

**SUBDIVISION CONTROL ORDINANCE
VERMILLION COUNTY, INDIANA**



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Vermillion County, Indiana

Vermillion County Area Plan Commission

Planning Consultants

Beckman, Yoder and Seay, Inc.
3210 West Illinois Road
Fort Wayne, Indiana 46804

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PROJECT IND. P-58

This Ordinance was prepared for the Division of Planning of the Department of Commerce of the State of Indiana. The preparation of this Ordinance was financially aided through a Federal grant from the Department of Housing and Urban Development under the Planning Assistance Program authorized by Section 701 of the Housing Act of 1954, as amended..

As a part of Vermillion County's planning program, a Subdivision Control Ordinance was adopted in 1970. Under the provisions of this Ordinance, a person seeking the approval of any subdivision plat will submit a written application for a Certificate of Approval together with a preliminary copy of the proposed plat to the Area Plan Commission for their review and approval. Following approval of the preliminary plat, the final plat of the subdivision will be submitted to the Area Plan Commission for review and approval.

Source: A Guide For Action
1972, p. 9

The administration of the Plan and Ordinances will involve three basic functions. The first of these is the day-to-day work of issuing permits, making on-site inspections, and meeting with individuals and groups to discuss proposed development ideas. These will be the responsibility of the Zoning Administrator. The second function is at the policy level. It involves decisions regarding proposed amendments to the Plan and Ordinances; the establishment of programs to be carried out in Clinton and the towns; and the adoption of specific policies regarding Clinton and the towns growth and development. These are the responsibilities of the Area Plan Commission and the Common Councils. The third function is the interpretation and enforcement of the Plan and Ordinances. This will involve the Plan Commission Attorney, the Board of Zoning Appeals, and, if necessary, the County Courts. It is essential that each individual and group involved in the administration process fully understand their function and responsibility.

Source: A Guide For Action
1972, p.10

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This Ordinance is adopted in accordance with the Vermillion County Development Plan. The purpose of the Ordinance is to regulate the division of land within Vermillion County. The Vermillion County Area Plan Commission and Vermillion County shall have all the powers and duties with respect to preliminary and final plats of subdivisions and the procedures relating thereto which are specified in Chapter 138, Acts of 1957, General Assembly of the State of Indiana, all acts amendatory thereto, and this Ordinance.

In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the protection of the public health, safety and general welfare, by providing for the orderly and harmonious development of Vermillion County, for the coordination of subdivision streets with existing and planned streets or highways; for the coordination with and extension of community facilities and utilities; for the establishment of minimum requirements for lots and blocks within subdivisions; and for the provision of adequate and suitably located open space for schools, parks, and other recreation and for adequate drainage.

AN ORDINANCE REGULATING THE SUBDIVISION OF LAND FOR THE PURPOSE OF SALE OR BUILDING DEVELOPMENT AND PROVIDING FOR THE APPROVAL OF PLATS AND RE-PLATS OF LAND.

Be It ordained by the Board of County Commissioners of Vermillion County, Indiana, under authority of Chapter 138, Acts of 1957, General Assembly of the State of Indiana and all Acts amendatory thereto:

This Ordinance may be cited as: The Vermillion County, Indiana, Subdivision Control Ordinance. For purpose of this Ordinance certain terms are defined in Article 5.

Article 1. Filing and Recording of Plats

No plat of a subdivision shall be filed with the auditor and the recorder shall not record any such plat unless it has first been approved by the Commission. The filing and recording of a plat shall be without legal effect unless such plat has been approved by the Commission.

Article 2. Requirements

No plat shall be approved by the Commission unless it conforms to the following requirements and standards:

Section 1. General Requirements and Minimum Design Standards

A. Suitability of Land

1. No land shall be subdivided for residential use if it is determined by the Commission to be unsuitable for such use by reason of periodic flooding, inadequate drainage, adverse topographic or subsurface conditions or other feature harmful to the health, safety, and general welfare of future residents of the subdivision and the residents of the county, unless the subdivider agrees to make such improvements as, in the judgment of the Commission, will render such land acceptable for residential use.

B. Natural Features

1. Existing natural features which would add value to the subdivision and the county, such as trees, valleys,

watercourses, historic spots, and similar irreplaceable assets, shall be preserved, insofar as possible, by harmonious design of the subdivision.

C. Streets

1. Conformity to Development Plan

All streets in a proposed subdivision shall conform in general alignment, character, extent, and width to the Development Plan.

2. Location and Arrangement

- a. Local streets shall be designed to discourage rapid, through traffic movement.
- b. A proposed street layout shall provide for the continuation or projection of existing streets in the surrounding area unless the Commission deems such extension undesirable because of topography or design.
- c. Where it is desirable in the opinion of the Commission to provide street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property.
- d. If a subdivision abuts or contains an existing or proposed Major or Collector Highway or Local Collector Road or Street, the Commission may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- e. If a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appro-

private districts. Such distance shall also be determined with due regard for the requirements of approach grades and future grade separations.

3. Minimum Right-of-Way Widths

- a. All street rights-of-way, measured from lot line to lot line, shall be as designated on the Development Plan but if not designated thereon shall be at least:

*Principal Highway - 74
Major - 63-36
Collector - 136-32-234-71-163
Local Collector - County Rds. so designated
Local Access - County Rds. not designated as Local Collector*

<u>Street Type</u>	<u>Right-of-Way</u>
Major Highway	130
Collector Highway	100
Local Collector Road or Street	70
Local Access Road or Street	50
Marginal Access Street	40
Alley	30
<i>Rural access Road</i>	<i>40</i>

- b. Subdivisions platted along both sides of an existing street shall provide the entire minimum right-of-way.
- c. Subdivisions platted along only one side of an existing street shall provide one-half of the minimum right-of-way measured from the centerline of such existing streets.
- d. Half streets are prohibited, unless determined by the Commission to be essential to the reasonable development of the subdivision in conformity with the other requirements of this Ordinance or unless the Commission finds it to be practicable to require the dedication of the other half when the adjoining property is subdivided. Whenever a half street exists adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

4. Intersections

- a. Streets shall intersect one another as nearly as possible at right angles and in no case shall the angle of intersection be less than sixty (60) degrees.

- b. Property lines at street and alley intersections shall be rounded with a radius of at least ten (10) feet. When the smallest angle of intersection is less than sixty (60) degrees, this minimum radius shall be increased. In commercial districts a comparable chord may be used in place on an arc.
- c. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet are prohibited.
- d. Intersections involving the junction of more than two streets should be avoided.
- e. The number of intersections of local streets with major streets should be kept to a minimum.

5. Street Grades

- a. Street grades, except under extreme physical conditions, shall not exceed the following:

<u>Street Type</u>	<u>Percent Grade</u>
Local Collector Road or Street	6
Local Access Road or Street	9
Alley	9

- b. For adequate drainage, the minimum street grade shall be not less than one-half of one (0.5) percent.

6. Street Alignment

- a. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on Local Collector Roads and Streets.
- b. If a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve with the following minimum radius shall be provided:

<u>Street Type</u>	<u>Minimum Radius Of Curvature</u>
Local Collector Road or Street	200 feet
Local Access Road or Street	100 feet

- c. Every change in grade shall be connected by a vertical curve constructed to provide the following minimum sight distance as measured between points five (5) feet above the centerline of the road or street surface.

<u>Street Type</u>	<u>Minimum Sight Distance</u>
Local Collector Road or Street	300
Local Access Road or Street	200

7. Dead-End Streets

- a. Dead-end streets, designed to be so permanently, shall not be longer than six hundred (600) feet from the nearest intersecting street and shall be provided at the closed end with a turn-around having a radius at the outside of the pavement of at least forty (40) feet, and a radius at the outside of the right-of-way of at least fifty (50) feet.

8. Reserve Strips

- a. Reserve strips controlling access to streets are prohibited unless control is placed in the county under conditions approved by the Commission.

9. Street Names and House Numbers

- a. Street names shall not be used which will duplicate or be confused with the names of existing or platted streets. Proposed streets in alignment with existing or platted streets shall bear the names of the existing or platted streets.
- b. Lot Addresses, Street Names and/or Road Numbers shall be assigned by the E-911 Administrator prior to final Plat Approval by the Commission.

D. Alleys

1. Unless provision for adequate service access is made, alleys shall be provided in commercial and industrial districts. Except for unusual and extreme conditions of topography, traffic flow, or access, alleys shall not be provided in residential districts.

2. The minimum right-of-way width of an alley shall be thirty (30) feet.
3. Dead-end alleys should be avoided, but if unavoidable, shall be provided with an adequate circular, "T" or "Y" turn-around at the closed end, as approved by the Commission.

E. Easements

1. Easements across lots or centered on rear or side lot lines shall be provided where necessary for utilities and shall be at least twelve (12) feet wide. The location of easements shall be determined in conjunction with the appropriate utility.
2. If a subdivision embraces all or any part of a watercourse, drainage way, channel, or stream, a storm water easement or drainage right-of-way shall be provided which conforms substantially with the lines of such watercourse, and is of adequate width as determined by the Commission.

F. Blocks

1. Block lengths shall not exceed eighteen hundred (1800) feet, nor be less than four hundred (400) feet.
2. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth.
3. Pedestrian crosswalks, not less than ten (10) feet wide, shall be required where deemed essential by the Commission to provide adequate circulation or access to schools, playgrounds, shopping centers, or other community facilities.

G. Lots

1. Every lot shall abut on a public street or a permanent easement of access at least twenty (20) feet wide which connects to a public street.
2. Side lot lines shall be approximately at right angles or radial to street lines.

3. Excessive depth in relation to width should be avoided. The proportion of 3 to 1 should not be exceeded.
4. Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from major traffic arterials or to overcome specific disadvantages of topography and orientation. An easement at least ten (10) feet wide, across which there shall be no right of access, shall be provided along the line of lots abutting Major or Collector Highways.
5. In any subdivision, the width and area of lots shall conform to the minimum requirements of the Zoning Ordinance for the district in which the subdivision is located.
6. The width and area of lots designed for commercial or industrial uses shall be adequate to provide for the off-street service and parking facilities required by the type of use and development proposed.
7. The minimum building setback lines established in the Zoning Ordinance shall be observed for all lots in each subdivision.
8. Corner lots for residential use shall have sufficient extra width to permit the minimum building setback from the side street.
9. Residential lots fronting on Major or Collector Highways or Local Collector Roads or Streets should have extra depth to permit deeper building setbacks from such traffic arterials.

H. Public Sites and Open Spaces

1. Whenever a park, recreation area, school site, or other public use shown on the Development Plan is located in whole or in part within the proposed subdivision, such proposed public space, if not dedicated to the appropriate public agency, may be required by the Commission to be reserved for a period of one (1) year for later acquisition by the public agency. If a public agency passes a resolution expressing its intent to acquire the land so reserved within the year, the reservation period shall be extended for an additional year.

Section 2. Required Improvements

A. Monuments and Markers

1. All monuments shall be of concrete or stone and not less than 4 inches square and 36 inches long. The center shall be marked on the top by either a copper dowel, set flush with the top, 3/8 inch in diameter and 2-1/2 inches long, or by crossed scores at least 1/2 inch deep. Monuments shall be set so that the top is level with the adjoining established grade and shall be installed at the following points: *OR AS determined by the Commission*

- a. At the intersection of street and alley right-of-way lines.

- b. At the intersection of all angles in the subdivision boundary line.

- c. At the beginning and ending of all street curves on both right-of-way lines.

2. The corners of all lots not marked by monuments required above shall be marked by galvanized or wrought iron pipe or iron or steel bars at least 3 feet in length and not less than 5/8 inch in diameter, the top of the pipe or bar to be set level with the established grade adjoining it and all Lot Corner

B. Streets and Alleys *Monuments shall bear a plastic cap with the name and license number of the Licensed Professional Surveyor and/or Engineer.*

1. Streets and alleys shall be graded to the full width of the right-of-way and brought to grades specified on plans, profiles, and cross-sections approved by the Commission in the Preliminary Plat.

2. Streets and alleys shall be paved to the following minimum widths:

Street Type

Minimum Pavement Width

Major Highway	**
Collector Highway	**
Local Collector Road	22 feet
Local Collector Street	38 feet*
Local Access Road	18 feet
Local Access Street	28 feet*
Marginal Access Road	18 feet
Marginal Access Street	28 feet*
Alley	20 feet

*Back to back of curbs.

**In accordance with the Development Plan and as approved by the Commission.

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See
Amendments

The street pavement to be constructed by the subdivider need not exceed thirty-six (36) feet in width.

3. Streets and alleys shall be constructed to either of the following minimum specifications or to alternate specifications providing equal or better construction as approved by the Commission:

	<u>Local Collector Roads & Streets</u>	<u>Local & Marginal Access Roads & Streets & Alleys*</u>
a. Flexible Paving Material		
<u>Surface</u>	1"	1"
Hot Asphaltic Concrete Or Bituminous Coated		
<u>Binder</u>	2-1/2"	2"
Hot Asphaltic Concrete Base or Bituminous Coated Blended Aggregate Base		
<u>Base</u>	6"	6"
Compacted Aggregate • Or Waterbound Macadam		
<u>Subbase</u>	4"	**
Crushed Stone or <u>Gravel</u>		
Total Thickness:	13-1/2"	9"
b. Portland Cement Concrete Uniform Design Thickness		
	7"	6"

*When these serve commercial or industrial development, the Local Collector Road and Street specifications shall be required.

**Base laid upon compacted subgrade.

The grading, material types, and methods of construction of streets and alleys shall be in conformance to the standards set forth in the State Highway Department of Indiana Standard Specifications.

C. Curbs and Gutters

Concrete curbs and gutters shall be installed along all streets in the subdivision except where they are judged unnecessary by the Commission for adequate drainage of storm water or for factors of safety. Curbs and gutters shall be of vertical face design and the materials and methods of construction must conform to the minimum specifications of the State Highway Department of Indiana Standard Specifications.

D. Sidewalks

Concrete sidewalks, at least four (4) feet wide and four (4) inches thick, shall be installed on both sides of each street except where they are deemed unnecessary by the Commission for pedestrian safety and convenience. Sidewalks shall be located within the street right-of-way one (1) foot from the street right-of-way line.

E. Storm Drainage

1. A storm water sewer system or a surface drainage system adequate to serve the area being subdivided shall be provided. Such system shall be in accordance with the plans and specifications approved by the Commission in the Preliminary Plat.

a. When curbs and gutters are provided or when the Commission determines the natural surface drainage to be inadequate, the subdivider shall construct a storm water sewer system with catch basins appropriately spaced along the streets in the subdivision. Valley gutters extending across the street surface shall not be used.

b. A natural surface drainage system shall be permitted when curbs and gutters are not provided and the natural drainage will, in the opinion of the Commission, adequately drain the storm water from the subdivision. The drainage ways should be shallow swales sowed in grass rather than deep, open ditches. Roadside drainage shall not be

disrupted by private driveways. The subdivider shall install a suitable pipe of adequate size to permit the free flow of water at those points where such driveways intersect the roadside drainage way.

- c. When top soil has been removed from the surface of a lot on a slope where erosion will cause a displacement of loose materials, the subdivider shall seed or provide other means to prevent the wash from damaging adjacent property, accumulating on street surfaces, or blocking drainage ways.
2. In the design of a storm water sewer system for a subdivision, the present and future expected run-off from the larger drainage area should be considered. For this reason, it may be desirable that larger sewers than those needed to service the immediate subdivision be installed. If this occurs, the Commission may recommend that the county join with the subdivider in the installation of the sewer system.

F. Water Supply

1. If, in the judgment of the Commission, a public water main is reasonably accessible, a complete water distribution system approved by the Indiana State Board of Health, including a connection for each lot and fire hydrants meeting the requirements of the Fire Insurance Underwriters Association shall be installed.
2. If a public water main is not reasonably accessible each lot may be provided with an individual water supply, provided such supply is installed in accordance with the minimum requirements of the Indiana State Board of Health.

G. Sewage Disposal

1. If, in the judgment of the Commission, a public sanitary sewer is reasonably accessible, a complete sanitary sewer system approved by the Indiana State Board of Health, including a lateral connection for each lot in the subdivision, shall be installed.
2. If, in the judgment of the Commission, a public sanitary sewer main is not reasonably accessible, sanitary wastes may be disposed of by one of the following methods:

- a. The subdivision may be provided with a complete sanitary sewer system, including a lateral connection for each lot and a package treatment plant, all meeting the approval of the Indiana State Board of Health and the Indiana Stream Pollution Control Board.
- b. The subdivider may provide a private sewage disposal system on individual lots consisting of a septic tank and soil absorption field or other approved sewage disposal system, provided such disposal systems are installed in accordance with the minimum standards of the Indiana State Board of Health and provided that the soil in the subdivision will properly absorb sewage effluent as determined by the percolation tests performed in accordance with the procedure prescribed by the Indiana State Board of Health or as determined by such other comparable test approved by the Commission. Regardless of test used the following shall apply:
 - (1) An adequate number of tests, as required by the Indiana State Board of Health, to clearly indicate the soil conditions throughout the subdivision shall be made by the subdivider.
 - (2) The tests shall be performed by a Soil Scientist or qualified person approved by the State of Indiana to perform such tests.
 - (3) The location of each test shall be recorded on a map of the subdivision.
 - (4) The results of the tests shall be keyed to the map and certified as being true, correct and performed according to the required procedure by the person performing the tests.
 - (5) No lot shall be used as a building site on which a

Septic Permit has not been issued by the Indiana State Board of Health or appropriate agency.

3. If a sanitary sewer system is to be installed, it may be desirable that sewer mains of a larger size than needed to serve the immediate subdivision be installed. If this occurs the Subdivider shall make contact with local sanitary districts, towns or local health departments to determine if the installation of the sewer system could be joined into an existing system.

H. All underground utility lines installed initially in streets, roads, or alleys shall be constructed prior to the surfacing of such streets, roads or alleys. Service connections for all underground utility lines shall be extended to such length beyond the surfaced area of any street, road, or alley as will obviate the necessity for disturbing the street, road, alley, or sidewalk improvements when service connections thereto are made. Utility lines should be installed under paved areas of streets, roads, alleys, and sidewalks only when absolutely necessary.

I. Street Name Signs

The subdivider shall install standard street signs at the intersection of all streets in the subdivision. The signs and method of display shall be subject to approval of the Commission and the E-911 Administrator.

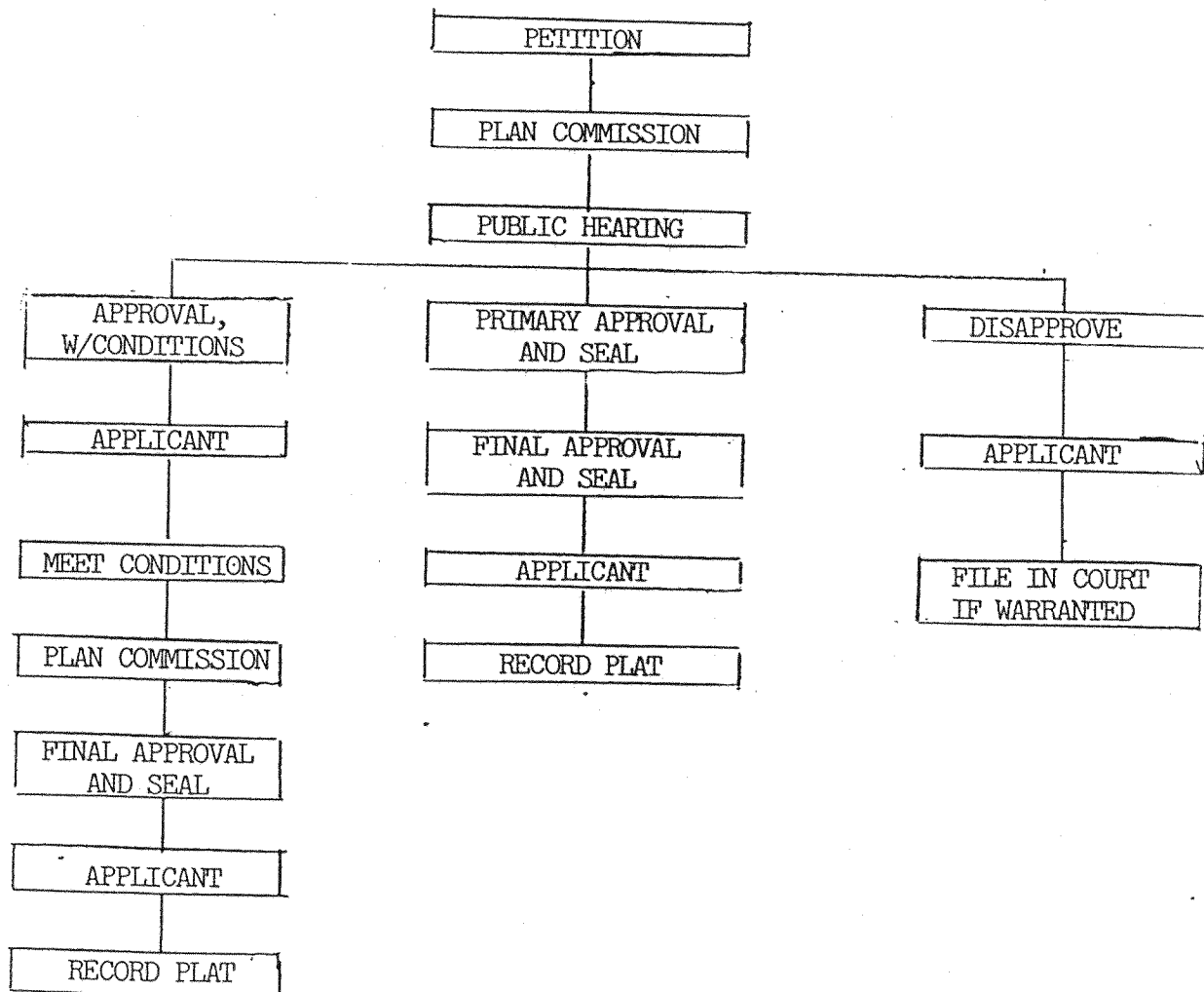
J. Completion

Upon completion of the installation of streets and alleys and storm drainage, water supply, and sewage disposal systems, a copy of the final plans and specifications as built shall be filed with the Commission.

Article 3. Procedure

A person seeking the approval of a plat shall submit a written application for a certificate of approval together with a copy of the proposed plat to the Commission in accordance with the following procedure:

Section 1. Pre-Application Meeting. A person should, prior to making application for the approval of a plat, arrange to meet with the Commission in order to become familiar with the substantive and procedural requirements of this Ordinance and to inform the Commission of his general intent concerning his proposed plat.

APPROVAL OF SUBDIVISION PLATS

Section 2. Preliminary Plat and Fee. A person seeking approval of a plat shall submit a written application for tentative approval of the plat to the Commission at least ten days before the meeting at which the Commission is expected to consider it. The application must include or be accompanied by the following in the form prescribed.

- A. A letter of application certifying ownership or interest of applicant in the proposed subdivision.
- B. Vicinity Sketch. A vicinity sketch with a scale of not less than 1,000 feet equaling one inch showing the relationship of the plat to its general surroundings and showing the following details:
 1. Existing streets within 1,000 feet of the subdivision.
 2. Proposed streets with connections to existing streets.
 3. Proposed direction of flow for storm water in relation to natural drainage channels.
 4. Municipal boundaries within 1,000 feet of the tract.
 5. Major water and sewer lines within 1,000 feet of the tract. If connection to site is proposed, only those necessary for such connection need be shown.
- C. Preliminary Plat. Three copies of a preliminary plat, prepared by a registered professional engineer or land surveyor in the form, content and detail prescribed below:
 1. The preliminary plat shall be clearly and legibly drawn and labeled: Preliminary Plat. The size of the map shall not be less than twelve (12) inches by eighteen (18) inches. The map of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet. All other subdivisions shall be drawn at a scale of one (1) inch equals one hundred (100) feet, unless otherwise required by the Commission.
 2. Title, Guide Information and Approval Form
 - a. Proposed Name of Subdivision. The name shall not duplicate, be the same in spelling or alike in pronunciation with any other recorded subdivision.

- b. Location by section, quarter section, township, range, county and state.
 - c. Names and addresses of the owner, subdivider if other than the owner and the engineer or surveyor preparing the plat.
 - d. Scale of plat, north point, and date.
 - e. Approval statement in the form as shown in Section 4 of this article.
3. Existing Site Conditions Affecting the Plat.
- a. Boundaries of the subdivision indicated by a heavy line with bearings and distances and the approximate acreage.
 - b. Locations, widths and names of existing or platted streets, alleys, railroad rights-of-way, easements, parks, permanent buildings, section and corporate lines within 100 feet of the tract.
 - c. Names of adjacent subdivisions and owners of adjoining parcels of unsubdivided land.
 - d. Zoning district boundary lines, if any.
 - e. Existing contours with intervals of not more than five feet where the slope is greater than ten percent or as determined by the Commission.
Elevations are to be based on Sea Level Datum.
 - f. Drainage channels or pipes, watercourses, culverts, wooded areas, power transmission poles and lines, and any other significant items shall be shown.
 - g. The location and sizes of any existing sewers, waterlines, fire hydrants and gas mains on or within 100 feet of the tract with pipe sizes and grades indicated and invert elevations where necessary.
4. Proposed Improvements
- a. Location and width of all proposed streets, roads, alleys and utility easements.

- b. Parks, playgrounds, and other public areas proposed for dedication.
- c. Proposed street names.
- d. Lot lines and approximate dimensions of lots.
Number of lots.
- e. Designation of streets, rights-of-way, easements and other areas proposed to be dedicated or reserved for public use, together with the conditions of such dedications.
- f. General drainage plan for storm water.
- g. Building set back lines with dimensions.
- D. Other Information
 - 1. Statement of proposed use of lots, stating type of residential buildings with number of proposed dwelling units; type of business or industry so as to reveal the effect of the development on traffic, fire hazards, or congestion of population.
 - 2. Proposed restrictive covenants.
 - 3. If any proposed zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions.
 - 4. Tentative cross-sections and centerline profiles for each proposed street shown on the preliminary plat, showing type of pavement and curb installations.
 - 5. The plans and profile of proposed sanitary and storm sewers, with manholes, invert elevations, grades and sizes indicated on plans and where required, proposed location and type of on-lot sewage disposal facilities.
 - 6. A plan of the proposed water distribution system, showing pipe sizes and location of valves and fire hydrants or a plan showing the location of individual wells.
 - 7. Percolation or other test results and location of each test.

8. A report from the Vermillion County Soil and Water Conservation District which indicates the capabilities of the soils in the proposed subdivision with respect to building development, road construction, drainage, sewage disposal system, erosion control, and such other information that might assist the Commission in its review of the preliminary plat.

E. Fee to pay for checking and verifying the plat. A certified check or money order, payable to the county, in the amount of ten dollars plus twenty-five cents for each lot in the proposed subdivision.

Section 3. Preliminary Plat Approval. The Commission shall review the application within a reasonable time and if it is satisfied that the requirements and standards of the Ordinance have been met by the applicant it shall tentatively approve the application and shall set a date for a hearing, notify the applicant in writing, and notify by general publication or otherwise any person or governmental unit having a probable interest in the proposed plat. The cost of publication shall be met by the applicant.

Following the hearing the Commission shall approve or disapprove the preliminary plat. If it approves the preliminary plat it shall affix the Commission's seal upon the plat. If it disapproves, it shall set forth its reasons in its own record and provide the applicant with a copy. Approval of the preliminary plat in no way constitutes the approval of the plat required prior to being filed with the auditor and recorder.

Section 4. Final Plat. Upon approval of the preliminary plat and upon completion of the required improvements or the posting of acceptable surety therefor, the applicant may file application for a certificate of approval of a final plat.

A. General

1. The final plat shall conform to the approved preliminary plat. It may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time, provided that such portion conforms with all the requirements and standards of this Ordinance.
2. The final plat shall be filed not later than eighteen months after the approval of the preliminary plat, otherwise such approval shall be void.

3. Three copies of the plat shall be filed. It shall be prepared by a Registered Professional Engineer or Land Surveyor.

B. Form and Content

1. Form. The final plat shall be clearly and legibly drawn on mylar, linen or similar materials, in a permanent reproducible form. The size of the map shall not be less than twelve (12) inches by eighteen (18) inches. The map of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet. All other subdivisions shall be drawn at a scale of one (1) inch equals one hundred (100) feet, unless otherwise required by the Commission.
2. Content. The final plat shall contain the following information:
 - a. Title, Guide Information and Approval Form.
 - (1) Name of Subdivision.
 - (2) Location by section, quarter section, township, range, county and state.
 - (3) Name and addresses of owner, subdivider, if other than the owner, and the engineer or surveyor preparing the plat.
 - (4) Scale of plat, north point and date.
 - (5) Approval statement in the form shown below:

CERTIFICATE OF APPROVAL

In accordance with the Vermillion County Subdivision Control Ordinance this plat was given final approval by the Vermillion County Area Plan Commission at a _____ meeting held on the ____ day of _____, 19__.

President

Secretary

(6) The following certificates:

CERTIFICATE OF DEDICATION

We, the undersigned owners of the said real estate shown and described hereon, do hereby, as shown, plat and subdivide said real estate and designate the same as _____. All streets within the plat are dedicated to the public, except as shown. Building setback lines are established as shown on the plat between which lines and property lines of the street there shall not be erected or maintained any building or structures. Strips of ground are reserved for the use of public utilities for the installation of electric lines, telephone poles, surface water drainage, and sewer mains and subject at all times to proper authorities and to the easements hereon reserved. No structures are to be maintained on said strips and owners of lots shall take title subject to the rights of the public utilities in said strips of ground.

Witness our hands this ____ day of _____, 19__.

President

Secretary

CERTIFICATE OF ACKNOWLEDGEMENT

State of Indiana
Vermillion County, Indiana

Before me the undersigned, a notary public in and for said county and state aforesaid, personally appeared the said (corporation) by (agent) for the said corporation who acknowledges the execution of the foregoing plat of (name) _____ with the dedications and restrictions thereon expressed to be their voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and notarial seal this ____ day of _____, 19__.

My commission expires _____, 19__.

Notary Public

LAND SURVEYOR'S CERTIFICATE

I, _____, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana, and certify that this plat correctly represents a survey completed by me on _____, 19__, and that all monuments shown actually exist and that their location, type, and material are accurately shown.

Land Surveyor
Ind. Reg. No. _____

- b. The full plan of development including boundary lines, street lines, street names, lot lines, building lines, drainage installations, sewage and water facilities, hydrants, and street tree locations.
- c. Areas dedicated or reserved for public use including streets, pedestrian ways, parks, etc., with the purpose indicated thereon.
- d. All plat boundaries with length of courses to 1/100 feet and bearings to half minutes. When required by the Commission, all calculations and field notes *may* be submitted.
- e. Sufficient data to determine readily the location, right-of-way width, bearing and length of every street, lot line, and boundary line, and to reproduce such lines upon the ground.
- f. The length of all street lines, the deflection of angles, radii, length of curves and central angles of all curves, tangent distances and tangent bearings.
- g. Bearings and distances to the nearest established street lines, section corners and/or other recognized permanent monuments, which shall be accurately described on the plat.
- h. All easements for rights-of-way provided for public services or utilities and any limitations of such easements.
- i. All lot numbers and lines, with accurate dimensions in feet and hundredths, and with bearings or angles to street and alley or cross walkway lines.
- j. Accurate location, size, and type of all monuments.
- k. Building setback lines with dimensions.
- l. When lots are located on a curve or when side lot lines are at angles other than ninety (90) degrees, the width of the building lines shall be shown.

- m. Reference to recorded subdivision plat of adjoining platted land by record name, date, and number and the names of owners of adjoining unplatted land.
- n. Restrictive covenants shall be shown on the plat.
- o. The applicant shall provide the Commission with one of the following:
 - (1) A certificate signed by a registered professional engineer stating that all the improvements have been installed in accordance with the requirements of these regulations and in accordance with the approved preliminary plat.
 - (2) Acceptable surety has been posted, which is payable to the county and in sufficient amount to assure completion of all required improvements, which surety shall not be released until the Subdivider has provided the Commission with a certificate signed by a registered professional engineer stating that all the improvements have been installed in accordance with the requirements of these regulations and in accordance with the approved preliminary plat.
- p. Such other certificates, affidavits, or endorsements as may be required by the Commission

Section 5. Final Plat Approval. Within a reasonable time after an application for a certificate of approval has been received by the Commission it shall approve or disapprove it. If the Commission is satisfied that the application conforms with all of the requirements and standards of this Ordinance,

it shall affix the Commission seal on the plat together with the certifying signatures of its President and Secretary and the date. If it disapproves it shall set forth its reasons in its own records and provide the applicant with a copy.

Section 6. Alternate Procedure. If a subdivision is of such size or location that it can be properly developed without the construction of streets, curbs, gutters, or sidewalks or the installation of sanitary sewer, storm sewer, or water lines, the subdivider may use the following procedure for plat approval:

- A. At a pre-application meeting with the Commission the subdivider may present a dimensioned sketch plan showing the proposed lay-out of the subdivision, information regarding the provision of sewage facilities and water supply and percolation or other test results as determined in accordance with the procedure set forth in subparagraph b of paragraph G of Section 2. (Pg. 12)
- B. After a review of such plan and information with the Commission, the subdivider may submit a written application for a certificate of approval together with three (3) copies of a Final Plat of the subdivision. The Final Plat shall comply in form and content to the requirements of Section 4B of Article 3 of this Ordinance. (Pg 18) The application shall include a fee to pay for the cost of checking and verifying the plat in the form of a certified check or money order, payable to the county, in the amount of five dollars plus twenty-five cents for each lot in the proposed subdivision.
- C. The Commission shall review the Final Plat within a reasonable time and if it is satisfied that all of the requirements and standards of the Ordinance have been met by the subdivider it shall tentatively approve the Final Plat and shall set a date for a hearing, notify the subdivider in writing and notify by general publication or otherwise any person or governmental unit having a probable interest in the proposed plat. The cost of publication shall be met by the subdivider.

- D. Following the hearing, the Commission shall approve or disapprove the Final Plat. If it approves the Final Plat, it shall affix the Commission seal on the plat together with the certifying signature of its President and Secretary and the date. If it disapproves the Final Plat it shall set forth its reasons in its own records and provide the subdivider with a copy.

Section 7. Maintenance Bond. Prior to any street, or other improvement being accepted by the county for public maintenance, the subdivider shall post a Maintenance Bond and/or other security naming the county as Obligor in an amount deemed adequate by the Board of County Commissioners to insure maintenance of said improvement for a period of at least twelve (12) months from the date of acceptance by the county.

Article 4. Modification of Requirements

If the Commission finds that because of unusual or exceptional factors of topography or other physical conditions peculiar to the tract to be subdivided extraordinary hardship may result from strict compliance with this Ordinance, it may modify the requirements and standards of Sections 1 and 2 of Article 2 of this Ordinance upon written request of the subdivider describing relevant factors or conditions and stating the reasons for modification; provided that such modification will not have the effect of nullifying the intent and purpose of this Ordinance.

In making any such modification the Commission may require such conditions as will, in its judgment, secure the objectives of the standards or requirements modified. Any modification made shall be set forth in the minutes of the Commission, along with a description of the conditions or factors, the reasons for the modification, and any conditions imposed.

Article 5. Definitions

Words used in the present tense include the future tense. The word shall is mandatory.

Street--A way for vehicular traffic whether designated as a street, road, highway, thoroughfare, parkway, boulevard, avenue, lane, drive or otherwise designated.

Article 5. Definitions, Section. Streets, Subsection d. Local Access Roads and Streets. add: Rural Access Road - Roads within a subdivision which will carry low volumes of traffic and are used primarily to provide access to the abutting tracts, parcels and lots within the Subdivision and provide access to local access roads.

- a. Major Highway--Those streets so designated on the Development Plan which will be used to accommodate large volumes of traffic moving at high rates of speed.
- b. Collector Highways--Those streets so designated on the Development Plan which will carry medium volumes of traffic at relatively fast rates of speed.
- c. Local Collector Roads and Streets--Those streets which will carry intermediate volumes of traffic within the county and from the Local Access Roads and Streets to the Major and Collector Highways.
- d. Local Access Roads and Streets--Local streets which will carry low volumes of traffic and are used primarily to provide access to the abutting properties.
- e. Marginal Access Roads and Streets--Local streets parallel with and adjacent to Major and Collector Highways and Local Collector Roads and Streets which provide access to abutting properties and protection from rapid through traffic.
- f. Alleys--Minor ways used primarily to provide vehicular service access to the rear or side of properties otherwise abutting on a street.

Subdivision--The division of a single lot, tract or parcel of land or a part thereof, into two or more lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer of ownership for residential, commercial or industrial land, or a part thereof, into two or more lots, tracts, or parcels by means of buildings, building groups, streets, alleys, parking areas, or leaseholds, for the purpose, whether immediate or future, of building development for residential, commercial or industrial purposes; provided, however, that divisions of land for agricultural purposes only, not involving any new street or easement of access, shall not be included.

Subdivider--Any individual, firm, association, syndicate, partnership, corporation, trust or other legal entity who undertakes the subdivision of land as defined herein.

Development Plan--The Development Plan for Vermillion County, Indiana, and all amendments thereto, as adopted by the Commission.

County--Vermillion County, Indiana.

Commission--Vermillion County Area Plan Commission.

Article 6. Separability

If any section, clause, provision, or portion of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other portion of this Ordinance.

Article 7. Repealer

All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed.

Subdivision - The process of dividing a single lot, tract, or parcel of land into two (2) or more lots, tracts, or parcels for the purpose, whether immediate or future, of transfer of ownership of residential, commercial or industrial land, for the purpose, whether immediate or future, of building development for residential, commercial or industrial purposes.

A. Subdivision, Minor. The division of a single tract or parcel of Agricultural or Residential Zoned land or a part thereof into a maximum of Fifteen (15) lots for the purpose, whether immediate or future, of transfer of ownership for Single Family Residential Dwellings (Lots), providing that each lot(s) have direct access from a Public Road, and the division of land is one lot depth and the lot(s) lines do not adjoin a business or industrial district boundary line. For Review and Final Approval the plat shall be in Form and Content as outlined and according to Article 3, Section 4, Subsection A, Item (1); Subsection B, Items (1) & (2).

(1). A Subdivision Minor that requires more than one lot depth shall have a minimum Right-of-Way from a Public Road along one side of each lot which does not border a Public Road. The Right-of-Way and the Road shall be constructed to the minimum specified requirements of the Vermillion County Subdivision Control Ordinance and meet all the requirements as above for the division of lots and tracts and the Review and Final Approval Process same as provided in Subdivision Minor above.

(2). A Minor Subdivision which requires the division of a singular tract or parcel of Agricultural or Residential Zoned Land or a part thereof into lots for single family residential dwellings (lots) along an existing Public Road Right-of-Way may be filed as provided for under Article 3, Procedure; Section 6, Alternate Procedure.

(3). The creation of a Minor Subdivision is for the purpose of subdividing small parcels or tracts of Residential Zoned Land, or Agricultural Zoned Land that is not productive or can not be efficiently used for Agricultural activities. It is not the intent that the Minor Subdivision be Pyramided into Residential Planned Development of Roads, Streets and Blocks.

B. Subdivision, Major. A subdivision which does not qualify as a Minor Subdivision, including residential subdivisions of sixteen (16) or more lots, smaller residential subdivisions which require additional improvements, and commercial or industrial subdivisions.