

# ***LUCAS COUNTY***



# ***SUBDIVISION RULES AND REGULATIONS***

SUBDIVISION RULES AND REGULATIONS  
FOR  
LUCAS COUNTY, OHIO

2008

LUCAS COUNTY PLANNING 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 unincorporated areas of Lucas County, Ohio. 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 township zoning resolutions, access management plans, and County and township 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 Lucas County Planning 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.
  - a. Chapter 711
  - b. Chapter 713

## **102 Relation to Other Laws**

1. The provision of these Regulations shall supplement the laws of the State of Ohio, other resolutions adopted by the Lucas County Board of County Commissioners or township trustees, or the rules and regulations promulgated by authority of such law or resolution 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 resolutions, 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 zoning resolution of the township having jurisdiction, 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 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 Lucas County Board of Commissioners, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the county 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 Lucas County except as shall be expressly provided for in these Regulations.



**105 Enactment**

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 Henceforth, any other regulations previously adopted by Lucas County shall be deemed to be repealed.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

PASSED: \_\_\_\_\_  
(Date)

SIGNED: \_\_\_\_\_  
President of the Board of Lucas County Commissioners

ATTEST: \_\_\_\_\_  
Lucas County Commissioners Clerk

## SECTION 2 ADMINISTRATION

### Standards

#### **200 Administration, Enforcement and Interpretation**

These Regulations shall be administered by the Lucas County Planning Commission, Plan Director, Lucas County Sanitary Engineer and the Lucas County Engineer. The Lucas County Planning Commission, Plan Director and the Lucas County Engineer 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 Lucas County Engineer.

#### **201 Reservations and Repeals**

Upon the adoption of these Regulations, according to law, the Subdivision Regulations of Lucas County adopted November 8, 1967, as amended, are hereby repealed, except as to those sections expressly retained in these Regulations.

#### **202 Amendments**

The Lucas County Planning Commission may amend, supplement or change these Regulations in accordance with the appropriate sections of the *Ohio Revised Code*. However, the Lucas County Planning 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 Board of Lucas County Commissioners.

#### **203 Variances, Exceptions and Waiver of Conditions**

Where, due to exceptional topographic or other physical conditions, the Lucas County Planning Commission finds that extraordinary and unnecessary hardship may result from 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 resolutions, when they exist.

In granting variances or modifications, the Lucas County Planning 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 or Extension**

Failure to comply with stated time periods of these Regulations shall result in the expiration of the application and associated Lucas County Planning Commission approvals. Before expiration, the subdivider may provide a letter stating why these time periods cannot be met. The subdivider is solely responsible for knowing expiration dates and meeting or extending them in accordance with these Regulations. The Lucas County Planning Commission shall have no duty, obligation or responsibility to remind or notify subdividers 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 Lucas County Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Lucas County Planning Commission.

**208 Fees**

The Lucas County Planning Commission may establish a schedule of fees, charges, expenses, and collection procedures for 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 shall be solely responsible for submittal of the plat and payment of fees to the agency having jurisdiction regarding review 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 Lucas County 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 county.

## **210 Appeal**

Any person who believes he or she has been aggrieved by these Regulations or the actions of the Lucas County Planning 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:

- a. 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.
- b. Platted Subdivision/Major Subdivision: These involve approval by the Lucas County Planning 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:

- a. The proposed division of a parcel of land as shown on the last proceeding tax roll that involves no more than five (5) lots, any one of which is under five (5) acres (inclusive of the remainder parcel).
- b. The proposed subdivision is along an existing public street and involves no opening, widening or extension of any street or road or public utility.
- c. The proposed division is not contrary to applicable subdivision, zoning, access management plans or other regulations or has received any necessary variances.
- d. The proposed subdivision is approved by the Toledo-Lucas County Health Department, and others as applicable.
- e. The property has been surveyed and a survey drawing and a legal description of the property is submitted with the application.

- f. The Plan Director may waive the 3 ½ to 1 depth to width ratio as required in Section 405d 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.
- g. Additional right of way for highway purposes or ditch/drainage easements may be required as part of the lot split.
- h. An access permit as may be required from the Lucas County Engineer or the Ohio Department of Transportation.

### **303 Administrative Procedure and Approval**

- a. A lot split/minor subdivision application available at the Lucas County Planning Commission office shall be filed by the landowner. A complete application shall contain a survey drawing, a legal description for each lot being created, a fee as set forth in these Regulations, and a certification of approval by the Health Department and others as may be applicable.
- b. After the split has been given approval by any other departments with review responsibility, the deed, a copy of the health department approval and a copy of the survey drawing is then reviewed by the Planning staff for its conformity with these Regulations. The designated representative of the Lucas County Planning Commission shall then stamp and sign the deed "approved-no plat required", if the parcel meets all requirements as specified above, within seven (7) working days after submission.
- c. 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 by the Planning staff.
- d. Incomplete or deficient proposals shall be disapproved and the applicant notified of issues and reasons for the disapproval.

### **304 Appeals**

- a. 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 Lucas County Planning Commission. A fee as set forth by the Lucas County Planning 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:

- a. The survey shall conform to the minimum standards for boundary surveys in the State of Ohio (Ohio Administrative Code § 4733-37) and shall conform to the standards of Lucas County.
- b. 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.
- c. Location of monuments and their descriptions.
- d. Location, size, and use of all existing buildings.
- e. 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.
- f. Riparian setbacks as regulated by the Lucas County Floodplain Regulations.
- g. Well and septic/leach field location(s).
- h. 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**

- a. Combining entire existing tax parcels can be accomplished by the Lucas County Auditor without Lucas County Planning Commission approval if the existing parcels are adjacent to each other and are not separated by a public roadway. Acreage of all parcels is combined into a single tax parcel by filling out an "Application for Combination" at the Lucas County Auditor's office listing the tax parcel numbers to be combined.
- b. A subdivider proposing the re-subdivision of a plat previously recorded by the Lucas County Recorder 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 Sections 711.17-711.20 of the Ohio Revised Code.
- c. 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, 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:

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

### **308 Pre-Application Conference**

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

### **309 Preliminary Drawing**

The 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 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 Lucas County Planning 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:

- a. A completed application form available from the Lucas County Planning Commission office.
- b. Fifteen (15) copies of the preliminary drawing containing all required information.

The preliminary drawing shall be submitted in the following form:

- a. Drawn at a scale between one hundred (100) feet to the inch and ten (10) feet to the inch.
- b. On one or more sheets 24" X 36" or 18" X 24" in size, clearly and legibly drawn.
- c. An 8 ½" x 11" reduction of the drawing and a digital or computer file.

### **311 Preliminary Drawing Content**

The preliminary drawing shall contain the following information:



- a. Proposed name of the subdivision, location by section, range, township or other survey, and the existing and proposed zoning designation.
- b. Boundaries and acreage.
- c. Name, address and telephone number of the owner, subdivider, professional surveyor and/or professional engineer with appropriate numbers and seals.
- d. Date of survey, if provided, scale of the plat, north point, legend and a vicinity map (location sketch) of a scale not less than 2000 feet to an inch.
- e. Name of adjacent subdivisions and their zoning designation, owners of adjoining parcels, and location of common boundary lines, extended to 200 feet beyond the boundary of the subdivision.
- f. Topographic contours with intervals no greater than 2 feet at 5% slope, no greater than 5 feet for slopes over 5% and less than or equal to 15%, and no greater than 10 feet for slopes greater than 15%.
- g. Location, width, and names of existing streets, railroad rights-of-way, easements, parks, buildings, corporation and township lines; wooded areas, water courses, drainage patterns, and water bodies.
- h. Topographic features within and adjacent to the plat for a minimum distance of 200 feet unless access to adjacent property has been denied the professional surveyor. Location of floodways, floodplains, and any potentially known hazardous areas.
- i. Riparian setbacks as regulated by the Lucas County Floodplain Regulations.
- j. The layout, number, dimensions of each lot, building setback lines, and typical minimum lot size.
- k. Parcels of land reserved for public use or reserved by covenant or easements for residents of the subdivision.
- l. Point of proposed ingress/egress or driveway locations and the distance to any existing driveway(s).
- m. 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 underground utilities within the site or adjacent thereto.
- n. The title "Preliminary Drawing".
- o. The location, size and appearance of the subdivision entry sign(s).

**312 Public Hearing**

The Lucas County Planning Commission, prior to acting on a preliminary drawing of a subdivision, shall hold a public hearing and notify area property owners per Lucas County Planning 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 Lucas County Planning Commission. The reasons for such disapproval shall be stated in writing.

The Lucas County Planning Commission shall act on the preliminary drawing within sixty (60) days after filing unless such time is extended by agreement with the developer. Approval of the preliminary drawing shall be conditioned on compliance with all other applicable zoning resolutions and regulations.

**314 Preliminary Drawing Expiration**

The approval of the preliminary drawing by the Lucas County Planning Commission shall be effective for a maximum period 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 Submission to the Ohio Department of Transportation**

Any preliminary drawing that is located within three-hundred (300) feet of the centerline of a state highway for which changes are proposed, or any land that is proposed to be subdivided that is within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway requires the Lucas County Planning Commission give notice by registered or certified mail to the Ohio Department of Transportation, per Section 5511.01 of the Ohio Revised Code. If the Ohio Department of Transportation notifies the Lucas County Planning Commission that they are proceeding to acquire the property within the next 120 days, the Lucas County Planning Commission shall refuse to approve the preliminary drawing.

**316 Submission to Township Trustees**

Within five days after the submission of a preliminary drawing for approval, the Lucas County Planning Commission shall schedule a meeting to consider the preliminary drawing. It shall send written notice by regular mail to the clerk of the board of township trustees of the township in which a preliminary drawing is located, per Section 711.10 of the Ohio Revised Code.. The notice shall inform the trustees of the submission of the

preliminary drawing and of the date, time, and location of any meeting at which the Lucas County Planning Commission will consider or act upon the preliminary drawing.

### **317 Final Plat Procedures**

Having received the approval of the preliminary drawing, if applicable, the subdivider shall submit a final plat application containing all changes required by the Lucas County Planning 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 calendar days of submission, staff shall accept and schedule the plat for the next appropriate meeting of the Lucas County Planning Commission and notify the township in accordance with Section 711.10 of the Ohio Revised Code and this Section of these Regulations. This meeting shall be held within thirty calendar days after the submission of the plat and at least seven calendar days after the notice was sent. Notification shall also be given to other appropriate agencies and officials.

A complete application shall contain:

- a. Complete and signed application form available from the Lucas County Planning Commission with the fee as set forth in the appendix.
- b. Original plat document signed by the subdivider with notary and seal and the professional surveyor with seal.

### **318 Final Plat Form**

The final plat shall be submitted in the following form:

- a. Drawn at a scale between one hundred (100) feet to the inch and ten (10) feet to the inch, inclusively.
- b. Plats shall be on one or more sheets twenty-four (24) by thirty-six (36) inches, or 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 line paper prints.
- c. 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.
- d. The Lucas County Planning Commission may also require the final plat to be filed in a digital or computer format.

### **319 Final Plat Contents**

The final plat shall contain the following information:

- a. Subdivision name, location by section, range, township or other accepted survey district and true angles and distances to at least three (3) of the nearest established street lines or official monuments.
- b. 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.
- c. Name of the owner, subdivider, and professional surveyor with the appropriate seal, signature, and date.
- d. 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.
- e. 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).
- f. 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.
- g. Names, locations, dimensions, rights-of-way of all existing and proposed streets 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.
- h. Locations and dimensions of all easements and rights-of-way, with dimensions, purposes and wording addressing the purpose of such easements or rights-of-way.
- i. Location of all streams, ditches, rivers, canals or lakes, and flood hazard boundaries of the area.
- j. Base flood elevations shall be determined by the developer's engineer in areas where such information has not been made available from other sources.
- k. Riparian setbacks as regulated by the Lucas County Floodplain Regulations.
- l. A copy of any restrictive covenants, and other notes, items, restrictions, or provisions required by these Regulations or the Lucas County Planning Commission.
- m. A statement or table showing total acreage in the subdivision and total acreage of lots, roads, open space, easements and other types of uses.

- n. Spaces for all signatures required by Section 9 of these Regulations.
- o. Northpoint.
- p. Special setbacks approved as part of a Planned Unit Development.
- q. 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.
- r. Radii, internal angles, points of curvature, tangent bearings and lengths of all arcs.

**320 Additional Information for Final Plat**

If a zoning change is involved, certification from the appropriate township zoning inspector will be required indicating that the change has been approved and is in accordance with the requirements of the zoning resolution.

**321 Filing**

A final plat shall be filed with the Lucas County Planning 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 Lucas County Planning Commission to decide.

**322 Planning Commission Action**

Before any final plat that is within three hundred (300) feet of the centerline of a state highway for which changes are proposed, or any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, is approved, the Ohio Department of Transportation must be notified as required by Section 315 of these Regulations. Planning staff shall provide a final plat report to the Lucas County Planning Commission. The Lucas County Planning 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 or a "disapproval with no prejudice" is approved. Conditional approval of a final plat shall be limited to minor clerical and other nonsubstantive errors as determined by the Lucas County Planning Commission. Failure of the Lucas County Planning 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 Lucas County Planning Commission for its final approval. If a final plat is disapproved by the Lucas County Planning Commission, the person resubmitting the plat, which the Lucas County Planning Commission refused to approve, may file a petition within sixty (60) days after such refusal in the Lucas County Court of Common Pleas.

**323 Public Improvements**

If the Lucas County Planning Commission does not require that all public improvements be installed and dedicated prior to signing of the final plat, the Lucas County Engineer and/or the Lucas County Sanitary Engineer 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 Lucas County Engineer and/or the Lucas County Sanitary Engineer.

**324 Final Plat Expiration**

The subdivider shall record the final plat within six (6) months of final approval, otherwise the final plat approval shall expire and become void.

**325 Signing, Recordation and Transmittal of Copies of Final Plat**

The subdivider shall, within six (6) months of approval by the Lucas County Planning Commission, submit a copy of the plat approved by the Lucas County Board of Commissioners 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 to gain all necessary certifications before filing the plat with the Lucas County Recorder. After the plat is recorded, the original 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 Lucas County and the Township that it is located in. 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 Lucas County Planning Commission has the responsibility for reviewing the design of each subdivision to insure that all the requirements of these Regulations are addressed.

#### **401 Suitability of Land**

If the Lucas County Planning 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 Lucas County Planning Commission may disapprove the subdivision unless adequate methods for solving the problems are proposed and found acceptable by the Lucas County Planning Commission. For major subdivisions a written statement may be required by the Lucas County Planning 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:

- a. All applicable township zoning resolutions and all other applicable regulations in Lucas County.
- b. Any regulation of the State or County Health Department and/or appropriate state agencies.
- c. 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.
- d. The standards and regulations adopted by the Lucas County Engineer, Lucas County Sanitary Engineer, and other appropriate agencies.
- e. Subdivision road connections to county and township roads shall meet the requirements of the Lucas County Access Management Regulations.

- f. All applicable sections of the State of Ohio Fire Code and locally adopted sections thereof.

When reviewing all proposed subdivisions, the Lucas County Planning Commission shall also take into consideration all county and township land use plans, public utility plans, and capital improvement programs, including plans for all streets, drainage systems, and parks shown on the plan as adopted by the Lucas County Planning Commission and/or the Lucas County Board of Commissioners.

#### **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 practicable, subdivisions shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved and/or mitigated to the extent consistent with the reasonable utilization of land, and in accordance with the state or federal regulations:

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

#### **404 Blocks**

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

- a. The arrangements of blocks shall conform to the street design criteria set forth in these Regulations.
- b. Blocks shall be arranged to accommodate lots and building sites of the size required by these Regulations and all applicable zoning requirements.
- c. Irregularly shaped blocks, blocks intended for cul-de-sacs and loop streets, and blocks containing interior parks and playgrounds may be approved by the Lucas County Planning Commission if properly designed and located.



- d. No block shall be longer than 1500 feet. Cross streets shall be provided between blocks.
- e. Where blocks are more than 1400 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.
- f. Blocks in the traditional gridiron pattern should consist of two tiers of lots.
- g. 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 their construction is established.
- h. Blocks with concentrated residential lots and consolidated common open space areas are encouraged.

## **405 Lot Improvements**

### **Lot Arrangement 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 township zoning resolution and health regulations for the district in which they are located and for the use for which they are intended.
- b. Where a township zoning resolution is not in effect, the minimum lot size shall be one (1) net acre and shall have a minimum lot width of 150 feet at the right-of-way line.
- c. Dimensions of corner lots shall be adequate enough to allow for the construction of buildings, observing the minimum front-yard setback from both streets.
- d. The maximum depth of any lot shall not be greater than 3 ½ times its width unless otherwise permitted by the Lucas County Planning Commission.

### **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 practicable 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 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 established by the applicable zoning resolution 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.

#### **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**

- a. Location of utility line easements shall be outside the road right-of-way and shall be subject to the approval by the Lucas County Engineer and/or the Lucas County Sanitary Engineer. 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.
- b. Recommendations on the proposed location of all utilities should be sought where practical from the utility companies serving the area by the developer prior to submitting the Preliminary Drawing.
- c. 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.

- d. All the utilities shall be placed underground, according to the standards of the appropriate utility company.

## **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 Lucas County Engineer and in accordance with the Ohio Department of Transportation location and design criteria.

##### **502 Street Names**

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 Lucas County Planning Commission or Planning staff with review and recommendations from other governmental agencies such as law enforcement and emergency response departments.

##### **503 Street and Circulation System Design**

- a. The arrangement, character, extent, and location of all streets shall conform to the Major Street and Highway Plan of Lucas County; 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 Lucas County Planning Commission reserves the right to disapprove any street plan that does not insure continuity of the existing or future street system.
- b. The road system shall be designed to serve the needs of the neighborhood and to discourage through traffic in the interior of such subdivision. Residential driveway access shall not be permitted onto principal arterials. 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.

- c. 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.
- d. 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.

There shall be no private streets, roads or ways nor any private easement used for the purpose of primary access to any subdivision, including subdivisions exempt from platting under Section 711.131 of the Ohio Revised Code unless constructed and maintained to Lucas County Road specifications and standards. The cost of maintenance of such private streets, roadways and easements shall be borne equitably by benefiting property owners. Proper legal steps shall be taken to guarantee the continuing maintenance of such streets, roadways and easements along with appropriate recitations regarding the maintenance agreement being placed on the Final Plat drawing.

**504 Street Vacation**

The Plan Director shall not recommend the vacation of any street dedicated to and accepted by the public if such vacation will adversely affect the proper functioning of the existing street system or any future street plan prepared by, or approved by, the Lucas County Planning Commission. The procedure to vacate a street or alley may be found in Section 5553 of the Ohio Revised Code.

**505 Rights-of-Way**

- a. 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 shade trees, if required.
- b. 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.
- c. The right-of-way for roads shall be in accordance with the Major Street and Highway Plan and shall provide for future development.
- d. Street widths shall conform to the following minimums:

<u>Classification</u>		<u>Right-of-Way Width</u>	
		Urban	Rural
(1)	Freeway, Expressway, or Controlled Access Parkway	200'	300'
(2)	Principal Arterial	140'	150'

(3)	Minor Arterial	100'	100'
(4)	Major Collector	80'	90'
(5)	Local Collector	70'	80'
(6)	Minor Street	60'	60'
(7)	Alley	20'	20'

**506 Horizontal and Vertical Alignment**

- a. Horizontal and vertical alignment shall conform to the standards and specifications of the Lucas County Engineer and shall follow the Ohio Department of Transportation criteria.
- b. No street grade shall be less than 0.5 percent and in no case shall a street grade on a collector or arterial street be more than five (5) percent within one hundred (100) feet of an intersection.

**507 Special Street Types**

The following requirements shall apply to special street types:

- a. 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 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 Lucas County Engineer. The Lucas County Planning Commission shall reserve the right to limit the length of such a dead-end street based on principles of proper planning, and the Lucas County Planning 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 Lucas County Board of Commissioners shall be platted at the end of all stub streets to preclude access until the right-of-way is extended.
- b. Except in those situations where unusual circumstances exist, cul-de-sac streets shall not exceed a length of one thousand (1,000) 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 Lucas County Engineer.
- c. 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.
- d. 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 Lucas County Planning 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.

- e. Anti-vehicular access to control access to streets shall be prohibited except where required by the Lucas County Planning Commission.
- f. 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 than eight hundred (800) feet, nor more than one thousand five hundred (1,500) feet apart.
- g. 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.
- h. 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 Lucas County Engineer 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

**508 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.

<b>Table 1 Street Design Standards for Local and Collector</b>		
	<b>LOCAL STREET</b>	<b>COLLECTOR STREET</b>
Right-of-Way (feet)	60	70
Pavement Width	27*	31**
Minimum Stopping Sight Distance (feet)	200	200
Minimum Center Line Radius	105	350
Maximum Grade	<u>5</u> %	<u>5</u> %

Minimum Distance Between Reverse Horizontal Curves (feet)	100	200
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\* Back of mountable curb to back of mountable curb. Curbs 2 ½ ft. – pavement 22 ft.

\*\* Curbs 2 ½ ft, - pavement 26 ft.

### 509 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 a residential subdivision. 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)	1000
Minimum cul-de-sac center island radius (feet)	20
Minimum cul-de-sac radius (pavement with 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 back of mountable curb, Curbs 2 ½ ft. – pavement 22 feet for loop streets, pavement 30 feet for cul-de-sacs.

### 510 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 Lucas County Planning Commission shall be made.



<b>Table 3: Intersection Design Standards</b>	
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	According to Access Management Regulations Appendix B
c. collector-collector	According to Access Management Regulations Appendix B
d. collector - arterial	According to Access Management Regulations Appendix B

**511 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 the 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 Lucas County Planning Commission may require access roads to provide maximum safety and convenience.

**512 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 Lucas County Planning Commission finds such extension is not in accord with the approved plan of the area.

### **513 Street Improvements**

All streets and thoroughfares shall be graded to their full width, including side slopes, and improved in conformance with the standards given 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 Materials Specification of the State of Ohio Department of Transportation or the specifications on file in the Lucas County Engineer's Office, whichever is more stringent.

### **514 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 Lucas County Engineer and approved by the Lucas County Planning Commission.

### **515 Street Curbs and Gutters**

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

### **516 Street Construction Standards**

The minimum pavement for residential streets shall be 4 inches of asphalt on an 8 inch stone base.

### **517 Private Places**

Private places are generally discouraged in all subdivisions because of the long term maintenance liability and the various concerns with private ownership. Recognizing however unique development issues with smaller parcels and innovative subdivision designs, the Lucas County Planning Commission may at their discretion allow private places provided the following requirements are met:

- a. Private places 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.
- b. The hydraulic design of private places shall conform to Lucas County 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.
- c. Private place cul-de-sac geometrics and intersection radii shall be designed to Lucas County standards. Other geometrics need not conform to Lucas County standards but will be reviewed for safety standards by the Lucas County Engineer.

- d. All plans for private places are subject to review and approval by the Lucas County Engineer. 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 Lucas County Engineer prior to release of any and all financial guarantees.
- e. A statement on the Final Plat shall indicate that the private place improvements 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.

**518 Sidewalks and Graded Areas**

- a. Sidewalks shall be required in all subdivisions. Where the average lot line frontage is 125 feet or less, sidewalks shall be required on both sides of the street. Where the average lot line frontage is greater than 125 feet, sidewalks shall only be required on one side of the street.
- b. 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.
- c. Pedestrian-way easements ten (10) feet wide may be required by the Lucas County Planning 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 1400 feet.
- d. Sidewalks shall be concrete and shall measure four (4) feet in width; wider widths may be necessary near pedestrian generators and employment centers. Sidewalks along county roads shall be five (5) feet in width. Where sidewalks abut the curb and parked vehicles overhang the sidewalk, widths shall be six (6) feet.
- e. Sidewalks and graded areas shall be constructed according to the specifications set forth in these Regulations.
- f. Sidewalks shall be designed in accordance with ADA standards and shall be completely handicap accessible.

**519 Street and Walkway Lighting**

The Lucas County Planning Commission shall require the subdivider to install street lights.

## **520 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 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 Lucas County Engineer 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 Lucas County Engineer. Subdivision corner and benchmark monuments shall be encased with concrete at least 6" in diameter and 30" 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 Lucas County Engineer unless provisions for their installation are provided for in accordance with Section 8 of these Regulations.

## **521 Culverts and Bridges**

- a. Where natural drainage channels intersect any street right-of-way, it shall be the responsibility of the subdivider to have satisfactory bridges and/or culverts constructed. Where culverts are required, minimum requirements shall be observed as follows:
- b. 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 developer's professional engineer and approved by the Lucas County Engineer. 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.

## **522 Open Ditches and Slopes**

Open ditch construction for roadside drainage shall be in accordance with the Ohio Department of Transportation 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 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.

##### **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 Lucas County Sanitary Engineer or other appropriate agency.

##### **602 Fire Protection**

- a. Fire hydrants shall be provided in all subdivisions.
- b. 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.
- c. Hydrants shall be spaced at a maximum of three hundred fifty (350') feet apart.
- d. 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 Lucas County Sanitary Engineer or other appropriate agency.

##### **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 Lucas County Sanitary Engineer or other appropriate agency.

##### **604 Drainage and Storm Sewers**

All storm drainage design shall be planned and executed so as to preserve natural topographic features and vegetative cover, to minimize change to existing topography, and to preserve natural drainage systems.

- a. Where an adequate public storm sewer is available at the plat boundary, the subdivider shall construct a storm sewer system and connect to such storm sewer line. If such a storm sewer system is not accessible, natural drainage channels may be utilized. If the natural channels are inadequate then downstream improvements may be required as determined by the Lucas County Engineer and approved by the Lucas County Planning Commission. Storm drainage from lots, including drain tile around basements, shall not be permitted to discharge into any sanitary sewer facility, but shall connect to an adequate drainage outlet.
- b. The subdivider shall construct all necessary facilities including underground pipe, inlets, catch basins, or open drainage ditches, as determined by the Lucas County Planning Commission, to provide for the adequate disposal of subsurface and surface water and maintenance of natural drainage courses. The best available technology shall be used to minimize off-site stormwater runoff, increase on-site filtration, encourage natural filtration functions, simulate natural drainage systems, and minimize off-site discharge of pollutants to ground and surface water. Best available technology may include measures such as retention basins, recharge trenches, porous paving and piping, contour terraces, and swales. Stormwater management shall follow the standards established in *Rainwater and Land Development: Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection*, Third Edition, 2006 (Department of Natural Resources, Division of Soil and Water Conservation) or any later version that is published as an update. Subdivision development shall not increase the rate of runoff and an increase in the volume of runoff shall require a reduction in the rate of runoff.
- c. When necessary, outlet ditches or closed sewers of an approved type and size shall be required as part of the construction. If the outlet ditch or closed sewer is across private property, a right-of-way or easement shall be obtained by the subdivider for the construction and future maintenance of the outlet ditch or sewer. These rights-of-way or easements shall be shown on the construction plans. Whenever possible, post-development drainage patterns shall be the same as pre-development drainage patterns. The design of streets and grading shall be such that runoff from roofs, driveways and other impervious surfaces will be collected in ditches and/or gutters in short runs three hundred (300') feet to four hundred (400') feet in length. The runoff shall then be diverted from the surface, if not already underground, into storm sewers or a natural water course. Streets shall be located away from water courses unless storm sewers are to be installed. The channel downstream of the subdivision shall be adequate to convey the storm runoff from the subdivision and across the adjacent property so that damage from flooding is minimized. Downstream channel improvements and/or additional on-site improvements may be required.

- d. Drainage ditches shall be enclosed when the enclosure is equivalent in capacity to forty-eight (48) inches in diameter or less. Such enclosures shall be constructed, installed, and paid for by the subdivider. All other drainage ditches in the subdivision shall be realigned, widened, and/or deepened to accommodate storm water runoff from the subdivision. All structures shall be enclosed within the new street right-of-way. Such enclosures shall be adequate to handle the storm drainage and shall be constructed, installed and paid for by the subdivider. Storm hydraulic grade lines shall be based on estimated run-off conditions in the watershed for a ten (10) year frequency storm event.
- e. Adequate measures for the protection of open and closed drainage channels shall be provided. Maintenance easement widths shall be determined by the Lucas County Engineer except for open ditches which shall have an easement equal to the width of the required ditch cross section from top of bank to top of bank plus twenty (20') feet on sides. The velocity flow on an open ditch shall not exceed four (4) feet per second in soil ditches or six (6) feet per second in turf gutters. Paved gutters will be required if velocities of flow are greater than those specified, or if it is otherwise likely that destructive erosion will result. Drainage ditches shall not be permitted to discharge into any sanitary sewer facility.
- f. No water course shall be altered in such a way as to change the amount or direction of flow; no fill, building or structures shall be situated in natural water courses unless provision is made for the flow of water in a manner satisfactory to the county engineer.
- g. Rear yard drainage shall be provided in all residential subdivisions. Rear yard catch basins shall be placed so that no more three (3) lots in one direction or 300 feet of lot frontage, whichever is less, is directed to one basin. A desirable grade of 0.5% and an absolute minimum grade of 0.3% shall be maintained for rear yard swales.
- h. The subdivider shall guard against the creation or continuation of swampy areas or stagnant pools, unless they are a component of a designed wetlands open space. The Lucas County Planning Commission may require fill, swale, and/or channel improvements in order to forestall such problems.

**605 Electric, Gas, and Telephone Improvements**

- a. 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.
- b. Easements with a minimum width of ten (10') feet shall be platted for underground utilities. The easements 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 Lucas County Planning Commission, with the advice provided by the Lucas County Engineer and the Lucas County Sanitary Engineer 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 Lucas County 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 Lucas County Engineer, the Lucas County Sanitary Engineer, and other appropriate utility agencies.



## **SECTION 7**

### **ENVIRONMENTAL AND 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 Lucas County. 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 Public Sites, Open Space and Recreation**

The Lucas County Planning Commission, in conjunction with the Lucas County Board of Commissioners and Township Trustees, may require that land area totaling a minimum of three percent (3%) of the land included in a subdivision consisting of fifty (50) or more gross acres be conveyed to Lucas County, the township, a park board or a homeowners association for park purposes. Such land to be conveyed may include detention/retention areas and/or ponds/lakes. In lieu of the conveyance for park purposes, the Lucas County Planning Commission may, in conjunction with the Lucas County Board of Commissioners, the Township Trustees and the subdivider agree upon an amount of money for the subdivider to pay for the maintenance of a park in the vicinity of the subdivision which is likely to be used by the subdivision residents.

##### **702 Flood Areas and Storm Drainage Ditches**

All subdividers shall comply with current Lucas County Floodplain Regulations on file in the Lucas County Engineer's Office 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.

##### **703 Soil Erosion Requirements**

In the development of a subdivision, the 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 (Department of Natural Resources, Division of Soil and Water Conservation). In addition, the developer shall comply with all of the applicable requirements for soil erosion and sedimentation control per the Lucas County Engineer, Lucas County Soil and Water Conservation District, the Ohio EPA and all other applicable regulations.

**704 Street Trees**

Street trees shall be installed along all streets in a major subdivision. Along State and County Roads, if required, street trees shall be located within a landscape easement and located outside the right of way. When trees are planted at predetermined intervals along streets, spacing shall depend on tree size (at maturity), as shown in Table 4

Tree Height (feet)	Planting Interval (feet)
Large trees (40+)	50-70
Medium trees (30-40)	40-50
Small trees (to 30)	30-40

When the spacing interval exceeds 40 feet, small ornamental trees can 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 Commission Office shall be installed.

**705 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 developer shall provide sufficient buffering when topographical or other barriers do not provide reasonable screening and when the Lucas County Planning 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 Lucas County Board of Commissioners, all applicants shall be required to complete, to the satisfaction of the Lucas County Engineer, the Lucas County Sanitary Engineer or other appropriate agency, all the streets, sanitary improvements, landscape requirements and other public improvements, including lot improvements on the individual lots, as listed on the Preliminary Drawing and engineering plans and as construction-certified on the final plat. When required improvements are not completed, the subdivider shall insure their completion with a performance guarantee acceptable to the Lucas County Board of County Commissioners.

All required improvements shall be made by the developer, at his or her expense, and cost estimates for various materials and labor shall be provided as requested by a professional engineer licensed in the State of Ohio. The developer shall dedicate public improvements to the local government, free and clear of all liens and encumbrances on the dedicated property and public improvements.

#### **801 Performance Guarantee for Installation and Maintenance of Improvements**

To guarantee the construction and/or maintenance of required improvements prior to the approval and recording of the Final Plat, unless an exception is approved as provided for in Section 801.c, the subdivider shall be required to provide a performance or maintenance guarantee in one or a combination of the following arrangements:

- a. **Performance Bond, Certified Check, or Irrevocable Letter of Credit:** The subdivider shall post a bond, executed by a surety company, or a certified check or irrevocable letter of credit equal to the estimated cost plus ten percent (10%) of the required improvements. The bond shall be in favor of the Lucas County Board of Commissioners, and shall guarantee construction of the improvements according to the plans and specifications approved by the Lucas County. The term of the bond shall not exceed two (2) years. The Lucas County Board of Commissioners may grant an extension where due cause can be shown.
- b. **Deposit:** The subdivider may make a deposit with the county treasurer, with a responsible escrow agent, or with a trust company. The deposit shall be money or negotiable bonds in an amount equal to the estimated cost plus ten percent (10%) of the required improvements. If a cash deposit is made, an agreement may be executed to provide payments to the contractor or the subdivider from the deposit as the work progresses and is approved by the responsible county officials.

- c. **Sidewalk and Street Tree Installation:** Instead of the performance guarantees specified in Sections 801.a and 801.b, when the installation of sidewalks and/or street trees are required as part of the final plat approval for a subdivision, the subdivider may request that the final plat require that the owner of each lot provide a method for such installation as a condition precedent to the issuance of a building permit for the improvement of a lot. The Lucas County Building Regulations Department shall determine, prior to issuing a building permit, whether the method provided by the lot owner is sufficient to guarantee the installation.

Per the Lucas County Building Code, a final site grading plan and sidewalk inspection permit is required and will not be approved by the Lucas County Engineer until the sidewalks have been satisfactorily completed. If the lot owner fails to install the required sidewalks and/or street trees at the time of construction of the home, or if no home is built on the lot, the Board of Lucas County Commissioners or Board of Township Trustees, at their discretion, may proceed in accordance with Section 5543.10 of the Ohio Revised Code to have the sidewalks constructed and/or the Board of Township Trustees, at their discretion, may proceed in accordance with Section 5571.10 of the Ohio Revised Code to have the street trees installed, with the cost assessed to the lot owner.

- d. **Maintenance Bond:** Upon completion of the improvements and acceptance by the Lucas County Engineer and/or Lucas County Sanitary Engineer, a maintenance bond for a two (2) year period in an amount of twenty-five (25%) percent of said improvement cost shall be provided to the Lucas County Board of Commissioners by the developer or by the developer's contractor. Individual lot sidewalks and street trees are excluded and will not require a maintenance bond.

*(Rev. 4-22-14. M-14-13.)*

## **802 Temporary Improvements**

The applicant shall build and pay for all temporary improvements required by the Lucas County Planning Commission and shall maintain those temporary improvements for the period specified by the Lucas County Planning Commission. Prior to construction of any temporary facility or improvement, the developer shall file with Lucas County a separate performance guarantee in an amount equal to the estimated cost of the temporary facilities, which shall ensure that the temporary facilities will be properly constructed, maintained and removed.

## **803 Extension of Time**

If the construction or installation of any improvements or facility, for which guarantee has been made by the developer in the form of a performance bond, cash deposit, or irrevocable letter of credit, is not completed within two (2) years from the date of final approval of the recorded plat, the developer may request the Lucas County Board of Commissioners to grant an extension of six (6) months, provided he can show reasonable cause for inability to complete said improvements within the required two (2) years. The request shall be accompanied by a revised cost estimate or the construction to be completed.

#### **804 Failure to Complete Improvements**

In case the subdivider fails to complete the required public improvements work within such time period as required by the conditions or guarantees as outlined above, the Lucas County Board of Commissioners may proceed to have such work completed and reimburse itself for the cost thereof by appropriating the cash deposit, certified check, surety bond, or by drawing upon the letter of credit, or shall take the necessary steps to require performance by the bonding company.

#### **805 Progressive Installation**

After the Preliminary Drawing of a proposed subdivision has been approved by the Lucas County Planning Commission, the subdivider may improve a part of the entire area and submit a Final Plat for that improved portion to the Lucas County Planning Commission for approval.

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

#### **806 Inspection of Improvements**

The Lucas County Engineer and the Lucas County Sanitary Engineer and any other appropriate agency shall provide for inspection of required improvements during construction and ensure their satisfactory completion. The applicant shall pay inspection fees and shall notify proper administrative officials at least twenty-four (24) hours before each phase of the improvements is ready for inspection. Work requiring periodic inspections and an inspection schedule shall be finalized by the developer and inspectors before any work begins. Failure to comply with the inspector, Lucas County Engineer's and/or Sanitary Engineer's directive, will be deemed a violation of these Regulations subject to having the work stopped until corrective action is completed.

#### **807 Completion of Work and Reduction of Security**

As required improvements are completed, the Lucas County Board of Commissioners may, with concurrence of the Lucas County Engineer and/or the Lucas County Sanitary Engineer, 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.

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

The subdivider shall have properly constructed and maintained all required improvements at the time he requests their acceptance by the Lucas County Board of Commissioners. Upon completion of all improvements, the Lucas County Engineer and/or the Lucas County Sanitary Engineer will perform an inspection for acceptance. After the inspection, the Lucas County Engineer or Lucas County Sanitary Engineer will do one of the following:

- a. Issue a letter to the developer/contractor listing items of work necessary to accomplish satisfactory completion of the improvements; and/or
- b. Issue a letter to the Lucas County Board of Commissioners recommending acceptance of the improvements.

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

At the end of the maintenance period, after the developer and/or the developer's contractor has restored all improvements to an acceptable condition, the Lucas County Engineer and/or the Lucas County Sanitary Engineer shall perform a final inspection. After the inspection, the Lucas County Engineer and/or the Lucas County Sanitary Engineer will do one of the following:

- a. Issue a letter to the developer and/or the developer's contractor releasing the maintenance bond.
- b. Issue a letter to the developer and/or the developer's contractor listing items of work necessary to accomplish before the release of the maintenance bond will be made.

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

**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 Lucas County Planning Commission staff may require modifications to the statements. All signatures, except the signatures of the Lucas County Auditor, Lucas County Recorder, the Lucas County Planning Commission, Lucas County Board of Commissioners, and the Lucas County Engineer and the Lucas County Tax Map Department shall be obtained prior to approval of the Final Plat by the Lucas County Planning Commission.

**A. Deed Reference**

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

**B. Owner's Certification**

**Owners 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 to the Lucas County Board of Commissioners 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

CORPORATION

\_\_\_\_\_

\_\_\_\_\_

Owner/Title

\_\_\_\_\_

\_\_\_\_\_

Owner/Title

**C. 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 (their) free act and deed for the purposes herein mentioned. Witness my hand and seal the day and year above written.

\_\_\_\_\_  
Notary Public

[SEAL]

**D. Lucas County Planning Commission Approval**

We hereby certify that this plat is approved by the Lucas County Planning Commission in accordance with the Subdivision Rules and Regulations for Lucas County, Ohio. Signed this \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

**E. Lucas County Board of Commissioners, Ohio Approval**

We hereby approve and accept this plat this \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_  
President of Lucas County  
Board of Commissioners

\_\_\_\_\_  
\_\_\_\_\_

**F. 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

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

This plat has been submitted for the purpose of appraisalment this \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_  
Lucas County Auditor





**L. 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 own 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 Township, State of Ohio (if along a state route) and Lucas County harmless from any liability to any person for his/her neglect, failure or refusal in performing such duty.

**M. Open Space Note**

**Open Space Note**

The tax liability for the open space lots within this subdivision shall be shared equally with all of the lot owners in this subdivision.

## **SECTION 10**

### **DEFINITIONS**

#### **1000 Interpretation of Terms or Words**

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

- a. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- b. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- c. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- d. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied".
- e. The word "lot" includes the words "plot or parcel".
- f. The word "County" where used shall mean Lucas County and its legal entities.

#### **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 establishes 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 an easement, right-of-way, or other public area in the interest of protecting the general welfare.

**Building Site:** A parcel under separate deed or description containing less than 5 acres and having road frontage.

**Comprehensive Development Plan:** A plan or any portion, thereof, adopted by the planning commission and the county commissioners 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.

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

**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*.

**Cul-de-sac (Court):** A short street having one end open to traffic and being terminated by a vehicle turnaround.

**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 only one (1) family and its 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, easements, and dedicated areas. The final plat is recorded in the office of 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 foot vertical rise over one hundred horizontal feet represents a one percent slope.

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

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

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

**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:

- a. A single lot of record;
- b. A portion of a lot of record;
- c. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

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

- a. **Depth of a lot:** The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- b. **Width of a lot:** The horizontal distance between the side lot lines measured at the required front yard setback distance as required by the applicable township zoning resolution. In the absence of a township zoning resolution the distance shall be measured thirty-five (35') feet from the right-of-way line.

**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:

- a. **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.
- b. **Interior Lot:** A lot other than a corner lot with only one frontage on a street.
- c. **Through Lot:** A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
- d. **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.
- e. **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.

**Lucas County Planning Commission:** The Planning Commission of Lucas County established in accordance with the Ohio Revised Code.

**Maintenance Bond:** An agreement by a subdivider or developer with Lucas County guaranteeing the maintenance of physical improvements for a period to be determined by the Lucas County Engineer and/or the Lucas County Sanitary Engineer.

**Major State and Highway Plan:** The Comprehensive Plan adopted by the Lucas County Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the unincorporated area of the county.

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

**Master Plan:** A comprehensive plan for development of the county or of a township adopted by the Planning Commission and Board of County Commissioners pursuant to State law, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

**Master Preliminary Plat:** That portion of a preliminary plat submitted in connection with a multiphase or phased subdivision application.

**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 Lot Split.

**Monuments:** Iron bases or iron pipes 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 planning commission deems permissible. Streets, structures for habitation, and the like shall not be include.

**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.

**Pad:** A building site prepared by artificial means, including, but not limited to, grading, excavation, or filling, or any combination thereof.

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

**Performance Bond of Surety Bond:** An agreement by a developer with the county for the amount of the estimated construction cost (as approved by Board of Lucas County Commissioners, Lucas County Sanitary Engineer, and the Lucas County Engineer) 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 Lucas County 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 Lucas County Planning staff duly appointed by the Lucas County Planning 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, 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 Place:** 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*.)

**Replete:** 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 (required by the topography of treatment) 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 planning 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 affect a subdivision of land hereunder for himself or for another.

**Subdivision:**

- a. 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 of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted: or
- b. 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:

- a. **Access Road:** A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (also called Frontage Street.)
- b. **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.
- c. **Arterial Street:** A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route. Design speed is generally 55 miles per hour.
- d. **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.

- e. **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.
- f. **Dead-end Street:** A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
- g. **Local Street:** A street primarily for providing access to residential, commercial, or other abutting property. Design speed is generally 25 miles per hour.
- h. **Loop Street:** A type of local street each end of which terminated 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 said arterial or collector street, nor normally more than 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.

- a. **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.
- b. **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 frontage shall be the yard opposite the address side of the lot.

- c. **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.

**Zoning Inspector:** The zoning inspector of the township, appointed by the board of township trustees.

## Approved Street Tree List

Revised May 27, 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 May 27, 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 May 27, 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>