

# **MAUMEE ZONING CODE**

**Working Draft as of October 01, 2008**

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**CODIFIED ORDINANCES OF MAUMEE  
PART ELEVEN -- PLANNING AND ZONING CODE**

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## **TITLE FIVE - SUBDIVISION CONTROL**

Chap. 1161 General Provisions  
Chap. 1165 Subdivision Requirements  
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### **CHAPTER 1161 GENERAL PROVISIONS**

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#### **1161.01 JURISDICTION**

No person being the agent of or having control of land within the City shall record a plat of the subdivision of such land unless such subdivision is made and a plat is prepared and approved in accordance with the standards, procedures and specifications of these Subdivision Regulations.

#### **1161.02 AMENDMENT**

These Subdivision Regulations may be changed or amended from time to time by Council; provided, however, that such changes or amendments prior to adoption shall be submitted to the Planning Commission for study and report and a public hearing shall be held thereon, public notice of which shall be given in a newspaper of general circulation at least fifteen (15) calendar days prior to such hearing.

#### **1161.03 SEVERABILITY**

Should any section, clause or provision of these Subdivision Regulations be declared by the courts to be invalid, the same shall not affect the validity of these Regulations as a whole or any part thereof, other than the section, clause or provision so declared to be invalid.

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## **CHAPTER 1165**

### **SUBDIVISION REQUIREMENTS**

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#### **1165.01 STANDARDS FOR SUBDIVISIONS**

All subdivisions submitted for review and approval or required by law or by ordinance or regulation of the City to be approved by the Planning Commission shall meet the standards of this chapter.

#### **1165.02 STREETS**

- (a) Streets shall conform to the official plan as adopted and shall be accessible to existing or proposed parks, schools or other open public grounds shown on the official plan.
- (b) If a tentative or suggested plan or plat for the area has been made by the Planning Commission, the street layout shall be in general conformance thereto.
- (c) Arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining areas, or their proper projection where adjoining land is not subdivided, insofar as they may be deemed necessary for public requirements.
- (d) Streets that are obviously in alignment with others already existing and named shall bear the names of the existing streets.
- (e) The street and alley arrangement shall be such as not to cause a hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it, and shall further the development of a coherent neighborhood street pattern in the vicinity of the subdivision.
- (f) Where railroads or undesirable conditions exist, provision of buffer strips or other protective treatment shall be required to the extent and type as may be practicable.
- (g) Frontage and high volume traffic-ways shall be provided with parallel service streets or such other means of minimizing access as may be appropriate to the conditions.
- (h) Residential streets should be designed to discourage through traffic.
- (i) The angle of intersection between minor streets and major streets should not vary by more than ten degrees from a right angle. All other streets should intersect each other as near to a right angle as possible and no intersection of streets at angles of less than sixty (60) degrees shall be permitted.
- (j) Dedication of half-streets shall not be accepted unless exceptional circumstances are found by the Planning Commission or Council to justify the same. Where there exists a dedicated or platted half-street or alley adjacent to the tract being subdivided, the other half shall be platted if deemed necessary by the Planning Commission.
- (k) The width of streets in new subdivisions shall be not less than the minimum width established herein.

#### **1165.03 ALLEYS**

- (a) Alleys shall not be used in residential subdivisions except when deemed necessary by the Planning Commission to meet unusual conditions.
- (b) Alleys are required in the rear of all commercial and industrial lots if no other provisions are made for adequate service access or for parking. The rights of way of such alleys shall not be less than twenty feet and dead-end alleys shall not be permitted.

**1165.04 CUL-DE-SACS; COURTS**

The maximum length of Cul-de-sacs or courts shall be 600 feet. The terminal shall be a circular area with a minimum right of way diameter of 100 feet provided, however, that in unusual conditions the Planning Commission and Council may approve different arrangements.

**1165.05 RIGHTS-OF-WAY**

Required rights-of-way for streets, alleys and easements shall have the following minimum width:

Minimum Width of Rights-of-Way	
Primary streets	100 feet
Secondary streets	80 feet
Minor streets	50-60 feet*
Alleys	20 feet
Easements (on each side of property line)	5 feet
* The 50-foot minimum shall be acceptable only for cul-de-sacs, loop streets and short side streets which have no property frontage.	

**1165.06 BLOCKS**

The maximum length of blocks shall generally be 1,320 feet. Those of over 900 feet may require a cross walkway at approximately the center.

- (a) Where all or part of a subdivision is adjacent to or in the vicinity of a primary or secondary street the greater dimension of blocks shall be generally parallel to the primary or secondary streets to avoid unnecessary ingress and egress.
- (b) A single tier of lots facing the minor street shall be the preferred practice where the proposed minor street is parallel to a major street. In other cases, the width of blocks shall generally be sufficient to allow two tiers of lots.
- (c) Irregularly shaped blocks, including superblocks, indented by Cul-de-sacs and containing interior spaces, shall be encouraged when properly designed and fitted to the overall plan and when adequate provision for the maintenance of public areas is allowed for.
- (d) Blocks intended for business and industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.

**1165.07 LOTS**

The minimum dimensions and other characteristics of lots intended for residential use shall be as follows:

- (a) When two rules apply to a subdivision or lot, that rule shall govern which requires the greater lot size or lot dimension.
- (b) When a subdivision is located within a zoning district of the City or of a township of Lucas County, the minimum area and dimensions of lots shall be no less than is required by such Zoning Code.
- (c) A minimum lot size of 43,560 square feet (one acre) shall be provided when public water is available, but sanitary sewers are not provided.
- (d) A minimum lot size of 43,560 square feet (one acre) shall be provided when neither public water nor sanitary sewers are available.

- (e) In no case shall a lot have a width at the building line of less than sixty feet or a lot area of less than 7,500 square feet, and generally the depth-to-width ratio shall be at a maximum of 3.5 to 1.
- (f) Corner lots intended for residential use shall have extra width sufficient for maintenance of building lines on both streets. The minimum width of such lots shall be seventy feet and the minimum building line from both streets shall be as required in the Zoning Code for such area, but the Planning Commission may reduce this distance along the side of a lot adjoining a minor street.
- (g) All lots shall be designed to provide desirable building sites, properly related to topography, high water levels and surrounding streets, railroads, watercourses and land use. A larger lot size than set out in Subsections (a) through (e) hereof may be required in particular cases in order to meet the desirable requirements for the subdivided area.
- (h) Building lines shall be established on the plat when it is beyond the corporate limits, but in no case shall the building line be closer to the street than thirty feet, or some greater distance as required by applicable zoning standards.
- (i) All lots shall abut on a public street or on a permanently reserved private place approved by the Planning Commission as the principal means of access to abutting property.
- (j) Side lines of lots shall be approximately at right angles or radial to the street line.

#### **1165.08 PUBLIC SPACES**

- (a) Where the subdivision contains a street, park, school or other public area which is shown upon the official plan as intended for public ownership, all or part of such area shall either be dedicated to the proper public agency or it shall be reserved for acquisition thereby, within a specified period by a purchase or other means and an agreement shall be entered into between the subdivider and the proper public agency regarding the time and method of acquisition and the cost thereof, or an agreement shall be made by the appropriate public agency upon an alternate location that is satisfactory to the Planning Commission.
- (b) Due regard shall be shown for the preservation of outstanding natural and cultural features such as scenic spots, watercourses and historic sites.

#### **1165.09 EASEMENTS**

- (a) Whenever any stream or surface drainage course is located in an area that is being subdivided, the subdivider shall dedicate an adequate easement along each side thereof, for the purpose of widening, deepening, sloping, improving or protecting the same for drainage, parkway or recreational use. The official plan shall be used as a guide for such dedication.
- (b) Easements of at least five feet in width shall be provided on each side of all rear lot lines and along side lot lines, where sideline easements are necessary for poles, wires, conduits, storm and sanitary sewers, gas, water or other mains. Easements of greater width may be required along or across lots where necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement. A two-foot easement shall be required on one side of an alley to accommodate pole lines.

#### **1165.10 STANDARDS OF IMPROVEMENTS**

- (a) Improvements. All streets and utilities shall be designed by a registered professional engineer. In making the improvements referred to in this section within the City, the subdivider shall comply with all applicable laws, ordinances and regulations, shall furnish all supervision, labor and materials and shall construct the same in accordance with specifications and rules and regulations established by the Director of Public Service and subject to inspection approved by him at the expense of the subdivider. Such specifications shall be the same as those required of contractors doing similar work for the City.

In the case of improvements made on subdivisions located outside of the corporate limits, the inspection and specifications shall be controlled by the County Engineer.

(b) Grading

- (1) All lots shall be graded so that all storm water shall drain therefrom.
- (2) Finished grade of lots located in platted subdivisions, where such elevations are recorded on plat drawings, shall substantially comply with the approved grade elevations.
- (3) The finished grade at the base of a dwelling shall conform with the adjacent dwellings but shall not be less than twelve inches (12") above the curb, nor less than twelve inches (12") above the crown of the pavement of streets without curbs.
- (4) Along streets without curbs, front yards shall be graded so as to maintain roadside drainage. Where there is a storm sewer, yards must be graded to have a swale not less than six inches (6") below the pavement elevation and approximately in line and graded toward the nearest catch basin. Driveway tile shall not be less in size and strength than 12" reinforced concrete pipe.
- (5) Whenever a lot or plot is graded to a higher or lower level than adjacent property, suitable retaining walls, curbs or other protection approved by the Building and Zoning Inspector shall be provided, if necessary, to preserve such adjacent property from any damage.
- (6) *Erosion Control.* All soil surface areas within the street rights of way shall be seeded to grass with a mixture of seed to be specified by the Director of Public Service. All disturbed soil areas outside the street rights of way shall be seeded or planted to a quick growing ground cover of grass, shrubs or other vegetation to prevent erosion of the soil.

(c) Monuments and Benchmarks. All subdivision boundary corners and the four corners of all street intersections and the center of all street intersections shall be definitely marked with permanent monuments.

- (1) A permanent marker shall be deemed to be concrete, six inches by six inches by thirty inches, with iron pipe cast in the center.
- (2) Should conditions prohibit the placing of monuments on line, off-set marking will be permitted; provided, however, that exact off-set courses and distances are shown on the subdivision plat.
- (3) One such monument shall be placed at each change in direction of the boundary, and one such monument shall also be placed at the beginning and end of curves, on one side of the street.
- (4) A permanent bench mark shall be established in an accessible location.

(d) Streets. Roadway surfacing shall be at least twenty-five feet, including curb.

- (1) *Curbs.* Curbs or curbs and gutters shall be constructed along all streets.
- (2) *Street Lights.* Provision shall be made for installing street lights on all minor streets except streets serving lots of 20,000 square feet or more.
- (3) *Trees.* Trees of one and one-half to two inches minimum diameter shall be planted between the street pavement and right-of-way line on both sides of the street to conform with the tree planting schedule as established by the Director of Public Service.

(e) Sidewalks. Concrete sidewalks having a minimum width of four feet (4') in residential zoning districts and five feet (5') in commercial and industrial zoning districts shall conform to construction specifications of the City. Such sidewalks shall be constructed along both sides of all public primary and secondary, half, and minor streets. Curb ramps shall be constructed from the sidewalk to the street to service all sides of an intersection in accordance with the then current standards established by the Federal Government under the American with Disabilities Act.

(f) Poles and Wires

- (1) All electrical, telephone and other poles and wires shall be located, where practical, within the easements provided therefore. Electrical service for street lights located on the street shall be located, where practical, within the easement on side lot lines.
  - (2) In all subdivisions containing more than five lots, all wires and cables, including electrical and telephone wires and cables, and those wires and cables used for street lighting, shall be installed underground, in accordance with standards and regulations promulgated by the Public Utilities Commission of Ohio.
- (g) Water Supplies
- (1) Where an approved public water supply is within reasonable access of the subdivision, water facilities shall be installed in accordance with all applicable requirements of the political subdivision having jurisdiction over the same.
  - (2) When a subdivision is located where no approved public water supply is reasonably accessible or procurable, the subdivider shall provide wells or a private water supply in such a manner that an adequate supply of potable water will be available to each lot in the subdivision.
- (h) Sanitary Sewers
- (1) Where public sanitary sewers are within reasonable proximity of the subdivision, they shall be installed in accordance with all applicable requirements of the political subdivision having jurisdiction over the same.
  - (2) Where sanitary sewers are not within a reasonable distance of the subdivision, the subdivider shall either install a sanitary sewer system and treatment plant or shall provide individual septic tanks for each lot.
- (i) Storm Drainage
- (1) All necessary facilities, including underground pipe, inlets, catch basins or open drainage ditches shall be installed to provide for the adequate disposal of surface water and to maintain any natural drainage course.
  - (2) Existing drainage ditches located within a subdivision shall be realigned, widened, deepened, reverted, paved or replaced with an underground pipe as required for the adequate handling of storm run-off.
  - (3) When lots are to be provided with septic tanks, the storm drainage invert shall be at least three feet below the natural ground level in the vicinity of the septic tank in order to facilitate subsurface drainage, provided that the effluent discharge shall not be connected to the storm drainage.

### **1165.11 VARIANCE**

Whenever the tract to be subdivided is of such unusual size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements of these Regulations would result in substantial hardship or injustice, such requirements may be varied or modified so that the subdivider may subdivide his property in a reasonable manner, provided that the public welfare and interest of the City and surrounding areas are thoroughly protected and the general intent and spirit of these regulations are enforced.

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## CHAPTER 1169

### PLATS

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#### 1169.01 APPROVAL WITHOUT PLAT

- (a) A subdivision along an existing public street may be submitted to the Secretary of the Planning Commission for review by the Director of Public Service on behalf of the Planning Commission without requiring a plat when the subdivision:
  - (1) Contains no more than five lots of an existing recorded plat; and
  - (2) Does not involve the opening, widening or extension of any street or road; and
  - (3) Does not result in lots with less than the minimum requirements of the Zoning Code for such area;.
- (b) The Director of Public Service shall, within seven (7) working days, either disapprove or approve such subdivisions. In the latter action he shall submit same to the Secretary of the Planning Commission who shall stamp "approved by the Planning Commission of the City of Maumee, no plat required" on a conveyance of the parcel or parcels involved. The stamped approval shall be signed by the chairman or Secretary of the Planning Commission. Such subdivision shall be disapproved if it does not meet the minimum requirements of these Subdivision Regulations and of the appropriate Zoning Code or is in conflict with the official plan.
- (c) The subdivider may appeal such withholding of approval to the Planning Commission.

#### 1169.02 PRELIMINARY PLATS

- (a) Conference Required. Each subdivider of land or his surveyor or registered professional engineer shall confer with the Director of Public Service before preparing a preliminary subdivision plat in order to become thoroughly familiar with the subdivision requirements and those of the official plan affecting the territory in which the proposed subdivision lies.
- (b) Procedure. A preliminary plat shall be submitted for all subdivisions located within the jurisdiction described in Section 1161.01 (Jurisdiction) which are intended or required to be recorded by means of a plat. The preliminary plat shall be based on a boundary survey prepared by a registered surveyor, and shall contain all of the items listed in Section 1169.02(c) (Contents).
  - (1) Five copies of the preliminary plat shall be submitted to the Director of Public Service two weeks prior to the regular Planning Commission meeting at which action is sought. A copy shall also be submitted to the County Engineer for all subdivisions within the jurisdiction described in Section 1161.01 (Jurisdiction) but beyond the corporate limits of the City.
  - (2) The applicant shall accompany the application for preliminary plat approval with a fee to cover the expenses of the City in reviewing such plats. Such fee shall be paid to the Finance Director, and shall be in such an amount as shall be directed by ordinance of Council.
  - (3) The Planning Commission shall approve or disapprove the preliminary plat within thirty (30) calendar days after its submission to it by the Director of Public Service.
  - (4) One print with the signature of the Secretary of Planning Commission shall be returned to the applicant when the preliminary plat is approved. Conditional approval, subject to changes marked on the print, may be granted by the Planning Commission.
  - (5) Approval of the preliminary plat by the Planning Commission shall constitute authority for the subdivider to proceed with the preparation of the final plat and with the installation of streets,

utilities and other improvements according to the standards established by these Subdivision Regulations.

- (6) Tentative approval shall be effective for a maximum period of twelve (12) months unless, upon application of the subdivider, the Planning Commission grants an extension. If the final plat has not been approved and recorded within this time limit, the preliminary plat must again be submitted to the Planning Commission for approval.
- (c) Contents. The preliminary plat shall contain:
- (1) *Identification and Description*
    - (A) Proposed name of the subdivision.
    - (B) Location by township, section, town and range, or by other legal description.
    - (C) Names and addresses of developer and surveyor who made the plat.
    - (D) Scale of plat, one (1) inch = one hundred (100) feet.
    - (E) Date.
    - (F) North arrow.
  - (2) *Delineation of Existing Conditions*
    - (A) Boundary line of proposed subdivision indicated by solid heavy line and the total approximate acreage encompassed thereby.
    - (B) Location, widths and names of all existing or prior platted streets or other public ways, railroad and utility rights of way, parks and other public open spaces, permanent structures, and section and corporation lines, within or adjacent to the tract.
    - (C) Existing sewers, water mains, culverts or other underground facilities within the tract, indicating pipe size, grades and location, as obtained from public records.
    - (D) Existing zoning of proposed subdivision and adjacent tracts in zoned areas.
    - (E) The names and adjacent boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land.
    - (F) Contours at five-foot (5') intervals, as obtained from U.S.G.S. maps.
  - (3) *Delineation of Proposed Conditions*
    - (A) Layout of streets, their names and widths and also the widths of alleys, crosswalk ways and easements.
    - (B) Layout, numbers and dimensions of lots.
    - (C) Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
    - (D) Building setback lines, showing dimensions.
    - (E) Sketch plans or written statements regarding the grades and typical cross-sections of proposed streets, the facilities for storm water drainage and any other proposed improvements within the subdivision.
  - (4) *Key Map:* A print of the appropriate tax map or its equivalent, at a scale of not less than one (1) inch = four hundred (400) feet, with the boundaries of the proposed subdivision indicated thereon, and covering the area within a half mile radius thereof.

### **1169.03 FINAL PLATS**

- (a) Size. The final plat on tracing cloth twenty inches by thirty inches in size shall be prepared subsequent to the approval of a preliminary plat. Such final plat shall be required for all subdivisions located within the jurisdiction described in Section 1161.01 (Jurisdiction) which are intended or required to be recorded by means of a plat.
- (b) Preparation. The final plat shall be prepared by a registered surveyor and shall contain all of the items listed in Section 1169.03(j) (Contents).
- (c) Filing. The final plat and six copies thereof shall be submitted to the Director of Public Service at least two weeks prior to the regular Planning Commission meeting at which action is sought.

(d) Requirements Before Approval

- (1) For all applications for preliminary or final plat approval which were filed prior to April 18, 1991, and for which no fee was required under Section 1169.02(b)(2) to accompany the application for preliminary plat approval, the subdivider shall accompany the final plat with a fee to cover the expenses of the Planning Commission in reviewing plats. Such fees shall be paid to the Finance Director, and shall be paid according to the same schedule of fees as shall be established by ordinance of Council for applications for preliminary plat approval. If a final plat is disapproved by the Planning Commission and resubmitted, the Commission may waive the fee for the second submission.
  - (2) All improvements such as streets, utilities, sidewalks, trees, monuments and other facilities required by the Planning Commission under the standards of Chapter 1165 (Subdivision Requirements) shall have been completed to the satisfaction of the Director of Public Service, unless the subdivider shall have filed a bond, or escrow arrangement, with surety or sureties to be approved by the Municipal Clerk in such form as shall be approved by the Solicitor and in an amount which, as estimated by the Director of Public Service, shall be sufficient to pay the cost of constructing such improvements and payment of any expenses required by the Codified Ordinances. Such bond, or escrow arrangement, shall guarantee that all improvements will be constructed and completed in a satisfactory manner and within a reasonable period, not to exceed two years, and that all such required expenses shall be paid. The bond or escrow arrangement shall be filed with the Municipal Clerk.
  - (3) The Director of Public Service shall have signed such final plat after approval. The signature shall constitute a certification by the Director of Public Service that improvements have been made in a satisfactory manner or proper bond or escrow arrangement furnished therefore.
- (e) Approval by Commission. Approval of the final plat by the Planning Commission shall be evidenced by the signature of the chairman or secretary on the plat. Such approval shall not constitute acceptance of the dedication of any streets, alleys, parks or other open grounds intended for dedication in the land being subdivided.
- (f) Recording. No final plat shall be recorded until approved by the Planning Commission and signed by the Director of Public Service, the chairman or secretary of the Planning Commission, the Lucas County Tax Map Department, the Lucas County Auditor and the Lucas County Recorder.
- (g) Return of Tracing. A tracing of the final plat, as recorded, of all subdivisions located within the corporate limits of the City shall be returned to the Department of Public Service.
- (h) Acceptance of Dedicated Public Grounds within the City. Streets, alleys, parks, or other open grounds intended for dedication as part of a subdivision within the City shall be accepted by the City only by means of an ordinance passed by Council describing such streets, alleys, parks or other open grounds; provided, however, that all necessary improvements shall first have been made according to the standards of **Chapter 1165** (Subdivision Requirements) and to the satisfaction of the Director of Public Service.
- (i) Acceptance of Dedicated Public Grounds outside the City. Streets, alleys, parks or other open grounds intended for dedication within unincorporated portions of Lucas County shall be accepted for dedication only by means of action of the County Commissioners or township trustees following inspection of the improvements by the County Engineer. Nothing in these Subdivision Regulations shall obligate the City to maintain, repair or clean streets located beyond the corporate limits of Maumee.
- (j) Contents. The final plat shall contain the following:
- (1) *Identification and Description*
    - (A) Name of subdivision.
    - (B) Location by township, section, town and range, or by other legal description.
    - (C) Names of owners and surveyor.
    - (D) Scale of one (1) inch = one hundred (100) feet shown graphically.
    - (E) Date.

(F) North arrow.

(2) *Delineation*

- (A) Boundary of plat, based on an accurate traverse, with angular and lineal dimensions.
- (B) Exact location, width and name of all streets within and adjoining the plat, and the exact location and widths of all alleys and crosswalk ways. The name of a street shall not duplicate that of any existing street in Lucas County. Proposed street names shall be checked with the proper city and county officials.
- (C) True angles and distances to the nearest established lines or official monuments (not less than three) which shall be accurately described on the plat.
- (D) Municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and angles.
- (E) Radii, internal angles, points of curvature, tangent bearings and lengths of all arcs.
- (F) All easements for rights of way provided for public services or utilities.
- (G) All lot numbers and lines, with accurate dimensions in feet and hundredths.
- (H) Accurate location of all monuments and bench marks.
- (I) Accurate outlines and legal description of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed covenant for common uses of all property owners.
- (J) Building setback lines accurately shown with dimensions.

(3) *Attendant Items*

- (A) Building restrictions, trusts or covenants affecting the development of the subdivision. If too lengthy, these may be included separately and incorporated onto the final plat by reference.
- (B) Certification by the registered surveyor to the effect that the plat represents a survey made by him and that monuments shown thereon exist as located and that all dimensional and geodetic details are correct.
- (C) Notarized certification, by the owner or owners, of the adoption of the plat and the dedication of streets and other public areas.
- (D) Signature blocks for the Director of Public Service and an officer of the Planning Commission.
- (E) A certificate that all taxes have been paid.