

**SUBDIVISION REGULATIONS  
FOR  
ALLEN COUNTY, OHIO**

**May 1, 2013**

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## **ARTICLE I OVERVIEW AND APPLICABILITY**

### **100    TITLE**

These regulations shall be known and may be cited and referred to as the SUBDIVISION REGULATIONS OF THE COUNTY OF ALLEN, OHIO and shall hereinafter be referred to as "these Regulations".

### **101    ADMINISTRATION**

The Ohio Revised Code, Chapter 711, enables the Board of Commissioners of Allen County and the Lima-Allen County Regional Planning Commission to adopt rules and regulations governing plats and subdivisions of land in the unincorporated area of the County. The LIMA-ALLEN COUNTY REGIONAL PLANNING COMMISSION, hereinafter called the Planning Commission, shall administer these Regulations.

### **102    POLICY**

It is declared to be the policy of Allen County to consider the subdivision of land and its subsequent development as subject to the control of Allen County, pursuant to any official Comprehensive Plan for orderly, planned, safe, efficient and economical development.

Land to be subdivided shall be of such character that it can be used safely for building purposes, and shall not be subdivided until adequate facilities and improvements such as drainage, water and sewerage are provided, or a Performance Bond is filed to assure that the subdivider will make the required improvements.

The existing and proposed public improvements shall conform with and be related to the proposals shown in the Comprehensive Plan, capital improvement program, and development programs of Allen County. It is intended that these Regulations shall supplement and facilitate the enforcement of the provisions and those standards contained within local building codes, zoning resolutions, comprehensive plans and capital improvement programs.

### **103    PUBLIC PURPOSE**

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of public police power delegated by the State to Allen County pursuant to Chapter 711 of the Ohio Revised Code. The developer shall be in compliance with conditions established by the Planning Commission for design, dedication, improvement, and restrictive use of the land to conform to the physical and economic development of Allen County and the health, safety, and general welfare of the future lot owners of the subdivision and of Allen County in general.

103.1        The purpose of these regulations is to provide for the harmonious development of the County by:

103.1.1    Promoting the public health, safety, and general welfare of the citizens of Allen County, Ohio;

103.1.2    To promote the safe and efficient movement of people and goods;

103.1.3    Furthering the orderly layout and use of land, according to its capability and suitability;

- 103.1.4 Securing safety from fire, flood, panic, and other dangers;
  - 103.1.5 Providing adequate light and air;
  - 103.1.6 To ensure the most beneficial relationship between the use and placement of land and buildings thereon;
  - 103.1.7 To promote optimal population density;
  - 103.1.8 Facilitating adequate provision for transportation, water, sewerage, drainage, schools, parks, playgrounds and other public requirements; and,
  - 103.1.9 Facilitating the further re-subdivision of larger tracts into smaller parcels of land.
- 103.2 The provisions of these Regulations are made with reasonable consideration of the character of Allen County with a view of conserving the value of the buildings placed upon land, providing the best possible environment for human habitation, and encouraging the most appropriate use of land throughout the County.

#### **104 JURISDICTION**

Pursuant to Section 711 of the Ohio Revised Code, the Planning Commission shall adopt general rules of uniform application, governing plats and subdivisions of land falling within its jurisdiction, to secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the Comprehensive Plan, for adequate and convenient open spaces for traffic, utilities, access of fire fighting apparatus, recreation, light, and air, and for the avoidance of congestion of population.

These Regulations shall be applicable to all residential, commercial, and industrial subdivision (plats) land within the unincorporated areas of Allen County. The submission of a plan for the subdivision of land intended for the development of a mobile home park, a planned unit development, or a commercial shopping center involving publicly dedicated roads or private drives is required by these Regulations. The Planning Commission shall have the power of final approval of all plats.

#### **105 RELATION TO OTHER LAWS, RULES AND REGULATIONS**

The provisions of these regulations shall supplement any and all laws of the State of Ohio, other resolutions of the Allen County Board of Commissioners or township trustees, and all rules and regulations promulgated by authority of any such law or resolution relating to the purpose and scope of these regulations. Whenever the requirements of these Regulations are at variance with requirements of any other lawfully adopted rules, regulations, ordinances or resolution, the most restrictive or that imposing the higher standards shall govern.

#### **106 PLANNED UNIT DEVELOPMENTS**

It is the policy of the County to accept Planned Unit Developments (PUDs) when necessary to achieve:

- 106.1 A maximum choice of living and working environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements;

- 106.2 A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;
- 106.3 A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns;
- 106.4 A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets; and,
- 106.5 A development pattern in harmony with land use density, transportation facilities, and community facilities and objectives of the Comprehensive Plan. If street, storm drainage, water line and sanitary sewer for PUDs are to be dedicated for public use, they shall be governed by the respective provisions elsewhere in these Regulations. Issues involving lot sizes, population densities, lot configurations, open spaces, minimum side and rear yards, and building configurations are zoning functions and shall be regulated by local zoning resolutions.

## **107 AMENDMENTS**

These regulations may be amended, after public hearings and other requirements as specified in the appropriate sections of the Ohio Revised Code.

## **108 VALIDITY AND 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.

## **109 VARIANCE**

Where the Planning Commission finds extraordinary hardships or practical difficulties may result from strict compliance with these Regulations and/or the purposes of these Regulations may be served to a greater extent by an alternative proposal, it may approve variances to these Regulations so that substantial justice may be done and the public interest secured, provided such variance shall not have the effect of nullifying the intent and purpose of these Regulations; and, further provided that the Planning Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

- 109.1 The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
- 109.2 The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;
- 109.3 Because of the particular physical surroundings, shape or topographic conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these Regulations are carried out; and,

109.4 The variances will not in any manner vary the provisions of the Zoning Resolution, Comprehensive Plans, or other applicable guidelines and requirements of these Regulations.

## **110 ENACTMENT**

These Regulations shall become effective from and after the date of their approval, adoption, or amendment by the Planning Commission and the Allen County Board of Commissioners after public hearing and certification to the County Recorder as required by Chapter 711 of the Ohio Revised Code. Henceforth, any other Subdivision Regulations previously adopted by Allen County shall be deemed to be repealed. These Regulations shall in no way affect any subdivision having received Overall Development Plan approval prior to the effective date of these regulations or any amendment thereto, provided, however, that no changes to the Plan, as approved, are introduced by the subdivider.



## ARTICLE II DEFINITIONS

### 200 INTERPRETATION OF TERMS OR WORDS

For the purpose of these Regulations, certain terms or words used herein shall be interpreted as follows:

- 200.1 The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual;
- 200.2 The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular;
- 200.3 The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement;
- 200.4 The words "used" or "occupied" include the words "intended", "designed", or "arranged" to be used or occupied;
- 200.5 The word "lot" includes the words "plot, parcel and/or tract"; and,
- 200.6 The word "County" where used shall mean Allen County.

### 201 GLOSSARY

**Access Management Plan:** A roadway design plan, which designates access locations and their design for the purpose of bringing those portions of roadway included in the Access Management Plan into conformance with their access category to the extent feasible.

**Access Management Regulations:** Allen County and the State of Ohio's Department of Transportation have adopted regulations providing the standards for design, location, and frequency of driveways. Provided for under Section 5552 of the Ohio Revised Code. Major, minor, and exempted land divisions are subject to the approval of the jurisdiction with responsibility for permitting under these Regulations.

**Agricultural Exemption:** The creation of a parcel of land that may be considered exempt from minimum County road frontage requirements. Said exemption dictates that parcel shall be restricted from ever having a dwelling unit.

**Alley:** See Street or Road.

**Board of Commissioners:** The Allen County Board of Commissioners.

**Building:** A structure designed to be used as a place of occupancy, storage or shelter.

**Building Setback Line:** The line set at uniform distance from the front lot line or centerline of the dedicated or acquired right-of-way inside of which no building is to be built.

**Condominium:** Condominium means and includes the land, together with all buildings, improvements, and structures thereon, all easements, rights and appurtenances belonging thereto, and all articles of personal property that have been submitted to the provisions of Chapter 5311 of the Ohio Revised Code and subject to same.

**Corner Lot:** See Lot Types.

**Covenant:** A written promise or pledge.

**Cul-de-Sac:** See Street or Road.

**Culvert:** A transverse drain that channels surface water under a bridge, street, or driveway.

**Dead-End Street:** See Street or Road.

**Density:** A unit of measurement; the number of dwelling units per acre of land.

1. **Gross Density** - Refers to the number of dwelling units per acre of land to be developed.
2. **Net Density** - Refers to the number of dwelling units per acre of land when including only the acreage devoted to residential uses and exempting such uses as streets, rights-of-way, etc.

**Developer:** Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these Regulations to effect a subdivision of land hereunder for himself or for another.

**Development Plan:** A plan, or any portion thereof, adopted by the Planning Commission, the Allen County Board of Commissioners and/or the township trustees showing the general location and extent of present and proposed physical facilities including residential, industrial, and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

**Driveway:** A vehicular travelway used to provide access from a street to dwelling units or commercial or industrial activities. Driveways are designed for low travel speeds and are often used as, or are integral with, parking areas for vehicles.

**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 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.

**Exempted Land Division:** Those land divisions having inherent restrictions associated with their status under Section 711 of the Ohio Revised Code and include the following:

1. **Land Transfer** - A conveyance of land between adjoining property owners.
2. **Large Lot Exemption** - The creation of a new buildable lot greater than five (5) acres in size, either directly by the division or indirectly by the division of another parcel and which does not involve the opening, widening, or extension of a public street or road.
3. **Agricultural Exemption** - The creation of a parcel for exclusive, agricultural use greater than five (5) acres, said parcel considered exempt from minimum County road frontage requirements.

**Final Plat** - A revised version of the Overall Development Plan showing exact locations of lot lines, rights-of-way, easements, and dedicated areas. The Final Plat is to be recorded in the office of the County Recorder. The third step of the major subdivision approval process.

**Flood:** An overflowing of water, from watercourses, onto land, which is normally dry.

**Floodplain:** Any area documented as having a one percent (1%) or greater chance of flooding in any one (1) year identified in the Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency (FEMA) as being areas of special flood hazards subject to local Floodplain Management Regulations.

**Flood, 100-Year:** The temporary inundation of normally dry land areas by a flood that is likely to occur one (1) every one hundred (100) years (i.e., that has a one percent (1%) chance of occurring each year, although the flood may occur in any year).

**Frontage:** A distance that continuously abuts the centerline (in section ground) or the right-of-way line (in a platted subdivision) of a public roadway. At the minimum, this continuous distance must be maintained to the building setback line. In the case of corner lots, the distance will be measured between one (1) side lot line and the midpoint of the corner radius. A lot with more than one-half (1/2) of its frontage on the bulb of a cul-de-sac must continuously abut the right-of-way line for at least forty-five (45) feet and the lot must be a minimum of forty-five (45) feet in width at the building setback line. The measurement of frontage shall not include jogs in roadway width, the ends of uncompleted roadways, or other irregularities in roadway alignment/design/construction. Minimum frontage requirements must also meet minimum zoning regulations for the township in which the lot lies.

**Functional Classification:** A classification system that defines a public roadway according to its purposes and hierarchy in the local or statewide highway system.

**Grade:** The amount of rise or descent of a sloping land surface, usually measured as a percent where the numbered percent represents the amount of vertical rise or fall, in feet, for every one hundred feet (100') horizontally. For example, a one-foot (1') vertical rise over one hundred horizontal feet (100') represents a one percent (1%) slope.

**Health Department:** Allen County Combined General Health Department.

**Highway Director:** The Director of the Ohio Department of Transportation.

**Improvements:** Roadway pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, street signs, utility lines, landscaping, and other related matters normally associated with the development of land into building sites.

**Home Owners Association:** A group of homeowners organized to provide financial and legislative decisions over a group of lots for the maintenance and upkeep of common areas and related facilities.

**Land Contract:** A legal agreement between a landowner and another person or persons interested in purchasing real property owned by the landowner, wherein the landowner agrees to receive regular payments, at specified intervals for a specified period of time, from the purchaser and at the end of the specified time period agrees to transfer ownership of the property to the purchaser.

**Landscaping:** The act of changing the natural features of a plot of ground so as to make it more attractive, as by adding lawns, trees, bushes and/or ponds.

**Letter of Credit:** A written statement from a bank or loan company, written against the good standing of a developer, guaranteeing necessary funds, the amount to equal a professional engineer's cost estimate for subdivision improvements, to complete such improvements

should the developer fail to complete them within the time frame and conditions as specified in the subdivision approval agreements. (See also, Performance Bond, Maintenance Bond or Surety Bond)

**Location Map, Vicinity Map:** A map to the minimum scale of 1:24,000 which portrays the subdivision to its surrounding area in relation to the existing road network, major public activity centers, drainage courses, and other natural features in order to better locate and orientate the subdivision under review.

**Lot:** For purposes of these Regulations, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

1. A single lot of record;
2. A portion of a lot of record; or,
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

**Lot Frontage:** The front of a lot shall be construed to be the property line along the lot abutting the road/street. For the purpose of determining yard requirements on corner lots and reverse frontage lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided in appropriate zoning resolutions. See Frontage.

**Lot Measurements:** A lot shall be measured as follows:

1. Average depth of a lot in a platted subdivision shall be considered to be the straight-line distance between the mid-point of the front lot line or street right-of-way line and the mid-point of the rear lot line.
2. Average depth of a section ground parcel shall be considered to be the straight-line distance between the mid-point of the street centerline and the mid-point of the rear lot line.
3. Average width of a lot shall be considered to be the straight-line distance between the midpoints of the side lot lines.

**Lot of Record:** Any parcel shown as current on the most recent tax maps.

**Lot Split:** See Minor Land Division.

**Lot Types:** Terminology used in these Regulations with reference to corner lots, interior lots and through lots is as follows:

1. **Corner lot** is defined as a lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if the extension of the side lot lines meet at an interior angle of less than one hundred thirty-five degrees (135°).
2. **Interior lot** is a lot other than a corner lot with street frontage.
3. **Through lot** is a lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to, as double frontage lots, and each frontage shall have a front yard.

4. **Reverse frontage lot** is a lot on which frontage is at right angles to the general pattern in the area. A reverse frontage lot may also be a corner lot, or a lot having its rear lot line abutting the right-of-way of a street or a highway that prohibits access with its access being from a local or marginal access street.
5. **Flag lot** is a lot whose only frontage on a public street is through a narrow strip of land which is generally wide enough to accommodate a driveway, but too narrow to accommodate any structures.

**Maintenance Bond:** An agreement by a subdivider or developer with the County guaranteeing the maintenance of physical improvements for a period of two (2) years from the release of the Performance Bond.

**Major Public Activity Center:** A facility or grouping of facilities that generate independently/collectively significant pedestrian and/or vehicular traffic volumes/trips including but not limited to churches, schools, shopping centers, strip malls, senior centers, skating rinks and related.

**Major Subdivision:** A major subdivision is defined pursuant to Chapter 711 of the Ohio Revised Code as the creation of five (5) or more parcels or which involve the opening, widening or extension of a street or road or easement of access.

**Major Thoroughfare Plan:** The Comprehensive Long Range Transportation Plan adopted by the Lima-Allen County Regional Planning Commission and accepted by the Ohio Department of Transportation.

**Minor Land Division:** A division of a parcel of land that does not require a plat to be approved by the Planning Commission according to Section 711.131 of the Ohio Revised Code. A minor land division, also known as a "Lot Split", is the creation of a buildable lot of less than five (5) acres in size. The proposed minor land division shall be located along an existing public roadway and shall not involve the opening, widening, or extension of any street or road.

**Monuments, Markers, and Pins:** See Section 502.

**Open Space:** The open space area may include, along with natural environmental features such as agriculture, floodplains, areas of natural vegetation, parks and recreation facilities, etc., parking lots and any other recreational facilities that the Planning Commission deems permissible. Streets, structure for habitation, and the like, shall not be included. Utilized primarily in PUD developments.

**Performance Bond, Surety Bond, or Irrevocable Letter of Credit for Performance:** A guarantee by a subdivider or developer with the Planning Commission for the amount of the unfinished infrastructure improvements.

**Performance Guarantee:** Any security that may be accepted by a municipality as a guarantee that the improvements required as part of an application for development that are satisfactorily completed.

**Person:** An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

**Petition Ditch:** A drainage facility or structure that is publicly maintained by a respective government agency pursuant to Ohio Revised Code Sections 6131, 6133 and 6137.

**Phase:** Those individual stages of an approved Overall Development Plan.

**Planned Unit Development:** An area of land, in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot size and setbacks, than those restrictions that would normally apply under these Regulations. 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.

**Planning Commission:** The Lima-Allen County Regional Planning Commission.

**Plans:**

1. **Overall Development Plan** - Drawings and other necessary information required to be submitted to the Planning Commission in order to evaluate the developer's overall intent for a proposed project. The first step of the major subdivision approval process.
2. **Construction Drawings** - Engineer/surveyor quality drawings required by the Planning Commission in sufficient detail for local agencies to evaluate compliance with existing regulations and construction standards. The second step of the major subdivision approval process.
3. **As-Built Construction Drawings** - Drawings provided upon completion of the infrastructure portion of a development that reflect project completion, including but not limited to, required changes due to field conditions.

**Plat:** A map or representation of a piece of land subdivided into lots with streets, alleys, etc., drawn to scale and subject to recording.

**Professional Engineer:** Any person registered to practice professional engineering by the State Board of Registration as specified in Section 4733.14 of the Ohio Revised Code.

**Professional Surveyor:** Any person registered to practice surveying by the State Board of Registration in accordance with Section 4733.14 of the Ohio Revised Code.

**Public Way:** An alley, avenue, boulevard, bridge channel, ditch easement, expressway, freeway, highway, lane, parkway, street, subway, tunnel viaduct, walk or other way to which the general public or public entity have a right or is dedicated to, whether improved or not.

**Remainder Parcel:** The parcel of land left after a minor land division or exempted land division has taken place.

**Replat:** The process by which existing lots in a platted subdivision are reconfigured and renumbered to represent changes from the original subdivision plat. It may include all or portions of a previous subdivision or plat.

**Right-of-Way:** A strip of land taken or dedicated for use as a public way.

**Setback Line:** A line established by the subdivision/zoning regulations generally of uniform width, parallel with and measured from the lot line, defining the limits of a yard in which no building or structure, other than an accessory building, may be located above ground.

**Sewers, Central or Group:** An approved sewage disposal system, which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

**Sewers, On-Site:** A septic tank and secondary treatment system on an individual lot which utilizes an aerobic bacteriological process, or an equally satisfactory process, for the elimination of sewage, and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

**Sight Distance Triangle, Clear:** An area of unobstructed vision at street intersections, bounded by a line of sight (eye of the driver at three and three-quarters feet (3.75') above the road at the center line to an object six inches (6") in height) at the center line of the intersecting street; distances along the center line of the street by classification will determine the size of the triangle. No vegetation, structures, or ground shall project vertically into this area to restrict the view.

**Sidewalk:** That portion of the road right-of-way, which is improved for the use of pedestrian traffic.

**Stopping Sight Distance:** The distance down a roadway for which a motorist is able to have an un-obstructed sight. Stopping sight distance is reduced by vertical and horizontal road curvature, fixed objects on the side of the road, and overhanging vegetation.

**Stormwater Management and Sediment Control Regulations:** Allen County established regulations governing conservation practices to control the pollution of public waters by sediment from accelerated soil erosion and stormwater runoff caused by earth disturbing activities. Allen County adopted the regulations pursuant to Section 307.79 of the Ohio Revised Code.

**Street or Road:** A public road is one, which has been dedicated to the public use by the owner of the property and accepted by the local government for public use and maintenance. All streets or roads shall be built to the design and construction standards of the County Engineer as herein described. Private drives are simply easements of access and egress granted by the owner of the land to others. Private drives are maintained under private ownership, typically a homeowners association. Such easements of access/egress are permitted only in condominium and apartment complexes or commercial/industrial developments and do not provide required frontage for any further land division and may be exempt from roadway design and construction standards as described herein.

1. **Alley:** A public right-of-way primarily for secondary access by vehicles to the rear or side of a property abutting on another street. Alleys shall not be approved in residential subdivisions, 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. The minimum width for alleys shall be twenty feet (20') for the right-of-way and eighteen feet (18') for the pavement width.
2. **Arterial Street:** Arterials are major thoroughfares designed to carry traffic between municipalities and other activity centers and to provide connections with major state and interstate roadways. No on-street parking shall be permitted.
3. **Collector Street:** Collectors distribute traffic between lower order local roadways and higher order arterials. Their purpose is primarily to promote free traffic flow, and direct access for adjoining lots should be limited where possible. Collectors shall not be used for on-street parking and may provide linkages to adjoining developments to improve circulation.

4. **Cul-de-sac:** A local street that has a single means of access and that terminates in a circular vehicular turnaround. Cul-de-sacs are the lowest order of local roadway classification and are to be permitted only when feasible and to the extent that they do not serve more than 200 vehicle trips per day. The Planning Commission may disapprove an Overall Development Plan containing more than three (3) cul-de-sac streets and no through streets.
5. **Dead-end Street:** A street having only one (1) inlet/outlet for vehicular traffic. Permanent dead-end streets shall not be permitted except as cul-de-sacs. Temporary dead-end streets shall be permitted only as part of an approved Overall Development Plan.
6. **Local Roadway:** Local roadways provide access to residential, open space, commercial, industrial, or other abutting property. Local roadways include sub-collector streets, residential streets, and cul-de-sac streets. Other local roadways are classified as special street types.
7. **Loop Street:** A type of local street, each end of which terminates at an intersection with the same street from which it originated.
8. **Marginal Access Street, Frontage Street or Service Road:** A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets.
9. **Residential Street:** Residential streets have a length of one thousand feet (1,000') or less, connect to only two (2) other streets and are the lowest order streets providing access to residential lots and carrying only the traffic generated by adjoining residential land uses. Residential subdivisions should be developed so that the maximum number of housing units have frontage on local residential and cul-de-sac streets rather than on higher order roads.
10. **Stub Street:** A temporary dead-end street having only one (1) lot fronting on each side of the street.
11. **Sub-collector:** Sub-collectors are local streets designed to provide access to adjoining property and carry traffic between local residential streets or cul-de-sacs and higher order collectors and arterials. Sub-collectors shall be provided when residential subdivisions exceed fifty (50) single-family dwellings, or when the subdivision has only one (1) entrance from a collector or arterial street.

**Subdivider:** Any individual, developer, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.

**Transportation Plan:** The comprehensive plan by the Planning Commission indicating the general location recommended for arterial, collector, and local streets.

**Terrain Classification:** Terrain within the entire area of the preliminary plan is classified as level, rolling, hilly, or hillside for street design purposes. The classifications are as follows:

1. "Level" is that land which has slope range of four percent (4%) or less;
2. "Rolling" is that land which has a slope range of more than four percent (4%) but not more than eight percent (8%);



3. "Hilly" is that land which has slope range of more than eight percent (8%) but not more than fifteen percent (15%); and,
4. "Hillside" is that land which has a slope range of more than fifteen percent (15%).

**Through Lot:** See Lot Types.

**Tract:** The term is used interchangeably with the term lot, particularly in the context of subdivisions, where one "tract" is subdivided into several "lots".

**Traffic Impact Study (TIS):** A study, which is required to be completed before an access permit can be approved and issued for any development or land use which generates or has the potential to generate traffic volumes exceeding the threshold value specified. The purpose and need for the TIS is to determine more precisely the impacts of the access usage, to mitigate these impacts through the proper location, design, and construction of the access connection(s), and to ensure the continued functional and operational integrity of the roadway.

**Transportation Director:** The Director of the Ohio Department of Transportation.

**Variance:** A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not resulting in unnecessary hardship.

**Vicinity Map:** See Location Map.

**Watershed:** The drainage basin in which the subdivision drains or that land whose drainage is affected by the subdivision.

**Wetland:** An area of land inundated by water for a portion of each year resulting in the land possessing unique soil and vegetative types.

**ARTICLE III**  
**PROCEDURE FOR THE DIVISION OF LAND AND SUBDIVISION APPROVAL**

**300    GENERAL**

These Regulations have been established in order to protect the health, safety and welfare of the general public. These Regulations shall be followed by the subdivider including his/her agents if any land division is to occur in Allen County, Ohio. By statute (See Chapter 711 of the Ohio Revised Code) the Planning Commission must consider all relevant aspects of a subdivision including feasibility, desirability, safety, roads, water, sewage, compliance with other regulations, and the physical capability and suitability of the land to support development. In this respect, specific periods of time have been established in order to allow reasonable and sufficient periods for public review and comment. As the major subdivision process is complicated, a flow chart is depicted in Table 1.

**301    PURPOSE**

The purpose of this article is to specify the procedures, which must be followed in order to divide land in Allen County, Ohio. This article articulates the procedures for four (4) basic types of land division: (1) major subdivision; (2) minor land division; (3) exempted land division; and, (4) replat.

Before any land is subdivided, the owner of the property or his authorized agent, shall apply for and secure approval for the proposed land division in accordance with the following procedures:

301.1    Major Subdivision

The submission and approval process for a major development, whether a subdivision, cluster development, or Planned Unit Development (PUD) which includes three (3) principal steps: an Overall Development Plan, Construction Drawings, and a Final Plat.

301.2    Minor Land Division (Lot Split)

The approval process for individual land transactions where a new lot is created under five (5) acres and that requires an Allen County Engineer's Office approved survey plat and legal description, deed, and fees, may require Allen County Health Department approval and/or an Access Management permit.

301.3    Exempted Land Division

The approval process for the creation of a parcel over five (5) acres or the transferring of land between adjacent landowners acres which may require an Allen County Engineer's Office approved survey plat and legal description, a deed, fees, and may require Health Department approval and/or an Access Management permit. The new or reconfigured parcels shall meet the criteria of Section 304.1.

301.4    Replat

The reconfiguring and renumbering of lots inside an existing platted subdivision which will go through the Major or Minor Replat process as defined in Sections 302.7 and 304.

TABLE 1 MAJOR SUBDIVISION REVIEW APPROVAL PROCESS		
Step 1	Developer meets with Subdivision Administrator in pre-application meeting to review the subdivision proposal, identify data sets, any known issues or constraints, available/necessary utility services or infrastructure requirements, and to review the formal platting process.	
OVERALL DEVELOPMENT PLAN (ODP) PHASE The first phase of a 3-phase platting process. The purpose of the ODP submission is to provide the Planning Commission with sufficient information to evaluate the proposed plat. The plans will incorporate topographic, land use, zoning, utility, traffic and design elements. Once approved, the ODP is valid for a 36-month period.		
Step 2	Developer submits Overall Development Plan (ODP) and fee. a. If Administrator finds ODP submittal to be complete, a meeting of the Planning Commission is scheduled within 30 days. b. If not complete, Administrator rejects submission (applicant repeats step 2).	<div>Day 1 (Process Starts)</div> <div>↓</div> <div>by Day 30</div> <div>↓</div> <div>Day 60</div>
Step 3	Subdivision Administrator will forward copies of the ODP to the Allen County Engineer's Office, Allen County Sanitary Engineer's Office, Allen Soil & Water Conservation District, Lima City Utilities Department, Allen Water District, appropriate township and respective fire department for their review and comment. a. Subdivision Administrator will schedule a meeting of the Planning Commission and place ODP on its agenda. b. Subdivision Administrator will notify general public and applicant of the Planning Commission meeting date and time. c. Subdivision Administrator prepares a Regulatory Compliance Report and submits a recommendation to the Planning Commission.	
Step 4	Planning Commission Meeting to Review ODP. a. Planning Commission considers Administrator's Regulatory Compliance Report and other relevant input. b. If Planning Commission approves ODP with or without any modifications, applicant can proceed to Step 5. The Planning Commission returns 1 set of approved plans signed and dated to the developer. c. If Planning Commission denies ODP on grounds, applicant repeats Step 2 or petitions Court of Common Pleas.	
CONSTRUCTION DRAWINGS (CD) PHASE The purpose of the second phase is to provide the Planning Commission with sufficient detailed construction engineering information to evaluate a major subdivision. Developer must prepare drainage calculations and address stormwater management criteria as well as secure a permit from OEPA if disturbing more than 1 acre. Developer must hold a pre-construction meeting with contractors, utility companies and the Allen County Engineer prior to any earth moving activity. Once approved, the Construction Drawings are valid for a 12-month period.		
Step 5	Developer submits Construction Drawings (CD) and fee. a. If Administrator finds CD submittal to be complete, a meeting of the Planning Commission is scheduled within 30 days. b. If not complete, Administrator rejects submission (applicant repeats step 5).	<div>Day 1</div> <div>↓</div> <div>by Day 30</div> <div>↓</div> <div>Day 60</div>
Step 6	Subdivision Administrator will forward copies of the CD to the Allen County Engineer's Office, Allen County Sanitary Engineer's Office, Allen Soil & Water Conservation District, Lima City Utilities Department, Allen Water District, appropriate township and respective fire department for their review and comment. a. Subdivision Administrator will schedule a meeting of the Planning Commission and place CD on its agenda. b. Subdivision Administrator will notify general public and applicant of the Planning Commission meeting date and time. c. Subdivision Administrator prepares a Regulatory Compliance Report and submits a recommendation to the Planning Commission.	
Step 7	Planning Commission meeting. a. Planning Commission considers Administrator's Regulatory Compliance Report and other relevant input. b. If Planning Commission approves CD with or without any modifications, applicant can proceed to Step 8. The Planning Commission returns 1 set of approved plans signed and dated to the developer. c. If Planning Commission denies CD on grounds, applicant repeats Step 5 or petitions Court of Common Pleas.	
FINAL PLAT (FP) PHASE The Final Plat must be prepared by a professional surveyor registered in the State of Ohio. The Final Plat will ensure that all conditions, engineering plans and other plat requirements have been fulfilled or guarantees have been properly posted. A Final Inspection must be completed before a Final Plat is submitted to the Planning Commission for consideration. Should the Planning Commission permit a Performance Bond be posted in lieu of any work to be completed prior to the Final Plat, an Engineer's estimate must be submitted. An Engineer estimate will also be required for posting the required Maintenance Bond. The plat shall be recorded within 6 months of approval.		
Step 8	Developer submits Final Plat (FP) and fee. a. If Administrator finds FP submittal to be complete, FP is accepted and a meeting of the Planning Commission is scheduled within 30 days. b. If not complete, Administrator rejects submission (applicant repeats step 8).	<div>Day 1</div> <div>↓</div> <div>by Day 30</div> <div>↓</div> <div>Day 60</div>
Step 9	Subdivision Administrator will forward copies of the FP to the Allen County Engineer's Office, Allen County Sanitary Engineer's Office, Allen Soil & Water Conservation District, Lima City Utilities Department, Allen Water District, appropriate township, respective fire department and Allen County Tax Map Office for their review and comment. a. Subdivision Administrator will schedule a meeting of the Planning Commission and place FP on its agenda. b. Subdivision Administrator will notify general public and applicant of the Planning Commission meeting date and time. c. Subdivision Administrator may accept Engineer's estimate for: 1) any incomplete work (Performance Bond may be posted). 2) project costs (Maintenance Bond is required). d. Subdivision Administrator prepares a Regulatory Compliance Report and recommendation to the Planning Commission.	
Step 10	Planning Commission meeting a. Planning Commission considers Administrator's Regulatory Compliance Report and other relevant input. b. If Planning Commission approves FP, applicant can proceed to record plat. c. If Planning Commission denies FP on grounds, applicant repeats Step 8 or petitions Court of Common Pleas.	

## **302 MAJOR SUBDIVISION**

### **302.1 Major Subdivision Defined**

A major subdivision is defined pursuant to Chapter 711 of the Ohio Revised Code as the creation of five (5) or more parcels which involve the opening, widening, or extension of a street or road or easement of access.

A proposal involving any of the following shall be subject to major subdivision procedures: (a) the creation of more than five (5) lots, all of which are less than five (5) acres, including the original tract; and/or, (b) the creation, widening or extension of a street or easement of access.

### **302.2 Pre-Application Conference**

Applicants interested in securing a major subdivision approval are strongly encouraged to establish a conference with the Subdivision Administrator prior to submitting an Overall Development Plan to the Planning Commission. The purpose of this meeting is to discuss, early and informally, the purpose and the effect of the subdivision regulations, as well as the procedures and requirements for subdivision approval. The Subdivision Administrator may provide the applicant or their respective agent(s) with information relative to existing comprehensive land use plans, major thoroughfare or transportation plans, zoning resolutions and Floodplain Management Regulations or other pending issues currently of concern. A Traffic Impact Analysis may be required at the time of the filing of the Overall Development Plan. This would be considered essential when initial concerns are raised about the impact on the existing road network. The Pre-Application Conference should be considered a conceptual review and a courtesy provided by the Planning Commission, and not part of any formal approval process.

### **302.3 Overall Development Plan**

The developer shall submit to the Planning Commission an Overall Development Plan showing all contiguous land owned by the developer and how all of the land is to be developed. The purpose of the Overall Development Plan is to provide the Planning Commission with sufficient information to evaluate the concept of a proposed major subdivision at an early stage in the process so as to allow such alterations in plans as may be necessary prior to the applicant incurring the costs required in the preparation of Construction Drawings and Final Plats.

#### **302.3.1 Applications**

Applications for Overall Development Plan review and/or approval shall be available at the office of the Planning Commission. All submittals shall comply with Section 302 of this document.

#### **302.3.2 Overall Development Plan Contents**

The applicant shall submit to the Planning Commission an Overall Development Plan legibly drawn at a suitable scale (no smaller than one inch (1") equals one hundred feet (100')) on twenty-four by thirty-six inch (24" x 36") paper and containing the following information:

302.3.2.1 Name for File Identification: The proposed development shall be given a name for identification purposes, such name being unique to the incorporated and unincorporated areas of Allen County in order to avoid duplication and confusion with previously recorded plats. Also included shall be the names, addresses and telephone numbers of the applicant, developer, Professional Surveyor and Professional Engineer who prepared the plans.

- 302.3.2.2 Location and Description of Property: The Plan should document the location of property by quarter-section number, total acreage, township and range, and the boundary lines of the tract to be subdivided, as well as the scale, a north arrow, and the date of preparation. The subdivision name, quarter-section number, township and range numbers and township name shall be in bold one-inch (1") letters at top of plan.
- 302.3.2.3 Preliminary Inventory and Analysis: The proposed subdivision should be presented in relation to existing community facilities, street transportation modes, shopping centers, manufacturing establishments, residential developments, educational/recreational facilities and other existing man-made features, as well as location of wooded areas and other significant topographic and naturally occurring features within and adjacent to the plan for a minimum distance of four hundred feet (400'). Also included shall be the names of adjacent subdivisions and the names of owners of adjacent parcels of un-platted land.
- 302.3.2.4 Existing/Proposed Right-of-Way: The layout of existing and proposed road and railroad right-of-way, easements, corporation, section lines and township lines, as well as building setback lines with dimensions to street right-of-way lines. Label names (or designation) and widths of all right-of-way or easements.
- 302.3.2.5 Existing Utilities: The location of utilities adjacent to the proposed subdivision or the location of the nearest sources of water and outlets for public facilities for the disposal of sanitary and stormwater from within the proposed subdivision showing their connections with the existing system(s) shall be documented in the Plan.
- 302.3.2.6 Topography: The Overall Development Plan submittal shall include copies of the four hundred (400) scale County Engineer's aerial photography with topography annotated to reflect the boundaries of the proposed subdivision and the watershed to be affected.
- 302.3.2.7 Flood Hazard Areas and Environmental Constraints: If any part of the proposed subdivision is subject to flooding, a line indicating the special flood hazard or wetland shall be shown on the Plan. Other natural features of significant public interest sensitive to improvements shall also be indicated (Archeological, Cultural, Historical, HAZMAT).
- 302.3.2.8 Zoning: The current zoning classification of the tract as well as those adjacent parcels within four hundred feet (400') shall be indicated on the Plan.

- 302.3.2.9 Building Site Access and Traffic Impact Analysis: The Plan shall reveal the proposed means of vehicular access from the existing public right-of-way to the tract to be subdivided without trespass upon adjoining properties. The Plan shall indicate any bridges, culverts or crossover pipe installations required to provide access to a building site. A Traffic Impact Analysis may be required by the Planning Commission.
- 302.3.2.10 Proposed Development: The Plan shall document the proposed development with respect to and in consideration of Sections 302.3.2.3 through 302.3.2.10 inclusive. The Plan should address the layout, proposed names or designations and widths of proposed streets, alleys and easements. Included shall be the layout, numbers, approximate dimensions, square footage of proposed lots and typical section of proposed street. Any development intended to be completed in phases shall identify the geographic area by placing a bold line around each area designated as "Phase I, Phase II, Phase III etc".
- 302.3.2.11 Location Map: A location map at a scale of not less than two thousand feet (2,000') to the inch shall be shown on the Plan. This map shall show the location of all adjacent streets, tract lines, and the nearest existing thoroughfares. It shall also show the most advantageous connections between the streets in the proposed subdivision and those of neighboring areas. The subdivision shall be to scale on this map.

302.3.3 Submission to Ohio Department of Transportation

If an Overall Development Plan involves land adjacent to or within five hundred feet (500') of a state highway, the Planning Commission shall give notice to the Ohio Department of Transportation. Under such criteria, the Planning Commission shall only approve the Plan when it meets the minimum standards for Access Management as administered by the Ohio Department of Transportation pursuant to State Highway Access Management Manual (latest edition) and the Ohio Department of Transportation's Location and Design Manual Volumes 1 and 2 (latest editions).

If any land acquisition is in the public interest the Ohio Department of Transportation will, within a thirty (30) day period from receipt of notice, inform the Planning Commission whether the Overall Development Plan is in conformance with all applicable Ohio Department of Transportation standards and regulations. Noting same, if the Plan is in conformance with all provisions of these Regulations, the Planning Commission will approve the Plan.

302.3.4 Overall Development Plan Filing

The developer shall forward copies of the Overall Development Plan to the Planning Commission for purposes of study and recommendation. Said plans, correspondence and supplementary data shall be

presented to the County Engineer, the County Sanitary Engineer, the Allen County Soil and Water Conservation District, the Allen Water District, the City of Lima Utilities Department, the Planning Commission, the City/Village Planning Commission, and the appropriate township and fire department.

The developer shall submit the Overall Development Plan three (3) weeks prior to a regularly scheduled meeting of the Developmental Controls Committee in order to allow enough time for the required review process.

302.3.5 Subdivision Administrator Review and Report

Upon receipt of a filed Overall Development Plan and upon determining that the application is complete, the Subdivision Administrator shall forward the application with the Subdivision Administrator's report to the Developmental Controls Committee of the Planning Commission for its review and action. The Subdivision Administrator's report shall reference all concept approval recommendations, the conclusions of reviewing offices and agencies and shall set forth his/her recommendations to the Planning Commission in a Regulatory Compliance Report.

302.3.6 Developmental Controls Committee Consideration and Action

302.3.6.1 Following receipt of a complete Overall Development Plan application, the proposed plan shall be placed on the agenda of the Developmental Controls Committee of the Planning Commission for consideration at the next regularly scheduled meeting. The Subdivision Administrator shall send written notice of the date, time and location of the meeting to all affected public agencies and the political subdivision in which the proposed subdivision is located.

302.3.6.2 Within thirty (30) days of the submission to the Planning Commission of the complete application for Overall Development Plan approval, the Developmental Controls Committee of the Planning Commission shall approve or disapprove the Overall Development Plan or approve it with modifications, unless such time is extended by request of the applicant.

302.3.6.3 The decision of the Planning Commission shall be in writing and as the basis for its action the Planning Commission shall take into consideration: (a) the conformity of the Overall Development Plan with the Purposes, Objectives, Standards and Criteria of these Regulations; and, (b) the conformity of the Overall Development Plan with all other applicable laws and rules as determined by concept review and reports requested from other offices and agencies having jurisdiction.

302.3.6.4 If the decision of the Developmental Controls Committee of the Planning Commission on the Overall Development Plan is for disapproval, the Developmental Controls Committee of the Planning Commission shall in its motion, as part of the record, state the reason or reasons

for such disapproval, including the rules or provisions with which the Overall Development Plan does not comply. The refusal to approve shall be endorsed on the application and a copy of the plan shall be made a part of the record of the Developmental Controls Committee of the Planning Commission.

302.3.6.5 When the Overall Development Plan is approved by the Developmental Controls Committee of the Planning Commission, three (3) prints or copies of the plan shall be provided to and endorsed by the Planning Commission with one (1) forwarded to the County Engineer, one (1) held by the Planning Commission, and one (1) returned to the developer.

302.3.7 Approval Expiration

The approval of the Overall Development Plan shall be effective for the maximum period of thirty-six (36) months and shall guarantee that the terms under which the approval was granted will not be affected by changes to these Regulations.

302.3.8 Filing

The Overall Development Plan shall be considered officially filed on the day the application packet is received by the Planning Commission and shall be so dated. A filing fee shall be charged as indicated in Section 803 to cover the cost of the review process.

302.4 Construction Drawings

The purpose of the Construction Drawings is to provide the Planning Commission with sufficient detailed construction information to evaluate a major subdivision. The Plan should show all of the information needed to enable the Planning Commission to determine whether the proposed construction meets the standards and requirements of these Regulations.

302.4.1 Construction Drawings Contents

The developer shall submit Construction Drawings prepared by a Professional Engineer, registered in the State of Ohio to the Planning Commission. The drawings shall be legibly drawn at a scale as designated in the following sections. The drawings shall be submitted on sheets twenty-four by thirty-six inches (24" x 36") in size. Match lines shall be drawn when more than one sheet of each type is presented. All labeling and dimensioning shall be no smaller than eight (8) point type. The Construction Drawings shall contain the following information:

302.4.1.1 Title Sheet

The Title Sheet shall include the name of the subdivision, quarter-section number, township and range numbers, township name, the addresses and telephone numbers of the owner(s) of record, the developer, the Professional Engineer and the date of the boundary survey. Also included shall be a location map of the property showing the boundary lines of the tract to be subdivided. The Title Sheet must designate the scale of all scaled sheets and have a north directional arrow as well as a signature block. The Title Sheet shall have on it the following note:  
Note: The minimum requirements for construction shall



be in accordance with the current volume of Construction and Materials Specifications of the State of Ohio Department of Transportation, the "Allen County Standard Construction Drawings" and the minimum standards of all governing agencies.

302.4.1.2 Site Plan

The Site Plan shall document the location, width, and names of all existing or platted streets or other public ways within or adjacent to the tract and other important features such as road and railroad right-of-way, existing/proposed easements, section lines, corporation and township lines, pipe lines, pole lines, high tension lines, bridges, waterways, buildings, cemeteries, as well as noting building setback lines with dimensions to street right-of-way lines. The Site Plan also shall document existing topography with contours at two-foot (2') intervals if the slope of the ground is fifteen percent (15%) or less; and not greater than five feet (5') where the slope is more than fifteen percent (15%); for a distance of one hundred feet (100') into the adjacent properties. Existing and proposed sewers (sanitary and storm), water lines and fire hydrants, open ditches, natural drainage courses, culverts and other underground structures and utility poles and lines within and adjacent to the tract shall be included on the Site Plan. Streams, buildings, wooded areas or other features likely to affect the Plan shall also be shown. All contours shall be on U.S.G.S. datum. Scale of Site Plan shall be no smaller than one inch (1") equals one hundred feet (100').

The Site Plan shall delineate the layout, identification numbers, dimensions and square footage of proposed lots. Also required for compliance purposes is the calculated square footage of irregular or panhandle lots without their narrow appendages.

302.4.1.3 Drainage Plan

The Drainage Plan shall reveal the proposed lot drainage, grading, and watershed in order to eliminate the possibility of exceeding existing storm capacity and potential flooding. The Drainage Plan shall comply with the data requirements and drainage calculations pursuant to the Allen County Stormwater Management and Sediment Control Regulations as well as Stormwater Design Specifications.

302.4.1.4 Plan and Profile Sheets

The Plan and Profile Sheets shall be prepared in accordance with applicable design standards of Article IV showing all pertinent elevations, grades and locations of proposed roadways, sewers, waterlines and their appurtenances. The scale and directional arrow shall be documented. Also to be documented shall be the radii, internal angles, points of curvature (PC), points of tangent (PT), tangent bearings, lengths of arcs and lengths and bearings of chords of all applicable street

centerlines within the proposed development. Plan scale shall be no smaller than one inch (1") equals twenty feet (20') in plan view and one inch (1") equals five feet (5') vertical scale of profile view.

302.4.1.5 Cross-Section Sheets

Cross-sections of all roadways will be required at intervals of every one hundred feet (100'). Cross-sections will also be required at all existing and proposed manholes, crossover pipes under roadways and at catch basins.

302.4.1.5.1 The cross-sections shall be taken during an actual field survey of the existing land surface extending from the centerline of the proposed roadway to ten feet (10') beyond the proposed right-of-way lines.

302.4.1.5.2 Cross-sections shall show existing and proposed land surfaces, roadside ditches and all above-ground and below-ground improvements including waterlines, sewers, manholes, catch basins, culverts with their necessary elevations, grades and designations.

302.4.1.5.3 Cross-sections shall be drawn to horizontal and vertical scales of one inch (1") equals five feet (5').

302.4.1.6 Typical Section Sheet

The typical section of the proposed roadway shall show proposed construction items and all pertinent dimensions and shall be drawn to horizontal and vertical scales of one inch (1") equals five feet (5').

302.4.1.7 Construction Details Sheet

All Standard Construction Drawings (roadways, storm sewers, waterlines, and sanitary detail drawings) that apply to the proposed subdivision shall appear on this sheet.

302.4.2 Submission of Construction Drawings

The developer shall forward copies of the Construction Drawings to the Planning Commission for purposes of study and recommendation. Said plans, correspondence and supplementary data shall be presented to the County Engineer, the County Sanitary Engineer, the Allen County Soil and Water Conservation District, the Allen Water District, the City of Lima Utilities Department, the Planning Commission, the City/Village Planning Commission, and the appropriate township and fire department.

The developer shall submit the Construction Drawings three (3) weeks prior to a regularly scheduled meeting of the Developmental Controls Committee of the Planning Commission in order to allow enough time for the required review process.

302.4.3 Subdivision Administrator Review and Report

Upon receipt of the filed Construction Drawings and upon determining that the application is complete, the Subdivision Administrator shall forward the application with the Subdivision Administrator's report to the Planning Commission for its review and action. The Subdivision Administrator's report shall reference all concept approval recommendations, the conclusions of reviewing offices and agencies, and shall set forth their recommendations to the Planning Commission in a Regulatory Compliance Report.

302.4.4 Developmental Controls Committee Consideration and Action

Following receipt by the Subdivision Administrator of a complete set of Construction Drawings, the plans shall be placed on the agenda for consideration at the next regularly scheduled Developmental Controls Committee of the Planning Commission meeting. The Subdivision Administrator shall send written notice of the date, time, and location of the meeting to all affected public agencies and the political subdivision in which the proposed subdivision is located.

Within thirty (30) days of the submission to the Planning Commission of the complete set of Construction Drawings, the Planning Commission shall approve or disapprove the Construction Drawings or approve with modifications, unless such time is extended by written agreement of the applicant.

The decision of the Developmental Controls Committee of the Planning Commission shall be in writing and as the basis for its action the Developmental Controls Committee of the Planning Commission shall take into consideration:

302.4.4.1 The conformity of the Construction Drawings with the Purposes, Objectives, Standards and Criteria of these Regulations; and,

302.4.4.2 The conformity of the Construction Drawings with the Overall Development Plan and with all other applicable laws and rules as determined by concept review and reports requested from other offices and agencies having jurisdiction.

If the decision of the Developmental Controls Committee of the Planning Commission on the Construction Drawings is for disapproval, the Developmental Controls Committee of the Planning Commission shall in its motion, as part of the record, state the reason or reasons for such disapproval, including the rules or provisions with which the Construction Drawings do not comply. The refusal to approve shall be endorsed on the application and a copy of the plan shall be made a part of the record of the Developmental Controls Committee of the Planning Commission.

When Construction Drawings are approved by the Planning Commission, three (3) prints or copies of the plan shall be provided to and endorsed by the Planning Commission with one (1) forwarded to the County

Engineer, one (1) held by the Planning Commission, and one (1) returned to the developer.

302.4.5 Approval Period

The approval of the Construction Drawings shall be effective for a period of twenty-four (24) months and shall guarantee that the terms under which the approval was granted will not be affected by changes to these Regulations. The Developmental Controls Committee of the Planning Commission may extend the approval period upon receiving a letter from the developer, subject to resubmittal for review and payment of the fees for another twelve (12) month period.

302.4.6 Pre-Construction Meeting

A meeting shall be held, before construction begins, with all governing agencies and utility companies. The consultant is to make notification to agencies and bring copies of the approved Construction Drawings, including approved revisions.

302.4.7 Regulations Governing Public Improvements

Prior to the granting of approval of the Final Plat, the Planning Commission shall require that certain public improvements be installed prior to the signing of the Final Plat. The Construction Drawings and specifications of improvements in the proposed subdivision shall govern construction of the improvements. Prior to granting of approval of the Final Plat, the developer shall have installed the following minimum improvements: sanitary sewers, storm sewers, waterlines, curbs and gutters (or roadside ditches) and stone base of roadways including sub-grade compaction and base mix. All stormwater control measures shall have been completed before the Final Plat may be submitted for approval. Erosion and sediment control measures shall stay in place during the duration of the two (2) year Maintenance Bond or until vegetation is fully established. These minimum improvements shall have been inspected and approved by the appropriate agencies after which the developer may present the Final Plat for approval.

If the Planning Commission does not require that all public improvements be installed and dedicated before approving the Final Plat it shall give the Plat a "Conditional Approval" which will be in effect until the improvements are completed. To receive "Conditional Approval" the Planning Commission shall require that the applicant complete the minimum improvements required (see above) and furnish a performance guarantee for the installation of the remaining improvements. The developer, to get a "Conditional Approval", shall file a Performance Bond in the amount of one hundred thirty percent (130%) of the estimated construction cost (based upon an Allen County Engineer's Office approved Professional Engineer's estimate) of the remaining improvements. All improvements must be completed within six (6) months, with the exception of sidewalks or the developer shall be in default of the Performance Bond.

Sidewalks may be established by the Planning Commission to be completed during a period not to exceed sixty (60) months from the "Conditional Approval" of the Plat. A Performance Bond to guarantee the construction of the sidewalks shall be provided by the developer

independent of the mandatory improvements bond. The developer shall be in default of the Performance Bond if the construction or installation of sidewalks is not completed prior to the sale of the parcel or occupancy of the structure on that parcel, whichever is earlier. The Sidewalk Bond shall be in the form as established by the Planning Commission and shall be subject to the approval of the Planning Commission.

302.4.8 Completion of Construction

Upon completion of all construction as shown on the drawings and inspection by the Allen County Engineer, Sanitary Engineer and waterline authority, the Developmental Controls Committee of the Planning Commission may accept the improvements made by the owner or developer, including the improvements made which improvements shall include the installation of the sidewalks. This acceptance is contingent upon: (1) the posting of a Maintenance Bond; and, (2) submission of a set of "As Built" Drawings.

302.4.9 Maintenance Bond

The developer shall guarantee all of the required subdivision improvements including sidewalks for a period of two (2) years from the date such improvements are given final approval. This guarantee shall include any and all defects and deficiencies in workmanship and materials. The developer shall be responsible for the cost of all labor, materials, equipment and other incidentals required to maintain, repair and replace any or all of such improvements and to maintain them in good and proper condition, excluding ordinary wear and tear and damage by utility companies, but including filling trenches and restoring lawns, yards, streets, sewers, waterlines, pipelines, and other original installations during the two (2) year guarantee period. In the event the developer fails to make such maintenance, repairs or replacements within thirty (30) days after notice in writing by the Planning Commission or in the event of an emergency which may endanger life or property, the Planning Commission may authorize the government agency that requested the maintenance, repairs or replacements to make or cause to be made such maintenance, repairs or replacements at the expense of such developer. In order to indemnify the Planning Commission for the expense of any such repairs or replacements made by or at the direction of a government agency, a guarantee shall be made by filing with the Planning Commission satisfactory evidence of one (1) of the following as a bond in an amount equal to ten percent (10%) of the construction cost of all installations of improvements including sidewalks or a minimum of ten thousand dollars (\$10,000), whichever is larger:

302.4.9.1 a Maintenance Bond;

302.4.9.2 a certified check; or,

302.4.9.3 a Certificate of Deposit or Irrevocable Letter of Credit made out to the Planning Commission.

302.4.10 Final Acceptance

The Developmental Controls Committee of the Planning Commission will accept and review the documents and recommendations from all reviewing agencies.

The agency having jurisdiction will accept improvements at the end of the two (2) year maintenance period provided there are no outstanding problems that need to be accepted, and will make recommendation for final acceptance.

302.5 Final Plat

The subdivider shall submit a Final Plat of the subdivision. If the Construction Drawings have been previously approved or conditionally approved, the Final Plat shall conform to the Construction Drawings or incorporate required changes as the case may be. The Final Plat shall be prepared by a Professional Surveyor registered in the State of Ohio.

The purpose of a Final Plat is to ensure that all conditions, engineering plans, and other requirements have been completed or fulfilled and that required improvements have been installed (see Sec. 302.4.7), or guarantees properly posted for their completion, prior to recording the Final Plat of the Subdivision.

302.5.1 Final Plat Application

The developer having received approval or conditional approval of the Construction Drawings of the proposed subdivision may submit an application for approval of a Final Plat to the Planning Commission prior to the next meeting date of the Developmental Controls Committee of the Planning Commission. An application shall be considered officially submitted and filed when the Subdivision Administrator finds that the application is complete.

302.5.2 Final Plat Contents

The Final Plat shall conform to the Overall Development Plan and Construction Drawings. The Final Plat and the supplementary information shall be prepared by a Professional Surveyor. The Final Plat shall be submitted on mylar. It shall be drawn at a scale of not less than one hundred feet (100') to the inch, and shall be eighteen by twenty-three inches (18" x 23") in size with a two inch (2") margin on the left side (eighteen inch (18") side) for binding. All labeling and dimensioning shall be no smaller than eight (8) point type. Each sheet shall be numbered and the relation of one (1) sheet to another clearly shown. The Final Plat submission shall consist of: (1) the Final Plat; (2) the Dedicator's Plat; and, (3) the Covenants, Restrictions, and Statements. Signature Blocks designated in Article VII of these Regulations shall contain the following information:

302.5.2.1 Name and Description of Property

The name of the subdivision, location by quarter section, township and range, political subdivision, date, north arrow, scale, and acreage shall be documented. If the development lies in more than one (1) section, acreage is to be broken down by section. The name, address and telephone number of the developer and the Professional Surveyor who prepared the plat, and appropriate state registration number and seal shall also be provided. In addition, a signature block shall be provided as required in Article VII.

302.5.2.2 Boundaries

Plat boundaries based on accurate traverse; with angular and linear dimensions related to original section stones or established section corners shall be provided. All

dimensions, linear and angular, shall be determined by an accurate control survey. The minimum boundary survey requirements on the Final Plat and Dedicators Plat shall be as required by the Standards Governing Conveyances of Real Property in Allen County, Ohio, and The Minimum Standards for Boundary Surveys in the State of Ohio (effective May 1, 1980) as issued by the State Board of Registration for Professional Engineers and Surveyors, as provided for in Ohio Revised Code, Section 4733.07. The plat shall document bearings and distances to the nearest established street lines or other recognized permanent monuments.

302.5.2.3 Streets and Lot Lines

Exact locations of right-of-way, names of all streets within and adjoining the plat, and building setback lines shall be documented. The Final Plat shall reflect the radius, internal angles, points of curvature (PC), points of tangency (PT), tangent bearings, lengths of arcs, and lengths and bearings of chords of all applicable streets within the plats. In addition, all lot lines with bearings shown in degrees, minutes, seconds, and lengths shown in feet and hundredths of feet shall also be documented.

302.5.2.4 Definition of Easement Lines

The Final Plat shall document all easements and right-of-way provided for public services or utilities, and shall be properly identified as to use and geometrically shown on the Final Plat. Non-parallel easement lines shall be delineated where they intersect all lot lines, street lines or section lines.

302.5.2.5 Monuments

All monuments should be in place at the time of final inspection of the subdivision, but no later than six (6) months from recording of the Final Plat. Certification by a Professional Surveyor to the effect that the plat represents a survey made by the surveyor, that the monuments shown thereon exist as located, and that all dimensional details are correct shall be provided. The location and description of all monuments, markers, and pins shall be as specified in Section 502.

302.5.2.6 Public Areas

Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for the common use of all property owners shall be documented. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.

302.5.2.7 Restrictions and Covenants

Restrictions and covenants that the developer intends to include with the deeds to the lots in the subdivision shall be documented.

302.5.2.8 Dedicator's Plat

A Dedicator's Plat shall be included showing the boundary of all land owned by the developer including land adjacent to the proposed subdivision, but excluding the proposed subdivision itself.

302.5.2.9 Notarized Certification

Notarized certification by the owner or owner's of the adoption of the plat and the dedication of streets and other public areas shall be documented.

302.5.2.10 Statements and Signatures

Statements and signature blocks as designated in Article VII of these Regulations shall be documented.

302.6 Filing of the Final Plat

The Final Plat shall be filed with the Planning Commission and the County Engineer not later than twelve (12) months after the date of approval of the Construction Drawings. The Planning Commission may extend the approval period for the Final Plat for an additional twelve (12) months upon receiving a letter from the developer.

302.6.1 Approval of the Final Plat

The Developmental Controls Committee of the Planning Commission shall approve or disapprove the Final Plat within thirty (30) days after it has been filed or within such further time as a developer may agree to. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Developmental Controls Committee of the Planning Commission and a copy of said record shall be forwarded to the developer. The Developmental Controls Committee of the Planning Commission shall not disapprove the Final Plat if the developer has done everything that he was required to do and has proceeded in accordance with the conditions and standards specified in the approved Overall Development Plan and Construction Drawings. If disapproved, the developer shall make the necessary corrections and resubmit the Final Plat within thirty (30) days to the Developmental Controls Committee of the Planning Commission for its final approval. If the Developmental Controls Committee of the Planning Commission refuses a plat, the developer submitting the plat which the Planning Commission refused to approve, may file a petition within sixty (60) days after such refusal in the Allen County Court of Common Pleas to reconsider the action of the Planning Commission.

302.6.2 Recording of Approved Final Plat

Upon approval of the Final Plat submission by the Planning Commission, the developer shall present inked mylar tracings with original signatures to the County Engineer's Tax Map Office for approval of transfer after which the plat may be transferred to the County Auditor then presented to the County Recorder for record. Recordings shall take place within six (6) months of Final Plat approval by the Planning Commission. If construction on the subdivision has not been completed, a bond or letter of credit shall be approved by the Planning Commission before the Final Plat may be recorded, in accordance with Section 302.4.7.



302.7

Replat

A replat is an alteration of existing lot lines or other conditions to all or part of an existing platted subdivision.

302.7.1 Minor Replat Defined

A Minor Replat will be permitted when the proposed alterations are minimal, create no new additional lots and meet all other respective regulations. Process eligibility will be determined by the Subdivision Administrator.

If it is determined that changes are minor, the Subdivision Administrator shall process the Minor Replat as an Exempted Land Division seeking concurrence from the appropriate township and County Engineer. Newly reconfigured lots shall meet all applicable regulations. The Minor Replat shall still have to meet the platting requirements as outlined in the Standards Governing Conveyances of Real Property in Allen County, Ohio.

302.7.2 Major Replat Defined

A Major Replat will be required when an additional building lot(s) is created or there are enough changes to significantly change the parameters of the original platted subdivision.

302.7.3 Application and Contents

If a developer and/or owner(s) wish to replat, the following procedure shall be followed: (1) the applicant shall submit to the Subdivision Administrator a Final Plat complete with all the information required in Section 303.2 of these Regulations; and, (2) where lots being replatted have existing structures located on the parcel, then a separate dimensionally accurate sketch prepared by a Professional Surveyor documenting the revised lot lines, together with the outlines of such structures, shall be submitted.

302.7.4 Submittal and Review Process

A replat petition is considered officially submitted and filed once all required information is submitted to the Subdivision Administrator. All required information for a proposed replat must be submitted thirty (30) days prior to the next regularly scheduled meeting of the Developmental Controls Committee of the Planning Commission.

302.7.5 Approval of the Replat

The Developmental Controls Committee of the Planning Commission shall approve or disapprove the replat within thirty (30) days after it has been filed, or within such further time as a developer may agree to. If the replat is disapproved, the grounds for disapproval shall be stated in the records of the Developmental Controls Committee of the Planning Commission and a copy of said record shall be forwarded to the developer. If disapproved, the developer shall make the necessary corrections and resubmit the replat within thirty (30) days to the Developmental Controls Committee of the Planning Commission for its final approval. If a replat is refused by the Developmental Controls Committee of the Planning Commission, the developer submitting the replat which the Developmental Controls Committee of the Planning Commission refused to approve may file a petition within sixty (60)

days after such refusal in the Court of Common Pleas to consider the action of the Developmental Controls Committee of the Planning Commission.

302.7.6 Recording of Approved Replat

Upon approval of the final replat submission by the Developmental Controls Committee of the Planning Commission, the inked mylar tracings with original signatures shall be presented by the developer to the County Engineer's Tax Map Office for approval of transfer after which the replat may be transferred to the County Auditor then presented to the County Recorder for record. Replats involving absorption of dedicated street right-of-way require a vacation of street right-of-way.

**303 MINOR LAND DIVISION**

303.1 Minor Land Division Defined

A minor division of land is defined pursuant to Ohio Revised Code, Section 711.131 as the division of parcels less than five (5) acres in size which do not involve the opening, widening or extension of any street or road, or easement of access and does not involve more than five (5) lots, including the remainder of the original tract.

A minor land division approval without a plat may be granted by a designated representative of the Planning Commission if the proposed subdivision of the parcel of land meets all of the following conditions: (a) the proposed division of a parcel of land as shown on the last proceeding tax duplicate involves no more than five (5) lots after the original parcel has been completely subdivided, any one of which is under five (5) acres (inclusive of the remainder parcel); (b) the proposed subdivision is along an existing public street, and involves no opening, widening or extension of any street, road or easement of access; (c) the proposed division is not contrary to applicable subdivision, zoning or other regulations (including Access Management Regulations as administered by the Ohio Department of Transportation and/or the Allen County Engineer); (d) the proposed division is approved by the zoning inspector, Ohio Environmental Protection Agency (for special sanitary districts), local health department, the County Engineer, and others as may be applicable; and, (e) the property has been surveyed and a survey sheet and a legal description of the property is submitted with the application.

303.2 Pre-Application Conference

Applicants for a minor land division are strongly encouraged to meet with the Subdivision Administrator prior to submitting a Minor Land Division Application. The purpose of this meeting is to discuss early and informally the purpose and affect of these Regulations and to familiarize the applicant with applicable zoning regulations, floodplain regulations, drainage and sewage issues, and available water systems within Allen County. It will also acquaint the applicant with local and countywide comprehensive plans as well as the review and approval process.

303.3 Administrative Procedure and Approval Process

An application for a minor land division available at the Planning Commission office shall be filed by the landowner or designated representative. A complete application shall contain a survey drawing, a deed, a legal description for each lot being created, a fee as set forth in these Regulations, and a certification of approval by the local health department, zoning inspector, and others as may be applicable.

After the split has been given approval by the other departments with review responsibility, the deed, a copy of the health department approval and a copy of the survey drawing is then checked by the Subdivision Administrator of the Planning Commission for its conformity with these Regulations. The designated representative of the Planning Commission shall stamp and sign the deed "approved-no plat required", if the lot in question meets all requirements as specified above, within seven (7) working days after submission.

The deed shall then be taken to the County Auditor for the transfer of property and then to the County Recorder where it will become a legal lot of record. Land division requests expire if not recorded within ninety (90) days of land division approval.

Incomplete or deficient proposals shall be disapproved and the subdivider notified of issues and reasons for the disapproval.

**303.3.1 Submission Requirements** The applicant must submit a survey prepared by a Professional Surveyor in the State of Ohio which delineates the dimensions of the proposed parcel. Also included are to be the dimension and location of proposed lot lines and property corners by iron pins, corner posts, and/or other monuments. Existing structures, easements, public facilities, direction of drainage, bodies of water (including intermittent and perennial streams and rivers) and road right-of-way may be required. In addition, the survey should document the one hundred (100) year floodplain boundary and floodway, if it exists, anywhere in the original tract, with the FIRM panel number and flood zone noted on the application form. Said survey shall have been approved for compliance with the Standards Governing Conveyances of Real Property in Allen County, Ohio. The applicant must also submit all applicable fees as established by these Regulations.

**303.4 Submittal and Review Process**

Applications are considered officially submitted and filed once all required and pertinent information is submitted to the Subdivision Administrator. The Subdivision Administrator will review the proposed division(s) of a parcel and within seven (7) working days either approve or deny the minor land division. The review and approval of a minor land division under five (5) acres is required and may be granted when such minor land division is: (1) located along an existing public road and involves no opening, widening or extension of any street or easement of access; (2) when no more than five (5) lots are proposed, including the remainder of the original tract; (3) meets minimum 65' county frontage requirement or minimum township zoning requirement whichever is greater; (4) conforms to width to depth ratio which does not exceed 1:3 or complies with Table 2 of these Regulations; and, (5) the proposed land division, including the remainder of the original tract, is not contrary to any other applicable subdivision or zoning regulations.

**303.4.1 Approval:** Once an application is officially submitted and filed, the Subdivision Administrator shall review the proposed division(s) of a parcel, and if satisfied that such proposed division(s) is (are) not contrary to applicable platting, subdividing or zoning regulations, shall, within seven (7) working days, approve such proposed division and upon conveyance for said parcel(s) shall stamp the same "Approved by the Planning Commission: No Plat Required" and sign and date.

**303.4.2 Denial:** Minor Land Divisions which are denied by the Subdivision Administrator pursuant to these Regulations may be brought before the Planning Commission for consideration of a variance from these regulations pursuant to Section 108.

<b>TABLE 2</b> <b>LAND DIVISION DIMENSION REQUIREMENTS</b>			
<b>SIZE ACRE</b>	<b>MINIMUM WIDTH FEET<sup>1</sup></b>	<b>MAXIMUM DEPTH FEET<sup>2</sup></b>	<b>WIDTH TO DEPTH RATIO<sup>3</sup></b>
0.5	90	270	1:3
1.0	120	360	1:3
1.5	150	450	1:3
2.0	170	510	1:3
3.0	200	650	1:3.2
4.0	200	871	1:4.3
5.0	200	1,089	1:5.5
<sup>1</sup> All lots, with the exception of Agriculturally Exempted lots, must have an access strip of ground which meets local zoning regulations or is a minimum of sixty-five feet (65') in width, running continuously from the street right of way or the roadway centerline to the body of the lot respective of its location within either section ground or a platted subdivision. <sup>2</sup> Land division where the body of the lot is two (2) acres or less should have a width to depth ratio no greater than 1:3 measured along the sides of the body portion of the lot. Lots where the body is greater that two (2) acres shall be in conformance with the schedule. <sup>3</sup> Linear interpolation will be made for those parcels over three (3) acres in size.			

## 304 **EXEMPTED LAND DIVISION**

### 304.1 **Exempt Land Division Defined**

These Regulations recognize exempted land divisions. Exempted land divisions do not count against the four (4) minor land divisions. Exempted land divisions have inherent restrictions associated with their respective exemption pursuant to Chapter 711 of the Ohio Revised Code. The various exempted land divisions are as follows:

- 304.1.1 The sale or exchange of a parcel(s) less than five (5) acres between adjoining lot owners may qualify as an exempt land division. Such divisions shall be considered exempt given the following circumstances: (1) the new lot(s) conform to the width to depth ratio which does not exceed 1:3 or complies with Table 2 of these Regulations; and, (2) the proposed land division, including the remainder of the original tract, is not contrary to any other applicable regulations.
- 304.1.2 The creation of a parcel(s) of five (5) acres or more in size may qualify as an exempt land division. Such divisions shall be considered exempt given the following circumstances: (1) it can be clearly demonstrated that the parcel(s) has direct frontage on an existing public road and does not create any new access of easement; and, (2) the proposed land division is not contrary to any other applicable regulations.
- 304.1.3 The creation of agricultural parcel(s) may qualify as exempt land divisions. Such divisions shall be considered exempt given the following circumstances: (1) the division is five (5) acres or more; (2) it is clearly documented that the parcel(s) shall be used exclusively for agricultural purposes only with no residential, commercial or industrial structures, activity or development of any kind permitted and is so stated on the deed; (3) the proposed land division includes direct access onto a public road or has an easement of access; and, (4) the proposed land division, including the remainder of the original tract, is

not contrary to any other applicable regulations (including Access Management Regulations as administered by the Ohio Department of Transportation and/or the Allen County Engineer).

304.1.4 The Planning Commission shall require that deed restrictions be placed on the property limiting the use of the parcel to only agricultural buildings or uses. The deed shall state that "The grantees, their heirs, and assigns do hereby acknowledge and agree that this conveyance is subject to the covenant and agreement of the grantees, their heirs, and assigns that the agricultural parcel(s) does not constitute a building site and that no buildings, except agricultural buildings shall be constructed on said premises without the prior written approval of the Planning Commission". The agricultural parcel may be changed to another use at a later date if the lot meets with all applicable regulations. Should the agricultural parcel be petitioned for a change in use, the Planning Commission must review the parcel to ensure that it meets all applicable regulations.

304.2 Application for Exempted Land Division

Applications for an exempted land division review and/or approval are available at the office of the Planning Commission. The completed application form must contain a deed of proposed exempted land division, a survey and a legal description.

304.2.1 The applicant must submit a survey by a Professional Surveyor in the State of Ohio revealing the establishment of existing and proposed lot lines, property corners by iron pins, corner posts and/or other monuments. Survey shall have been approved for compliance with the Standards Governing Conveyances of Real Property in Allen County, Ohio.

304.2.2 The applicant must submit all applicable fees as established by the Planning Commission.

304.3 Submittal and Review Process

Applications are considered officially submitted and filed once all required and pertinent information is submitted to the Subdivision Administrator. The Subdivision Administrator will review the proposed division(s) of a parcel and within seven (7) working days either approve or deny the exempted minor land division.

304.3.1 Approval: Once an application is officially submitted and filed, the Subdivision Administrator shall review the proposed division(s) of a parcel, and if satisfied that such proposed division(s) is (are) not contrary to applicable platting, subdividing or zoning regulations, shall, within seven (7) working days, approve such proposed division and upon conveyance for said parcel(s) shall stamp the same "Exempted Minor Land Division. Approved by the Planning Commission" and sign and date.

304.3.2 Denial: Minor Land Divisions which are denied by the Subdivision Administrator pursuant to these Regulations may be brought before the Planning Commission for consideration of a variance from these Regulations pursuant to Section 108.

## **ARTICLE IV SUBDIVISION DESIGN STANDARDS**

### **400     GENERAL STATEMENT**

The purpose of good subdivision and site design is to create a functional and attractive development, minimize adverse impacts, and ensure that a project will be an asset to the county and township. To promote this purpose, the subdivision shall conform to this article's standards which are designed to result in a well-planned community without adding unnecessarily to development costs. The regulations in Sections 401 to 417 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 ensure convenient and safe streets, creation of usable lots, provision of space for public utilities and reservation of land for recreational uses. 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 review of the design of each future subdivision early in its design development. The Planning Commission shall ensure that all of the requirements of Sections 401 to 417 inclusive, are met.

### **401     CONFORMANCE TO APPLICABLE RULES AND REGULATIONS**

In addition to the requirements established in these Regulations, all subdivisions shall comply with the following: (a) all applicable county or township zoning resolutions and all other applicable laws in which the subdivision is to be located; (b) the comprehensive plan(s), public utility plan, and capital improvement programs, including plans for all streets, drainage systems, and parks shown on the comprehensive plan as adopted; (c) the special requirements of these Regulations and any rule of the health department and/or appropriate state agencies; (d) the Access Management Regulations adopted by Allen County and/or the Ohio Department of Transportation; (e) the current Allen County Floodplain Management Regulations, Allen County Stormwater Management and Sediment Control Regulations as well as Stormwater Design Specifications; and, (f) the standards and regulations adopted by the respective township, County Engineer, and all boards, agencies and other officials of the County.

### **402     SUBDIVISION AND SITE DESIGN**

Design of the subdivision shall take into consideration existing county, municipal and regional comprehensive plans, and shall be based on a site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, to the extent consistent with the reasonable utilization of land, and in accordance with the U.S. and Ohio Constitutions and state or federal regulations:

- 402.1       Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Water Pollution Act, as amended; and in Ohio Environmental Protection Agency standards;
- 402.2       Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps;

- 402.3 Steep slopes in excess of fifteen percent (15%) unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account;
- 402.4 Habitats of endangered wildlife, as identified on federal and state lists;
- 402.5 Historically and culturally significant structures and sites, as listed on the National Register of Historical Places; and,
- 402.6 Land located within three hundred feet (300') of an existing oil or gas well.

The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings in residential developments shall take into consideration topography, building height, orientation and drainage.

If the Planning Commission finds that the land proposed to be subdivided is unsuitable for subdivision development due to conditions which may endanger health, life, or property as determined by investigations conducted by the public agencies concerned; then it is determined that in the best interests of the public the land should not be developed for the purpose proposed.

#### **403 STREET DESIGN**

The arrangement, character, extent, width, grade construction and location of all streets shall conform to the Transportation Plan of the Planning Commission or subsequent amendments thereto, and shall be considered in their relationship 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 street pattern shall discourage through traffic in the interior of the subdivision, except on collector or sub-collector streets designed to convey traffic to the exterior of the subdivision.

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 Transportation Plan of the Planning Commission.

#### **404 STREET DESIGN STANDARDS**

The design and improvement standards contained in Table 3 are suggested as minimum design standards. All streets shall be designed and constructed in accordance with the standards specified in Table 3, the Pavement Design Criteria Appendix and the Allen County Stormwater Management and Sediment Control Regulations as well as Stormwater Design Specifications.

#### **405 HORIZONTAL ALIGNMENT**

When there is an angle of deflection of more than five degrees (5°) between two (2) center line tangent sections of a street, a curve of adequate radius shall connect them (See Table 3). A minimum tangent between reverse curves shall be fifty feet (50') for collector and arterial streets. Local streets need no tangent section between reverse curves.

TABLE 3 STREET DESIGN STANDARDS					
STREET DESIGN STANDARDS	LOCAL STREETS			FHWA CLASSIFICATION	
	Cul-de-sac	Residential	Sub-Collector	Collector	Arterial
Number of Lanes	2	2	2	3	4
Street Width f/f <sup>1</sup> Curb					
1. Parking One Side f/f Curb with signs	28'	28'	28'	NA	NA
2. Parking Both Sides f/f Curb	36'	36'	36'	NA	NA
3. No Parking f/f Curb with signs	28'	28'	28'	36'	52'
Street Width e/e <sup>2</sup> no Curb					
4. Parking One Side e/e no Curb with signs	24'	24'	24'	NA	NA
5. Parking Both Sides e/e no Curb	32'	32'	32'	NA	NA
6. No Parking e/e no Curb with signs	24'	24'	24'	36'	52'
Minimum Right-of-Way	60'	60'	60'	80'	100'
Sidewalks	5'	5'	5'	5'	5'
Design Speed	25 mph	25 mph	25 mph	45 mph	50 mph
Minimum Stopping Sight Distance	200'	200'	200'	325'	400'
Minimum Centerline Radius	65'	100'	100'	575'(10°)	850'(6°45')
Maximum Grade	7%	7%	7%	6%	6%
Minimum Curb Radii	30'	30'	30'	40'	50'
Minimum Distance From End of Curb Radius to First Curb Cut	20'	20'	30'	40' <sup>3</sup>	40' <sup>3</sup>
1. Minimum Tan. Curb Between Drives	4'	4'	4'	4'	4'
2. Maximum Amount of Property Frontage in Drives <sup>4</sup>	30%	30%	30%	40%	40%
3. Maximum Width of Drive at Property Line	24'	24'	24'	24'	24'
Intersection Data:					
1. Clear Sight Distance Along Each Leg	90'	90'	90'	90'	90'
2. Minimum Curb Radius					
Local to	25'	25'	30'	40'	45'
Collector to	30'	30'	40'	40'	50'
Arterial to	35'	35'	45'	50'	50'
3. Minimum Centerline Offset of Adjacent Intersection					
Local to	150'	150'	200'	200'	-
Collector to	-	-	-	300'	1,320'
Arterial to	-	-	-	-	1,320'
Cul-de-Sac Data:					
1. Lots					
Maximum Number of Lots Fronting on Cul-de-Sac (Circular Portion)	6	-	-	-	-
Minimum Lot Frontage at Right-of-Way Line	45'	-	-	-	-
2. Street					
Minimum Radius of Street Right-of-Way	60'	-	-	-	-
Minimum Radius of Pavement to Face of Curb	45'	-	-	-	-
Maximum Cul-de-Sac Length (measured from center of bulb)	600'	-	-	-	-
3. Driveways					
Maximum Percentage of Lot Frontage Occupied by Driveway	53%	-	-	-	-
<sup>1</sup> f/f - face to face of curb on streets with curb					
<sup>2</sup> e/e - edge to edge of pavement on streets with no curb					
<sup>3</sup> Industrial and Commercial Subdivision - 200'					
<sup>4</sup> Criteria does not apply to cul-de-sac					
NA Not Allowed					



## **406     VERTICAL ALIGNMENT**

- 406.1     All changes of grade shall be connected by vertical curves of minimum length in feet equal to twenty (20) times the algebraic difference in the rate of grade for arterial and industrial streets; for collector and local streets, fifteen (15) times. The minimum length of vertical curves shall be fifty feet (50'). See Table 3 for maximum grade change without vertical curves.
- 406.2     Minimum vertical visibility shall conform to Table 3 of these Regulations and the Ohio Department of Transportation's regulations in effect on the date of approval of the Overall Development Plan.
- 406.3     No street grade shall be less than one-half percent (0.5%), except at sag and crest points of vertical curves and, in no case shall a street grade be more than three percent (3%) within one hundred feet (100') of an intersection nor shall the street grade exceed a maximum grade of seven percent (7%).

## **407     INTERSECTION DESIGN STANDARDS**

- 407.1     The design and improvement standards for intersections are minimum standards for all street intersections in the subdivision. These standards are included in the Street Design Standards, Table 3. Streets shall remain tangent for at least one hundred feet (100') beyond the point of intersection for collector streets and fifty feet (50') for local streets. The angle of intersection shall be between seventy-five degrees (75°) and ninety degrees (90°), with a ninety degree (90°) intersection preferred.
- 407.2     Multiple intersections involving junctions of more than two (2) streets shall not be permitted.

## **408     STREET CLASSIFICATION SYSTEM**

For the purposes of administration, design and enforcement, these Regulations recognize the hierarchical classification of area roadways within the Federal Functional Classification System recommended and approved by the Lima-Allen County Regional Planning Commission, the Ohio Department of Transportation and the Federal Highway Administration. The functional classification of area roadways has been somewhat abbreviated herein with specific distinctions within the higher order roadways collapsed. These Regulations recognize arterial and collector roadways as higher order roadways eligible for federal funding. Those roadways classified as local roadways are, by default, those roadways which have not been identified as eligible for federal funding.

- 408.1     Arterials are major thoroughfares designed to carry traffic between municipalities and other activity centers and to provide connections with major state and interstate roadways. No on-street parking shall be permitted. Arterials are identified in the area's Comprehensive Transportation Plan and recognized by the Ohio Department of Transportation and the Federal Highway Administration as roadways eligible for federal funding.
- 408.2     Collectors distribute traffic between lower order local roadways and higher order arterials. Their purpose is primarily to promote free traffic flow, and direct access for adjoining lots should be limited where possible. Collectors shall not be used for on-street parking, and may provide linkages to adjoining developments to improve circulation. Collectors are identified in the area's Comprehensive Transportation Plan and recognized by the Ohio Department of Transportation and the Federal Highway Administration as roadways eligible for federal funding.

- 408.3 Local Roadways provide access to residential, open space, commercial, industrial, or other abutting property. Local roadways include sub-collector streets, residential streets, and cul-de-sac streets. Other local roadways are classified as special street types and are addressed in Section 409 of these Regulations.
- 408.3.1 Sub-collectors are local streets designed to provide access to adjoining property and carry traffic between local residential streets or cul-de-sacs and higher order collectors and arterials. Sub-collectors shall be provided when residential subdivisions exceed fifty (50) single family dwellings, or the subdivision has only one (1) entrance from a collector or arterial street.
- 408.3.2 Residential streets have a length of one thousand feet (1,000') or less, connect to only two (2) other streets and are the lowest order streets providing access to residential lots and carrying only the traffic generated by adjoining residential land uses. Residential subdivisions should be developed so that the maximum number of housing units have frontage on local residential and cul-de-sac streets rather than on higher order roads.
- 408.3.3 A cul-de-sac street is a local street that has a single means of access and that terminates in a circular vehicular turnaround. Cul-de-sacs are the lowest order of local roadway classification and are to be permitted only when feasible and to the extent that they do not serve more than 200 vehicle trips per day. Lengths of cul-de-sacs are limited to six hundred feet (600'). An Overall Development Plan containing more than three (3) cul-de-sac streets and no through streets may be disapproved by the Planning Commission.

## **409 SPECIAL STREET TYPES**

The following requirements shall apply to special street types:

- 409.1 A dead-end street is a street having only one (1) inlet/outlet for vehicular traffic. Permanent dead-end streets shall not be permitted except as cul-de-sacs. Temporary dead-end streets shall be permitted only as part of an approved Overall Development Plan. In such cases, a temporary turn-around shall be constructed off the end of the dedicated street. Said turnaround shall have a design approved by the County Engineer and shall be maintained by the developer. A temporary turnaround easement, labeled "privately maintained", shall be shown on the Final Plat. When street construction resumes, the developer shall remove the turnaround at his expense. Temporary dead-end streets shall not be permitted if they end within five hundred feet (500') from an existing pavement. Turnarounds will not be required on stub streets.
- 409.2 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. When connecting a street to an existing street right-of-way that has not been improved, the developer shall construct the pavement within the existing right-of-way to County standards.
- 409.3 Where a subdivision fronts on an arterial roadway recognized within the Federal Function Classification System a marginal access street must be provided pursuant to Access Management Regulations. Points of access to the arterial street shall be spaced at a minimum of thirteen hundred twenty feet (1,320'). A planting strip, having a minimum width of twenty feet (20'), shall be provided

between the pavement of the arterial street and the pavement of the marginal access street. The minimum width of the marginal access right-of-way shall be fifty feet (50').

- 409.4 An alley is a public right-of-way primarily for secondary access by vehicles to the rear or side of a property abutting on another street. Alleys shall not be approved in residential subdivisions, 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. The minimum width for alleys shall be twenty feet (20') for the right-of-way and eighteen feet (18') for the pavement width.

#### **410 STREETS FOR COMMERCIAL SUBDIVISIONS**

Streets serving business developments and accessory parking areas shall be planned to connect with higher order streets so as not to generate traffic on local residential 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, and shall not be located in less than two hundred feet (200') from the intersection of an arterial or collector street with any other street, and shall be spaced not less than two hundred feet (200') from each other. The Planning Commission may require marginal access streets to provide maximum safety and convenience. The developer may be required to separate ingress and egress drives on the requirements of the Planning Commission.

#### **411 STREETS FOR INDUSTRIAL SUBDIVISIONS**

Collector streets for industrial subdivisions shall be planned to serve industrial areas exclusively and shall connect with higher order streets so that no traffic generated by the industrial subdivision will be directed into any local residential street. The intersections of service streets from parking areas with arterial or collector streets shall not be less than two hundred feet (200') 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 for industry, except for severe physical conditions or if the Planning Commission or other appropriate local agency finds such extension is not in accord with the approved plan for the area.

#### **412 SIDEWALKS**

Sidewalks shall be required on both sides of the street in areas:

- 412.1 Where the gross density exceeds two (2.0) units per acre; or,
- 412.2 Immediately adjacent to areas having sidewalks; or,
- 412.3 Within a one-half (0.5) mile radius of schools, parks, roller rinks, malls, etc.; or,
- 412.4 Immediately adjacent to incorporated areas.

Sidewalk width is specified in Table 3 (five feet (5')). Sidewalks shall be constructed according to the standard construction specifications of the County Engineer. Sidewalk construction in industrial subdivisions shall be according to the County Engineer.

## **413    BLOCKS**

The following regulations shall govern the design and layout of blocks:

- 413.1        The arrangement of blocks shall be such as to conform to the street planning criteria as set forth in Sections 403 to 413, 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 Regulations or the zoning ordinance (resolution) and to provide for the required community facilities.
- 413.2        Irregularly shaped blocks, those intended for cul-de-sac or loop streets and those containing interior parks or playgrounds, may be approved by the Planning Commission if properly designed and located and if the maintenance of interior public spaces is covered by agreement.
- 413.3        No blocks shall be longer than one thousand feet (1,000') and the block width shall accommodate two (2) tiers of lots, except where unusual topography or other exceptional physical circumstances exist (see Section 414.5).

## **414    LOTS**

The following regulations shall govern the design and layout of lots:

- 414.1        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;
- 414.2        All lots shall conform to or exceed the requirements of these Regulations and the zoning district requirements for the district in which they are located and the use for which they are intended;
- 414.3        Each lot shall have a minimum fifty feet (50') frontage at the street right-of-way line, except for cul-de-sac lots (See Table 3). Also note that local zoning regulations may require wider minimum lot frontage on public streets.);
- 414.4        All side lot lines should be as near as possible to right angles to street lines and radial to curved street lines;
- 414.5        Through lots shall be avoided except that lots having double frontage on two (2) parallel streets shall be preferable to double tier lots when the outside tier of the lots front on an existing street. When double frontage lots are allowed, those lots shall have driveway access restricted to the interior street and shall have a restriction on the Final Plat prohibiting any access to the exterior collector or arterial street;
- 414.6        All lots shall have driveway access restricted to those interior streets platted as part of the proposed subdivision;
- 414.7        No corner lot shall have a width at the building line less than seventy-five feet (75'). The minimum building setback from the centerline of the streets shall be forty feet (40') or the minimum setback required by local zoning, whichever is greater. When such corner lot abuts an interior lot which faces the same side street at such corner lot, the minimum building setback shall be forty feet (40'); and,
- 414.8        No lot shall have an average depth which is more than three (3) times its average width, nor shall it have a depth of less than one hundred ten feet (110')

except that whenever a lot fronts upon an exterior curved portion of a street, the centerline radius of which is one hundred feet (100') or less, then the minimum required lot depth may be reduced to not less than one hundred feet (100').

#### **415 EASEMENTS**

Easements at least ten feet (10') in width centered along the rear and side lot lines shall be provided where necessary. Easements for storm sewers will be established immediately to the back of curb at a width of six feet (6') or in the case of no curbs, storm sewers shall be located under the flow line of the ditch. Sidewalks shall be established six feet (6') back from the edge of curb for a width of four feet (4') (where no curbs are present the Planning Commission will determine the need for, and location of, sidewalks). Utility easements supporting electric, gas, telephone, and cable shall be established in the road right-of-way outside of other easements and behind the sidewalks (when required). Separate easements of ten feet (10') shall be established in the front yard outside of the road right-of-way for purposes of providing sanitary sewer or municipal water. (See the typical subdivision easement drawing.) Easements are reserved for the use designated on the Final Plat (storm, sanitary, waterlines, etc.) and shall not have trees, walls or other permanent objects placed on top of the easement. Along every drainage channel or stream within a subdivision, an easement shall be provided as spelled out in Section 416.2.1 of these Regulations.

#### **416 FLOOD AREAS AND STORM DRAIN DITCHES**

416.1 In order to protect the health, safety, and general welfare of the people, the Planning Commission shall require that a floodplain development permit be issued for any proposed subdivision located within any flood hazard area as designated by but not limited to the most recent edition of the U.S. Department of Housing and Urban Development Federal Insurance Administration Flood Hazard Boundary Map of Allen County. The proposed subdivision shall meet the minimum requirements of the most recently adopted Floodplain Management Regulations for Allen County, Ohio. The Planning Commission is the Floodplain Administrator for Allen County. If the subdivision is located in an area having poor drainage or other adverse physical characteristics, the Planning Commission may approve the subdivision provided the subdivider performs such improvements as will render the area safe for the intended use. Refer to the Allen County Stormwater Management and Sediment Control Regulations as well as Stormwater Design Specifications for necessary engineering standards.

416.2 Flood control or storm drainage facilities shall be provided as follows:

416.2.1 Access to flood control or storm drainage ditches and channels shall be by means of permanent maintenance easements. Such maintenance easements shall be not less than twenty-five feet (25') in width, measured horizontally from the top of the bank, exclusive of the width of the ditch or channel, and a maintenance easement of this type shall be provided on each side of a flood control or storm drainage ditch channel or similar type facility. Maintenance easements are to be kept free of obstructions and plantings and shall not be altered from the contour and grade shown on the approved construction plan without written permission of the Planning Commission.

416.2.2 Flood control or storm drainage easements containing underground facilities shall have a minimum width of twenty feet (20') centered along the storm line.

**417    MINIMUM BOUNDARY SURVEY REQUIREMENTS**

The minimum boundary survey requirements for subdivision boundaries shown on the Final Plat and dedicators plat shall be as required by the most recently adopted Standards Governing Conveyances of Real Property in Allen County, Ohio and The Minimum Standards for Boundary Surveys in the State of Ohio as issued by the State Board of Registration for Professional Engineers and Surveyors, as provided for in Ohio Revised Code, Section 4733.07.

**ARTICLE V**  
**REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

**500     GUARANTEE FOR INSTALLATION OF IMPROVEMENTS**

Prior to granting approval of the Final Plat, the developer shall have installed the following minimum improvements: sanitary sewers, storm sewers, waterlines, curbs and gutters (or roadside ditches on streets not requiring curb and gutters) and stone base of roadways including asphalt base course (301) and subgrade compaction. All stormwater, erosion and sediment control measures shall have been completed before the Final Plat may be submitted. These minimum improvements shall have been inspected and approved by the appropriate agencies after which the developer may present the Final Plat for approval.

If the Planning Commission does not require that all public improvements be installed and dedicated prior to signing of the final plat, the Planning Commission shall require that the applicant furnish a Performance Guarantee for the ultimate installation of said improvements. To gain approval, the developer shall file a Performance Bond in the amount of one hundred thirty percent (130%) of the estimated construction cost (based upon an Allen County Engineer's Office approved Professional Engineer's estimate) of the remaining installation of the improvements. All improvements must be completed within six (6) months. The bond shall be in the form as established by the Planning Commission, and shall be subject to the approval of the Planning Commission.

**501     CONSTRUCTION PROCEDURE AND MATERIAL**

The subdivider shall design and construct improvements not less than the standards outlined in these Regulations. The work shall be done under appropriate engineering supervision and inspection and shall be completed within the time fixed or agreed upon by the County Engineer. The minimum requirements for materials shall be in accordance with the standard of the current volume of Construction and Material Specifications of the State of Ohio Department of Transportation, Allen County Standard Construction Drawings, Allen County Stormwater Management and Sediment Control Regulations as well as Stormwater Design Specifications and the current standards of the agencies that will maintain the waterline and sanitary sewer systems after the maintenance period is over.

**502     BOUNDARY SURVEYS, MONUMENTS, MARKERS AND PINS**

The more restrictive of the following standards shall govern subdivision monumentation:

- 502.1     Most recently adopted version of the Minimum Standard for Boundary Surveys in the State Of Ohio issued by the State Board of Registration for Professional Engineers and Surveyors, as provided for in the Ohio Revised Code, Section 4733.07;
- 502.2     Most recently adopted version of the Standards Governing Conveyances of Real Property in Allen County, issued by Allen County and provided for in the Ohio Revised Code, Section 319.203; and,
- 502.3     Permanent survey monuments shall be accurately set and established at the intersections of all outside boundary lines of the subdivision; at the intersections of those boundary lines with all street lines; at the beginning and end of all curves; at points on curves where the radius or direction changes; and, at such other points as are necessary to establish definitely all lines of the plat. Stone or

concrete monuments shall be at least thirty-six inches (36") long and at least six inches (6") in diameter, and shall be provided with a center point of solid iron pins or pipe. Allen County Engineer's standard monument boxes may be used in lieu of stone or concrete monuments if placed at: (1) intersections of streets; (2) the PC and PT of horizontal curves on streets (or at the PI if it is on the pavement); (3) at centers of radii of cul-de-sacs; and, (4) at all other centerline locations needed to re-establish all of the streets of the subdivision. The monument boxes shall be placed in clear sight of the previous monument box set. Solid iron pins or iron pipe monuments having a minimum cross-sectional area of material of 0.2 square inches, and at least thirty inches (30") long shall be used at all other points including all lot corners. Plastic caps shall be placed on iron pin or pipe designating the surveyors name and registration number. All streets centerline reference points shall be monumented by one of the following: (1) monument boxes; (2) iron pins; (3) PK nails; (4) railroad spikes; (5) boat spikes; or, (6) other iron reference monuments. All monuments, markers, and pins must be in place after all construction is complete.

### **503 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.

### **504 STREET WIDTH**

Minimum street pavement widths shall conform to the standards as specified in Table 3 and Section 404. Where pavement widths greater than specified in Section 404 are deemed necessary by the County Engineer and approved by the Board of County Commissioners, the County may bear the extra cost of providing a greater than the minimum pavement width required by these regulations.

### **505 STREET CONSTRUCTION**

Standards for construction of streets are established in the Pavement Design Criteria Appendix.

### **506 STREET CURBS AND GUTTERS**

506.1 Curbs and gutters shall be required on both sides of the street within the following areas:

506.1.1 Where the gross density exceeds two (2.0) units per acre;

506.1.2 Immediately adjacent to areas having curbs and gutters;

506.1.3 Within a one (1) mile radius of a place of major public activity (schools, parks, roller rinks, shopping center, etc.); or,

506.1.4 Immediately adjacent to incorporated areas.

506.2 Curbs and gutters may be required on both sides of the street in areas of notable flash flooding, heavy rain runoff, flat topography or peculiar drainage problems.

506.3 Curbs and gutters shall be constructed according to the Standard Construction Specifications of the County Engineer.



**507     ROADSIDE DITCHES AND CATCH BASIN SPACING**

On streets where roadside ditches are allowed, the street and roadside ditches shall be constructed pursuant to the standards specified in Rainwater and Land Development Manual (ODNR/NRCS, 1996) and according to the standard drawings of the County Engineer. The roadside areas between the right-of-way lines shall be fine graded, seeded and mulched according to Section 659 of the latest edition of the Ohio Department of Transportation Construction and Materials Specifications manual. Roadside ditches shall not be filled in for any purpose. The minimum and maximum grade for grassed roadside ditches shall be one-half percent (0.50%) and five percent (5%) respectively with a maximum surface flow velocity of eight feet (8') per second. Erosion control may be required by the County Engineer in areas of easily erodible soil. The maximum distance between catch basins in roadside ditches shall be four hundred fifty feet (450'). Platting lots along existing county/township roads will require compliance with Allen County Standard Construction Drawings for roadside shoulders and ditches, and shall comply with the minimum standards of the Allen County Stormwater Management and Sediment Control Regulations as well as Stormwater Design Specifications.

**508     AGGREGATE DRAINS**

Aggregate drains shall be constructed on streets without curbs and gutters and shall be constructed according to Section 605 of the latest edition of the Ohio Department of Transportation Construction and Materials Specifications manual and according to the Standard Construction Drawings of the County Engineer.

**509     DRIVEWAYS**

Driveways and curb cuts for driveways shall be constructed according to the standard drawings of the County Engineer or appropriate township standards for that portion being constructed on the street right-of-way.

**510     LOT DRAINS**

All lots shall have access to underground drainage in the forms of Class E conduit lot drains extending from the storm sewers or inlets to the right-of-way line. Acceptable Class E conduit for lot drains shall meet Ohio Department of Transportation specifications: 706.01; 706.02; 706.03; 706.07; 706.08; 706.09; 707.33; 707.42; 707.43; 707.44; 707.45; 707.5;1 and, 707.52. If one of the above-listed P.V.C. or polyethylene pipes is specified for lot drains, it shall be smooth-wall, non-perforated, and P.V.C. pipe shall be schedule SDR 35 or stronger. Lot drains shall carry only sump, percolated and air conditioner water. Lot drains shall not carry stormwater, surface water, downspout water or septic system and sanitary system effluents. Storm, surface, roof and downspout waters will be drained to the street curb or to storm pipes designed for the purpose of outletting such waters. Lot drains shall not empty directly into a storm sewer unless a "T" fitting or saddle is used in the storm sewer. Lot drains shall not extend into the interior of the storm sewer. When a lot drain is connected directly to a storm sewer, the storm sewer shall be sized appropriately to handle the additional flow. Lot drains for lots having catch basins or manholes located directly in front of the lot shall be connected to the catch basin or manhole, not to the storm sewer. Lot drains shall not be connected to pipe underdrain (located directly behind curbs) used to drain subbase of roadway.

**511     SIDEWALKS**

All sidewalks shall be constructed of portland cement concrete to the minimum width and thickness as specified by the Standard Construction Drawings of the County Engineer.

## **512 STREET NAME SIGNS AND STREET NAMING**

- 512.1 Street name signs, of a type used by the County Engineer, shall be erected by the subdivider at all intersections unless otherwise determined by the Board of County Commissioners. The installation of street signs and posts shall be born by the developer. Lettering on signs shall be a minimum of six inches (6") in height and be made of light reflecting material.
- 512.2 Whenever a new street is constructed along the approximate alignment or extension of an existing street, its name shall be the same as that of an existing one (1).
- 512.3 Whenever a street alignment changes direction more than seventy-five (75) degrees without a return to the original alignment within a distance of five hundred feet (500'), at the discretion of the County Engineer, then the name of the street shall be changed at the point of curvature.
- 512.4 Whenever a cul-de-sac street serves not more than three (3) lots, at the discretion of the County Engineer, the name of the intersecting street shall apply to the cul-de-sac.
- 512.5 To avoid duplication and confusion, the proposed names of all streets shall be approved by the County Engineer prior to such names being assigned or used.

## **513 STREET AND WALKWAY LIGHTING**

If lighting is desired, the following specifications shall be complied with:

- 513.1 New subdivision street lighting may be required when the subdivision streets intersect with roads classified as collector or above in the functional classification system;
- 513.2 If the subdivider desires lighting, then such lights shall be located at each entrance (streets and walkways) to the subdivision and at each street intersection within the subdivision. In addition, whenever the distance between two (2) adjacent street (walkway) lights would exceed three hundred feet (300'), then additional street lights shall be installed in such a manner that proper light intensity shall be provided and maintained as specified by the Township Trustees; and,
- 513.3 New subdivision street lighting shall be installed with all associated wiring underground unless otherwise determined by the Board of County Commissioners.

## **514 STREET TREES**

The preservation and planting of trees should be considered by the developer as one of several design elements within the total proposed subdivision. However, no plantings shall be allowed in the road right-of-way or utility easements unless previously approved by the Township.

## **515 WATER SUPPLY IMPROVEMENTS**

Water supply improvements shall meet requirements of the local governmental agency, the Allen County Combined Health District and the Ohio Environmental Protection Agency.

**516 FIRE PROTECTION**

The size and location of hydrants, water mains and looping of water supply system to meet fire flow requirements shall be approved by the local Fire Chief having jurisdiction. Hydrants shall meet the fire department of jurisdiction specifications, with written approval from the Fire Chief with suppression responsibilities.

**517 SANITARY SEWER IMPROVEMENTS**

No sanitary sewers and group sanitary sewage disposal systems shall be constructed, installed and/or operated without the approval of the County Sanitary Engineer, Ohio Environmental Protection Agency, Board of County Commissioners and the Planning Commission. The design, construction and installation shall be according to current standards and specifications adopted by the State Department of Health, the Ohio Environmental Protection Agency, County Sanitary Engineer and the County Board of Health. Required treatment of sewage shall be in accordance with the regulations of the State Department of Health, the Ohio Environmental Protection Agency and the Allen County Health District. Prior to the construction of a septic tank or installation of an individual sewage treatment system, a permit shall be obtained from the Allen County Health District.

**518 DRAINAGE IMPROVEMENTS**

Standards for the construction of storm drainage are established in the Storm Drainage Criteria as set forth in the Allen County Stormwater Management and Sediment Control Regulations as well as Stormwater Design Specifications and Township Zoning Regulations.

**519 UTILITY IMPROVEMENTS**

Utilities shall be provided within each subdivision in the following manner:

519.1 Unless otherwise determined by the governing agency, overhead utility lines, where permitted, shall be located at the rear of all lots. The utility easement width shall be not less than twenty feet (20'). Utility poles shall be installed a minimum of two feet (2') from the center of the easement and at least two feet (2') from any side lot line or corner pin.

519.2 Whenever a sanitary sewer line, storm sewer line, electric, gas, telephone line, and/or cablevision are each placed underground in the same utility easement, the following provisions shall be applicable:

519.2.1 The total easement width shall be not less than twenty feet (20'); and,

519.2.2 The sanitary or storm sewer lines shall be installed within seven feet (7') of one side of the easement and no other utility will be placed within five feet (5') of the sewer.

519.2.3 Conduit shall be installed in the sub-base of roadways during construction for use by utilities. The engineer shall be responsible for contacting the utilities (gas, electric, phone, cable) to determine what size and type conduit would be needed as well as location. The size, type and location of utility conduits shall be shown on the construction drawings.

**520     STORMWATER**

All subdivisions (Residential, Commercial and Industrial) shall comply with the Allen County Stormwater Management and Sediment Control Regulations as well as Stormwater Design Specifications.

**521     OVERSIZE AND OFF-SITE IMPROVEMENTS**

The utilities, pavements, and other land improvements required for the proposed subdivision shall be designed of oversize and/or with extensions provided to serve nearby land which is an integral part of the neighborhood service or drainage area as determined by the Planning Commission.

**522     OFF-SITE EXTENSIONS**

When public utilities such as streets, drainage facilities, sanitary sewers, or water lines are not available at the boundary of a proposed subdivision, and connection to such off-site utilities is deemed necessary by the Planning Commission or governing agency, the subdivider shall be required to:

- 522.1     Obtain necessary easements across adjacent property for utility extensions;
- 522.2     Extend necessary utilities across adjacent property or existing right-of-way at their expense but with the right of recovery from other landowners intending to utilize said utilities;
- 522.3     Recoup the cost of any necessary oversizing of utilities required by the Planning Commission or governing agency. The cost of oversizing to be recouped by agreement with the government agency or benefiting landowner; and,
- 522.4     Execute and record easements for off-site utility extensions before acceptance of the Final Plat by the Planning Commission.

**523     FINAL INSPECTION**

Upon completion of all the improvements, the subdivider shall request, in writing, a final inspection by the County Engineer as required under Section 711.091 of the Ohio Revised Code. The Final Plat may not be submitted until a final inspection of improvements has been held.

## **ARTICLE VI HILLSIDE REGULATIONS**

### **600     GENERAL STATEMENT**

These Regulations apply to all hillside areas. A hillside area as referred to herein is defined as one with an average slope of more than fifteen percent (15%). The subdivider shall submit sufficient detailed information as to geologic conditions, soil types, and underground water level in order that a determination can be made by the County Engineer as to the safety of development of the particular location.

### **601     DETERMINATION OF AVERAGE SLOPE**

The average slope for any hillside development shall be determined by the Planning Commission from the preliminary subdivision submittal. Determination will be on area-by-area basis with each lot sized according to the average topographic change falling within each area.

### **602     MINIMUM LOT REQUIREMENTS FOR SINGLE FAMILY HOMES**

The minimum lot requirements shall be used to determine the minimum lot area for a single family home. The average percent of slope is determined by the appropriate planning agency. The lot area in thousands of square feet shall then be determined by charting the average natural ground slope and the minimum lot area. Rounding shall be made to the nearest five-foot (5') frontage interval. Deviations from these requirements may be allowed subject to determination by the Planning Commission where exceptional circumstances warrant.

#### Average Percent of Natural Ground Slope

EXAMPLE:     The minimum lot size for a single-family house on a lot with an average slope of twenty-eight percent (28%) is 26,000 square feet  
                    The minimum lot width is one hundred thirty feet (130').  
                    The resulting lot depth is two hundred feet (200')  $\frac{26,500}{130} = 200$

### **603     GRADING PLAN AND CONTROLS**

The Overall Development Plan shall show contour lines at two-foot (2') intervals. Elevations are to be based on the sea level datum (U.S.G.S.), with conversions shown to local datum. The lot layout and the approximate dimensions shall be shown for each lot and each building site. Where pads are utilized or proposed for building sites, engineering data shall show the existing topography and the proposed finished grades, location and size of each building site, and finished grade of streets prior to consideration of the Final Plat.

### **604     CUTS AND FILLS**

No land shall be graded, cut, or filled so as to create a slope exceeding a vertical rise of one-foot (1') for each three feet (3') of horizontal distance between abutting lots, unless a wall of sufficient height and thickness is provided to retain the graded bank. Major cuts, excavation, grading, and filling, where the same materially changes the site and its relationship with the surrounding areas or materially affects such areas, shall not be permitted if such excavation, grading, and filling will result in a slope exceeding a vertical

rise of one-foot (1') for each three feet (3') of horizontal distance between abutting lots or between adjoining tracts of land, except where adequate provision is made to prevent slides and erosion by cribbing and retaining walls.

**605     COMPACTION OF FILL**

All fill shall be compacted to a density of ninety percent (90%) or greater in accordance with ASTM D-6-98. Inspection of fill shall be conducted by the County Engineer.

**606     RETAINING WALLS**

Retaining walls may be required whenever topographic conditions warrant. Retaining walls shall be designed in accordance with currently accepted design practices and approved by the County Engineer.

**607     MINIMUM DESIGN REQUIREMENTS**

Minimum front yard, rear yard, side yard, and setback requirements shall be in accordance with specifications as set forth by the zoning regulations of the applicable political subdivision. Minimum right-of-way and pavement widths shall conform to the Street Design Standards as stated in Article IV, Table 3.

**608     STREET ALIGNMENT**

The following regulations shall govern street alignment:

608.1       Vertical profile grades shall be connected by vertical curves;

608.2       Waiver of visibility requirements may be given subject to the approval of the Planning Commission and the County Engineer; and,

608.3       Waiver of vertical curve requirements may be given subject to the approval of the Planning Commission and the County Engineer.

**609     DRIVEWAYS**

The maximum grade on driveways shall not exceed ten percent (10%) to the street.

**610     SIDEWALKS**

Concrete sidewalks having a minimum width of four feet (4') and having a minimum thickness of four inches (4") shall be installed along the uphill side.

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

It is required that the Final Plat contain the applicable forms and wording as listed below, or a variation of the same approved by the Planning Commission.

**700    DESCRIPTION**

The description shall be by metes and bounds and shall set forth the acreage within the plat.

**701    OWNERS' DEDICATION AND ACKNOWLEDGEMENT**

We, the undersigned, being all the owners of the land platted herein, do hereby voluntarily consent to the execution of said plat, and dedicate the streets as shown thereon, comprising of a total of \_\_\_\_\_ acres, to the public use forever.

Easements shown on this plat are for the construction, operation, maintenance, repair, replacement or removal of water, storm sewer, open ditch sanitary sewer, gas, electric, telephone or other utility lines or services and for the express privilege of removing any trees or other obstructions to the free use of said utilities and for providing ingress and egress to the property for said purposes and are to be maintained as such forever.

\*    Vehicular right-of-access shall not be allowed across the one-foot (1') easement lying parallel to \_\_\_\_\_ Street, along the rear of lots \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, except as stipulated in the preceding paragraph.

\*\*    This plat is subject to the covenants and restrictions shown on the separate document attached hereto and labeled "sheet 2 of 2 pages".

\_\_\_\_\_  
Witness

\_\_\_\_\_  
John Doe

\_\_\_\_\_  
Witness

\_\_\_\_\_  
John Doe

**702    NOTARY PUBLIC**

State of Ohio  
S.S.  
Allen County

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, personally came the said \_\_\_\_\_, to me known, and acknowledged the signing and execution of the foregoing statement to be their voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for Allen County, Ohio

**703    APPROVAL BY THE PLANNING COMMISSION**

I hereby certify that this plat was approved by the Planning Commission on \_\_\_\_\_.

This approval becomes void unless this plat is filed for recording within ninety (90) days of this approval.

\_\_\_\_\_  
Director, Lima-Allen County  
Regional Planning Commission

**704    COUNTY AUDITOR**

I hereby certify that the land described by this plat was transferred on \_\_\_\_\_.

\_\_\_\_\_  
Allen County Auditor

**705    COUNTY RECORDER**

I hereby certify that this plat was filed for recording on \_\_\_\_\_, and that it was recorded on \_\_\_\_\_, in Vol. \_\_\_\_\_, Page \_\_\_\_\_, plat records of Allen County, Ohio. Fee \$ \_\_\_\_\_

\_\_\_\_\_  
Allen County Recorder

**706    CERTIFICATION BY SURVEYOR**

I hereby certify that this plat represents a true and complete survey made by me or under my supervision in \_\_\_\_\_, 20 \_\_, and that all markers are correctly shown as to material and location and are in place.

\_\_\_\_\_  
Registered Surveyor and Number

**707    COUNTY ENGINEER'S CERTIFICATION**

Having checked the construction of the streets in the subdivision, I find that they have been constructed in accordance with the specifications set forth on the plans and regulations thereof, and that they are in good repair and this endorsement shall constitute acceptance of the streets for public use.

\_\_\_\_\_  
Allen County Engineer



If the streets have not been installed, I am in agreement with the Performance Bond to insure the completion of construction which has been filed with and approved by the Planning Commission. However, the streets remain privately maintained until a final inspection and approval of streets is given by this office.

---

Allen County Engineer

**708    APPROVAL OF COUNTY COMMISSIONERS**

In accordance with Ohio Revised Code, Section 711.041, the Board of Allen County Commissioners hereby accepts this plat by Commissioner's Resolution Number \_\_\_\_\_, dated \_\_\_\_\_, said plat having been approved by the Allen County Engineer and the Lima-Allen County Regional Planning Commission.

---

President of the Board of Allen County Commissioners

**ARTICLE VIII  
REVISIONS, ENFORCEMENT**

**800     RECORDING OF PLAT**

No plat of any subdivision shall be recorded by the County Recorder or have any validity until said plat has received final approval in the manner prescribed in these Regulations.

**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 said plat is first resubmitted to the Planning Commission.

**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.

**803     SCHEDULE OF FEES, CHARGES, AND EXPENSES**

The Board of County Commissioners 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 office of the County Clerk and may be altered, or amended only by the Board of County Commissioners. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

**804     PENALTIES**

The penalties which shall apply to violations of these Regulations shall be those penalties provided by the Ohio Revised Code as it may be amended from time to time.

**805     APPEAL**

Any person who believes he has 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.

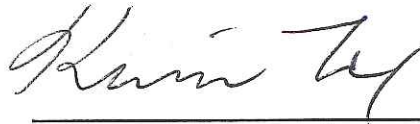
ARTICLE IX  
ENACTMENT

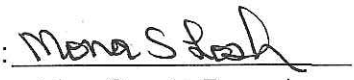
900 EFFECTIVE DATE

These Regulations shall become effective from and after the date of their approval and adoption by the Planning Commission and the Board of County Commissioners, Allen County, Ohio, after public hearing and certification to the County Recorder. Henceforth, any other subdivision regulations previously adopted by the Board of County Commissioners 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 Overall Development Plan, as approved, are introduced by the subdivider.

Adopted: May 1, 2013

  
\_\_\_\_\_  
President, Board of  
Allen County Commissioners

  
\_\_\_\_\_  
President, Lima-Allen County  
Regional Planning Commission

Attested:   
\_\_\_\_\_  
Allen County Recorder  
LMB Deputy

  
\_\_\_\_\_  
Planning Director

The Allen County Subdivision Regulations were certified to the Allen County Recorder on the 14th day of May, 2013.

Effective Date: May 1, 2013

**APPENDIX A**

**PAVEMENT DESIGN CRITERIA**

## **PAVEMENT DESIGN CRITERIA**

### **I. GENERAL INFORMATION**

- A. The current list of standards to be used in the design of new subdivision streets or street improvements are as follows:
  - 1. Construction and Material Specifications by State of Ohio Department of Transportation (latest edition); and,
  - 2. Construction Standards of Allen County.
- B. Preparation and approval of plans and specifications:
  - 1. A developer through his Engineer shall have the right to select the type of pavement to be constructed in his subdivision as follows:
    - a. Portland Cement Concrete; and,
    - b. Asphalt Concrete Pavement on aggregate base or screened recycled asphalt pavement.
  - 2. Plans and specifications must be prepared by an Ohio Registered Professional Engineer with adherence to the current standards.
  - 3. Plans must be submitted for approval to the County Engineer. If unusual conditions exist, actual requirements should be predetermined by a preliminary review with the County Engineer.

### **II. FLEXIBLE PAVEMENTS**

The absolute minimum allowable design of flexible pavements shall be:

Cul-de-sac, Local, Sub-collector & Collector Streets:	5" of Asphalt Concrete on 9" of Aggregate Base or on 9" of screened recycled asphalt pavement
Commercial, Industrial & Arterial Streets:	6" of Asphalt Concrete on 12" of Aggregate Base or on 12" of screened recycled asphalt pavement

County Engineer may have additional specifications for testing of aggregates and bituminous content for asphalt concrete.

### III. **RIGID PAVEMENTS**

The module of rupture shall be considered to be six hundred (600) psi. The absolute minimum allowable thickness of portland cement concrete shall be:

Local Street  
7 inches

Collector Street  
7 inches

Arterial Street  
7 inches

All rigid pavement shall be placed on a properly compacted subbase and four inches (4") of aggregate base.

In no case shall the minimum thickness be less than seven inches (7") of portland cement concrete and four inches (4") of aggregate base.

### IV. **SOIL TESTS**

If the developer desires to seek soil tests, he shall first discuss same with the County Engineer. Tests shall be furnished for every thirty-five hundred (3,500) square yards of pavement surface with a minimum of one (1) test per street or more as determined by the County Engineer. These tests should be made at the design subgrade elevation and to a minimum depth of three feet (3'). The test shall include the following:

1. Soil samples at subgrade elevation and depth by boring;
2. Moisture determination and maximum dry weight of soil;
3. AASHTO classification and group index (each sample);
  - a. Liquid limit
  - b. Plastic limit
4. Mechanical analysis of the subgrade soil;
5. Laboratory C.B.R. tests; and,
6. Where any unstable or malleable section in the subgrade is found to exist, and before stone and concrete may be placed, the subgrade shall be stabilized with Tensar 1200 Geogrid (or other Geogrid material found to be of equal tensile strength by laboratory testing and approved by the Allen County Engineer).

In lieu of the above soil tests, the County Engineer shall perform a "proof roll" of subgrade before stone and concrete are placed. Any soft spots found in subgrade shall be stabilized to the satisfaction of the County Engineer before stone and concrete may be placed.

### V. **SUBBASE DRAINAGE**

The County Engineer requires six inch (6") pipe underdrains be installed on all streets with curb and gutter. The drains shall be placed in accordance with Allen County Standard Construction Drawings (PF-1, PF-2 or PR-1). Lot drains may not be connected to pipe underdrains.

The County Engineer requires six inch (6") minimum drain tile be installed under roadside ditches on all streets that do not have curb and gutter. The drain tile shall be placed according to Allen County Standard Construction Drawings (PF-3 or PF-4). Lot drains may

be connected to drain tile under roadside ditches only if the drain tile has been properly sized by a Professional Engineer to handle the additional flow.

**VI. SUBGRADE PREPARATION**

All subgrade to be prepared and compacted according to Item 203 of the Construction and Material Specifications irregardless of the amount of pavement being considered.

# **APPENDIX B**

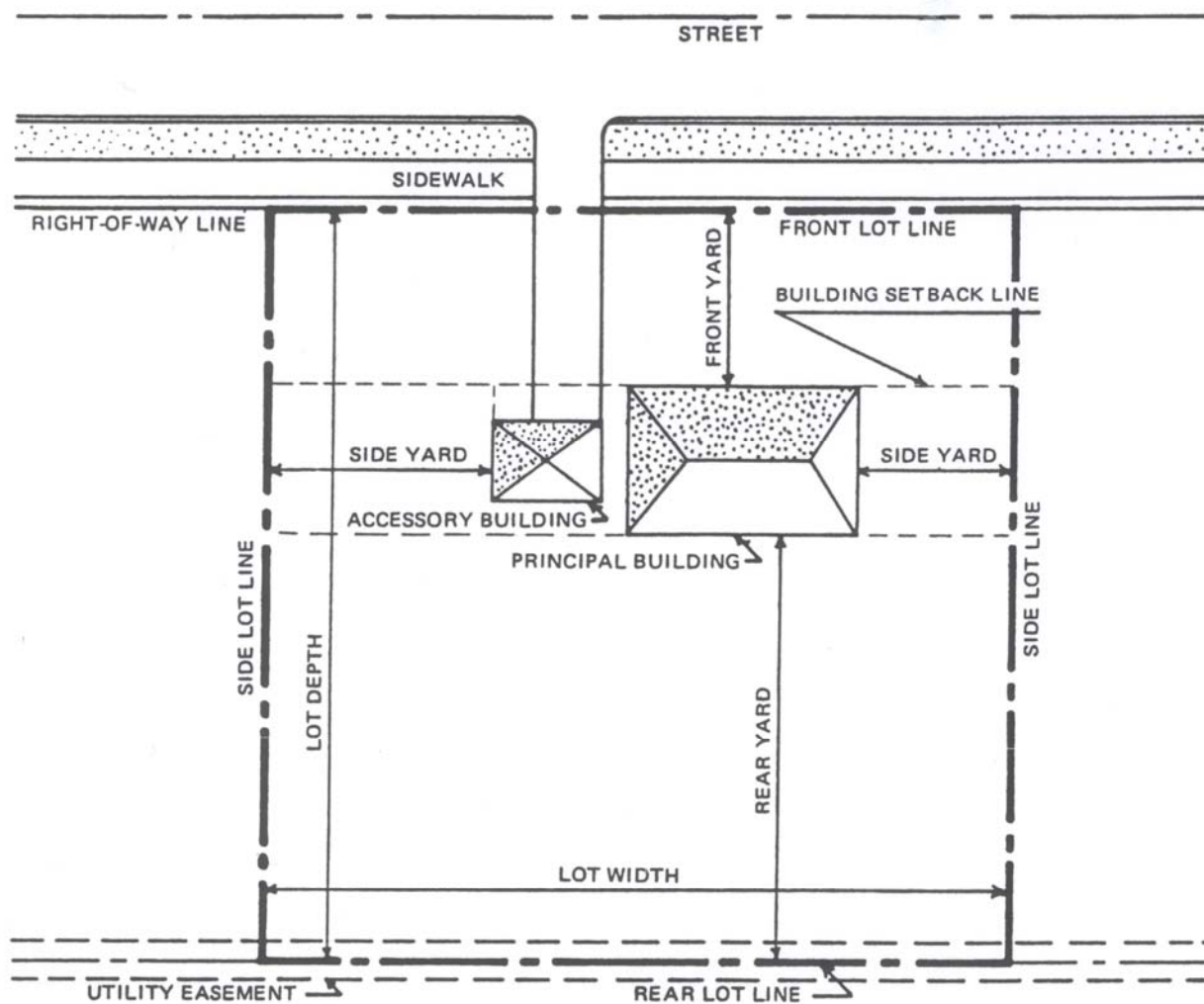
## **SUPPLEMENTS**



## LOT TERMS

### DEFINITIONS

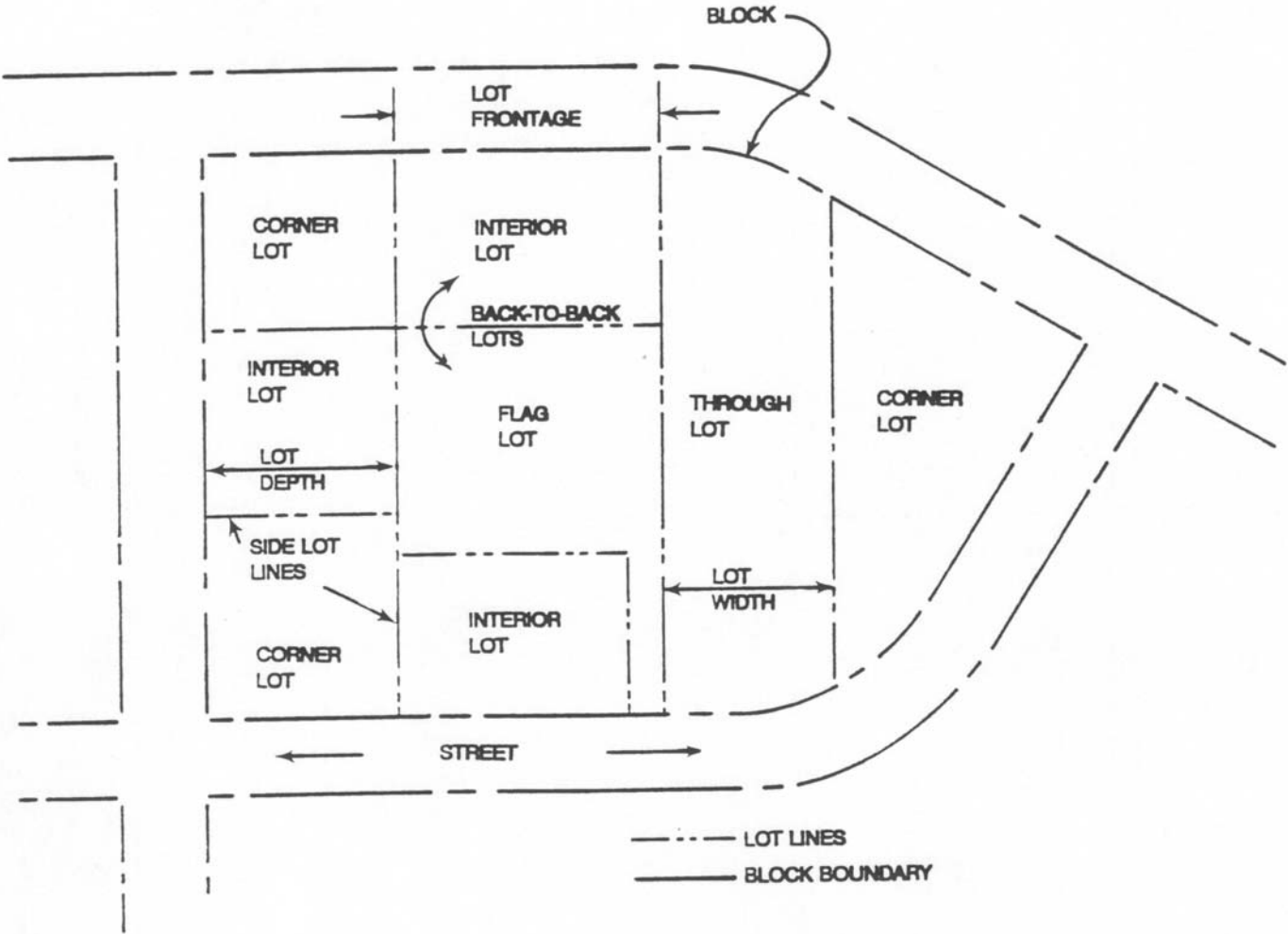
The following illustrations clarify and explain selected definitions



LOT AREA = TOTAL HORIZONTAL AREA

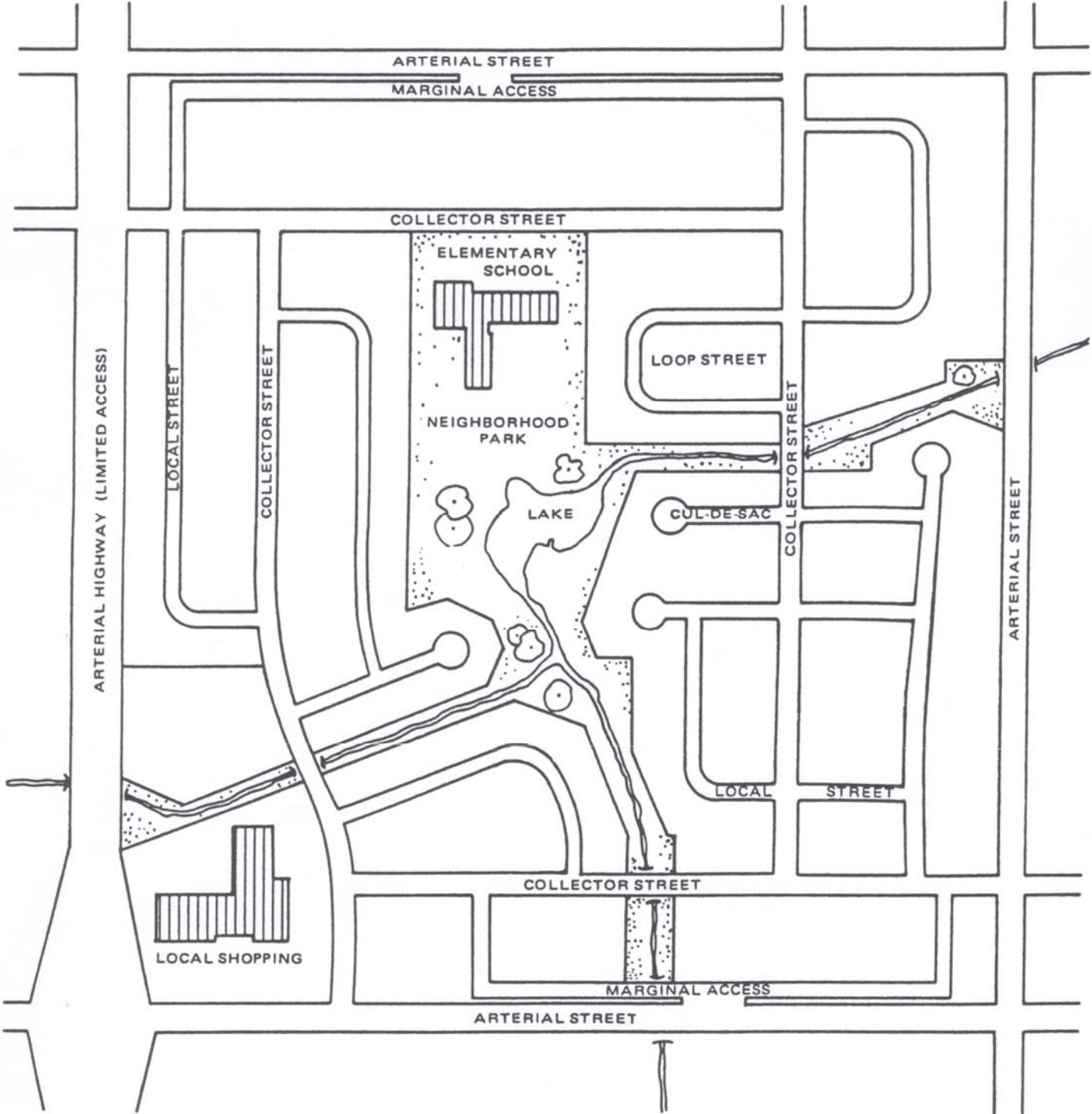
LOT COVERAGE = PERCENT OF LOT OCCUPIED  
BY BUILDING

LOT TYPES



(For informational purposes only.)

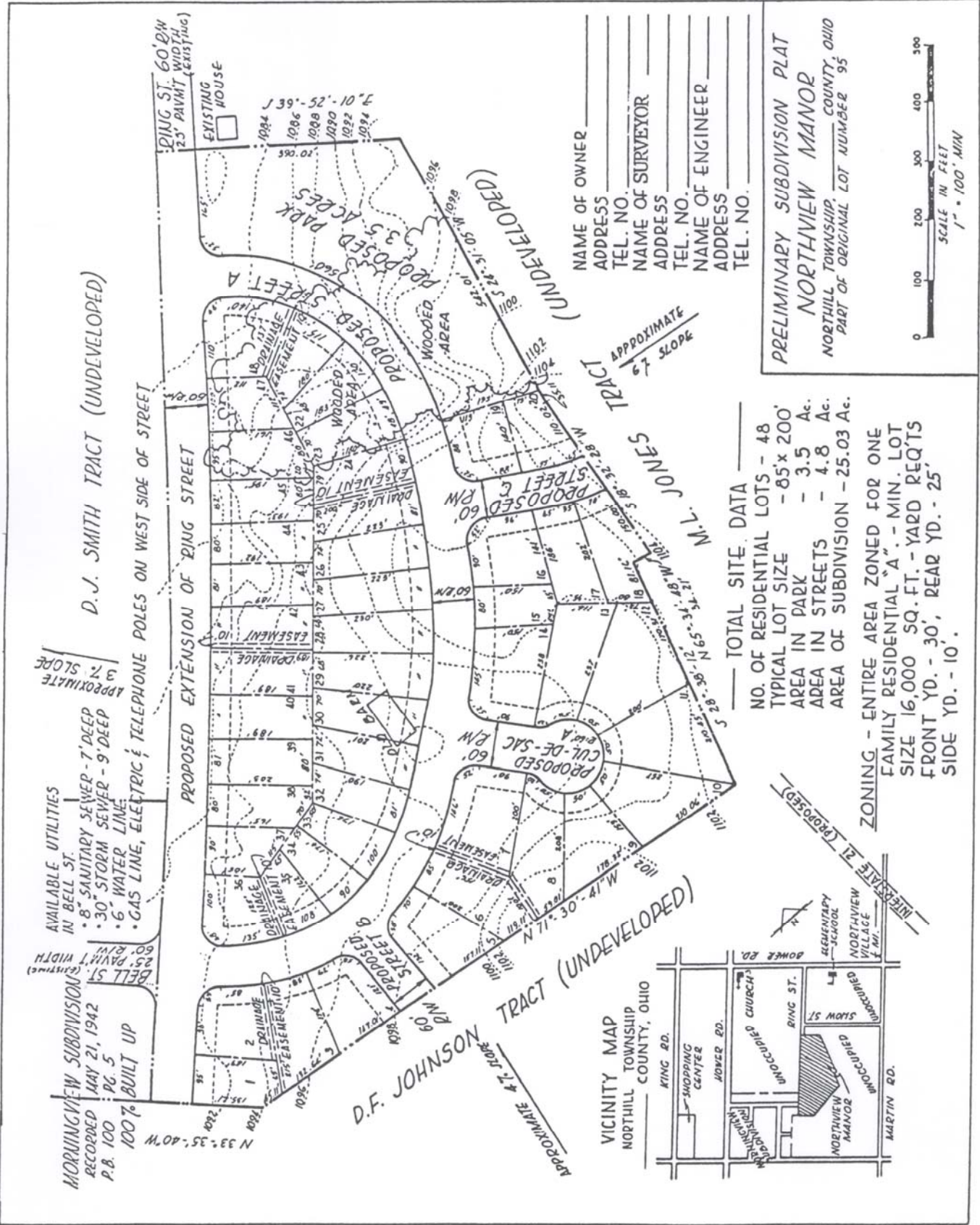
CLASSIFICATION OF THE THOROUGHFARE SYSTEM



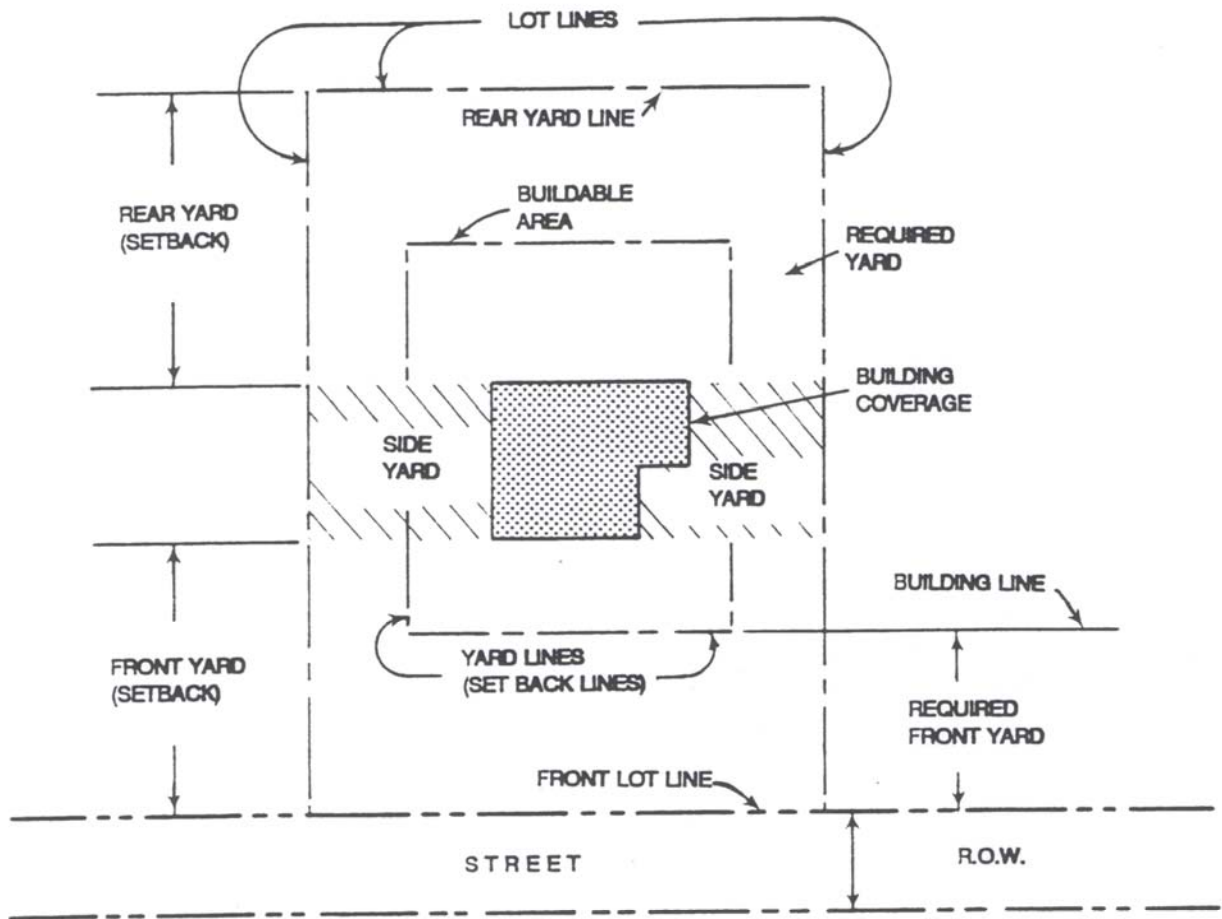




OVERALL DEVELOPMENT PLAN SUBMISSION

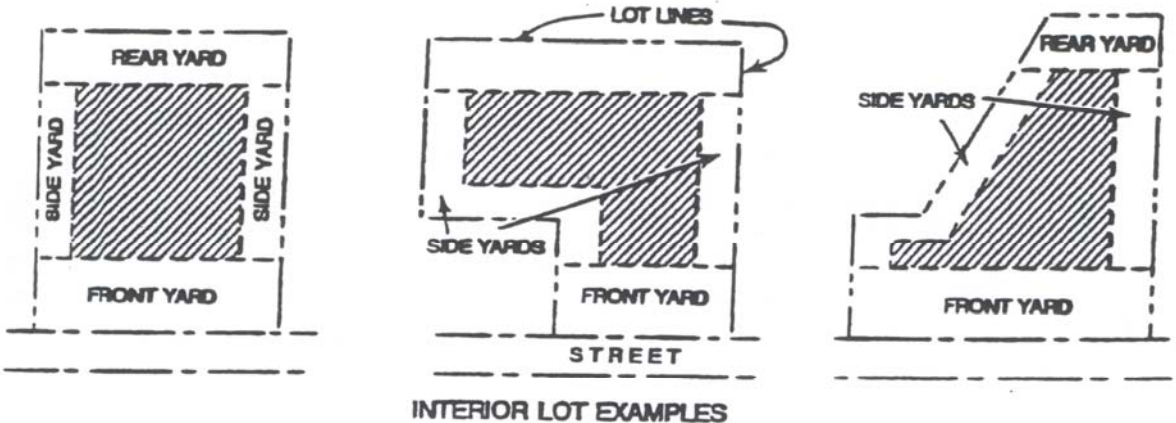
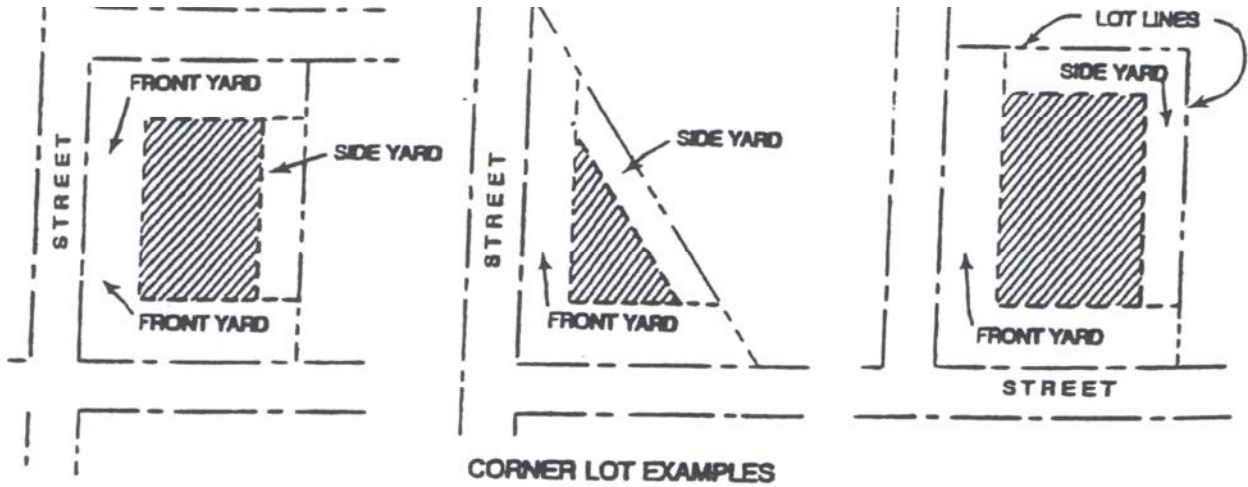


SETBACK DIMENSIONS



(For informational purposes only.)

ODD SHAPED LOT EXAMPLES

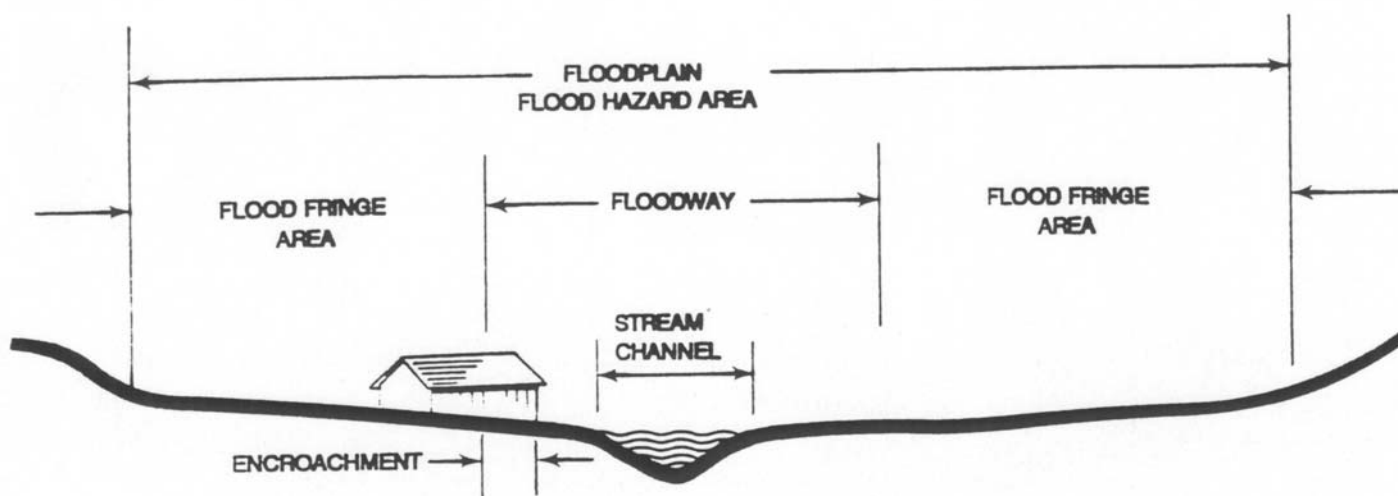


REQUIRED YARDS

 BUILDING (ZONING) ENVELOPE  
(TWO DIMENSIONAL)

(For informational purposes only.)

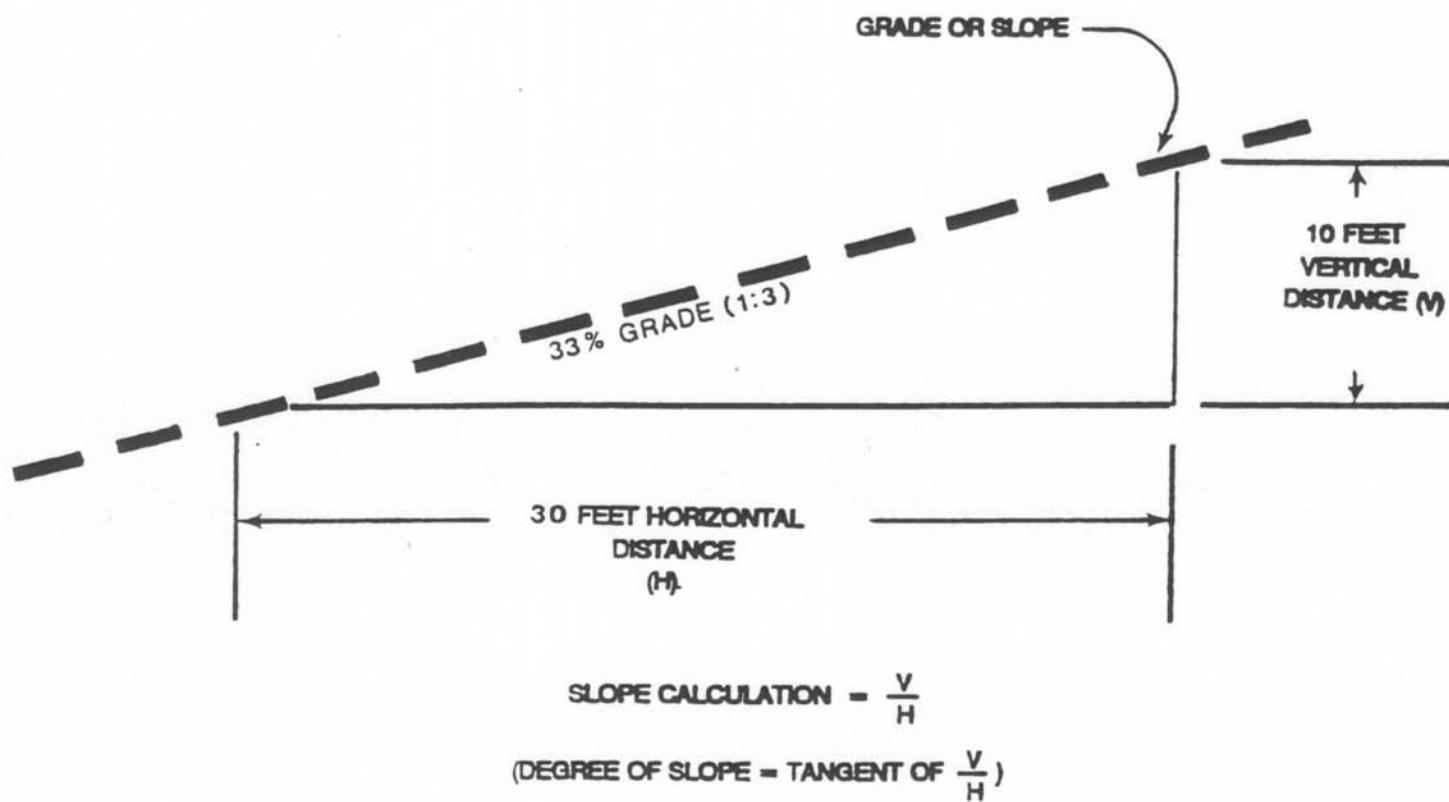
## FLOODPLAIN CROSS-SECTION



(For informational purposes only.)

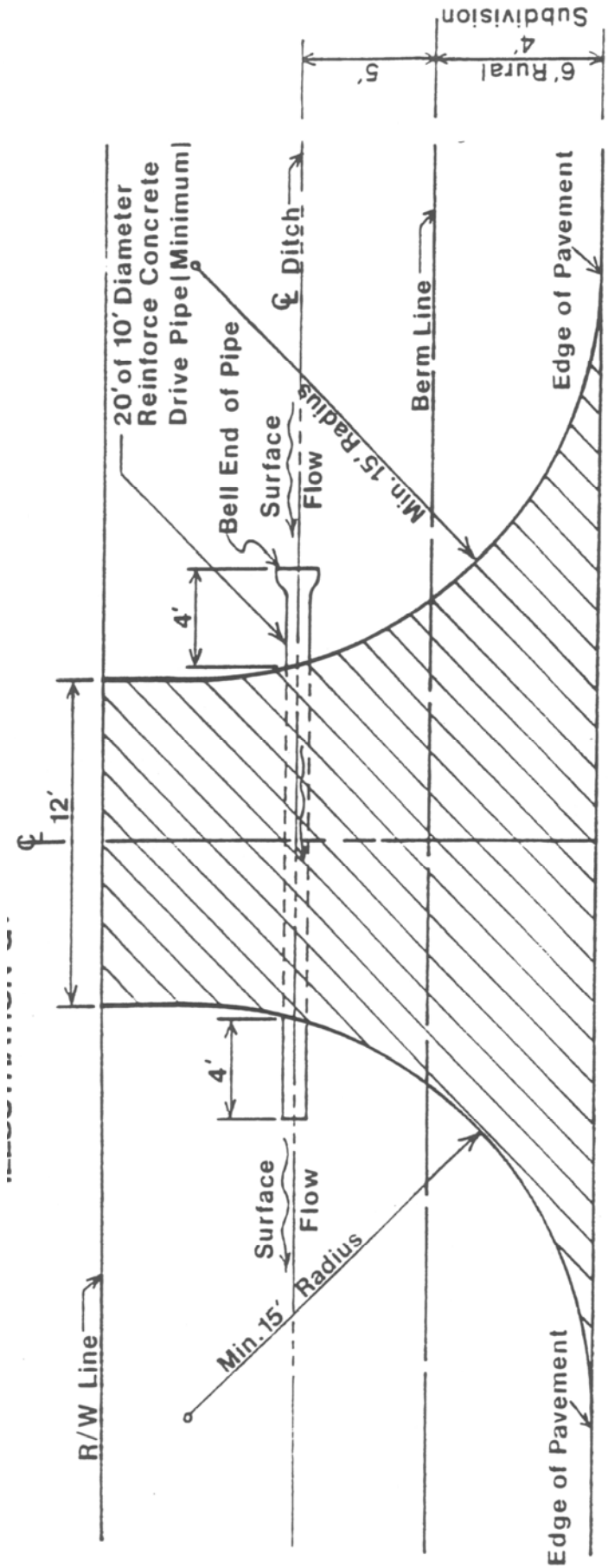


## DETERMINATION OF SLOPE



(For informational purposes only.)

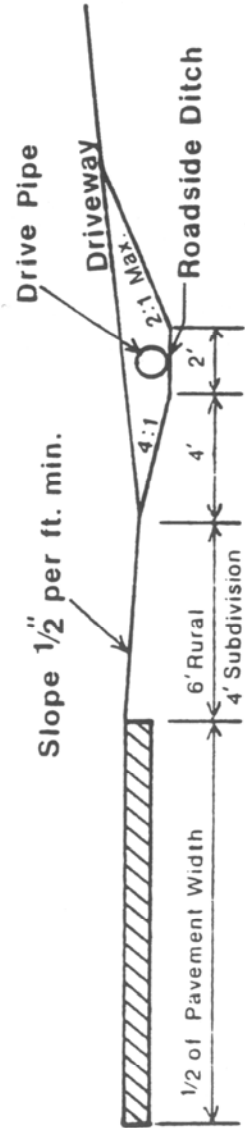
DRIVEWAY SCHEMATIC



**Note:**

Roadside Ditch Shall Not Be Filled In

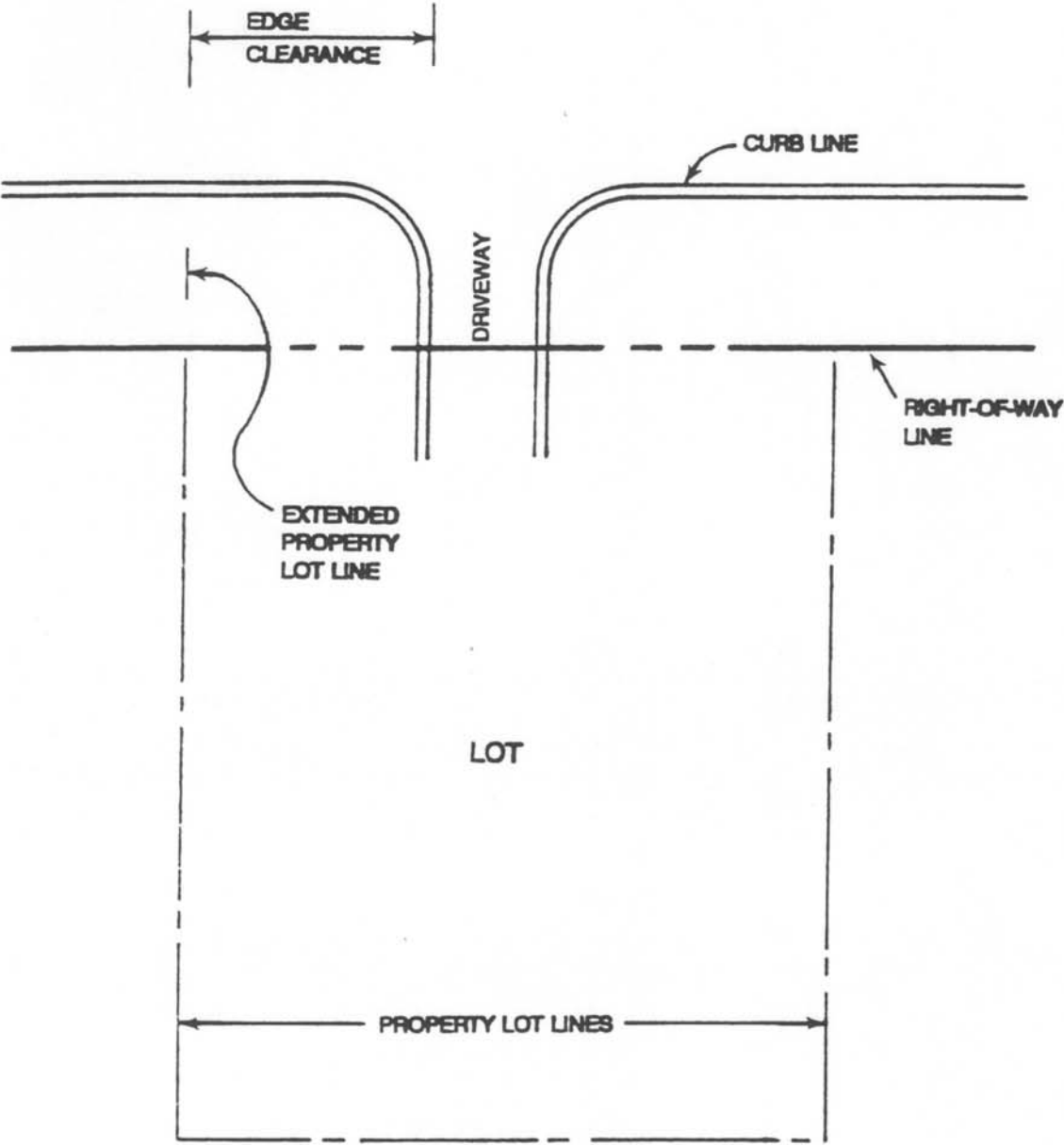
**PLAN**



**ELEVATION**

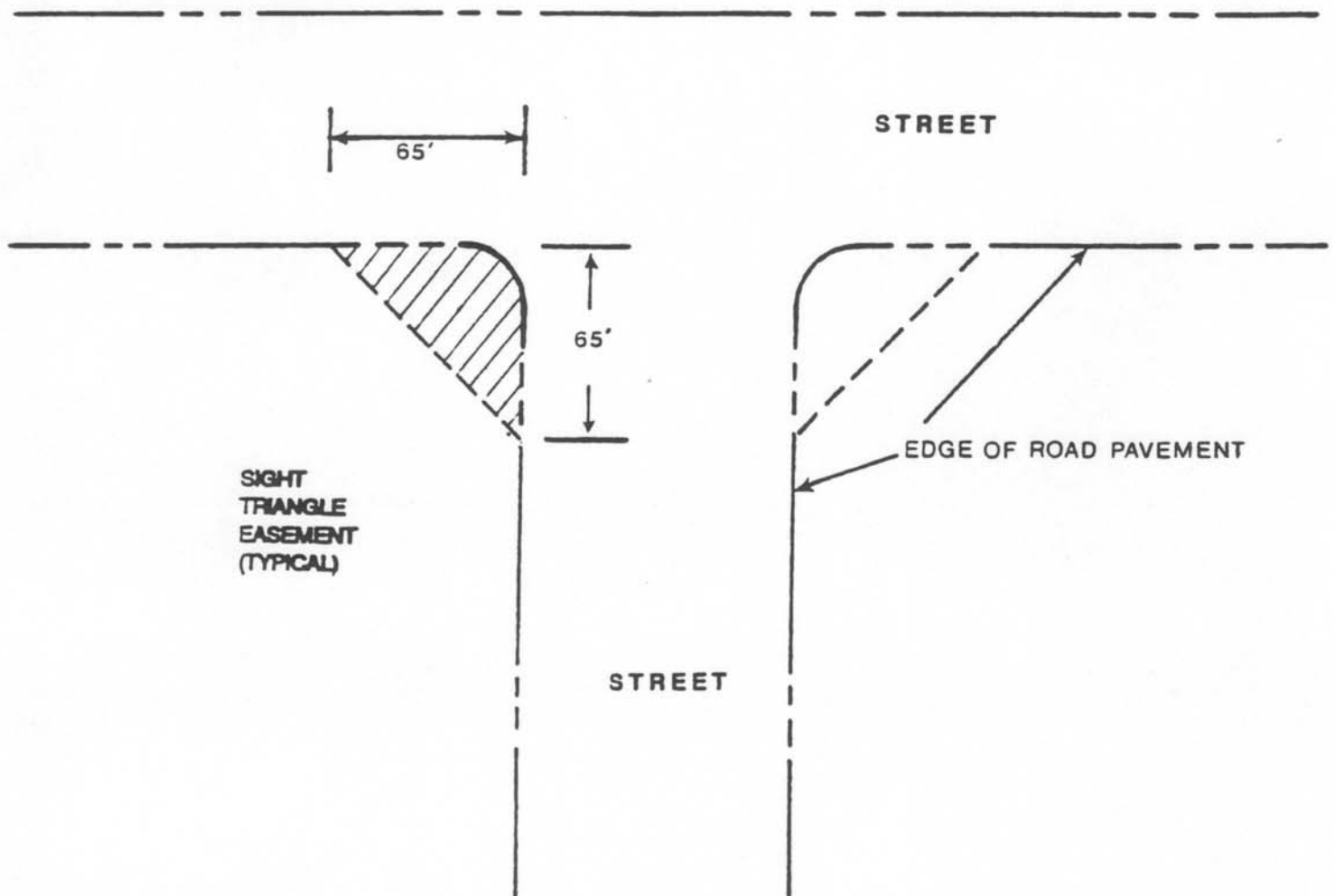
(For informational purposes only.)

EDGE CLEARANCE



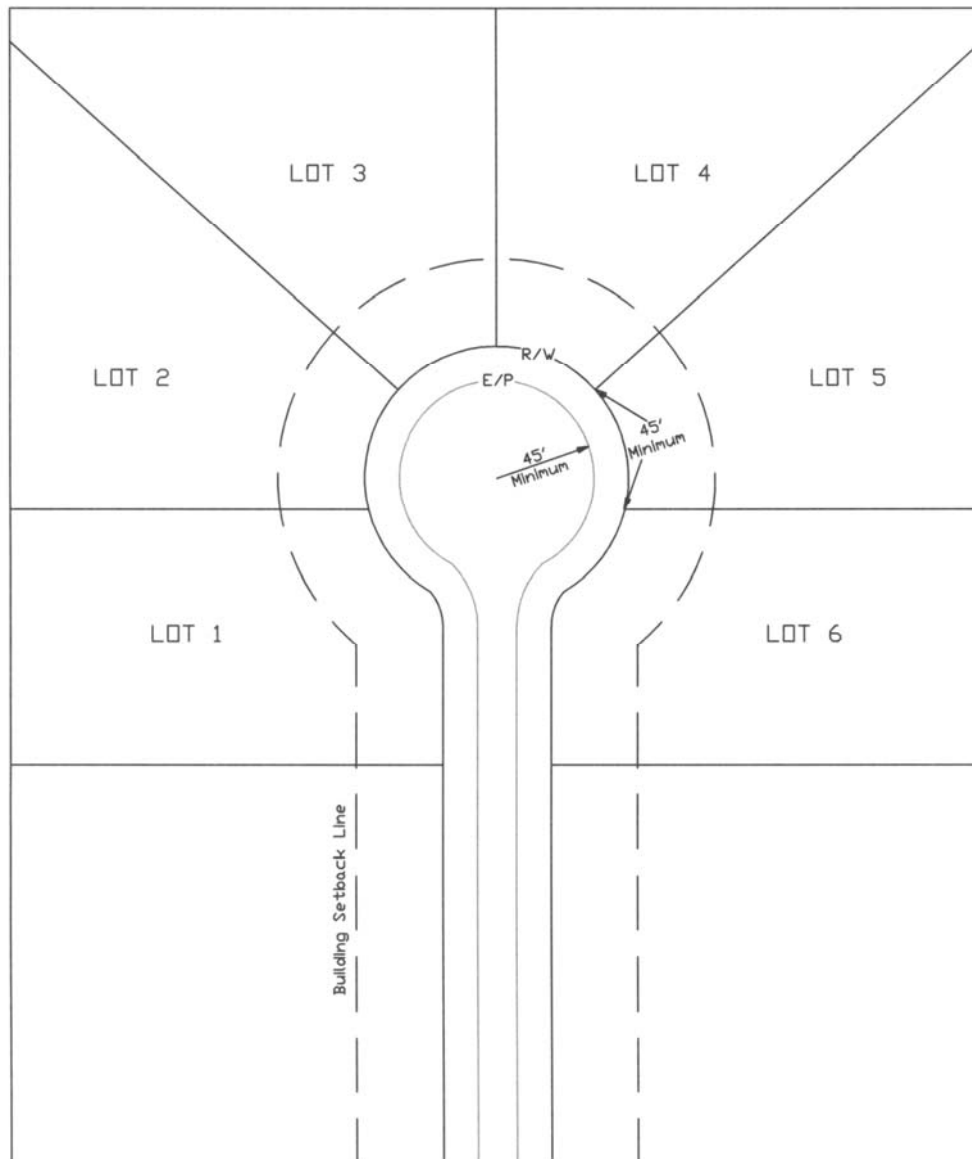
(For informational purposes only.)

## SIGHT TRIANGLE EASEMENT



(For informational purposes only.)

## CUL-DE-SAC MINIMUM DIMENSIONS



R/W = Right of Way

E/P = Edge of Pavement

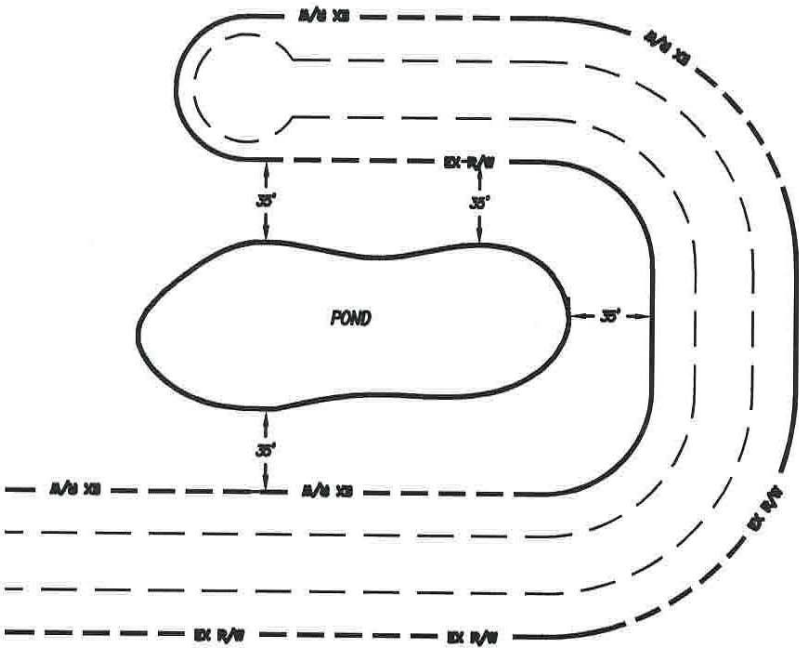
Maximum cul-de-sac length = 600'

Maximum # of lots on cul-de-sac bulk = 6

Driveways shall not surpass more than 53% of the total frontage.

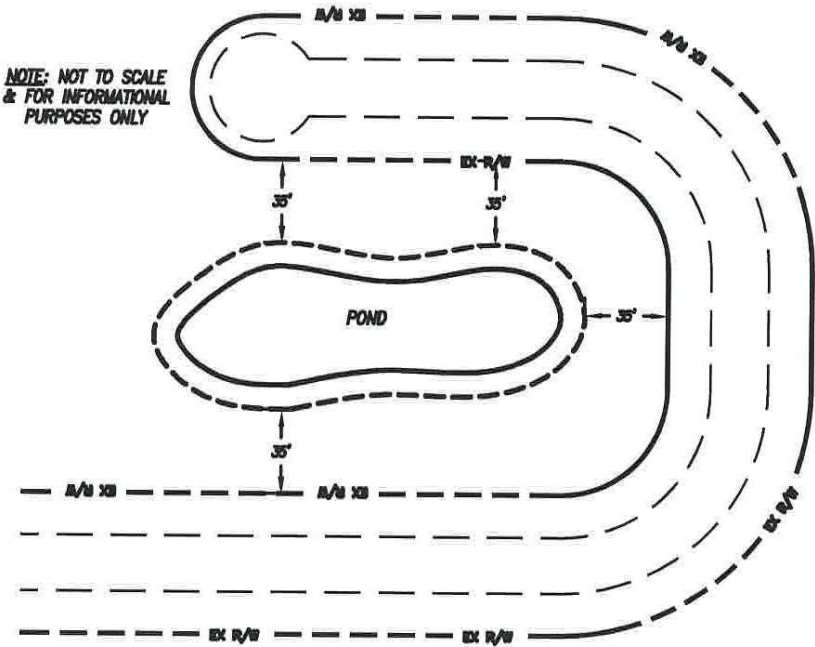
(For Information Purposes Only)

POND SETBACK DIMENSIONS



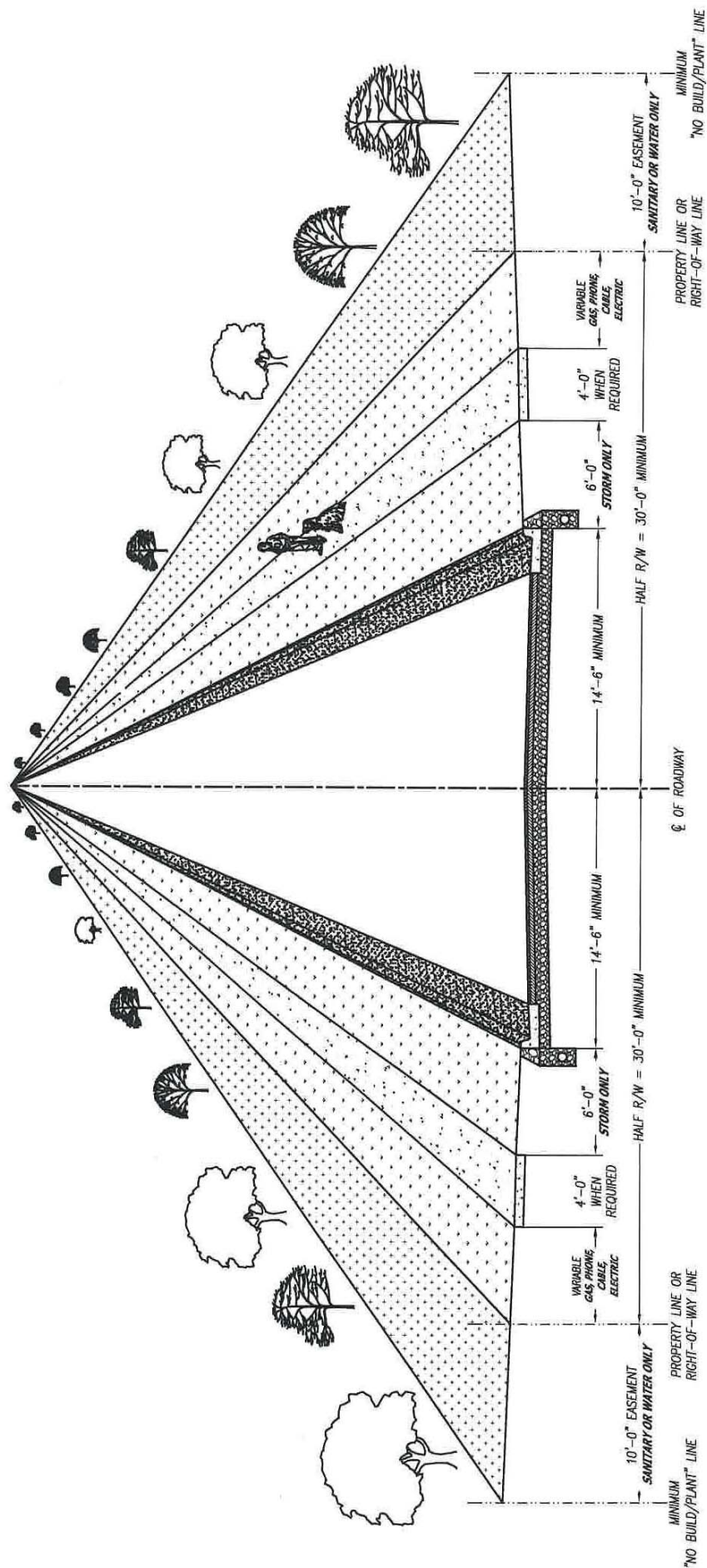
WITHOUT MOUNDING

SOLID LINE INDICATES WATER'S EDGE



WITH MOUNDING

SOLID LINE INDICATES WATER'S EDGE  
DASHED LINE INDICATES BASE OF MOUNDING



NOTE: IF STORM SEWER IS LOCATED ONLY ON ONE SIDE OF THE ROADWAY, THE OPPOSITE 6'-0" TREE LAWN MAY BE OCCUPIED BY UTILITIES (OTHER THAN WATER OR SANITARY SEWER).

NOTE: SEE ALLEN COUNTY  
STANDARD CONSTRUCTION  
DRAWINGS FOR FURTHER DETAILS.

**APPENDIX C**

**LEGAL NOTICES**



# The State of Ohio, Allen County, ss:

**Notice of Public Hearings and Invitation to Comment on the Allen County Commissioners Proposed Amendment to Allen County Subdivision Regulations**

Allen County invites public review of the proposed amendments to the Allen County Subdivision Regulations. The amendment will be to adopt the updated Allen County Subdivision Regulations prepared by the Lima-Allen County Regional Planning Commission.

The Allen County Commissioners will hold a public hearing on April 17, 2013, at 9:00 a.m., during a regular session of the Board of Allen County Commissioners, 301 N. Main Street, 3rd Floor, Lima, OH 45801.

This notice and the proposed amendment are also available at the offices of the Board of Allen County Commissioners, 301 N. Main Street, 3rd Floor, Lima, Ohio, 45801 and the Lima Allen County Regional Planning Commission, 130 W. North Street, Lima, Ohio, 45801 as well as online at [www.lacrpc.com](http://www.lacrpc.com) and [www.allencounty-ohio.com](http://www.allencounty-ohio.com)

**Allen County Board of Commissioners  
Allen County, Ohio**

Legal #186 - March 13, 2013  
(11)

Joan Bellmann being sworn that (he) (she) is bookkeeper of *The Lima News*, publishers of *THE LIMA NEWS*, a newspaper printed in said county, and of general circulation throughout said County and State; and that said newspaper had a bona fide circulation of more than twenty-five thousand at the time of this advertisement, notice or proclamation was published; that the notice, of which the annexed is a true copy, was for 1 day published in said newspapers, beginning on the

13<sup>th</sup> day of March A.D. 2013

*Joan Bellmann*

Sworn to before me and subscribed before me this 13<sup>th</sup> day

March A.D. 2013

*Sheryl Wiedeman*

(Notary Public, State of Ohio)



Sheryl Wiedeman  
Notary Public, State of Ohio  
My Commission Expires February 22, 2016

Printer's Fee \$ 85.38

RECEIVED

MAR 15 2013

LIMA-ALLEN COUNTY  
REGIONAL PLANNING  
COMMISSION

# The State of Ohio, Allen County, ss:

**Notice of Public Hearings and Invitation to Comment on the Allen County Commissioners Proposed Amendment to Allen County Subdivision Regulations**

Allen County invites public review of the proposed amendments to the Allen County Subdivision Regulations. The amendment will be to adopt updated Allen County Subdivision Regulations prepared by the Lima-Allen County Regional Planning Commission.

The Allen County Commissioners will hold a public hearing on April 11, 2013, at 10:00 a.m. at the Lima-Allen County Regional Planning Commission, 130 W. North Street, Lima, OH 45801.

This notice and the proposed amendment are available at the offices of the Board of Allen County Commissioners, 301 N. Main Street, 3rd Floor, Lima, Ohio, 45801 and the Lima Allen County Regional Planning Commission, 130 W. North Street, Lima, Ohio, 45801 as well as online at [www.lacrpc.com](http://www.lacrpc.com) and [www.allencountyohio.com](http://www.allencountyohio.com).

Allen County Board of Commissioners  
Allen County, Ohio

Legal #158 - Feb. 28, 2013 (11)

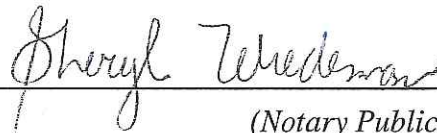
Joan Bellmann being sworn that (he) (she) is bookkeeper of The Lima News, publishers of THE LIMA NEWS, a newspaper printed in said county, and of general circulation throughout said County and State; and that said newspaper had a bona fide circulation of more than twenty-five thousand at the time of this advertisement, notice or proclamation was published; that the notice, of which the annexed is a true copy, was for 1 day published in said newspapers, beginning on the

28<sup>th</sup> day of February A.D. 2013



Sworn to before me and subscribed before me this 28<sup>th</sup> day

February A.D. 2013



(Notary Public, State of Ohio)



Sheryl Wiedeman  
Notary Public, State of Ohio  
My Commission Expires February 22, 2016

Printer's Fee \$ 85.38

RECEIVED

MAR 04 2013

LIMA-ALLEN COUNTY  
REGIONAL PLANNING  
COMMISSION

# **APPENDIX D**

## **RESOLUTION**



**RE: RESOLUTION TO ADOPT THE REVISED SUBDIVISION REGULATIONS PLAN.**

The Board of County Commissioners of Allen County, Ohio met in regular session on the 1st day of May, 2013 with the following members present: Greg Sneary and Cory Noonan  
Not Present: Jay Begg

Commissioner Noonan moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Development Controls Committee of the Lima-Allen County Regional Planning Commission has reviewed and revised the current Allen County Subdivision Regulations under Section 711.10 of the Ohio Revised Code; and

**WHEREAS**, notice of public hearing was published twice in The Lima News, on Allen County's website as well as the Lima Allen County Regional Planning Commission website; and,

**WHEREAS**, two (2) public hearings have been held by the Board of Allen County Commissioners, in which public comments were addressed; and

**WHEREAS**, the revised Allen County Subdivision Regulations have been approved by the Lima-Allen County Regional Planning Commission Executive Committee; and

**WHEREAS**, Thomas Mazur, Executive Director of the Lima-Allen County Regional Planning Commission, requests that the Board of Allen County Commissioners adopt the Subdivision Regulations as submitted; and

**WHEREAS**, The Board deems this request to be in order and hereby wishes to approve same; now therefore

**BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS, ALLEN COUNTY, OHIO**, hereby adopts the revised Allen County Subdivision Regulations Plan effective immediately, a copy of which is attached hereto and made a part hereof.

Commissioner Sneary seconded the resolution and upon the roll being called, the vote resulted as follows: **Commissioner Sneary, Yes; Commissioner Begg, Not Present; Commissioner Noonan, Yes.**

Adopted this 1st  
day of May, 2013

**BOARD OF COUNTY COMMISSIONERS  
ALLEN COUNTY, OHIO**

I, Kelli A. Singhaus, Clerk of Board, do hereby  
certify that the foregoing is a true and correct copy  
of Resolution # 208-13, adopted by the  
Board of Allen County Commissioners on

May 1, 2013

Kelli A. Singhaus  
Kelli A. Singhaus, Clerk

Kelli Singhaus  
Kelli Singhaus  
Clerk of the Board

Greg Sneary  
Greg Sneary

Jay Begg  
Jay Begg

Cory Noonan  
Cory Noonan

Commissioner Noonan moved to table the resolution on April 17, 2013 until further notice. Motion seconded by Commissioner Sneary. The roll was called and resolution was tabled.