

# **Subdivision Regulations**

## **Village of St. Paris, Ohio**

**December 4<sup>th</sup>, 2008**

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**SUBDIVISION REGULATIONS, VILLAGE OF ST. PARIS, OHIO**

**ORDINANCE NO.**

AN ORDINANCE OF THE VILLAGE OF ST. PARIS, OHIO, ENACTED IN ACCORDANCE WITH CHAPTER 711, OHIO REVISED CODE, FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE; AND REGULATING THE DEVELOPMENT OF SUBDIVIDED AREAS; PROMOTING THE PROPER ARRANGEMENT OF STREETS AND LAYOUT OF LOTS; PROVIDING FOR ADEQUATE AND CONVENIENT PROVISION OF OPEN SPACES, UTILITIES, RECREATION AND ACCESS TO SERVICE AND EMERGENCY VEHICLES; PROVIDING FOR ADEQUATE PROVISION OF WATER, DRAINAGE, SEWER AND OTHER SANITARY FACILITIES; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTRATING OFFICERS AS PROVIDED HEREINAFTER AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS ORDINANCE OR ANY AMENDMENT THERETO; AND FOR THE REPEAL. THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. PARIS, COUNTY OF CHAMPAIGN, STATE OF OHIO:

**ARTICLE I TITLE OF REGULATIONS**

**Section 100 TITLE.** These regulations shall be known and may be cited and referred to as the "Subdivision Regulations of the Village of St. Paris," and shall hereinafter be referred to as "these regulations."

## ARTICLE II SCOPE AND JURISDICTION

**Section 200 ADMINISTRATION.** These regulations shall be administered by the Village of St. Paris Planning Commission.

**Section 210 JURISDICTION.** These regulations shall be applicable to all subdivisions of land within the Village of St. Paris. The Planning Commission shall have the power of final approval of the plats.

**Section 220 RELATION TO OTHER LAWS.** The provision of these regulations shall supplement any and all laws of the State of Ohio, Ordinances of the Village of St. Paris or any and all rules and regulations promulgated by authority of such law or ordinance relating to the purpose and scope of these regulations. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive or that imposing the higher standards, shall govern.

**Section 230 PUBLIC HEARING.** The Village Planning Commission on its own initiative or upon petition by a citizen or neighboring property owner may, prior to acting on a preliminary plat of a subdivision, hold a public hearing thereon at such time and upon such notice as the Planning Commission may designate.

**Section 240 AMENDMENTS.** The Village Council, may, after public hearing, amend, or supplement these regulations. Notice shall be given of the time and place of such hearing by publication in at least one (1) newspaper of general circulation published in the area or county, thirty (30) days prior to holding of said hearing. The amendment or amendments shall be on file in the office of the Village Fiscal Officer for public examination during the said thirty (30) days.

**Section 250 SEPARABILITY.** If, for any reason, any clause, sentence, paragraph, section or other part of these regulations should be decided by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so held to be invalid.

## ARTICLE III PROCEDURE FOR SUBDIVISION APPROVAL

**Section 300 PRE-APPLICATION MEETING REQUIRED.** The subdivider shall meet with the Village Planning Commission or its designated representative prior to submitting the preliminary plat. The purpose of this meeting is to discuss early and informally the purpose and effect of these regulations and the criteria and standards contained therein; and to familiarize the developer with the comprehensive plan, the zoning regulations, and the drainage, sewerage and water systems for the Village, the major thoroughfare or streets plan, and the parks and public open space systems for the Village of St. Paris, Ohio.

**Section 301 PRE-APPLICATION SKETCH CONTENT.** The subdivider shall submit to the Planning Commission a sketch plan, legibly drawn at a suitable scale and containing proposed name of subdivision, location, north point, vicinity map, boundaries of the subdivision and its acreage, existing and proposed streets, lot lay-out and existing natural and man-made features such as soil types, vegetation, contours and service facilities.

**Section 310 PRELIMINARY PLAT REQUIRED.** After the pre-application stage, the subdivider shall submit a preliminary plat of the proposed subdivision which shall conform with the requirements set forth in *Sections 311 to 317*, inclusive.

**Section 311 APPLICATION FOR TENTATIVE APPROVAL.** An application, in writing, for the tentative approval of the preliminary plat, together with **ten (10)** copies of the preliminary plat and the supplementary information specified in *Section 312 to 317*, inclusive, shall be submitted to the Village Planning Commission's designated representative at least fourteen (14) days and not more than thirty (30) days prior to the meeting of the Commission at which action is requested. The preliminary plat shall be prepared by an Ohio registered professional surveyor and Ohio registered professional engineer.

**Section 312 PRELIMINARY PLAT FORM.** The preliminary plat shall be drawn at a scale of not less than one (1) inch equals one hundred (100) feet, and shall be one (1) or more sheets twenty-four (24) by thirty-six (36) inches in size.

**Section 313 PLAT CONTENTS.** From Chapter 4733.37 of the Ohio Administrative Code Minimum Standards for Boundary Surveys in the State of Ohio as adopted by the Ohio State Board of Registration and any other requirements for instruments of conveyance and surveys that may be adopted by the County shall be considered a part of these regulations.

The preliminary plat shall contain the following information:

1. Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the County.
2. Location by section, range, and township

3. Names, addresses, and telephone numbers of the owner, subdivider, and professional surveyor who prepared the plat; and the name, address, and telephone number of the engineer who supplied the supplementary information.
4. The limits of all Flood Hazard Areas (zone A, AE, B, and X) as determined by the Federal Emergency Management Agency (show the FEMA map number and date). The Base Flood Elevation shall be determined and shown. Minimum first floor elevations shall be shown for all lots located within Flood Hazard Areas.
5. Scale of the plat, north point, and date.
6. Boundaries of the subdivision and its acreage.
7. Names of adjacent subdivisions, owners of record of adjoining parcels of unsubdivided land, and the location of their boundary lines.
8. Locations, widths, and names of existing streets, railroad right-of-ways, easements (including utility), permanent buildings, and corporation and township lines; location of wooded areas and other significant natural items.
9. Zoning classification of the tract and adjoining properties.
10. Existing contours at an interval of not greater than two (2) feet if the slope of the ground is fifteen (15) percent or less; and not greater than five (5) feet where the slope is more than fifteen (15) percent.
11. Existing sewers, water mains, culverts and other underground structures, and power transmission poles and lines, within and adjacent to the tract.
12. Layout, names and widths of proposed streets and easements.
13. Building setback lines with dimensions.
14. Layout and dimension of proposed water line, storm sewers and drainage facilities, sanitary sewers, and if known, other utilities including their connection to existing systems.
15. Layout, numbers and approximate dimensions of each lot. When lots are located on a curve or when side lot lines are not at ninety (90) degree angles, the width at the property line shall be shown.
16. Parcels of land to be reserved for public use or to be reserved by covenant for residents of the subdivision.



17. A vicinity map at a scale of not more than six-hundred (600) feet to the inch shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions, road and tract lines, together with the names of the owners of land immediately adjoining the proposed subdivision and between it and the nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivisions and between it and the nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivision and those of the neighboring area.

**18. Plat filing fee set up by Village Council.**

**Section 314 SUPPLEMENTARY INFORMATION.** The following information shall be supplied in addition to the requirements in *Section 313*:

1. Statement of proposed use of lots, giving type and number of dwelling units; and type of business or industry.
2. Description of proposed covenants and restrictions.
3. Description of proposed zoning changes.
4. Typical street sections and proposed grades for streets, sewer, water line and drainage facilities.

**Section 315 FILING.** The preliminary plat shall be considered officially filed on the day accepted by the Village Planning Commission's designated representative and shall be so dated. A filing fee shall be charged, as indicated in *Section 803*.

**Section 316 APPROVAL.** The Village Planning Commission's designated representative shall forward copies of the preliminary plat to such officials and agencies as may be necessary for the purpose of study and recommendation. These shall include at least the Village Engineer, Soil and Water Conservation District and the Village Water and Sewer Departments. After receipt of reports from such officials and agencies, the Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications, or disapproved. If a plat is disapproved, the reasons for such disapproval shall be stated in writing. The Planning Commission shall act on the preliminary plat within sixty (60) days after filing unless such time is extended by agreement with the subdivider. When a preliminary plat has been approved by the Village Planning Commission, the chairperson shall sign one (1) copy for the file and another copy transmitted to the subdivider for compliance with final approval requirements. Approval of the preliminary plat shall not constitute approval of the final plat.

**Section 317 CONSTRUCTION AND UTILITY PLAN REQUIREMENTS.** Based on the preliminary plat and the required changes relating thereto, if any, the subdivider shall cause to be prepared by an **Ohio** registered professional engineer a complete set of drawings and specifications of improvements of construction and utility plans. All typical sections and major engineering details to be used on any particular street or road shall be approved in advance by the Village Engineer before completion of the plans or commencement of construction.

**Section 318 APPROVAL PERIOD.** The approval of the preliminary plat shall be effective for a maximum period of twelve (12) months and shall guarantee that the terms under which the approval was granted will not be affected by changes to these regulations.

**Section 320 FINAL PLAT REQUIRED.** The subdivider, having received approval of the preliminary plat of the proposed subdivision, shall submit a final plat of the subdivision and drawings and specifications of the improvements required therein. The final plat will have incorporated all changes in the preliminary plat required by the Planning Commission. Otherwise it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time. Unless otherwise required by the Village Planning Commission, no final plat is required for subdivisions which propose no immediate or future transfer of property, and/or no dedication of public facilities.

**Section 321 APPLICATION FOR APPROVAL.** An application for approval of the final plat on forms provided by the Village Planning Commission, together with a minimum of ten (10) copies of the plat and the supplementary information specified, shall be submitted to the Village Planning Commission's designated representative at least fourteen (14) days and not more than thirty (30) days prior to the meeting of the Commission at which action is requested. The final plat shall be prepared by a Ohio registered professional surveyor and an Ohio registered professional engineer.

**Section 322 GUARANTEE FOR INSTALLATION OF IMPROVEMENTS.** Prior to the granting of approval of the final plat the subdivider shall have installed the required improvements, or shall have furnished a performance bond or certified check to the Village for the amount of the estimated construction cost of the installation of the improvements as approved by the Village Engineer. Before the bond, certified check is accepted, it shall be approved by the Village Council and their legal counsel. The term of the bond or certified check shall extend twelve (12) months beyond the completion date of the project unless released prior thereto by the Village Council. A completion date shall be established by the subdivider and approved by the appropriate officials. The completion date shall be stated in the bond or certified check. The period of time stipulated shall not exceed two (2) years from the date of the final plat approval unless an extension is requested in writing by the subdivider and granted in writing by the Village Council.

**Section 323 FINAL PLAT FORM.** The final plat shall be legibly drawn in India ink on tracing cloth or other materials of equal permanence. It shall be drawn at a scale of one (1) inch equals one hundred (100) feet, and shall be one (1) or more sheets twenty-four (24) by thirty-six (36) inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown.

**Section 324 FINAL PLAT CONTENTS.** From Chapter 4733.37 of the Ohio Administrative Code Minimum Standards for Boundary Surveys in the State of Ohio as adopted by the State Board

of Registration and any other requirements for instruments of conveyance and surveys that may be adopted by the County shall be considered a part of these regulations.

The final plat shall contain the following information:

1. Name of the subdivision, location by section, range and township, date, north point, scale and acreage.
2. Names and addresses of the subdivider, and the professional engineer and/or surveyor who prepared the final plat.
3. Plat boundaries, based on accurate traverse, with angular and lineal dimensions. The survey must close.
4. Bearings and distances to nearest established street lines or other recognized permanent monuments.
5. Exact locations, right-of-way and pavement widths, names of all streets within and adjoining the plat and building setback lines.
6. Radii, internal angles, points of curvature, tangent bearings, lengths of arcs, and lengths and bearings of chords.
7. All easements and right-of-ways provided for public services or utilities. All plats shall contain restriction that no permanent structures, plantings, or landscaping etc. shall be permitted in the easement area.
8. All lot numbers and lines with accurate dimensions in feet and hundredths.
9. Accurate location and description of all monuments. **The plat shall clearly indicate which monuments are in place at the time of certification of the Final Plat by the surveyor. The plat shall also clearly indicate which monuments will be placed, if any, after construction of the improvements and before the completion date.**
10. Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for common uses of all property owners.
11. **The limits of all Flood Hazard Areas (show the FEMA map number and date). Base Flood Elevations and minimum first floor elevations shall be shown for all lots located within Flood Hazard Areas.**
12. A list of any restrictions and covenants the subdivider intends to include in the deeds to the lots in the

subdivision.

13. Certification by a registered surveyor to the effect that the plat represents a survey made by him or her and that the monuments shown thereon exist as located and that all dimensional details are correct; and that the location of and a description of all monuments and pins as specified, have been set in accordance with Section 502.
14. Notarized certification by the owner or owners of the adoption of the plat and dedication of streets and other public areas.

**15. Plat filing fee set up by Village Council.**

**Section 325 SUPPLEMENTARY INFORMATION.** The following information shall be supplied in addition to the requirements in *Section 324*:

1. If a zoning change is involved, certification from the Zoning Officer shall be required indicating that the change has been approved and is in effect.
2. A letter from the Village Engineer shall be required stating that all required improvements have been either installed and approved by the proper officials or agencies, or that a bond or other surety has been furnished assuring installation of the required improvements.

**Section 326 FILING.** The final plat shall be filed with the Planning Commission not later than twelve (12) months after the date of approval of the preliminary plat; otherwise it will be considered void unless an extension is requested by the developer **in writing** and granted in writing by the Planning Commission. A copy of the final plat thus filed shall be transmitted to the Village Engineer. If found to be in full compliance with the formal provisions of these regulations, the Engineer will return said plat to the Planning Commission, together with certification of approval.

**Section 327 APPROVAL.** The Planning Commission shall approve or disapprove the final plat within sixty (60) days after it has been filed. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Planning Commission, and a copy of said record shall be forwarded to the subdivider. The subdivider shall make the necessary corrections and resubmit the final plat to the Planning Commission for its final approval.

**Section 328 TRANSMITTAL OF ORIGINAL TRACINGS AND COPIES.** When the final plat has been approved by the Village Planning Commission, the original tracings shall be returned to the subdivider for filing with the County Recorder. After filing, the tracings shall become the property of the County Engineer. Another copy will be transmitted to the Village Council for necessary action on any proposed dedication.

**Section 329 MINOR SUBDIVISIONS (LOT SPLITS).** Approval without a plat of a minor subdivision may be granted by the Village Planning Commission if the proposed division of a parcel of land meets all of the following conditions:

1. The proposed subdivision is located along an existing public street or road and involves no opening, widening, or extension of any street or road.
2. No more than five (5) lots are involved after the original parcel has been completely subdivided.
3. The proposed subdivision is not contrary to applicable subdivision or zoning regulations.
4. The property has been surveyed and a sketch and legal description along with the conveyance or other legal instrument is submitted.

If approval is given under these provisions, the designated representative of the Village Planning Commission shall, within seven (7) working days after submission, approve such proposed division and, upon presentation of a conveyance for such parcel, shall stamp "Approved by St. Paris Village Planning Commission, no plat required," and the designated representative of the Commission shall sign the conveyance.

**Section 330 PERFORMANCE AND MAINTENANCE BONDS OR OTHER SURETY.**

Performance bonds or other surety such as certified check shall be required as stated in Section 322, to assure the proper authorities that completion of the required improvements will be made and that the improvements will be in conformance with the standards established in these regulations. The Village Council shall secure approval as to the form, sufficiency, and execution of the surety from their appropriate legal counsel. The surety shall not be released until the Village Engineer has certified satisfactory completion of all the required improvements and the dedication of land and facilities for public use has been submitted to the Village Council as set forth in Section 900. The amount of surety may be reduced on a prorated basis, for completion of portions of the required improvements as approved by the Village Engineer if those required improvements have been dedicated for public use. In no event shall a surety be reduced below twenty (20) percent of the principal amount. If the improvements are not completed on or before the completion date as established in Section 322, then the Village Council may exercise the conditions of the bond or other surety and secure the completion of the improvements through the bonding company.

Maintenance bonds or other surety shall be required by the Village to assure maintenance of all improvements in the subdivision by the subdivider, until dedication of said improvements are formally accepted by the Village Council. The amount of the surety shall be determined by the Village Engineer and be submitted and approved in the same manner as performance bonds or other sureties. Prior to formal acceptance of dedication, the subdivider shall provide for the upkeep and maintenance of all improvements, including snow removal. The maintenance surety shall be submitted for a period of at least one (1) year after the completion of the improvements and offer of dedication for public use is made, whichever occurs later, and shall not be required for longer than two (2) years.

**Section 331 SUBDIVIDER'S AGREEMENT.** Prior to the approval by the Village Engineer of the construction and utility plans for the subdivision as required in Section 317, the subdivider shall enter into an agreement with the Village Council providing for the construction and maintenance of the public facilities and improvements necessary for the development of the subdivision. The agreement shall be the standard agreement used by the Village for similar subdivisions as may be amended by the Village.

**ARTICLE IV SUBDIVISION DESIGN STANDARDS**

**Section 400 GENERAL STATEMENT.** The regulations in *Section 401 to 416*, inclusive, shall control the manner in which streets, lots and other elements of a subdivision are arranged on the land. These design controls shall help insure convenient and safe streets, creation of usable lots, provision of space for public utilities and reservation of land for recreational uses or open space. The planning of attractive and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, haphazard growth. The Planning Commission has the responsibility for reviewing the design of each future subdivision early in its design development. The Planning Commission shall insure that all of the requirements of *Sections 401 to 416*, inclusive, are met.

**Section 401 CONFORMITY TO DEVELOPMENT PLANS AND ZONING.** The arrangement, character, width and location of all primary and secondary roads shall conform with the Village's Major Thoroughfare or Streets Plan. Streets not contained in the aforementioned plan shall conform to the recommendation of the Planning Commission, based upon the design standards set forth in *Sections 402 to 416*, inclusive. In addition, no final plat of land within the area in which an existing Zoning Ordinance is in effect shall be approved unless it conforms with such Ordinance.

**Section 402 SUITABILITY OF LAND.** If the Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, bad drainage, steep slopes, inadequate water supply, transportation facilities and other such conditions which may endanger health, life or property; and, if from investigations conducted by the public agencies concerned, it is determined that in the best interests of the public the land should not be developed for the purpose proposed, the Planning Commission shall not approve the land for subdivision unless adequate methods are advanced by the subdivider for meeting the problems that will be created by the development of the land.

**Section 403 STREET DESIGN.** The arrangement, character, extent, width, grade and location of all streets shall conform to the Major Streets Plan of the Village, or subsequent amendments thereof, and shall be considered in their relation to existing and planned streets, topographical conditions, and public convenience and safety; and in their appropriate relation to the proposed uses of the land to be served by such streets. The subdivider shall provide within the boundaries of the subdivision plat, the necessary right-of-way for the widening, continuance or alignment of such streets in conformity with the Major Thoroughfare or Streets Plan.

**Section 404 HORIZONTAL ALIGNMENT.** The radius of curvature on the centerline of streets shall not be less than the following:

<i><u>Street Classification</u></i>	<i><u>Minimum Radius of Curvature</u></i>
Arterial Street	500 feet
Collector Street	350 feet
Local Street	200 feet

When there is an angle of deflection of more than one (1) degree between two (2) centerline tangent sections of a street, a curve of adequate radius shall connect them. Between reverse curves a minimum tangent of one hundred (100) feet shall be introduced.

Intersection sight distance shall be determined based on the Ohio Department of Transportation criteria.

**Section 405 VERTICAL ALIGNMENT.** All changes in grade and the vertical curve requirements will be determined based on the Ohio Department of Transportation criteria.

**Section 406 RIGHT-OF-WAY AND PAVEMENT WIDTHS.** The street right-of-way widths and travelled pavement widths exclusive of curb and gutter shall not be less than the following:

<i>Street Classification</i>	<i>Right-of-Way Width</i>	<i>Pavement Width</i>	<i>Curb &amp; Gutter Ditch</i>
Arterial Street	80 feet	40 feet	N/A
Collector Street	60 feet	36 feet	22 feet
Local Street	60 feet	28 feet	20 feet

Where there are unusual topographical or other physical conditions, the Planning Commission may require greater widths or permit lesser widths for right-of-way and pavements for local streets.

**Section 407 STREET GRADES.** Street grades shall not exceed the following:

<i>Street Classification</i>	<i>Grade</i>
Arterial Street	6%
Collector Street	7%
Local Street	8%

No street grade shall be less than point five (0.5) percent and in no case shall a street grade be more than three (3) percent within one-hundred (100) feet of an intersection.

**Section 408 SPECIAL STREET TYPES.** The following requirements shall apply to special street types:

1. Cul-de-sac streets shall not exceed six-hundred (600) feet in length and have a minimum length of one-hundred-sixty (160) feet. The closed end shall be a paved turnaround having a minimum radius of forty (40) feet to the outer pavement edge and a radius of fifty (50) feet to the right-of-way line. Pavement shall cover all area within the outer pavement edge.

2. Permanent dead-end streets shall be permitted only as part of a continuing street plan, and only if a temporary turnaround satisfactory to the Planning Commission in design, maintenance and removal is provided. Dead-end streets longer than two-hundred (200) feet shall not be permitted.
3. Dedication of new half-streets shall not be permitted. Where a dedicated or platted half-street exists adjacent to the tract being subdivided, the other half shall be platted.
4. Where a subdivision adjoins an arterial street, a marginal access street may be required, to control access to the arterial from lots fronting on it. Access is controlled in the interest of public safety and to maintain the design capacity of the street system. Points of access to the arterial shall be spaced at a minimum of one-thousand (1,000) feet. A planting strip having a minimum width of thirty (30) feet shall be provided between the pavement of the arterial street and the pavement of the marginal access street with plantings of at least four (4) feet high to stop headlights from shining into oncoming traffic. The minimum width of the marginal access right-of-way shall be thirty (30) feet.
5. Alleys shall not be approved in residential districts, except where justified by extreme conditions. Alleys may be required in commercial and industrial districts if other provisions cannot be made for adequate service access. when required, alleys shall have a minimum right-of-way of twenty (20) feet and a pavement width of twenty (20) feet.

**Section 409 STREET INTERSECTIONS.** The following regulations shall govern the design and layout of street intersections:

1. Streets shall be designed to intersect at ninety (90) degrees. Streets shall remain in the right angle of intersection for one-hundred (100) feet beyond the point of intersection.
2. Where a proposed subdivision abuts or contains an existing or proposed arterial street, the number of intersections with the arterial shall be kept to a minimum and shall not be located less than one thousand (1,000) feet apart, measured from center line to center line. Intersections of local



streets with local or collector streets shall not be located less than one-hundred-fifty (150) feet apart; intersections of collector streets with collector streets shall not be located less than two-hundred (200) feet apart. Intersections of any street with arterial streets shall be located not less than one thousand (1,000) feet apart.

3. Multiple intersections involving junctions of more than two (2) streets shall be avoided.
4. Four (4)-way intersections of local streets should be avoided and three (3)-way or T-intersections should be encouraged wherever possible.
5. The minimum pavement radius at intersections shall be twenty-five (25) feet; the minimum right-of-way radius shall be twenty-five (25) feet.

**Section 410 STREETS FOR COMMERCIAL SUBDIVISIONS.** Streets servicing business developments and accessory parking areas shall be planned to connect with arterial streets so as not to generate traffic on local streets. The intersections of driveways from parking areas with arterial or collector streets shall be located so as to cause the least possible interference; with traffic movement on the streets, shall be located not less than one hundred fifty(150) feet from the intersection of an arterial or collector street with any other street, and shall be spaced not less than two-hundred (200) feet from each other. The Planning Commission may require marginal access streets to provide maximum safety and convenience.

**Section 411 STREETS FOR INDUSTRIAL SUBDIVISIONS.** Collector streets for industrial subdivisions shall be planned to serve industrial areas exclusively and shall connect with arterial streets so that no industrial traffic will be directed onto any residential streets. The intersections of service streets from parking areas with arterial or collector streets shall not be less than one hundred fifty (150) feet from the intersection of the arterial or collector street with any other street. Streets shall be planned to be extended to the boundaries of any adjoining land planned for industry, except for severe physical conditions or if the Planning Commission finds such extension is not in accord with the approved plan of the area.

**Section 412 BLOCKS.** The following regulations shall govern the design and layout of blocks:

1. The arrangement of blocks shall be such as to conform to the street planning criteria set forth in *Sections 403 to 411*, inclusive, and shall be arranged to accommodate lots and building sites of the size and character required for the district as set forth in these subdivision regulations or the zoning regulations and to provide for the required community facilities.
2. Irregularly shaped blocks, those intended for cul-de-sacs

or loop streets, and those containing interior parks or playgrounds, shall be approved by the Planning Commission when properly designed and located and when the maintenance of interior public spaces is covered by agreements.

3. No block shall be longer than one-thousand-five-hundred (1,500) feet and not less than five-hundred (500) feet.
4. Where blocks are over nine-hundred (900) feet in length a crosswalk easement not less than ten (10) feet in width at or near the halfway point may be required, if necessary, to provide proper access to schools, recreational areas, shopping centers and other facilities.

**Section 413 LOTS.** The following regulations shall govern the design and layout of lots:

1. The lot arrangement and design shall be such that all lots will provide satisfactory building sites, properly related to topography and the character of surrounding development.
2. All lots shall conform to or exceed the requirements of these subdivision regulations or the zoning district in which they are located and the use for which they are intended.
3. If no zoning is in effect, the minimum lot sizes, widths and setbacks in the R-1 district shall be required.
4. All side lot lines shall be approximately at right angles to street lines and radial to curved street lines, except where the Planning Commission determines that a variation to this rule would provide a better layout.
5. Lots with double frontage shall be avoided except where the Planning Commission determines that it is essential to provide separation of residential development from arterial streets.

**Section 414 EASEMENTS.** All utility easements shall be at least twenty (20) feet wide unless said easements are adjacent to public right-of-ways in which case the easement can be reduced to ten (10) feet wide. Drainage easements shall be wide enough to include the ability to maintain the drainage ditch, stream, or other features as required by the Village Engineer.

**Section 415 PUBLIC SITES, OPEN SPACE, AND NATURAL FEATURES.** Where a park, playground, school or public access to water frontage which is shown on an official map or in a plan for future use or is deemed essential by the Planning Commission is located in whole or in part in the proposed subdivision, the Planning Commission shall request the dedication of such area within the subdivision. The subdivider shall pay for only that portion of the cost of the public site that benefits his or her subdivision as determined by the Planning Commission. Every subdivider of land for subdivision not containing public sites shall be requested to provide land or payment in lieu thereof for that portion of benefits from public sites accruing to his land as determined by the Planning Commission. The Planning Commission shall, whenever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, water courses, beaches, areas of historical significance, vistas, and similar irreplaceable assets.

**Section 416 FLOOD AREAS.** No building or structure shall be located within the 100-year flood zone as shown on the appropriate FEMA map or as determined for storm water calculations when no 100-year flood zone is shown on a FEMA map. Storm water calculations shall be based on the United States Department of Agriculture, "Urban Hydrology for Small Watersheds," TR55. The post development runoff from the development site shall be no more than the predeveloped two-year storm or the capacity of the receiving sewers or channel, which ever is less.

## ARTICLE V REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS

**Section 500 SUBDIVIDER TO HOLD VILLAGE HARMLESS.** The subdivider shall hold the Village free and harmless from any and all claims for damages of every nature arising or growing out of the construction of such improvements and shall defend, at his own cost and expense, each and every lawsuit brought against said Village by reason thereof until the improvements have been approved by the Village Engineer and accepted by the Village Council.

**Section 501 CONSTRUCTION PROCEDURE AND MATERIALS.** The subdivider shall design and construct improvements not less than the standards outlined in these regulations. The work shall be done under Village supervision and inspection and shall be completed within the time fixed or agreed upon by the Village Engineer. Materials shall meet the requirements and shall be in accordance with the standards of the current volume of "Construction and Material Specifications" of the State of Ohio Department of Transportation.

**Section 502 INSPECTION OF IMPROVEMENTS.** Inspection of all improvements during construction is required. The subdivider shall give the Village Engineer forty eight (48) hours notice prior to beginning construction and shall keep the Village Engineer informed of the construction schedule on a weekly basis. The Village Engineer will not approve the final construction unless all inspections are satisfactory. Costs of inspection are the responsibility of the subdivider.

**Section 503 MONUMENTS.** Chapter 4733.37 Minimum Standards for Boundary Surveys in the State of Ohio as adopted by the Ohio State Board of Registration for Professional Engineers and Surveyors and any other requirements for instruments of conveyance and surveys that may be adopted by the County shall apply to the setting of monuments. The subdivider shall have his surveyor certify to the Village Engineer, after construction is complete, that all permanent markers have been set and are on the date of his certification physically in place.

**Section 504 CONSTRUCTION LAYOUT.** Surveying layout work for all the required improvements shall be performed under the direction of a State of Ohio Professional Surveyor. Costs of the layout work are the responsibility of the subdivider.

**Section 505 STREET IMPROVEMENTS.** All streets shall be graded to their full width, including side slopes, and improved in conformance with the standards given or referred to in these regulations.

**Section 506 PAVEMENT WIDTH.** Minimum street pavement widths shall conform to the standards given in *Section 406*.

**Section 507 STREET SUBGRADE.** The sub-grade shall be prepared in accordance with the current Ohio Department of Transportation Construction Materials and Specifications Manual Section 204.

**Section 508 PAVEMENT DESIGN ALTERNATIVES.**

Pavement design shall be based on the current ODOT Construction Materials and Specifications Manual.

**Section 510 STREET CURBS AND GUTTERS.** Curbs and gutters shall be required on all residential, commercial, and industrial streets within the Village. Curbs, combined curbs, and gutters shall be constructed in conformance with the current “Construction and Material Specifications” of the State of Ohio, Department of Transportation.

**Section 520 WATER SUPPLY IMPROVEMENTS.** The following requirements shall govern water supply provisions:

1. Where a public water supply, in the determination of the Village Planning Commission, is reasonably accessible or required because of pollution problems, the subdivision shall be provided with a complete water distribution system, including a connection for each lot and appropriately spaced fire hydrants. All such installations shall meet the Village Water Department specifications, and public wells system shall meet the requirements of the Ohio Department of Health as cited in Sections 3701.18 to 3701.21, inclusive, of the Ohio Revised Code.

**Section 530 SANITARY SEWER IMPROVEMENTS.** The following requirements shall govern sanitary sewage disposal:

1. All laws, regulations, and guidelines set forth by the County General Health District or the Ohio EPA at the time of this enactment shall be followed, and any future laws, regulations and guidelines deemed necessary for the protection of public health, shall be followed as they become effective.
2. Sanitary sewers, including lateral connections to the public system, shall be installed by the subdivider to serve all lots. Said sewers and installation shall meet the requirements of the Ohio EPA and Village standards.

**Section 540 DRAINAGE IMPROVEMENTS.** The on-site storm water drainage system shall be designed in accordance with the Mid Ohio Regional Planning Commission’s (MORPC) “Storm Water Design Manual” using the release rate off of the site stated in Section 416.

**Section 542 CULVERTS AND BRIDGES.** Where natural drainage channels intersect any street right-of-way, it shall be the responsibility of the subdivider to have satisfactory bridges and culverts constructed. The subdivider shall submit detailed plans, prepared by a State of Ohio Professional Engineer to the Village Engineer for approval before construction. The Village Engineer will provide the subdivider’s Professional Engineer with the required design standards.

**Section 543 SURFACE WATER, EROSION, AND SEDIMENT CONTROL.** Where it is necessary to make changes in the contour of any land proposed to be subdivided, developed or changed in use by grading, excavating or the removal or destruction of the natural topsoil, trees or other vegetative covering thereon, the same shall only be accomplished after the owner or his agent has submitted to the Village Planning Commission for approval a plan for the surface water, erosion and sedimentation control and said plan has been approved. Said plans shall incorporate the following controls:

1. All surface water shall be provided drainage ditch outlets, of a temporary nature during construction and

shall be approved by the Village Engineer. No exposed area that will pond water overnight will be permitted.

2. No more than thirty (30) percent of the total area shall be exposed at any one time during construction unless proper measures are taken to prevent erosion, siltation and sedimentation.
3. No area shall be exposed any longer than necessary to recontour. Temporary vegetation and/or mulching shall be then applied for protection during the development.
4. No area shall be allowed to go into the winter season without vegetative cover on critical areas as determined by the Village Engineer. Said areas shall be seeded by October 1.
5. Sediment basins (debris basins, desilting basins or silt traps) shall be installed and maintained to remove sediment from run-off waters for land undergoing development.
6. Permanent final vegetation and drainage structures shall be installed as soon as grading is completed.
7. The development shall be fitted to the topography and soils so as to create the least erosion potential.
8. Whenever feasible, natural vegetation shall be retained and protected.
9. The developer shall submit a Storm Water Pollution Prevention Plan that complies with the requirements of the Ohio Environmental Protection Agency (Ohio EPA).

**Section 550 ELECTRIC, GAS, AND TELEPHONE IMPROVEMENTS.** Where needed to serve proposed new development, the planning and construction of such utilities shall be underground with all other improvements. Such private utility improvements shall be subject to review by the Village Engineer, as a matter of coordination with all other improvements.

**Section 560 SIDEWALKS.** Concrete sidewalks having a minimum width of four (4) feet and a minimum thickness of four (4) inches shall be installed on both sides of all new streets in subdivisions where the density exceeds three (3) dwelling units per net acre, and in all commercial developments. The Village Planning Commission may require, for safety purposes, a sidewalk along only one (1) side of any new street where the net residential density is less than three (3) dwelling units per net acre. All sidewalks shall be extended to connect with existing walks or to the boundaries of the subdivision if walks are not accessible.

**Section 561 DRIVEWAYS.** Driveways shall have a maximum grade of ten (10) percent and a minimum width of eighteen (18) feet for a double drive and a minimum width of ten (10) feet for a single drive. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3) feet wider than the driveway pavement on each side.

**Section 562 TRAFFIC CONTROL SIGNS AND STREET NAME SIGNS.** Traffic control signs and street names signs, of a type in use throughout the Village shall be installed by the Village. Costs of materials and installation are the responsibility of the subdivider.

**Section 563 STREET LIGHTING.** The subdivider may be required to install adequate lighting along public streets within the proposed subdivision, in accordance with standards and specifications of the Village Engineer.

**Section 570 EXTRA-SIZE AND OFF-SITE EXTENSIONS.** The utilities, pavements and other land improvements as required shall be designed of extra-size provided as may be necessary to serve nearby land which is an integral part of the neighborhood service or drainage area in addition to the improvements required for the development of the proposed subdivision. If streets or utilities are not available at the boundary of a proposed subdivision, and if the Village Planning Commission finds the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a municipal expense until some future time, the subdivider may be required, prior to approval of the final plat, to obtain necessary easements or right-of-way and construct and pay for such extensions. Such improvements shall be available for connections by subdividers of adjoining land.

**Section 573 EXTENSIONS TO BOUNDARIES.** The subdivider shall be required to extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land, as determined by the Village Planning Commission.

**Section 574 AS-CONSTRUCTED DRAWINGS.** Upon completion of the required improvements, the subdivider shall furnish the Village with a complete set of reproducible drawings revised as constructed, prepared under the directions of a registered State of Ohio Professional Surveyor. If the as-constructed drawings identify inconsistencies, the subdivider shall file an amended final plat in accordance with Article III.

## **ARTICLE VI PLANNED UNIT DEVELOPMENT**

**Section 600 PURPOSE OF PLANNED UNIT DEVELOPMENT.** Planned unit development of land may be permitted to provide a means for effectuating a more desirable physical development pattern than would be possible through the strict application of the requirements of these subdivision regulations or zoning regulations. Certain flexibility in the design of a project should be permitted by the Village to encourage the subdivider to adjust streets to irregular topography; to economize in the construction of utilities; and, among other things, to create architectural variation in the development as well as attractive and usable buildings and building sites. Such development shall be designed so as to enhance the community in general by providing amenities which are unique to the area.

**Section 610 USES PERMITTED.** Compatible residential, commercial, industrial, public and quasi-public uses may be combined, provided that the proposed location of the commercial or industrial uses will not adversely affect or disregard adjacent property, public health, safety, morals and general welfare, and provided further that in a residential-commercial-industrial, residential-commercial or commercial-industrial development the amount of land devoted to commercial and/or industrial usage shall not exceed fifty (50) percent of the total land area of the development. A variety of housing and building types is encouraged by permitting an increased number of families per acre and by allowing reductions in lot dimensions, yards, building setbacks and area requirements.

**Section 620 GENERAL REQUIREMENTS.** The gross area of the tract to be developed under the planned unit development approach shall not be less than ten (10) acres. The minimum lot size shall not be less than seventy (70) percent of the lot area per family or use which would be otherwise required. A minimum of ten (10) percent of the land developed in a planned unit development project shall be reserved for open space and similar uses. Lot widths and required yards may be reduced to eighty (80) percent of the requirement of these subdivision regulations, or zoning regulations. The minimum tract size to be developed under the planned unit development may be reduced fifty (50) percent where the proposed development is to contain only residential, commercial or industrial development, not a mixture of uses.

**Section 630 DISPOSITION OF OPEN SPACE.** The amount of open space reserved under a planned unit development shall either be held in corporate ownership by the owners of the project area building sites for the use of each owner who buys property within the development or be dedicated to the Village and retained as open space for parks, recreation and related uses. All land dedicated to the Village must meet the Planning Commission's requirements as to shape, size and location. Public utility and similar channels are not acceptable for open space dedication to the Village unless such land or right-of-way is usable as a trail or similar way and approved by the Planning Commission.

**Section 640 RESIDENTIAL DEVELOPMENT PROJECTS.** The following regulations apply to planned residential developments:

1. The lot area per family may be reduced, but such reduction shall not exceed thirty (30) percent.
2. Not less than ten (10) percent of the total project area



shall be devoted to open space and recreational facilities for the residents of the area being developed. The open space shall be disposed of as required in *Section 630*. Every property subdivided under the planned unit development shall be designed to abut upon open space or similar areas. A clustering of dwellings is encouraged. In areas where townhouses are used there shall be no more than five (5) townhouse units in any contiguous group. A variety of building setbacks, color and building materials for contiguous townhouse units is encouraged.

3. The lot widths may be reduced not to exceed a twenty (20) percent reduction of the requirements of these subdivision regulations or zoning regulations. The lot widths may be varied due to the variety of structural designs, and it is recommended that setbacks be varied. If lot widths for residential lots are varied by the subdivider, they shall enter into an agreement with the Village that the property owners within a planned unit development of this nature shall be assessed equally for any improvements which may be by assessment, rather than by a front footage basis.

**Section 650 COMMERCIAL DEVELOPMENT PROJECTS.** The following regulations apply to planned commercial developments:

1. Planned unit development of related commercial establishments is encouraged by varying the setback and area requirements. Open space gained through the varying of setback and area requirements is to be used for the development of open plazas, pedestrian malls, lots and other public spaces and uses with adequate arrangement, design and planting.
2. Commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. In planning these groups of buildings or establishments, no yard space shall be required between uses within the groups; however, appropriate yard must be provided at the edge of the complete development. Side yards of thirty (30) feet and a rear yard of forty (40) feet shall be required if the project is to be located adjacent to any residential district or planned residential unit development. Planting screens or fences shall be provided on the sides of the development

abutting areas occupied or likely to be occupied by residences.

3. Off-Street parking and loading space shall be provided. Group parking facilities shall provide spaces equal to the number of spaces required for each use to be developed.
4. The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding existing or potential developments.

**Section 660 INDUSTRIAL DEVELOPMENT PROJECTS.** The following regulations apply to planned industrial developments:

1. Planned unit development of industrial establishments is encouraged by varying the setback and other requirements, if it can be shown that the development results in a more efficient and desirable use of space.
2. Industrial uses and parcels shall be developed in park-like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of buildings and a compact grouping or groupings in order to economize in the provision of such utility services as are required. Thoroughfares shall be kept to a minimum throughout a planned industrial area in order to reduce through traffic.
3. Off-street parking and loading areas shall be provided with sufficient spaces to meet all anticipated needs. Loading and open storage areas shall be screened by walls, fences or plantings wherever visible from residential areas or public streets and highways.
4. Project side yards of forty (40) feet and a rear yard of fifty (50) feet shall be required if the project is located adjacent to any residential district or planned residential unit development. All intervening spaces between the right-of-way line and project building line

and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

5. Certain types of commercial uses, such as a restaurant, central secretarial or stenographic pool, or other business service type uses, repair services or clinics as may form a small commercial center to serve the needs of the industries or their personnel, may be permitted in a planned industrial area.

**Section 670 PROCEDURE FOR APPROVAL OF PLANNED UNIT DEVELOPMENT.**

The Planning Commission shall follow the approval procedure specified by these regulations for plat approval.

## **ARTICLE VII MANUFACTURED DWELLING (HOUSING) - MOBILE HOME SUBDIVISIONS**

**Section 700 DESIGN STANDARDS.** The following design standards shall apply to manufactured dwelling and mobile home subdivisions:

1. The subdivision shall contain a minimum of five (5) acres.
2. Each manufactured dwelling or mobile home site shall have a clearly defined minimum area of four-thousand (4,000) square feet, with a minimum lot width of forty (40) feet, and a minimum depth of one hundred (100) feet. The minimum width of corner lots, however, shall be fifty (50) feet.
3. The subdivision shall have a minimum frontage of two hundred fifty (250) feet. The ratio of width to depth shall not exceed one to five (1:5).
4. A side yard on each side of the subdivision and a rear yard of thirty (30) feet or more shall be provided around the edge of the manufactured dwelling (mobile home) subdivision. Such yards shall not be occupied by or counted as part of an individual manufactured dwelling (mobile home) site.
5. There shall be a minimum clearance of twenty (20) feet between the individual manufactured dwellings (mobile homes).
6. A maximum density shall not exceed six (6) manufactured dwellings (mobile homes) per gross acre.

**Section 710 STREETS.** All manufactured dwelling (mobile home) parks shall meet the street requirements and specifications of these regulations, *Section 403 to 411*, inclusive.

**Section 715 WALKWAYS.** Walkways not less than four (4) feet wide which may abut street pavement shall be provided from the manufactured dwelling (mobile home) sites to the service buildings. Such walkways shall be constructed of acceptable impervious material having a minimum thickness of four (4) inches and lighted at night with lamp fixtures acceptable to the Village Engineer.

**Section 716 WATER AND SEWER.** Each manufactured dwelling (mobile home) site shall be provided with a water outlet connected to the Village water supply or an approved water supply and a connection to the Village sanitary sewer system.

**Section 717 ELECTRICITY.** Electricity, electrical outlets and wiring shall be according to the current provisions of the National Electric Code published by the National Fire Protection Association.

**Section 718 DRAINAGE.** The subdivision shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

**Section 719 HEALTH REQUIREMENTS.** The subdivision shall conform to all County and State Health Department requirements.

**Section 720 UNDERGROUND UTILITIES.** All telephone, electrical and other distribution lines shall be installed in underground conduits. No overhead lines shall be permitted. All underground utilities, sanitary sewers and drainage structures installed in streets shall be constructed prior to the surfacing of such streets.

**Section 721 RECREATION.** A safe, usable recreation area shall be conveniently located in each manufactured dwelling (mobile home) subdivision the size of which shall be determined at one-thousand (1,000) square feet per household or manufactured dwelling (mobile home).

**Section 722 LANDSCAPING.** The subdivision shall be landscaped with lawns and plantings, including appropriate trees.

**Section 723 SCREENING.** Manufactured dwelling (mobile home) subdivisions shall be effectively screened on all sides by means of walls, fences or plantings except where the area is sufficiently removed from other urban uses as determined by the Planning Commission. Walls or fences shall be a minimum of four (4) feet in height without advertising thereon. In lieu of such wall or fence, a strip of land not less than ten (10) feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height may be substituted.

**Section 724 MOBILE HOME STAND.** Each mobile home site shall be developed with a mobile home stand which is in accordance with the requirements of the County Auditor's Office.

**Section 725 MOBILE HOME SKIRTING.** Each mobile home placed in the mobile home subdivision shall be skirted entirely enclosing the bottom section, within ninety (90) days after its placement. Skirting shall be constructed of vinyl, aluminum, or other material that is specifically designed for skirting.

**Section 726 GARBAGE AND REFUSE.** The storage and collection of garbage and refuse within the subdivision shall be conducted so as to create no health hazards. All garbage shall be stored in flytight, rodent-proof containers and shall be collected at least once weekly.

**Section 627 STORM SHELTERS.** Mobile home subdivisions shall be required to provide a storm shelter for the protection of all residents. Storm shelters shall provide four (4) square feet of floor area per resident, have sufficient ventilation, and have a generator of sufficient size to provide power for heat and light. Windows are permissible if provisions are made for the protection by shutters or other similar devices that are designed for immediate installation in the event of sudden emergency. The storm shelter may be used for recreational purposes, laundry facilities, or other purposes.

## **ARTICLE VIII ENFORCEMENT**

**Section 800 RECORDING OF PLAT.** No plat of any subdivision shall be recorded by the County Recorder of Champaign County or have any validity until said plat has received final approval in the manner prescribed in these regulations.

**Section 801 REVISION OF PLAT AFTER APPROVAL.** No changes, erasures, modifications or revisions shall be made in any plat of a subdivision after approval has been given by the Planning Commission, and endorsed in writing on the plat, unless the said plat is first resubmitted to the Planning Commission.

**Section 802 SALE OF LAND WITHIN SUBDIVISIONS.** No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before such plat has been approved and recorded in the manner prescribed in these regulations. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these regulations.

**Section 803 SCHEDULE OF FEES, CHARGES AND EXPENSES.** The Village Council shall establish a schedule of fees, charges, and expenses and a collection procedure for same, and other matters pertaining to these regulations. The schedule of fees shall be posted in the Village Municipal Building, and may be altered or amended only by the Village Council. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

**Section 804 PENALTIES.** The following penalties shall apply to the violations of these regulations:

1. Whoever violates any rule or regulation adopted by the Village Council for the purpose of setting standards and requiring and securing the construction of improvements with a subdivision or fails to comply with any order pursuant thereto shall forfeit and pay not less than one-hundred (100) dollars nor more than one-thousand (1,000) dollars. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Champaign County by the legal representative of the Village in the name of the Village and for the use thereof.
2. A County Recorder who records a plat contrary to the provisions of these regulations shall forfeit and pay not less than one-hundred (100) dollars nor more than five-hundred (500) dollars, to be recovered with the costs in a civil action by the Village Solicitor in the name and for the use of the Village.
3. Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, transfers any lot, parcel or tract of such land from or in

accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than one-hundred (100) dollars nor more than five-hundred (500) dollars for each lot, parcel or tract of land so sold. The description of such lot, parcel or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.

3. Any person who disposes of, offers for sale or lease for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of these regulations are complied with shall forfeit and pay the sum of not less than one-hundred (100) dollars nor more than five-hundred (500) dollars for each lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the Village Clerk/Treasurer for the use of the Village.

**Section 805 VARIANCES.** The following regulations shall govern the granting of variances:

1. Where the Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations, due to exceptional topographic or other physical conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community. Such variations shall not have the effect of nullifying the intent and purpose of these regulations, the comprehensive or concept plan the Zoning Ordinance.
2. In granting variances or modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

**Section 806 APPEAL.** Any person who believes they have been aggrieved by these regulations or the action of the Planning Commission, has all the rights of appeal as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section of the Ohio Revised Code.

**ARTICLE IX REQUIRED STATEMENTS AND SIGNATURES TO BE  
AFFIXED ON THE PLAT**

**Section 900 REQUIRED STATEMENTS.** the following statements shall be affixed on the subdivision plat:

Situated in Section \_\_\_\_\_, \_\_\_\_\_ Township, Village of St. Paris, Champaign County, OH, containing \_\_\_\_\_ acres and being the same tract as conveyed to \_\_\_\_\_ and described in deed recorded in Deed Book \_\_\_\_\_, Page \_\_\_\_\_ - \_\_\_\_\_, Recorder's Office, Champaign County, OH.

The undersigned \_\_\_\_\_ hereby certify that the attached plat correctly represents their \_\_\_\_\_, a subdivision of lots \_\_\_\_\_ to \_\_\_\_\_, inclusive, do hereby accept this plat of same and dedicate to public use as such all or parts of the roads, boulevards, cul-de-sacs, parks, planting strips, etc., shown herein and not heretofore dedicated.

The undersigned further agrees that any use of improvements made on this land shall be in conformity with all existing valid zoning, platting, health or other lawful rules and regulations including the applicable off-street parking and loading requirements of St. Paris, OH, for the benefit of themselves and all other subsequent owners or assigns taking title from, under or through the undersigned.

In Witness thereof \_\_\_\_\_ have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Witness \_\_\_\_\_ Signed \_\_\_\_\_

\_\_\_\_\_

We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct.

By \_\_\_\_\_, Registered Surveyor

STATE OF OHIO  
COUNTY OF \_\_\_\_\_

Before me a Notary Public in and for Champaign County personally came \_\_\_\_\_ who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the uses and purposes therein expressed.

In Witness whereof I have hereunto set my hand and affixed my official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

By \_\_\_\_\_, Notary Public



**Section 901 WITHIN THE CORPORATE LIMITS OF ST. PARIS.**

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_. \_\_\_\_\_  
Village Engineer

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_. \_\_\_\_\_  
Co. Board of Health

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_. \_\_\_\_\_  
Chairperson, St. Paris  
Planning Commission

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_. \_\_\_\_\_  
Champaign Soil and Water  
Conservation District

Approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_. (Approval of this plat for recording does not constitute an acceptance of the dedication of any public street, road or highway dedicated on such plat, Section 711.04 and 711.041, Ohio Revised Code.)

Transferred this \_\_\_ day of \_\_\_\_\_, 20\_\_\_. \_\_\_\_\_

By \_\_\_\_\_, County Auditor

Filed for Record this \_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_m.

Recorded this \_\_\_ day of \_\_\_\_\_, 20\_\_ in Plat Book \_\_\_\_\_, page \_\_\_\_\_ - \_\_\_\_\_.

By \_\_\_\_\_, County Recorder

By \_\_\_\_\_, County Deputy Recorder

## ARTICLE X DEFINITIONS

**Section 1000 INTERPRETATION OF TERMS OR WORDS.** Words in these regulations are used in their ordinary English usage. Certain terms or works used herein shall be interpreted and defined as follows and wherever used in these regulations shall have the meaning indicated in this section. The word "shall" is to be interpreted as mandatory and shall be complied with unless waived; "may" is to be interpreted as having permission or being allowed to carry out a provision; "should" is to be interpreted as expressing that the application of said criteria or standard is desired and essential unless commensurate criteria or standards are achieved. All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary.

**BLOCK.** A piece or parcel of land entirely surrounded by public streets or highways, railroad right-of-ways, parks, streams and other bodies of water, or a combination thereof.

**COMMUNITY FACILITIES.** Existing, planned and proposed parks, playgrounds schools and other public lands and buildings of the municipality or county for which the regulations are in effect.

**COMPREHENSIVE PLAN.** The plan, or any portion thereof, adopted by the Planning Commission of the Village of St. Paris which shows the general location and extent of physical facilities including major streets and main thoroughfares, parks, schools and other public open spaces and public building sites.

**DEVELOPER.** Any person, subdivider, partnership or corporation or duly authorized agent who constructs or contracts to construct improvements on subdivided land.

**DWELLING UNIT.** Space within a building, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.

**EASEMENT.** Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

**ENGINEER.** Any person licensed to practice engineering in the State of Ohio, specifically a civil engineer as referred to in these regulations.

**FLOOD PLAIN.** The portion of a river or creek valley adjacent to the drainage channel which is periodically covered with water when the river or creek overflows its banks during flood stage.

**IMPROVEMENTS.** Any additions to the natural state of the land which increases it value or utility, including pavements, curbs, gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, landscaping and other appropriate facilities or plantings.

**LOT.** A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership and/or for building purposes or development. Such lot shall have frontage on a dedicated public street.

**LOT, INTERIOR.** Any lot other than a corner lot.

**LOT, THROUGH.** Any interior lot having frontage on two, more or less, parallel streets as distinguished from a corner lot. All yards of such lots adjacent to streets shall be considered frontal, and front yard set backs shall be provided as required.

**LOT DEPTH.** The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

**LOT FRONTAGE.** The portion of a lot at the street or road right-of-way line. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to street or road right-of-way lines shall be considered frontage.

**LOT WIDTH.** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the street or road right-of-way line, except on cul-de-sac streets where it is measured at the setback line.

**MAJOR THOROUGHFARE (STREETS) PLAN.** The plan adopted by the Planning Commission indicating the existing or recommended location for arterials, collectors, and local streets within the corporate limits of the Village.

**MAINTENANCE BOND.** An agreement in the form of a bond or other surety by a subdivider with the Village for the amount so determined by the Village Engineer to assure that public streets and facilities are maintained between time of completion by the subdivider and formal acceptance of dedication by the Village Council.

**MANUFACTURED HOME.** A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the Federal Construction and Safety Standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable Federal construction and safety standards. This category does not include the sub-assembly methods of construction known as pre-fab or pre-cuit, in which cases some portion of the preparation or sub-assembly may be done at the factor but not erected at the foundation site.

**Modular Unit.** A factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements which are to be incorporated into a structure at the site.

**Sectional Unit.** A dwelling made of two (2) or more modular units transported to the homesite, put on a foundation, and joined to make a single dwelling.

**MOBILE HOME.** A building unit or assembly of closed construction that is fabricated in an off-site facility, that is more than thirty-five (35) body feet in length or, when erected on site, is three

hundred twenty (320) or more square feet, that is built on a permanent chassis and transportable in one or more sections, and that does not qualify as a manufactured home or as an industrialized unit.

Mobile Home, Double-wide or Triple-wide: A mobile home consisting respectively of two (2) or three (3) sections combined horizontally at the site to form a single dwelling, while still retaining their individual chassis for possible future movement.

Mobile Home, Expandable: A mobile home with one (1) or more room sections that fold, collapse, or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.

This category does not include the sub-assembly methods of construction known as pre-fab or pre-cut, in which cases some portion of the preparation or sub-assembly may be done at the factory but not erected until at the foundation site.

**MOBILE OR MANUFACTURED HOME SUBDIVISION.** A tract of land which is subdivided for sale of the individual lots.

**MONUMENTS.** Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary line corners, and points of change in street alignment.

**NET ACRE.** Land area which excludes all street, utility and railroad right-of-ways, and waterways.

**OWNER.** Any individual, firm, association, syndicate, co-partnership, corporation, trust or other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

**PAD.** A building site prepared by artificial means, including grading, excavation or filling, or any combination thereof.

**PERFORMANCE BOND OR OTHER SURETY.** An agreement by a subdivider or developer in the form of a bond, certified check with the Village for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed in the subdivider's or developer's agreement.

**PLANNED UNIT DEVELOPMENT.** A development in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standard restrictions such as lot sizes and setbacks. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans.

**PLAT.** The map, drawing, or chart on which the developer's plan of subdivision is presented to the Village Planning Commission for approval and, after such approval, to the County Recorder for recording.

**PLAT, FINAL.** The final map, drawing or chart and supplementary information, based upon the approved preliminary plat, in which the subdivider's plan is presented to the Village Planning Commission for approval and which, if approved, will be certified and submitted to the County Recorder.

**PLAT, PRELIMINARY.** The preliminary map, drawing, or chart, and supplementary information, on which the layout and design of a proposed subdivision is submitted to the Village Planning Commission for consideration and tentative approval.

**RIGHT-OF-WAY.** A strip of land taken or dedicated for use as a public way. In addition to the roadway or pavement, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities.

**SETBACK.** A line established by the Subdivision Regulations and/or Zoning Ordinance (Resolution), generally parallel with and measured from the front lot line, defining the limits of a front yard in which no building or structure may be located above ground, except as may be provided in said Codes.

**STREET OR ROAD.** The paved portion within a right-of-way which is used for vehicular traffic and designated as follows:

1. *Arterial Street.* A general term denoting a highway primarily for through traffic, usually on a continuous route.
2. *Collector Street.* A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial highways or major streets, including the principal entrance streets of residential developments and primary circulation routes within such development.
3. *Local Street.* A street primarily for providing access to residential, commercial or other abutting property.
4. *Cul-de-Sac.* A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
5. *Alley.* Minor ways used primarily for vehicular service access to the back or side of properties abutting on other streets.

6. *Marginal Access Street.* A local street parallel and adjacent to a major street or arterial highway, providing access to abutting properties and protection from the major street or arterial highway.

**SUBDIVIDER.** Any individual, developer, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for him/herself or for another.

**SUBDIVISION.** The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites or lots, any one of which is less than five (5) acres for the purposes, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels or more than five (5) acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, which such sale does not create additional building sites, shall be exempted; or the improvement of one (1) 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 street or streets, except private street serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders, or as easements for the extension and maintenance for public sewer, water, storm drainage or other public facilities.

**SUBDIVISION, MINOR.** A subdivision approved by the Village Planning Commission which does not require a plat and which is in conformance with the provisions of Section 329.

**SURVEYOR.** Any person registered to practice surveying as defined by the Surveyor's Registration Act of the State of Ohio.

**ZONING REGULATIONS.** The Zoning Ordinance of the Village of St. Paris.

**ARTICLE XI ENACTMENT**

**Section 1100 EFFECTIVE DATE.** These regulations shall become effective from and after the date of its approval and adoption by the Planning Commission and Village Council, after public hearing and certification to the County Recorder. Henceforth, any other regulations previously adopted by the Village Council or the Planning Commission shall be deemed to be repealed. These regulations shall in no way affect any subdivision having received preliminary approval prior to the effective date provided, however, that no changes to the preliminary plan, as approved, are introduced by the subdivider.

PASSED: \_\_\_\_\_ (Date) \_\_\_\_\_  
President of Council

ADOPTED: \_\_\_\_\_ (Date) \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Village Solicitor

ORDINANCE NUMBER \_\_\_\_\_

## PRELIMINARY PLAT CHECKLIST

SUBDIVISION: \_\_\_\_\_

DATE: \_\_\_\_\_

This list is not all inclusive, but is to be used as a guideline for submittals and reviews.

<input checked="" type="checkbox"/>		DESCRIPTION	REMARKS
	1	Received fees.	
	2	Ten copies of plat (at a scale of not more than 1" = 100', and one electronic copy of the plat.	
	3	Name of Subdivision	
	4	Location of property with respect to surrounding property and streets.	
	5	Location by township, section, town and range.	
	6	Names of all adjoining property owners, or names of adjoining developers.	
	7	Names of adjoining subdivisions.	
	8	Location and names of adjoining streets.	
	9	Location of corporation line, if applicable.	
	10	Location and dimensions of all boundary lines of the property in feet and decimals of a foot.	
	11	Vicinity Sketch.	
	12	Indication of Zoning.	
	13	Location of existing easements.	
	14	Location of existing water bodies, streams, and other pertinent features such as railroads, buidlings, parks, cemetaries, drainage ditches, bridges, etc.	
	15	Locations, dimensions and areas of all proposed or existing lots.	
	16	Location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.	
	17	Date of Plat.	
	18	Scale of Plat.	
	19	North arrow.	
	20	Data from which the location, bearing and length of all lines can be determined and reproduced on the ground.	
	21	Names of new streets approved by the Planning Commission.	
	22	Indication of the use of any lot and all uses other than residential.	



23	Lots consecutively numbered.	
24	Approximate dimensions of lots, including area.	
25	Front building setback lines.	
26	Profiles showing existing and proposed elevations along centerline of all streets.	
27	Approximate stationing on all streets.	
28	Location, size and invert elevations of all existing and proposed sanitary sewers and stormwater sewers and structures.	
29	Preliminary drainage plan including proposed stormwater detention and location.	
30	Location and size of all water lines.	
31	Topography at the same scale with contour interval of 1'.	
32	Other specifications and references required by the local government. Construction standards and specifications, including a site grading plan for the entire subdivision.	
33	Title of property, name and address of owner, and signature of the surveyor.	
34	Date, including revision dates.	
35	Notation of approval, signature line for Planning Commission Chairman.	
36	Name and address of the subdivider and/or developer.	
37	Copy of the protective covenants, if applicable.	
38	Indication of any developmental phasing or staged development timing.	
39	Meets zoning requirements (i.e., minimum frontage, setbacks, area, etc.)	
40	Conformance with major street plan.	
41	No flood hazards.	
42	Right-of-way widths, meets minimum criteria.	
43	Avoidance of multiple intersections.	
44	Lengths of blocks, meets minimum criteria.	

## FINAL PLAT CHECKLIST

SUBDIVISION: \_\_\_\_\_

DATE: \_\_\_\_\_

This list is not all inclusive, but is to be used as a guideline for submittals and reviews.

<input checked="" type="checkbox"/>		DESCRIPTION	REMARKS
	1	Received fees.	
	2	Ten copies of plat (at a scale of not more than 1" = 100', and one electronic copy of the plat.	
	3	Five copies of construction drawings.	
	4	Two copies of engineer's estimate.	
	5	One copy of storm sewer calculations, storm detention calculations, and other necessary design calculations.	
	6	Performance surety.	
	7	Name of subdivision.	
	8	Location by section, town, range, and township.	
	9	Date of plat.	
	10	North arrow and basis of bearing.	
	11	Acreage to thousandths of an acre.	
	12	Deed book and reference page. (Plat book, if available.)	
	13	Name and address of the subdividers.	
	14	Name and address of professional engineer who prepared plans, including registration number and seal.	
	15	Name and address of professional surveyor who prepared plat, including registration number and seal.	
	16	Perimeter of subdivision to be outlined by a heavy border.	
	17	All dimensions.	
	18	Bearings and distances to the nearest centerline of intersecting roads.	
	19	Names, exact location, dimensions, and right-of-way width of all streets.	
	20	Radii, internal angles, points of curvature, tangent bearings, chord length and bearings, lengths of arcs of all applicable streets within the plat area.	
	21	The exact location, dimensions, and uses of easements shall be illustrated on the plat.	
	22	All lots accurately dimensioned in fet and hundreths with lot numbers and acreage.	
	23	Replatted lots shall illustrate old lot numbers and lot lines dotted on the plat.	

24	Accurate location and description of all monuments as to type, size and whether the monument was found or set.	
25	Any restrictions and covenants shall be shown on the final plat.	
26	Acknowledgement of dedication statement of the owner or owners to the plat.	
27	A statement of intention and request for the vacation of lot lines and easements.	
28	The signature of authorized representatives of local utility companies acknowledging the abandonment of easements.	
29	Names of record of all abutting parcels with deed reference, acreage, and survey record reference.	
30	Any section lines, corporation limits, township, and county lines.	
31	Location of permanent facilities and easements for same used for drainage control such as detention basin, retention ponds, infiltration beds, etc, and statement of the provisions for the maintenance of these facilities.	
32	Construction plans submitted to the OEPA for approvals as required.	
33	Submitted within 12 months of preliminary approval.	
34	Conforms to preliminary plat and incorporates suggested changes.	
35	Street names.	
36	Size of lots meets minimum requirements.	
37	Setback lines meets minimum requirement.	
38	Corner lot size appropriate.	
39	Sufficient easements for utilities or open drainage.	
40	Approval signature and date lines	
41	A notarized certification by the owner or owners.	
42	Certified monument statement.	