleven-member commission.

(F) If at any time a change occurs within a county so that the population of a portion of a city within the county exceeds or no longer exceeds fifty per cent of the total population of the county or a township becomes a limited home rule government township, thus creating a situation where the membership of a county planning commission should be altered to comply with the membership requirements of division (B) of this section, within thirty days after the effective date of either of those types of change, the board of county commissioners, in the board's discretion, may make changes on the commission by resolution so that its membership representation complies with division (B) of this section. If the board does not adopt a resolution to so change the commission's membership, the board shall phase in the necessary changes in the commission's membership by waiting until a member's term of office expires and appointing new members so as to meet the representation requirements of division (B) of this section as soon as possible without interfering with any member's term of office.

SECTION 2. That existing sections 505.75, 711.001, 711.10, 711.131, 711.132, 713.21, and 713.22 of the Revised Code are hereby repealed.

SECTION 3. (A) The Governor is hereby authorized to execute a deed in

the name of the state conveying to the purchaser, and the purchaser's heirs and assigns or successors and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the Village and Township of Richfield, County of Summit, and State of Ohio; and known as being a part of Lot 1 in Tract 3 of said Township and Village, bounded and described as follows:

Beginning at the intersection of the centerline of the original right-of-way of Brecksville Road, C.H. 17, and the Southline of Lot 1, said line also being the North line of Lot 3;

Thence North  $00^{\circ} 19' 54''$  East along the centerline of the original right-of-way of Brecksville Road a distance of 896.51 feet the True Place of Beginning;

Thence continuing North  $00^{\circ} 19' 54''$  East along the centerline of the original right-of-way of Brecksville Road a distance of 145.00 feet to a point;

Thence North  $89^{\circ} 09' 54''$  East a distance of 1273.34 feet to an iron pin found in the North right-of-way line of interstate Route 271 and said line passing thru an iron pin set at 33.00 feet from the centerline of Brecksville Road;

Thence South  $50^{\circ} 41' 46''$  West along the North right-of-way line a distance of 233.04 feet to a set iron pin;

Thence South  $89^{\circ} 09' 54''$  West a distance of 1093.84 feet to a point in the centerline of the original right-of-way of Brecksville Road and said point being the True Place of Beginning and said line passing thru an iron pin set at 33.00 feet from said centerline and containing with said bounds 1.3082 acres in the Village; 2.6309 acres in the Township, more or less, but subject to all legal highways, as surveyed by Santee Associates in December 1972.

(B) The Attorney General shall have the real estate described in division (A) of this section appraised by a state certified or licensed appraiser.

(C) Consideration for the conveyance of the real estate described in division (A) of this section shall be a purchase price of at least two-thirds of the appraised value and acceptable to the Attorney General.

(D) Upon payment of the purchase price by the purchaser, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. The deed shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the office of the Auditor of State for recording, and delivered to the purchaser. The purchaser shall present the

deed for recording in the office of the Summit County Recorder.

(E) Advertising costs, appraisal fees, and all other costs of the sale of the real estate described in division (A) of this section shall be paid by the purchaser.

(F) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in the state treasury as follows: sixty-two per cent to the credit of Fund 4Z2, appropriation item 055-609, BCI Asset Forfeiture & Cost Reimbursement, and thirty-eight per cent to the credit of the general revenue fund.

(G) This section shall expire three years after its effective date.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the  
\_\_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_