

## CHAPTER 151: SUBDIVISION REGULATIONS

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**GENERAL PROVISIONS**

**§ 151.01 INTENT.**

Subdivision regulations are provided for the purpose of promoting the public health, safety, comfort, and general welfare; conserving the values of property; facilitating the provision of water, sewerage, schools, and other public requirements; and lessening or avoiding congestion of public streets and highways.

(Ord. 3704, passed 6-5-1978)

**§ 151.02 SCOPE.**

(A) These regulations shall cover the division of land into two or more parcels, the opening or extension of a public street or alley or easement of access, standards for the laying out of lots, the adequate provision of improvements for public services, and the adequate provision of parkland.

(B) The rules and regulations governing plats and subdivisions of land, including replatting of land, contained herein shall apply within the corporate limits of the city, and in the unincorporated territory within three miles beyond such corporate limits, in accordance with applicable provisions of the Ohio Revised Code.

(1980 Code, § 151.02) (Ord. 3704, passed 6-5-1978)

### **§ 151.03 AUTHORITY.**

The following regulations for the control of plats and subdivisions as defined are adopted by the City Planning Commission and the City Council under authority granted by R.C. § 711.09 and this section. The city has adopted, as part of its master plan, a major thoroughfare plan and a parks, recreation, and open space plan. These regulations shall be based on and shall follow the goals and objectives as contained in these adopted plans.

(1980 Code, § 151.03) (Ord. 3704, passed 6-5-1978)

### **§ 151.04 DEFINITIONS.**

For the purpose of these regulations certain terms are defined as follows:

**ALLEY.** A public right-of-way which yields secondary access to a lot.

**CITY ENGINEER.** The city engineer of the City of Bowling Green, or his authorized representative. The city engineer shall be an employee of the city holding the title either as a primary duty title if a city engineering department is established, or holding such designation in addition to his primary duty title if no city engineering department is established. If no employee of the city holds the title, then the city engineer shall be the Public Works Director or his or her authorized representative and/or the Utilities Director or his or her authorized representative, as the context may require. If no employee of the city holds the title, then inspections, reviews, and approvals for subdivisions under these regulations must be obtained from both the Public Works Director or his or her authorized representative and the Utilities Director or his or her authorized representative.

**COLLECTOR STREET.** A street designed to collect traffic from local streets and direct it to intersections with major streets. It is designed to serve both a traffic movement function and a service of access to abutting land uses.

**CONSERVATION EASEMENT.** A voluntary restriction placed by the property owner on a piece of property to protect the resources, both natural and man-made, associated with the parcel. The restriction is either voluntarily sold or donated by the landowner, and constitutes a legally binding agreement concerning land use taking place on the property.

**CUL-DE-SAC.** A terminating street with provision for vehicular turning at its end. Such turning shall be continuous and is usually accomplished by constructing a circle at the end of the street.

**DEAD-END STREET.** A terminating street without access to another public right-of-way or without providing for turning of vehicles.

**DEVELOPER.** An individual, firm, association, group, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself, herself or for another.

**EASEMENT.** Authorization by a property owner for the use by another, and for specified purposes, of any designated part of his or her property.

**IMPROVEMENTS.** Street paving or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, communication and cable television lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

**LOCAL STREET** or **MINOR STREET.** A street designed primarily for service of access to abutting properties and land uses rather than for through traffic movement.

**LOT.** A parcel of land occupied or intended for occupancy by a use permitted in this chapter, including one main building together with its accessory buildings, the open space and parking spaces required by this chapter, and having its principal frontage upon a street open to the public.

**LOT OF RECORD.** A lot which is part of a subdivision recorded in the office of the county recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

**MAJOR STREET.** Such street shall be those streets designated as such in the master plan as approved by the City Council. Major streets in the city shall include the following:

- |               |                |                  |
|---------------|----------------|------------------|
| Wooster Rd.   | Napoleon Rd.   | Gypsy Lane       |
| Mercer Rd.    | Manville Ave.  | Thurstin St.     |
| Main St.      | Sand Ridge Rd. | Wintergarden Rd. |
| Conneaut Ave. | Haskins Rd.    | Pearl St.        |
| Van Camp Rd.  | Poe Rd.        |                  |

**ORIGINAL TRACT.** A parcel of land, under single, joint, or common ownership, from which a subdivision of less than ten acres has not been made.

**PLACE.** A private access or drive easement, whose location and design have been approved by the Planning Commission of the city and whose right-of-way and roadway conforms to layout and design standards for a local street as contained in these regulations.

**PLANNING COMMISSION.** The Planning Commission of the city.

**PLAT.** A final drawing indicating a subdivision of land into lots for sale or transfer of ownership. Such drawing shall indicate property boundaries, dimensions, public and private roads, building setback lines, and other elements as specified in these regulations.

**PLATTING COMMISSIONER.** The Department of Planning Director. He or she shall provide regulations governing platting of all lands and perform other duties as prescribed in the Ohio Revised Code.

**PLATTING PROCESS.** The submission of a preliminary drawing of a subdivision containing more than five lots or the opening or extension of a public street for review for conformance with these regulations and approval by the Planning Commission of the city.

**PRELIMINARY DRAWING.** The preliminary plan or drawing indicating the proposed layout of a subdivision, the details of which are provided for in §§ 151.25 through 151.28.

**STREET.** A public right-of-way which offers the primary means of access to abutting lots.

**SUBDIVISION.**

(1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding county auditor's tax duplicate and/or exempt property records 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. However, the division or partition of land into parcels of five acres or more not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or

(2) The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets, except private streets serving industrial structures. The division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension or maintenance of public sewers, water storm drainage, or other public facilities.

**SUBMISSION OF PLAT.** The preliminary drawing, construction plans, and final plat submitted and dated upon acceptance of drawings by the platting commissioner as meeting the requirements and specifications contained in these regulations and the payment of required fees. The date of acceptance shall be the filing date for the plat.

**THOROUGHFARE PLAN.** The official plan of highways, primary and secondary, thoroughfares, and parkways adopted by the Planning Commission as part of the master plan of the city.

**UTILITIES.** Includes the following: water lines, sanitary sewers, storm sewers, gas lines, telephone poles or cable, electric poles, or cable and cablevision.

**VICINITY MAP.** A map to scale, included on the preliminary drawing indicating the proposed site and showing all streets within one-half mile of the proposed site.

**WIDTH.** The width of a parcel is measured at the right-of-way line. In the case of a cul-de-sac lot or a lot on a curve, the frontage is measured at the front yard setback line.

**YARD.** An open space at grade lying between a structure and the adjoining lot lines.

(1980 Code, § 151.04) (Ord. 3704, passed 6-5-1978; Am. Ord. 7001, passed 7-15-2002)

## PROCEDURE

### § 151.10 GENERAL.

No person, firm, developer, or corporation proposing to make a transfer of land involving any lot of less than five acres or involving the opening or widening of a street or place or easement of access shall transfer or record such transfer or construct improvements until provisions of these regulations have been complied with. A general outline of procedures in §§ 151.10 through 151.17 is contained in Figure 1 on the following page.

(1980 Code, § 151.10) (Ord. 3704, passed 6-5-1978)

### § 151.11 SUBDIVISION NOT REQUIRING A PLAT.

(A) A plat is not required for a subdivision that creates no more than five lots from the original tract and the proposed subdivision is along an existing public street and does not involve opening, widening, or extension of any street, or easement of access, nor is one required for the creation of a new parcel by a transfer from an existing lot of record.

(B) The developer shall submit to the platting commissioner three copies of an application, as provided by the platting commissioner, together with three blackline or blue-line copies of a scaled drawing of the proposed transfer of land. The scaled drawing shall be drawn at a scale represented by not more than 100 feet to each inch and shall be on a sheet 8-1/2 by 14 inch minimum or 20 by 30 inch maximum in size. Standards for drawings are contained in § 151.28.

(C) The platting commissioner shall review the subdivision within seven working days of the application for applicable platting standards and for conformity to all applicable laws and regulations. If the proposed subdivision is satisfactory the platting commissioner shall stamp and initial the application, deed, and drawings, "Approved - No Plat Required, City of Bowling Green, Ohio \_\_\_\_\_, Platting Commissioner, dated \_\_\_\_\_."

(D) An applicant, upon denial of an application, may appeal to the Planning Commission for waiver of specific requirements of the subdivision regulations. If granted, such waiver must not adversely affect the general welfare of the city or its orderly growth and development.

(1980 Code, § 151.11) (Ord. 3704, passed 6-5-1978)

### **§ 151.12 SUBDIVISION REQUIRING A PLAT.**

(A) Where the proposed subdivision involved the creation of more than five lots from the original tract, and/or involves the opening, widening, extension of any street, road, alley, place, or private easement of access, the developer shall be required to submit a plat. Prior to the initial submission the developer may prepare a rough sketch of the proposed development showing roads, lot layout, general dimensions, schemes for utilities, and proposed parkland or open areas. He or she shall review this with the platting commissioner for comments and suggestions and if deemed desirable by the platting commissioner, the sketch will also be reviewed with the Planning Commission for comment and suggestions.

(B) After the preapplication review the developer will submit to the platting commissioner three copies of an application, as provided by the platting commissioner, together with 12 blackline drawings or blueprints (15 in the case of a proposed subdivision outside the city limits). This drawing, to be known as the preliminary drawing, will be drawn on one or more sheets, 24 by 36 inches, at a scale represented by not more than 100 feet to each inch, and will conform in every way with the requirements set forth in §§ 151.25 through 151.28. Preliminary drawings must be submitted at least 20 working days before the scheduled Planning Commission meeting at which approval will be sought; preliminary drawings not filed on or before the first day of this 20-day period will not be considered by the Planning Commission at its next scheduled meeting. If the Planning Commission requires corrections to and/or resubmission of the preliminary drawing, such resubmission must be made at least ten working days before the scheduled Planning Commission meeting at which approval will be sought; corrected and/or resubmitted. Preliminary drawings not filed on or before the first day of this ten-day period will not be considered by the Planning Commission at its next scheduled meeting.

(C) The preliminary drawing will be checked by the platting commissioner as to its conformity with the zoning regulations, the thoroughfare plan, and other applicable sections of the master plan including the principles, standards, and requirements hereinafter set forth. Copies of the preliminary drawing will be referred by the platting commissioner for recommendations or other action as follows prior to submitting the drawings to the Planning Commission.

(D) The platting commissioner shall submit the preliminary drawing to the city engineer, the Utilities Director, the Fire Chief, and to other agencies necessary for review.

(E) In the case of a plat of a subdivision located outside the corporate limits of the city but within the territory which lies less than three miles beyond the corporate line, the preliminary drawing will also be submitted to the County Planning Commission for comment. The preliminary drawing will also be submitted to the county engineer, sanitary engineer, and Health Department, where appropriate, for checking of matters within their jurisdiction.

(F) If deemed necessary by the platting commissioner, a meeting may be called to be attended by one or more of the above named officials and/or agencies and the developer or his representative to consider the recommendations by the officials and/or agencies concerned before presenting the preliminary drawing to the Planning Commission. This procedure shall be followed to facilitate the processing of the preliminary drawing by the Commission.

(G) Upon receipt of the recommendations and advice of action concerning matters covered in the preceding paragraphs, the Planning Commission, at a public meeting, will tentatively approve or disapprove the preliminary drawing or will approve it with modifications, noting thereon any changes that will be required. One copy will be returned to the subdivider with the date of the tentative approval or disapproval endorsed thereon by the chairperson and secretary of the Planning Commission or their authorized representatives. Similar copies also will be transmitted to the platting commissioner.

(H) The tentative approval of the preliminary drawing by the Planning Commission is to be considered only as an approval of the layout, with the understanding that the city engineer and other city officials having jurisdiction may modify any engineering or construction detail proposed by the subdivider, whenever required for the protection of the public interest.

(1980 Code, § 151.12) (Ord. 3704, passed 6-5-1978)

### **§ 151.13 REVIEW AND APPROVAL OF CONSTRUCTION DRAWINGS AND THE FINAL PLAT.**

(A) Approval of the preliminary drawing is valid for one year unless extended by action of the Planning Commission. Construction plans must be approved by the city during this time.

(B) Six copies of construction drawings of required improvements shall be filed with the platting commissioner who shall send them for review to appropriate agencies. Such filing must take place a minimum of two weeks in advance of the day on which approval is desired. If the city engineer or Planning Commission should require the construction drawings to be corrected and resubmitted, the corrected and resubmitted drawings must be filed with the platting commissioner a minimum of one week in advance of the day on which approval is desired. Construction drawings will not be acted upon if filed with any person or office other than the platting commissioner or his or her office. The city engineer shall review all comments, and, if drawings are found to be satisfactory, he or she shall approve construction drawings. Approval of

the construction drawings by the city engineer will normally constitute authorization for the developer to proceed with the improvements, and the construction drawings need not be approved by the Planning Commission. However, the city engineer, Planning Commission member, or a city official may request Planning Commission approval of the construction drawings as a required prerequisite to construction of the improvements if policy matters or matters of public interest are involved. When such requests are made, the construction drawings will not be deemed approved until approved by the Planning Commission.

(C) Upon approval of construction drawings, the developer may proceed with the improvements. If the developer chooses to file the final plat before completion of the improvements, the developer shall post a good and sufficient performance bond acceptable by the city guaranteeing the city in the amount sufficient to complete the improvements. The bond must be approved by the Planning Commission, city engineer, and city attorney and will be deposited with the City Finance Director and a copy filed with the secretary of the Planning Commission. In lieu of a performance bond, a proper guarantee of a sufficient amount to complete the improvements may be deposited with the city under details approved by the city attorney, city engineer, Finance Director, and Planning Commission.

(D) Within one year of approval of the construction drawings, the developer shall file with the platting commissioner one reproducible copy and five blackline or blueprints of the final or record plat which shall conform in every respect with the requirements specified in §§ 151.25 through 151.28. The final plat shall be drawn on sheets 24 by 36 inches or 20 by 30 inches in size at a scale represented by not more than 100 feet on the inch.

(E) The Planning Commission may approve a final or record plat for a portion of a preliminary drawing. Application shall be made to the platting commissioner, who shall prepare a review and comments to be submitted along with the request to the Planning Commission. Approval of a portion of the subdivision shall not itself waive the time required for submission of remaining portions of the subdivision.

(F) A copy of the final or record plat thus filed will be checked by the platting commissioner and reviewed by appropriate agencies. If found satisfactory, he or she will transmit the plat to the Planning Commission, together with a twofold certificate showing that the technical details of the plat itself have been checked and found satisfactory, and that all required improvements have been satisfactorily completed, or that the required performance bond or guarantee is in force and is sufficient to complete the required improvements. Plats must be filed at least 15 working days before the scheduled Planning Commission meeting at which approval will be sought; plats not filed on or before the first day of this 15-day period will not be considered by the Planning Commission at its next scheduled meeting. If the planning commission required corrections to and/or resubmission of the final or record plat, such resubmission must be made at least five working days before the scheduled Planning Commission meeting at which approval will be sought; corrected and/or resubmitted final or record plats not filed on or before the first day of this five-day period will not be considered by the Planning Commission at its next meeting.

(G) After a copy of the final plat together with the foregoing twofold certificate has been received by the Planning Commission from the platting commissioner and provided that the final plat is found to conform with the preliminary drawing as tentatively approved, the Planning Commission will approve the final plat and will enter such approval thereon in writing by its chairperson and secretary. Approval or refusal to approve the final plat by the Planning Commission shall be endorsed on the plat within 30 days after the receipt of the plat by the Planning Commission at a regular meeting of the Commission or within such further time as the applying party may agree to. The ground of refusal, including citation of or reference to the rule or regulations violated by the plat, shall be stated upon the records of the Planning Commission. If the Planning Commission takes no action to approve or disapprove the plat within 30 days after receipt, or within such further time as the applying party may agree to, the plat will be considered disapproved.

(H) The developer shall provide the city, prior to recording, one copy of the final plat, in an electronic format compatible with the city's computer assisted drawing program. The electronic copy shall be provided on a CD or other media acceptable to the city.

(I) Upon receipt of notice that a plat within the city has been recorded, the Council shall by ordinance accept the plat and all new dedicated rights-of-way contained therein. (1980 Code, § 151.13) (Ord. 3704, passed 6-5-1978; Am. Ord. 5485, passed 12-7-1992; Am. Ord. 6006, passed 6-17-1996; Am. Ord. 7207, passed 2-17-2004)

#### **§ 151.14 SUBMISSION TO STATE DEPARTMENT OF TRANSPORTATION.**

Before any preliminary drawing is approved affecting any land within 300 feet of the center line of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the State Department of Transportation (ODOT), or any land within a radius of 500 feet from the point of intersection of the center line with any public road or highway, the Commission shall give notice, by certified mail, to the Highway Director. The Commission shall not approve the preliminary drawing for 120 days from the date the notice is received by ODOT. If ODOT notifies the Commission that it shall proceed to acquire the land needed, then the Commission shall refuse to approve the preliminary drawing. If the Highway Director notifies the Commission that acquisition at this time is not in the public interest or upon the expiration of the 120-day period or any extension thereof agreed upon by the Highway Director and the property owner, the Commission shall, if the preliminary drawing is in conformance with all provisions of these regulations, approve the preliminary drawing.

(1980 Code, § 151.14) (Ord. 3704, passed 6-5-1978)

#### **§ 151.15 CONSTRUCTION OF IMPROVEMENTS.**

(A) All required improvements shall be completed within one year from the date of approval of the construction plans unless, by a majority vote, approval of the Planning

Commission is obtained for an extension of time and provided that any required performance bond or guarantee is extended for the time granted by the Planning Commission.

(B) In every subdivision, the developer shall have the right to defer the installation of sidewalks, on vacant lots, for a period of four years. When this right is exercised, the developer shall deposit funds, or provide a non-revocable letter of credit, in the amount of 100% of the cost of the sidewalks, as calculated by the city engineer, to guarantee sidewalk construction. The city shall annually review the amount of sidewalks constructed and may reduce the amount of the funds or letter of credit upon satisfactory completion and inspection of the sidewalks, or portions thereof. The city reserves the right to install the sidewalks, using the developer's funds, as conditions warrant. If a lot is sold after the subdivision is approved, the city may, at its discretion, cause the sidewalk to be built and place the full cost of construction and inspection on the tax duplicate for the property.

(C) Field inspection of required improvements shall be made by the city under the direction of the city engineer. Such inspection shall be made during the entire period of construction and shall cover the installation of streets, sidewalks, curbing, storm drainage, sanitary sewers, water lines, other utilities, and surface grading.

(D) When the improvements are satisfactorily constructed in accordance with approved plans and construction specifications, upon written request by the developer, the city engineer shall endorse this approval of improvements on the final or record plat. The city engineer shall also request enactment of an ordinance accepting and confirming the dedication of the streets. The city engineer's endorsement upon the final or record plat, and the enactment of an ordinance accepting and confirming the dedication of the streets, shall constitute acceptance of the streets and utility improvements for public usage. The cost of all field inspections required for the development shall be borne by the developer. Acceptance of any improvements shall not be made until such costs are paid to the city. The city engineer shall then notify the Planning Commission within seven days that the improvements have been accepted.

(E) The developer shall provide the city engineer, upon approval of the construction plans, one copy of the construction plans on a computer disk, in a format compatible with the city's computer-assisted drafting program. Under supervision of the city engineer, the project inspector shall, using his field notes and those of the contractor(s), prepare as-build drawings. The cost of this work shall be billed to the developer.

(1980 Code, § 151.15) (Ord. 3704, passed 6-5-1978; Am. Ord. 5661, passed 11-7-1994; Am. Ord. 6498, passed 7-6-1999)

#### **§ 151.16 MAINTENANCE OF IMPROVEMENTS.**

(A) The developer shall maintain and repair all improvements for a period of one year after completion. A one-year maintenance bond or other guarantee in the amount of 40% of the value of the improvements must be deposited with the City Finance Director and approved by the Planning Commission, city attorney, and city engineer.

(B) The bond will not be released until after the expiration of the one-year maintenance period and the improvements have been inspected and approved for final acceptance by the city engineer, final as-built plans, as prepared by the city engineer, have been filed, and any sums due the city have been paid. A reproducible copy of the as-built plans will be supplied to the platting commissioner for his or her permanent record of the work.

(C) Normal servicing of improvements such as sweeping, cleaning, or snow and ice control by the city or usage by the public shall not constitute a waiver of these maintenance requirements nor shall such servicing constitute an express or implied acceptance by the city of the improvements.

(1980 Code, § 151.16) (Ord. 3704, passed 6-5-1978)

### **§ 151.17 FEES.**

(A) To cover the cost of review and processing subdivisions and plats, the following fees shall be due at the time of application. All fees shall be made payable to the city. The fee shall apply only for the creation of two or more new lots.

- (1) Subdivision not requiring a plat, \$50;
- (2) Preliminary drawing, \$300 plus \$3 per acre;
- (3) Construction plans review, \$150.00;
- (4) Final plat, \$300 plus \$3 per acre;

(5) Field inspections of required improvements shall be billed at the city's cost and according to ordinance.

(B) The developer shall pay a fee to the city of \$270 per lot prior to the approval of the subdivision. The fee shall be deposited in the general fund of the city and shall be appropriated to the Tree Commission for use exclusively to purchase and plant trees in the rights-of-way in the subdivision per the standards of the Tree Commission.

(C) The developer shall pay a fee to the city of \$325 per lot for sidewalk staking. The fee shall be deposited in the general fund.

(1980 Code, § 151.17) (Ord. 3704, passed 6-5-1987; Am. Ord. 4899, passed 6-20-1988; Am. Ord. 6179, passed 7-21-1997; Am. Ord. 6250, passed 1-5-1998; Am. Ord. 7430, passed 7-18-2005; Am. Ord. 7692, passed 7-16-2007; Am. Ord. 7859, passed 3-2-09)

## STANDARDS FOR DRAWINGS

### § 151.25 PRELIMINARY DRAWING.

(A) Twelve blackline or blueline copies of the preliminary drawing shall be submitted to the platting commissioner. Fifteen copies shall be submitted for subdivisions outside the corporate limits. The drawing shall be prepared on a 24 by 36 inch sheet.

(B) A vicinity sketch at a scale represented by not more than 1,000 feet to the inch shall be drawn on or shall accompany the preliminary drawing.

(C) The preliminary drawing shall show all existing subdivisions and the street and tract lines of acreage parcels of land, together with the names of record owners of such parcels, immediately adjoining the proposed subdivision and between it and the nearest existing highways or streets. It shall also show the streets and alleys in adjoining subdivisions or unplatted property.

(D) The horizontal scale of the preliminary drawing shall be represented by not more than 100 feet to the inch.

(E) The preliminary drawing shall clearly show the following features and information:

(1) The proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the city and within the territorial limits;

(2) Existing tracts of land according to real estate records of the county recorder;

(3) The names and addresses of the owner or owners of record, the subdivider and the engineer or surveyor;

(4) The names of adjacent subdivisions and the names of record owners of adjacent parcels of unplatted land;

(5) The boundary lines, accurate in scale, of the tract to be subdivided;

(6) The locations, widths, and names of all existing platted streets or alleys or other public ways within or adjacent to the tract, and other important features such as existing permanent buildings, watercourses, railroad lines, corporation lines, township lines, electric power lines, bridges, section lines, and any easements of record;

(7) Existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto with pipe sizes indicated;

(8) Contours with intervals of two feet referenced to U.S.G.S. datum;

(9) The layout, proposed names and widths of proposed streets, alleys, and easements; the approximate locations of catch basins, culverts, drainage outlets, and other drainage structures; the approximate locations and sizes of all water lines, sewers, and other utilities, and the locations and approximate dimensions of proposed lots;

(10) Zoning boundary lines, if any, proposed general uses of property, and required front yard setback lines;

(11) All parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved in the deeds for the common use of property owners in the subdivision, with the purposes, conditions, and limitations of such reservation indicated;

(12) Proposed lot lines, dimensions, and building front yard setbacks;

(13) Total acreage of the subdivision;

(14) North point, scale, and date;

(15) The 100-year high water flood elevation as determined by the city engineer or the county engineer.

(1980 Code, § 151.25) (Ord. 3704, passed 6-5-1978)

#### **§ 151.26 CONSTRUCTION PLANS.**

(A) Construction plans for the public works improvements within the subdivision as required under §§ 151.35 through 151.38 shall not be submitted and will not be accepted for approval until the preliminary drawing has been approved by the Planning Commission.

(B) The construction plans shall be prepared according to the provisions of and the regulations and specifications of the city engineer and pertinent ordinances of the city. The platting commissioner shall notify the Planning Commission, in writing, when the construction plans have been approved. Construction plans that are approved shall not be changed without written permission of the platting commissioner.

(C) Six sets of construction plans, when approved, shall be filed with the city engineer and two sets marked "approved for construction" and signed by the city engineer shall be returned to the developer. If the Planning Commission has exercised its right under § 151.13(B) to act as approval authority for the construction plans, the chairperson of the Planning Commission shall also sign the plans as approved for construction.

(D) The city engineer shall prepare and maintain requirements covering the details of preparation of construction plans including standards for construction details, typical sections, specifications, and design standards for distribution at approximate actual city cost to subdividers, engineers, and surveyors to use in the preparation of construction plans.

(E) For subdivisions outside the city and within three miles of the corporation limits of the city, construction plans shall be prepared and submitted to the County Planning Commission according to their rules and standards as to the construction of streets in such a territory.

(1980 Code, § 151.26) (Ord. 3704, passed 6-5-1978)

### **§ 151.27 FINAL OR RECORD PLAT.**

(A) Upon receipt of approval for plans of required improvements, the developer shall have two choices as to when to file the final plat:

(1) After construction and approval of required improvements (must be within one year of construction plan approval);

(2) Any time before completion of required improvements if proper performance bond or guarantee is deposited with City Finance Director to cover the cost of improvements not complete plus contingencies.

(B) The drawing size shall be 24 by 36 inches or 20 by 30 inches and drawn at a scale represented by not more than 100 feet to the inch.

(C) All plat boundary lines with lengths of courses to be .02 of a foot and bearings to 30 seconds will be shown. These boundaries shall be determined by an accurate survey in the field, which shall be balanced and closed with an error of closure not to exceed one to 10,000.

(D) The exact location and the width along the property lines of all existing recorded streets intersecting or paralleling the boundaries of the tract will be shown.

(E) Bearings and distances to nearest established street bounds, patent or other established survey lines, or other official monuments, which monuments shall be located or accurately described on the plat. Any patent or other established survey or corporation lines shall be accurately monument-marked and located on the plat, and their names shall be lettered on them.

(F) The accurate location and material of all permanent reference monuments will be shown.

(G) The exact layout including:

(1) Street, place, and alley lines. Their names, bearings, lengths (along center line), angles of intersection, and widths (including widths along the line of any obliquely intersecting street);

(2) The lengths of all arcs-radii, points of curvature, and tangent bearings;

(3) All easements and rights-of-way, when provided for or owned by public services, with limitation of the easement rights definitely stated on the plat;

(4) All lot lines with dimensions in feet and hundredths, and angles to the street and alley lines. All lot line courses and distances shall have an error of closure of not-to-exceed one to 10,000.

(H) Lot numbers. Lot numbers are established by the county recorder's office.

(I) The accurate boundaries will be shown on all property which is offered for dedication for public use, and of all property that may be reserved by covenant in the deed for the common use of the property owners in the subdivision, with the purpose indicated thereon.

(J) In case the subdivision is traversed by a watercourse, channel, stream, or creek, the existing or prior location and/or the proposed location of such watercourse, channel, stream, or creek will be shown.

(K) Setback building lines as fixed by the zoning code and any other setback lines, or street lines established by public authority, and those stipulated in the deed restrictions, will be shown.

(L) Private restriction, if any, will be noted:

(1) Boundaries of each type of use restrictions;

(2) Other private restrictions for each definitely restricted section of the subdivision;

(3) Restrictions placed on the subdivision for conformity with Chapter 50.02 of the Code of Ordinances of the City of Bowling Green, Ohio, as approved by the City Engineer.

(M) Name of the subdivision and name or number of the largest subdivision or tract of which the tract now subdivided forms a part will be shown.

(N) Names and locations of adjoining subdivisions.

(O) Names and addresses of the owner or owners of record, the subdivider, and surveyor will be included.

(P) North point, graphic scale, and date will be included.

(Q) Location of subdivision by township, section, town, and range, and other legal description will be noted.

(R) Legal description of the boundaries of the plat will be included.

(S) Total acreage; acreage in lots; and the acreage in streets, alleys and other public ways or properties will be computed and included.

(T) An accurate drawing and description of all lots and/or tracts of land, from which the proposed subdivision is taken, shall be included on the drawing of the final plat.

(U) The following statements will be included and completed as required and applicable:

(1) We the undersigned, owners of the above described property, do hereby adopt this subdivision into lots as shown, establish building lines and utilities reservations as shown, and dedicate to public use the streets and ways as shown.

\_\_\_\_\_ BY \_\_\_\_\_

President

\_\_\_\_\_ BY \_\_\_\_\_

Witness

Secretary

**STATE OF OHIO**

**COUNTY OF WOOD**

On this \_\_\_\_ day of \_\_\_\_, 20\_\_, before me personally appeared \_\_\_\_\_ by \_\_\_\_, its \_\_\_\_\_, and \_\_\_\_\_ its \_\_\_\_\_, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of said corporation and the free act and deed of each of them personally and as such officers.

Witness my hand and seal the day and year above written.

Notary Public in and for WOOD COUNTY, OHIO

My commission expires \_\_\_\_\_.

(2) I HEREBY CERTIFY that during \_\_\_\_\_, 20\_\_, I surveyed the hereinbefore described property subdividing the same into lots numbered \_\_\_\_\_ through \_\_\_\_\_ inclusive, and I further certify that all monuments shown thus and iron pipe at all other lot corners shall be set after completion of the improvements.

(3) Engineer's certificate of improvements and their installations will be included on the final plat as follows:

I hereby certify that pavements, utilities, and other required land improvements for the preliminary drawing of \_\_\_\_\_ subdivision as approved by the Planning Commission on \_\_\_\_\_



(Streets accepted by Ordinance No. \_\_\_\_\_ of the Council of the City of Bowling Green, dated \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
President of Council

(1980 Code, § 151.27) (Ord. 3704, passed 6-5-1978; Am. Ord. 5485, passed 12-7-1992)

### **§ 151.28 SUBDIVISION NOT REQUIRING A PLAT.**

(A) The subdivision drawing shall be submitted in three blueline or blackline copies to the platting commissioner. The drawing shall be on an 8.5 by 11 inch minimum or 20 by 30 inch maximum sheet and at a scale represented by not more than 100 feet to the inch.

(B) Shown on the drawing will be the original parcel of land that is proposed for subdividing with all proposed lots or parcels. Shown on the drawing of the parcel will be dimensions of all property lines of the original and proposed parcels. Include where available angles and bearings.

(C) The drawing shall include all adjoining property lines, rights-of-way, and easements.

(D) The drawing shall include existing zoning on the original parcel and existing and applicable new building setback lines.

(E) North arrow, graphic scale, and the date shall be shown.

(F) Included will be the owner's and applicant(s)'s name, signature, and date.

(G) A copy of the document(s) recorded for all properties in the subdivision showing full conformity with Section 50.02 of the Code of Ordinances of the City of Bowling Green, Ohio, approved by the City Engineer.

(H) The platting commissioner's certification shall be included as follows:

Approved - No Plat Required, City of Bowling Green, \_\_\_\_\_, Platting Commissioner, dated \_\_\_\_\_.

(1980 Code, § 151.28) (Ord. 3704, passed 6-5-1978; Am. Ord. 6499, passed 7-6-1999; Am. Ord. 7224, passed 3-15-2004; Am. Ord. 7934, passed 10-19-2009)

## **LAYOUT AND DESIGN STANDARDS**

### **§ 151.35 GENERAL.**

(A) Layout of lots in the subdivision contributes significantly to the form of the city in future years. Much of the character and function in any area is established by the configuration of lots and roads in the area. The proper layout of a subdivision should be measured against three elements.

(1) *Circulation.* The location of lots and streets should reflect the need to serve both local travel and through travel. Not every street can or should encourage both. The role of the subdivision in the overall vehicular movement system of the city area will be reflected in its street layout and design.

(2) *Function.* Activities which will occur on lots of a subdivision will also relate to the whole city community. Residents of homes should have reasonable access to neighborhood services such as stores, convenience services, schools, recreation, and to community services such as fire and police protection, major shopping or employment centers, utilities, cultural and religious center. Commercial, employment, and public areas need to be accessible to their occupants while relating to individual activities within the area.

(3) *Livability.* The location and layout of lots should be made with the user in mind. For example, a balance between open land areas and privacy of individual lots should be attempted. Irregular, useless pieces of land should be avoided. Pedestrian easements could be included to schools, shops, or parks.

(B) In any subdivision, the lots created and public improvements made should relate to community development guides. Street widths should conform to those established in the major thoroughfare plan. Land uses and the allowance for public facilities should conform to those in the city master plan, and must conform to those in the city zoning code.

(C) Subdivisions should be laid out with respect to design principles. Specifically, uses should be oriented to exterior or interior views, should minimize unnecessary automobile travel, should encourage internal pedestrian communication, should make maximum use of open space, and the like.

(1980 Code, § 151.35) (Ord. 3704, passed 6-5-1978)

### **§ 151.36 STANDARDS FOR LOTS.**

(A) The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated.

(B) Excessive depth in relation to width should be avoided. No lot should have a depth which exceeds 2.5 times its width.

(C) Every lot shall abut on a publicly dedicated street or on an approved place.

(D) Except in planned developments, lots for residence purposes shall be at least 60 feet wide at the building setback line, in order to permit compliance with the side yard requirements of the zoning code and still be adequate for a building of practicable width. Minimum depth of a rectangular lot shall be 120 feet. Minimum length of one side lot line of a pie-shaped lot shall be 100 feet and the minimum average length of the two side lot lines shall be 120 feet.

(E) Double frontage lots shall not be permitted except where one face abuts a major street as defined in the master plan. In such cases, a two-foot buffer lot shall be created to prohibit access onto the major street. ([see Figure 2](#)). Buffer lots shall be deeded to the city and a recitation to that effect shall be made on the final plat.

(F) Side lot lines shall be approximately at right angles to the right-of-way line of the street on which the lot abuts.

(G) Corner lots in residential zones shall have the following minimum widths in order to permit conformance with setbacks on the side street as required by the zoning code.

(1) In R-1 Zones, 85 feet;

(2) In other R zones, 75 feet.

(H) Residential lots fronting or abutting on highways, arterial streets, and other important trafficways should have extra depth to permit deep setbacks for the building from such trafficways within the limits set in (B) above. ([see Figure 2](#))

(1980 Code, § 151.36) (Ord. 3704, passed 6-5-1978)

### **§ 151.37 STREET AND BLOCK LAYOUT.**

(A) The general configuration of blocks shall be regular and shall promote safe, efficient traffic movement as well as an orderly configuration of lots. The shape and configuration of lots shall relate to the type of land uses thereon. Rectangular blocks shall be a minimum of 240 feet wide and shall provide for two tiers of lots, except for blocks abutting a major street ([See Figure 3](#)).

(B) The lengths of blocks shall be such as are appropriate, in the opinion of the Planning Commission, for the locality and type of development contemplated, but shall not exceed 1800 feet where the average size of lots does not exceed two acres in area, nor shall they be less than 500 feet long.

(C) In any block over 900 feet in length, the Planning Commission may require that a crosswalk or pedestrian way, not less than ten feet wide, be provided near its center.

(D) The number of intersecting streets along major streets shall be held to a minimum. Wherever practicable, blocks along such trafficways shall not be less than 1200 feet in length.

(E) Cul-de-sac streets should not exceed 600 feet in length.

(F) (1) Larger or more irregular blocks may be allowed when using one of the following arrangements:

(a) *Superblock-A large block which contains uses oriented to the bounding road.* Interior areas are dedicated to parkland, commons areas, or other activities not requiring street access.

(b) *Cluster housing.* Grouping of houses on smaller lots and combining the remaining land into a common park for residents. Often houses are clustered about cul-de-sac streets, and open space occupies what would normally be backyard areas.

(2) The size and configuration of lots and blocks may vary from specific requirements of these regulations so long as the proposed development is located within a zoning district for planned development, or is jointly considered with application for establishment of such a district. The layout and design of blocks not meeting specific requirements of these regulations shall be subject to the approval of the Planning Commission. Suggested or characteristic superblock and cluster housing layouts are shown on [Figure 3](#).

(G) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracks. Streets leading to adjoining, unplatted property must be provided at intervals not to exceed 1200 feet measured along boundaries adjoining the unplatted property. A two-foot wide buffer lot shall be provided at the end of such streets to prevent egress until such street is extended into the unplatted property. At that time, the buffer lot shall revert to the public right-of-way. Dead-end portions of such streets shall not exceed 300 feet in length. No other dead-end streets shall be permitted. No other strips of land along track boundaries tending to preclude street extensions will be permitted.

(H) Proposed streets shall be continuous and in alignment with existing, planned, or platted streets with which they are to connect.

(I) Wherever there exists within or adjacent to a subdivision, a street designated as a local or collector street or a major thoroughfare by the city master plan, sufficient land shall be dedicated to meet the minimum right-of-way width, or half width when appropriate, as designated in these regulations.

(J) Wherever there exists adjacent to the tract to be subdivided a dedicated or platted and recorded half-width street or alley, the other half width of such street or alley shall be platted.

(K) All streets, whether existing or new, abutting the boundaries of the subdivision, shall be improved to their center lines. All existing streets passing through the subdivision shall be improved for their entire widths and this requirement cannot be avoided by a developer by

breaking up a subdivision into two or more plats or by calling different portions of a subdivision by different names. Such improvements shall include the roadway, curbs, gutters, sidewalks, and storm drainage system, and shall conform to standards established for the type of street or streets involved (local, collector, or major). When the abutting street or street within a subdivision is a collector or major street, or to be improved beyond local street standards, the developer shall be responsible for the cost of equivalent local street standards as determined by the city engineer. If improvement to the street center line is not practical because of elevation differences with existing pavement, the developer must agree to petition for the improvement of the street before approval of the preliminary drawing is granted. If an existing street and its attendant storm drainage system have already been improved to construction standards in effect at the time the subdivision is filed, as determined by the city engineer, the Planning Commission may waive the requirement for improvement of existing streets.

(L) Land uses abutting major streets are a constant problem. They require access to the major street, but the traffic they generate often constitutes a hazard to the free-flowing traffic on the major streets. Following are some recommended ways of dealing with lots located on major streets: [\(See Figure 2.\)](#)

(1) Lots along, and with access to, the major street can be of an elongated nature and of an enlarged size. Uses placed on these lots are best of an institutional or other nature which generate relatively small amounts of vehicular traffic or which are less affected by noise and congestion of the major street. The extra lot depth, to some degree, will provide a buffer between the noise and traffic on the major street and the land uses themselves.

(2) Many of the problems of major streets are the result of their numerous points of traffic entry and exits. It is often difficult to enter or exit from the stream of arterial traffic, while such movements pose a distinct safety hazard. A service road, parallel to the major street, provides the access to local properties. Traffic enters the major street at controlled intersections, usually placed at intervals of  $\frac{1}{4}$  to  $\frac{1}{2}$  mile.

(3) Lots must be laid out to face local and collector streets entering the major streets rather than on the major street itself.

(4) Lots can be laid out containing double frontage. Rears of lots abut major streets while their fronts adjoin interior local streets. To prevent access from the rear of these double-fronted lots, buffer lots are created paralleling the major street and deeded to the city.

(M) Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit. Four-way intersections of two local streets shall be required and three-way, "T" intersections discouraged unless spaced a minimum of 500 feet from any other parallel street.

(N) Alleys shall be platted in all commercial and industrial areas if no other provisions are made for adequate access to parking and loading spaces. To provide safe access to residential lots located on major streets, alleys must be platted in the rear of such lots or service drives

provided in front thereof. Alleys will not be approved in other locations in residence districts unless required by unusual topography or other exceptional conditions.

(O) Privately owned streets, used for access to lots, shall not be permitted unless specifically approved by the Planning Commission. Places shall be used only for local traffic and shall not be the extension or in the alignment of a major street. An easement equal in width to the standards contained in (Q) below shall be reserved and roadway and storm drainage facilities shall be constructed according to the standards contained in §§ 151.35 through 151.38, and § 151.55. Public utilities shall not be accepted on a place, nor shall the city be responsible for street maintenance, repair, cleaning, or snow removal, or for utility maintenance repair.

(P) Minimum right-of-way width of streets, alleys, and easements for utilities. Extra easements for back slopes may be required by the Planning Commission where necessary. These minimums are established in accordance with the *City of Bowling Green Access Management Policies and Guidelines* plan.

(1) Major street rights-of-way:

- (a) Arterial streets, 120 to 140 feet;
- (b) Expressways, 150 feet;
- (c) Freeways, 200 feet.

(2) Minor street rights-of-way:

- (a) Collector streets, 80 to 100 feet;
- (b) Local streets, 60 feet; and
- (c) Cul-de-sac turning circle diameter, 120 feet.

(3) Easements. (See Figure 4)

- (a) Where easements are required for utilities, their total width shall be at least 15 feet on the rear and side lot lines.
- (b) A 15-foot easement is required for sidewalks, trees and utilities abutting the right-of-way line in all cul-de-sacs. The easement shall start at the throat of the cul-de-sac and follow the right-of-way around the radius of the cul-de-sac.
- (c) A ten-foot utility easement will be provided for all properties adjacent to the right-of-way.

(4) Alley rights-of-way, 20 feet.

- (5) Open ditch easement, a 40 foot easement on each side of the centerline of the ditch.
- (6) Enclosed ditch easement, 20 feet.

(7) On all cul-de-sacs, in addition to the right-of-way, an eight and one-half-foot (8.5') easement shall be provided for sidewalks. The easement shall start at the throat of the cul-de-sac and follow the right-of-way around the radius of the cul-de-sac.

(Q) Minimum pavement widths. The widths of pavements will vary depending upon the character of the development served and the amount of traffic expected to utilize the street. The following are the minimum street pavement widths measured from face to face of curbs.

(1) Major streets:

- (a) Arterial streets, minimum width of 48 feet with straight curb, 52 feet with curb and gutter;
- (b) Expressways or freeways, each directional travel way, a minimum width of 28 feet.

(2) Collector streets:

- (a) Minimum width of 28 feet with straight curb;
- (b) Minimum width of 32 feet with curb and gutter.

(3) Local streets:

- (a) Minimum width of 24 feet with straight curb;
- (b) Minimum width of 24 feet with curb and gutter.

(4) Alleys: minimum width of 16 feet.

(5) The pavement of a turning circle (cul-de-sac) shall have a minimum outside diameter of 104 feet measured at the face of curb. [\(See Figure 3.\)](#)

(R) Street grades, curves, and sight distances.

- (1) The grades of streets shall be not less than .4% and shall not exceed the following:
  - (a) Major streets shown as such on the thoroughfare plan, 5%.
  - (b) Secondary thoroughfares, parkways, local, or collector streets, 7%.
  - (c) Minor streets, service drives, and alleys, 10%.

(d) Pedestrian ways or crosswalks, 4% desirable, unless steps or ramps of an acceptable design are constructed.

(2) All changes in street grades having an algebraic difference greater than 2% shall be corrected by vertical curves of a minimum length equal to 50 times the algebraic difference in the change of grade for major streets and parkways, and ½ of this minimum for all other streets.

(3) The radii of curvature of the center line shall not be less than the following:

(a) Major streets and parkways, shown as such on the thoroughfare plan, 600 feet.

(b) Local or collector streets, 100 feet.

(S) Intersections.

(1) At street and alley intersections property line corners shall be rounded by an arc, the minimum radius of which shall be ten and five feet respectively. In business districts, a chord may be substituted for the arc.

(2) Street curbs intersections shall be rounded by radii of at least 25 feet.

(3) The above minimum radii shall be increased when the smallest angle of the intersection is less than 60 degrees.

(T) Fire protection.

(1) Fire hydrants with 2.5 inch outlets and one large pumping connection shall be provided by the subdivider in all subdivisions with public water supplies. The hydrants should be located between property lines and curbs with all outlets facing parallel to the street. Hydrants shall be placed at the corners of all blocks and at midblock for blocks exceeding 500 feet in length. Hydrants shall also be required at the entrances and end of all cul-de-sacs exceeding 250 feet in length.

(2) The type of hydrant and control valves and the location of the hydrant shall be approved by the Fire Chief and Department of Utilities. The minimum size of any main water line located in the public right-of-way serving any hydrant shall not be less than eight inches in diameter and should be circulating water lines. The size and location of water lines should be approved by the city engineer, the Fire Chief, and the state insurance services office for commercial and industrial subdivisions.

(U) Drainage improvements. The developer shall construct all necessary facilities including underground pipe, inlets, and catch basins, as determined by the city engineer, to provide for the adequate disposal of subsurface and surface water and maintenance of natural drainage courses, including underground pipe for drainage of rear lot lines if deemed necessary by the city engineer. The velocity of flow in an open ditch shall not exceed four feet per second in soil ditches or six feet per second in turf gutters. Paved gutters will be required if velocities of

flow are greater than those specified or if it is otherwise likely that destructive erosion will result. Drainage ditches shall not be permitted to discharge into any sanitary sewer facility.

(V) Storm sewers and storm water drainage. Where an adequate outlet for the storm drainage system is not available at the plat boundary, the developer shall at his expense construct the necessary off-site storm drainage improvements required to discharge the storm water from the subdivision into an adequate outlet. The storm drainage system and off-site improvements are to be of adequate size to serve the subdivision and the natural drainage area in which the subdivision is situated. Easements of adequate width shall be provided. Storm drainage including footer tile system around structures shall not be permitted to discharge into any sanitary sewer facility, but shall connect to an adequate storm drainage system.

(W) Culverts and bridges. Where natural drainage channels intersect any street right-of-way or planned right-of-way within a subdivision, or right-of-way or planned right-of-way linking two subdivisions or two or more plats of a single subdivision, it shall be the responsibility of the subdivider to have satisfactory bridges and/or culverts constructed. Where culverts are required, minimum requirements shall be observed as follows:

(1) All culverts shall extend across the entire right-of-way width of the proposed street. The cover over the culvert and its capacity shall be determined by the city engineer. The minimum diameter of a culvert pipe shall be 18 inches. Depending on existing drainage conditions head walls may be required.

(2) Driveway culverts shall have a minimum length of 20 feet, and a minimum diameter of 12 inches. The driveway culverts shall be laid so as to maintain the flow lines of the ditch or gutter. Head walls may be required.

(X) Over-size and off-site improvements. The utilities, pavements, storm drainage, and other land improvements required for the proposed subdivision shall be designed of over-size and/or with extensions provided to serve nearby land which is an integral part of the neighborhood service or drainage area as determined by the city engineer.

(Y) A layout of electric service for the subdivision, including street lighting, transformer location, junction box and pedestal locations, shall be included. All appropriate utility easements shall be shown.

(1980 Code, § 151.37) (Ord. 3704, passed 6-5-1978; Am. Ord. 5342, passed 10-21-1991; Am. Ord. 5485, passed 12-7-1992; Am. Ord. 5926, passed 12-4-1995; Am. Ord. 6728, passed 2-20-2001; Am. Ord. 7052, passed 12-16-2002; Am. Ord. 7064, passed 1-21-2003; Am. Ord. 7243, passed 5-3-2004; Am. Ord. 7531, passed 3-6-2006; Am. Ord. 7799, passed 7-21-09)

[Click Here to View Image](#)  
Figure 1: Commercial Area Design

[Click Here to View Image](#)

Figure 2: Suggested Treatment of Lots (A, B)

[Click Here to View Image](#)

Figure 2: Suggested Treatment of Lots (C, D)

## **§ 151.38 COMMERCIAL SUBDIVISIONS.**

### *(A) General.*

(1) The creation of new lots and of improvements in commercial areas involves features unique to these areas. To promote efficiency in the internal and external function of commercial areas as well as to promote visual attractiveness, certain elements should be incorporated in commercial subdivisions.

(2) Two factors are significant to commercial areas:

(a) Because of the typical pattern of multiple ownerships, the coordination of elements such as driveways, drives, and pedestrian ways becomes critical; and

(b) As commercial development requires specific commercial zoning, a careful review of zoning boundaries is necessary to ensure that unusable or mixed areas are not created.

### *(B) Commercial area design.*

(1) When rear parking is not provided, off-street parking should also create an access and service drive with as few driveways as possible.

(2) Private streets (places) should not be encouraged. Where required, they can provide access to lots which would otherwise be inaccessible from a commercial street, or they can serve multiple building developments, where allowed by zoning. Normally, this condition will be necessary only with Planned Unit Developments (PUD).

(3) All commercial uses should be accessible only from major streets or from commercial streets as defined by the Planning Commission. Traffic for main commercial districts should not be required to travel on local streets. Neighborhood commercial centers or areas should be served by collector or arterial streets.

(4) Excessively deep lots should be avoided. Commercial uses should not project into residential areas, nor should unusable rear areas be created.

(5) When buildings are being sited whose businesses could involve pedestrian use, their orientation should consider walkway, sidewalk, and court systems.

(6) In a commercial subdivision where a proposed industrial development is in a park setting, public sidewalks are required only on arterial and collector streets as specified in the Transportation Section of the Bowling Green Master Plan. Public sidewalks along interior, local streets are not required.

(1980 Code, § 151.38) (Ord. 3704, passed 6-5-1978; Am. Ord. 6525, passed 9-20-1999)

## CONSTRUCTION STANDARDS

### § 151.45 STREETS AND SIDEWALKS.

(A) All streets shall have straight curb and gutter, and the streets shall be designed according to the design considerations of the city.

(B) Only straight curb is permitted.

(C) No surface-treated or gravel streets or alleys will be permitted.

(D) Sidewalks shall be provided on all residential and commercial lots, except for industrial uses in a park setting as modified by § 151.38(B)(6) where sidewalks are provided only on arterial and collector streets. Minimum widths shall be four feet. Handicap ramps shall be built at intersections. These ramps shall comply with ODOT and ADA standards. On all cul-de-sacs, a 15-foot easement shall be provided in addition to the right-of-way for sidewalks, trees and utilities. The easement shall start at the throat of the cul-de-sac. See [Figure 3](#) for graphic illustration of cul-de-sac layout with the required sidewalk easement.

(E) Regulatory and street name signs and signposts meeting the standard specifications of the city shall be provided at the expense of the developer, as required by the city, with installation by the city. After initial installations, replacement signs and signposts shall be provided by the city.

(F) Streets and alleys shall be graded to full width of the dedicated right-of-way, and side slopes, if any, shall start at the right-of-way line and slope upward or downward as topography necessitates.

(G) Where alleys or similar accessways are approved by the Planning Commission, they shall be properly graded the full width of the right-of-way and with pavement designed to the above specifications.

(H) Guardrail shall be constructed and berm width increased two feet when the vertical distance from the center line of the street to the toe of the slope fill is five feet or more.

[Click Here to View Image](#)

Figure 3: Typical cul-de-sac

(1980 Code, § 151.45) (Ord. 3704, passed 6-5-1978; Am. Ord. 5698, passed 4-18-1994; Am. Ord. 6525, passed 9-20-1999; Am. Ord. 7064, passed 1-21-2003; Am. Ord. 7225, passed 3-15-2004; Am. Ord. 7531, passed 3-6-2006; Am. Ord. 7799, passed 7-21-08)

#### **§ 151.46 UTILITIES.**

(A) No plat, or subdivision not requiring a plat, shall be approved without public sanitary sewers.

(B) No plat shall be approved without a public water supply.

(C) Every subdivision shall be provided with storm sewers of adequate size to serve the subdivision and the natural drainage area in which the subdivision is situated.

(D) Open ditches or other natural drainage channels passing through or abutting a subdivision may be closed by the developer at the developer's expense, provided approval is given by the city engineer and any other authority, including the county engineer, who would have jurisdiction over the grade or size of open ditches. Pipes and closed ditches will be sized to meet the requirements of the entire drainage area being served by the ditch as determined by the city engineer. If the developer uses open ditches or natural drainage channels and creeks, they shall be properly graded and enlarged to sufficient cross section to adequately care for the storm water runoff without the velocity water being sufficient to cause erosion of the stream bed. Open ditches or natural drains shall have the side slopes sodded or seeded in grass and curves properly riprapped to prevent erosion.

(E) If deemed necessary by the Planning Commission, natural watercourses and open drainage channels shall be placed in easements running to the city or shall be located in areas dedicated to the city, in order that the control of the watercourse or open drainage channels shall be in the city's jurisdiction and so that representatives of the city may enter upon the easement or dedicated area to maintain the open drainage channel.

(F) Catch basins shall be provided, as required, to properly intercept storm water runoff and to prevent flooding of streets and alleys.

(G) Location of storm sewers, sanitary sewers, and water lines shall conform to the regulations and construction standards and specifications of the city.

(H) Easements for cable television, electric, and telephone lines shall be provided along rear lot lines and side lot lines, and a 15-foot wide easement shall be granted for this purpose.

(I) A ten-foot easement shall be provided along front yard lines for sidewalks, trees and utilities.

(J) All utility lines, including gas, water, electric, telephone, and cable television, shall be placed underground.

(K) Lighting poles and fixtures shall be decorative.

(1980 Code, § 151.46) (Ord. 3704, passed 6-5-1978; Am. Ord. 5342, passed 10-21-1991; Am. Ord. 5627, passed 10-18-1993; Am Ord. 7799, passed 7-21-08)

### **§ 151.47 CONSTRUCTION.**

(A) Construction plans for the following improvements shall be furnished in accordance with the specifications of the officials having jurisdiction and shall receive approval of those officials before the improvements are installed.

(1) The center line profile (and natural profile) of each proposed street at a scale represented by not more than 50 feet to the inch, with tentative grades indicated.

(2) Cross section of each proposed street, at not more than each 50-foot station, showing the width of pavements, and the locations and widths of sidewalks.

(3) The plans and profiles of proposed sanitary sewers, with grades and sizes indicated. The elevation of the sanitary sewer house service shall be indicated at the lot line.

(4) A plan and profile of the proposed water distribution system, showing the pipe sizes and the location of valves and fire hydrants.

(5) A plan and profile of the proposed storm sewer system, showing the pipe sizes and the locations of catch basins and inlets.

(B) Construction standards and material specifications for streets and street drainage shall be those currently in force by the city.

(C) Permanent monuments shall be placed in accordance with the requirements of the city engineer.

(1980 Code, § 151.47) (Ord. 3704, passed 6-5-1978)

### **§ 151.48 SITE GRADING.**

(A) All lots shall be graded to carry surface water to an approved watercourse or storm sewer.

(B) Preliminary lot grading shall be completed at the time of street and utility installation to prevent water ponding on undeveloped lots.

(C) Finished ground elevations on the outside of the foundations of all structures shall be a minimum of 2% from the top of the curb to the building setback line. If the pavement is uncurbed, it shall be 3% from the near edge of the pavement to the building setback line.

(D) Retaining walls shall be constructed on side or rear lot lines where the grade varies across lot lines by one foot or more within three feet of side lot line.

(E) No foundation for any occupied structure shall be placed at an elevation lower than a 100-year flood reoccurrence elevation.

(F) A grading and drainage plan shall be submitted, showing all existing and proposed storm sewers, manholes, catch basins, watercourses, culverts, and other underground structures within the tract and immediately adjacent thereto, with pipe sizes and grades or waterway openings indicated. Topographic contours to one foot shall be indicated. The plan shall show the method to be used for the adequate disposal of all storm sewer water, including drainage outlets, and shall include a typical lot cross section drawn perpendicular to the street indicating lot grading and such other data as may be required by the city engineer. The plan shall be drawn at a scale represented by not more than 50 feet to the inch.

(1980 Code, § 151.48) (Ord. 3704, passed 6-5-1978)

## EXCEPTIONS

### § 151.55 EXCEPTIONS.

(A) The general principles of design and the minimum requirements for the laying out of a subdivision, stipulated in §§ 151.35 through 151.38, may be varied by the Planning Commission for a subdivision large enough to constitute a more or less self-contained neighborhood which is to be developed in accordance with a comprehensive plan safeguarded by appropriate restrictions which, in the judgement of the Planning Commission, makes adequate provision for all essential community requirements; provided no modification shall be granted by the Planning Commission which would conflict with the major thoroughfare plan, or with other features of the adopted city master plan, or with the intent and purpose of the general principles of design and minimum requirements.

(B) When the developer or his engineer can show by plan and written statement that, by reason of exceptional topography or other physical conditions, strict compliance with any requirement of these regulations would cause practical difficulty or exceptional and undue hardship, the Planning Commission may relax the requirements to the extent deemed just and proper so as to relieve difficulty or hardship; provided the relief may be granted without detriment to the public good and without impairing the intent and purpose of these regulations or

the desirable general development of the neighborhood and the community in accordance with the master plan and zoning code. Any modification granted shall be entered in the minutes of the Planning Commission setting forth the reasons which, in the opinion of the Commission, justified the modification.

(C) Whenever a developer or his or her engineer or other person presenting the developer seeks an exception or exceptions to this chapter, that person, firm or corporation shall submit the request for exception in writing. The written request shall cite the applicable sections and/or subsections in this chapter for which the exception or exceptions are requested.

(1980 Code, § 151.55) (Ord. 3704, passed 6-5-1978; Am. Ord. 5643, passed 12-6-1993)

## APPENDIX A: PLATTING CHECKLISTS

Following are checklist forms which are to be used by the platting commissioner when reviewing submitted drawings.

**FORM 1: PRELIMINARY DRAWING CHECKLIST**

**FORM 2: TECHNICAL DESIGN AND IMPROVEMENT CHECKLIST**

**FORM 3: FINAL PLAT CHECKLIST**

**FORM NO. 1  
PRELIMINARY DRAWING CHECKLIST**

Date \_\_\_\_\_ Application No. \_\_\_\_\_

Subdivision \_\_\_\_\_

The following list of items (does, does not) conform with the requirements of Chapter 151 of this Code.

DOES	DOES NOT	ITEM
1. _____	_____	Name of subdivision (no duplication permitted).
2. _____	_____	Locational description.
3. _____	_____	Name and address of owner, developer, surveyor and engineer.
4. _____	_____	Sheet size, 24" x 36" (index sheet, if more than one sheet).
5. _____	_____	Proper scale.
6. _____	_____	Date and north point.
7. _____	_____	Vicinity map.
8. _____	_____	Names of adjacent subdivisions and owners.
9. _____	_____	Zoning classification of all major parcels and proposed changes.
10. _____	_____	Topography at 2' intervals.
11. _____	_____	Locations, widths, and names of existing streets, rights-of-way, easements.

	DOES	DOES NOT	ITEM
12.	_____	_____	Location and dimensions of existing buildings and parks.
13.	_____	_____	Corporation, township, range, section lines.
14.	_____	_____	Location of existing utilities including sewers, water lines, gas lines, cable television, electric, and telephone poles.
15.	_____	_____	Layout, names and widths of proposed streets or easements and proper dedications.
16.	_____	_____	Layout and approximate dimensions of all lots.
17.	_____	_____	Building setback lines.
18.	_____	_____	Survey monuments of adjacent properties.
19.	_____	_____	Parks and open space and proper dedications.
20.	_____	_____	Proposed use of lots.
21.	_____	_____	Copy of proposed deed restrictions, if any.

Date \_\_\_\_\_ Title or Position \_\_\_\_\_

Signature \_\_\_\_\_

**FORM 2**  
**TECHNICAL DESIGN AND IMPROVEMENT CHECKLIST**

The following list of items (does, does not) conform with or does not apply (NA) to the requirements of Chapter 151 of this Code.

DOES	DOES NOT	NA	ITEM
<i>General</i>			
1.	_____	_____	Conformance with Major Thoroughfare Plan.
2.	_____	_____	Conformance with zoning regulations.
3.	_____	_____	No flood hazard.
4.	_____	_____	Acceptable natural drainage and erosion control.
5.	_____	_____	Steep slopes not limiting factor.
6.	_____	_____	Large trees and other significant natural features.
7.	_____	_____	Area of historical or cultural significance.
8.	_____	_____	Right-of-way widths.
9.	_____	_____	Pavement widths.
10.	_____	_____	Radius of curvature.
11.	_____	_____	Horizontal visibility.
<i>Streets</i>			
12.	_____	_____	Vertical alignment and visibility.
13.	_____	_____	Grades.
14.	_____	_____	Cul-de-sacs.

- 15. \_\_\_\_\_ Turn around radius - ROW -  
and pavements.
- 16. \_\_\_\_\_ Dead-end streets.
- 17. \_\_\_\_\_ Dedication and addition of half  
streets.
- 18. \_\_\_\_\_ Marginal access streets, points of  
access and planning strips.

**General**

- 19. \_\_\_\_\_ Alleys.
- 20. \_\_\_\_\_ Alignment of intersections.
- 21. \_\_\_\_\_ Spacing of intersection relative to  
different road classifications.
- 22. \_\_\_\_\_ Avoidance of multiple  
intersections.
- 23. \_\_\_\_\_ Avoidance of four-way  
intersections.
- 24. \_\_\_\_\_ Pavement and ROW of  
intersections.
- 25. \_\_\_\_\_ Streets for commercial  
subdivision.
- 26. \_\_\_\_\_ Repair of pavement.
- 27. \_\_\_\_\_ Streets for industrial subdivision.
- 28. \_\_\_\_\_ Length of blocks.
- 29. \_\_\_\_\_ Crosswalks.
- 30. \_\_\_\_\_ Street monuments.
- 31. \_\_\_\_\_ Subgrade.
- 32. \_\_\_\_\_ Base course.

- 33. \_\_\_\_\_ Surface course.
- 34. \_\_\_\_\_ Curbs and gutters.
- 35. \_\_\_\_\_ Bridges.
- 36. \_\_\_\_\_ Sidewalks.
- 37. \_\_\_\_\_ Street names and numbers, signs.

***Lots***

- 38. \_\_\_\_\_ Size, dimensions.
- 39. \_\_\_\_\_ Setback lines.

***General***

- 40. \_\_\_\_\_ Corner lot size.
- 41. \_\_\_\_\_ Proper use of double frontage lots.
- 42. \_\_\_\_\_ Driveway culverts and grade.
- 43. \_\_\_\_\_ Monuments.
- 44. \_\_\_\_\_ Grading plan.
- 45. \_\_\_\_\_ Type of water supply.
- 46. \_\_\_\_\_ Test wells.
- 47. \_\_\_\_\_ Type of sewage treatment.
- 48. \_\_\_\_\_ Percolation test results.
- 49. \_\_\_\_\_ Storm drainage system type.
- 50. \_\_\_\_\_ Manholes.
- 51. \_\_\_\_\_ Catch basins.
- 52. \_\_\_\_\_ Headwalls.
- 53. \_\_\_\_\_ Sufficient easements for utilities or open drainage.

54. \_\_\_\_\_ Street lighting and poles.

55. \_\_\_\_\_ Underground utilities.

56. \_\_\_\_\_ Other utilities.

Date \_\_\_\_\_ Title \_\_\_\_\_

Signature \_\_\_\_\_

**FORM 3  
FINAL PLAT CHECKLIST**

Date \_\_\_\_\_ Application No. \_\_\_\_\_

Subdivision \_\_\_\_\_

The following list of items (does, does not) conform with the requirements of Chapter 151 of this Code.

	DOES	DOES NOT	ITEM
1.	_____	_____	___ Conforms to preliminary drawing and incorporates suggested changes.
2.	_____	_____	___ Name of subdivision.
3.	_____	_____	___ Proper scale.
4.	_____	_____	___ Date and north point.
5.	_____	_____	___ Locational description.
6.	_____	_____	___ Sheet size, 20" x 30" (index sheet, if more than one sheet).
7.	_____	_____	___ Name and address of owner, surveyor, and engineer.
8.	_____	_____	___ Accurate survey data - seconds; lineal dimensions to hundredths of feet; radii, internal angles; points of curvature; tangent bearing; lengths of arcs; lengths of chords.
9.	_____	_____	___ Closure.
10.	_____	_____	___ Bearings and distances to permanent monuments.
11.	_____	_____	___ Name, location, width, and centerline of streets.
12.	_____	_____	___ Lot numbers and dimensions.
13.	_____	_____	___ Location and description of monuments.
14.	_____	_____	___ Building setback line.
15.	_____	_____	___ Final deed restriction.
16.	_____	_____	___ Final improvement plans.

17. \_\_\_\_\_ Installation or guarantee of installation of improvements.

18. \_\_\_\_\_ Required final certifications.

Date \_\_\_\_\_ Title or Position \_\_\_\_\_

Signature \_\_\_\_\_

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