



City of Toledo



Subdivision Rules and Regulations

Toledo-Lucas County Plan Commissions

SUBDIVISION RULES AND REGULATIONS

FOR THE

CITY OF TOLEDO

2009

Toledo City Plan Commission

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SECTION 1

GENERAL PROVISIONS

100 Purpose and Intent

The general purpose of these Subdivision Rules and Regulations (hereafter “Regulations”) shall be to guide and regulate the planning, subdividing and development of land in order to promote and protect the public health, safety, and general welfare in the City of Toledo. It is intended that the provisions of these regulations shall be applied to achieve the following objectives:

1. Orderly development of land to obtain harmonious and stable neighborhoods.
2. Safe and convenient vehicular and pedestrian circulation within, adjacent and between subdivisions.
3. Designs to allow ample public open spaces for schools, recreational, and other public purposes.
4. Accurate surveying of land, preparation, and recording of plats.
5. The assurance that subdivision improvements are properly installed and completed in compliance with the regulations contained in Section 8 herein.
6. Coordination of land development in accordance with the Toledo Municipal Code Part Eleven: Planning and Zoning and all applicable land use plans.
7. To encourage innovative layout and designs to afford citizens choices in housing, choices in design and to protect and preserve significant common open space areas.

101 Authority

The Toledo City Plan Commission derives its legal authority in the matter of regulating the subdivision of land, from the following:

1. The Ohio Revised Code including, but not limited to, the statutes contained in the following chapters.
 1. Chapter 711
 2. Chapter 713
2. The Toledo City Charter including, but not limited to, Chapter 10, Section 189-190.

The Platting Commissioner derives legal authority in the matter of regulating the subdivision of land from the following:

1. The Ohio Revised Code, including, but not limited to, Chapters 713 and 735.
2. The Toledo City Charter including, but not limited to, Chapter 14, Section 233.
3. The Toledo Municipal Code including, but not limited to, Section 115.03, as amended.

102 Relation to Other Laws

1. The provisions of these Regulations shall supplement the laws of the State of Ohio, other ordinances adopted by the Toledo City Council or the rules and regulations promulgated by authority of such law or ordinance relating to the purpose and scope of these Regulations.
2. No subdivision plat shall be approved for recording until the requirements of these Regulations have been met and certification thereof has been endorsed upon the plat by the appropriate reviewing authority.
3. Whenever the requirements of these Regulations are at variance with the requirements of other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the highest standard shall govern. These Regulations shall be interpreted as minimum requirements.
4. All proposed subdivisions shall meet the requirements of the Toledo Municipal Code Part Eleven: Planning and Zoning Code, as well as the provision of these Regulations.

103 Validity and Separability

If, for any reason, any clause, provision or portion of these Regulations shall be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or legality of these Regulations as a whole, or any part thereof, other than the part so held to be invalid. These Regulations shall not abate any legal action pending under prior subdivision regulations and shall not interfere with other applicable laws and regulations or with deed restrictions.

104 Saving Provision

These Regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations as approved by the Toledo City Plan Commission, 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 City of Toledo under any section or provision existing at the time of adoption these Regulations, or as vacating or annulling any rights adopted by any person, firm, or corporation by lawful action of City of Toledo except as shall be expressly provided for in these Regulations.

105 Adoption

These Rules and Regulations of the Toledo City Plan Commission governing plats and subdivision of land falling within its jurisdiction in accordance with the statutes of the State of Ohio shall take effect and be in force from and after its adoption after the earliest period allowed by law and thereupon the "Subdivision Rules and Regulations for Toledo, Ohio," adopted May 19, 1983, are repealed.

- 1. Prescribed by Platting Commission, in accordance with The Toledo City Charter, Charter 14, Section 233.

Ohio Revised Code, Chapter 711.

Date: _____
_____ Platting Commissioner

- 2. _____ - Public hearing held in Council Chambers and subsequent duly recessed sessions thereof.

Standards and Requirements for the Construction of Improvements adopted by Toledo City Council in accordance with the Ohio Revised Code, Chapter 711 and Toledo City Charter.

Ordinance No. _____ Passed _____

Attest: _____
Clerk of Council

3. _____ - Public hearing held in Council Chambers, One Government Center, Toledo, Ohio.

Subdivision Rules and Regulations adopted by the Toledo City Plan Commission in accordance with Toledo City Charter, Chapter 14, Section 233, and Ohio Revised Code, Chapter 711.

Chairman

Secretary

4. Certified by the Toledo City Plan Commission to the County Recorder of Lucas County, Ohio, on _____

Toledo City Plan Commission

By: _____
Chairman

Secretary

Filed by the County Recorder of Lucas County, Ohio on _____

Recorder

5. _____ - Public hearing held in Council Chambers, One Government Center, Toledo, Ohio.

Adopted Subdivision Rules and Regulations of the City of Toledo Plan Commission approved by Toledo City Council in accordance with Chapter 711 of the Ohio Revised Code.

Ordinance No. _____ Passed: _____

Attest: _____
Clerk of Council

SECTION 2 ADMINISTRATION

Standards

200 Administration Enforcement and Interpretation

These Regulations shall be administered by the Toledo City Plan Commission, Plan Director, Platting Commissioner, Commissioner of Public Utilities, Commissioner of Engineering Services, Commissioner of Transportation, and the Toledo Safety Director. The Plan Commission, Plan Director and the Commissioner of Engineering Services assisted by other government agencies, legal counsel, and through other advice they may solicit, shall administer and enforce these Regulations. Discretionary, conflicting, or disputed aspects of these Regulations shall be interpreted by the Plan Director and the Platting Commissioner.

201 Reservations and Repeals

Upon the adoption of these Regulations, according to law, the Subdivision Rules and Regulations of the City of Toledo adopted May 19, 1983, as amended, are hereby repealed, except as to those sections expressly retained in these Regulations.

202 Amendments

The Toledo City Plan Commission may amend, supplement or change these Regulations in accordance with the appropriate sections of the Ohio Revised Code. However, the Toledo City Plan Commission may only amend, supplement or change regulations, requiring the actual construction of improvements, or posting of performance guarantees, after review and adoption by the Toledo City Council.

203 Variances, Exceptions and Waiver of Conditions

Where, due to exceptional topographic or other physical conditions, the Toledo City Plan Commission finds that extraordinary and unnecessary hardship may result from the strict application of these Regulations, or the purposes of these Regulations may be served to a greater extent by an alternative proposal, it may approve variances, exceptions, and waivers of conditions, provided that they will not be detrimental to the public health, safety, or welfare or injurious to other properties. Such variances shall not have the effect of nullifying the intent and purpose of these Regulations, applicable land use plans, and zoning ordinances, when they exist.

In granting variances or modifications, the Toledo City Plan Commission may require such conditions as will, in their judgment, secure substantially the objective of the standards or requirements so varied or modified.

204 Expiration of Extension

Failure to comply with stated time periods of these Regulations shall result in the expiration of the application and associated Toledo City Plan Commission approvals. Before expiration, the subdivider/developer may provide a letter stating why these time periods cannot be met. The subdivider/developer is solely responsible for knowing expiration dates and meeting or extending them in accordance with these Regulations. The Toledo City Plan Commission shall have no duty, obligation or responsibility to remind or notify subdivider/developer of approaching expiration dates.

205 Voided Applications

An application shall become void and have no rights, standing, or status under these Regulations upon expiration, withdrawal, or disapproval.

206 Recording of Plat

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

207 Revision of Plat after Approval

No change, modification, or revision shall be made in any plat of a subdivision after approval has been given by the Toledo City Plan Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Toledo City Plan Commission.

208 Fees

The Toledo City Plan Commission may establish a schedule of fees, charges, expenses, and collection procedures for the administration of these Regulations. The schedule of fees shall be available in the office of the Toledo-Lucas County Plan Commissions. Until all applicable fees charges and expenses have been paid in full, no action shall be taken on any application or appeal. The subdivider/developer shall be solely responsible for submittal of the plat and payment fees to the agency having jurisdiction regarding and/or approval of proposed improvements, including water and sanitary sewage facilities.

209 Violations and Penalties

Whoever transfers, offers for sale, or leases for a period of more than five years any lot, parcel or tract of land from a plat of a subdivision before such plat has been recorded in the office of the Lucas County Recorder or that violates these regulations shall forfeit and pay the sum of not less than ten dollars (\$10) nor more than five-hundred dollars (\$500) for each lot, parcel, or tract of land so sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.

No building 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, nor shall the City of Toledo have any obligation to issue certificates of occupancy or to extend utility services to any parcel created in violation of these Regulations.

A Lucas County Recorder who records a plat contrary to the provisions of these Regulations shall forfeit and pay not less than one-hundred dollars (\$100) nor more than five-hundred dollars (\$500), to be recovered with costs in a civil action by the prosecuting attorney in the name and for the use of the City of Toledo.

210 Appeal

Any person who believes he or she has been aggrieved by these Regulations or the actions of the Toledo City Plan Commission has all rights to appeal as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section.

SECTION 3 SUBDIVISION APPLICATION, PROCEDURES AND APPROVAL PROCESS

Standards

300 Purpose

The purpose of this section is to establish the procedure for review and approval of subdivisions, as authorized under Chapter 711 of the Ohio Revised Code. The procedure is intended to provide orderly and expeditious processing of such applications.

301 General Procedure

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

1. Lot Split/Minor Subdivision: These shall be processed administratively by the Planning staff and require a survey drawing, a legal description, fees, and Toledo-Lucas County Health Department approval if the parcel does not have either water and sewer or both available.
2. Platted Subdivision/Major Subdivision: These involve approval by the Toledo City Plan Commission.

302 Conditions for Lot Split/Minor Subdivision Approval

Approval without a plat of a lot split/minor subdivision may be granted pursuant to Ohio Revised Code § 711.131 by the Planning staff if the proposed subdivision of the parcel of land meets all of the following conditions:

1. The proposed division of a parcel of land as shown on the last preceding tax roll involves no more than five (5) lots, any one of which is under five (5) acres (inclusive of the remainder parcel).
2. The proposed subdivision is along an existing public street and involves no opening, widening or extension of any street or road or public utility.
3. The proposed division is not contrary to applicable subdivision, zoning, access management plans and other regulations or has received any necessary variances.
4. The proposed subdivision is approved by the Toledo-Lucas County Health Department, if the parcel does not have either water and sewer or both available.

5. A legal description of the property is submitted with the application, along with a survey drawing if the parcel has a metes and bounds legal description. A survey drawing may be required for a property which is already platted, at the discretion of the Toledo Plan Commission Staff.
6. The Plan Director may waive the 3½ to 1 depth to width ratio as required in Section 405(1)c of these Regulations provided all provisions of this section are met and provided the dimensions of the proposed parcel are consistent with other parcels in the nearby vicinity.
7. Additional right-of-way for highway purposes, ditch/drainage easements, or the construction of sidewalks along the frontage may be required as part of the lot split.

303 Administrative Procedure and Approval

1. A lot split/minor subdivision application, available at the Toledo-Lucas County Planning Commission Office or on-line, shall be filed by the landowner or an authorized representative. A complete application shall contain a survey drawing, when required, a legal description for each lot being created, a fee as required, and a certification of approval by the Health Department and others as may be applicable.
2. After the split has been approved by any other department with review responsibility, the application, a copy of the health department approval (if applicable) and a copy of the survey drawing and legal description is reviewed by the Planning staff for conformity with these Regulations and other applicable regulations, within seven (7) working days after submission. The application shall be approved, approved with conditions or disapproved. If approved by the Plan Commission staff, an executed deed shall be presented to the Plan Commission office for an approval stamp before being recorded.
3. The deed shall then be taken to the Lucas County Auditor for the transfer of property and then to the Lucas County Recorder where it will become a legal parcel of record. Lot split requests expire if not recorded within two (2) years of approval.
4. Incomplete or deficient proposals shall be disapproved and the applicant shall be notified of the issues and reasons for the disapproval.

304 Appeals

The applicant of a lot split/minor subdivision that is disapproved because of the provisions of these Regulations may within sixty (60) days of the date of disapproval, request in writing an appeal to the Toledo City Plan Commission. A fee as set forth by the Toledo City Plan Commission shall be paid at the time the request for appeal is submitted.

305 Submission Requirements

The application for a lot split/minor subdivision shall include the following:

1. The survey shall conform to the minimum standards for boundary surveys in the State of Ohio (Ohio Administrative Code δ 4733-37) and shall conform to the standards of the City of Toledo.
2. Survey boundaries and lot lines shall be drawn at a scale between 1"=10 feet, and 1"=100 feet. All dimensions shall be shown in feet and hundredths of feet.
3. Location of monuments and their descriptions.
4. Location, size, and use of all existing buildings.
5. Areas within the 100 year floodplain and within floodways, as determined from flood studies or by scaling from mapping provided by the Federal Emergency Management Agency, shall be delineated.
6. Other items or provisions deemed necessary by the Planning staff.

306 Combining Entire Existing Tax Parcels, Replat, Subdivision Vacations, Plat of Streets, Common Open Spaces, and Easements for Public Utilities

1. Combining entire existing tax parcels can be accomplished by the Lucas County Auditor without Toledo City Plan Commission approval if the existing parcels are adjacent to each other and are not separated by a public roadway. Parcels are combined into a single tax parcel by filing an "Application for Combination" with the Lucas County Auditor by listing the tax parcel numbers to be combined.
2. A subdivider proposing the re-subdivision of a plat previously recorded shall follow the same procedures required for a major subdivision. Other proposals for the alteration of a plat or the vacating of a plat shall comply with Section 711.17-711.20 of the Ohio Revised Code or shall comply with any other procedure deemed appropriate by the City of Toledo Law Director.

3. Proposals for the platting of street openings, widenings, dedications, and extensions; platting of open spaces for common use by owners, occupants, or leaseholders; and easements for the extension and maintenance of public sewer, water lines, storm drainage, or other public utilities shall follow the same procedures required for a major subdivision.

307 Outline of Conditions for Major Subdivisions

A proposal involving any of the following shall be subject to major subdivision procedures:

1. More than five (5) lots, any one of which is less than five (5) acres, including the original tract.
2. Creation, widening or extension of a public or private street.

308 Pre-Application Conference

The subdivider/developer may request an informal discussion with the Planning staff and other appropriate agencies to discuss the procedures for approval of the subdivision plan and to familiarize the developer with land use plans, thoroughfare plans, drainage and sewerage requirements, fire prevention, and the availability of existing utility services.

309 Preliminary Drawing

The subdivider/developer may submit a Preliminary Drawing for review and tentative approval prior to the formulation and submittal of detailed construction drawings. The Preliminary Drawing is reviewed for the subdivider/developer's benefit and at his discretion, and its submission does not constitute a formal subdivision review pursuant to Section 711.10 of the Ohio Revised Code. With the submission of the Preliminary Drawing, the applicant waives any rights to an approval under Section 711.10 of the Ohio Revised Code until such time as application is made for final subdivision plat review and is submitted to the Toledo City Plan Commission for review and approval as detailed in these Regulations. Preliminary Drawing review is a recommended procedure.

310 Preliminary Drawing Form

The Preliminary Drawing application shall contain:

1. A completed application form available from the Toledo City Plan Commission Office or available online.
2. Fifteen (15) copies of the Preliminary Drawing containing all required information.

The Preliminary Drawing shall be submitted in the following form:

1. Drawn at a scale between one hundred (100) feet to the inch and ten (10) feet to the inch.
2. On one or more sheets 24" x 36" or 18" x 24" in size, clearly and legibly drawn.
3. An 8½" x 11" reduction of the drawing and a digital or computer file.

311 Preliminary Drawing Content

The Preliminary Drawing shall contain the following information:

1. Proposed name of the subdivision, location by section, range, or other survey, and the existing and proposed zoning designation.
2. Boundaries and acreage.
3. Name, address and telephone number of the owner, subdivider, Professional Surveyor and/or Professional Engineer with appropriate numbers and seals.
4. Date of survey, if provided, scale of the plat, north arrow, legend and a vicinity map (location sketch) at a scale not less than 2,000 feet to an inch.
5. Name of adjacent subdivision(s) and their zoning designation, owners of adjoining parcels, and location of common boundary lines, extended to 20 feet beyond the boundary of the subdivision.
6. Topographic contours with intervals no greater than two (2) feet at 5% slope, no greater than five (5) feet for slopes over 5% and less than or equal to 15%, and no greater than ten (10) feet for slopes greater than 15%.
7. Location, width, and names of existing and proposed streets, railroad rights-of-ways, easements, parks, buildings, corporation lines; wooded areas, water courses, drainage patterns, and water bodies.
8. Topographic features within and adjacent to the plat for a minimum distance of 200 feet. Locations of floodways, floodplains, wetlands, and any potentially known hazardous areas.
9. The layout, number, dimensions of each lot, building setback lines, and typical minimum lot size.
10. Parcels of land reserved for public use or reserved by covenant or easements for residents of the subdivision.

11. Point of proposed ingress/egress or driveway locations and the distance to any existing driveway(s).
12. Type of water supply and wastewater disposal proposed, approximate locations and dimensions of all proposed utilities and sewer lines, easements, drainage tiles, water mains, culverts, or other utilities within the site or adjacent thereto.
13. The title "Preliminary Drawing."
14. The location, size and appearance of the subdivision entry sign(s).
15. A traffic impact study shall be submitted by the developer if deemed necessary by the Division of Transportation.

312 Public Hearing

The Toledo City Plan Commission, prior to acting on a Preliminary Drawing of a subdivision, shall hold a public hearing and notify area property owners per Toledo City Plan Commission policy of the time, date, and location of the public hearing.

313 Review and Approval of Preliminary Drawings

The Planning staff shall forward copies of the Preliminary Drawing to such officials and agencies as may be necessary for the purpose of review and recommendation. After receipt of reports from such officials and agencies, the Planning staff shall recommend whether the drawing should be approved, approved with modifications, or disapproved to the Toledo City Plan Commission. The reasons for such disapproval shall be stated in writing.

314 Preliminary Drawing Expiration

The approval of the Preliminary Drawing by the Toledo City Plan Commission shall be effective for a maximum of three (3) years from the date of its approval unless an extension of the approval has been granted by the Plan Director. If a Final Plat is not submitted within three (3) years, the Preliminary Drawing approval shall expire and become void.

315 Final Plat Procedures

Having received the approval of the Preliminary Drawing, if applicable, the subdivider/developer shall submit a Final Plat application containing all changes required by the Toledo City Plan Commission in the Preliminary Drawing. The Final Plat shall be prepared by a Professional Surveyor and the design for construction of improvements prepared by a Professional Engineer licensed to practice in the State of Ohio. Within five (5) calendar days of submission, the Planning staff shall accept and schedule the plat for the next appropriate meeting of the Toledo City Plan Commission. This meeting shall be held within thirty (30) days after the notice was sent. Notification shall also be given to other appropriate agencies and officials.

A complete application shall contain:

1. Complete and signed application form available from the Toledo City Plan Commission office or available online and any applicable fee.
2. Original plat document signed by the subdivider with notary and seal and the Professional Surveyor with seal.

316 Final Plat Form

The Final Plat shall be submitted in the following form:

1. Drawn to a scale between one hundred (100) feet to the inch and ten (10) feet to the inch, inclusively.
2. Plats shall be on one or more sheets twenty (20) by thirty (30) inches in size and shall be clearly and legibly drawn. The original shall be drawn on reproducible material capable of producing blue or black paper prints.
3. No ditto marks shall be used on the Final Plat and a legend of all symbols and abbreviations used shall be included on the plat.
4. The Toledo City Plan Commission may also require the Final Plat to be filed in a digital or computer format.

317 Final Plat Contents

The Final Plat shall contain the following information:

1. Subdivision name, location by section, range or other accepted survey district and true angles and distances to at least three (3) of the nearest established street lines or official monuments.

2. The plat shall comply with the Minimum Standards for Boundary Surveys in the State of Ohio and the measurement specifications as contained in Chapter 4733-37 of the Ohio Administrative Code and shall also comply with the conveyance requirements of Lucas County.
3. Name of the owner, subdivider, and Professional Surveyor with the appropriate seal, signature, and date.
4. The plat boundaries shall be drawn with heavy dashed lines based on an accurate traverse, with angular and linear dimensions determined by an accurate control survey in the field. All lot lines shall be shown with accurate dimensions in feet and hundredths.
5. The layout, number, square footage dimensions of each lot, and set back lines (a note listing setback dimensions may be added in lieu of showing setback lines if the plat will be made more legible).
6. Outline of areas to be dedicated or reserved for public or common use of property owners within the plat, and previous lots of blocks and their numbers indicated by a contrasting line style in the case of a replat.
7. Names, locations, dimensions, rights-of-way of all existing and proposed street and railroads within and adjoining the plat. Radii, internal angles, points of curvature, tangent bearings, length of arcs, and lengths and bearing of chords of all streets.
8. Locations and dimensions of all easements and rights-of-way, with dimensions, purposes and wording addressing the purpose of such easement or rights-of-way.
9. Location of all streams, ditches, rivers, wetlands, ponds/lakes, and flood hazard boundaries of the area.
10. Base flood elevations shall be determined by the developer's engineer in areas where such information has not been made available from other sources.
11. A statement or table showing total acreage in the subdivision and total acreage of lots, roads, open space, easements and other types of uses.
12. Statements and spaces for all signatures required by Section 9 of these Regulations.
13. North arrow.
14. Special setbacks approved as part of a Planned Unit Development.

15. Accurate location of all monuments. One such monument shall be placed at each change in direction on the boundary of the plat and one such monument shall be placed on the centerline of right-of-way of each street intersection and at the beginning and end of all street curves and at the center of all cul-de-sacs.
16. Radii, internal angles, points of curvature, tangent bearings and lengths of all arcs.

318 Filing

A Final Plat shall be filed with the Toledo City Plan Commission not later than three (3) years after the date of approval of the Preliminary Drawing; otherwise it will be considered void unless an extension is requested by the subdivider and granted in writing by the Plan Director. The Plan Director at his/her discretion may refer the extension request to the Toledo City Plan Commission for determination.

319 Planning Commission Action

The Planning staff shall provide a Final Plat report to the Toledo City Plan Commission. The Toledo City Plan Commission shall act on the Final Plat within thirty (30) days after filing, unless such time is extended by agreement with the subdivider, the Final Plat is withdrawn the plat is “disapproved with no prejudice.” Conditional approval of a Final Plat shall be limited to minor clerical and other nonsubstantive errors as determined by the Toledo City Plan Commission. Failure of the Toledo City Plan Commission to act upon the Final Plat within such time shall be deemed an approval of the plat. If disapproved, the subdivider shall make the necessary corrections and resubmit the Final Plat, within thirty (30) days, to the Toledo City Plan Commission for its final approval. If a Final Plat is disapproved by the Toledo City Plan Commission, the person resubmitting the plat, which the Toledo City Plan Commission refused to approve, may file a petition within sixty (60) days after such refusal in the Lucas County Court of Common Pleas.

320 Public Improvements

If the Toledo City Plan Commission does not require that all public improvements be installed and dedicated prior to signing of the Final Plat, the Platting Commissioner shall require that the applicant furnish a performance guarantee for the ultimate installation of said improvements. The requirements, approval, and length of term for the performance guarantee shall be determined by the Platting Commissioner.

321 Final Plat Expiration

The subdivider/developer shall record the Final Plat within six (6) months of final approval otherwise the Final Plat approval shall expire and become void.

322 Signing, Recordation and Transmittal of Copies of Final Plat

The subdivider/developer shall, within six (6) months of approval by the Toledo City Plan Commission, submit a copy of the Final Plat approved by the Platting Commissioner for processing by the Lucas County Tax Map Department, Lucas County Auditor, and filing with the Lucas County Recorder. It shall be the responsibility of the subdivider/developer to gain all necessary certifications before filing the Final Plat with the Lucas County Recorder. After the Final Plat is recorded, the original Final Plat or an archival quality reproducible reproduction shall be filed with the Lucas County Recorder. Any office may require the submission of the Final Plat in digital or computer format.

SECTION 4 DESIGN AND CONSTRUCTION STANDARDS

Standards

400 General Purpose

The purpose of good subdivision and site design is to create a functional and attractive development, minimize adverse impacts and insure that a project will be an asset to the City of Toledo. To promote this purpose, the subdivision shall conform to these standards which are designed to result in a well-planned community without adding unnecessarily to development costs. The Toledo City Plan Commission has the responsibility of reviewing the design of each subdivision to ensure that all the requirements of these Regulations are addressed.

401 Suitability of Land

If the Toledo City Plan Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to poor drainage, flood hazard, topography, inadequate water supply, lack of sanitary sewer availability, traffic safety/inadequate roadway access, and other such conditions which may endanger health, life, safety, or property, the Toledo City Plan Commission may disapprove the subdivision unless adequate methods for solving the problems are proposed and found acceptable by the Toledo City Plan Commission. For major subdivisions a written statement may be required by the Toledo City Plan Commission describing characteristics of the development site, such as bedrock geology and soils, topography, flood prone areas, existing vegetation, structures and road networks, visual features, and past and present use of the site.

402 Conformance to Applicable Rules and Regulations

In addition to the requirements established in these Regulations, all subdivisions shall be consistent with the following:

1. All applicable elements of the Toledo Municipal Code, and specifically the Zoning Ordinance.
2. Any regulation of the State or Toledo-Lucas County Health Department and/or appropriate state agencies.
3. The rules of the Ohio Department of Transportation if the subdivision or any lot contained therein abuts a state highway per Section 5511.01 of the Ohio Revised Code.

4. The Rules and Regulations of Department of Public Utilities including Infrastructure Design and Construction Requirements.

403 Subdivision and Site Design

Design of the subdivision shall take into consideration any and all duly adopted land use plans. To the maximum extent practical, subdivisions shall be located to preserve the natural features of the site, should avoid areas of environmental sensitivity, and should minimize negative impacts and alterations of natural features. The following specific areas shall be preserved and/or mitigated to the extent consistent with the reasonable utilization of land, and in accordance with State and Federal regulations:

1. Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Water Pollution Act, as amended; and in the Ohio Environmental Protection Agency standards.
2. Land in the floodway as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps.
3. Steep slopes in excess of fifteen (15) percent unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.
4. Historically and culturally significant structures and sites, as listed on the National Register of Historic Places.

404 Blocks

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

1. The arrangements of blocks shall conform to the street design criteria set forth in these Regulations.
2. Blocks shall be arranged to accommodate lots and building sites of the size required by these Regulations and all applicable zoning requirements.
3. Irregularly shaped blocks, blocks intended for cul-de-sacs and loop streets, and blocks containing interior parks and playgrounds may be approved by the Toledo City Plan Commission if properly designed and located.
4. No blocks shall be longer than 1320 feet. Cross streets shall be provided between blocks.
5. Where blocks are more than 900 feet in length, a walkway easement not less than 10 feet in width at or near the halfway point of the block may be required between streets.

6. Blocks in the traditional gridiron pattern should consist of two tiers of lots.
7. Pedestrian/bikeway connections shall be made to any existing or future trails adjacent to the development. If the adjacent trail(s) are not complete, the connections may be deferred provided an escrow for the construction is established.
8. Blocks with concentrated residential lots and consolidated common open space areas are encouraged.

405 Lot Improvements

1. Lot Arrangements and Dimensions

- a. Lot arrangement, design and dimensions shall be such that all lots will provide satisfactory building sites. Driveway access to buildings on the lot shall be from a dedicated public street or private street. Lots shall be properly related to topography and the character of the surrounding development, and shall be in compliance with the applicable zoning district in which they are located and for the use for which they are intended.
- b. Dimensions of corner lots shall be adequate enough to allow for the construction of buildings, observing the minimum front-yard setback from both streets.
- c. The maximum depth of any lot shall not be greater than 3½ times its width unless otherwise permitted by the Toledo City Plan Commission.

2. Lot Orientation

- a. Residential lots shall front on a dedicated public street (existing or proposed) or on a private street. All side lot lines where practical should be at approximate right angles to street lines or radial to curving street lines, unless a variation from these rules will give a better street or lot plan. Variations are permitted to accommodate barriers such as streams and existing utility easements. However, side lot lines shall not deflect more than thirty (30°) degrees from the perpendicular in relation to street centerlines. A side lot line shall maintain the same angle of deflection between the front lot line and the minimum building setback line as required by the zoning classification or these Regulations.
- b. A lot line common to the street right-of-way shall be the front line. All lots shall face the front line and a similar line across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the sideline of an adjacent lot.

3. **Double Frontage Lots and Access to Lots**

- a. 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 and orientation.
- b. Lots may not be created by dividing land at the end of stub streets. Such stub streets are intended to promote continuity of street systems in adjoining subdivisions.
- c. An increased building setback or a buffer strip in accordance with the landscape standards herein may be required where a residential lot in a subdivision backs up to a railroad right-of-way, a high pressure gasoline or natural gas line, an arterial street or road as indicated on the Major Street and Highway Plan or interstate highway, an industrial area, high-voltage transmission lines, or other existing or proposed land use which may have a detrimental effect on the residential use of the property, and where no local street is provided at the rear of such lot.

406 Easements

1. Location of utility line easements shall be outside the road right-of-way and shall be subject to the approval by the various utility providers. Utility easements may also be located along the front lot line or on the rear or side lot lines as necessary for utility lines. Easements shall give access to every lot, park or public grounds. Such easements shall be a minimum of ten (10') feet wide.
2. Recommendations on the proposed location of all utilities should be sought where practical from the utility companies serving the area by the subdivider/developer prior to submitting the Preliminary Drawing.
3. Easements shall be provided for storm drainage purposes. Such easements shall conform substantially with the lines of any natural water course, channels, streams or creeks which traverse the subdivision or for any new channel which is established to substitute for an existing natural watercourse, channel, stream or creek. Such easements shall be of sufficient width to provide adequate area for maintenance, however shall not be less than twenty (20') feet for enclosed sewers and for open ditches shall extend from top of bank to top of bank plus twenty (20') feet on one side. Provisions of an easement shall in no way make any political subdivision responsible for maintenance of storm facilities.
4. All the utilities shall be placed underground, according to the standards of the appropriate utility company.

5. It is recommended that public sanitary sewers, storm sewers, and waterlines be constructed in the public right-of-way and be a minimum distance of ten (10') feet from the right-of-way line. In the event an easement is necessary, a minimum width of twenty (20') feet is required and it should be centered on the pipeline. The easement should be dedicated for sanitary sewer, storm sewer or water main use only. The easement shall be dedicated to the City of Toledo to allow for future maintenance and the easement language in Section 9 shall appear on the plat.

SECTION 5

STREET DESIGN AND CONSTRUCTION STANDARDS

Standards

500 General

These Regulations shall control the manner in which the road system is arranged on the land to permit the safe, efficient, and orderly movement of traffic; to meet the needs of the present and future population; to have a simple and logical pattern; to integrate natural features and topography; and to present an attractive streetscape.

501 Official Road Design Standards

Road design standards shall be in accordance with the requirements and specifications of the Division of Engineering Services and the Division of Transportation.

502 Street Names and Addresses

1. Names of new streets shall not duplicate or nearly duplicate those of existing or platted streets, irrespective of the use of the suffix “street,” “avenue,” “circle,” “boulevard,” “drive,” etc. When a new street is a direct extension of an existing street the name should remain the same. Street names shall be subject to the approval of the Toledo City Plan Commission or Planning staff with review and recommendations from other governmental agencies such as law enforcement, emergency response departments, and the Lucas County Tax Map Department.
2. Street addresses shall be assigned by the Division of Engineering Services.

503 Street and Circulation System Design

1. The arrangement, character, extent, and location of all streets shall conform to the adopted Major Street and Highway Plan; such streets shall be considered in their relation to existing and planned streets, access management plans, topographic conditions, public convenience and safety, and in their relation to the proposed uses of land to be served by such streets. The Toledo City Plan Commission reserves the right to disapprove any street plan that does not ensure continuity of the existing or future street system.
2. The road system shall be designed to serve the needs of the neighborhood and to discourage through traffic in the interior of such subdivision. Commercial subdivisions should be designed to discourage driveway access onto major arterial and collector roadways by using service roads. Minimizing driveway access points or curb cuts by using service roads is encouraged.

3. Streets shall be planned for convenient circulation toward the principal directions of travel, bus routes, schools, and playgrounds. The pattern shall be continuous, and yet indirect enough to discourage an excessive amount of through traffic. On the interior design, T-type intersections shall be predominant, while cross-intersections shall be avoided except at major streets. The street patterns shall include some extensions to the boundaries of the development to provide circulation between adjoining neighborhoods.
4. On existing adjoining roads that are impacted by proposed development, roadway and pavement improvements such as widening, resurfacing, turn lane construction, and intersection modifications to maintain adequate traffic operations and safety shall be required. A traffic impact study may be required if deemed necessary by the Division of Transportation.

504 Rights-of-Way

1. The right-of-way shall be measured from lot line to lot line and shall be sufficiently wide to contain the roadway pavement, curbs, sidewalks, utilities, graded areas and street trees, if required.
2. The right-of-way of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street.
3. The right-of-way for roads shall be in accordance with the Major Street and Highway Plan and shall provide for future development.
4. Street widths shall conform to the following minimums:

<u>Classification</u>	<u>Right-of-Way Width</u>
(1) Freeway, Expressway, or Controlled Access Parkway	200'
(2) Principal Arterial	150'
(3) Minor Arterial	100'
(4) Major Collector	90'
(5) Local Collector	80'
(6) Minor Street	60'
(7) Alley	20'

505 Horizontal and Vertical Alignment

1. Horizontal and vertical alignment shall conform to the standards and specifications of the City of Toledo and shall follow the Ohio Department of Transportation criteria.

2. No street grade shall be less than 0.4 percent and in no case shall a street grade on a collector or arterial street be more than four (4%) percent within one (100') feet of an intersection.

506 Special Street Types

The following requirements shall apply to special street types:

1. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as a segment of a continuing street plan subject to its extension into undeveloped acreage. Temporary dead-end streets shall extend to the boundary of such undeveloped acreage and shall be provided with an interim turnaround satisfactory to the Division of Transportation. The Toledo City Plan Commission shall reserve the right to limit the length of such a dead-end street based on principles of proper planning, and the Toledo City Plan Commission may require a street along the boundary between a proposed subdivision and the undeveloped acreage to provide for future development. A two (2') foot wide buffer lot dedicated to the City of Toledo shall be platted at the end of all stub streets to preclude access until the right-of-way is extended.
2. Except in those situations where unusual circumstances exist, cul-de-sac streets shall not exceed a length of six hundred (600) feet measured to the center of the radius of the turnaround. The terminus shall be circular with a minimum radius that conforms to the standards of the Division of Transportation.
3. The dedication of new half-streets shall not be permitted. If a parcel to be subdivided exists adjacent to a dedicated or platted and recorded half-width street or alley, the other half-width of such street or alley falling within the proposed subdivision shall be platted, provided that such right-of-way is necessary for the proper development of the area.
4. Where a subdivision adjoins an arterial street, a service road shall be designed to control access from lots fronting on it. Points of access to the arterial street shall be spaced at a minimum of thirteen hundred twenty (1320') feet. A planting strip having a minimum width of twenty (20') feet shall be provided between the pavement of the service road and the arterial street. The minimum width of the service road right-of-way shall be fifty (50') feet. In addition, the Toledo City Plan Commission may also require the provision of buffer planting strips, the platting of loop streets or cul-de-sacs connected to such parallel streets, or any combination thereof.
5. Anti-vehicular access to control access to streets shall be prohibited except where required by the Toledo City Plan Commission.

6. In subdividing land along existing streets or roads and within a proposed subdivision, provisions for the dedication of land for one or more access streets to undeveloped land not fronting on an existing street or road shall be incorporated. Said access streets shall be spaced not less six hundred sixty (660') feet, nor more than one thousand three hundred twenty (1,320') feet apart.
7. Alleys may be approved in residential subdivisions when justified by subdivision street design, to provide vehicular access to parking areas. Alleys may be approved in commercial and industrial subdivisions if no other provisions can be made for adequate service access. The minimum pavement widths for alleys shall be twelve (12') feet for one-way traffic flow and sixteen (16') feet for two-way traffic flow. All alleys shall be dedicated to the public. Alley intersections, sharp changes in alignment, and dead-ends shall not be permitted unless extreme conditions would warrant.
8. Boulevard type streets shall be designed to accommodate emergency and maintenance vehicles and development generated traffic. The design shall be subject to review and approval by the Division of Engineering Services and by the Division of Transportation and shall have the following minimum requirements:
 - Minimum pavement width of 21 feet (back of curb to back of curb)
 - Minimum median width of 13 feet (back of curb to back of curb)
 - Minimum right-of-way width of 80 feet

507 Street Design Standards for all Streets Except Cul-de-Sacs And Loop-Type Local Streets

The design and improvement standards contained in Table 1 are minimums for all local streets and collector streets, except cul-de-sacs and loop-type streets, in residential subdivisions.

Table 1 Street Design Standards for Local and Collector		
	LOCAL STREET	COLLECTOR STREET
Right-of Way (feet)	60	80-90
Pavement Width	27*	31**
Minimum Stopping Sight Distance (feet)	200	200
Minimum Center Line Radius (feet)	105	350
Maximum Grade	5%	5%
Minimum Distance Between Reverse Horizontal Curves (feet)	100	200

*Back of mountable curb to back of mountable curb. Curbs 2½ ft. – pavement 22 ft.

**Curbs 2½ ft. – pavement 26 ft.

508 Street Design Standards for Cul-de-Sac and Loop-Type Streets

The design and improvement standards contained herein are the minimum standards for cul-de-sac and loop type local streets in residential subdivisions. All such streets shall be designed and constructed in accordance with the standards as specified in Table 2. Cul-de-sacs are required whenever a street is intended to be permanently dead-ended.

Right-of-way (feet)	60
Pavement Width (feet)	27 (loop street)* 33 (cul-de-sac)*
Minimum Stopping Sight Distance (feet)	250
Maximum Grade	5%
Maximum cul-de-sac length (feet)	600
Minimum cul-de-sac center island radius (feet)	20
Minimum Cul-de-sac radius (pavement with an island)	53 ft. to b/c
Minimum Cul-de-sac radius (pavement without island)	42.5 feet to b/c
Minimum Center Line Radius of Streets with an angle turn of:	
(1) between 80 and 100	105
(2) less than 80 or more than 100	105

* Back of mountable curb to mountable curb, Curbs 2 ½ ft. – pavement 22 feet for loop streets, pavement 30 feet for cul-de-sacs.

509 Intersection Design Standards

The design and improvement standards for intersections are suggested minimums for all street intersections in subdivisions. All such intersections shall be designed and constructed in accordance with standards as specified in Table 3. Multiple intersections involving junctions of more than two (2) streets shall not be permitted. Proposed streets shall intersect one another as nearly at right angles as topography or other limiting factors will permit. No intersection of streets on angles less than seventy (70°) degrees shall be approved unless justified by extreme topographical conditions. In such a case, special provisions as deemed necessary by the Toledo City Plan Commission shall be made.

Maximum Approach Speed (mph)	25
Clear Sight Distance (ft., length along each approach leg)	According to ODOT criteria
Minimum Angle of Intersection Streets	70° degrees
Minimum Curb Radius (feet)	
a. local-local	25
b. local-collector	35
c. collector-collector	35
d. collector-arterial	45
Minimum Centerline Offset of adjacent intersection (feet)	
a. local-local	120
b. local-collector	600
c. collector-collector	800
d. collector-arterial	1000

510 Streets for Commercial Subdivisions

Streets serving business developments and accessory parking areas shall be planned to connect with arterial streets so as not to generate traffic on local streets. The intersection of driveways from parking areas with arterial or collector streets shall be located so as to cause the least possible interference with traffic movement on these streets, and shall be located not less than one hundred fifty (150') feet from the intersection of an arterial or collector street with any other street. The Toledo City Plan Commission may require access roads to provide maximum safety and convenience.

511 Streets for Industrial Subdivisions

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

512 Street Improvements

All streets and thoroughfares shall be graded to their full width, including side slopes, and improved in conformance with the standards contained or referred to in these Regulations. These standards are considered minimum and are subject to change where deemed necessary. All materials and construction procedures shall be in accordance with the current Construction and Material Specifications of the State of Ohio Department of Transportation as amended by the specifications on file in the Division of Engineering Services Office. Construction shall also conform to the Division of Engineering Services' "Infrastructure Design and Construction Requirements."

513 Street Width

Minimum street pavement widths shall conform to the standards of these Regulations. Pavement widths greater than those specified shall be constructed if deemed necessary by the Division of Engineering Services and the Division of Transportation and approved by the Toledo City Plan Commission.

514 Street Curbs and Gutters

Concrete curbs or curbs and gutters are required for all public streets.

515 Street Construction Standards

The minimum pavement for residential streets shall be four (4") inches of asphalt on an eight (8") inch stone base.

516 Private Streets

Private streets are generally discouraged in all subdivisions because of the long term maintenance liability and the various concerns with private ownership. However, recognizing unique development issues with smaller parcels and innovative subdivision designs, the Toledo City Plan Commission may at their discretion allow private streets provided the following requirements are met:

1. Private streets shall have a minimum pavement width of twenty (20') feet, may be curbed or uncurbed, and shall be constructed with a minimum of four (4") inches of asphalt on eight (8") inches of aggregate.
2. The hydraulic design of private streets shall conform to the City of Toledo standards and shall have storm sewers along the roadway or along the center of pavement with an inverted crown. All storm sewer improvements shall be private.
3. Water lines, sanitary sewers, and storm sewers under or along a private street shall be private.

4. Private street cul-de-sac geometrics and intersection radii shall be designed to the City of Toledo standards. Other geometrics need not conform to the City of Toledo standards but will be reviewed for safety standards by the Division of Transportation.
5. All plans for private streets are subject to review and approval by the Division of Engineering Services and the Division of Transportation. The improvements shall be guaranteed pursuant to Section 8 of these Regulations and final inspections shall be made by a Professional Engineer or testing company. Final inspection reports are subject to review and approval by the Division of Engineering Services prior to release of any and all financial guarantees.
6. A statement on the Final Plat shall indicate that the private street improvements and associated utilities are private and as such there is no public maintenance of the improvements and the responsibility for the maintenance is borne by the lot owners within the subdivision.

517 Sidewalks and Graded Areas

1. Sidewalks shall be required in all subdivisions and shall be required on both sides of the street.
2. In conventional developments, sidewalks shall be placed in the right-of-way, parallel to the street, unless an exception has been permitted to preserve topographical or natural features or to provide visual interest, or unless the applicant shows that an alternative pedestrian system provides safe and convenient circulation.
3. Pedestrian-way easements ten (10') feet wide may be required by the Toledo City Plan Commission through the center of blocks to provide circulation or access to schools, playgrounds, shopping or other community facilities or if the block length exceeds one thousand four hundred (1,400') feet.
4. Sidewalks shall be concrete and shall measure four (4') feet in width and five (5') feet in width when the street is identified on the Toledo-Lucas County Major Street and Highway Plan. Wider widths may be necessary near pedestrian generators and employment centers. Where sidewalks abut the curb widths shall be six (6') feet.
5. Sidewalks and graded areas shall be constructed according to the specifications set forth in these Regulations.
6. Sidewalks shall be designed in accordance with ADA standards and shall be completely handicap accessible.

518 Street and Walkway Lighting

The Toledo City Plan Commission shall require the subdivider/developer to install street lights.

519 Monuments, Markers, and Pins

Monuments shall be set at all subdivision corners and iron pins set at all lot corners. All monuments and iron pins shall be identified with a durable marker bearing the surveyor's Ohio registration number and/or name or company name, in accordance with the requirements of the Minimum Standards for Boundary Surveys in the State of Ohio (O.A.C. Section 4733-37-03). The Division of Engineering Services may require other monuments or iron pins to be set in the subdivision. For lot corners, reinforcing bars 5/8" x 30" are acceptable. Other types of markers may be used if approved by the Division of Engineering Services. Subdivision corner and benchmark monuments shall be encased with concrete at least six (6") inches in diameter and thirty (30") inches in depth.

All monuments and iron pins shall be identified on the Final Plat and shall be in place at the time the roads and other improvements are inspected for acceptance by the Division of Engineering Services unless provisions for their installation are provided for in accordance with Section 8 of these Regulations.

520 Culverts and Bridges

Where natural drainage channels intersect any street right-of-way, it shall be the responsibility of the subdivider/developer to have satisfactory bridges and/or culverts constructed. Where culverts are required, minimum requirements shall be observed as follows:

All culverts shall extend for an adequate distance to accommodate the required roadway embankment slopes. The cover over the culvert and its capacity shall be determined by the subdivider/developer's Professional Engineer and approved by the Division of Engineering Services. The minimum diameter of the culvert pipe shall be twelve (12") inches. Depending on the existing drainage conditions, head walls may be required. Where feasible, culverts shall have sufficient length to not require guardrail protection.

521 Open Ditch and Slopes

Open ditch construction for roadside drainage shall be in accordance with the City of Toledo specifications. Minimum depth of ditches shall be two (2') feet below the edge of pavement, and one (1') foot minimum at the top of slope. All ditches shall be protected against erosion. Ditches shall have a desirable slope of 4 to 1 and shall not have a slope of greater than 3 to 1. The minimum bottom width of the ditch shall be two (2') feet.

SECTION 6 PUBLIC UTILITIES

Standards

600 General

A Professional Engineer, licensed in Ohio, shall design any plans for public water supply, stormwater and wastewater facilities. Design and construction of public utilities shall conform to the Division of Engineering Services “Infrastructure Design and Construction Requirements.”

601 Water Supply

All major subdivisions shall be improved with public water supply lines that are designed and constructed in accordance with the specifications of the City of Toledo. Water supply lines shall be extended across the entire length of the plat.

602 Fire Protection

1. Fire hydrants shall be provided in all subdivisions.
2. Hydrants shall be located between property lines and curbs with all outlets facing or parallel to the street. Hydrants shall be placed at the corners of all blocks and at midblock for blocks exceeding six hundred (600') feet in length. Hydrants shall also be required at the entrance and end of all cul-de-sacs exceeding three hundred (300') feet in length.
3. Hydrants shall be spaced at a maximum of three hundred fifty (350') feet apart.
4. The minimum size of any water line serving any hydrant shall not be less than eight (8") inches in diameter. The size and location of water lines shall be approved by the Toledo Fire Prevention Department.

603 Sanitary Sewers

Pursuant to the regulations of the Toledo-Lucas County Health Department, the State of Ohio Health Department, and the Ohio EPA, all major subdivisions shall be improved with public sanitary sewers that are designed and constructed in accordance with the specifications of the City of Toledo.

604 Drainage and Storm Sewers

All subdivisions shall be improved with public storm drainage systems that are designed and constructed in accordance with the specifications of the City of Toledo. All storm drainage design shall be planned and constructed so as to preserve natural topographic features and vegetative cover, to minimize change to existing topography, and to preserve the natural drainage system.

605 Electric, Gas, and Telephone Improvements

1. Electric and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible. Telephone, telecommunications cable, electric, and street lighting wires, conduits, and cables shall be constructed underground.
2. Easements with a minimum width of ten (10') feet shall be platted for underground utilities. The easement shall be platted outside of the public right-of-way. The Final Plat shall include specific easement recitations regarding the electric facilities.

606 Oversize and Offsite Improvements

The Toledo City Plan Commission, with the advice provided by the Division of Engineering Services or other appropriate agencies, may require that utilities, pavements, and other land improvements for the proposed subdivision be designed oversized, and/or with extensions provided, to serve nearby land which is an integral part of the community service or drainage area. Required pavement improvements may include widening, resurfacing, intersection modifications, and turn lane construction along existing roadways to maintain adequate traffic operations and safety.

The subdivider may be required to pay for all oversize improvements that pertain to sanitary sewers and waterlines and storm drainage requirements inherent to the plat and may be required to pay for oversized sanitary sewers and/or water line improvements where such oversizing is required for conformance with the sanitary sewer and water service master plans of the City of Toledo and pursuant to the provisions of the Ohio Revised Code.

607 Utility Line Extensions

Utilities shall be extended to adjacent properties as required by the Division of Engineering Services and other appropriate utility agencies.

**SECTION 7
ENVIRONMENTAL LANDSCAPING DESIGN, AND
CONSTRUCTION STANDARDS**

Standards

700 Purpose

The purpose of this Section is to encourage the preservation and enhancement of natural and unique areas when developing land in the City of Toledo. Careful thought and consideration shall be given as to how best to preserve and enhance existing plant material and other natural features of the site when designing building sites, roadways and other improvements.

701 Flood Areas and Storm Drainage Ditches

All subdividers/developers shall comply with current City of Toledo Floodplain Regulations on file at the Division of Engineering Services and all other applicable local, state and federal regulations. Appropriate measures shall be taken to elevate buildings to the required minimum elevations per these regulations.

702 Soil Erosion Requirements

In the development of a subdivision, the subdivider/developer shall provide for soil erosion and sedimentation control. Sediment control shall follow the standards and specifications in *Rainwater and Land Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection*, Third Edition, 2006 or as later amended (Department of Natural Resources, Division of Soil and Water Conservation). In addition, the subdivider/developer shall comply with all of the applicable requirements for soil erosion and sedimentation control per the City of Toledo, Lucas County Soil and Water Conservation District, the Ohio EPA, and all other applicable regulations.

703 Street Trees

Street trees shall be installed along all streets in a major subdivision. When trees are planted at predetermined intervals along streets, spacing shall depend on tree size (at maturity), as shown in Table 4.

Table 4 Spacing Between Shade Trees	
Tree Height (feet)	Planting Intervals (feet)
Large Trees (40+)	50-70
Medium Trees (30-40)	40-50
Small Trees (to 30)	30-40

When the spacing interval exceeds forty (40') feet, small ornamental trees may be placed between the larger trees. If a canopy effect is desired, trees may be planted closer together, following the recommendations of a registered landscape architect. The planting of trees shall be coordinated with utilities, roadways, sidewalks, sight easements, or streetlights. Only those species of trees as listed on an approved list on file at the Toledo-Lucas County Plan Commissions Office shall be installed.

704 Buffering

Buffering is the provision of an area between different land uses that attempts to minimize negative environmental impacts from one to the other. Buffers shall provide a year-round visual screen in order to minimize adverse impacts. They may consist of fencing, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. Every subdivider/developer shall provide sufficient buffering when topographical or other barriers do not provide reasonable screening and when the Toledo City Plan Commission determines that there is a need to shield (1) neighboring properties from any adverse external effects of a development; or (2) the development from negative impacts of adjacent uses such as streets or railroads. Plant materials shall be sufficiently large and planted in such a fashion that a year-round screen at least eight (8') feet in height shall be produced within three (3) growing seasons. All plantings shall be installed according to accepted horticultural standards.

SECTION 8 REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS

Standards

800 Improvement and Cost Estimate Information

Before the signing of the Final Plat by the Platting Commissioner, the subdivider/developer shall complete, to the satisfaction of the Division of Engineering Services or other appropriate agency, all pavement, sanitary, water line and storm drainage improvements, sidewalk, seeding, mulching, monuments, landscape requirements and other public improvements, including lot improvements on the individual lots, as listed on the Preliminary Drawing and approved engineering plans and as certified on the Final Plat, or, the subdivider/developer shall insure their completion with a performance guarantee acceptable to the Platting Commissioner.

All required improvements shall be made by the subdivider/developer, at his or her expense, and construction cost estimates for various materials and labor shall be provided. The construction cost estimate shall be in the form of an executed construction contract with the contractor of those improvements, or, if not available, the Division of Engineering Services will estimate the construction costs of the improvements.

The subdivider/developer shall dedicate public improvements to the City of Toledo, free and clear of all liens and encumbrances on the dedicated property and public improvements.

The subdivider/developer shall secure approval of the construction plans from the City of Toledo and execute a plat license agreement with the City of Toledo prior to the start of construction on a form provided by the City of Toledo.

801 Performance Guarantee for Installation and Maintenance of Improvements

1. To guarantee the construction of the required improvements, prior to the approval and recording of the Final Plat, the subdivider/developer shall be required to provide a performance guarantee in one or a combination of the following arrangements:
 - a. **Performance Bond, Certified Check, or Irrevocable Letter of Credit:** The subdivider/developer shall post a bond, executed by a surety company, a certified check, or irrevocable letter of credit equal to the estimated cost plus fifteen (15%) percent of the required improvements. The guarantee shall be in favor of the City of Toledo and shall guarantee construction of the improvements according to the plans and specifications approved by the City of Toledo. The term of the bond or letter of credit shall not exceed two (2) years. The format and language will be provided by the City of Toledo. The Platting Commissioner may grant an extension where due cause can be shown.

805 Progressive Installation

After the Preliminary Drawing of a proposed subdivision has been approved by the Toledo City Plan Commission, the subdivider/developer may improve a part of the entire area and submit a Final Plat for that improved portion to the Toledo City Plan Commission for approval.

Whenever it is deemed necessary by the Toledo City Plan Commission to defer the construction of any improvement, the subdivider/developer shall pay his share of the costs of the future improvements to the City of Toledo prior to the signing of the Final Plat by the Toledo City Plan Commission. The subdivider/developer may provide a separate performance bond, cash deposit or irrevocable letter of credit for the completion of the deferred improvements upon demand by the City of Toledo.

806 Inspection of Improvements

The Division of Engineering Services and any other appropriate agency shall provide for inspection of the required improvements during construction and shall ensure their satisfactory completion. The subdivider/developer shall pay inspection fees and shall notify proper administrative officials at least forty-eight (48) hours prior to the start of construction. With work requiring periodic inspections, an inspection schedule shall be agreed upon and finalized by the subdivider/developer and the City of Toledo inspectors before any work begins.

807 Completion of Work and Reduction of Security

As required improvements are completed, the Platting Commissioner may reduce the amount of the performance bond, cash deposit, or irrevocable letter of credit. The amount released shall be the approved cost of the work completed less cash reserve/retainage. Said cash reserve/retainage will be released upon final acceptance and completion of all improvements and acceptance of maintenance bonds and all required closeout documents.

808 Acceptance of Streets, Storm Drainage, Sanitary Sewer and Water Distribution Improvements for Use and Maintenance by the Public

The subdivider/developer shall have properly constructed and maintained all required improvements at the time he requests their acceptance by the Platting Commissioner. Upon completion of all improvements, including all punch list items, maintenance bonds, waivers, and other required closeout documents, the Division of Engineering Services will perform an inspection for acceptance. After the inspection, the Division of Engineering Services will do one of the following:

1. Issue a letter to the developer/contractor listing items of work necessary to accomplish satisfactory completion of the improvements; and/or

2. Issue a letter to the subdivider/developer accepting the improvements and releasing the performance guarantee.

A maintenance bond posted in accordance with Section 801, paragraph 2, shall assure maintenance and repair. The subdivider/developer shall also make repairs due to erosion or actions by utility companies installing utilities for the plat, and shall restore all improvements before the end of the maintenance period.

At the end of the maintenance period, after the subdivider/developer and/or the developer's contractor has restored all improvements to the acceptable condition, the Division of Engineering Services shall perform a final inspection.

After the inspection, the Division of Engineering Services will do one of the following:

1. Issue a letter to the subdivider/developer and/or the developer's contractor releasing the maintenance bond.
2. Issue a letter to the subdivider/developer and/or the developer's contractor listing items or work necessary to complete before the release of the maintenance bond.

**SECTION 9
REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON
THE PLAT**

Standards

900 Required Statements

Some or all of the following statements, or similar appropriate statements, may be required to be affixed on the Final Plat. The Toledo City Plan Commission staff may require modifications to the statements. All signatures, except the signatures of the Lucas County Auditor, Lucas County Recorder, the Toledo City Plan Commission, and the Lucas County Tax Map Department shall be obtained prior to approval of the Final Plat by the Toledo City Plan Commission.

1. Deed Reference

Situated in (Town Range Section) _____, Lucas County Ohio, containing _____ acres and being (part of) the same tract as conveyed to _____ and described in the deed recorded in Deed (Official Records) Volume _____ Page _____ or Instrument # _____, Lucas County, Ohio.

2. Owner's Certification

We, the undersigned, owners of the property hereon described, hereby adopt the subdivision as shown on this plat, establish setback lines as shown and dedicate to public use the streets and rights-of-way as shown. We do hereby establish easements as shown hereon for the purpose of permitting the construction, installation, relocation, repair, maintenance of public or quasi-public utility facilities thereon. Maintenance shall include the right to remove any branches or other growth or obstructions that might interfere with the construction, maintenance, or safe operation of utility lines or drainage facilities. We further declare that we shall improve this subdivision with the following installations: pavement, storm sewers, sanitary sewers, watermains, street lighting, and sidewalks, as shown on the approved plans of this subdivision. Buffer Lot _____ is hereby dedicated the City of Toledo for the express purpose of prohibiting access across Buffer Lot _____ until such time the abutting right-of-way dedication is extended or widened beyond said Buffer Lot.

WITNESSES

CORPORTION

Owner/Title

Owner/Title

3. **Certificate of Notary Public**

State of Ohio) ss
County of Lucas)

On this ____ day of _____, 20__, before me personally appeared _____, and acknowledged the signing of this plat to be his/her (their) free act and deed for the purposes herein mentioned. Witness my hand and seal the day and year above written.

Notary Public

[SEAL]

4. **Toledo City Plan Commission Approval**

We hereby certify that this plat is approved by the Toledo City Plan Commission in accordance with the Subdivision Rules and Regulations for the City of Toledo. Signed this ____ day of _____, 20__.

Chairperson

Secretary

5. **Office of the Lucas County Tax Map Department Approval**

Ownership of the property comprising this plat is correctly shown.

Lucas County Tax Map Department _____
Date

6. **Office of the Lucas County Auditor Approval**

This plat has been submitted for the purpose of appraisalment this _____ day of _____, 20__.

Lucas County Auditor

7. **Office of the Lucas County Recorder Approval**

Received for recording this _____ day of _____, 20__.

Lucas County Recorder

8. **Certificate of Surveyor**

I hereby certify that this map is a true and complete survey made by me (under my supervision, on date) of the property hereon described. Furthermore, said property is being subdivided into lots numbered consecutively from ____ to ____ both inclusive, and lettered ____ and _____. Distances are given in feet and decimal parts thereof. I certify that all monuments and lot corner pins are (or will be) set as shown and are (or will be) in accordance with the Ohio Revised Code Section 711.03.

(Date) _____

(Affix seal, Print name and registration number here) _____

Professional Surveyor (Signature)

9. **Platting Commissioner**

I, the Platting Commissioner of the City of Toledo, Ohio, hereby certify that I have reviewed this plat, find it in accordance with the Subdivision Rules and Regulations as approved by the Toledo City Plan Commission and hereby approve said plat this _____ day of _____, 20__.

Platting Commissioner

10. **Sidewalk Note**

Sidewalk Note:

The owner of each lot shall provide four (4') foot wide sidewalks along all street frontage within the subdivision where required. The sidewalks will be four (4") inches in depth except at drives where six (6") inch depth will be provided for the full width of the drive. It is the duty of each lot owner, at his/her expense, to keep and maintain the sidewalks adjacent to his/her lot in a good and sufficient manner and to clear the aforesaid sidewalk of snow, ice, dirt and any other debris within twenty-four (24) hours after such deposit, and the owner shall indemnify and hold the City of Toledo harmless from any liability to any person for his/her neglect, failure or refusal in performing such duty.

11. **Open Space / Storm Water Detention Area Note**

Open Space Note:

All open space and/or detention areas within this plat and future plats of _____ shall be the responsibility of a homeowners' association whose membership includes the owners of all lots within this plat and future plats of _____. The homeowners' association shall be responsible for the maintenance and property tax liability. In the event a homeowners association is not formed or ceases to exist, the property tax liability and maintenance of the open space and/or detention area(s) shall be equally shared and assessed to each individual lot owner within the plat and future plats of _____.

12. **Easement Note**

Easement Note:

“The City of Toledo shall have a permanent easement, with rights of ingress and egress, over the utility easement areas for the purpose of operating, maintaining, and constructing any public utilities located within the easement. The property owner shall not construct fences, walls or other barriers which would impede the City of Toledo's access on to the easement. No temporary or permanent structure, including building foundations, roof overhangs or other barriers denying access, may be constructed on the easement. Driveways and parking lots are acceptable within the easement area. The property owner releases the City of Toledo from any liability, responsibility or costs resulting from the City's removal of any barriers which deny ingress to or egress from the easement or which obstruct access to the public utilities located on said property, and the City of Toledo shall have no obligation or duty to restore or compensate the property owner for the removed facilities.”

SECTION 10 DEFINITIONS

1000 Interpretation of Terms and Words

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

1. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
4. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied.”
5. The word “lot” includes the words “plot or parcel.”

1001 Words and Terms Defined

Alley: A strip of land, dedicated to public use, less than thirty (30’) feet wide between property lines, which provides access to adjacent properties.

Block: That property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream, or between any of the foregoing and any other barrier to the continuity of development.

Block Frontage: Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway, or other definite barrier.

Boundary Line: A line delineated that established the limits of an area.

Buffer Lot: A lot on a plat across the end of a street proposed to be extended by future platting, or a lot along the length of a street where only part of the width has been dedicated, retained by the owner but conditionally dedicated on the plat for street purposes when the street is extended or widened.

Building: A combination of materials to form a structure adapted to permanent or continuous occupancy for public, institutional, residence, business, or storage purposes: the term “building” shall be construed as if followed by the words “or part thereof.”

Building and/or Setback Line: A line established on a parcel for the purpose of prohibiting construction of a building between such line and easement, right-of-way, or other public area in the interest of protecting the general welfare.

Comprehensive Development Plan: A plan or any portion, thereof, adopted by the Planning Commission showing the general location and extent of present and proposed physical facilities, including housing, industrial, and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Corner Lot: See *Lot Types*.

Covenant: A written promise or pledge.

Cross-Walk-Way: A right-of-way, dedicated to public use, ten (10') feet in width through a block along lot lines to facilitate pedestrian access to adjacent streets and properties.

Cul-de-sac: See *Thoroughfare*.

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

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

Develop: To make a development; also to do any grading or filling of land, whether undeveloped or already subdivided, so as to change the drainage or the flow of water, or to do any work upon the land that is capable of serving as a subdivision or development of building sites in the future.

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

Drawing: A Preliminary Drawing containing all the information required in these regulations.

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

Dwelling Unit: Space within a building comprising living, dining, sleeping and storage rooms as well as space and equipment for cooking, bathing, and toilet facilities, all used by one (1) family and household employees.

Easement: A grant by the property owner of the use of a strip of land by the public, a corporation, or other persons, for specified purposes.

Engineer: Any person registered to practice professional engineering by the state board of registration as specified in Section 4733.14, Ohio Revised Code.

Environmental Protection Agency: Ohio Environmental Protection Agency (E.P.A.)

Erosion: The wearing away of the earth's soil surface by water, wind, gravity, or any other natural process.

FEMA: The Federal Emergency Management Agency.

Final Plat: A revised version of the Preliminary Drawing showing exact locations of lot lines, rights-of-way, easement, and dedicated areas. The Final Plat is recorded in the office of the County Recorder.

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

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

Flood Plain: any land area susceptible to be inundated by water from the base flood. The term refers to that area designated as subject to flooding from the base flood (100-year flood) on the Flood Insurance Rate Map prepared by the Federal Emergency Management Agency.

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

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

Letter of Credit: A written statement from a bank or loan company, written against the good standing of a developer, guaranteeing necessary funds, the amount to equal a professional engineer's cost estimate for subdivision improvements, to complete such improvements should the developer fail to complete them within the time frame and conditions as specified in the subdivision approval agreements. (See also, *Performance Bond or Surety Bond*)

Location Map: See *Vicinity Map*.

Lot: For purposes of these regulations, a lot is a parcel of land that is:

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

Lot Area: The area of a lot computed exclusive of any portion of the right(s)-of-way of any public or private street.

Lot Depth: The mean horizontal distance between the front and rear lines of a lot.

Lot Frontage: The front of a lot shall be considered to be the portion 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 indicated under Yards in this section.

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

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

1. **Corner Lot:** 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.
2. **Interior Lot:** A lot other than a corner lot with only one frontage on a street.
3. **Through Lot:** A lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.

4. **Reversed Frontage Lot:** 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.
5. **Flag Lot:** A lot whose only frontage on a public street is through a narrow strip of land which is generally wide enough to accommodate a driveway, but too narrow to accommodate any structures. The narrow strip of land is referred to as the panhandle.

Major Street and Highway Plan: The Comprehensive Plan adopted by the Toledo City Plan Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the City of Toledo and unincorporated areas of Lucas County.

Major Subdivision: All subdivisions not classified as minor subdivisions, including but not limited to subdivision of five (5) or more lots, or any size subdivision requiring any new street or extension of City of Toledo facilities or the creation of any public improvements.

Minor Subdivision: A division of a parcel of land that does not require a plat to be approved by a planning authority according to Section 711.131, Ohio Revised Code. Also known as a Lot Split.

Monuments: Iron rods or iron pipes, or materials meeting the standards of O.R.C. 4733.37-03 which will be set at all lot or parcel corners within the subdivision.

Open Space: An area open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, swimming pools, tennis courts, and any other recreational facilities that the Toledo City Plan Commission deems permissive. Streets, structures for habitation, and the like shall not be included.

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

Parcel: Any piece of land described by a current deed.

Performance Bond or Surety Bond: An agreement by a developer with the City of Toledo for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement. (See also, *Letter of Credit*)

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

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

Plan Director: The director of the Toledo City Plan Commission staff duly appointed by the Toledo City Plan Commission.

Planned Unit Development (PUD): A development constructed on a tract of minimum size under single ownership planned and developed as an integral unit and consisting of a combination of residential and/or nonresidential uses on the land.

Planning Staff: Those persons employed by the local governmental unit whose duties include but are not limited to the review and analysis of land use plans, subdivision proposals and zoning and development proposals.

Plat: The map, drawing, or chart on which the developer's subdivision is presented to the Planning Commission for approval and to the County Recorder (final) for recording.

Preliminary Drawing: The initial proposal, including both narrative and site design information, intended to provide the planning commission with an understanding of the manner in which the site in question is to be developed.

Private Street: A duly approved and platted private thoroughfare other than a public street permanently reserved as the principal means of access to abutting property and/or platted lots in a subdivision.

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

Replat: A subdivision or plat, the site of which has heretofore been platted or subdivided with lots or parcels of land. It may include all or any part of a previous subdivision or plat.

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 such as grade separation, landscaped areas, viaducts, and bridges. (See *Public Way*)

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

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic. (See *Walkway*)

Sketch Plan: An informal drawing which shows how a developer proposes to subdivide a property and which gives sufficient site information for the Toledo City Plan Commission representatives to offer suggestions for site development.

Slippage Potential: The potential which land has to move, under the force of gravity, should it be disturbed during construction activity.

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

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

Subdivision:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres, for the 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
2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets except private streets serving industrial structures; the division or allocation of land as open spaces for common uses by owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage, or other public facilities. (See *Minor Subdivision*)

Surveyor: Any person registered to practice surveying by the State Board of Registration as specified in Section 4733.02, of the Ohio Revised Code.

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

Thoroughfare, Street, or Road: The full width between property lines bounding every dedicated travelway, with a part thereof to be used for vehicular traffic and designated as follows:

1. **Access Road:** A local or collector street, parallel and adjacent to an arterial or collector street, nor normally more than, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street)
2. **Alley:** A minor street used primarily for vehicular service access to the back or side of properties abutting on another street. Design speed is 10 miles per hour.
3. **Arterial Street:** A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route. Design speed is generally 55 miles per hour.
4. **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. Design speed is generally 35 miles per hour.
5. **Cul-de-sac:** A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround. Design speed is generally 25 miles per hour.
6. **Dead-end Street:** A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
7. **Local Street:** A street primarily for providing access to residential, commercial, or other abutting property. Design speed is generally 25 miles per hour.
8. **Loop Street:** A type of local street each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180°) degree system of turns are not more than three thousand (3,000') feet from six hundred (600') feet from each other.

Through Lot: See *Lot Types*.

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

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the county in order to better locate and orient the area in question.

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

Wetland: An area of land, as defined by the federal definition at the time of preliminary plan submission, inundated by water for a portion of each year resulting in the land possessing unique soil and vegetative types.

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

1. **Yard, Front:** A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. **Yard, Rear:** A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building. The rear yard on a corner lot having multiple frontages shall be the yard opposite the address side of the lot.
3. **Yard, Side:** A yard 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.

Approved Street Tree List

Revised June 11th, 2015.

<u>Common Name</u>	<u>Scientific Name</u>
Trident Maple	<i>Acer buergeranum</i>
Hedge Maple	<i>Acer campestre</i>
Red/Silver Maple Cross	<i>Acer x freemanii</i>
Amur Maple	<i>Acer ginnala</i>
Bigtooth Maple	<i>Acer grandidentatum</i>
Paperbark Maple	<i>Acer griseum</i>
Japanese Maple	<i>Acer palmatum</i>
Norway Maple	<i>Acer platanoides</i>
Planetree Maple	<i>Acer psuedoplatanus</i>
Red Maple	<i>Acer rubrum</i>
Sugar Maple	<i>Acer saccharum</i>
Tartarian Maple	<i>Acer tartaricum</i>
Shantung Maple	<i>Acer truncatum</i>
Three Flower Maple	<i>Acer triflorunt</i>
Alder	<i>Alnus spp</i>
European Hornbeam	<i>Carpinusbetulus</i>
Bluebeech	<i>Caprinus caroliniana</i>
Hackberry	<i>Celtis occidentalis</i>
Japanese Katsuratree	<i>Cercidiphyllum japonicum</i>
Redbud	<i>Cercis canadensis</i>
Yellowwood	<i>Cladrastis kentukea</i>
Flowering Dogwood	<i>Cornus florida</i>
Turkish Filbert	<i>Corylus colurna</i>
Thicket Hawthorn	<i>Crataegus punctata var. inermis</i>
Hardy Rubber Tree	<i>Eucommia ulmoides</i>
Korean Evodia	<i>Evodia danielii</i>
American Beech	<i>Fagus grandifolia</i>
European Beech	<i>Fagus sylvatica</i>
Ginkgo (male)	<i>Ginkgo biloba</i>
Honeylocust	<i>Gledistsia triacanthos var. inermis</i>
Caroline Silverbell	<i>Halesia carolina</i>
Goldenraintree	<i>Koelreutaria paniculata</i>
Japanese Larch	<i>Larix kaempferi</i>
Tuliptree	<i>Liriodendron tulipifera</i>
Amur Maackia	<i>Maackia amurensis</i>
Crabapple	<i>Malus spp</i>
Crabapple	<i>Malus seiboldii</i>
Dawn Redwood	<i>Metasequoia glyptostroboides</i>
Black Tupelo	<i>Nyssa sylvatica</i>
Amur Corktree	<i>Phellodendron amurense</i>
Amur Chokeberry	<i>Prunus maackia</i>
Flowering Cherry	<i>Prunus spp</i>
Chokecherry	<i>Prunus virginiana</i>

Approved Street Tree List (cont'd)

Revised June 11th, 2015.

<u>Common Name</u>	<u>Scientific Name</u>
Sawtooth Oak	<i>Quercus acutissima</i>
White Oak	<i>Quercus alba</i>
Swamp White Oak	<i>Quercus bicolor</i>
Scarlet Oak	<i>Quercus coccinea</i>
Hungarian Oak	<i>Quercus frainetto</i>
Shingle Oak	<i>Quercus imbricaria</i>
Chestnut Oak	<i>Quercus michauxii</i>
Chinkapin Oak	<i>Quercus muehlenbergii</i>
English Oak	<i>Quercus robur</i>
English Oak	<i>Quercus robur x alba</i>
Red Oak	<i>Quercus rubra</i>
Shumard Oak	<i>Quercus shumardii</i>
Black Oak	<i>Quercus velutina</i>
Korean Mt. Ash	<i>Sorbus alnifolia</i>
Meinichii Mt. Ash	<i>Sorbus meinichii</i>
Pekin Lilac	<i>Syringa pekinensis</i>
Pondcypress	<i>Taxodium ascendens</i>
Baldcypress	<i>Taxodium distichum</i>
Basswood	<i>Tilia americana</i>
Littleleafed Linden	<i>Tilia cordata</i>
Silver Linden	<i>Tilia tomentosa</i>
Crimean Linden	<i>Tilia x euchlora</i>
Lacebark Elm	<i>Ulmus parvifolia</i>

Prohibited Street Tree List

Revised June 11th, 2015.

<u>Common Name</u>	<u>Scientific Name</u>
Box Elder	<i>Acer regundo</i>
Silver Maple	<i>Acer saccharinum</i>
Tree of Heaven	<i>Ailanthus altisimo</i>
Shadblow Serviceberry	<i>Amelchier canadensis</i>
Sweet Birch	<i>Betula lenta</i>
River Birch	<i>Betula nigra</i>
Paper Birch	<i>Betula paperifera</i>
Catalpa	<i>Catalpa speciosa</i>
Cottonwood (Alder Buckthorn)	<i>Frangula almus</i>
White Ash	<i>Fraxinus americana</i>
European Ash	<i>Fraxinus excelsior</i>
Black Ash	<i>Fraxinus nigra</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Blue Ash	<i>Fraxinus quadrangulata</i>
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>
Common Walnut	<i>Juglans regia</i>
Black Walnut	<i>Juglans nigra</i>
Sweetgum	<i>Liquidambar styraciflua</i>
White Mulberry	<i>Morus alba</i>
Black Mulberry	<i>Morus nigra</i>
Ironwood	<i>Ostrya virginiana</i>
London Planetree	<i>Platanus x acerifolia</i>
White Poplar	<i>Populas alba</i>
Black Poplar	<i>Populas nigra</i>
Callery Pear	<i>Pyrus calleryana</i>
Burr Oak	<i>Quercus macrocarpa</i>
Willow	<i>Salix alba</i>
Chinese Elm	<i>Ulmus parvifolia</i>