WHEREAS, the Ripley County Area Planning Commission has reviewed the proposed amendments to the Ripley County Area Subdivision Control Ordinance and conducted a public hearing concerning the proposed amendments; and

WHEREAS, the Area Planning Commission has certified its recommendation concerning the proposed amendments to the appropriate legislative body; and

WHEREAS, the legislative body has considered the recommendation of the Area Planning Commission and desires to amend the Ripley County Area Subdivision Control Ordinance as set forth herein;

NOW, THEREFORE, BE IT ORDAINED by the [legislative body] of Ripley County, Indiana, as follows:

Section 1. Section 81.03(28) of the Ripley County Area Subdivision Control Ordinance is hereby repealed and replaced in its entirety with the following:

(28) Subdivision and Land Division Classifications. For purposes of this Ordinance, land divisions shall be classified as follows:

(a) A Subdivision is any division or development of land that is not otherwise classified as a Rural Subdivision, Administrative Division, or Exempted Division under this Chapter and that:

(1) divides any parcel of land, separately described in a deed on record in the Office of the County Recorder, into three (3) or more contiguous parcels less than 10 acres, sites, or lots for the purpose of immediate or future transfer of ownership;

(2) includes the creation, extension, or use of a new street or streets to provide access to parcels, sites, or lots that do not front upon an existing street, regardless of the size of such parcels, sites, or lots; or

(3) involves the improvement or development of one (1) or more parcels for residential, commercial, industrial, or other structures or groups of structures in conjunction with the subdivision or allocation of land for streets, common open space, easements, or the extension or maintenance of public sewer, water, storm drainage, or other public utilities or facilities.

A Subdivision shall be subject to the applicable application, review, approval, improvement, and recording requirements established by this Chapter.

(b) Rural Subdivision. A Rural Subdivision is a subdivision permitted in the Agricultural and Forest Recreation Districts, subject to the requirements and procedures applicable to subdivisions under paragraphs (a) herein, except as specifically provided in this paragraph.

(1) Public Road Frontage. Where all lots front upon a public road, each lot shall meet the dimension requirements of the district as established in Figure 1 of the Zoning Ordinance.

(2) Private Access Strip. Where two (2) or more lots are served by a private access strip, the following requirements shall apply:

a. The Rural Subdivision shall consist of not more than three (3) lots initially, each having a minimum area of two (2) acres, exclusive of any portion of a private access strip.

b. Each lot shall have a minimum width of two hundred (200) feet and a depth not exceeding four (4) times the minimum lot width, or eight hundred (800) feet, whichever is applicable under the Area Zoning Code.

c. The private access strip shall extend from a public street to each lot and shall have a minimum uniform width of fifty (50) feet, except where topographical features, drainage ways, structures, or other physical conditions necessitate additional width or curvature.

d. Each lot owner shall own, in fee simple, an undivided interest in the entire private access strip in proportion to the number of lots served, unless otherwise approved by the Area Plan Commission. The private access strip shall not be counted toward the minimum lot area requirement.

e. The Sub-divider may add not more than two (2) additional lots to the Rural Subdivision, provided that each additional lot complies with all applicable area, width, and yard requirements of the Area Zoning Code. Additional lots may be located on either side of the private access strip at its intersection with the public street, or on the same side of the private access strip, provided that no more than three (3) lots share an ownership interest in or use the private access strip.

(4) Adjoining Parcels. If the proposed Rural Subdivision would leave one (1) or two (2) adjoining parcels, each containing less than ten (10) acres and having frontage on a public road, the Sub-divider shall include such parcels within the subdivision plat and incorporate them into the Rural Subdivision.

(5) General Requirements. All applicable subdivision standards, covenants, certificates, and procedures required under this Code shall apply to a Rural Subdivision.

(6) Purpose. The purpose of this paragraph is to provide for the limited subdivision of rural land, including areas that may be distant from existing public roads or that contain woods, ridges, unusual topography, or other physical characteristics that make the land unsuitable for conventional agricultural use but suitable for residential development.

(c) Administrative Divisions. An Administrative Division is a division of a parcel of land that does not qualify as an Exempted Division under this Chapter but is eligible for administrative review under this Section. An Administrative Division may include:

(1) Large Tract Divisions. A division of land into two (2) or more tracts, each containing not less than ten (10) acres, provided that no tract is further divided in a manner that would circumvent the requirements of this Code.

(2) Two-Lot Division. The division of any parcel of land, separately described by a deed of record in the Office of the Ripley County Recorder, into no more than two (2) parcels or lots, each of which fronts upon an existing public street, for the purpose of immediate or future transfer of ownership, provided that:

a. The resulting parcels or lots comply with all applicable zoning requirements, including minimum lot area, width, frontage, setbacks, and access requirements;

b. No new public street is created or required;

c. No extension of public water, sanitary sewer, or other public utility infrastructure is required as a condition of the division;

d. The division does not create a common development, subdivision street, or other arrangement requiring subdivision-level infrastructure or improvements; and

e. The division does not otherwise circumvent the subdivision requirements of this Chapter.

(3) Transfers Between Adjoining Lots. A division of land for the purpose of transferring a tract or tracts between adjoining lots, provided that the transfer does not create an additional principal building site and does not cause any resulting lot or parcel to become nonconforming with respect to applicable zoning requirements, including minimum lot area, lot width, frontage, access, or other applicable standards. Each lot or parcel resulting from such transfer shall have no more than one (1) principal building site.

(4) One Lot Rural Subdivision. A division of land creating one (1) building lot served by a private access strip that meets the applicable dimensional and access requirements for a Rural Subdivision under paragraph (b) of this subsection, provided that:

a. The private access strip serves only the one (1) building lot created by the division and is not held in common ownership with any other building lot;

b. The private access strip is not used to provide access to, establish frontage for, or satisfy the minimum lot area, width, or other dimensional requirements of any other building lot; and

c. The resulting building lot complies with all applicable zoning requirements, including minimum lot area, width, setbacks, and other applicable standards.

(d) Exempted Divisions. The following divisions of land are exempt from the subdivision requirements of this Code, except as expressly provided in this paragraph and Section 81.11:

(1) Correction of Legal Descriptions. A division of land for the purpose of correcting errors in an existing legal description, provided that no additional principal building site is created, other than a site for an accessory building.

(2) Estate or Court-Ordered Divisions. A division of land pursuant to an allocation of land in the settlement of a decedent's estate or pursuant to a court decree for the distribution of property.

(3) Government Acquisition. A division of land for the acquisition of street right-of-way by the federal, state, or local government.

(4) Cemetery Plots. A division of land into cemetery plots for the sole purpose of burial of human remains. This exemption applies only to subdivision requirements and does not exempt the establishment, expansion, or operation of a cemetery from applicable zoning requirements, including any required special exception approval.

(5) Applicability of Other Requirements. Exempted Divisions listed herein shall be subject only to the provisions of Section 81.11 of this Code and any other provisions expressly specified or referred to in this paragraph or Section 81.11. Such divisions shall be exempt from all other subdivision requirements of this Code.

Section 2. All references in the Ripley County Area Subdivision Control Ordinance to the subdivision and land division classifications established under former Section 81.03(28) shall be construed in accordance with the classifications established by this ordinance.

RIPLEY COUNTY AREA PLANNING COMMISSION

CERTIFICATION OF RECOMMENDATION

The Ripley County Area Planning Commission, after conducting a public hearing on the foregoing proposed ordinance on _____, 2026, hereby certifies its recommendation concerning the proposed amendment to the appropriate legislative body.

President, Area Planning Commission

Executive Director/Secretary

Date: _____