

THE SUBDIVISION REGULATIONS

FOR

MARION COUNTY, OHIO,

AND THE

CITY OF MARION, OHIO

ADOPTED OCTOBER, 1966

(Amended 1982)

(Amended 2001)

CHAPTER 1

INTRODUCTION

SECTION 1.00 LEGAL CONSIDERATIONS

1.000 Adoption of Regulations

It is the declared wish and intention of the planning commissions and legislative bodies represented hereunder in this paragraph to secure the establishment and administration of a single set of land subdivision regulations, to be effective in all parts of Marion County exclusive of the land within the corporate limits of any municipality which has not adopted the Regulations. The Regulations set forth herein shall become effective after they have been adopted by planning commissions and legislative bodies as follows:

1. Marion City Planning Commission
(Adopted July 5, 1966)
2. Marion City Council
(Adopted June 27, 1966)
3. Marion County Regional Planning Commission
(Adopted July 27, 1966)
4. Marion County Board Of Commissioners
(Adopted June 27, 1966)

1.001 Effective Date

These Regulations shall become effective on the 60th day following their certification to the Marion County Recorder.

SECTION 1.01 AUTHORITY

These Regulations have been adopted under authority of Sections 711.09, 711.10 and 711.101 of the Revised Code of Ohio.

SECTION 1.02 JURISDICTION

In accordance with Chapter 711, Revised Code of Ohio, the jurisdiction over review and approval of subdivisions shall be as follows:

LOCATION OF THE SUBDIVISION	AUTHORITY HAVING JURISDICTION
<u>In unincorporated areas of the county:</u>	Marion County Regional Planning Commission
<u>Within a city or village</u>	City or Village Planning Commission

The manner in which such jurisdiction shall be exercised is set forth in succeeding chapters of these Regulations.

SECTION 1.03 ENFORCEMENT

1.030 Violations and Penalties

Whosoever willfully violates any provision of these Regulations, or fails to comply with any order issued pursuant thereto, shall forfeit and pay not less than ten nor more than one thousand dollars.

1.031 Jurisdiction of Enforcement

It shall be the duty of the planning commission having jurisdiction over the subdivision of land, as set forth in Section 1.02 hereinbefore, to secure the enforcement of the provisions of these Regulations. The staff of the Marion County Regional Planning Commission shall provide technical and administrative services necessary to such enforcement, as may be provided for by contract or other financial agreement with the planning commission involved.

1.032 Enforcement Procedure

The procedure to be followed in the detection of violations and the securing of enforcement shall be as set forth hereunder.

1.0320 Detection of Violations

It shall be the duty of all officials directly or indirectly concerned with the administration of these Regulations to observe and detect any violations, and to report them to the staff of the planning commission involved. Specifically, such duty shall be as follows:

1. Detection of the sale of lots, or the erection and sale of buildings thereon, without the recording of a plat shall be the primary responsibility of the staff of the planning commission involved.
2. Detection of the construction of improvements, public or private, the planning without compliance with the provisions of these Regulations shall be the primary responsibility of the official or agency having jurisdiction over the inspection of such improvements, as set forth in Section **5.010** Upon detection of any such violation, the official or agency shall notify the staff of the planning commission involved.

1.0321 Notice to Persons Responsible for Violations

Upon receipt of notice, as provided for in Section **1.032**, the staff of the planning commission involved shall make administration determination that the transactions or work being done is in violation of these Regulations. The staff then shall serve written notice or order upon the person or persons responsible for such violation. Such notice shall direct the discontinuance of any illegal action and the remedying of the condition which is in violation.

1.033 Prosecution of Violation

In case the procedures set forth in Section **1.0321** do not result in the complete elimination of the violation, the planning commission staff shall notify the legal representative of the County or municipality involved, for appropriate action under Chapter 711, Revised Code of Ohio.

SECTION 1.04 APPEAL

Any person who believes he has been aggrieved by these Regulations has all the rights of appeal as set forth in Chapter 711 of the Revised Code of Ohio or any other applicable section of the Revised Code *of Ohio*.

SECTION 1.05 SEPARABILITY

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

SECTION 1.06 AMENDMENTS

These Regulations may be amended in accordance with the requirements set forth in Chapter 711, Revised Code of Ohio, by the planning and legislative bodies having jurisdiction.

SECTION 1.07 DEFINITION OF A SUBDIVISION

As defined by Chapter 711 of the Revised Code of Ohio, a subdivision is:

- A. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five 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 acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale does not create additional 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 use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Based upon the above definitions, a subdivision is any one of the following:

- A. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five acres, for the purpose, whether immediate or future, of transfer of ownership (example: land divisions for single-family homes);
- 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 (example: construction of an apartment building needing access through a new drive or street);
- C. The division or allocation of land as open spaces for common use by owners, occupants, or lease holders (example: construction of a group of apartment buildings or a commercial shopping center with shared drives, parking, or green space); and
- D. The division or allocation of land as easements for the extension and maintenance of public sewer, water, storm drainage, or other public facilities (example: sanitary sewer extension for a group of industrial buildings).

1.070 Development of Land Not Subject to these Regulations

In most cases, the following developments are exempt from the Subdivision Regulations. However, the Marion County Auditor or Marion County Recorder may require verification by the Planning Commission staff as to the particular circumstances:

1. The division or partition of land into parcels containing five (5) *or more* acres not involving any new streets or easements of access.
2. The sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites as defined by zoning or these Regulations or reduce the original tract below the requirement of zoning or these Regulations.
3. The establishment and improvement of private streets serving industrial structures.
4. Internal mobile or manufactured home park lot sizes, setbacks, spacing, and improvements that are regulated by the Ohio Department of Health.
5. Size and shape of condominium land divisions and number of
condo
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parcels in an otherwise approved development.

SECTION 1.08 COMPLIANCE WITH REGULATIONS

1.080 Subdivision of Land; Improvements

No subdivision of any lot, tract, or parcel of land shall be affected; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in strict accordance with the provisions of these Regulations.

1.081 Installation or Assurance of Improvements

No final plat for a subdivision may be approved or recorded until the improvements required by these Regulations have either been guaranteed or constructed as provided for **Section 5.12**. No lot in a subdivision may be sold, and no building may be erected therein unless a final plat has been approved and recorded.

CHAPTER 2

GENERAL PROVISIONS

SECTION 2.00 PURPOSE

The purpose of these Subdivision Regulations is to encourage the development of sound, healthful, and economically stable residential neighborhoods and commercial and industrial areas, to provide for safe, convenient and efficient traffic circulation; to assure adequate drainage; to coordinate land developments in order to assure that future urban growth will be orderly, efficient and conducive to minimum outlay of public and private expenditures in providing services to new growth areas; to minimize fire hazards and to provide for light and air in habitable structures; and to provide for overall harmonious growth of the urban communities in the county.

SECTION 2.01 OFFICIAL NAME

The full name of these Regulations shall be "The Subdivision Regulations for Marion County, Ohio, and the City of Marion, Ohio".

SECTION 2.02 MINIMUM REQUIREMENTS

The provisions of these Regulations shall be held to be minimum requirements. The subdivider is encouraged to observe higher standards than herein specified where conditions indicate they are needed or justified.

Whenever the provisions of these Regulations are different from the requirements of other lawfully adopted regulations, the more restrictive requirement of higher standard shall prevail.

The following are examples of such other lawfully adopted regulations, but are not construed to be all inclusive:

2.020 Zoning Regulations

Where the Marion County Board of Commissioners or a municipality or a township has adopted a zoning ordinance under the provisions of Section 519 or Section 303 of the Revised Code of Ohio, all proposed subdivisions within the area affected shall meet the requirements of said zoning ordinance as well as the provisions of these Regulations.

2.021 Health and Safety Regulations

Whenever the regulations of the Marion County Board of Health, or the State Board of Health or the health ordinances of any municipality affect the design or development of a subdivision, such regulations or ordinances shall be observed.

SECTION 2.03 VARIATIONS

The planning commission having jurisdiction may reduce or otherwise vary the strict requirements of these Regulations whenever it encounters conditions set forth in the paragraphs hereunder. In granting such variances, the planning commission may attach and require such conditions as it feels are necessary to secure the basic objectives of the Regulations.

Any variances granted by the planning commission shall be noted in the official minutes, along with the reasons which justified the granting of the variance.

2.030 Exceptional and Undue Hardship

Where the planning commission finds that, due to exceptional and unique topography or other physical conditions, extraordinary hardships may result from strict compliance with these Regulations, it may vary the Regulations so that substantial justice may be done and the public interest secured, providing that such variance will not have the effect of nullifying the interest and purpose of the Comprehensive Plan, or these Regulations.

2.031 Large Scale Developments; New Concepts of Land Development

In the event that plans are submitted for a complete community or neighborhood, or for a subdivision based on new concepts of land development, the planning commission may vary the Regulations as it deems necessary, provided that the proposed subdivision is in accord with the Comprehensive Plan, and with the intent of these Regulations.

SECTION 2.04 FEES

2.040 Inspection Fee

After approval of improvement plans / construction drawings, the subdivider shall pay to the Treasurer of the County or the municipality involved a fee to defray the cost of inspecting improvements. The fee shall be determined by the County Commissioners or by the municipal legislative body having jurisdiction.

SECTION 2.05 PROFESSIONAL QUALIFICATIONS FOR SUBDIVISION PLANS AND RELATED WORK

No *minor* subdivision *survey, major subdivision sketch plan or final plat map*, or improvement plan / construction drawings shall be considered for approval unless it has been

prepared by or under the direct supervision of a person of recognized professional qualifications, as set forth in the following table;

Description	Code Reference	Professional Qualifications
<i>MINOR SUBDIVISION SURVEYS</i>	3.0110 3.0215; A thru F; H 3.0222; C, 9, A & B	Land Surveyor, registered in the State of Ohio
<i>MAJOR SUBDIVISION SKETCH PLAN OR FINAL PLAT MAP</i>	3.0215 G; 3.0222	<u>Major Subdivision Sketch Plan:</u> Civil Engineer, registered in the State of Ohio or Land Surveyor, registered in the State of Ohio <u>Final plat Map:</u> Land Surveyor, registered in the State of Ohio
IMPROVEMENT PLANS / CONSTRUCTION DRAWINGS	3.0223	Civil Engineer, registered in the State of Ohio

CHAPTER 3

PROCEDURES FOR SUBMISSION OF SUBDIVISIONS: REVIEW AND ACTION

SECTION 3.00 PURPOSE

The purpose of this *Chapter* is to establish well-defined step-by-step procedures which are to be followed by the subdivider in preparing and submitting a *minor subdivision survey or a major subdivision sketch plan or a final plan*, and by the planning commission and other agencies in reviewing and approving such plan. *Section 3.01* hereunder sets forth the simplified procedure required for minor subdivisions of *less than* five (5) lots. *Section 3.02* sets forth the more detailed procedure required for major subdivisions, comprising *five (5) or more lots*.

Table 3.0 Section 3.0112 - Strip Development Drainage presents the procedures in graphic form. Where a detail of procedure is not specifically provided for in *Sections 3.01* and *3.02*, the steps as indicated on this flow chart shall apply.

SECTION 3.01 MINOR SUBDIVISIONS INVOLVING LESS THAN (5) LOTS

3.010 Conditions for Recording Without a Plat

A proposed division of a parcel of land, shown as a unit *or as a contiguous units* on the

preceding tax roll, along an existing public street not involving the opening, widening, or extension of any street or road, and involving no more than five (5) lots after the original tract has been completely subdivided, may be submitted to the planning commission for approval without a plat. If the planning commission, acting through its staff, is satisfied that such proposed division is not contrary to applicable platting, subdividing, or zoning regulations, it shall within seven (7) working days after submission, approve such proposed division. On presentation of a conveyance of said parcel the same shall be stamped in such a manner as to indicate clearly the approval of the planning commission, and shall bear the signature of the staff member responsible.

3.011 Submission Requirements

3.0110 Drawing and Legal Description

A drawing, drawn to scale, showing location of the property and giving accurate dimensions, other information as may be necessary, and written legal description, shall be required.

**TABLE 3.0
SUBDIVISION REGULATIONS FLOW CHART OF PROCEDURE**

<u>STEPS IN PROCEDURE</u>	<u>LESS THAN FIVE (5) LOTS</u>	<u>FIVE (5) LOTS OR MORE</u>		
	SKETCH PLAN	SKETCH PLAN (WHEN REQUIRED)		FINAL PLAN
<u>UNINCORPORATED AREA</u>				
PLANNING STAFF	X	X		X
PUBLIC AGENCIES (1)		x		X
REGIONAL PLANNING COMMISSION		x		X
COUNTY RECORDER	X			X
COUNTY COMMISSION (2)				X
<u>WITHIN A MUNICIPALITY</u>				
PLANNING STAFF	X	X		X
PUBLIC AGENCIES (1)		x		X
CITY OR VILLAGE PLANNING COMMISSION		x		X
COUNTY RECORDER	X			X
CITY OR VILLAGE COUNCIL (2)				X

(1) Public agencies involved (depending on location and type of subdivision)

1. City or County Engineer for checking accuracy of survey and for approval of improvement plans
2. Township Trustees and Township Zoning Commission
3. City Board of Health, County Board of Health, or County Sanitary Engineer for approval of sanitary facilities where required
4. Board of Education for report on adequacy of school facilities to serve additional pupils, and negotiate for school sites where involved
5. Parks and Recreation Department for negotiation where park land is involved
- f.. Post Office for checking duplication of street names

LEGEND

X Designated step in procedure of review and action

“FLOW LINE” between steps

(2) County Commission, City or Village Council to accept streets and other improvements, after completion and approval by County, City, or Village Engineer

3.0111 Right-of-way Conveyance

When the existing street right-of-way width is inadequate, as determined by the Thoroughfare Plan, a conveyance in the form of a separate deed for highway, street, or utility purpose shall be required to satisfy said right-of-way width deficiency. Such dedication shall be made to the city or village when within the corporate limits or to the *state*, county, *or township* when within an unincorporated area.

3.0112 Strip Development Drainage

The developer shall install in all road ditches tile *a storm drain tile* of appropriate size and grade in accord with Section 5.10, as interpreted and approved by the Marion County Engineer or municipal engineer having jurisdiction.

SECTION 3.02 MAJOR SUBDIVISIONS REQUIRING A FINAL PLAN

3.020 Pre-application Guidance

The purpose of the pre-application step in the procedure is to afford the subdivider the opportunity to obtain the advice of the staff before he invests in land, or before he undertakes expensive engineering work. The subdivider is encouraged to consult the staff at the time he first considers the subdividing of a specific tract of land, in order to ascertain its adaptability to development, zoning restrictions, availability of community services, and the advice of the planning commission regarding best use of the land.

3.021 Sketch Plan

3.0210 Discussion; Sketch Plan

During the course of one or more discussions with the staff, it *may be* desirable *for* the subdivider to present a Sketch Plan, showing boundaries of the tract drawn to scale, and his preliminary ideas as to street and lot pattern in relation to existing street and roads.

3.0211 Progressive Development.

The subdivider may submit in sketch form his proposals for subdividing a large tract of land which he owns or has under option, even though he does not wish to own or to record the entire tract in one plat. This step is of advantage to the subdivider and to the planning commission, which has as its objective the integrated development of entire neighborhoods and communities. Based on the approval of the Sketch Plan, the subdivider may submit, at intervals, Final Plans for successive sections of the entire tract, in a manner set forth under Section 3.022 hereunder.

3.0212 Single Plat Development.

If the tract of land involved is too small to make progressive development feasible, or if the subdivider chooses to record the entire subdivision as one plot, the subdivider may submit a Sketch Plan for approval. The purpose is to assure the planning commission, before preparation of the Final Plan, that the subdivision will be in accordance with the Regulations as to street pattern, lot arrangements and size, drainage, water supply and sewage disposal.

3.0213 Submission Requirements

In order to be considered at a meeting of the Subdivision Review Committee (acting for the planning commission), a Sketch Plan, together with data and documents specified hereunder, shall be submitted to the office of the planning commission having jurisdiction, fifteen (15) days prior to such meeting.

3.0214 Application Form

An application form, an example of which is in Appendix III-A, shall be filed. Copies of the application form may be obtained from the planning office.

3.0215 Sketch Plan Map Requirements

- A. The plan shall be drawn at a scale of not more than one hundred (100) feet to the inch.
- B. The title block shall include:
 - 1. Name of the subdivision, which shall not duplicate the name of any other subdivision in Marion County.
 - 2. Location by section, range, municipality or township, county and state.
 - 3. Names and addresses of owner, subdivider, and engineer or surveyor.
 - 4. Scale and date plan was completed.
- C. Survey Information:
 - 1. Contours at five (5) foot intervals. United States Geological Survey quadrangle maps may be used to derive contour information.
- D. Approximate location of physical features inside of the subdivision and within two hundred (200) feet of the boundaries.
 - 1. Water courses, culverts, bridges, and drains.

2. Location and sizes of sewers, water mains, and other utilities.
 3. Streets and alleys including name and right-of-way widths and all easements.
 4. Approximate location of other physical features, such as wooded areas, railroads, fences, and buildings.
- E. Boundaries and identification of zoning districts.
- F. Location of existing lot and property lines on adjacent land with names of recorded owners.
- G. Proposed developments:
1. Location and width of proposed streets, alleys, cross walks, and easements.
 2. Location and approximate acreage of lands reserved for public use.
 3. Location and approximate square footage of lots, with approximate dimensions of lot line. Lots shall be given preliminary numbers, for identification.
 4. Location of front yard set back lines, with distance from streets.
- H. North arrow and graphic scale.

3.0216 Sketch Plan Approval

3.022 Final Plan

The subdivider may choose to submit a Final Plan for the entire area included in an approved **Sketch** Plan, or he may submit a Final Plan for a part of it, as a part of a Progressive Development program, as set forth in Section **3.0211** hereinbefore. Final Plans for all of the land included in a **Sketch** Plan shall be submitted within three (3) years of the approval date of each **Sketch** Plan, unless a time extension has been requested by the subdivider and granted by the planning commission. In case the time period for submission of Final Plans has elapsed, the original **Sketch** Plan may be re-submitted for approval.

3.0220 Submission Requirements

In order to be considered at a meeting of the planning commission, a Final Plan, together with data and documents specified hereunder, shall be submitted to the office of the planning commission having jurisdiction **thirty (30)** days prior to such meeting.

3.0221 Application Form

An application form, an example of which is in *Appendix III-B*, shall be filed. Copies of the application form may be obtained from the planning office.

3.0222 Final Plat Map

Blue line or black line prints of this *map* shall be submitted. The number of prints to be submitted shall be as set forth in *Appendix I-TABLE B*. The map shall be prepared in a manner and shall show the information set forth hereunder:

A. Conformance with *Sketch* Plan

The Final Plat Map shall conform essentially with the approved *Sketch* Plan, if submitted, unless changes have been requested or agreed to in advance by the planning commission.

B. Methods of Final Plat Map Preparation shall be as follows:

1. ***Sheets utilized for preparation of tracings shall be of polyester drafting film or any similar type reproducible media currently in common use***, with sheets **18** inches by **24** inches, with a border of one half inch on all sides except the binding edge, which shall be one inch. If more than one sheet is required, each shall be indexed to a key map, which shall be placed on each sheet.
2. Waterproof black ink shall be used for all line work, lettering, records, data, statements and signatures appearing on each map.
3. The map shall be drawn to a scale not more than one hundred (100) feet to the inch.

C. Information to be Shown on Map

The Final Plat Map shall include the following information:

1. Title Block, in lower right hand corner, showing:
 - a. Name of subdivision, ***which shall not duplicate the name of any other subdivision in Marion County.***
 - b. Location by section, range, municipality or township, county and state.

- c. Names and address of owner, subdivider, and surveyor.
 - d. Scale (*written*), and date map was completed.
2. Legal description of land included in Final Plat Map.
3. Two attested witnesses and acknowledgment of owner of the adoption of the plat, and statement dedicating street and other public areas.
4. Certificate of Notary Public.
5. Certificate of surveyor registered in State of Ohio, that survey and plat are accurate, and that all monuments shown on the map actually exist.
6. Certificates of approval of the following, where involved:
 - a. Street, drainage, or other improvement plans and installations, by engineer having jurisdiction.
 - b. Provisions for sanitation, by health office having jurisdiction.
 - c. Conformance with zoning regulations, by official having jurisdiction.
 - d. Acknowledgment by appropriate county or municipal official that bond, certified check, or other documentation to assure improvements has been received, in accordance with **Section 5.12**.
7. Statements of approval of the plat by the planning commission having jurisdiction.
8. Statement of acceptance of streets and public areas by Board of County Commissioners or municipal governing body having jurisdiction.
9. Survey and plat information:
 - a. Tract boundaries with bearings, distances, and acres. Closure shall have a limit of error on one (1) foot to twenty five thousand (25,000) feet.
 - b. A survey reference point approved by the county or municipal engineer. *Also* section, corporation, or township lines transgressing the subdivision or in the immediate vicinity shall be shown by distances and bearings.

- c. Street right-of-way lines, with right-of-way width dimensioned, and street names, which shall not conflict with the names of any existing streets in Marion County.
- d. The *identification of* all areas dedicated for public use, plus any areas reserved for future dedication *or* public acquisition.
- e. The acreage of land dedicated for streets and of areas dedicated or reserved for public use.
- f. The acreage of land dedicated to residential lots.
- g. Location, dimensions, and purpose of all easements.
- h. All lot lines, with accurate distances and bearings. Where distances or bearings within a block are uniform, only those at the end of the block need be dimensioned.
- i. A system of consecutive *lot numbers as assigned by the Marion County Auditor's Office*.
- j. Length of all arcs, tangents and radii, as well as internal angles, points of curvature and tangent bearings and length of curves.
- k. Purpose of all lots or sites not intended for residential use.
- l. *Front yard* setback lines on all lots and sites, with distance to street dimensioned.
- m. Zoning district boundaries transgressing or adjacent to the subdivision.
- n. Location and description of all monuments and bench marks within the subdivision and those outside the subdivision used as reference points.
- o. Location and identification of all adjacent right-of-way, alleys, easements, lots and land parcels, with the names of recorded owners.
- p. *A vicinity sketch showing the design of the proposed subdivision in relation to the existing streets, lots, drainage ways, and developed*

land in the surrounding area.

- q. *North arrow and graphic scale on all plan views.*
10. Protective covenants, if any have been prepared, in form for recording with the plat.

3.0223 Improvement Drawings / Construction Plans

Improvement Drawings shall include the following:

a. **Street Profiles:**

The plan and profile of each proposed street indicating existing and proposed profiles at the horizontal scale of not more than fifty (50) feet to the inch and a vertical scale of not more than five (5) feet to the inch. A north arrow and a graphic and written scale shall be shown on all plan views

b. **Street Cross Sections:**

All materials and methods of construction shall be referenced by item numbers in accordance with the current State of Ohio, Department of Transportation Construction and Materials Specifications.

A cross section of each proposed street, at a scale of five (5) feet to the inch, showing the width, material, and depth of the pavement, the location and width, material, and depth of sidewalks, curbs, and gutters, the location of underground utility lines, right-of-way, and ratio of sloped lines.

c. **Sanitary Sewers and Storm Water Drainage:**

1. Plans and profiles of proposed sewers and storm sewers or other drainage ways, at the horizontal scale of not more than fifty (50) feet to the inch, and a vertical scale of not more than five (5) feet to the inch, with grades, with location of manholes and inlets, and pipe sizes indicated. If a pipe system of storm sewers is not required, the alternate surface drainage system shall be properly illustrated as required by the engineer having jurisdiction.
2. In areas where land in the drainage basin above or below the subdivision is not provided with adequate underground drainage systems, (See Section 5.0222) a contour map of the drainage basin shall be submitted, showing:

- (a) the acreage and calculated storm water runoff passing into the subdivision, as a basis for estimating required capacity of pipes or drainage swales and;
- (b) the proposed means of carrying storm water from the subdivision to the nearest existing storm main or drain (See Section 5.0222).

4. Other Utilities:

Where required, plans of other proposed utilities (See Section 5.05), such as water (with pipe sizes and hydrant locations), electric lines, telecommunications lines, street lighting (when applicable), gas lines, etc. shall be shown.

5. Adjustments:

Adjustments in the improvement drawings shall be made as required by the planning commission or the engineer having jurisdiction.

6. Measurements:

1. All dimensions, alignments, angles, and other measurements are considered as final, and will be checked for accuracy.
2. Plans for all streets shall accurately show all bearings, curve angles, and curve radii.

7. Survey Information:

Contours at not more than five (5) foot intervals where the slope is greater than ten (10) percent and not more than two (2) foot intervals where the slope is ten (10) percent or less. Elevations are to be based on sea level datum. Bench marks used to determine elevations shall be shown.

8. Existing Physical Features Inside the Subdivision and Adjacent to the Boundaries of the Subdivision:

1. Water courses, culverts, bridges and drains.
2. Location and sizes of sewers, water mains and other pipe lines and fire hydrants.

3. Streets, alleys, including name and right-of-way and pavement widths and all easements.
4. Location of other physical features, such as wooded areas, power and telephone lines (both overhead and underground), railroads, fences and buildings.

Blue line or black line prints of each of these drawings shall be submitted. Drawings shall be prepared on *sheets of polyester drafting film or any similar type of reproducible media currently in common use*, with black India ink, on sheets 24 inches by 36 inches with a border one half inch on all sides except the binding edge, which shall be one inch. Each sheet shall have a title, which shall contain the name of the subdivision and the name of the street or road if one is involved. Space shall be provided on the title sheet or on the first sheet of the series for approval of the official engineer or other proper authority. The number of prints to be submitted shall be as set forth in *Appendix I-Table B*.

SECTION 3.03 Procedure for Review and Approval of Final Plan; Recording of Final Plat Map

The procedure for review, approval and recording of the Final Plan shall be in accordance with the *Table 3.0*. The successive steps, together with responsible officials and time limits involved, are set forth hereunder.

3.030 Review by Planning Staff and Other Officials

Where a Final Plan has been received, together with required data and documents, on the day specified in Section *3.0220* for submission, the planning staff shall place the proposal on the agenda for the next planning commission meeting, and proceed with the review of the plat as follows:

1. Refer copies of the plan, together with supporting material, to the county or municipal engineer involved, to health officers, to the zoning commission where involved, and to other officials who may have jurisdiction over the review of certain aspects of the proposed subdivision.
2. Place the proposal on the agenda of the Subdivision Review Committee having jurisdiction at the time of its meeting prior to planning commission review. Secure the recommendation of the Committee regarding the plat. If deemed necessary by the Committee, officials involved in various aspects of the proposed subdivision (see "A" above) may be asked to prepare written reports thereon.
3. Prepare a summary report of the proposed subdivision, including the recommendations of the Subdivision Review Committee, and mail such report to

members of the planning commission no less than five (5) days prior to the meeting at which the plan is to be reviewed. The above described review procedure shall be followed irrespective of the planning commission having jurisdiction.

3.031 Planning Commission Review

The procedure for review will depend on which planning commission has jurisdiction, as set forth in Section **1.02**. As shown on **Table 3.0**, the procedures shall be as follows:

1. Subdivision Located in Unincorporated

The Final Plan, together with the staff report, shall be submitted only to the Regional Planning Commission, which then will proceed with the review and action as set forth hereunder in Section **3.032**.

2. Subdivision Located within a City or Village

The Final Plan, together with the staff report, shall be submitted only to the municipal planning commission having jurisdiction, which then will proceed with review and action as set forth hereunder **in Section 3.032**.

3.032 Planning Commission Action

Within thirty (30) days after submission to the planning staff, the planning commission having jurisdiction shall take action approving or disapproving the Final Plan. In the case of disapproval, reasons therefor shall be given in the minutes of the meeting, with reference to specific requirements of these Regulations which have not been complied with.

3.033 Recording

The subdivider shall record the Final Plat Map in the office of the County Recorder of Deeds within **three hundred sixty-five (365)** days after the date of approval unless the planning commission agrees to an extension of time. If the plat map is not recorded within said time limit, its approval shall be considered void. The number of prints required is set forth in **Appendix I-TABLE B**.

As built improvement / **construction** drawings on **polyester drafting film** shall be filed with the official engineer having jurisdiction upon completion of construction and prior to acceptance by the legislative body having jurisdiction.

SECTION 3.04 ACCEPTANCE OF IMPROVEMENTS

Approval of a plat for recording shall not constitute the acceptance by the public of any street, drainage, water supply or sanitary sewer installation or any other improvement shown on the plat for public ownership and maintenance. Official jurisdiction and procedures of

the acceptance of improvements shall be as follows:

3.040 Jurisdiction of Acceptance

Improvements shall be accepted by the governing body involved. For subdivisions located inside a municipality, the municipal council shall accept improvements. For subdivisions located outside the corporate limits of a municipality, the Board of County Commissioners shall accept the improvements.

3.041 Procedure for Acceptance

3.0410 Official Reports

After completion and final inspection and approval of all improvements, the official engineer having jurisdiction shall make a report thereon to the governing body involved, indicating whether the improvements comply with the requirements of these Regulations. In case of noncompliance, the subdivider shall be so notified, and requested to make further improvements as necessary. In the case of community water supply and / *or a* sewage disposal systems, the report of the official engineer shall be accompanied by a favorable report on such installations by the State Board of Health.

3.0411 Conditions for Acceptance

When a report has been received from the official engineer or other official involved, certifying that the improvements comply with applicable standards, the governing body shall accept such improvements for public maintenance and operation. Such acceptance shall not be given until the developer has signed a contract guaranteeing that, if construction defects occur within a period of one (1) year, said developer will correct such defects to the satisfaction of the official engineer without cost to the municipality or the county.

CHAPTER 4

DESIGN STANDARDS AND REQUIREMENTS

SECTION 4.00 PURPOSE

The purpose of this *Chapter* is to establish basic and minimum design standards which will be required for lots, streets, and other physical elements in subdivisions. The standards specified herein are deemed to be minimum.

SECTION 4.01 REQUIREMENTS

4.010 Conformance With Official Plans

In order to be approved and recorded, all subdivisions shall conform to officially adopted plans, as follows:

- A.** The Comprehensive Plan for Marion County or any community within the county or any element of the Comprehensive Plan which has been completed and adopted.
- B.** Advance Plans for residential neighborhoods or communities, as defined in *Chapter 6* showing a general location of drainage systems, streets and community facilities.

4.011 Suitability of Land

Land should be suited to the purpose for which it is to be subdivided. It shall be the policy of the planning commission to encourage urban development of land which is best suited to such development, as shown on the official Land Use Plan.

The above statement of policy is intended as a guide for a subdivider in the selection of land for urban development.

SECTION 4.02 STREET DESIGN

4.020 General Pattern of Streets

The general pattern of streets in a subdivision shall conform to the following standards and requirements:

4.021 Conformance with General Plans

The pattern of streets shall conform to the official Thoroughfare Plan for the area involved, and shall be properly related to plans for state highways.

4.022 Advance Neighborhood Plans

If the subdivision is located in an area for which an advance plan for a neighborhood has been prepared by the planning commission, the streets shall conform to such plan as nearly as possible. It shall be the responsibility of the planning staff to advise the developer regarding such advance plans during the early stages of subdivision design.

4.023 Classes of Streets

The classes of streets (*as defined in Chapter 6*) which shall be observed in the design of a subdivision are expressway, arterial streets or highways, collectors and minor streets. Design standards for each class of street are set forth in Section **4.03**.

4.024 Street Pattern to Serve Traffic within the Subdivision

- A.** Collector Streets shall be located to serve the major lines of traffic movement in and out of the entire neighborhood, and to provide access to shopping centers, schools and other points requiring vehicular access by many people. Where possible, collector streets should be so located as to avoid the movement of unnecessary traffic entirely through a neighborhood.
- B.** Minor Streets shall be relatively short, and should be so laid out as to discourage through traffic.

4.025 Relation of Street Pattern to Natural Drainage

Wherever possible, streets shall be so located that natural drainage channels follow the street right-of-way, or can be diverted to such right-of-way with a minimum of grading. Exceptions where drainage along private easements will be permitted are set forth in Section 3.612 **4.0702** hereunder.

4.026 Relation of Streets to Topography

Streets shall be logically related to topography so as to result in usable lots and reasonable grades. Lots shall be so graded that they will drain into the required underground or surface drainage system.

Where practical, the graded elevation of the building site shall be at least one (1) foot higher than the existing or proposed street pavement elevation. **However, the one (1) foot building**

elevation requirement may be waived by the staff if there is evidence of adequate natural drainage on the lot.

4.027 Continuity of Streets within the Neighborhood

Where a subdivision comprises part of a total neighborhood, the planning commission may require provision for continuance of streets into adjacent developed or undeveloped portions of the neighborhood.

4.028 Relation of Streets to Major Thoroughfares

Where a subdivision abuts or contains an existing or proposed major thoroughfare, the planning commission may require a marginal access street, double frontage lots with access only to a minor street, or other treatment which will provide protection for abutting properties, reduction of *the* number of intersections and separation of through and local traffic.

SECTION 4.03 SPECIFIC STREET DESIGN STANDARDS AND REQUIREMENTS

Streets in any subdivision shall be designed to comply with the following standards and requirements.

4.030 Right-of-Way Width

The width of the right-of-way on any street shall be as follows:

<u>CLASS OF STREET</u>	<u>TYPE OF DEVELOPMENT</u>	<u>MINIMUM RIGHT-OF-WAY WIDTH IN FEET *</u>
Minor	Single family lots	<i>60'</i>
	Lots for two-family, multi-family, or commercial or industrial purposes	<i>60'</i>
	<i>Mixed development involving single-family, two-family, or multi-family dwellings and so indicated in covenants and deed restrictions</i>	<i>60'</i>
Collector	All Types	<i>60'</i>
Arterial or Expressway	As specified in the Major Thoroughfare Plan or by the Ohio Department of <i>Transportation</i>	

*See *Table 5.1* for a summary of street right-of-way

Where a street is planned as an extension of an existing street having a greater width than specified above, the planning commission may require that the new extension of the street have the same width as that of the existing section.

4.031 Alignment of Streets

4.0310 Center Line Horizontal Curves

Center line horizontal curves shall comply with the standards set forth in Section **5.081**.

4.0311 Angle Turns

Angle turns not complying with the standards of radius of curvature set forth in Section **4.0310** may be permitted on minor streets where such alignment results in more efficient use of the land. Where an angle turn is permitted, there shall be provided on the outside of the turn in alignment an "eyebrow" or "bubble", in the form of a segment of a circle. The radius of such circle may be drawn from a point between the centerline and outside right-of-way line, as may be required to provide for adequate lot width at the street line. The right-of-way line on the inside of the turn (opposite the "eyebrow") shall have a minimum radius of twenty (20) feet. The center lines of street sections on either side of an angle turn shall form an angle of no less than eighty five (85) degrees.

4.0312 Reverse Curves

Reverse curves on all arterial streets and collector streets shall have a minimum tangent between them of one hundred (100) feet.

4.032 Street Intersections

The following standards shall be the minimum for street intersection designs:

4.0320 Number of Approaches

No more than four street legs or approaches to an intersection shall be permitted.

4.0321 Angle of Street Intersections

For a tangent distance of thirty (30) feet on a minor street and one hundred (100) feet on any other street, measured from the intersection of the right-of-way lines, all streets shall intersect at an angle of ninety (90) degrees where practical but in no case shall be less than seventy five (75) degrees.

4.0322 Intersection Offsets

Streets entering opposite sides of another street shall be laid out either directly opposite each other or with a minimum offset of one hundred twenty-five (125) feet between their center lines.

4.0323 Intersection Spacing

All local streets intersecting and entering the same side of arterial street shall be located at least eight hundred (800) feet apart, measured between center lines.

4.0324 Minimum Property Line Radius

The minimum radius at the property line at all intersections shall be twenty (20) feet.

4.033 Cul-de-Sacs

Cul-de-sacs may be permitted only where topography or the shape of the entire tract of land requires them to provide for efficient use of the land. A cul-de-sac shall **not** have a total length **of more than** six hundred (600) feet, and shall have a turn-around at the closed end with a **minimum** right-of-way diameter of one hundred (100) feet.

4.034 Half Street

Half streets shall be prohibited unless it can be established to the satisfaction of the planning commission that, before any lot fronting thereon is sold, built upon or occupied, the entire street will have been dedicated and improved in accordance with standards and requirements set forth in these Regulations. Practical examples of situations under which this condition might occur are as follows:

1. One half of the street already is dedicated and improved, to which it is proposed to add the other half and complete the required improvements.
2. Two adjoining subdivisions are simultaneously or nearly simultaneously in the process of planning and development, and the developers have agreed on the dedication and improvement of a street located on a common boundary line.

Satisfactory proof of compliance with the above-stated requirements shall be in the form of contractual agreements between the two developers, where two are involved, and between each developer involved and the county or municipality, assuring the dedication of the entire street and installation of all improvements. ***Also, there shall be a simultaneous recording of adjoining subdivision plats and simultaneous construction of improvements.***

4.035 Reserve Strips

Reserve strips preventing access to *a* street from *the* adjoining property shall be prohibited.

4.036 Street Names

The names of new streets shall not duplicate existing street names, except where an existing street is extended or where a new street is in alignment with an existing one.

SECTION 4.04 ALLEY DESIGN**4.040 Where Prohibited**

Alleys shall be *prohibited* in single-family and two-family developments.

4.041 Where Required

Alleys may be required by the planning commission in apartment house, business and industrial districts unless definite and assured provisions are made for access to off street parking, loading, and general service areas on each lot.

4.042 Minimum Width

The minimum width of right-of-way of an alley shall be twenty (20) feet.

4.043 Intersections and Alignment

Alley intersections and sharp changes shall be avoided. Where they are necessary, the corners of intersecting alley rights-of-way lines shall be cut off by a line connecting two points at least ten (10) feet back from the point of intersection.

SECTION 4.05 BLOCK REQUIREMENTS

The following standards and requirements shall be observed in the design of blocks:

4.050 General Requirements

The length, width, and shape of blocks shall be determined with due regard for other subdivision design standards and requirements as set forth in this article. The shape of a specific block may not be determined by topography, which determines the alignment of adjoining streets. Its length may be determined by standards of street intersection spacing, as specified in Section **4.0323**. Its width will be determined by the minimum depth of lots for a particular subdivision, as specified in Section **4.0616**.

4.051 Residential Blocks

4.0510 Length of Block

Block length shall not exceed twelve hundred (1200) feet, nor be less than five hundred (500) feet. In case of a block of single lot depth, with lots backing onto a limited access thoroughfare or onto land *which is not likely to become residential*, such block may exceed the above maximum length provided the local street on which such lots face has intersections on its opposite side no more than twelve hundred (1200) feet apart.

4.0511 Width of Block

Blocks shall be two lots in depth except where double frontage lots are required, with access permitted from only one of two abutting streets.

4.0512 Pedestrian Cross Walks

Pedestrian cross walks within blocks shall be prohibited except in cases where topography, site limitations or existing street pattern, result in inadequate pedestrian access to schools, shopping centers, or parks. Where provided, crosswalks shall have a right-of-way width of twelve (12) feet, and a paved walk complying with standards specified in Section **5.0915**.

4.052 Non-Residential Blocks

Blocks intended for non-residential uses shall be of such length, width, and shape as the planning commission finds necessary for the intended use, including adequate provisions for off-street parking, loading, and unloading of truck goods, and limitation and control of vehicular access points to adjoining streets.

SECTION 4.06 LOT DESIGN

The following standards and requirements shall be observed in the design of lots. In addition to these requirements, all lots shall comply with all requirements of the zoning ordinance for the area in which the subdivision is located.

4.060 General Requirements

4.0600 Access from Streets

4.06000 Frontage

All lots shall abut by their full frontage *and width* on a public street.

4.06001 Double Frontage Lots

Double frontage lots shall be prohibited except where required to prevent vehicular access to limited access thoroughfares, or to separate residential areas from adjoining areas of conflicting land use.

4.0601 Lot Lines

Side lot lines shall be approximately perpendicular or radial to the center line of the street. Rear lot lines should consist of straight lines, with a minimum number of deflections throughout the length of the block, in order to facilitate the installation of utility lines.

4.061 Residential Lots

4.0610 Size of Lots

The minimum width and area of residential lots shall be as specified in **Table 4.0** or as specified in the zoning ordinance, whichever is greater.

4.0611 In the case of a subdivision located within a municipality, the minimum lot area and width specified in Column (A) for single-family dwellings need not be greater than that otherwise specified by law.

4.0612 In making a determination regarding the minimum width and area of lots to be occupied by multi-family dwellings, the planning commission shall apply in each instance the applicable accepted standards of open spaces for off-street parking, traffic circulation, fire protection, recreation, utilities, light, air and for avoidance of congestion of the population.

4.0613 Potential Urban Area, as referred to in Column (A), is defined in **Chapter 6**.

4.0614 If, after completion of **a site evaluation**, the County or Municipal Board of Health determines that the lot width and area specified in Columns (B) and (C) (**of Table 4.0**) are not adequate, the Health Board may require additional width or lot area.

If the Health Board determines that a health hazard would result from further division of the land into lots served by septic tanks and wells, regardless of size, the subdivision shall not be approved unless water and sanitary sewer lines are installed.

4.0615 Corner Lots

In general, corner lots should have a greater width than the minimum required for interior

lots, in order to permit any appropriate building setback or orientation on both streets. In any case, the minimum width of a corner lot shall be eighty-five (85) feet, measured at the building line.

4.0616 Shape of Lots

Lots shall be as nearly rectangular as possible, except where irregular shape is dictated by irregular alignment of streets, or by cul-de-sacs. Triangular lots shall be avoided.

Additional lot depth may be required on lots which back onto railroads, major traffic arteries or other conflicting land uses. In no case shall a lot depth in excess of two hundred fifty (250) feet be required.

4.0617 Building Setback Lines

All buildings shall be set back from the front street lot line a minimum distance of thirty (30) feet and from a side street lot line a minimum distance of twenty (20) feet, unless the zoning ordinance requires a greater distance. Where lots front on an existing or proposed arterial street, the Planning Commission may require a greater setback, which shall not be greater than seventy-five (75) feet.

Where a small subdivision has existing buildings on either side along the same street, the building setback line for the new subdivision may be the average of the setback of existing buildings within two hundred (200) feet on either side.

4.062 Non-residential Lots

All non-residential lots shall conform to the zoning ordinance. In the absence of zoning lot area requirements, the planning commission may require additional lot width, area, shape and building setbacks as it finds necessary for the intended use, including adequate provision for offstreet parking, loading and unloading of trucked goods, and limitation and control of vehicular access points to adjoining streets.

SECTION 4.07 STANDARDS FOR EASEMENTS

The following standards and requirements shall be observed in the location and design of easements.

TABLE 4.0

<u>TYPE OF DEVELOPMENT</u>	A		B		C
	<u>WHERE SUBDIVISION HAS PUBLIC OR COMMUNITY SANITARY SEWER AND WATER SUPPLY OR IS LOCATED IN A DESIGNATED POTENTIAL URBAN AREA</u>		<u>SUBDIVISION NOT LOCATED IN A POTENTIAL URBAN AREA</u>		
			<u>HAS EITHER PUBLIC OR COMMUNITY SANITARY SEWER OR WATER SUPPLY AVAILABLE</u>		<u>PUBLIC OR COMMUNITY SANITARY SEWER AND WATER SUPPLY NOT AVAILABLE</u>
Single-Family Dwellings	Minimum Width: 60 Feet Minimum Lot Area: 7,500 sq. ft.		<p><i>With water supply:</i></p> <p><i>Minimum Width: 100 Feet</i> <i>Minimum Lot Area: 43,560 sq. ft.</i></p> <p><i>With public sanitary sewer:</i></p> <p><i>Minimum Width: 80 Feet</i> <i>Minimum Lot Area: 16,000 sq. ft.</i></p>		Minimum Width: 100 Feet Minimum Lot Area: 43,560 sq. ft.
Two-Family Dwellings	Minimum Width: 80 Feet Minimum Lot Area: 10,000 sq. ft.		<p><i>With water supply:</i></p> <p>Minimum Width: 100 Feet Minimum Lot Area: 43,560 sq. ft.</p> <p><i>With public sanitary sewer:</i></p> <p><i>Minimum Width: 100 Feet</i> <i>Minimum Lot Area: 25,000 sq. ft.</i></p> <p>Design for occupancy must be approved by Health Department having jurisdiction.</p>		Minimum Width: 100 Feet Minimum Lot Area: 43,560 sq. ft. Design for occupancy must be approved by Health Department having jurisdiction.
Multi-Family Dwellings	To be determined by planning commission having jurisdiction as set forth in Section 4.0612.		Not permitted except where public or community <i>sanitary</i> sewer and water are provided.		

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4.070 Storm Water Easements or Right-of-way

4.0700 Permanent Streams, Water Courses and Trunk Lines

Whenever a subdivision is traversed by a stream, ***county ditch, county tile***, or other permanent water course, or by a trunk sewer main, existing or planned, a drainage ***easement*** shall be provided, having adequate width for workmen and equipment to install, maintain, or repair drainage facilities. The minimum width of such ***easement*** shall ***be***:

- A. A minimum of twenty-five (25) feet from the top of the bank, measured at right angles thereto and on both sides of a stream, waterway, or open ditch.
- B. A minimum of twenty (20) feet centered on the centerline of drainage tiles and sewers.

Such ***easement*** shall be dedicated to the county or the municipality involved.

When in the opinion of the official engineer of record, a deviation from the above-listed easement widths is recommended, the planning commission having jurisdiction may, by a majority of its members, increase or reduce the width of easement specified.

4.0701 Flood Plain Regulations:

- A. The regulatory flood plain and floodway shall be clearly labeled on the Sketch Plan and Final Plat Map.
- B. Subdivision of lands within flood plain areas shall not be approved if the cost of providing adequate flood protection to the public and governmental services would impose an unreasonable economic burden on the local governmental unit.
- C. Restrictive deed covenants shall be filed with the final plat map and shall provide that the flood plain area be left essentially in the same state shown on the plat, establish finished elevations of buildings, structures and private streets and roads, and require that additions or modifications to these facilities will not violate any provisions of other flood plain regulations.
- D. All proposed buildings, structures, and utility facilities shall be prohibited in the floodway.
- E. All proposed buildings, structures, and utility facilities shall be elevated a minimum of one (1) foot above the flood protection elevation or as required by the Marion County Flood Plain Administrator.
- F. Adequate drainage shall be provided so as to prevent a substantial increase in the flood hazard.

4.0702 Surface Drainage Swales Proposed Within or Serving the Subdivision

As set forth in Section **4.025**, streets should be so located as to provide for storm drainage of the subdivision within the street right-of-way. Where this is not reasonably possible, surface drainage swales in private easements may be permitted, with the approval of the official engineer involved. Where approved, such drainage easements shall be located along rear or side lot lines, and shall have a minimum width of ten (10) feet on each side of such lot lines.

4.071 Easements for Other Utilities

For all utility lines serving a subdivision **shall be located in the street right-of-way or easements** as set forth hereunder. Where such **easement** is separate from a street right-of-way, it **shall** be considered as a part of the lot adjoining it in computing the lot area as required in **4.0610**. This easement shall be kept clear of structures, trees or other improvements which would interfere with installation or maintenance of utility lines.

4.0710 Sanitary Sewer, **Storm Drain**, Water, and Gas Lines

The engineer having jurisdiction shall specify the location of the sanitary sewer line, storm drain line, water line, and gas line within the street right-of-way. If this proves to be impractical, **an easement** may be approved along **front, side, or rear lot lines** having a minimum width **as follows**:

- A. Front lot line - minimum easement width of ten (10) feet.
- B. Side or rear lot line - minimum easement width of ten (10) feet on either side of such lot lines.

4.0711 Electric Power, Telephone, and Cable Lines

Wherever it is economically feasible, electric, telephone, and cable lines shall be located along **front, side, or rear lot lines**, and shall be provided for by **an easement** having a minimum width **as follows**:

- A. Front lot line - minimum easement width of ten (10) feet.
- B. Side and Rear lot line - minimum easement width of ten (10) feet on either side of such lot lines

Anchor easements shall be avoided, but where they are necessary they shall be placed along lot lines and shall have a maximum width of four (4) feet along each side if the lot line and have a maximum length of thirty (30) feet.

4.072 Crosswalks

Where permitted, pedestrian crosswalks shall be located in right-of-way as specified in Section 4.0512.

SECTION 4.08 COMMUNITY FACILITIES AND OPEN SPACES

4.080 Establishment of Need

When *a* subdivision proposal is submitted in *a* sketch form, it will be the responsibility of the planning staff to determine whether the land involved contains a site for a future community facility, such as a school, playground, public building, church or shopping center. In making such determination, reference shall be made to adopted elements of the Comprehensive Plan, or plans of public agencies involved.

4.081 Site Reservation and Acquisition

Where it has been determined that a site for a community facility is involved, the planning staff shall so advise the subdivider during the sketch stage of subdivision design.

4.0810 Where the site involved is subject to acquisition by a public agency, such as the Board of Education or Park Board, the planning staff shall advise the appropriate public agency and assist in negotiations. The site may be made available to the public agency by one of the following methods:

- A.** Dedication to public use.
- B.** Reservation of acquisition by the public agency within a period of six (6) months, beginning on the day the Final Plan is approved. Said reservation shall be made in such a manner as to provide for a release of the land to the subdivider in the event the public agency has not entered into a contract to acquire the site or has filed condemnation proceedings within this time limit.

4.0811 Where the site involved is not subject to acquisition by a public agency (Examples: Shopping Center or Church) the planning staff will consult with the developer as to the best location and design with relation to traffic and residential lots.

4.09 PRESERVATION OF EXISTING PHYSICAL ASSETS

Whenever a subdivision contains existing features which will be assets to the community, efforts should be made to preserve them through harmonious design. Examples of such features are woodlands, stream courses, and historic sites and buildings. Such features may be preserved in one of the following ways:

- A.** By dedication for park use if appropriate.

- B. By deeds or covenants running to property owners.
- C. By careful design of streets, leaving wooded areas in lots.

SECTION 4.10 TREES AND OTHER LANDSCAPING

The planting of trees on lots or reserved areas is recommended as a means of enhancing the aesthetic character of the subdivision. No trees or other landscaping materials shall be planted within a street right-of-way or within utility rights-of-way or easements. Plantings near a street right-of-way, should be so located that they will not impair traffic visibility at intersections or conflict with utility facilities within the street right-of-way.

SECTION 4.11 SOIL EROSION REQUIREMENTS

- A. *In the development of a subdivision, the developer shall not cause or allow earth-disturbing activities that can impair a public or private surface ditch, subsurface drainage, stream, river or lake, nor shall sediment be deposited onto an adjoining property. Adequate control of soil erosion and sedimentation, through the use of best management practices with both temporary and permanent measures, shall be used during all phases of clearing, grading, and construction to conserve soil resources and to maintain existing water quality. Sediment control shall follow the standards and specifications in Water Management and Sediment Control for Urbanizing Areas (Soil Conservation Service, USDA, March, 1987, or the most current addition).*
- B. *When a proposed development area consists of five (5) or more acres of earth-disturbing activities, the owner of record shall develop and submit to the Ohio Environmental Protection Agency for review and approval, a soil erosion and sedimentation control plan. Such a plan shall contain sufficient information, drawings and notes to describe how soil erosion and off-site sedimentation will be kept to a minimum, both during and after construction.*
- C. *When a proposed development area involves less than five acres, it is not necessary to submit a soil erosion and sedimentation control plan; however, the developer shall comply with the requirements of Section 4.11 (A). Upon request, submittal of specific soil erosion and sedimentation prevention measures to be or being implemented may be required to determine compliance.*
- D. *Soil erosion and sedimentation control plans shall be certified by a professional engineer registered in the State of Ohio before being submitted to the planning commission for review and approval.*

CHAPTER 5

IMPROVEMENT SPECIFICATIONS

SECTION 5.00 PURPOSE

The general purpose of this Article *Chapter* is to assure that each subdivision will have the improvements necessary for a good neighborhood, stable property values, and minimum maintenance costs. Specific purposes are set forth at the beginning of each chapter *section* hereunder:

SECTION 5.01 OFFICIAL JURISDICTION

The purpose of this *Section* is to set forth the jurisdiction and responsibilities of public officials for review and approval of construction plans, for inspection of installation and for acceptance of completed improvements in the several parts of the county.

5.010 Approval of Plans and Inspection

Within the general framework of jurisdiction set forth in Section *1.02* specific jurisdiction and responsibility shall be as set forth in the accompanying *Table 5.0*.

5.011 Inspection Procedures

Each phase of construction work shall be inspected and approved by the official engineer or other official as designated in *Table 5.0* before the work is continued. No street or sidewalk sub grade, pavement course, trench, pipe or other installation shall be covered before it has been inspected and approved. The subdivider shall inform the inspector's office that the work is ready for inspection no less than twenty-four (24) hours in advance of the time he expects it to be obscured by further work.

5.012 Acceptance of Improvements

Jurisdiction over acceptance of improvements shall be as set forth in Section *3.04*.

SECTION 5.02 IMPROVEMENTS REQUIRED OF SUBDIVIDER

The purpose of this *Section* is to set forth *the* kinds of improvements which the subdivider will be required to install.

TABLE 5.0

TYPE OF IMPROVEMENT	OFFICIAL JURISDICTION (Involving Approval of Construction Plans, Tests, and Inspection of Installation)		
	Within a Municipality	Unincorporated Area	
Street Improvements (Grading, Paving, Sidewalks, Bridges)	Municipal Engineer		County Engineer
Drainage Facilities	Municipal Engineer		County Engineer
Water Supply:			
Public System*	State of Ohio, Environmental Protection Agency (EPA)		State of Ohio, Environmental Protection Agency (EPA)
Community System	State of Ohio, Environmental Protection Agency (EPA)		State of Ohio, Environmental Protection Agency (EPA)
Private Wells	Municipal Board of Health		County Board of Health
Sanitary Sewage:			
Public System	Municipal Engineer		State of Ohio, Environmental Protection Agency (EPA) and County Sanitary Engineer
Community System	Municipal Engineer		State of Ohio, Environmental Protection Agency (EPA) and County Sanitary Engineer
Home Sewage Systems for 1-, 2-, or 3-Family Dwellings	Municipal Board of Health		County Board of Health
Street Signs and Monuments	Municipal Engineer		County Engineer

* In the case of a community or public water system, the appropriate regulated water utility will be involved in design and

installation. For gas, electric power, telephone lines, and cable lines, the appropriate utility company will be involved.

5.020 Pavements, Curbs, and Gutters

The subdivider shall be required to install improvements as set forth hereunder:

5.0200 New Streets

All new streets shall be constructed to the full width of the right-of-way. Pavement shall be installed to a minimum width as specified in Section **5.081** provided that, in the case of a street shown as an Arterial Street in the Thoroughfare Plan, such requirements shall be modified as follows:

- A.** The subdivider shall not be required to pave any such arterial street to a width greater than eighteen (18) feet from the centerline, or its equivalent in the case of a divided pavement. In the case of a subdivision having lots fronting on both sides of an arterial street, the subdivider shall be responsible for thirty-six (36) feet of pavement width, as its equivalent.
- B.** The subdivider may enter into a contract with the county or municipal government to pay into the county or municipal treasury an amount equal to the cost of the construction as specified hereinbefore in this Section, which amount shall then be used by the county or municipality in construction of the entire pavement.
- C.** If the planning commission has approved a street and lot arrangement in which all lots back on to an arterial street, the above requirements for paving by the subdivider shall not apply.

5.0201 Existing Streets

When land is being subdivided along an existing street, the county or municipality may require the pavement to be widened. However, the maximum required width of a pavement need not exceed eighteen (18) feet measured from the centerline to the edge of pavement or back of the curb, whichever is applicable. In the case of a subdivision having lots fronting on both sides of an existing street, the subdivider shall be responsible for a maximum of thirty-six (36) feet of pavement width.

5.0202 Dead End Streets

Where streets are extended to the boundary of the subdivision to provide accessibility to the future development in adjacent land, the developer must provide a temporary turn-around, complying with the specifications set forth in **Appendix IV-A**. Such a turn-around shall not be required where the dead-end street is one lot depth or less.

At the end of a dead-end street required for future extension onto adjoining property, a temporary turn-around shall be required, meeting the specifications of the official engineer having jurisdiction.

5.0203 Curbs and Gutters

The official engineer having jurisdiction shall specify the type of curb required:

REQUIRED CURB TYPE	SUBDIVISION	
	MARION CITY	MARION COUNTY
Ohio Department of Transportation Type 2 Curb	X	X
Ohio Department of Transportation Type 6 Curb	X	

Curbs complying with the specifications set forth in Section **5.0914** shall be installed in all subdivisions within **the City of Marion and within** one and one-half (1 1/2) miles of the corporate limits of the City of Marion, Ohio.

- A.** The lots in the subdivision and in the adjoining development areas have an average area of less than fifteen thousand three hundred (15,300) square feet and an average width of less than ninety (90) feet.
- B.** Streets in **an** adjoining developed subdivision have curbs.
- C.** The development is **for** two-family or multi-family dwellings.
- D.** If the engineer having jurisdiction should determine, for topography or drainage requirements, curbs are required.

If any part of a subdivision or proposed subdivision is within **one** and one-half (1 1/2) **miles** of the City of Marion, Ohio, then the whole subdivision or proposed subdivision shall be considered to be within **one** and one-half (1 1/2) **miles** of the City of Marion, Ohio in terms of the above design standards.

5.021 Sidewalks

Sidewalks complying with specifications set forth in Section 5.0915 shall be installed in all subdivisions.

Sidewalk curb ramps for the handicapped shall be provided. All sidewalk curb ramps shall comply with the State of Ohio, Department of Transportation Construction and Materials Specifications, current edition, and standard construction drawings. The official engineer having jurisdiction shall specify the type of sidewalk curb ramp required.

5.022 Storm Water Drainage Facilities

The subdivider shall be required to install drainage facilities complying with specifications set forth in Section 5.10 and under the conditions set forth hereunder:

No road ditch may be used for storm water discharge from residential, commercial, or industrial development unless permission is obtained from the state, county, city, or township.

5.0220 Approval of Official Engineer

Before any subdivision is approved for recording, it must have a certification from the official engineer having jurisdiction that the improvement plans for storm drainage are adequate.

5.0221 Protection of Drainage Courses

Provisions shall be made by the subdivider to assure that all water courses in the form of permanent or intermittent streams, creeks, ditches, agricultural drain tile, or any other type of underground drainage or sewer line, or small gullies carrying storm surface water run-off, shall continue to function in their normal manner. If the development of the subdivision requires changes in such drainage courses, plans for such changes shall be approved by the official engineer having jurisdiction before the ***Final Plan*** is approved.

Any agricultural drain tile or other type of underground sewer line which is cut off, broken or otherwise damaged shall be repaired unless it is replaced by another drainage facility which serves the purpose of the original line.

Easements for such drainage courses, existing, or as revised, shall be as set forth in Section 4.070.

A professional engineer shall provide storm water drainage calculations for all major subdivisions involving five (5) or more lots.

The storm water discharge rate from major subdivisions (or improved land) shall be equal to or less than the pre-development storm water discharge rate unless the developer can show the natural feature will not be negatively impacted by the proposed storm water discharge rate.

5.0222 Provision for Drainage in Larger Drainage Basin

If the subdivision is located in a larger drainage basin, the drainage facilities installed shall be adequate to serve the calculated drainage requirements of the entire basin, as set forth hereunder:

1. Storm water flowing into the subdivision from the upper side

Pipe sizes or drainage swales, where approved, shall be adequate to serve the entire drainage basin.

2. Discharge of storm water from the subdivision

Where necessary, closed sewers or outlet ditches shall be provided, connecting the drainage system of the subdivision with the nearest storm sewer main or drainage course. If the same is across private property, an easement(s) shall be obtained by the subdivider. Such easement(s) shall be shown on the *final plat*.

If the subdivider is unable to acquire the necessary easement(s), the Board of County Commissioners or the municipal council involved may declare such easement(s) to be a public necessity and acquire it by eminent domain.

If it is found by the County Board of Commissioners or the municipal council involved that the cost of a complete drainage system, including the cost of easement(s), as set forth herein in Section 5.0222 would be substantially higher than equitable can be required of the subdivider, provision may be made for sharing of such cost.

5.0223 Capacity of Drainage Facilities

Storm drainage facilities shall be designed, following the rational method, for the following frequencies:

Trunks or mains: Ten year storm

Laterals or branches: Five year storm

5.0224 Types of Drainage Facilities Required

5.02240 Where an Existing Drainage System Is Available

See *Chapter 6* for a definition of *an* "Available Utility Line".

Where an existing drainage system is available, the subdivider shall design and install a drainage system connecting with it. Storm drainage lines and sanitary sewer lines shall not be allowed to interconnect.

5.02241 Where an Existing Drainage System Is Not Available

Where an existing drainage system is not available, drainage facilities shall be required as follows:

1. In a Potential Urban Area, as defined in Chapter 6, the installation of an underground system shall be required, complying with specifications set forth in Section 5.10.
2. Outside a Potential Urban Area, a drainage system of open swales or ditches may be permitted, provided all other requirements of this Section relating to drainage are met.

SECTION 5.03 WATER SUPPLY

The subdivider shall be required to install facilities meeting the specifications of Section 5.11 under conditions as set forth hereunder:

5.030 If Water Supply is Available

See *Chapter 6* for a definition of *an* "Available Utility Line".

In the event that public or community water supply can be made available to the subdivision by extension of existing water mains, the subdivider shall install a system or systems serving the subdivision as specified in Section 5.11 and shall connect such system to existing water mains.

The community or public water supply system shall comply with the requirements of the State of *Ohio, Environmental Protection Agency* and local Health Department having jurisdiction.

If the subdivision is in an area which will be served by a community or public water system

which is in the final planning stage, but not yet built, the underground pipe lines of the system shall be so installed that they can be connected with the community or public system when completed.

Where a community or public water system is required in an area where other urban development exists, the board of County Commissioners or City Council involved may take action to provide for a sharing of costs.

5.031 If a Community or Public Water Supply is Not Available -Individual *Water* Wells

In the event that a community or public water supply is not available the requirements for individual well shall be as follows:

5.0310 In a Potential Urban Area for Water

See Chapter 6 for *a* definition of *an* "Available Utility Line".

Upon application from the subdivider, individual wells shall be permitted providing the following conditions are met:

1. A statement shall be obtained from the Division of Water, Ohio Department of Natural Resources, that the underground aquifer will provide adequate supply of potable water for the domestic needs of the proposed subdivision.
2. The construction of individual wells shall conform to *the current* regulations of the Health Department having jurisdiction *and/or the Ohio EPA*.

Shared water wells may be permitted provided the Health Department having jurisdiction approves the wells. A shared water well written notation must be placed on the major subdivision plat and/or individual deed (deed for a lot in a platted subdivision or deed for a minor land division) indicating maintenance responsibilities among the various users.

5.0311 Outside a Potential Urban Area

The provision of water supply by individual wells may be approved, provided that all the requirement of Section **4.0610 and 3.02241** are complied with as to minimum size of lots, test wells, and approved by the County or City Board of Health the following conditions are met:

1. All the requirements of Section 4.0610 are complied with as to minimum size of lots.
2. The construction of individual wells shall conform to the current regulations of the Health Department having jurisdiction and/or the State of Ohio, Environmental

Protection Agency.

Shared water wells may be permitted provided the Health Department having jurisdiction approves the wells. A shared water well written notation must be placed on the major subdivision plat and/or individual deed (deed for a lot in a platted subdivision or deed for a minor land division) indicating maintenance responsibilities among the various users.

5.0312 Fire Hydrants

Unless this requirement is waived by the planning commission because of the lack of adequate water pressure and/or supply, or waived based on the written recommendation of the fire district and/or township having jurisdiction, the subdivider shall provide, install, or pay for the installation of fire hydrants in the subdivision. The fire hydrant specifications, including quantities and location shall be as specified by the planning commission. The planning commission, in making its decision, may first request the subdivider receive a recommendation regarding fire hydrant specifications, including quantities and location from the water company and the district fire chief(s) in which the subdivision is located.

SECTION 5.04 SANITARY SEWERS

The subdivider shall be required to install sanitary sewer facilities meeting the specifications of Section **5.11** under conditions as set forth hereunder:

5.040 If Sanitary Sewers Are Available

See **Chapter 6** for a definition of *an* "Available Utility Lines".

In the event that public sanitary sewers can be made available to the subdivision by extension of existing mains, the subdivider shall install a sanitary sewer system as specified in Section **5.11** and shall connect such a system with existing mains.

5.041 If Sanitary Sewers are Not Available

In the event that public sanitary sewers are not available, the requirement for sewers shall depend on the location of the subdivision as follows:

5.0410 In a Potential Urban Area

In a Potential Urban Area as defined in **Chapter 6**, any new subdivision shall be provided with a community waste water disposal system. The **State of Ohio, Environmental Protection Agency** shall be contacted relative to the location and general design criteria of any proposed community waste water disposal system.

If the subdivision is in an area which will be served by a public sewer system which is in the final planning stage but not yet built, the underground lines of the community waste water disposal system shall be so installed that they can be connected with the public system when it is completed.

When a community waste water disposal system is required in an area where other urban development exists, the Board of County Commissioners or City Council involved may take action to provide for a sharing of costs. The Marion County Sanitary Engineering Department *shall* require *the Final Plat* for the subdivision *to* show that sufficient suitable land will be deeded to the county upon recording of the plat to accommodate a future area wide waste water program.

5.0411 Outside a Potential Urban Area

The provision of a sewage disposal by septic tanks may be approved provided *the following conditions are met:*

1. The requirements of Section **4.0610** are compiled with as to minimum size of lots.
2. *The construction of individual sewage disposal systems shall conform to the current regulations of the Health Department having jurisdiction and/or the State of Ohio, Environmental Protection Agency.*

SECTION 5.05 OTHER UTILITIES

5.050 Electric Power, Gas, Cable, and Telecommunication Systems

In every subdivision, provision shall be made for satisfactory electric power, *gas, cable*, and telephone *telecommunication* systems. Whenever *practical*, efforts *shall* be made to place the necessary *utilities* underground. *All required utilities shall be placed in street rights-of-way or in easements as specified in Section 4.0711. Facilities shall be constructed consistent with accepted industry practices and materials.*

SECTION 5.06 STREET NAME SIGNS

Street name signs shall be installed at each street intersection in accordance with specifications prescribed by the official engineer having jurisdiction.

SECTION 5.07 PERMANENT MONUMENTS

Permanent monuments of stone, concrete, *or solid iron pins* complying with specifications of the official engineer having jurisdiction, shall be placed in the manner set forth in Chapter 711 Revised Code of Ohio.

Iron pin monuments, complying with specifications of the official engineer, shall be placed at all lot corners *in a manner set forth in O.R.C. 4733*. The pins shall be in place after all grading and sidewalk construction has been completed.

SECTION 5.08 IMPROVEMENT STANDARDS AND SPECIFICATIONS

The purpose of this *Section* is to establish the minimum standards and specifications to which the subdivider must conform in the design and construction of the several kinds of improvements for which he is responsible, as set forth in *Section 5.02*.

5.080 General Grading Requirements

5.0800 Within Street Right-of-Way

The entire street right-of-way shall be excavated and graded in the manner set forth in Section

5.090.

5.0801 Offstreet Grading

Where the land in lots adjoining a street is lower than the gutter level in the street, such land shall be filled to a level which will provide for drainage of storm water into the gutters, unless an alternative drainage system for lots has been approved. In such filling, care should be taken to preserve existing trees which have permanent value.

5.081 *Street Right-of-way* and Pavement Design Standards

Pavements shall be constructed to comply with the following standards:

General Design Standards

5.0810 *The Width of Street Right-of-way and Pavement*

The width of *street* pavement shall comply with the standards set forth in Table *5.1*.

5.0811 *Street Maximum Grade, Alignment, and Vertical Visibility*

The maximum grade, alignment, and vertical visibility on *street* pavements shall comply with the standards set forth in Table *5.2*

5.082 *Intersection Standards*

All curbs or pavement lines at right angle intersections shall have a minimum radius of twenty (20) feet except intersections involving arterial and collector streets, for which the official engineer shall specify the radius. At intersections where the angle is other than ninety (90) degrees, the official engineer shall specify the curb radius.

Pavement grades shall not exceed three (3) percent for a distance of one hundred (100) feet from the nearest right-of-way line of the intersection.

5.083 Cul-de-sac Standards

Where a cul-de-sac is permitted, it shall be designed in accordance with the standard design shown in *Appendix IV-B*.

5.084 Standards for Angle Turns

Where an angle turn is permitted in the alignment of a minor street, as provided for in Section *4.0311*, the pavement design at such turn shall be as follows:

- A.* At the inside of the angle turn, the curb or pavement edge shall have a minimum radius of twenty (20) feet.
- B.* At the outside of the angle turn, a paved area (*eyebrow or bubble*) shall be provided having a minimum radius of fifty (50) feet.

SECTION 5.09 SPECIFICATIONS FOR STREET MATERIALS AND CONSTRUCTION

Construction within the street right-of-way shall be done in accordance with the following specifications:

5.090 Grading and Preparation of Right-of-way

All work in the grading and preparation of right-of-way shall be done in accordance with the *State of Ohio, Department of Transportation Construction and Materials Specifications, current edition*. The right-of-way shall be cleared and graded to its full width, whether or not sidewalks are to be constructed or not.

TABLE 5.1

CLASS OF STREET	MINIMUM WIDTH <i>OF STREET RIGHT-OF-WAY AND PAVEMENT</i> IN FEET			
	A	B	C	D
	With Curb		Without Curb	
	Right-of-Way	Pavement Width (1)	Right-of-Way	Pavement Width
Alleys	20	18	20	18
Minor Streets:				
Single-Family Lots	60	28	60	24 Can be reduced to 20 if located one and one half (1 1/2) or more miles from the Marion City corporation limits
All Other Types of Development (2)	60	36	Curb Required	Curb Required
Collector Streets	60	36	60	34
Arterial Streets and Expressways	As specified in the Major Thoroughfare Plan or by The Ohio Department of Transportation			

- (1) Pavement width dimensions are measured from curb face to curb face.
- (2) In a subdivision specifically planned for mixed development by single-family and two-family or multi-family dwellings, and so indicated in covenants and deed restrictions, the thirty-six (36) foot pavement width required herein may be reduced to twenty-eight (28) feet unless the population density within two (2) opposite block fronts within a single block of street length exceeds seven (7) families per net acre of land.
- (3) If any part of a subdivision or proposed subdivision is *located* within **one** and a half (1 1/2) *miles* of the **corporation limits** of Marion City, then the whole subdivision or proposed subdivision shall be considered to be *located* within **one** and a half (1 1/2) *miles* of the **corporation limits** of Marion City in terms of the above standards.

TABLE 5.2

CLASS OF STREET	A	B	C	D
	PERCENT OF MAXIMUM GRADE (1)	ALIGNMENT		VERTICAL VISIBILITY IN FEET (3)
		MAXIMUM DEGREE OF CURVATURE	MINIMUM RADIUS OF CURVATURE IN FEET (2)	
Alleys	10		100	
Minor Streets	6	22	150 (4)	240
Collector Streets	6	18	500	240
Arterial Streets and Expressways	As specified in <i>the</i> Major Thoroughfare Plan or by the Ohio Department of <i>Transportation</i>			

- (1) Minimum allowable street grade is **0.40** percent.
- (2) Radius of curvature is measured to centerline of street.
- (3) Dimensions for distance of vertical visibility shall be measured from a point **3.5** feet above the street surface on one side (*height of eye of automobile operator*) of the vertical curve to a point **six (6)** inches above the street surface on the other side (*height of object*).
- (4) In case of a minor street, angle turns may be permitted, as provided for in Section **4.0311**. For such turns, the minimum pavement radius shall be observed as set forth in Section 5.084.

5.091 Paving

Pavement *of* any minor or collector street may be of either type given hereunder, and shall comply with the specifications set forth. Where the subdivider constructs *an* arterial street, the specifications of the *State of Ohio, Department of Transportation* shall be complied with.

5.0910 Concrete Street Paving

Concrete pavements shall have a minimum depth of *eight (8) inches*, all work shall be done in accordance with and all materials shall meet the *State of Ohio, Department of Transportation Construction and Materials Specifications, current edition*, for Portland Cement Concrete Pavement, item 452, or Reinforced Concrete Pavement, item 451.

5.0911 Bituminous Concrete Surface on *Aggregate* Base

The minimum pavement depth shall not be less than the equivalent two 5 inch courses of 304 Aggregate Base, *an intermediate course of 1 1/4 inches of 403 asphaltic concrete*, and a surface *course* of 1 1/4 inches of 404 Asphaltic Concrete. All work shall be done in accordance with and all materials shall meet the *State of Ohio, Department of Transportation Construction and Materials Specifications, current edition*, for: 411 Stabilized Crushed Aggregate Shoulders, 304 Aggregate Base, 301 Bituminous Aggregate Base, 408 Bituminous Prime Coat and 402, 403, 404, and 412 Asphalt Concrete, **203 Subgrade Compaction, and 203 Roadway Excavation and Embankment (See Street Cross Section in Appendix IV)**

5.0912 Pavement Crown

Pavements shall be sloped at the rate of 3/16 inch per foot from the centerline to the edge.

5.0913 Pavement Material Testing

All paving materials shall be tested at the developer's or contractor's expense. Samples shall be taken and tested from the material source, or material producer, prior to construction. During construction, samples of materials being used shall be taken and tested at every third station of each pavement lane and at such other locations as the governing engineer may request. All testing shall be done by an approved testing laboratory and in accordance with current Ohio Department of *Transportation* testing practices for material approval for highways. Three (3) copies of the laboratory report for each sample shall be submitted to the governing engineer.

5.0914 Curbs

Where curbs are required, they shall be designed and constructed in accordance with *the State of Ohio, Department of Transportation Construction and Materials Specifications, current edition, for concrete curbs (Type 6) and combined curb and gutter (Type 2) (See standard drawings in Appendix IV-I and -J).*

5.0915 Sidewalks

Where required, either in the street right-of-way or in pedestrian walk-ways, sidewalks shall meet the following requirements:

5.09150 Location

When located in the street right-of-way, sidewalks shall be located twelve (12) inches from the *front* property line.

5.09151 Width

The minimum width of sidewalks in a single-family residential district shall be four (4) feet. The Board of County Commissioners or the municipal council involved may require a greater width under the following conditions of development:

- A. High density residential, commercial, or industrial districts.
- B. In front of schools, shopping centers, churches or other developments which generate pedestrian traffic.

5.09152 Materials and Construction

All sidewalks shall be constructed of Portland Cement Concrete and shall be designed and placed in accordance with item 608 of the *State of Ohio, Department of Transportation Construction and Materials Specifications, current edition*, and current Marion City and Marion County standards and specifications (*See Street Cross Section in Appendix IV*).

5.10 SPECIFICATIONS FOR DRAINAGE FACILITIES: MATERIALS AND CONSTRUCTION

The location, materials, and construction of drainage facilities shall be done in accordance with the following specifications:

5.100 Underground Systems

Where an underground drainage system is required, as set forth in Sections **5.02240** and **5.02241** (A), it shall be done in accordance with the following specifications:

5.1001 Location

The requirements set forth in Section **4.071** shall be observed in the location of underground drainage lines. Pipe lines within a street right-of-way shall be located in accordance with the **Street** Cross Section shown in **Appendix IV**.

5.1002 Pipe

Drainage pipe installation shall meet the following specifications:

1. Minimum pipe size shall be twelve (12) inches. Pipe sizes throughout the drainage system shall have the total storm runoff capacity as set forth in Section **5.0222** and **5.0223**.
2. Using an "n" factor of 0.013, the following grades of pipe line shall be considered minimum:

PIPE SIZE IN INCHES	PERCENT OF MINIMUM GRADE
12	0.22
15	0.15
18	0.12
21	0.10
24	0.08

For sizes larger than 24 inch and where an "n" factor other than 0.013 is used, the minimum grade shall be considered as that which produces a full flow velocity of not less than 2 feet per second.

3. Type

Vitrified Sewer Pipe and Concrete Pipe

Vitrified sewer pipe and concrete pipe **may be used upon the approval of the official engineer having jurisdiction**. **Vitrified sewer pipe and concrete pipe** shall be laid with tight bituminous mastic joints. All concrete pipe shall be reinforced meeting the **State of Ohio, Department of Transportation Construction and Materials Specifications, current edition**.

Aluminum or Galvanized Steel *Annular* Corrugated Metal Pipe

Aluminum or galvanized steel **annular** corrugated metal pipe with tight joints may be used upon the approval **of** the official engineer **having jurisdiction**. The gauge of metal pipe used shall be determined by the design engineer after proper consideration has been given to loads, cover, and soil conditions. An "n" factor of 0.021 shall be used in all hydraulic calculations where aluminum, or galvanized **steel annular corrugated metal** pipe is proposed.

Corrugated Polyethylene Pipe

Corrugated polyethylene pipe with smooth interior conforming to ASSHTO M-294 may be used upon the approval of the official engineer having jurisdiction.

- 4. Trenches for storm sewers shall be excavated and back filled as set forth in the specifications **of the official engineer having jurisdiction**.

5.1003 Manholes

- 1. Manholes, or inlets serving as manholes, shall be spaced at intervals of 400 feet or less for pipe 24 inches or less in diameter, and at all grade, alignment, and pipe size changes.
- 2. Manholes shall be constructed of clay brick, concrete brick, or **pre-cast concrete with** pre-cast concrete rings and domes. All work and material shall be in accordance with item 604 of the **State of Ohio, Department of Transportation Construction and Materials Specifications, current edition, and standard construction drawings**.

5.1004 Inlets

- A. Inlets shall be constructed in accordance with item 604 of the **State of Ohio, Department of Transportation Construction and Materials Specifications, current edition, and standard construction drawings**.
- B. Inlets shall be designed to accept not less than 1.5 cubic feet of storm water per second.
- C. Inlet time shall be computed by the design engineer. However, the minimum inlet time shall be as follows:

Distance of Travel to Inlet	Inlet Time
--	-------------------

in Feet	In Minutes
100	12
200	16
300	20

5.101 Surface Drainage Systems

Where a surface drainage system is permitted, as set forth in Section **5.02241** (B), it shall be constructed to comply with the following specifications:

5.1010 Location

Surface drainage swales and ditches shall be located in accordance with standards set forth in Section **4.0702**.

5.1011 Capacity and Design

All drainage swales and ditches shall be so designed and constructed, that the entire system of the subdivision will have the storm water capacity as set forth in Sections **5.0222** and **5.0223**. Capacity should be designed by the rational method. The "n" factor should be 0.030. The cross section of each swale shall be in accordance with typical cross ***submitted with the drainage and street improvement plans.***

5.1012 Sub Drains

Where curbs are not required, a sub drain shall be laid on each side of the pavement parallel to the centerline. Extra strength Clay Drain Pipe or Concrete Drain Pipe with butt joints shall be used. ***The minimum pipe size shall be 8 inches. The minimum drop inlet size shall be 8 inches. A minimum of one drop inlet shall be located on each lot at the upstream side of each driveway.*** No building downspouts shall be connected to the sub drain system. ***Also, O.D.O.T. 2-2-B catch basins shall be installed at all changes in horizontal alignment.***

5.1013 Driveway Culverts

Culverts shall be installed under every driveway. When the cover is less than 24 inches, a ***galvanized*** corrugated metal pipe culvert with ***annular rings*** a minimum diameter of 8 inches and a minimum length of **30** feet, shall be installed. When the cover is in excess of 24 inches, pipe meeting the specifications for sub drains, Section **5.1012**, may be used.

5.102 Bridges and Culverts

Bridges and culverts shall be designed to *accommodate legal highway* loads, and shall conform to specifications of the *State of Ohio*, Department of *Transportation*. Bridges shall *at a minimum* be constructed to the full width of the pavement and culverts shall be constructed to the full width of the right-of-way, or to the width specified by the official engineer having jurisdiction.

SECTION 5.11 SPECIFICATIONS FOR WATER SUPPLY AND SANITARY SEWER SYSTEMS

5.110 General

All public and community water supply and sanitary systems shall comply with the requirements of the *State of Ohio*, *Environmental Protect Agency* Department of Health, as well as the requirements of Marion County or the municipality involved. In subdivisions where water is to be supplied by *a regulated public water utility*, its specifications shall be observed.

5.111 Location of Pipe Lines

As to general location of pipe lines, the requirements set forth in Section **4.0710** shall be observed. Where a pipe line is located within the street right-of-way, it shall be located in accordance with typical *street* cross section shown in *Appendix IV*. For sanitary sewers, lateral connections shall be provided to each lot.

5.112 Design Requirements

The size of pipe, materials, grades and methods of installation shall be in accordance with specifications of *the official engineer having jurisdiction*.

SECTION 5.12 IMPROVEMENTS ASSURANCE

The purpose of this Section is to assure that the provisions of Section **1.081** are complied with, through advance installation of all required improvements or by provision of adequate assurance therefor. The methods by which the subdivider may provide such assurance are set forth hereunder in Section **5.121**.

SECTION 5.120 Advance Construction

The required improvements may be installed prior to approval of the Final *Plan* provided that all the requirements of these Regulations are complied with.

SECTION 5.121 Construction after Approval of Final Plan

In lieu of advance construction as set forth in **Section 5.120** , the subdivider may provide assurance of construction of improvements, as follows:

5.1210 Contract

In all cases where improvements are not installed in advance of filing of the Final **Plat**, the subdivider shall enter into a contract with the County or the municipality involved, specifying the method or methods of assurance to be provided and the terms under which the work will be completed, containing provisions with respect to the following matters:

5.12100 Responsibility

The subdivider, his heirs, successors or agents shall have the sole obligation to complete the work.

5.12101 Time Limit

Time limit for completion of work shall be no more than two (2) years. At the termination of this period, the county or municipality involved shall be authorized by the contract to secure the completion of improvements without cost to the county or municipality involved, using therefor such part of the security posted as necessary.

5.12102 Release of Bond *or* Funds

At various times during the course of construction, as agreed upon by the subdivider and the county or municipality involved, the amount or value of the security post may be reduced by change or withdrawal, provided that the total remaining amount or value shall be adequate to pay for the estimated costs of uncompleted improvements, as determined by the official engineer having jurisdiction.

5.122 Methods of Assurance

Any one or a combination of the types of assurance set forth hereunder shall be executed and filed with the official engineer having jurisdiction concurrently with the application to the planning commission for approval of the Final Plan . The amount or value of such assurance shall be equal to the total cost of the improvements as estimated by the official engineer having jurisdiction.

5.1220 Certified Check

A certified check may be submitted, and in such case it shall be deposited with the County

Treasurer or the Treasurer of the municipality involved.

5.1221 Performance Bond

A performance bond may be submitted in any of the following forms:

- A. The guarantee of a responsible surety company.
- B. The posting of real estate or personal property, not otherwise encumbered. If real estate is posted as bond it may include lots in the proposed subdivision.

5.123 Certificate of a Financial Institution

A statement may be submitted in the form of a certification by a solvent bank or other financial institution that funds in the amount of the bond requirement have been committed to the installation of the required improvements, and that such funds will not be disbursed by said bank or financial institution without prior approval of the official engineer having jurisdiction. Such approval shall constitute a release of funds, as set forth in Section **5.12102**.

5.124 Extension of Utility Lines

If any municipal utility lines are extended to serve a subdivision in an unincorporated area, the bond, certified check, or other assurance documents for such utility lines shall be held by the municipality involved, and inspection of installation shall be subject to the approval of the official engineer of such municipality.

CHAPTER 6

DEFINITIONS

6.00 General

For the purpose of these Regulations, words used in the present tense include the future tense. All words in the plural number include the singular and vice versa, unless the natural construction of the sentence indicates otherwise. The word "may" is permissive, while "shall" is mandatory.

6.01 Definition of Terms

The following words and terms, when used in these regulations, shall have the meaning herein indicated.

Alley

A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

Angle Turn

A turn in the direction of alignment of a street, between intersections, which does not comply with the radius or angle of curvature otherwise required.

Available Utility Line:

- A. **Available Water or Drainage Line** - A water or drainage line shall be deemed to be available if it is one thousand (1000) feet or less from the nearest point of the subdivision, measured along a public street, public right-of-way, or dedicated easement.
- B. **Available Sanitary Sewer Line** - A sanitary sewer line shall be deemed to be available if it is one thousand (1000) feet or less from the nearest point of the subdivision, measured along a public street, public right-of-way, or dedicated easement.

Block

A parcel of land entirely surrounded by public highways, public streets, railroad right-of-way, parks, streams, lakes, or bodies of water, or a combination of these boundaries.

Block Length

The greatest linear dimension of a block, measured between approximately parallel right-of-way lines at opposite ends of the block. Normally, the length of a block shall be measured between street intersections. In the case of a block of irregular shape, having one or more right angle or nearly right angle turns between intersections, the length shall be the distance between an intersection and the nearest right-angle turn, or the distance between two right angle turns.

Board of County Commissioners

The Marion County Board of Commissioners.

Building Setback Lines

The line within the property defining the required minimum distance between any enclosed structure and the adjacent street right-of-way.

City

A municipality incorporated as a city under Ohio statutes. (Normally, the City of Marion.)

County

Marion County

Community Sewer System

A complete system of underground sanitary sewer pipes and sewage disposal plant which is not connected with a municipal or other public sanitary sewer system, constructed by a subdivider or developer to serve a subdivision.

Community Water System

A complete system comprising a source of water supply, treatment plant (if required) and underground pipes, not connected with a public water system, constructed by a subdivider or developer to serve a subdivision.

Comprehensive Plan

The long range plan for Marion County as adopted and as amended from time to time by the Marion County Regional Planning Commission, or the long range plan for any municipality in Marion County, as adopted and as amended from time to time by the planning commission of the municipality involved. In the absence of a comprehensive plan applying to a particular subdivision, the requirements of conformance shall not apply.

Comprehensive Plan, Elements

Any part of the Comprehensive Plan for the county or any municipality, officially adopted by the planning commission involved, which presents long range plans for the use of land, for any or all methods of transportation, or for any kind of community facilities, including recreation, schools, public buildings and utility systems.

Cross Walk

A dedicated public right-of-way, not a street, which extends through the width of a block, to provide pedestrian access to adjacent areas.

Cul-de-sac

A minor street with one end open for public vehicular and pedestrian access and the other end terminating in vehicular turn around.

Dead-End Street

A street having one end open for public vehicular traffic and having no permanent vehicular turn around at the closed end.

Developer

Any person, partnership, corporation, or duly authorized agent who constructs or contracts to construct improvements on subdivided land. A developer may also be a subdivider as elsewhere defined herein.

Easement

Grant by a property owner of the use, for a specific purpose or purposes, of a strip of land by the general public, corporation, or to a certain person or persons.

Engineer

A person authorized to practice civil engineering in Ohio, by virtue of registration under requirements of Ohio statutes.

Engineer, City

The official engineer of a city in Marion County. (Normally, the Marion City Engineer.)

Engineer, County

The County Engineer of Marion County.

Engineer, Municipal

The official engineer of any city or village in Marion County.

Engineer, Official

The Marion County Engineer or any municipal engineer in Marion County who has jurisdiction in the case of a particular subdivision.

Engineer, Sanitary

The Sanitary Engineer of Marion County.

Families per Net Acre

The number of families which occupy or will occupy a given tract of land per acre, derived

by dividing the number of families by the acres in the tract involved, exclusive *of* streets or other public ways.

Flood Area; Flood Plain

That portion of a river or creek valley adjacent to the channel which is covered with water when the stream overflows its banks at flood stage.

Improvements

Those physical changes in the natural condition of land necessary to produce usable and desirable lots from raw acreage including, but not limited to: grading, paving, curb, gutter, storm sewers and drains, improvements of existing water courses, sidewalks, cross walks street signs, monuments, water supply facilities, and sewage disposal facilities.

Land Use Plan

The element of a Comprehensive Plan, as defined herein, which establishes the policy of the planning commission for the best future use of land within its jurisdiction.

Lot

A tract or parcel of land, fronting on a public street, intended for transfer of ownership, and intended for occupancy by a principal building or group of buildings and accessory buildings, or for occupancy by any other principal use.

Lot Area

The amount of land contained within the *boundary* lines of a lot, including land within easements on the lot. *However*, other right-of-way or tract dedicated for public ownership and use *shall be excluded from the lot area calculation*.

Lot, Corner

A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one-hundred-thirty-five (135) degrees. The point of intersection of the street lines is the "Corner".

Lot, Depth

The average horizontal distance between the front and rear property lines of a lot.

Lot, Double Frontage

A lot which abuts on streets along both front and rear lot lines.

Lot, Frontage

The portion of a lot adjacent to a public street (or a private street approved by the planning commission having jurisdiction). See lot width and Section 4.06000.

Lot, Interior

Any lot which is not a corner lot, as defined herein.

Lot Line, Front

The lot line separating the lot from the right-of-way line of the principal street on which the lot abuts.

Lot Line, Rear

The lot line opposite and most distant from the front lot line.

Lot Line, Side

Any lot line other than a front- or rear-lot line. A side-lot line of a corner lot separating a lot from a street, is called a side-street lot line. A side-lot line separating a lot from another lot is called an interior-lot line.

Lot, Width

The distance, measured along the building setback line, between the two side property lines of a lot.

Neighborhood Plan, Advance

A plan, prepared by the planning staff and approved by the planning commission, showing, in skeleton form, the most desirable system of streets for an entire residential neighborhood, industrial park or major shopping center, taking into account the natural drainage pattern and traffic relationships to thoroughfares and community facilities. In the absence of such a plan applying to a particular subdivision, the planning staff will advise the subdivider on the basis of information available.

Official Map

The map of Marion County or of a municipality in Marion County, showing the streets, highways, parks, and other public areas and sites, adopted and established by law, including additions thereto resulting from legal filing of approved plats.

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.

Pavement

That portion of the street right-of-way surfaced for vehicular use.

Plat, Final

A complete and exact subdivision plan, prepared for official recording as required by statute, to define property rights and proposed street and other improvements.

Plan, Final

When used in the general sense, the term "Final Plan " shall included construction drawings and all other documents set forth in Section 3.022 for submission to the planning commission.

Plan, Sketch

A plan to scale, usually free hand, showing the subdivider's first stage of design study for a subdivision, as described and required in Section **3.021**

Planning Commission

The Marion County Planning Commission or the planning commission of a city or village having legal jurisdiction over the review and approval of a particular subdivision.

Planning Staff

The staff of the Marion County Regional Planning Commission or the staff of a municipal planning commission. In case there is an agreement therefor, the staff of the Regional Planning Commission shall be the staff of the municipal planning commission.

Plat

The map showing the Final **Plat** of a subdivision, officially recorded or approved by the planning commission for recording.

Potential Urban Area

An area having one or more of the characteristics described hereunder:

- A. An area which contains twenty-five (25) lots or more, either proposed or existing and proposed, which lie within the bounds of a circle having a radius of seven hundred (700) feet. In making this determination, the center shall be so located that the circle includes the maximum number of lots, both existing and proposed. Where such location leaves part of the lots in a proposed subdivision outside the circle, all of the lots in said subdivision shall be deemed to be a part of the designated potential urban area.
- B. A one street linear development, either proposed or existing and proposed, where twenty-five (25) lots or more front on one or both sides of the street within a linear distance of twenty five hundred (2500) feet. In making this determination, the aforesaid distance, shall be so measured as to include the maximum number of lots, both existing and proposed. Where such measurement leaves part of the lots in a proposed subdivision outside the measured linear distance, all of the lots in said subdivision shall be deemed to be part of the designated potential urban area.

- C. An area shown on an officially adopted Land Use Plan as subject to urban development. In the case of expected residential use, the area involved shall be considered as a potential urban area if the Land Use Plan shows an expected population of six (6) or more persons per net acre of land.
- D. An area which will be served by a public water and/or sanitary sewer system scheduled for construction within a period of two (2) years.

Potential Urban Area for Water

For the purpose of water supply consideration only, a Potential Urban Area for water shall be 100 lots within the radius of 1400 feet. In making this determination, the center shall be so located that the circle included the maximum number of lots, both existing and proposed. Where such location leaves part of the lots in a proposed subdivision outside the circle, all of the lots in said subdivision shall be deemed to be included.

Public Agency

Any agency or public official having jurisdiction over the inspection and approval of improvements or other aspects of a subdivision, as set forth in the Table 3.0.

Reserved Area; Reservation

A parcel of land within a subdivision which is set aside for a specific use, other than residential, commercial or industrial.

Right-of-way

The land between property lines bordering a street, alley, cross walk or utility line, dedicated to public ownership or use, not including an easement.

Streets

The several classes of streets are defined as follows:

Expressway

A street or highway designed to serve a large volume of high speed traffic, usually for long distances. The characteristics of an expressway are:

- A. No vehicular or pedestrian access to adjoining properties and;
- B. Interchange of traffic with arterial streets accomplished by grade separated interchanges.

For the purpose of these Regulations the term "expressway" includes "freeway" and "limited access highway".

Arterial Street

Any major thoroughfare or highway, as shown on the Thoroughfare Plan, which is

not an expressway. In some instances, an arterial street may be provided a degree of limited access by:

- A. Providing a parallel marginal access street to serve abutting properties or;
- B. Backing lots onto the right-of-way and providing access to them by a parallel minor or collector street.

Collector Street

A street, as distinguished from an arterial street, located within a subdivision or an existing or potential neighborhood which, in addition to providing access to abutting properties, serves as a "collector" of traffic between minor streets and arterial streets or community facilities. It shall be the responsibility of the subdivider to dedicate the entire right-of-way for any collector street which traverses his subdivision, as specified in Section **4.030** and to install improvements thereon as specified in Section **5.081**.

Minor Street

A street used primarily to provide access to abutting properties. Minor streets may be further classified as cul-de-sacs (*see definition*), marginal access (see definition of Arterial **Street**), loop, or dead-end.

Subdivider

Any person, partnership or corporation or duly authorized agent thereof who undertakes the subdivision of land as defined in Section **1.07**. A subdivider may also be a developer, as elsewhere defined herein.

Subdivision

See definition in Section **1.07**.

Surveyor

A registered surveyor, authorized to practice surveying in the State of Ohio.

Thoroughfare Plan

The element of a Comprehensive Plan, as defined herein, which shows the long range system of thoroughfares and highways for the county or for a municipality.

APPENDIX

The purpose of this Appendix is to provide information necessary for the efficient administration of these Regulations and for the understanding and use of them by subdividers, developers, engineers, surveyors, attorneys and others who may be concerned. Administrative procedures and standards are set forth in a more concise and understandable manner than can be done within the legal frame-work of the Regulations.

The Appendix is not an official part of the Regulations, and need not be adopted in accordance with the requirements of Section 711 of the Revised Code of Ohio. As the need arises, they may be modified by motion of the planning commissions participating, provided any such modification shall not affect the provisions of the Regulations unless the legally required amendment procedure is followed.

APPENDIX

GENERAL TABLE OF CONTENTS

- I Administrative Procedure and Requirements
- II Examples of Forms for Certain Statements and Signatures
Required on the Final *Plat* Map
- III Standard Forms
- IV Examples of Standard Designs

I

Administrative Procedures and Requirements

Table A	Time Periods and Schedules
Table B	Number and Distribution of Sketch Plans, Final Plats, and Improvement Drawings

TABLE A

TIME PERIODS AND SCHEDULES
AS SET FOURTH IN CHAPTER 3

TIME REQUIREMENTS	SKETCH PLAN (2)	FINAL PLAN (2)
Required Days before Planning Commission Meeting:		
Submission of Application	15	15
Planning Staff Report Due	5	5
Action of Planning Commission (In days after application is submitted)	30 (1)	30
Notice of Action to Subdivider (In days after action by planning commission)	5	5
Last Day for Recording Plat (In days after approval)		360

- (1) Approval of the Sketch Plan is delegated to the *Subdivision Review Committee - Section 3.0210*
- (2) These time periods apply only when the plans referred to are submitted.

TABLE B

NUMBER AND DISTRIBUTION OF SKETCH PLANS, FINAL PLATS, AND IMPROVEMENT DRAWINGS

PUBLIC AGENCIES	SKETCH PLAN OR FINAL PLAT			IMPROVEMENT DRAWINGS							
	CITY OR VILLAGE		UNINCORPORATED AREA	STREETS AND DRAINAGE			WATER AND SANITARY SEWER				
				CITY OR VILLAGE		UNINCORPORATED AREA	CITY OR VILLAGE		UNINCORPORATED AREA		
<u>Always Involved:</u>											
Regional Planning Commission			12			1					1
Municipal Planning Commission	12			1			1				
Municipal Engineer (6)	2			2			2				
County Engineer (6)	2		2			3					1
School District	1		1								
Park & Recreation Office	1										
Post Office (1)	1		1								
Electric Company	1		1								
Telephone Company	1		1								
Township Trustees			1								
Township Zoning Comm.			1								
<i>Township Zoning Inspector</i>			1								
<i>Municipal Zoning Inspector</i>	1										
TOTAL	22		22	3		4	3				2
<u>Where Involved:</u>											
County Health Board (2)			1								
Municipal Health Board (2)	1										
State Health Department (3)			1				1				1
<i>Ohio EPA Department (5)</i>			1				1				1
<i>County Sanitary Engineer (5)</i>			1								2
<i>Gas Company</i>	1		1								
<i>Cable Company</i>	1		1								
Water Company (4)	1		1				1				1
TOTAL	26		29	3		4	6				7

- (1) Post Office receives only Final Plan map.
- (2) County or City Health Board receives plans only when residential developments are proposed for 1-, 2-, or 3-family dwelling units involving household waste water treatment facilities and/or water supplies.
- (3) State Health Department receives plans only when the following are involved: manufactured home park, public pool, spa.
- (4) The regulated water utility receives plans only when they will provide service.
- (5) *The County Sanitary Engineer and the Ohio EPA Department receive plans only when a sanitary sewer system is involved.*
- (6) *After a major subdivision has been approved by the planning commission, the developer will submit one reproducible final plat map and one reproducible set of as built construction / improvement drawings to the official engineer having jurisdiction prior to acceptance of the improvements by the governing body.*

II

Examples of Forms for Certain Statements, and Signatures Required for Final *Plat*

- A. Certification by Official Engineer
- B. Certification by Board of Health
3. Approval by Planning Commission
4. Acceptance by Governing Body
5. Certification of County Recorder
6. Certification by Marion County Sanitary Engineer

A. CERTIFICATION BY OFFICIAL ENGINEER

I hereby *state* that the required construction drawings for all improvements, prepared by or under the supervision of a Registered Engineer in the State of Ohio, have been submitted and approved by me in my official capacity; further that all said improvements have been installed, inspected, and approved by me (or) further that a certified check (or) bond sufficient to assure the installation of said improvements has been provided by the owner.

Date_____

By_____

Engineer

B. CERTIFICATION BY BOARD OF HEALTH (when applicable)

I hereby *state* that this plat meets the requirements of the Marion (County, City) Board of Health.

Date_____

By_____

(Health Officer)

C. APPROVAL BY PLANNING COMMISSION

I hereby *state* that this plat was approved by the Marion County Regional Planning

Commission *or the Municipal Planning Commission on* _____.

This approval becomes void unless this plat is filed for recording within _____ days after the date of this approval.

Date _____
Secretary, Marion County Regional Planning Commission

OR

Date _____
Secretary, _____ City (Village) Planning Commission

D. APPROVAL BY THE GOVERNING BODY

Dedication of the land shown on this plat for roads, streets, or other public purposes is hereby accepted as of _____, 19 _____.

Date _____

Date _____

Date _____

To be signed by the Marion County Board of Commissioners or by designated officials of the city or village involved.

E. CERTIFICATION BY COUNTY RECORDER

I hereby *state* that this plat was filed for recording on _____, and that it was recorded on _____, in Vol. _____, Page _____.

Given under my hand and seal this _____ day of _____ 19 _____ .

Marion County Recorder

F. CERTIFICATION BY MARION COUNTY SANITARY ENGINEER (when applicable)

I hereby state that this plat meets the requirements of the Marion County Sanitary Engineering Department.

Date_____

By_____ *Marion County Sanitary Engineer*

III

Standard Forms

- A. Minor Subdivision Application
- B. Major Subdivision Application

FORM A

APPLICATION FOR MINOR LAND DIVISIONS OF
LESS THAN FIVE LOTS WITHOUT A PLAT

SUBMISSION REQUIREMENTS:

This application form completed.
 Three (3) copies of a Surveyor's map of the lot, drawn to scale, showing location of the property, giving accurate dimensions, and showing the location of roads, drainage tile lines, and other information as may be necessary.
 One (1) copy of the legal description preferably a copy of the face of the deed, of each lot transferred, including any easements that apply.
 Twenty (\$20.00) dollar fee for each new lot.

OWNERSHIP INFORMATION:

Date filed _____

Name of Grantor _____ Phone _____

Address _____

Name of Grantee _____ Phone _____

Address _____

Name of Legal Representative _____

Office _____
Address _____ Phone _____

LOCATION OF PARCEL:

Township _____ Within Marion City Yes ___ No ___
Section _____ Within three miles of Marion City Yes ___ No ___
Street/Road _____ U.S. or State Route Yes ___ No ___

(If the road is a U. S. Or State Road, buildings must be set back 75 feet from the right-of-way, unless a local zoning ordinance requires more or less)

SIZE AND ZONING OF NEW LOT:

Width _____ Depth _____ Area(Ac.) _____ Zoning _____

UTILITIES AVAILABLE:

Public Water Yes ___ No ___ Private (Specify) _____
Public Sewer Yes ___ No ___ Private (Specify) _____

STRUCTURE:

Existing structure on property Yes ___ No ___ Type _____
Structure proposed Yes ___ No ___ Type _____

(NOTE: Where public water and sewer are not available, land divisions for three or more family dwellings are prohibited.)

Elevation of Building site above road _____ feet.

SIGNATURE:

I declare that I have examined this completed application including accompanying surveys, deeds and forms and to the best of my knowledge and belief it is a true, correct, and complete representation of my plans. I also understand that by signing this application, I a responsible for notifying any builders or subsequent owners of the conditions set forth on this application.

Signature of grantor, grantee or representative _____ Date _____

Witnessed by _____ Date _____

RECORD OF ACTION (For Staff Use)

	<u>Denied</u>	<u>Approved</u>
-County Sanitarian	_____	_____
-Planning Staff	_____	_____
-Regional Planning Commission	_____	_____
-Marion City Planning Commission	_____	_____

Fee Paid Yes ___ No ___

FORM B

MARION COUNTY REGIONAL PLANNING COMMISSION MAJOR
SUBDIVISION APPLICATION

General Information

Date Filed _____

Type of Application: _____ Sketch Plan
 _____ Final Plan

Name of Subdivision: _____

Location: Section _____ Town _____ Range _____

 Within City (Village) of: _____

 Within Township of: _____

 Annexation contemplated/required? Yes No

 If "Yes" to which municipality _____

Sponsors of the Subdivision:

Name of Owner : _____

Address: _____ Telephone _____

Name of Developer : _____

Address: _____ Telephone _____

Name of Surveyor : _____

Address: _____ Telephone _____

Name of Engineer : _____

Address: _____ Telephone _____

Subdivision Data

Type of Development: _____ Residential
 _____ Commercial
 _____ Industrial

Page 2

Total Area, in Acres:

_____ Residential	_____ Streets
_____ Commercial	_____ Other rights-of-way
_____ Industrial	_____ Public Sites

Residential Lots: Number _____
 Square Feet, Average _____, Minimum _____
 Typical Width and Depth: _____

Linear Feet in New Streets: _____, in other rights-of-way _____

Utility Facilities Proposed:

Water Supply: _____ Public _____ Community _____ Wells
 Sanitary Sewer _____ Public _____ Community _____ Wells
 System:

Underground Drainage System? Yes No
 If "Yes" how many linear feet _____

Zoning:

Present Zoning: _____

Proposed changes or variances? Yes No

If "Yes" explain:

Zoning Classification Change: _____

Building setback variance: _____

Other: _____

Construction Planned on lots prior to sale? Yes No

If "Yes" explain:

Residences: Number: _____

_____ One Family	_____ Two Family	_____ Other
------------------	------------------	-------------

_____ Stories	_____ Rooms
---------------	-------------

Final Plan Only

Indicate any change in the plan, use of land, or type of construction made by you since approval of the Sketch Plan.

Signed _____
(Owner, Developer, or Engineer)

Received by: _____ (Planning Staff)

Planning Agency: _____

Date: _____

IV

Examples of Standard Designs

- A. Temporary Turn-Around For Dead-End Streets With Curb And No Curb
- B. Cul-De-Sac Standards
- C. Street Cross Section No Curb
- D. Street Cross Section With Curb
- E. Street Cross Section No Curb And No Underground Utilities
- F. Marion County Street Pavement Cross Section No Curb
- G. Marion County And Marion City Street Pavement Cross Section With Curb
- H. Marion City Street Pavement Cross Section With Curb
- I. Type 2 Curb
- J. Type 6 Curb
- K. Drop Curb Details At Driveways