

CHAPTER 1244 **Subdivision Platting Procedures**

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1244.01 PURPOSE.

The general provisions of this chapter pertain to the subdivision of land in order to accomplish the purposes for which this Planning and Zoning Code is adopted. Plat approval authorizes the recipient to commence necessary improvements to a subdivision. No lots may be sold until all the requirements of this chapter and any additional requirements imposed by the Planning Commission pursuant to the issuance of a zoning permit have been complied with. Any reference to the "Zoning Enforcement Officer," "Planning Coordinator" or "City Engineer" includes their designees.

(Ord. 58-01. Passed 5-29-01; Ord. 80-12. Passed 9-10-12.)

1244.02 PLAT APPROVAL REQUIRED

No plat of any subdivision shall be entitled to be recorded in the office of the County Recorder or have any validity until it has been approved according to the procedures set forth in these Subdivision Regulations. If an unapproved plat is recorded, it shall be considered invalid and Council may institute proceedings to have the plat stricken from the records of the County.

(Ord. 58-01. Passed 5-29-01; Ord. 80-12. Passed 9-10-12.)

1244.03 PLAT APPROVAL REQUIRED FOR BUILDING PERMIT.

(a) A building permit shall not be issued for any structure on a lot in a subdivision for which a plat has not been approved and recorded according to the procedures set forth in these Subdivision Regulations.

(b) A building permit shall not be issued for any structure on a lot in a major subdivision until the City Engineer states, in writing, that the improvements required by these Subdivision Regulations have been completed and accepted by the City by ordinance.

(c) No permit shall be issued under these Subdivision Regulations until the required fees established by Council are paid by the developer or subdivider.

(Ord. 58-01. Passed 5-29-01; Ord. 255-03. Passed 1-12-04; Ord. 80-12. Passed 9-10-12.)

1244.04 SALE OF LAND BEFORE PLAT APPROVAL.

No owner or agent of the owner of any land located in a subdivision shall transfer, sell, agree to sell, or negotiate to sell any land by reference to, exhibition of, or use of, a plan or plat of a subdivision before such plan or plat is approved and recorded according to the procedures set forth in these Subdivision Regulations. The description of such lot or parcel by metes and bounds in the instrument of transfer, or in other documents used in the process of selling or transferring, shall not exempt the transaction from these Subdivision Regulations.

(Ord. 58-01. Passed 5-29-01; Ord. 80-12. Passed 9-10-12.)

1244.05 PUBLIC IMPROVEMENTS.

(a) The City shall withhold all public improvements of any nature, including the maintenance of streets and the furnishing of sewerage facilities and water service, from all land developments and subdivisions which have not been approved and from areas dedicated to the public which have not been accepted by Council according to the procedures set forth in these Subdivision Regulations.

(b) No board, public officer or authority shall accept, lay out, improve or authorize utilities to be laid in any street in the territory for which Council has adopted a Major Thoroughfare Plan, unless:

(1) The street has received the legal status of a public street prior to the adoption of the Plan;

(2) The street corresponds with a street shown on the Plan; or

(3) The street is shown on a subdivision plat or a street plat, which has been approved by Council.

(c) Upon adoption of the proposed comprehensive sewer plan for the City, all subdivision plats to come before Council for approval shall tie into such plan at the expense of the developer, and shall have the approval of the Ohio Environmental Protection Agency or its successor. The City may require subdivision plats submitted prior to the completion of the comprehensive sewer

plan to tie into such proposed plan and have the approval of the Ohio Environmental Protection Agency or its successor.

(Ord. 58-01. Passed 5-29-01; Ord. 80-12. Passed 9-10-12.)

1244.06 PRE-APPLICATION MEETING ENCOURAGED.

(a) The developer or subdivider is encouraged to meet with the Planning Coordinator prior to submitting a preliminary plat. The purpose of this meeting is to:

(1) Discuss early and informally with the applicant the locations of proposed major streets, parks, playgrounds, school sites and other planned projects which may affect the property being considered for subdivision.

(2) Review with the Planning Coordinator the minimum standards of subdivision design set forth in [Chapters 1246](#) and [1248](#). Such review should prevent unnecessary and costly revisions in the layout and development of the subdivision.

(b) No action shall be taken at such a meeting and no opinions, suggestions, or recommendations discussed shall be relied on by the applicant to indicate subsequent approval or disapproval of the development plan.

(c) A formal application or filing of a plat with the Planning Commission is not required for such informal advisory meeting. However, the applicant is encouraged to submit a sketch plan at a scale of not less than 1 inch = 100 feet, which contains the proposed name of the subdivision, location of subdivision, approximate acreage, tentative street and lot arrangement and topography lines.

(Ord. 58-01. Passed 5-29-01; Ord. 80-12. Passed 9-10-12.)

1244.07 PRELIMINARY PLAT SUBMISSION REQUIREMENTS.

After meeting informally with the Planning Coordinator, and prior to making any street improvement or installing any utility, the subdivider shall prepare a preliminary plat. The preliminary plat gives the subdivider Planning Commission approval of the preliminary street and lot layout and allows for the subdivider to move forward with detailed engineering plans. The preliminary plat shall be developed in accordance with the following:

(a) Form. The preliminary plat shall be drawn at a scale of not less 1 inch = 100 feet, and shall be on one or more sheets, each measuring 24 inches by 36 inches in size.

(b) Contents. The basic information required for the preliminary plat shall be plotted on a topographic map or on a separate map and shall include:

(1) Existing conditions.

A. The applicant's legally sufficient proof of standing to proceed on the subject property.

B. The bearing and distances of boundary lines.

C. The location, width and purpose of easements and blocks.

D. The name, right-of-way width and location of every street on or adjacent to the tract, the type, width and elevation of surfacing thereof, and any legally established centerline elevations, sidewalks, curves, gutters, culverts, etc.

E. Streams, drainage ditches, ponds, or other water bodies; along with other boundaries of floodways and floodplains.

F. The location and dimensions of all existing buildings, designated landmarks and structures, signs located on the property.

G. If required by the Planning Commission, photographs of the site shall be provided, with a key indicating camera location, direction of views and key numbers of photographs.

H. Zoning and existing land use on and adjacent to the tract.

I. Highways or other major improvements planned by public authorities for future construction on or near the tract.

J. An area map showing the location of the tract within the City.

K. The present tract designation according to the official records of the County, and the title under which the proposed subdivision is to be recorded, with the names and addressees of the owners and developers, and notations stating acreage, scale, north arrow, datum, bench marks and the source of boundary survey information.

(2) Supplemental information.

A. A statement of the proposed use of lots, giving the type and number of dwelling units.

B. For multi-family, cluster and nonresidential uses, the location, dimensions and approximate grade of the proposed parking and loading areas, alleys, sidewalks, streets and points of vehicular ingress to and egress from the development and the tentative lot arrangement.

C. General phasing of the development, indicating construction and development of any common open space and recreation facilities.

D. In a letter accompanying the request for approval of the preliminary plat the subdivider shall indicate the type of sewage disposal.

(Ord. 58-01. Passed 5-29-01; Ord. 139-06. Passed 1-8-07; Ord. 80- 12. Passed 9-10-12.)

 **1244.08 REQUEST FOR ADDITIONAL INFORMATION.**

(a) The applicant for preliminary and/or final plat approval must deposit funds, in an amount deemed sufficient by the City, to enable the City to conduct a thorough review of the plat so submitted by a certified planner and/or other design professionals.

(b) In review of an application for preliminary plat and/or final plat approval, the Planning Commission may request that the applicant supply additional information that the Commission deems necessary to adequately review and evaluate the proposed subdivision. Such information may include, but not be limited to, a traffic study and/or Autoturn® or its equivalent.

(Ord. 80-12. Passed 9-10-12; Ord. 3-15. Passed 2-9-15.)

1244.09 PRELIMINARY PLAT PROCEDURES.

Preliminary plats shall be reviewed and distributed according to the following procedures.

(a) Required Submission. Twelve copies of the preliminary plat and supplementary material specified in Section [1244.07](#) shall be submitted to the Planning Coordinator with a written application for conditional approval at least 29 days prior to the hearing at which such plat is to be considered.

(b) Review for Completeness. The Planning Coordinator shall review the submitted application for completeness and compliance with the applicable submission requirements. If the application is deemed insufficient, the Planning Coordinator shall, within ten days, notify the applicant of the deficiencies and place the application on hold until complete. When the application is determined complete and the application fee has been paid, the Planning Coordinator shall officially accept the application for consideration and place it on the Planning Commission's agenda.

(c) Distribution of Plans. Within two days after determining that an application is complete, the Planning Coordinator shall forward two copies of the complete application to the City Engineer and one copy of the complete application shall be submitted to each Department Director and to the Landmarks Preservation Commission. The City Engineer, the Directors and the Landmarks Preservation Commission shall review the application and submit his or her recommendations to the Planning Coordinator within ten days from the date the application is deemed complete.

(d) Transmission to the Planning Commission. The Planning Commission Chair shall distribute the application and the recommendations from the City Engineer and Directors in division (c) above to the Planning Commission.

(e) Public Hearing And Notice By Planning Commission. The Planning Commission shall hold a public hearing on the application. Public notice of such public hearing shall be given no less than ten days before the date of the hearing to the applicant and to the owners of property which are immediately adjacent to, adjoining and abutting the property on which the subdivision is proposed. Notices shall set forth the time and place of the public hearing and the nature of the proposed subdivision. Failure of delivery of such notice shall not invalidate action taken on such application.

(f) Action By Planning Commission.

(1) The Planning Commission shall take one of the following actions:

A. Approve.

B. Disapprove. If a preliminary plat is disapproved, the reasons for such disapproval shall be stated in writing.

C. Approve with modifications. If the preliminary plat is approved with modifications, the nature of the modifications shall be indicated in writing.

(2) If the Planning Commission fails to act within 60 days from the date the application was deemed complete, or an extended period as may be agreed upon, then the applicant may deem the application denied.

(3) The action of the Planning Commission shall be noted on two copies of the preliminary plat, with any notation made at the time of approval or disapproval of the specific changes required.

A. One copy shall be returned to the subdivider; and

B. One copy shall be retained by the Planning Commission.

(4) If the Planning Commission disapproves a preliminary plat subject to modification, such modified preliminary plat may be resubmitted for review by the Commission within 90 days at no additional fee.

(5) Approval of the preliminary plat does not constitute acceptance of the final plat. The approval of the preliminary plat shall lapse unless a final plat based on the approved preliminary plat is submitted within one year from the date of such approval. An extension of time may be applied for by the subdivider and may be granted by the Planning Commission.

(g) Applicants seeking to amend and/or modify an approved preliminary plat shall be required to follow all procedures set forth in divisions (a) through (f) of this section.

(h) All submissions must be in PDF and DWG/DXF formats.

(Ord. 58-01. Passed 5-29-01; Ord. 18-05. Passed 3-14-05; Ord. 139-06. Passed 1-8-07; Ord. 80-12. Passed 9-10-12; Ord. 45-13. Passed 5-13-13.)

1244.10 SKETCH PLAN REQUIRED FOR TRACTS SUBDIVIDED ONLY IN PART.

Whenever part of a tract is proposed to be subdivided and it is intended to subdivide additional parts of such tract in the future, a sketch plan for the entire tract shall be submitted to the Planning Commission at the same time the preliminary plat for the first part of the tract to be platted is submitted.

(Ord. 58-01. Passed 5-29-01; Ord. 80-12. Passed 9-10-12.)

1244.11 FINAL PLAT APPROVAL PROCEDURES.

(a) Twelve copies of the final plat, together with any street profile or other plan that may be required, shall be submitted to the Planning Commission Secretary by the subdivider at least 29 days prior to the meeting at which such final plat is to be reviewed.

(b) Within two days of receipt of the final plat, the Planning Commission Secretary shall send one copy of the final plat to the City Engineer, who shall check such plat as to computations, certifications, monuments, etc. The Finance Director shall check that a security bond, certified check or financial guarantee has been posted and is sufficient to cover the cost of required improvements. All comments will be given to the Planning Commission Secretary to be disseminated to the needed parties. The City Engineer shall certify his approval of the plans following acceptance of the plans by the Planning Commission.

(c) If a zoning change is involved, the Planning Commission Chair shall note on the final plat that the change has been approved and is in effect.

(d) Within 30 days after the submission for approval of the final plat or within such further time as the applying party may agree to, the Commission shall recommend approval or disapproval of such plat to Council and Council shall act upon such final plat within three regular meetings of Council of receiving such recommendation. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Commission and Council, and a copy of such statement shall be attached to the plat and returned to the subdivider or his or her assigns.

(e) If a plan obtains a conditional approval by the Planning Commission, any needed information must be submitted to the Planning Commission Secretary within ten days. City staff will then review the revised information within ten days for final approval. If the revised plans are not acceptable, revisions may be made for the next Planning Commission meeting.

(f) Within 180 days after final approval by Council, the subdivider shall file the final plat for record in the office of the County Recorder. If such plat is not filed with the Recorder within 180 days, the approval of the City shall be void, except where the developer has entered into an agreement with the City to install the improvements prior to the filing of the plat for record. In that event, the 180-day period shall commence after the time set for completion of the improvements elapses. The subdivider shall also submit the address map at the same time.

(g) Approval of the plat by Council shall not constitute acceptance by the City of the dedication of any street or other public way or ground.

(h) A preconstruction meeting shall be held prior to any clearing/grubbing of the property. The Service Director, City Engineer, and Utilities Coordinator (if there is any utility work to be performed) shall be in attendance at this meeting.

(Ord. 58-01. Passed 5-29-01; Ord. 256-03. Passed 1-12-04; Ord. 80-12. Passed 9-10-12.)

1244.110 SIGNIFICANCE OF FINAL PLAT APPROVAL.

Final plat approval does not absolve responsibility for compliance with the City's Building Codes, The Ohio Fire Codes, ADA requirements or any other governmental laws and regulations.

(Ord. 46-13. Passed 5-13-13.)

1244.12 FINAL PLAT SUBMISSION REQUIREMENTS.

After receiving approval of the preliminary plat or the amended preliminary plat, the subdivider shall prepare a final plat identical to the preliminary plat or the amended preliminary plat for each phase of the subdivision. All changes to the preliminary plat or the amended preliminary plat required by the Planning Commission shall be incorporated in the final plat or the amended final plat. The subdivider shall prepare the final plat or the amended final plat in accordance with the following:

(a) Application. An application for approval of a final plat shall be submitted to the Planning Coordinator, on forms provided by the Planning Department, together with the required number of copies of the plat and the supplementary information required by this section.

(b) Form. The final plat shall be legibly drawn or printed on mylar or and shall meet all of the requirements as required by Lorain County. All other drawings shall be drawn at a scale of not less than 1 inch = 60 feet and shall be on one or more sheets, each measuring 24 inches by 36 inches in size. If more than one sheet is needed, each sheet shall be numbered and the relation of one sheet to another shall be clearly shown. All submissions must be submitted in PDF and DWG/DXF format.

(c) Contents of the Final Plat Mylar. The final plat shall contain the following information. All dimensions, angles, bearings and similar data on the plat shall be tied to primary control points, and the locations and description of such control points shall be given.

(1) The name of the subdivision, its location by section or by other survey number and the graphic scale, date, true north arrow, and acreage;

(2) The name and address of the subdivider and the professional engineer and/or registered surveyor who prepared the plat, and the appropriate registration numbers and seals;

(3) The tract boundary lines, the right-of-way lines of streets, easements and other rights-of-way, and the property lines of residential lots and other sides with accurate dimensions to the nearest one hundredth of a foot, and the bearing or deflection angles, radii, arcs and central angles of all curves with the dimensions to the nearest minute;

(4) The name and right-of-way width of every street, easement or other right-of-way;

(5) Lot numbers, lot lines and frontage dimensions;

(6) The square footage of each sublot;

(7) The purpose for which sites, other than residential lots, are dedicated or reserved;

(8) The minimum front building setback line for each lot;

(9) The lot width at the front building setback line;

(10) The grade elevation at the front building setback line;

(11) The location and description of monuments;

(12) Certification on the plat of title showing that the applicant is the owner, and a statement by such owner dedicating streets, rights-of-way and other sites for public use;

(13) Certification on the plat by the surveyor or engineer as to the accuracy of the survey and plat;

(14) Certification by the County Health Officer, when required;

(15) Notation of any protective covenants that prevent access to the City dedicated improvements (future of existing) must be placed directly on the final plat;

(16) Any easements or blocks that are to be recorded must be shown;

(17) Approval by County Health Department and/or Ohio Environmental Protection Agency. The plat shall receive the approval of the County Health Officer and/or Ohio Environmental Protection Agency, when required for the installation of sanitary sewer or water

systems. The certificate of approval shall appear on the plat. Approval of the Planning Commission occurs before the County Health Department and/or the Ohio Environmental Protection Agency approves the plan. The City Engineer may not sign off on applications for PTI until after the first reading of Council.

(d) Submission Requirements for Supporting Documents for Final Plat. Additional information must be supplied and approved by the City for acceptance of the final plat.

(1) Detailed Engineered Drawings shall include:

A. Title sheet:

1. Name/phase of the project
2. Design Engineer contact information and seal
3. Developer's contact information
4. Pertinent City staff
 - a. Mayor
 - b. President of Council
 - c. Head of Planning
 - d. Service Director
 - e. City Engineer
5. Area Map (to scale)
6. Schedule of drawings
7. Revision schedule

B. General comments:

1. Include any general comments pertinent to the project and pertinent to the standard construction drawings for the City.

C. Existing conditions overall sheet:

1. Evidence of action taken by the Landmarks Preservation Commission or a copy of the demolition permit;

2. The approximate direction and gradient of the slope, including embankments or retaining walls, on adjacent land; the character and location of buildings, railroads, power lines, towers and other nearby nonresidential land uses or adverse influences on adjacent land; and the owners of adjacent unplatted land. For adjacent platted land, the subdivision plat shall be referred to by name, recordation date, volume and page, and the approximate percentage of build-up, typical lot size and dwelling type.

D. Proposed overall layout sheet of phase:

1. Names and locations of adjoining subdivisions and streets, the location of adjoining unplatted properties, and names and addresses of the owners of adjoining unplatted properties;
2. Indicates where the proposed utilities will be connected to existing utilities.

E. Copy of existing approved preliminary plat:

1. If the site layout has changed, the modified preliminary plat must be approved by the Planning Commission.

F. Proposed grading plan:

1. Ground elevations on the tract, based on a datum plane approved by the City Engineer, indicating contours at an interval of not more than two feet shall be shown. Rock outcroppings shall be identified.

G. Plan/profile sheets:

1. Horizontal and vertical scale will be indicated, along with any monuments. The horizontal and vertical datums will be indicated on the plans;

2. The street lighting plan for the subdivision, including the location of all proposed underground conduits;

3. Pipes - size, material, and slope of all pipes will be indicated on both the plan section and profile section of the plans;

4. Structures - ID, type, size, rim elevations, and all inverts (including pipe size of the inverts) will be indicated on the profile sheets. Rim elevations and main invert will be shown on the plan sheet;

5. Water mains and gas lines will have size and material indicated on both the plan and profiles along with any appurtenances;

6. The location of fire hydrants, electric and telephone poles, street lights and cable television lines will be indicated on the plan view of the drawings;

7. Profiles of existing facilities shall be furnished at the direction of the City Engineer;

8. The location and logs of tests made to ascertain subsurface soil, rock and water conditions shall be shown. The depth of test holes shall, in all cases, be one foot lower than the proposed inverts of utilities. The spacing of such holes shall be at an interval as directed by the City Engineer;

9. Cross-sections, profiles and grades of streets, curbs, gutters and sidewalks, showing locations of utilities and drawn to the City's standard scales and elevations;

H. Construction detail sheets:

1. Include BMP detail sheets showing cross-sections of all BMPs with details of all outlet structures.

I. SWPPP drawings.

1. Descriptions and specifications of the storm drainage system and a clear title by deed to the City for any retention or detention basin site; and

2. All pertinent calculations, concerning sediment traps/basins, etc.

J. SWPPP detail sheets:

1. Include details for all erosion control devices that will be used or might be used on the project.

(2) Storm water calculations. Submit all storm water calculations dealing with the sizing of the storm sewer infrastructure and BMP sizing.

(3) Catch basin spread calculations per [Chapters 1050](#) and [1052](#) of the City of Avon Codified Ordinances.

(4) Vertical curve calculations for all road segments where there is a change in slope (a sample spreadsheet is available on the City of Avon Website under the engineering directory).

(5) Address map:

A. Drawings will be 11 x 17

B. Show streets and lots

C. Sublot numbers will be shown with a location to have the addresses placed

D. Signature line for the following people:

1. Chief Building Official

2. Planning Coordinator

3. City Engineer

4. Design Engineer

E. This address map is to be recorded with the County at the time that the final plat is recorded.

F. Address map must be submitted to the City. The City will supply the addresses.

G. It is the responsibility of the developer to have the address map recorded.

(6) All provisions from [Chapters 1050](#) through [1053](#) of the City of Avon Codified Ordinances must be followed.

(7) Developer must show proof to the City that all aspects of the Master Plan are being followed.

(e) Financial Guarantees. To ensure the construction and installation of storm and sanitary sewers, water systems, streets, sidewalks and street lighting systems for dedication and to indemnify and save harmless the City from any and all liability arising from such construction, the subdivider shall post financial guarantees of performance and maintenance bonds, approved as to form, manner of execution and surety by the Law Director, in an amount as determined by

the City Engineer, and shall post title and liability insurance as approved by the Law Director, all of which shall run to the City and be as follows:

(1) Financial guarantee of City performance. The financial guarantee of performance shall include:

A. Performance bond in an amount equal to 110% of the City Engineer's estimate of the cost of construction of the storm and sanitary sewers, water systems, sidewalks for nonresidential subdivisions, streets, street lighting systems and facilities and appurtenances thereto; plus

B. The subdivider or developer of any subdivision or development shall deposit with the Finance Director a cash deposit in the amount of 150% of the subdivider/developer's estimate of the costs for the installation of sidewalks, and a cash deposit in the amount of \$150 per subplot for the planting of trees. Subdivider must install sidewalks throughout the subdivision within 30 months of the date in which the City passes an ordinance accepting improvements. Deposits are refundable in increments of 25% completion upon verification of installation by the Service Director; plus

C. An amount, as determined by the City Engineer, to cover the engineering fee commensurate with the work performed; plus

D. An amount, as determined by the City Engineer, to cover the inspection fee;

E. An amount, as determined by the Law Director to cover legal expenses.

(2) Maintenance bond. The maintenance bond shall be 10% of the amount calculated according to division (d)(1) of this section, as determined by the City Engineer, and shall be held for three years from the date of acceptance by the City of streets, sidewalks, pavements and facilities appurtenant thereto, and storm and sanitary sewers, water systems, street lighting systems and facilities appurtenant thereto.

(3) Miscellaneous cost deposit. The miscellaneous cost deposit shall be \$5,000 generally, unless otherwise determined by council, and shall be held for three years from the date of acceptance by the City of streets, sidewalks, pavements and facilities appurtenant thereto, and storm and sanitary sewers, water systems, street lighting systems and facilities appurtenant thereto.

(4) Title insurance. The subdivider shall furnish title insurance in the amount determined by the Law Director, covering the lands to be dedicated as indicated on the final plat and showing the title to such dedicated lands good in the name of the City when the final plat is filed for record.

(5) Liability insurance. The subdivider/developer shall furnish such insurance as is required herein to the Finance Director, designating the City as an additional named insured, which shall indemnify and save harmless the City from any and all liability arising by reason of the infrastructure of such subdivision/development which may arise and grow out of the construction or installation of such facilities when undertaken. The insurance shall be of such duration as determined by in a form acceptable to the Law Director and shall in no case be allowed to expire earlier than the effective period of any maintenance bond. A copy of the certificate of insurance setting forth a minimum of \$1,000,000 general liability coverage shall remain, at all times, with the Finance Director.

(6) Monuments. Before the financial guarantee of performance for the improvement is released, all monuments shall be set by the developer and checked as required by the City Engineer.

(7) Traffic control devices. Following acceptance by the City of improvements for a subdivision, the subdivider shall be required to deposit with the Finance Director \$50 per subplot, to be held by the City for a two-year period, commencing with the passage of the ordinance accepting such improvements. This sum shall be expended by the City exclusively for the costs of placement of traffic control devices, as shall be determined by the Zoning Enforcement Officer, within the subdivision. At the expiration of this two-year period, any amount remaining on deposit with the City shall be refunded to the subdivider with the approval of the Zoning Enforcement Officer.

(Ord. 58-01. Passed 5-29-01; Ord. 18-05. Passed 3-14-05; Ord. 139-06. Passed 1-8-07; Ord. 53-09. Passed 5-26-09; Ord. 80-12. Passed 9-10-12; Ord. 45-13. Passed 5-13-13.)

1244.13 APPROVAL OF MINOR SUBDIVISIONS.

(a) Approval of a minor subdivision may be granted by the Planning Commission if the proposed division of a parcel of land meets all of the following conditions:

(1) The proposed subdivision is located along an existing public road and involves no opening, widening or extension of any street or road, or the installation of any other public improvements.

(2) The proposed division of a parcel as shown on the last proceeding tax duplicate involves no more than five lots, after the original parcel has been completely subdivided, any one of which is under five acres, inclusive of the remainder of the parcel.

(3) The proposed subdivision is not contrary to any applicable subdivision or zoning regulation.

(4) The property has been surveyed and a sketch and legal description of the property is submitted with the application, including a list and location of any designated landmarks.

(5) Underground wiring from street to house and closed storm sewers are installed with a minimum of one drain in a yard.

(6) Evidence of action taken by the Landmarks Preservation Commission or copy of the demolition permit.

(b) The applicant for minor subdivision plat approval, before complying with division (c) of this section, shall submit a sketch plan to the Zoning Enforcement Officer for a determination of whether the approval process authorized by this section can be and should be utilized. The Zoning Enforcement Officer may require the applicant to submit whatever information is necessary to make this determination, including but not limited to a copy of the tax map showing the land being subdivided and all lots previously subdivided from that tract of land within the previous five years.

(c) Applicants for minor subdivision approval shall submit to the Zoning Enforcement Officer a copy of a plat conforming to the requirements set forth in division (b) and (c) of this section (as

well as two prints of such plat), except that a minor subdivision plat shall contain the following certificates in lieu of those required in Section [1244.12](#).

(1) Certificate of Ownership.

I hereby certify that I am the owner of the property described hereon, which property is within the subdivision regulation jurisdiction of the City of Avon, and that I freely adopt this plan of subdivision.

Date: Owner:

(2) Certificate of Approval.

I hereby certify that the minor subdivision shown on this plat does not involve the creation of new public streets or any change in existing public streets, that the subdivision shown is in all respects in compliance with this Planning and Zoning Code, and that therefore this plat has been approved by the Zoning Enforcement Officer subject to its being recorded in the office of the County Recorder within 180 days of the date below.

Date: Zoning Enforcement Officer:

(d) If approval is given under such conditions, the Commission shall approve such proposed division and, upon presentation of a conveyance for such parcel, shall date the conveyance and stamp thereon the following words: "Approval by the City of Avon, Lorain County, Ohio, no plat required." The Chairperson and Secretary of the Commission shall sign the conveyance. If such conveyance is not recorded within 180 days from the date of approval, such approval shall automatically become void.

(Ord. 58-01. Passed 5-29-01; Ord. 139-06. Passed 1-8-07; Ord. 80-12. Passed 9-10-12.)

 **1244.14 AS-BUILT DOCUMENTS.**

(a) As part of the dedication of any street utility, easement or any other improved real property, the subdivider shall submit to the City, via the Planning Department, as-built documents indicating all improvements as put in place, with field notes and dimensions needed to record any variance from the design drawings.

(b) Such as-built documents shall be submitted in hard copy (one set) and electronic form.

(1) Electronic copy shall be submitted in PDF and DWG/DXF format.

(c) The dedication of public improvements shall not occur until all as-built documents required by this section are on file with the Planning Department.

(d) As-built information shall consist of, but not be limited to, the following:

(1) BMP Information:

A. Bank elevation

- B. BMP bottom elevation
- C. BMP as-built volume calculations
- D. BMP outlet structure information

(2) Structures:

- A. Rim elevation
- B. Invert elevation and size
- C. Structure size

(3) Pipes:

- A. Diameter
- B. Material
- C. Slope

(4) Roads:

- A. Centerline elevations at all POI (Point of Inflection)
- B. Centerline elevations at all intersections.

(Ord. 58-01. Passed 5-29-01; Ord. 44-04. Passed 4-12-04; Ord. 80-12. Passed 9-10-12; Ord. 45-13. Passed 5-13-13.)

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