

# **SUBDIVISION REGULATIONS**

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## **ARTICLE I – INTRODUCTION**

### **101 AUTHORITY**

The Lorain County Planning Commission, hereinafter known as “the Commission”, derives its authority to regulate subdivisions of land by virtue of Section 711 of the Ohio Revised Code. The Commission is authorized to adopt rules and regulations governing plats and subdivision of land, and to approve, conditionally approve or disapprove plats or subdivisions of land falling within its jurisdiction.

### **102 TITLE**

The official name of these regulations and this document shall be “Subdivision Regulations of Lorain County, Ohio”, hereinafter known as “Regulations”.

### **103 PURPOSE**

These Regulations are adopted for the following purposes:

1. To protect and provide for the public health, safety and general welfare of the County.
2. To guide the future growth and development of the County in accordance with the **Lorain County Comprehensive Plan**.
3. To insure that provisions are made for adequate and convenient open spaces for traffic, utilities, access of fire fighting apparatus, recreation, light, air and for the avoidance of congestion of population.
4. To insure the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to regional plans.
5. To establish standards of design and procedures for subdivisions and re-subdivisions, in order to further the orderly layout and use of land; and to insure proper legal description and monumenting of subdivided land.
6. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
7. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources in order to preserve the stability, topography, beauty and the value of the land.
8. To minimize environmental disruption and provide safety for life and properties from natural calamities, such as fire, flood and other dangers.

## **ARTICLE I – INTRODUCTION**

### **104 JURISDICTION**

- 104.01 These Regulations shall apply to all subdivisions hereinafter made of all land in the unincorporated area of Lorain County, as provided for in Chapter 711 of the Ohio Revised Code.
- 104.02 No building permit, certificate of occupancy or zoning permit shall be issued for any parcel or plat of land which is created after the effective date of these Regulations by a subdivision which is not in conformity with the provisions of these Regulations. No excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with these Regulations, and except as subject to any provisions of local zoning resolutions pertaining to previously existing nonconforming lots.

### **105 INTERPRETATION**

In their interpretation and application, the provisions of these Regulations shall be considered the minimum requirements. Where any provisions of these Regulations impose restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

### **106 SCOPE**

These Regulations are not intended to interfere with, abrogate or annul any other ordinance, rule or regulations, statute or other provision of law. These Regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction provided that where the provisions of these Regulations are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restrictions, the requirements of these Regulations shall govern. Where the provision of the easement, covenant or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these Regulations, or the determinations of the Commission or other agency having approval or jurisdiction over said subdivision, and such private provisions are not inconsistent with the general purpose or intent of these Regulations or determinations then such private provisions shall be operative and supplemental to these Regulations and determinations made thereunder.

### **107 VALIDITY**

If any section, clause, phrase, word, provision or portion of these Regulations shall be held to be unconstitutional or invalid by any court or competent jurisdiction, such holding or decision shall not affect the validity of these Regulations as a whole, or any part thereof other than the section, clause, word, provision or portion so held to be invalid.



## **ARTICLE I – INTRODUCTION**

### **108 RELATIONSHIP TO RURAL ZONING**

Whenever a proposed subdivision or lot split is located in an area that is zoned under the provisions of Chapters 303 or 519 of the Ohio Revised Code, it shall conform to the requirements of the Ohio Revised Code, it shall conform to the requirements of the zoning plan except as specified in Section 105 and Section 106 of these Regulations.

### **109 SAVING PROVISION**

These Regulations shall not be construed as abating any action now pending under or by virtue of prior existing subdivision regulations or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue; or as affecting the liability of any person, firm or corporation; or as waiving any right of the County or its agents under any section or provision existing at the time of adoption of these Regulations; or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the County or its agents except as shall be expressly provided for in these Regulations.

### **110 RESERVATIONS**

Upon the adoption of these Regulations, according to law, the "Subdivision Regulations of Lorain County, Ohio", adopted April 24, 1997, as amended, are hereby repealed, except as to such sections expressly retained herein.

### **111 CONDITIONS**

Regulation of the subdivision of land and the attachments of reasonable conditions to land subdivision is a valid exercise of police power delegated by the State of Ohio to the Board of Commissioners of Lorain County and the County Planning Commission. The developer has the duty of compliance with reasonable conditions laid down by the Commission for the use of the land so as to conform to the physical and economical development of the unincorporated areas of the County and to the health, safety and general welfare of the County at large.

### **112 SCHEDULE OF FEES**

The Board of County Commissioners of Lorain County shall establish a fixed schedule of fees and collection procedures for same and other matters pertaining to these Regulations. The schedule of fees shall be available in the offices of the Commission's Designee. Until all applicable fees have been paid in full, no action shall be taken on any subdivision.

### **113 EFFECTIVE DATE**

These Regulations shall be in effect immediately following approval by the Commission and adoption by the Board of Commissioners of Lorain County, Ohio.



## **ARTICLE II – GENERAL PROVISIONS**

### **201 DEFINITION OF A SUBDIVISION**

In accordance with Section 711, Ohio Revised Code, a subdivision shall be defined for the purposes of these Regulations as:

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

### **202 DIVISIONS OF LAND EXEMPT FROM THE DEFINITION OF A SUBDIVISION**

- 202.01 The division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access.
- 202.02 The sale or exchange of parcels between adjoining lot owners where such sale or exchange does not create additional building sites as defined by the applicable township's zoning or these Regulations, or reduce the original tract below the requirements of the applicable Township's zoning or these Regulations.
- 202.01 The establishment of private streets serving industrial structures on their own property.

### **203 CONFORMITY WITH THESE REGULATIONS**

- 203.01 All divisions of land as set forth in Section 201 of these Regulations and which are not specifically exempted by Section 202 shall be subject to all the provisions of these Regulations.
- 203.02 Divisions of land exempt from the statutory definition of a subdivision, as listed in Section 202, will not be required to meet the platting requirements of these Regulations.

## **ARTICLE II – GENERAL PROVISIONS**

### **204 EXEMPTION FOR PRIVATE STREETS SERVING INDUSTRIAL STRUCTURES**

The exemption regarding private streets serving industrial structures on their own property, Section 202.03, shall apply only to such private streets contained within the boundaries of an industrial site that is currently zoned for such use. If spot zoning has been granted to provide access to industrial sites, the proposed design of the roadway shall be submitted to the Commission for review. Review shall include the application of standards, which safeguard property values, safety and the general welfare of adjoining properties, and shall follow the procedures as established in Article V, Major Subdivision Procedures, of these Regulations.

### **205 DETERMINATION OF THE NUMBER OF LOTS SUBDIVIDED**

The number of lots created from an original tract shall be considered the number of new parcels plus the remaining parcel. If an owner subdivides four (4) lots from his/her original tract, the remaining parcel shall be considered the "fifth" lot if it is under five (5) Acres in size. All lots five (5) Acres or greater are exempt from the count.

### **206 RE-SUBDIVISION OF LAND**

Any change in a map of an approved or recorded subdivision plat shall be submitted to the Commission for approval under the rules and regulations established by the Commission.

### **207 VACATION OF PLATS**

- 207.01 Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein and before the construction of any improvements, by a written instrument, to which a copy of such a plat shall be attached, declaring the same to be vacated.
- 207.02 Such an instrument shall be approved by the Commission in like manner as plats for subdivisions, and in accordance with Chapters 711.17 through 711.40, Ohio Revised Code, inclusive. The Commission may reject any such instrument which abridges or destroys any public rights in any public uses, improvements, streets or alleys.
- 207.03 Such an instrument shall be executed, acknowledged or approved, and recorded or filed, in like manner as plats for subdivisions; and being duly recorded and filed shall operate to destroy the force and effect of the recording of the plat as vacated, and to divest all public rights in the streets, alleys, public grounds and all dedications laid out or described in such plat.
- 207.04 When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of the lots in such plat joining in the execution of such writing.

## **ARTICLE II – GENERAL PROVISIONS**

### **208 VARIANCES**

#### **208.01 Application Procedure**

- (A) Requests for variances shall be made by written application to the Planning Commission, fully stating the grounds and facts relied upon by applicant. A nonrefundable application fee, as established by the Board of Commissioners by Resolution, shall accompany the application.
- (B) Applications must be made at least seven (7) working days prior to the regularly scheduled Planning Commission Meeting. The variance request shall be heard at the next regularly scheduled meeting of the County Planning Commission.

#### **208.02 Guidelines for Granting a Variance**

- (A) A variance may be granted by the Planning Commission if the applicant shows one or more of the following:
  - 1. Unnecessary hardship or practical difficulties may result from strict compliance. (These terms shall have the same general meaning as construed with reference to zoning to the extent applicable to these Regulations.)
  - 2. The purpose and spirit of the Regulations will be served to a greater extent by an alternative proposal.
  - 3. Substantial justice and the public interest will be accomplished.
- (B) A variance shall not be approved unless the Planning Commission finds:
  - 1. The granting of the variance will not be detrimental to the public safety, health or welfare or injurious to adjoining property.
  - 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.
  - 3. Because of the particular physical surroundings, shape or topographical 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.

### **209 PARTITIONS**

Wherever land is to be divided by the process of partition in court pursuant to Section 5307.06 of the Ohio Revised Code, all petitions for the partition shall be

## **ARTICLE II – GENERAL PROVISIONS**

submitted to the Commission which shall take action thereon within thirty (30) days or within such time as agreed upon by the petitioners.

### **210 ADMINISTRATION AND ENFORCEMENT**

- 210.01 It shall be the duty of the Administrative Officer of the Lorain County Planning Commission to administer these Regulations and to bring to the attention of any other approving agency, affected board of township trustees and the County Prosecutor, any violations or lack of compliance herewith when known.
- 210.02 No owner, or agent of the owner, who has caused any parcel of land to be divided shall transfer or sell such land before a plat or deed of such divisions has been approved by the Planning Commission, in accordance with the provisions of these Regulations, and filed with the County Recorder.
- 210.03 The subdivision of any lot or parcel of land, by the use of metes and bounds description for the purpose of sale, transfer or lease with the intent of evading these Regulations, shall not be permitted. All such described subdivisions shall be subject to all of the requirements contained in these Regulations.
- 210.04 No building permit (where applicable), zoning certificate or occupancy permit, shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these Regulations.

### **211 AMENDMENTS**

For the purpose of providing the public health, safety and general welfare, the Commission may from time to time amend the provisions imposed by these Regulations. Public hearings on all proposed amendments shall be held by the Board of Commissioners of Lorain County in the manner prescribed by law.

### **212 PENALTIES**

Any violation of Chapter 711.102 of the Ohio Revised Code or these Regulations is subject to the penalties as set forth in Chapter 711.102 Ohio Revised Code.

### **213 RIGHTS TO APPEAL**

Rights of appeal shall be as set forth in Chapter 711.05 of the Ohio Revised Code or other applicable sections of the Ohio Revised Code.

### **214 CIVIL ENFORCEMENT**

Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these Regulations, to prevent unlawful construction, to recover damages, to restrain, correct or abate a violation and to prevent illegal occupancy

## **ARTICLE II – GENERAL PROVISIONS**

of a building structure or premises. These remedies shall be in addition to the penalties described in Section 212.00, Penalties.

### **215 NOTICES**

The County Prosecutor shall serve a written notice or order upon the person responsible whenever he is satisfied that any work is being done or transactions are being made in violation of the provisions of these Regulations or in violation of a detailed statement or plan submitted and approved by him. Such notice shall direct the discontinuance of any illegal action and the remedying of the condition that is in violation of the provisions and requirements of these Regulations. In case such notice or order is not promptly complied with, the County Prosecutor may institute the appropriate action or proceedings at law or equity to restrain, correct, remove or prosecute such violation.





## **ARTICLE III – DEFINITIONS**

### **301 INTERPRETATION OF TERMS OR WORDS**

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

1. The word "Commission", unless another local government agency having jurisdiction over a proposed subdivision is specifically mentioned, shall be construed as being the Lorain County Planning Commission.
2. The term "Regulations" shall mean the Subdivision Regulations of Lorain County, Ohio; the word "herein" means "in these Regulations".
3. The word "person" includes a firm association, organization, partnership, trust, company, or corporation as well as an individual.
4. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
5. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
6. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied".
7. The word "lot" includes "plot" or "parcel".
8. The words "business days" and "working days" shall mean Monday through Friday excluding all federally recognized holidays.

### **DEFINITIONS**

Administrative Officer: The officer(s) as appointed by the Director and approved by the Planning Commission, to administer these Regulations and to assist other Boards and Commissions of the local governments having jurisdiction or being directly affected or involved.

ADT: (Average Daily Traffic) The average 24 hour traffic volume for a given year.

Alley: See Thoroughfare.

Applicant: The owner(s) of land proposed to be subdivided or their legally constituted representative. Consent shall be required from the legal owner(s) of the land.

### **ARTICLE III – DEFINITIONS**

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

Bond: A binding agreement pledging surety in the event of financial loss caused by the act or default of the person pledging the bond or by some contingency.

Buffer Zone: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences and/or berms, designed to limit continuously the view of and/or sound from the site, to adjacent sites or properties.

Building: Any structure built for the support, shelter, enclosure of persons, animals, chattels or moveable property of any kind.

Building, Accessory: A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building, Principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

Central Water System: A public or private water company formed by a developer to serve a new community development in an outlying area. It includes water treatment and distribution facilities.

Central Sewerage System: 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.

Commission: The Lorain County Planning Commission.

Commission's Designee: The Lorain County Community Development Department or any future agency given the responsibility of enforcing these Regulations.

Comprehensive (General or Master) Plan: The plan made and adopted by the Commission and hereafter amended and supplemented indicating the general locations recommended for the principal streets, parks, public buildings, zoning districts, character and extent of community development and other physical aspects of urban and rural planning on file in the office of the Recorder of Lorain County, Ohio and in the office of the Commission. It shall also include those plans made by or for individual communities or Townships which have been adopted and are being used as guidelines for community development but which are not necessarily recorded in the office of the County Recorder of Lorain County, Ohio.

## **ARTICLE III – DEFINITIONS**

Construction and/or Improvement Plans: The maps or drawings accompanying a Subdivision Final Plat and showing the specific location and design of improvements to be installed in the subdivision.

Corner Lot: See "Lot Types".

County: Lorain County, State of Ohio.

County Engineer: The Lorain County Engineer, or his designated agent.

Covenant: A written promise or pledge.

Crosswalk: A right-of-way or easement which cuts across a block to facilitate pedestrian access to adjacent streets, schools, parks or playgrounds, or other public facilities for new subdivisions, such crosswalk shall be not less than twelve (12) nor more than thirty (30) feet in width.

Cul-de-sac: See "Thoroughfare".

Culvert: A transverse drain that runs under a bridge, street or driveway.

Dead-end Street: See "Thoroughfare".

Density: A unit of measurement which indicates the number of dwelling units per acre of land.

- a. Gross Density – The number of dwelling units per acre of the total land to be developed.
- b. Net Density – The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Density, Low Residential: Land to be used for residential purposes where there is only one (1) dwelling unit per two (2) acres of land or less.

Density, Medium Residential: Land to be used for residential purposes where there is more than one (1) dwelling unit on two (2) acres of land but not less than one (1) dwelling on one (1) acre of land.

Density, High Residential: Land to be used for residential purposes where there is more than one (1) dwelling unit on one (1) acre of land.

Developer: Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust or any other legal entity commencing proceedings under these Regulations who constructs or contracts to construct improvements and effects a subdivision of land hereunder for himself or for another. Evidence of consent from

### **ARTICLE III – DEFINITIONS**

the legal owner(s) of the property shall be required in order to proceed under the provisions of these Regulations.

Easement: Recorded authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property, created by grant or prescription.

Engineer: Any person registered to practice professional engineering by the State Board of Registration, as specified in Section 4733 of the Ohio Revised Code.

Erosion and Sediment Control Plan: The written document which sets forth plans and practices to minimize soil erosion and prevent off-site disposal of soil sediment.

Escrow: A deposit of cash with the governing body, or approved land title company or bank, in lieu of an amount required and still in force on a performance or maintenance bond. Such escrow funds shall be deposited by the developer or his agents with an approved agency or with the County Engineer upon approval of the Board of County Commissioners.

Expressway: See "Thoroughfare".

Flexible Zoning: Zoning which permits uses of land and density of buildings and structures different from those which are allowed as a right within the zoning district in which the land under consideration is located. Such permits and requirements shall accompany the Preliminary Plan to indicate by authorization from the local government the type of development so approved.

Flood Plain, 100 Year: The areas adjoining a watercourse, including both the flood fringe and the floodway, which are subject to a one percent chance of flooding in any given year.

Floodway: That portion of the flood plain, including the channel, which is reserved to discharge the base or 100-year flood.

Floodway Fringe: That portion of the 100-year flood plain outside of the floodway where development may be allowed under certain restrictions.

Governing Body: The body of the local government having the power to adopt ordinances or resolutions.

Grade: The slope of land, street or road, or any other public way, specified in percentage (%) terms.

Grantee: One who is acquiring or purchasing property.

## **ARTICLE III – DEFINITIONS**

Grantor: One who is selling or conveying property.

Health District: The Lorain County General Health District.

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

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

Inspection Fee: A fee to be paid by the subdivider or developer to the County, with applications and permits which covers the cost of inspection of construction of improvements.

Key (Location or Vicinity) Map: A drawing, at a reduced scale, located on the plat, which sets forth by dimension or other means, the relationship of the proposed subdivision to other nearby developments or landmarks and community facilities and services within the County or Township in order to better locate and orient said subdivision.

Last Preceding Tax Roll: (As used in Section 201.01 of these Regulations) The last tax roll of the Lorain County Auditor's records preceding the first revision of these Regulations, dated June 16, 1983.

Lot: For the 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 such yards and other open spaces as are herein required. Such lot shall have frontage on an approved public street, or on an approved private street, and may consist of:

- a. A single lot of record.
- b. A portion of a lot of record.
- c. 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 that portion of the lot nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as required under the Zoning Resolution.

## **ARTICLE III – DEFINITIONS**

Lot Measurements: A lot shall be measured as follows:

- a. The depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- b. The width of the lot shall be considered to be the distance between straight lines connecting front and rear lines at each side of the lot, measured at the minimum building setback line.

Lot, Minimum Area of: The area of the lot which is computed exclusive of any portion of the right-of-way of any public or private street.

Lot of Record: A lot which is part of a subdivision recorded in the office of the County Recorder of Lorain County, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Split: A minor subdivision.

Lot Types: Terminology used in these Regulations with reference to corner lots, interior lots, reversed frontage and through lots shall be as follows:

- a. A corner lot is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty five (135) degrees.
- b. An interior lot is a lot other than a corner lot with only one frontage on a street.
- c. A through lot is a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
- d. A reversed frontage lot is a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Major Subdivision: All subdivisions not classified as minor subdivisions; including, but not limited to, subdivisions of five (5) lots or more, or any size subdivision involving the opening, widening or extension of any existing or proposed road, or easement of access, and the extension or creation of any public improvements or community facilities.

## **ARTICLE III – DEFINITIONS**

**Major Thoroughfare Plan:** The system of expressway, arterial and collector streets for Lorain County as adopted by the Commission, on file in the office of the Recorder of Lorain County, Ohio, and in the offices of the Commission's Designee, together with all amendments or revisions thereto subsequently adopted.

**Minor Subdivision:** Any subdivision containing not more than five (5) lots fronting on an existing approved street, not involving the opening, widening or extension of any road or easement of access, after the original tract has been completely subdivided, not involving the extension or creation of any public improvements or facilities. Such subdivision shall not be in conflict with any other existing laws or covenants of record nor reduce the original tract below the requirements of existing zoning.

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

**Non-Residential Subdivision:** A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivisions shall comply with the applicable requirements of these Regulations.

**Open Space:** An area open to the sky, which may be on the same lot with the building. The area may include, along with the natural environmental features, swimming pools, tennis courts, and any other recreational facilities.

**Original Tract:** A parcel of land shown as a unit on the last tax roll of the Lorain County Auditor's records preceding the first revision of these Regulations, dated June 16, 1983.

**Owner(s):** Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having title to the land sought to be subdivided under these Regulations.

**Parking Space, Off-Street:** For the purpose of these Regulations, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, and shall be located totally outside of any street or alley right-of-way.

**Performance Bond or Surety Bond:** A personal or corporate suretyship agreement between a subdivider and such surety in favor of the Board of County Commissioners of Lorain County, guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the Subdivider's Agreement.

## **ARTICLE III – DEFINITIONS**

**Plan, Preliminary:** The drawing or drawings as first submitted to the Planning Commission for approval and indicating the proposed layout of the subdivision together with all data as required in Article VII of these Regulations.

**Plan, Sketch:** An explanatory drawing made prior to the preparation of the Preliminary Plan to enable the subdivider to save time and expense in reaching general agreement with the Planning Commission as to the form of the plan and the objectives of these Regulations.

**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 reduced lot sizes and set backs, than those restrictions which would normally apply under zoning or these Regulations.

**Plat:** A map upon which the subdivider's plan of the subdivision is presented and which he submits for approval and intends to record in the final form.

**Plat, Final:** The map, plan or record of a subdivision prepared in its final form for recording, with required signatures as provided for in these Regulations.

**Private Street:** Any non-dedicated street or road which provides access to any structure or lot.

**Public Improvements:** Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree planting, grading or lawn seeding, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

**Public Way:** An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, tunnel, viaduct, walk, bicycle path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

**Re-subdivision:** A change in a map of an approved or recorded Subdivision Plat if such change affects: 1) any street layout on such map or area reserved thereon for public use; or 2) lot lines.

**Right-of-Way:** A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges.

**Road:** See "Thoroughfare".



## **ARTICLE III – DEFINITIONS**

**Setback Line, Building:** A line established by the subdivision regulations and/or the local zoning resolution, generally parallel with and measured from the lot line, which defines the limits of a yard in which no building or structure may be located above ground, except as may be provided in local zoning resolutions.

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

**Shade Tree:** A tree in a public place, street right-of-way or special easement as provided for in these Regulations.

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

**Structure:** Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences and billboards; but not sidewalks or parking spaces.

**Subdivider:** See "Developer".

**Subdivision:** As defined by Ohio Revised Code and as amended. (See "Article II, Section 201 of these Regulations").

**Subdivision Review Subcommittee:** A Subcommittee appointed by the Chairman of the Lorain County Planning Commission representing the following areas: Lorain Soil and Water Conservation District, Lorain County Health District, Lorain County Engineer, Lorain County Sanitary Engineer, Lorain County Board of Education, Lorain County Prosecutor's Office and such others as the Commission deems necessary.

**Surveyor:** Any person registered to practice surveying by the State Board of Registration, as specified in Section 4733 of the Ohio Revised Code.

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

- a. "Ordinary" is that land which has a cross slope range of eight percent (8%) or less.
- b. "Rolling" is that land which has a cross slope range of more than eight percent (8%) but not more than fifteen percent (15%).

## **ARTICLE III – DEFINITIONS**

- c. "Hilly" is that land which has a cross slope range of more than fifteen percent (15%).

Thoroughfare, Street or Road: The full width between property lines bounding every public way or private way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

- a. Alley: A public or private right-of-way primarily designed to serve as secondary access to properties whose principal frontage is on some other street; and, for new subdivisions, an alley shall be no less than thirty (30) feet in width.
- b. Arterial Street:
1. Major: Streets which serve as principal connectors between communities, major land uses and larger traffic generators. Their primary function is to carry through traffic. In order to be classified as a major arterial, the street should be carrying at least 8,000 vehicles per day or be a part of the state primary system.
2. Minor: Streets which primarily serve through traffic and augment the major arterial system. They also connect the rural area with the major arterial system. Minor arterials should carry a minimum of 2,000 vehicles per day or be part of the state secondary system.
- c. Collector Street: A thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
- d. Cul-de-sac: A local street, as prescribed in these Regulations, with one (1) end open to traffic and the other terminating in a circular turn-around.
- e. Dead-end Street: A street having only one (1) outlet for vehicular traffic.

## **ARTICLE III – DEFINITIONS**

- f. Expressway: An expressway is a road which is designed to facilitate rapid movement of a high volume of traffic to, around or through urban areas with a high degree of safety. Limitation of access and the separation of direction of flow with a median strip are characteristics of the expressway, which separate it from other major arterials.
- g. Local Street: A street primarily for providing access to residential, commercial or other abutting property.
- h. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street.
- i. Marginal Access Street: 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 (Also called "Frontage Street").

Through Lot: See "Lot Types".

Township: Any unincorporated area of Lorain County governed by a Board of Township Trustees.

Variance: A variance is a modification of the strict terms of relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Vicinity Map: See "Key Map".

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

Wetland: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. The three (3) criteria that must exist on site for an area to be declared a wetland are: hydric soils, hydrophytic vegetation, and wetland hydrology.

### **ARTICLE III – DEFINITIONS**

Yard: A required open space other than a court, unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided that accessories, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

- a. Yard, Front: An open space extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
- b. Yard, Rear: An open space extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
- c. Yard, Side: An open space extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Zoning Inspector: The person designated by the local government to enforce the zoning resolution.

## **ARTICLE IV – MINOR SUBDIVISION PROCEDURES**

### **401 DEFINITION OF A MINOR SUBDIVISION**

Minor Subdivision: Any subdivision containing not more than five (5) lots fronting on an existing approved street, not involving the opening, widening or extension of any road or easement of access, after the original tract has been completely subdivided, not involving the extension or creation of any public improvements or facilities.

### **402 AUTHORITY**

Whenever a division of a parcel of land is determined to meet the conditions of a minor subdivision, it shall be submitted to the Commission for action without a plat, as provided for in Section 711.131 of the Ohio Revised Code.

### **403 ITEMS FOR SUBMISSION**

- 403.01 A drawing, based on a private survey, as prepared by a Registered Surveyor in the State of Ohio in conformance with the standards established by the State Board of Registration for Professional Engineers and Surveyors. The survey must include:
- Location and size of all existing and proposed parcels including remainder and combination parcels,
  - Existing parcel numbers of split parcel(s) and any parcel with which a split is to be combined,
  - The names and parcel numbers of adjoining lot owners,
  - All structures and ponds within sixty (60) feet of newly proposed lot lines with nearest distance identified,
  - FEMA 100 year flood boundary including flood fringe and floodway if available,
  - Any proposed easements, setbacks or no-build zones.
- 403.02 A separate deed shall be required for each parcel of land being subdivided and/or combination.
- 403.03 A site review of the subdivision by the Lorain County Health *District*, or evidence that the proposed subdivision is exempt from the site review requirements, as described in Section 404.01.
- 403.04 An access permit from the Lorain County Engineer's Department, or evidence that the proposed subdivision is exempt from access permit requirements.
- 403.05 An erosion & sediment control evaluation by the Lorain Soil & Water Conservation District, or evidence that the proposed subdivision is exempt from erosion & sediment control requirements.
- 403.06 A record of all variances and court decisions that have bearing on subdivision shall be submitted.

## **ARTICLE IV – MINOR SUBDIVISION PROCEDURES**

- 403.07 A non-refundable processing fee, as established by the Board of County Commissioners by Resolution, shall accompany each application.
- 403.08 The Commission, or its designee, may require other information that deems pertinent and necessary to a review of the subdivision.

### **404 PROCEDURES FOR REVIEW**

- 404.01 The Lorain County Health Department shall perform a site evaluation for the proposed division to determine suitability for individual wastewater disposal systems prior to submission to the Commission. A fee for this evaluation as established by the Lorain County Health District is required. Exempt from this requirement shall be minor subdivisions that have access to central sewers.
- 404.02 The Lorain Soil and Water Conservation District shall perform a site evaluation to determine if there are any potential wetlands on the lot and areas prone to erosion and sedimentation and provide information to protect these sensitive areas. A fee for this evaluation as established by the Lorain Soil and Water Conservation District is required. Exempt from this requirement shall be minor subdivisions where there is an existing house or the parcel is being combined with an adjacent parcel.
- 404.03 The Lorain County Engineer shall perform a site evaluation to determine if there are any horizontal or vertical line of sight issues which would inhibit the location of a driveway on the proposed lot. A fee for this evaluation as established by the Lorain County Engineer is required. Exempt from this requirement shall be minor subdivisions that have an existing driveway, are located on a state route, or those in which the parcel is being combined with an adjacent parcel.
- 404.04 In order to ensure compliance of all applicable local requirements, the Commission's designee shall send a copy of all minor subdivisions to the affected Township Zoning Inspector and comments must be forwarded to the Commission in a timely manner.
- 404.05 If the Commission's designee, acting through a designated member of staff, is satisfied that such proposed division is not contrary to applicable laws and regulations, it shall, within seven (7) business days after submission of a complete application, approve such proposed division and on presentation of a conveyance of said parcel, shall stamp the same, "APPROVE, LORAIN COUNTY PLANNING COMMISSION, NO PLAT REQUIRED", and have it signed by a member of the staff so designated by the Commission.
- 404.06 If the minor subdivision is disapproved, the subdivider shall be notified in writing the reason(s) for the disapproval. If the subdivider disagrees with the decision, they may then appeal to the Planning Commission.

## **ARTICLE IV – MINOR SUBDIVISION PROCEDURES**

- 404.07 The Lorain County Tax Map Department shall review the description and map for accuracy and for conformance to the requirements of the Lorain County Auditor after submission to the Commission.
- 404.08 Once approval has been granted, this division of land must be filed with the office of the Recorder of Lorain County, Ohio within sixty (60) days. Extensions may be granted. Failure to file within the specified time will warrant the re-examination of the deed by the Commission or its designee.

### **405 APPROVAL OF MINOR SUBDIVISIONS**

- 405.01 Minor subdivisions shall not be in conflict with any other existing laws or covenants of record or with applicable platting, subdividing or zoning regulations, nor shall they reduce the original tract below the requirements of existing zoning.
- 405.02 The division of a parcel of land and the remaining lot must meet all locally adopted zoning requirements. The Commission designee shall require the combination of adjacent parcels when either the split or the remainder does not meet zoning requirements. Relief from the mandatory combination is available when one or more of the following criteria are met: 1) The substandard parcel is twenty (20) acres or larger, 2) The adjoining parcel to which it is being sold is twenty (20) acres or larger, 3) The substandard parcel is too small to be considered a buildable lot, 4) A variance is issued by the Commission. The following wording shall be required to be placed on the deed of all parcels receiving relief from the mandatory combination.

"This conveyance represents a sale of a parcel of land between adjoining lot owners which does not create additional building sites and accordingly pursuant to Section 711.001 (B)(1) of Ohio Revised Code is exempt from platting requirements."

- 405.03 The Commission limits lots to a maximum ratio of 3.5 to 1 depth to width for the most efficient use of land. The Commission may grant variances for lots limited by topography or land which is determined to be unbuildable.
- 405.04 Approval of a division of a parcel of land by the Commission applies only to conformance with the local zoning and these Regulations. Approval does not apply to location of proposed structures thereon, nor does it guarantee the subsequent transfer and recording or approval by other County agencies having jurisdiction over said subdivision.
- 405.05 Appeals to decisions on minor subdivisions shall follow the provision of Section 208, "Variances".

## **ARTICLE IV – MINOR SUBDIVISION PROCEDURES**

### **406 MISCELLANEOUS – DRIVEWAY PERMIT**

When development occurs, the subdivider shall obtain the appropriate driveway permit for driveway pipes and grading of the road ditch and approach along the existing road frontage which shall conform to the adopted policy of the individual Township Trustees on Township roads, the County Engineer on County roads or the Ohio Department of Transportation on State roads, whichever road is involved. This permit shall be obtained from the Township, the County Engineer or the Ohio Department of Transportation, whichever political subdivision is involved.



## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

### **501 DEFINITION OF A MAJOR SUBDIVISION**

All Subdivisions not classified as minor subdivisions, including but not limited to subdivisions of five (5) lots or more, or any size subdivisions involving opening, widening or extensions of any existing or proposed road, or easements of access, and the extensions or creation of any public improvements or community facilities.

### **502 GENERAL PROVISIONS**

502.01 No persons, firm or corporation proposing to lay out or have laid out within the territorial jurisdiction of these Regulations, a subdivision which includes more than five (5) lots, shall proceed with any construction work on the proposed subdivision, including grading, before obtaining from the Commission approval of a Preliminary Plan of the proposed subdivision. In order to provide the maximum communication procedure between developer and the Commission, the following procedure is recommended.

#### **502.02 Approval of the Director of the Ohio Department of Transportation (ODOT)**

Before any plat is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Transportation Director, any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail, to the Director. The Commission shall not approve the plat for one hundred twenty (120) days from the date the Director receives the notice. If the Director notifies the commission that he shall proceed to acquire the land needed, then the Commission shall refuse to approve the plat. If the Director notifies the Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) days period of any extension thereof agreed upon by the Director and the property owner, the Commission shall, if the plat is in conformance with all provisions of these Regulations, approve the plat.

### **503 MAJOR SUBDIVISION APPROVAL PROCEDURES**

#### **503.01 Informal Consultation**

The subdivider or his/her agent may consult informally with the Commission designee's staff in order to familiarize himself with the Subdivision Regulations and with the proposals of the official Thoroughfare Plan of Lorain County affecting the territory in which the proposed subdivision will be located.

## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

### **503.02    Administrative Review**

At least 14 days prior to submitting a Preliminary Plan for review, it is recommended that the developer or his/her engineer contact the Commission's designee to set up an appointment for an Administrative Review.

The Commission's designee will be responsible to schedule the meeting and notify the appropriate township and other reviewing agencies. The other County reviewing agencies include: the Lorain County Engineer, the Lorain County Sanitary Engineer, the Lorain County Rural Wastewater District, the Lorain County Health District and the Lorain Soil and Water Conservation District.

The developer shall submit six (6) copies of the sketch plan, prepared by a Registered Surveyor, to the Commission's designee at the Administrative Review. The form and requirements of the sketch plan are outlined in Article VIII, Section 801 of these Regulations.

During the Administrative Review, the reviewing agencies and the township will examine the Sketch Plan and discuss all relevant concerns and technical requirements.

### **503.03    Confirmation of the Planning Commission**

Within five (5) working days, or within such further time as the applicant may agree to, the Commission's designee acting through its staff shall inform the developer that the plans and data, as submitted or as modified, do or do not meet the objectives of these Regulations. Preliminary Plans will not be accepted until all items identified in the Administrative Review have been addressed.

## **504        SUBMISSION OF A PRELIMINARY PLAN**

On reaching general consensus informally regarding his general subdivision program and objectives, the developer shall submit a Preliminary Plan to the Commission's designee, the Lorain County Community Development Department. Before submission of the Preliminary Plan, the developer shall have submitted his subdivision plans to the Lorain County General Health District for their Preliminary Phase and Intermediate Phase review for the approximate number and type of wastewater disposal systems that may be approved for the particular subdivision.

The Preliminary Plan shall be prepared and signed by a Registered Surveyor or Professional Engineer. The developer shall also submit a Preliminary Title Report as required in these Regulations. The subdivider shall submit six (6) folded full-size copies of the Preliminary Plan, six (6) sets of the Preliminary Storm Water and Improvement Plans, one (1) reproducible 11x17 copy and one (1) electronic file of all plans to the Commission's designee. The designee will be responsible for distributing copies of the plans to the other County reviewing agencies and the

## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

affected Township. Article VIII, Section 802 describes other information required for the submission of a Preliminary Plan.

### **504.01    Date of Preliminary Plan Submission**

The subdivider shall submit the Preliminary Plan package to the Commission designee's staff at least thirty (30) working days prior to a regular meeting of the Commission. The Commission designee's staff has five (5) working days to determine if the submission is complete. The date of submission shall be the date that the Commission designee's staff determines that the submission is complete. Incomplete submissions will not be placed on the agenda.

### **504.02    Compliance with Local Regulations**

Every plan shall conform to existing health regulations, zoning regulations and Subdivision Regulations applicable at the time of approval.

### **504.03    Preliminary Plan Review Criteria**

The agencies listed in Section 504 will review the preliminary plan for compliance with their various rules and regulations. These shall include, but are not limited to:

1. Wastewater Treatment System;
2. Drinking Water System;
3. Storm Water and Drainage Systems;
4. Erosion and Sediment Control Plans;
5. Flood Plain Areas and Wetland Areas;
6. Zoning; and
7. Engineering Standards.

See Article VI and the Lorain County Engineer Specifications and Regulations for Subdivision Development for detailed information on major subdivision design standards and requirements.

### **504.04    Approval of Preliminary Plan**

The Commission, acting through its designee's staff and the Subdivision Review Subcommittee, shall within thirty (30) working days, or within such further time as the applicant may agree to, review the Preliminary Plan and other material submitted for conformity thereof to these Regulations and negotiate with the subdivider on changes deemed advisable. The staff shall inform the subdivider as to which public offices must be contacted by him to determine the nature and extent of the improvements required.

The subdivider or his/her agent must be present at both the Subdivision Review Subcommittee and County Planning Commission meetings. If no one is present,

## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

the subdivision will be tabled and the subdivider will be informed that they need to be present at the next meeting for their subdivision to be heard.

Major revisions to plans between the Subdivision Review Committee and the County Planning Commission will not be accepted. Anyone desiring to revise their plans can ask to be removed from the Planning Commission agenda, and placed on the next Subdivision Review Subcommittee's agenda.

The Trustees in the township where the subdivision is proposed shall respond to the Commission indicating the conformance or non-conformance of said plan with all existing zoning, future land use plans and other areas of responsibility with which the Township has jurisdiction, particularly as regards Township roads and major drainage courses.

Upon completion of the review, the action of the Commission shall be sent to the developer within five (5) working days to the developer. The County Engineer shall also provide a marked up set of the Preliminary Plan, referenced and attached to any conditions determined.

Conditional approval of the Preliminary Plan shall not constitute approval of the subdivision plat. Rather, it shall be deemed an expression of approval to the layout as returned to the subdivider on the Preliminary Plan, as a guide to the preparation of the final subdivision plat which will be submitted for approval of the Commission, and for recording upon fulfillment of the requirements of these Regulations and the conditions of approval, if any.

If the Commission does not render conditional approval of the Preliminary Plan within the thirty (30) working days stipulated in Article V, Section 504.02 of these Regulations, or such further time as they may agree to, nothing in these Regulations shall prohibit the subdivider from officially filing his/her proposed Comprehensive Storm Wwater Management and Improvement Plans with the County Engineer and Soil and Water Conservation District.

### **504.05    Effective Period of Preliminary Plan Approval**

The approval of the Preliminary Plan shall be effective for a period of two (2) years at the end of which period; final approval or an extension on the subdivision must have been obtained from the Commission. The Planning Commission may grant one (1) extension of Preliminary Plan approval not to exceed one (1) year in length. The developer or his/her agent must apply for an extension prior to the completion of the effective period of the Preliminary Plan. Any Preliminary Plan not receiving final approval within the period of time set forth herein or granted an extension shall be null and void, and the developer shall be required to resubmit a new plan for preliminary approval subject to any and all new zoning restrictions and subdivision regulations.

## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

For multi-phased projects that are submitted and approved under Section 506, final plat approval for at least one phase shall be obtained within two (2) years of the preliminary plan approval. At the time of final plat approval, approval of the preliminary plan may be extended for two (2) additional years to allow for continuation of subsequent phases.

### **505 ENGINEERING AND DETAILED PLAN REVIEWS**

Once a Preliminary Plan is approved, the subdivider shall submit:

- Conditional Letter of Map Amendment/Revision to the Lorain County Community Development Department if applicable. Any project site or portion therein located in an Approximate A zone according to the Flood Insurance Rate Maps must hire at their own expense a certified engineer to complete a hydraulic and hydrologic analysis to determine the Base Flood Elevations, floodway location and delineate the limits of the 100 year flood plain for the entire site. This analysis must be submit to and approved by the Federal Emergency Management Agency prior to submittal of any plans to either the Lorain County Engineer or the Lorain Soil and Water Conservation District. If changes to the lot or street arrangement of the approved Preliminary Plan are necessary as a result of the flood study, the subdivider shall submit a Revised Preliminary Plan to the Lorain County Planning Commission.
- An Erosion and Sediment Control Plan to the Lorain Soil and Water Conservation District for review and approval. See the Lorain County Erosion and Sediment Control Rules for plan requirements.
- Draft Comprehensive Storm Water Management Plan and Improvement Plans to the Lorain County Engineer for review and approval. See the Lorain County Storm Water Regulations and the Lorain County Engineer Specifications for Subdivision Development for respective requirements.

Upon approval of the above mentioned plans by the Lorain Soil and Water Conservation District and Lorain County Engineers respectively, the subdivider shall enter into a Subdivider's Agreement with the Lorain County Engineers. Construction cannot begin until all necessary federal, state and local permits and approvals are secured by the subdivider.

All improvements shall be completed within the two (2) year effective period of the Preliminary Plan or extension granted in writing by the Lorain County Planning Commission. All improvements must be conditionally approved by the respective agencies before an application for Final Plat approval can be made to the Commission.

### **506 FINAL PLAT APPROVAL PROCEDURE**

## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

### **506.01     Final Plat Submission**

The subdivider, after receiving approval of the Preliminary Plan, Erosion and Sediment Control Plan and Comprehensive Storm Water Management Plan and Improvement Plans of the proposed subdivision, shall submit a final plat of the subdivision prepared and signed by a registered surveyor. The final plat shall have incorporated all changes in the Preliminary Plan required by the Commission. Otherwise it shall conform to the Preliminary Plan and it may constitute only that portion of the approved Preliminary Plan, which the subdivider proposes to record and develop at the time. Article VIII, Section 803 describes the Final Plat form, the items required for submission and other specifications of the Final Plat.

The subdivider shall submit six (6) folded copies of the Final Plat, one (1) 11x17 reproducible copy of the Final Plat, two (2) copies of the approved Comprehensive Storm Water Management Plan and Improvement Plans, one (1) electronic file of all plans and other information required in Article VIII, Section 803, to the County Planning Commission's designee. The designee will be responsible for distributing copies of the Final Plat submission to the other County reviewing agencies as described in Section 504 of this Article.

### **506.02     Date of Final Plat Submission**

The subdivider shall submit a Final Plat to the Commission designee's Staff at least fourteen (14) working days prior to a regular meeting of the Commission. The regular meeting of the Commission at which the Final Plat is presented for final approval, including any adjourned date thereof, shall constitute the official submittal date of the Final Plat for the purpose of these Regulations.

### **506.03     Notice of the Affected Township**

Within five (5) days after the submittal of the Final Plat, the Commission's designee shall send by certified mail a written notice to the Clerk of the Board of Trustees in the township where the plat is located. The notice shall inform the trustees that the plat has been submitted and the date, time and location of the meeting where the Commission will consider or act on the plat. The meeting cannot occur until at least seven (7) days after the notice is sent to the Clerk of the Township Trustees.

If the township administrative authority does not recommend acceptance of the plat, it must submit to the Commission in writing their reason or reasons for not recommending acceptance.

### **506.04     Commission Approval of the Final Plat**

The approval of the Commission or the refusal to approve shall take place within fourteen (14) working days after the submission date or within such further time to which the applicant may agree. The grounds for refusal of any plat submitted,

## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

including citation of or reference to the rule or regulation violated by the plat, shall be stated upon the record of the Commission.

The subdivider or his/her agent must be present at both the Subdivision Review Subcommittee and County Planning Commission meetings. If no one is present, the subdivision will be tabled and the subdivider will be informed that they need to be present at the next meeting for their subdivision to be heard.

Major revisions to plans between the Subdivision Review Committee and the County Planning Commission will not be accepted. Anyone desiring to revise their plans can ask to be removed from the Planning Commission agenda, and placed on the next Subdivision Review Committee's agenda.

The subdivider shall be notified of the final action of the Commission within five (5) working days.

### **506.05    Effective Period of Final Plat Approval**

The approval of a Final Plat shall be effective for a period of one (1) year. The Planning Commission may grant one (1) extension of Final Plat approval not to exceed one (1) year in length. The developer or his/her agent must apply for an extension prior to the completion of the effective period of the Final Plat.

The developer shall record the subdivision plat in the office of the Recorder of Lorain County, Ohio, within the approval period of the Final Plat. Otherwise, the Commission may recall the plat for its reconsideration.

### **507        ENDORSEMENT OF THE FINAL PLAT**

After approval of the Final Plat has been granted by the County Planning Commission, the subdivider shall circulate the Final Plat for endorsement.

#### **507.01    Endorsement of the Affected Township**

The subdivision Final Plat shall be endorsed by the administrative authority of the Township containing the proposed development with respect to meeting all of its ordinances and/or resolutions.

#### **507.02    Endorsement of Reviewing Agencies**

The final subdivision plat shall be properly endorsed by the Lorain County General Health District with respect to meeting all the requirements of said Board for wastewater and water facilities.

The County Engineer and County Sanitary Engineer shall also have signed the Final Plat subject to meeting all the requirements of his/her office in respect to all

## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

drainage and construction of required improvements, maintenance guarantee and inspection fees paid.

The Soil and Water Conservation District shall also have signed the Final Plat subject to meeting all erosion and sediment control standards.

The Commission shall be the last to sign the plat, which shall be subject to meeting all the requirements of the appropriate county agencies and the requirements of these Regulations. See Article IX – Required Statements and Signatures to be Affixed on the Final Subdivision Plat for the order to obtain signatures.

### **508 ACCEPTANCE OF IMPROVEMENTS**

Approval of the Final Plat by the Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.

All improvements shall comply with the requirements of the approved Preliminary Plan, Erosion and Sediment Control Plan and Comprehensive Stormwater Management Plan and Improvement Plans as reviewed and approved by the Lorain Soil and Water Conservation District and the Lorain County Engineer's office acting on behalf of the Board of County Commissioners as its agents.

Upon completion of all improvements including utilities and approval of the Final Plat by the Lorain County Planning Commission, the subdivider shall, in writing, request acceptance of the improvements by the Board of Commissioners of Lorain County.

### **509 PHASING OF MAJOR SUBDIVISION PLATS**

At the option of the subdivider or developer, a subdivision may be constructed in phases provided that such phasing is done according to the following provisions.

- 509.01 The applicant shall submit a phasing plan in conjunction with their preliminary plan that shows the boundaries, progressive order and general time frame for completion and platting of each phase. Phasing boundaries and sequence can be amended upon written request from the applicant and resubmission of the preliminary plan in accordance with these regulations.
- 509.02 Each phase shall be fully capable of functioning with all the required improvements in the event future phases are not completed.
- 509.03 Temporary turnarounds may be required at the end of streets that are intended to be extended into a subsequent phase.



## **ARTICLE V – MAJOR SUBDIVISION PROCEDURES**

- 509.04 The improvement plans and corresponding final plats shall be submitted in phases and in progressive order according to the sequencing indicated on the approved phasing plan. The final plat of each phase shall be recorded with the Office of the Lorain County Recorder in accordance with the phasing plan or subsequent amended phasing plan approved by the Commission.
- 509.05 The County Commissioners may require that the maintenance guarantee be in such amount as is commensurate with the phase or phases of the plat to be filed and may defer the remaining required maintenance guarantee principal amount until the remaining phases of the plat are offered for filing.
- 509.06 The developer may also file irrevocable offers to dedicate streets and public improvements in the phases to be approved and defer filing offers of dedication for the remaining phases subject to any conditions imposed by the Commission. Approval shall be granted concurrently with final approval of the plat.

### **510 COMMERCIAL AND INDUSTRIAL SUBDIVISION**

Subdividers or developers of shopping centers and other commercial as well as industrial uses, particularly industrial parks, shall comply with the same requirements as residential developers.

### **511 OTHER LAND USES**

Any other land use which may either alter the existing street or road pattern or materially change or disrupt the existing flow of traffic shall be reviewed by the Commission and a plat may be required if the Commission is of the opinion that such a plat should be recorded.



## **ARTICLE VI – SUBDIVISION DESIGN STANDARDS AND REQUIREMENTS**

### **601 LOCATION**

#### **601.01 Conformity with Major Thoroughfare Plan**

The location and width of all streets and roads for all subdivisions shall conform to the official Major Thoroughfare Plan of Lorain County and any subsequent revision thereof, and to good design practices, which take into consideration the topography of the land, natural features and other assets, which will enhance the environment of the subdivision and surrounding development. Also, all proposed subdivisions shall conform to the Official Lorain County Park and Recreation Plan and any subsequent revision thereof.

#### **601.02 Storm and Sanitary Drainage - General**

The Commission shall not approve any subdivision having inadequate storm water provisions and/or wastewater drainage as determined by the Lorain County Engineer and the Lorain County Sanitary Engineer with input from the Lorain County Soil and Water Conservation District. Specific guidelines are outlined in the Lorain County Engineer Specifications and Regulations for Subdivision Development and the Lorain County Comprehensive Storm Water Management Regulations. The subdivider shall bear all design and construction costs for provision of adequate stormwater and wastewater drainage including but not limited to the extension of sanitary sewers to the site from another location.

#### **601.03 Protection of Drainage Courses**

No natural drainage course shall be altered and no fill, buildings or structures shall be placed in it, unless approved by the County Engineer. Said County Engineer may require that an easement be provided.

#### **601.04 Erosion and Sedimentation Control**

Provisions shall be made for minimizing erosion and sedimentation due to development. Specific guidelines are outlined in Lorain County Erosion and Sediment Control Rules. Copies of the rules are available through the Lorain Soil and Water Conservation District.

#### **601.05 Flood Plain Areas**

The Planning Commission may, when it deems necessary for the health, safety or welfare of the present and future population of the area and necessary to the conservation of water, drainage and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the flood plain of any stream or drainage course. These flood plain areas shall be preserved from any and all destruction or damage resulting from clearing, grading or dumping of earth, waste material or stumps except at the discretion of the Planning Commission, it's

## **ARTICLE VI – SUBDIVISION DESIGN STANDARDS AND REQUIREMENTS**

designee and the office of the County Engineer. A set of FEMA Flood Insurance Rate Maps is available for review at the Lorain County Community Development Department office.

### **601.06    Wetlands Areas**

The Lorain Soil and Water Conservation District will review all subdivisions for the potential need for a detailed wetland determination. Assessment will be based on soil types, as specified in the Soil Survey of Lorain County. If the proposed subdivision is determined to potentially be classified as a wetland, it then becomes the responsibility of the developer to have a more detailed investigation done by a consultant qualified in wetlands delineation and mitigation planning. The consultant will determine if an application to the U.S. Army Corps of Engineers and/or Ohio EPA for a Section 401 and/or 404 permit is required. A letter from the consultant stating that the property does not qualify as a jurisdictional wetlands will be accepted as part of the proposed subdivision's Preliminary Plan review.

601.07    Approval of a subdivision Plan or Plat does not constitute compliance or any representation of compliance with Federal and/or State laws and regulations relating to Wetlands requirements. The owner/developer has full responsibility to comply with Federal and/or State laws and regulations, including but not limited to permits and approvals relating to wetlands areas.

## **602        PUBLIC SITES AND OPEN SPACES**

### **602.01    General**

Provision shall be made if requested by the Commission for the allocation of areas for playgrounds, school sites, parks and other outdoor recreational facilities as indicated on the adopted or amended Lorain County Comprehensive Plan of Parks or other plan of the area in which the subdivision is located.

### **602.02    Parks, Playgrounds and Recreational Areas**

Any one of the following methods may be used to provide recreation space in major subdivisions provided that the method is mutually agreeable between the subdivider, Planning Commission and the affected Township.

- a. The dedication to public use on the plat of the parcel proposed for subdivision, of a parcel of land equal to at least four percent (4%) of said parcel proposed for subdivision.
- b. The conveyance by deed to an appropriate public body of a parcel of land equal to at least four percent (4%) of the parcel proposed for subdivision.

## **ARTICLE VI – SUBDIVISION DESIGN STANDARDS AND REQUIREMENTS**

- c. A conveyance or reservation to the owners of land within the proposed subdivision of a parcel of land equal to at least four percent (4%) of the parcel proposed for subdivision for use of the property owners within said subdivision.
- d. Cash equal to four percent (4%) of the raw land acquisition cost of the parcel proposed for subdivision, if the parcel was acquired within the last ten (10) years. Such cash shall be paid to the political subdivision of which the proposed development is a part and shall be specified for limited use in acquiring park and open space land to serve the proposed development.
- e. Such other method that may be mutually agreeable to the subdivider, the Commission and the affected Township.

### **603      PRESERVATION OF NATURAL FEATURES AND AMENITIES**

Every effort shall be made to preserve existing features which would add value to residential development, such as trees, watercourses and falls, beaches, historic sites and other similar irreplaceable assets. Easements and deed restrictions shall be placed on the subdivision plat and subsequent deed for any features to be preserved.

### **604      SUBDIVISION NAME**

The Commission's designee shall review the proposed subdivision name to ensure that there is no duplication, nor is it similar to or in conflict with the names of any existing subdivision in Lorain County or any previously planned subdivision under consideration by the Commission.

### **605      LOT IDENTIFICATION**

All lots shall be numbered by progressive numbers throughout the proposed subdivision. The lots in numbered additions bearing the same name shall be consecutive throughout the several additions. Where land is subdivided into more than one (1) subdivision by the same developer, the lots in each subdivision shall be so numbered so that the lots will bear consecutive numbers.

### **606      LOT IMPROVEMENTS**

#### **606.01      Soil Preservation and Final Site Grading**

No certificate of occupancy permit, where applicable, shall be issued until final site grading has been completed in accordance with the approved erosion and sediment control plan. This includes but is not limited to temporary seeding and any other site stabilization methods in the approved plan.

## **ARTICLE VI – SUBDIVISION DESIGN STANDARDS AND REQUIREMENTS**

### **606.02    Waterbodies and Watercourses**

If a tract being subdivided contains a waterbody, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the waterbody to one individual lot or a block held in common by a Homeowners' Association. The ownership of and responsibility for safe maintenance of the waterbody will not become a local government responsibility. No more than twenty-five percent (25%) of the minimum area of the lot required under the Zoning Resolution may be satisfied by land which is under water. Where a watercourse separates the buildable area of a lot from the street from which it has access, provisions shall be made for installation of a culvert or other structure, of design approved by the County Engineer.

### **607        OFF-STREET PARKING AND LOADING REQUIREMENTS**

Whenever land is subdivided as defined in Article III, Section 1, there shall be provided at the time any building or structure is erected, off-street parking or loading spaces in accordance with the specifications of the appropriate local township zoning resolution.

### **608        PRIVATE AND PUBLIC UTILITY EASEMENTS**

Private and public utility easements shall have a minimum width of ten (10) feet or such additional width as may be required for necessary access to the utility involved. Such easements shall be located along rear or side lot lines with five (5) feet thereof being located on each side of said lot lines except under special circumstances where the Commission may require them in other locations. For lots facing curvilinear streets, the rear easement shall consist of straight lines with a minimum of points of deflection. Easements along surface drainage courses shall be as required by the County Engineer's Office.

### **608.01    Easement and Public Site Dedication**

Each public site, utility easement and other area to be dedicated on the plat shall be so designated as to indicate the purpose of said dedication and to whom it is to be dedicated.

### **609        UTILITIES**

Electric service, telephone service and gas service shall be provided within each subdivision. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to acceptance of improvements. When cable television service is available in the surrounding area, provision for such service should be considered.

## **ARTICLE VI – SUBDIVISION DESIGN STANDARDS AND REQUIREMENTS**

### **610 NONRESIDENTIAL SUBDIVISIONS**

If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provision as the Commission may require.

A nonresidential subdivision shall be subject to all the requirements of these Regulations, as well as such additional standards required by the Commission, and shall conform to the proposed land use and standards established in the Major Thoroughfare Plan and the local Zoning Resolution.

#### **610.01 Standards**

In addition to the principles and standards in these Regulations, which are appropriate to all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity.

#### **610.02 Protection of Residential Areas**

Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provision for a permanently landscaped buffer strip when necessary. In specific cases, where deemed necessary by the Commission, the 3.5 to 1 depth to width ratio for all lots may be waived. In non-residential subdivisions, collector streets shall be designed so that traffic is directed away from residential streets.

### **611 COUNTY ENGINEER**

The Lorain County Engineer is responsible for design review, inspection and enforcement of surveying, road construction, pavement drainage, erosion and sedimentation control and other improvements as outlined in the following regulations:

#### **611.01 Improvements**

The design of improvements, together with the preparation of drawings and specifications and the construction engineering and inspection thereof, shall be in accordance with the current specifications, regulations and procedures of the Lorain County Engineer.

When it is necessary to obtain the permission and approval of a political subdivision to extend or use any existing utilities or to occupy any street or right-of-

## **ARTICLE VI – SUBDIVISION DESIGN STANDARDS AND REQUIREMENTS**

way, the obtaining of such permission and approval shall be the responsibility of the subdivider.

### **611.02    Cost of Improvements**

The entire cost of improvements and the cost of the preparation of drawings and specifications, including engineering supervision and overhead together with the inspection of construction, shall be borne by the developer. The estimated cost to the County for the review and approval of engineering drawings and specifications along with the cost of inspection, shall be deposited with the County Engineer prior to the commencement of construction activities.

### **611.03    Assurance of Completion of Improvements**

1. The subdivider shall execute a Subdivider's Agreement with the Board of Commissioners in order to guarantee required construction improvements.
2. The subdivider shall furnish such liability insurance as is deemed necessary by the Board of Commissioners which shall indemnify and save harmless the County from any and all liability arising by reason of conditions which may arise and grow out of the construction or installation of such facilities.
3. The subdivider shall furnish a Title Guarantee to the Board of Commissioners to guarantee the title of lands along with certification that current taxes are paid.
4. The subdivider shall install at his own cost all improvements per the Comprehensive Stormwater Management Plan and Improvement Plans approved by the Lorain County Engineer. The subdivision plat will not be endorsed by the Lorain County Engineer until all road, drainage, water and sanitary improvements are installed, inspected and found free of deficiencies. Other utilities including gas, electric, telephone and cable can be installed prior to the acceptance of improvements.
5. The subdivider shall furnish a Maintenance Guarantee to the Board of Commissioners in the form of a certified check or cash to insure that the improvements are in satisfactory condition after completion of construction. Such Maintenance Guarantee(s) shall be effective for a minimum of one (1) full year after the execution of the Guarantee by the Board of Commissioners.

### **611.04    Specifications and Regulations of the Lorain County Engineer's Office**

A design manual stating the current specifications, regulations and procedures of the Lorain County Engineer regarding design, drafting, construction and inspection of improvements may be obtained from the office of the Lorain County Engineer for a fee as established by the Board of Commissioners.



## **ARTICLE VI – SUBDIVISION DESIGN STANDARDS AND REQUIREMENTS**

### **612 WATER/WASTEWATER TREATMENT**

The Lorain County Sanitary Engineer, Board of Health and Ohio EPA are responsible for the design review, inspection and enforcement of all public wastewater, public water, group wastewater or group water developments, as outlined in the following regulations.

#### **612.01 Public Water and Wastewater Treatment System**

In the event a public water supply and a public wastewater treatment system can reasonably be made available by the extension and construction of water mains and sanitary sewers, the developer will be required to provide such utilities and if deemed advisable by the Sanitary Engineer in cooperation with the Ohio EPA, may require their construction to be complete prior to the sale of one or more lots or parcels in the subdivision.

The design of such utilities, together with the preparation of drawings and specifications and the construction thereof, shall be done by or under the supervision and direction of the Sanitary Engineer in cooperation with the Ohio EPA and in accordance with the current rules, regulations, specifications and procedures of the Lorain County Sanitary Engineer's Department.

When it is necessary to obtain the permission and approval of a political subdivision to extend or use any existing utilities or to occupy any street or right-of-way, the obtaining of such permission and approval shall be the responsibility of the developer.

#### **612.02 Private Water and Wastewater Treatment System**

In the event a public water supply and a public wastewater treatment system cannot reasonably be made available, or where the approval specified in the preceding paragraph cannot be obtained within a reasonable length of time, the developer shall submit proof satisfactory to the Sanitary Engineer in cooperation with the Ohio EPA and to the appropriate Board of Health that a safe and adequate source of water for domestic use and a safe and adequate means of wastewater treatment can and will be provided.

#### **612.03 Group or Community Water and Wastewater Treatment Systems**

In the event that a group or community type wastewater treatment plant or water supply or both are deemed necessary by the Ohio EPA or by the appropriate Board of Health, the plans and specifications therefore shall meet with the requirements of and be approved by the Sanitary Engineer and the appropriate Board of Health and Ohio EPA. If deemed advisable by the Sanitary Engineer in cooperation with the Ohio EPA, the complete construction of such utilities may be required prior to the sale of one or more parcels in the subdivision.

## **ARTICLE VI – SUBDIVISION DESIGN STANDARDS AND REQUIREMENTS**

### **612.04    Cost of Improvements**

The entire cost of improvements and the cost of the preparation of drawings and specifications, including engineering supervision and overhead together with the inspection of construction, shall be borne by the subdivider. The estimated cost to the County for the review and approval of engineering drawings and specifications along with the cost of inspection shall be deposited with the County Sanitary Engineer prior to the commencement of construction activities.

### **612.05    Assurance of Completion of Improvements**

The developer shall submit to the Sanitary Engineer, satisfactory proof that the conditions herein stipulated will be conformed to. The subdivider shall install at his own cost all improvements per the plans approved by the Sanitary Engineer. The subdivision plat will not be endorsed by the Sanitary Engineer until all improvements are installed, inspected and found free of deficiencies.

### **612.06    Conflict**

Nothing herein shall be construed to alter or supersede the requirements stipulated in Sections 6103.01 et seq. and 6117 et seq. of the Ohio Revised Code or the rules and regulations established by the County Commissioners and the County Sanitary Engineer's Department thereunder.

### **612.07    Rules and Regulations of the Lorain County Sanitary Engineer's Office**

A design manual stating the rules and regulations of the Lorain County Sanitary Engineer's Office regarding design, drafting and construction of water lines, sanitary sewers and wastewater treatment plants may be obtained from that office for a fee as established by the Board of Commissioners.

## **613        COUNTY PROSECUTOR**

All legal documents, agreements, guarantees and bonds shall be reviewed and approved by the Lorain County Prosecutor.

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

### **701 STREETS**

#### **701.01 General**

In order to provide for streets of suitable location, width and improvement to accommodate prospective traffic and afford satisfactory access to police, fire-fighting, snow removal, sanitation and road maintenance equipment and to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards are hereby required.

As to arrangement:

1. The arrangement, character, extension, width, grade and location of all streets shall conform to the official Lorain County Major Thoroughfare Plan, or subsequent amendments thereof, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety and in their appropriate relation to the proposed uses of land to be served by such streets.
  - a. Road classification may be indicated on the Official Lorain County Major Thoroughfare Plan or by the State Highway Director, otherwise, it shall be determined by the Commission.
  - b. Although not specifically indicated on the Lorain County Major Thoroughfare Plan, any street within a subdivision, whether by use or design, may be classified the same as or equivalent to any other street or road as indicated on said Thoroughfare Plan.
2. The subdivider shall provide within the boundaries of the subdivision plat the necessary right-of-way for widening, continuance or alignment of such streets in conformity with the Major Thoroughfare Plan by one of the following methods:
  - a. The dedication of the necessary right-of-way for the continuation, extension or connection of any existing or planned thoroughfare.
  - b. When subdividing the land abutting an existing County or Township road, not designated on the Major Thoroughfare Plan as of equivalent or greater importance than a collector street, provision shall be made for necessary right-of-way or easements for traffic, utilities and drainage. Such existing road shall have drainage improvements made to comply with the standards of the Lorain County Engineer. These improvements shall include provisions for the proper installation of driveway and entrance approaches.

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

3. The use of curvilinear streets with tangents, short cul-de-sacs (where practicable), or loop streets shall be encouraged where such design will result in a more desirable layout as long as there are at least two means of ingress or egress to a through street. Where two means of ingress and egress are not possible stub streets shall be provided in order to facilitate future interconnection.
4. Minor or local streets shall be laid out in such a manner as to discourage use by through traffic while providing safe and convenient access to the property.
5. Proposed streets shall be extended to the boundary of the tract to the subdivided, unless prevented by topography or other physical conditions, or, unless in the opinion of the Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout of the surrounding area for the most advantageous future development of adjacent tracts. Reserve strips controlling access to streets shall be prohibited. Additionally, private streets must comply with the following:
  - a. Where a subdivision is proposed to contain “private streets” the layout shall be such that the continuance of the street to the boundary of the tract to be subdivided shall be prohibited; and,
  - b. The ingress and egress of subdivisions containing “private streets” shall be laid out in such a manner as to make the subdivision self-contained, either by loop type streets, cul-de-sacs, or other dead-end type streets as shall be approved by the Commission, County Engineer and Township Trustees.
6. In commercial and industrial developments, where the streets are to be dedicated to public use, they shall be planned in connection with the grouping of buildings, location of facilities and the provision for alleys, truck loading and maneuvering areas, off-street parking and walkways so as to minimize conflict of movement between the various types of traffic, including pedestrian traffic.

### **701.02    Major Arteries and Physical Barriers**

#### **1. Major Traffic Arteries**

Where a subdivision abuts or contains an existing or proposed street of equal or greater width than a Minor Arterial, as defined by the Major Thoroughfare Plan, the Commission may require any of the following:

- a. Marginal access streets or service roads (separated from the arterial by a planting strip or grassed area and having access thereto at suitable points as may be determined by the Commission).

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

- b. Deep lots with rear service alleys.
- c. The subdivision of lots so as to back onto the Arterial and front onto a parallel local street. Screening shall be provided in a strip of land along the rear property line of such "reverse frontage" lots at a minimum width of twenty (20) feet with no vehicular access across such strip.
- d. A series of cul-de-sacs, U-shaped or short looped streets entered from and designed generally at right angles to a parallel street, as described in "c" above, with the rear lines of their terminal lots backing onto the Arterial street.
- e. Such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

### **2. Physical Barriers**

Where a subdivision borders on or contains a Limited Access Highway right-of-way or railroad right-of-way, so located as to affect the subdivision of adjoining lands, it shall be treated as follows:

- a. In residential districts, a buffer strip at least twenty-five (25) feet in depth in addition to the normal depth of the lot for the zoning district in which it is located, shall be provided adjacent to such railroad or Limited Access Highway right-of-way. This strip shall be part of the platted lots or dedicated openspace and shall be designated on the plat: *"This strip is reserved for screening. Parking and the placement of structures thereon is prohibited."*
- b. Streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be at a distance of at least one hundred fifty (150) feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

### **701.03 Phase Development and Proposed Future Streets**

- 1. Where the plat to be submitted includes only part of the tract owned or under option by the subdivider, the Commission shall require that the entire property owned by the subdivider be submitted along with the portion to be platted and indicating thereon the future tentative streets system for the un-subdivided area in dotted lines.

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

2. Where lots are more than double the minimum required area for the Zoning District, the Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots.

### **701.04    Dead-End Streets**

#### **1. Permanent**

Dead-end streets (cul-de-sacs or other approved dead-end streets) will be designed to be permanent and not longer than one thousand five hundred (1,500) feet in low density areas, one thousand (1000) feet in medium density areas and eight hundred (800) feet in high density areas. The length of the cul-de-sac will be measured from the nearest intersection of a through street or a temporary dead-end (stub street) approved by the County Planning Commission.

- a. Cul-de-sacs shall be provided at the closed end with a turn-a-round having a street property line diameter of at least one hundred twenty (120) feet. The street right-of-way lines and the one hundred twenty (120) foot diameter turn-a-round shall be joined by a tangent arc of fifty (50) foot minimum radius. Cul-de-sac turning areas shall be completely paved, unless otherwise approved by the Township and County Planning Commission.
- b. The Commission can vary the maximum cul-de-sac length, if the developer provides a minimum of two stub streets, one perpendicular to both sides of the proposed cul-de-sac street, and the plan is acceptable to the local safety service providers. The right-of-way of each stub street shall be extended to the boundary of the tract to be subdivided to provide for connection to future development. The maximum length of a dead-end street or cul-de-sac shall not exceed twice the distance permitted based on density, provided stub streets are used.
- c. Dead-end streets (cul-de-sacs or other approved dead-end streets with only one means of ingress or egress to a through street) shall be designed to service no more than 50 lots and/or housing units regardless of length or provision of a stub street.

#### **2. Temporary**

- a. Where streets dedicated to public use are extended to the boundary of a subdivision to provide for their proper continuance at such time as the adjacent land is subdivided, they shall be terminated with an approved turn-

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

a-round. This provision shall be required even where a street extends only one (1) lot beyond a lot having frontage on an existing street.

- b. "Stub Streets" shall include a publicly dedicated street right-of-way to the property line. A paved road surface shall be installed in accordance with the width required in the County Subdivision Regulations and with a minimum length of fifty (50) feet of continuous impervious material consistent with the pavement materials of the subdivision. The length shall be measured from the intersecting street right-of-way to the rear edge of pavement on the proposed stub street. The design and construct of stub streets shall be consistent with the intersection requirements including radii of these regulations.

### **701.05    Half-Streets**

Half-streets shall be prohibited except under one of the following conditions:

1. There exists a platted half-street which should logically be continued to a reasonable intersection.
2. There exists a dedicated or platted half-street adjacent to the tract to be subdivided; the other half shall be platted if deemed necessary by the Commission.
3. Where a subdivision boundary falls on the same line as a centerline of an existing intersection, the Commission may require a reserve strip or permanent easement in the amount of half the right-of-way of such intersecting street. The length of such strip or permanent easement shall be determined by the Commission with the approval of the Township Trustees. No part of the reserved strip or permanent easement shall form a part of any lot requirement as defined by the local zoning.

### **701.06    Road Dedications and Reservations**

1. Widening and Realignment of Existing Roads

Where a subdivision borders on an existing road narrower than current standards or when the Major Thoroughfare Plan or zoning regulations indicate plans for realignment or widening a road that would require use of some additional land contained within the subdivision, the applicant shall be required to dedicate such areas for widening or realignment of such roads. Such frontage roads and streets shall be dedicated by the applicant to the full width as required by these Regulations. Land reserved for any road purpose may not be counted in satisfying yard or area requirements of the zoning ordinance under which such subdivision is

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

governed, whether the land is to be dedicated to the Township in fee simple or an easement is granted to the County.

### **702 ALLEYS**

#### **702.01 Required**

Alleys shall be provided in apartment or planned unit developments, commercial and industrial districts, except that the Commission may waive this requirement where other assured provision is made for service areas and access, such as off-street loading, unloading and parking, consistent with and adequate for the uses proposed.

#### **702.02 Prohibited**

Alleys shall be prohibited in one and two family districts except where it is desirable to continue an existing alley to the nearest intersection or where the lots face a street shown on the Major Thoroughfare Plan and provision has not or cannot be made for limited access on such street.

#### **702.03 Width**

The minimum width of an alley shall be thirty (30) feet.

#### **702.04 Intersections and Alignment**

Alley intersections and sharp changes in alignment shall be avoided, but, where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

### **703 PRIVATE STREETS**

#### **703.01 Requirements**

Where a subdivision is proposed to contain private streets and if allowed within the political subdivision, the following requirements shall apply:

1. All private streets shall be designed and improved in the same manner as for publicly dedicated streets, unless Township Zoning provides for lesser right-of-way widths, pavement widths and radii. Private Streets shall be designed and laid out in accordance with these Regulations and with all specifications and standards of the office of the County Engineer.
2. The design and layout of private streets shall be such as to be self-contained and provide for the circulation of traffic solely within the proposed subdivision.



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All private streets shall also be marked as such upon entrance to the subdivision.

3. The Commission shall not approve a plat of a subdivision containing private streets unless the same shall have made provision for the incorporation of a property or land owners association and/or deed covenants or restrictions to provide for the maintenance of the street system, drainage facilities, sanitation facilities or easements, utilities and provision for the adequate protection of the property owners through contractual services for water supply, fire and police protection, ambulance and busing services where required by the Commission.
  - a. Where it is determined by the Local or County School District and the Commission that certain contractual services cannot be obtained, the subdivider shall, at his own expense, provide for such services as the Commission and the County Engineer deem necessary for the health, safety and general welfare of the property owners within said private subdivision.
4. The developer of a private subdivision in which the streets are not dedicated to public use, shall so indicate on the plat together with the statements as provided for in Article XI of these Regulations.

### **704 STREET NAME SIGNS AND STREET NAMING**

For purposes of street naming, the following suffixes shall apply:

1. Street shall be used only for streets that run in a generally east-west direction;
2. Boulevard or Drive shall be used only for a large meandering type street
3. Circle or Court shall be used only for cul-de-sac type streets that run in a generally east-west direction;
4. Lane or Place shall be used only for cul-de-sac type streets that run in a generally north-south direction;
5. Road or Way shall be used only for streets that run in a diagonal manner, either a generally northwest-southeast direction or northeast-southwest direction;
6. Avenue shall be used only for thoroughfares that run generally in a north-south direction;
7. The words north, south, east and west should be avoided as part of a street name whenever possible.

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

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 the existing street.

To avoid duplication and confusion, the proposed names of all streets shall be reviewed by the Commission's designee and the affected political subdivision prior to such names being assigned or used.

Street name signs per Lorain County Engineer standards shall be supplied and erected by the subdivider at all intersections within the new subdivision.

Street signs and traffic control devices in the subdivision shall be supplied and erected by the subdivider and shall conform to the current Ohio Manual of Uniform Traffic Control Devices published by the Ohio Department of Development.

### **705 LAYOUT OF LOTS**

#### **705.01 General**

The lot arrangement shall be designed in such a manner that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits. All lots shall be in compliance with the existing zoning requirements of the district in which it is located and the requirements of the Lorain County General Health District or wastewater treatment provider.

#### **705.02 Dimensions**

Lot dimensions shall comply with the minimum requirements of the zoning district in which it is located. Where lots are more than double the minimum required area for the zoning district, the Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the local zoning and these Regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot layout or plan, as may be determined by the Commission. Dimensions of corner lots shall be large enough to allow for the erection of buildings, observing the minimum front yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the zoning or these Regulations, whichever is more restrictive.

#### **705.03 Double Frontage and Access**

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

1. Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography or orientation. A planting screen easement of at least twenty-five (25) feet in width, and across which there will be no right of access, should be provided along the line of lots abutting such traffic artery.

### **2. Access from Major and Minor Arterials**

When a local or collector street is available, lots shall not in general derive access exclusively from a major or minor arterial street, as defined in Section 700.08 of this Article. Where driveway access from a major or minor arterial street may be necessary for several adjoining lots, the Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazards on such street. Such combined access drive shall not be construed as meeting any frontage requirements as defined by the local zoning, and shall be subject to the approval of the County Engineer. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on major or minor arterials.

### **3. Ingress and Egress**

The subdividing of land shall be such as to provide each lot with frontage on a public street. Where a private street is involved, lots and streets shall meet the requirements of Section 702.00 of this Article and be subject to the approval of the County Engineer.

### **4. Depth to Width Ratio of Lots**

The Commission limits lots to a maximum ratio of 3.5 to 1 depth to width for the most efficient use of land. Exceptions shall only be limited to unusual topography or land which is determined by the Commission and the Township Trustees to be unbuildable.

## **706 BLOCKS**

### **706.01 Provisions**

The lengths, widths and shapes of blocks shall be determined with due regard to:

1. Provision of adequate building sites suitable to the special needs of the type of use contemplated.

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

2. Zoning requirements and the requirements contained in these Regulations as to lot size and dimension.
3. Needs for convenient access, circulation, control and safety of street traffic.
4. Limitations and opportunities of topography.

### **706.02    Length**

Blocks shall not exceed 1,800 feet in length except where topographical conditions require longer blocks, nor shall they be less than four hundred (400) feet in length. Wherever blocks are longer than 1,000 feet, sidewalk dedication between parallel streets not less than thirty (30) feet in width shall be required near the center of the block.

### **706.03    Width**

Blocks shall contain two (2) rows of lots except where double and reverse frontage lots are allowed.

## **707        SIDEWALKS**

Sidewalks shall be provided in any subdivision that meets one or more of the following criteria:

1. Subdivisions with twenty (20) or more lots. A minimum four (4) foot wide paved shoulder shall be provided in subdivisions with less than twenty (20) lots and marked as no parking on at least one side of the proposed street(s);
2. A phased development or subdivision where one or more street right-of-ways are extended to adjacent property lines to provide for future connections;
3. A subdivision which abuts an existing sidewalk;
4. Where otherwise required by township zoning.

The following minimum requirements shall be met for all sidewalks:

1. Sidewalks shall be included within the non-pavement right-of-way of all roads unless it falls into the fewer than 20 lots exemption described above.
2. Sidewalks shall be designed and improved to the specifications and requirements of the County Engineer.

## **ARTICLE VII – STANDARDS AND REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS**

3. All sidewalks shall be maintained and replaced when necessary by the homeowner. In the event that the abutting property owner does not repair/replace said sidewalk, then the township trustees can complete the repairs and assess the property owner for the cost.

### **708 NEIGHBORHOOD OR PLANNED UNIT DEVELOPMENT**

#### **708.01 General**

Neighborhood or planned unit type development is encouraged by the Commission. Where large subdivisions designed on the basis of neighborhood units are being reviewed, consideration will be given to the placement of commercial areas and public areas, in relation both to the neighborhood unit being developed and to other units that might be developed. Where small subdivisions are being reviewed, the Planning Commission shall coordinate such subdivisions, to the extent practicable, into units so that the same relationship, with respect to commercial areas and public areas, may be realized.

#### **708.02 Exceptions in Neighborhood or Planned Unit Development**

Whenever a subdivision is developed as a neighborhood or planned unit development, with adequate parks or playgrounds provided, and such neighborhood is protected from through traffic, the Commission may vary, with the consent of the County Engineer, the requirements of Sections 700 through 705 of Article VII, to allow the subdivider more freedom in the design and layout of lots. However, the Commission shall ensure the convenience, health, welfare and safety of the future residents of the subdivision and the adjacent property, the general welfare of the County and the intent and purpose of these Regulations.



## **ARTICLE VIII – PLATS AND DATA FOR MAJOR SUBDIVISIONS**

### **801 SKETCH PLAN FORM**

A Sketch Plan, prepared and signed by a Registered Surveyor, shall be submitted prior to the preparation of the Preliminary Plan. The Sketch Plan shall include:

1. The name, address and telephone number of the owner(s) of the land to be subdivided, as well as the surveyor, engineer or other agents.
2. The name of the subdivision, date, north point and bar scale of the plan.
3. Tax parcel number and vicinity map,
4. Existing and proposed zoning district and lot specifications,
5. Proposed lot layout and building envelopes,
6. Proposed roadways, recreational paths and sidewalks,
7. Proposed open space areas
8. Blocks for future development
9. Existing elevation contours
10. Existing natural features, ex. streams, ponds, wood lots, hedgerows, etc.,
11. Existing structures within one hundred (100) feet of proposed project.

### **802 SUBMISSION OF PRELIMINARY PLAN**

On reaching conclusion informally with the Commission's designee, Township and other reviewing agencies regarding the general program and objectives, the developer shall submit a Preliminary Plan and required supplemental information in accordance to Section 802.02 of the Subdivision Regulations to the Commission's designee. The Plan shall address the summary results of the Administrative Review.

#### **802.01 Preliminary Plan Form**

The Preliminary Plan shall be prepared and signed by a Registered Surveyor or Professional Engineer with his/her signature and stamp affixed on the Plan. The Plan shall be at a scale of not more than one hundred (100) feet to the inch, and may be prepared in pen or ink on a reproducible sheet. These Plan sheets shall be numbered in sequence if more than one (1) sheet is used. The size of the sheet shall be 24 inches x 36 inches.

#### **802.02 Items Required for Submission of a Preliminary Plan**

The following items must be submitted to the Planning Commission's designee at least thirty (30) working days prior to the regularly scheduled meeting of the Commission.

1. A completed application for Preliminary Approval shall be submitted by the applicant together with a fee as established by the Board of County Commissioners by Resolution,

## **ARTICLE VIII – PLATS AND DATA FOR MAJOR SUBDIVISIONS**

2. A Preliminary Title Report shall be submitted by the applicant,
3. A minimum of six (6) folded copies of the Preliminary Plan, one (1) 11X17 reproducible copy of the Preliminary Plan and one (1) digital copy of the Preliminary Plan for distribution as outlined in Article V, Section 504. The Preliminary Plan shall comply in all respects with the Sketch Plan as approved or modified in response to comments made at the Administrative Review.
4. The Plan shall include all lands which the applicant proposes to subdivide and all land immediately adjacent extending one hundred (100) feet therefrom and of that directly opposite thereto, extending one hundred (100) feet from the street frontage of such opposite land, with the owner's name and parcel number as shown on the Lorain County tax records or the Auditor's files.
5. A list of all current adjoining property owners' names and mailing addresses, including those directly across the street, to be used for notification of subdivision meetings.
6. A copy of the Lorain County General Health District's letter of findings and recommendations after their Intermediate (second) Stage review shall be submitted. The Health District's review letter shall indicate the approximate number and type of sanitary disposal systems that may be approved for the particular subdivision. The Health District's review shall have been completed no more than one (1) year before the Preliminary Plans are submitted to the Planning Commission for review.
7. If sanitary sewers are to be extended, a letter of intent and ability to provide wastewater treatment service within two calendar years from a regional or community wastewater treatment facility must be provided.
8. A minimum of six (6) copies of the Preliminary Storm Water and Improvement Plans and one (1) copy of the drainage and storm water calculations as described in the Lorain County Engineer's specifications shall be submitted to the Commission for distribution. This plan shall be on separate sheets from the Preliminary Plan for clarity.
9. If a zoning change is involved, an affidavit from the Township Trustees and the Zoning Inspector indicating approval and date of such zoning change must accompany the Preliminary Plan.

### **802.03    Contents of Preliminary Plan**

The Preliminary Plan shall include, at a minimum, the following features:

1. The location of the land to be subdivided with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names



## **ARTICLE VIII – PLATS AND DATA FOR MAJOR SUBDIVISIONS**

of the adjoining developments, and the location of all existing and proposed streets.

2. The location and width of all existing and proposed easements, waterbodies, drainage courses, streams and crosswalks. If any portion of the subdivision is located in a 100 year floodplain, the flood fringe, floodway and base flood elevations (if available) must be identified on the Preliminary Plan. Where base flood elevations are not available, the approximate floodplain shall be located on the Preliminary Plan.
3. The location and size of all existing buildings and the dimensions of the minimum building setback lines as defined by the local Zoning Resolution. For the purpose of determining depth to width, the width at the minimum building setback line as established by the township shall be used.
4. The location and dimensions of all property to be set aside for park and playground uses, or other public or private reservations, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
5. The subdivision shall be referenced to the nearest road intersection, original lot line or Township boundary line.
6. The name, address and telephone number of the owner(s) of the land to be subdivided, as well as the surveyor, engineer or other agents.
7. The name of the subdivision, date, north point and bar scale of the plan.
8. The date of any revisions to the plan.
9. The indication and size of all uses other than residential.
10. Zoning classification of the area in which the subdivision is located as well as the area adjacent to the site.
11. The general location and size of all utilities (existing and proposed) including but not limited to the nearest water main, sanitary or storm sewer, electric, telephone, gas and cable lines.
12. All lots shall be numbered consecutively in unit increments as prescribed by the County Engineer.
13. Topographical information shall accompany the Preliminary Plan on a separate sheet or on the drawing itself. The elevations must be based on the current datum as determined by the United States Coast and Geodetic Survey. Contours at an interval of not more than two (2) feet shall be required.

## **ARTICLE VIII – PLATS AND DATA FOR MAJOR SUBDIVISIONS**

### **803 SUBMISSION OF FINAL PLAT**

The subdivider, having received approval of the Preliminary Plan, Erosion and Sediment Control Plan, Comprehensive Storm Water Management Plan and Improvement Plans of the proposed subdivision, shall submit a Final Plat of said subdivision to the Commission's designee. The Final Plat shall be prepared and signed by a Registered Surveyor and drawings and specifications of the improvements shall be prepared by a Registered Engineer. The Final Plat shall have incorporated all changes in the Preliminary Plan required by the Commission. Otherwise, it shall conform to the Preliminary Plan and it may constitute only that portion of the approved Preliminary Plan which the subdivider proposes to record and develop at the time.

#### **803.01 Final Plat Form**

The Final Plat must be drawn to a scale not less than one hundred (100) feet to the inch and preferably fifty (50) feet to the inch, where possible. If more than two (2) sheets are required, an index sheet of the same dimension must be filed showing the entire subdivision on one (1) sheet, with all areas shown on other sheets indicated thereon. Drawing shall be 24 x 36 inches and must be drawn in permanent ink on reproducible paper. In plats of unusual size, the Commission may permit a variation in scale, but sheets shall not exceed 24 x 36 inches. The minimum lettering height shall be 1/8 of an inch and spacing and line width must ensure legibility for copying and scanning. If the Final Plat contains more than one (1) page, the pages shall be numbered sequentially.

#### **803.02 Items Required for Submission of a Final Plat**

The following items shall be submitted with the Final Plat:

1. An application shall be submitted on forms available at the office of the Commission's designee.
2. A minimum of six (6) folded copies of the Final Plat, one (1) 11X17 reproducible copy of the Final Plat and one (1) digital copy of the Final Plat shall be submitted to the Commission for distribution as outlined in Article V, Section 505. The Final Plat shall include the entire subdivision, or section thereof, which derives access from an existing State, County or Township highway.
3. A minimum of two (2) copies of the Comprehensive Storm Water Management Plan and Improvement Plans as approved by the Lorain County Engineer. This plan shall be on separate sheets from the Final Plat for clarity.
4. A letter from the County Engineer indicating that all improvements have been installed and at least conditionally approved.

## **ARTICLE VIII – PLATS AND DATA FOR MAJOR SUBDIVISIONS**

5. A letter from the Soil and Water Conservation District indicating that that the developer is in compliance with their approved Erosion and Sediment Control Plan.
6. A copy of the Letter of Map Revision/Amendment and all supporting documentation when Base Flood Elevations have been determined.
7. A signed Open Space Agreement with the Township per Section 602.
8. A copy of any covenants and restrictions governing the subdivision.
9. The Final Plat shall also include, if applicable, all formal irrevocable offers of dedication to the public of all streets, local government uses, utilities, parks, and easements in the form as provided for in Article IX of these Regulations.
10. Any contracts for service through a private utility company which will serve said subdivision shall be submitted with the Final Plat Application. Also included shall be any other private contract as may be required by the Commission in the case of a "private" subdivision based on reasonable standards for the health, safety and general welfare of the future tenants of such subdivision.

### **803.03    Contents of Final Plat**

The Final Plat must show:

1. The boundary lines of the area being subdivided in heavy lines with accurate distances and bearings, including original lot, township, corporation and county lines, and road centerlines.
2. The property lines of all proposed streets and alleys with their widths, names, bearings and centerline measurements. Also complete curve information which includes delta, radius, chord, tangent, arc, and bearing must be included and all monuments used to locate street must be shown.
3. All common boundary corners of adjoining lands and adjacent streets and alleys with their widths and names. The name of adjoining subdivisions, with sub-lots shown, and the name of record owners of adjoining parcels of unplatted land with parcel numbers shown.
4. Easements for public use, services or utilities and their dimensions.
5. Minimum building setback lines as established by the township with dimensions.
6. If any portion of the subdivision is located in a 100 year floodplain, the flood fringe, floodway and base flood elevations must be identified on the Final Plat.

## **ARTICLE VIII – PLATS AND DATA FOR MAJOR SUBDIVISIONS**

7. All dimensions, linear and angular with as many bearings as necessary to describe boundary lines of all lots, streets, alleys, easements and areas for public or private use expressed in decimals of a foot, the number of acres of each reserve, park, playground and other public area.
8. All blocks must be identified by acreage and designated uses.
9. All sub-lots shall be numbered consecutively in numerical unit.
10. Radii and chords, points of tangency; control angles for all curvilinear street centerlines and radii for all rounded corners.
11. Arcs, chord lengths, bearings of chords and points of tangency of the property lines of curvilinear lines.
12. The name of the Subdivision and a general description of property subdivided showing its location and extent, date, points of compass, bar scale of plat, dedication of streets and other public open spaces, name of owner(s) and subdivider, together with appropriate evidence of ownership of subdivision.
13. The date of any revisions to the Plat.
14. Acreages in sub-lots, streets, blocks and parks and in other open spaces in legend form.
15. A key map.
16. Certification by a Surveyor, registered in the State of Ohio, to the effect that the plan represents a survey made by him in which the traverse of the exterior boundaries of the tract and of each block when computed from field measurements of the ground closed within a limit of error of one (1) foot to ten thousand (10,000) feet of the perimeter before balancing the survey, and that all the required survey monuments are correctly shown thereon and that those which are necessary for construction of improvements are in place on the site with any remaining survey monuments to be properly placed upon completion of construction.
17. Proper acknowledgement of consent on the Plat by all parties having any record, legal right, title or interest in the property.
18. All required statements, certificates and signatures as required in Article IX of these Regulations.
19. Upon recording of a Subdivision Final Plat, two (2) reproducible copies shall become the property of the County and shall remain on file in the office of the

## **ARTICLE VIII – PLATS AND DATA FOR MAJOR SUBDIVISIONS**

County Engineer (Tax Map Office) except when out for reproduction. A print of the recorded Final Plat shall be deposited by the subdivider in the office of the Commission, the office of the County Engineer and the office of the affected political subdivision. Additionally, two (2) paper copies must be supplied for the auditor's use.



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

**901 OWNER'S CERTIFICATE**

Situated in the Township of \_\_\_\_\_, County of Lorain, State of Ohio, and being a part of original lot \_\_\_\_\_, of said Township containing \_\_\_\_\_ acres, and being the same tract as conveyed to \_\_\_\_\_ and described in the deed recorded in Deed Volume \_\_\_\_\_, Page \_\_\_\_\_, in the Office of the Recorder, Lorain County, Ohio.

The undersigned \_\_\_\_\_ (set forth all parties having legal title or interest of record in the parcel) hereby certify that the attached plat represents \_\_\_\_\_ (Name of Subdivision) a subdivision of lots \_\_\_\_\_ to \_\_\_\_\_, inclusive, do hereby acknowledge this plat of same and dedicate to public (private) use as such, all or parts of the roads, boulevards, cul-de-sacs, easements, parks or recreation areas, planting or reserved strips, etc., shown herein and not heretofore dedicated.

The undersigned further agrees that any use of improvements made on this land shall be in conformity with all existing platting, zoning, health or other lawful rules or regulations including the applicable off-street loading and parking requirements of Lorain County, Ohio, for the benefit of himself (themselves) and all other subsequent parties taking title from, under or through the undersigned.

The dimensions of the lots and streets are shown on the plat in feet and decimal parts thereof. Easements are reserved where indicated on the plat for public utility purposes above and beneath the surface of the ground.

In witness thereof the undersigned have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Witness

Signed \_\_\_\_\_

**NOTARIAL SEAL**

STATE OF OHIO  
COUNTY OF LORAIN

Before me a Notary Public in and for said County and State did personally appear \_\_\_\_\_, who acknowledged the signing of this plat to be their own free act and deed for the uses and purposes therein expressed.

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

(Seal)

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

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

**902**    MORTGAGEE'S CERTIFICATE (IF APPLICABLE)

This is to certify that \_\_\_\_\_ as \_\_\_\_\_  
and \_\_\_\_\_ as \_\_\_\_\_  
Mortgagee of lands shown hereon, do hereby accept this plat of "\_\_\_\_\_"  
to be correct and dedicate to public use for road purposes, the roads as shown hereon.  
Witness \_\_\_\_\_ Signed \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTARIAL SEAL

STATE OF OHIO  
COUNTY OF LORAIN S.S.

Before me, a notary public in and for said county and state did personally appear the above  
signed Mortgagee who acknowledged the signing of this plat to be their own free act and  
deed.

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

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

(Seal)

**903**    SURVEYOR'S CERTIFICATE

This is to certify that at the request of the owners I have surveyed and platted  
"\_\_\_\_\_" as shown hereon and containing \_\_\_\_\_ acres of  
land in Original Lot \_\_\_\_\_ of \_\_\_\_\_ Township, Lorain County,  
Ohio. At all points thusly indicated \_\_\_\_\_ (insert symbol), iron pin monuments  
were found and at all points thusly indicated \_\_\_\_\_ (insert symbol), iron pin  
monuments were set. Distances are shown in feet and decimal parts thereof. Bearings  
shown are assumed and used to describe angles only. The plan represents a survey in which  
the traverse of the exterior boundaries of the tract and of each block when computed from field  
measurements of the ground closed within a limit of error of one (1) foot to ten thousand  
(10,000) feet of the perimeter before balancing the survey. All of which I certify to be correct.

By \_\_\_\_\_

Registered Surveyor No. \_\_\_\_\_



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

**904    APPROVAL OF SUBDIVISION ENDORSEMENTS**

Signatures of Approval of a Subdivision Plat should be obtained in the following order and format.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ \_\_\_\_\_  
Lorain County Engineer

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ \_\_\_\_\_  
Lorain County Sanitary Engineer

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ \_\_\_\_\_  
Lorain County General Health District

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ \_\_\_\_\_  
Lorain County Soil and Water  
Conservation District

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ \_\_\_\_\_  
Chairman, Board of Township Trustees

Approved as to form this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ \_\_\_\_\_  
Lorain County Prosecutor's Office

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ \_\_\_\_\_  
Director, Lorain County Community  
Development Department

Filed for Record this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_, \_\_\_\_m. Recorded this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_ in Plat Book \_\_\_\_\_,  
Page No. \_\_\_\_\_  
Lorain County Recorder

- All Subdivisions shall be approved by the affected Township's Board of Trustees prior to the final approval of any subdivision plat.
- When central wastewater treatment is to be provided, the provider's name shall be substituted for the Health District.
- The Commission's designee will be the last signature on the plat prior to submittal to the County Tax Map Office.



## **LORAIN COUNTY SUBDIVISION REGULATIONS**

### **Fee Schedule**

Minor Subdivision                      \$40.00 per lot

#### **Major Subdivision**

Preliminary Plan                      \$200.00 for 1 – 5 lot Subdivision  
\$100.00 plus \$20 per lot in Subdivisions over 5 lots

Final Plat                                \$200.00 for 1 – 5 lot Subdivision  
\$100.00 plus \$20 per lot in Subdivisions over 5 lots

Plan Re-submittal\*                    \$200.00 if there are no changes to lot layout  
\$200.00 plus \$20 per lot changed

Replat                                    \$40.00 per lot

Extension Request                      \$100.00 per request

Variance Request                       \$100.00 per request

\*Any subdivision disapproved or tabled for additional information/Planning Commission reconsideration is considered a resubmission and charged accordingly.

Revised September 4, 2019

