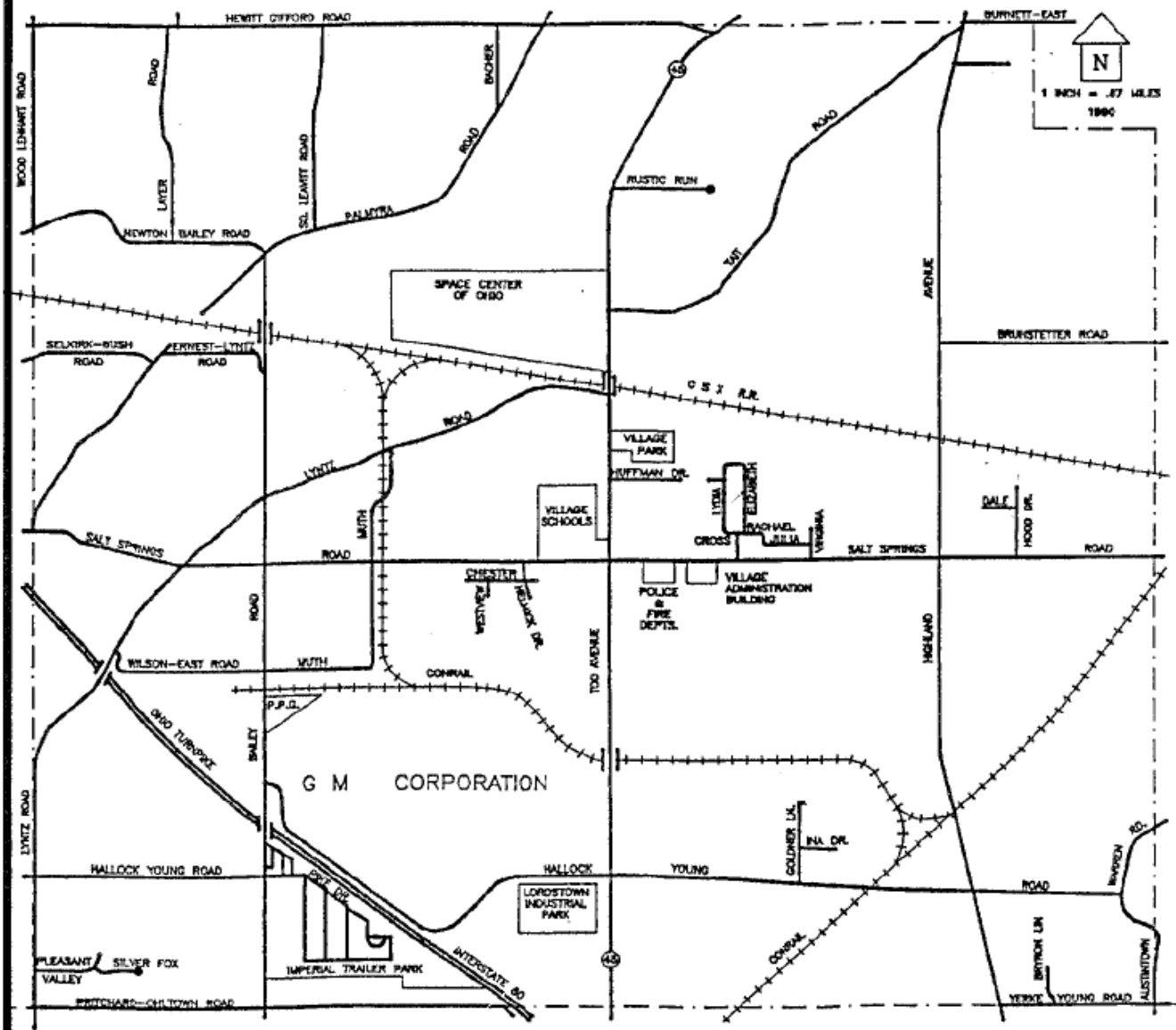


SUBDIVISION REGULATIONS

Lordstown, Ohio · Trumbull County



CODIFIED ORDINANCES OF LORDSTOWN
PART ELEVEN - PLANNING AND ZONING CODE

TITLE ONE - Subdivision Regulations

- Chap. 1101. Title, Scope and Jurisdiction.**
- Chap. 1102. Administration and Enforcement.**
- Chap. 1103. Subdivision Application Procedures and Approval Process.**
- Chap. 1104. Subdivision Design Standards.**
- Chap. 1105. Street Design and Construction Standards.**
- Chap. 1106. Utilities Design and Construction Standards.**
- Chap. 1107. Environmental and Resource Protection.**
- Chap. 1108. Requirements for Construction of Improvements.**
- Chap. 1109. Definitions.**
- Chap. 1110. Required Statement and Signatures.**
- Chap. 1111. Appendices.**

CHAPTER 1101
Title, Scope and Jurisdiction

- | | | | |
|----------------|--|----------------|-----------------------------------|
| 1101.00 | Title. | 1101.05 | Relation to other laws. |
| 1101.01 | Policy. | 1101.06 | Validity and separability. |
| 1101.02 | Purpose. | 1101.07 | Saving provision. |
| 1101.03 | Authority. | 1101.08 | Enactment. |
| 1101.04 | Jurisdiction and applicability. | | |

1101.00 TITLE.

These rules, regulations and standards shall be officially known as the “Subdivision Regulations of the Village of Lordstown, Ohio,” and shall hereinafter be referred to as “these Regulations.” (Ord. 56-2005. Passed 10-3-05.)

1101.01 POLICY.

(a) It is declared to be the policy of the *Village of Lordstown* to consider the subdivision of land and its subsequent development as subject to the control of the *Village of Lordstown*, pursuant to these Regulations in order to promote and protect the public health, safety and general welfare and to provide procedures by which these Regulations are administered to ensure the orderly, planned, efficient, and economical development of the Village.

(b) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace, and shall not be subdivided until such time as adequate public facilities and improvements exist, and proper provisions have been made for storm water management, water supply, treatment of sewerage, and other public improvements and services are provided, or a performance bond is filed to assure that the required improvements will be made by the subdivider.

(c) Land to be subdivided for other than building purposes, such as for preservation and protection of agricultural lands; environmentally sensitive areas; natural resource areas; archeological, cultural and/or historic sites; and open space areas shall be set aside through irrevocable conveyances acceptable to the Planning Commission, providing that proof is made available guaranteeing that the property shall remain undeveloped and unimproved (except for agricultural and/or recreational purposes) in perpetuity.

(d) The existing and proposed public improvements intended to serve land proposed to be subdivided shall conform to the provisions of the Comprehensive Plan, Capital Improvement Program, develop program and any other plan(s) adopted by the *Village of Lordstown* , and it is intended that these Regulations shall facilitate the implementation of both the goals and objectives contained in those plans, as well as the standards and provisions contained in building and housing codes and zoning resolutions, where applicable.
(Ord. 56-2005. Passed 10-3-05.)

1101.02 PURPOSE.

These Regulations are adopted as minimum requirements for the regulation and control of land subdivision within the incorporated areas of the *Village of Lordstown*. It is intended that the provisions of these Subdivision Regulations shall be applied to secure and provide the following objectives:

- (a) To provide the equitable handling, preparation and recording of all subdivision plats by establishing uniform procedures and development standards of design, construction, material specifications and performance guarantees for all improvements on the land as herein required.
- (b) To provide for the proper arrangement of streets and highways in relation to those existing or planned, to produce a convenient and efficient traffic circulation pattern.
- (c) To require streets and highways to be of such width, grade, construction, and location as to accommodate the prospective traffic generated and to facilitate access by police, safety, and fire fighting apparatus.
- (d) To provide adequate water supply, storm water management, erosion and sediment control, sewage disposal, public utilities, and other public improvements and services.

- (e) To ensure that appropriate public facilities are available and will have sufficient capacity to service the orderly extension of public improvements and services at minimum cost and maximum convenience and to prevent subdivisions of land that would place a disproportionate burden on public funds for such extension.
- (f) To improve the quality of life through the protection and preservation of the environment, its resources, natural features, topography, wetlands, water courses, vegetation and water table by preventing surface water and subsurface water pollution, air, noise, light and visual pollution.
- (g) To preserve and protect the geological, archeological, cultural, and historic areas of significance.
- (h) To regulate development in areas of geological concern, flood plains, and in vicinities of previous mining activities.
- (i) To avoid overcrowding of the land, population congestion, and to promote security and safety from fire, flood, and other dangers.
- (j) To encourage orderly and beneficial development in the Village and provide adequate and convenient open space for traffic, utilities, access of fire fighting apparatus, recreation, light and air.
- (k) To protect the character, social and economic stability of the Village, to conserve and enhance the value of the land and the value of buildings and other improvements by providing the most beneficial relationship between uses of land, buildings, traffic circulation and pedestrian movements.
- (l) To require accurate surveying and monumentation for the preparation of legal descriptions and subdivision plats, and to necessitate engineering design and construction of improvements on the land as herein required.
(Ord. 56-2005. Passed 10-3-05.)

1101.03 AUTHORITY.

By authority of Ordinance of the *Village of Lordstown Council*, adopted pursuant to powers and jurisdictions vested through Chapters 711 and 713 of the *Ohio Revised Code* and other applicable laws, statutes, resolutions, and regulations of the State of Ohio, as now existing or hereafter amended, the Planning Commission does hereby exercise the power and authority within the incorporated areas of the *Village of Lordstown* to review, approve, disapprove or otherwise act upon subdivisions of land as defined in the *Ohio Revised Code*, as now existing or hereafter amended. (Ord. 56-2005. Passed 10-3-05.)

1101.04 JURISDICTION AND APPLICABILITY.

These Regulations shall be applicable to all residential, commercial, and industrial subdivisions of land located within the incorporated areas of the *Village of Lordstown* in conformance with Section 711.001 et seq. of the *Ohio Revised Code*.
(Ord. 56-2005. Passed 10-3-05.)

1101.05 RELATION TO OTHER LAWS.

(a) The provision of these Regulations shall supplement any and all laws of the State of Ohio, resolutions adopted by the Trumbull County Board of Commissioners, the *Village of Lordstown Council* or any and all rules and regulations promulgated by authority of such law or resolution relating to the purpose and scope of these Regulations.

(b) Whenever the requirements of these Regulations are at variance with the requirements of other lawfully adopted rules, regulations, or resolutions, the most restrictive or that imposing the highest standard shall govern unless otherwise noted in these Regulations.
(Ord. 56-2005. Passed 10-3-05.)

1101.06 VALIDITY AND SEPARABILITY.

If, for any reason, any section, clause, sentence, paragraph or provision of these Regulations be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect validity or legality of these Regulations as a whole, or any part thereof, other than the part so held to be invalid.

(Ord. 56-2005. Passed 10-3-05.)

1101.07 SAVING PROVISION.

These Regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying or altering any penalty accrued or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the *Village of Lordstown* under any section or provision existing at the time of adoption of these Regulations, or as vacating or annulling any rights adopted by any person, firm, or corporation by lawful action of the county except as shall be expressly provided for in these Regulations.

(Ord. 56-2005. Passed 10-3-05.)

1101.08 ENACTMENT.

These Regulations shall become effective from and after the date of its approval, adoption, or amendment by the *Village of Lordstown Council* after public hearing and certification to the Trumbull County Recorder as required by Chapter 711 of the *Ohio Revised Code*. Henceforth, any other regulations previously adopted by the *Village of Lordstown* shall be deemed repealed. These Regulations shall in no way affect any subdivision having received preliminary plan approval prior to the effective date of these regulations or any amendment thereto, provided, however, that no changes to the preliminary plan, as approved, are introduced by the subdivider.

(Ord. 56-2005. Passed 10-3-05.)

**CHAPTER 1102
Administration and Enforcement**

1102.00	Administration, enforcement and interpretation.	1102.07	Revisions of plat after approval.
1102.01	Reservation and repeals.	1102.08	Sale and transfer of land.
1102.02	Amendments.	1102.09	Fees.
1102.03	Variances, exceptions and waivers of conditions.	1102.10	Violations and penalties.
1102.04	Expiration or extension.	1102.11	Written notice/stop action.
1102.05	Voided applications.	1102.12	Permits.
1102.06	Recording a plat.	1102.13	Appeal.

1102.00 ADMINISTRATION, ENFORCEMENT AND INTERPRETATION.

These Regulations shall be administered by the Planning Administrator of the Village of Lordstown. The Planning Administrator, assisted by other government agencies, legal counsel, and through other advice it may solicit, shall administer and enforce these Regulations. Discretionary, conflicting, or disputed aspects of these Regulations shall be interpreted by the Planning Administrator or other individual designated by the Village of Lordstown Mayor or the Chairman of the Planning Commission, in the absence of the Planning Administrator.
(Ord. 56-2005. Passed 10-3-05.)

1102.01 RESERVATIONS AND REPEALS.

Upon the adoption of these Regulations, according to law, the Subdivision Regulations of the Village of Lordstown adopted previously, are hereby repealed.
(Ord. 56-2005. Passed 10-3-05.)

1102.02 AMENDMENTS.

The Village of Lordstown Planning Commission may, on its own motion and after public hearing, amend, supplement or change these regulations in accordance with the appropriate sections of the Ohio Revised Code. However, the Planning Commission may only amend, supplement, or change regulations requiring the actual construction of improvements or posting of performance guarantees, after review and adoption by the Village of Lordstown Council.

Notice shall be given of the time and place of such public hearing by publication in at least one newspaper of general circulation, thirty (30) days prior to holding of said hearing and shall appear twice within the 30-day period. The amendment or amendments shall be on file in the office of the Planning Commission for public examination during said thirty (30) days.
(Ord. 56-2005. Passed 10-3-05.)

1102.03 VARIANCES, EXCEPTIONS AND WAIVERS OF CONDITIONS.

Where due to exceptional topographic or other physical conditions the Planning Commission finds that extraordinary and unnecessary hardship may result from strict application of these Regulations, or the purpose of these regulations may be served to a greater extent by an alternative proposal, it may waive conditions to these Subdivision Regulations provided that such waiver will not be detrimental to the public health, safety, or welfare or injurious to other properties. Such waivers shall not have the effect of nullifying the intent and purpose of these Regulations, any Comprehensive Plan, or Zoning Resolution, when they exist.

The hardship must be unique to the property for which the waiver is sought and not applicable to any other property. The hardship must result from the strict application of these Regulations as distinguished from one of inconvenience due to the owner's error, poor judgment or when the only supporting evidence is that compliance would add to the development cost.

In granting waivers or modifications, the Planning Commission may require such conditions, in its judgement, to secure substantially the objective of the standards or requirements so waived or modified.

(Ord. 56-2005. Passed 10-3-05.)

1102.04 EXPIRATION OR EXTENSION.

Failure to comply with stated time periods of these Regulations shall result in the expiration of the application and associated Planning Commission approvals. Before expiration, the subdivider may provide a letter and extension fee stating why these time periods cannot be met and requesting their extension. The subdivider is solely responsible for knowing expiration dates and meeting or extending them in accordance with these Regulations. The Planning Commission shall have no duty, obligation, or responsibility to remind or notify subdividers of approaching expiration dates.

(Ord. 56-2005. Passed 10-3-05.)

1102.05 VOIDED APPLICATIONS.

An application shall become void and have no rights, standing, or status under these Regulations, upon expiration, withdrawal, or disapproval.

(Ord. 56-2005. Passed 10-3-05.)

1102.06 RECORDING A PLAT.

No plat of any subdivision shall be recorded by the County Recorder of Trumbull County or have any validity until said plat has received a final approval in the manner prescribed in Chapter 1103 of these Regulations. No conveyance of any parcel by metes and bounds, not previously a lot of record, shall be recorded by the County Recorder of Trumbull County unless such subdivision has been approved in the manner prescribed by these Regulations.

(Ord. 56-2005. Passed 10-3-05.)

1102.07 REVISIONS OF PLAT AFTER APPROVAL.

No changes, erasures, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Planning Commission, and endorsed in writing on the plat unless said plat is first resubmitted to the Planning Commission.

(Ord. 56-2005. Passed 10-3-05.)

1102.08 SALE AND TRANSFER OF LAND.

No owner or agent of the owner of any land located within a proposed subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plat of a subdivision before such plat has been approved and recorded in the manner prescribed in these Regulations. The description of such lot or parcel by metes and bounds in an instrument of conveyance shall not exempt the transaction from the provisions of these Regulations. (Ohio Revised Code, Section 711.13) (Ord. 56-2005. Passed 10-3-05.)

1102.09 FEES.

(a) The subdivider shall pay a fee to the Village of Lordstown Planning Commission at the time of application for subdivision plat review and processing. The fee shall be paid in cash or by check or money order made payable to the Village of Lordstown and deposited in the general fund. The review and processing fee shall be in addition to any fees required by any other Village or County Agency including the Village Engineer and the County Sanitary Engineering Department for review, inspection or other related costs.

Application	Fee
(1) Minor Subdivision pursuant to Section 1103.01(a)	\$10.00/Division
(2) Major Subdivision pursuant to Section 1103.01(b)	
A. Preliminary Plan	\$50.00 Plan review + \$10.00/Lot
B. Revised Preliminary Plan	\$50.00
C. Final Plat and Replat	\$50.00 Plat Review +\$10.00/Lot

(b) All fees must be paid upon submittal.

(c) No fee will be returned once a receipt has been issued.

(d) Any application that has been disapproved by the Planning Commission, or withdrawn, may be resubmitted within one year from the original date of submission with a resubmittal fee of fifty dollars (\$50.00). (Ord. 56-2005. Passed 10-3-05.)

1102.10 VIOLATIONS AND PENALTIES.

The following penalties shall apply to the violations of these Regulations:

(a) Whoever violates any rule or regulation adopted by the Village of Lordstown for the purpose of setting standards, requiring and securing the construction of improvements within a subdivision, or fails to comply with any other requirement pursuant thereto, shall forfeit and pay not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000). Such sum may be recovered with costs in civil action, brought in the Court of Common Pleas of Trumbull County by the prosecuting attorney in the name of and for the use of the Village of Lordstown. (Ohio Revised Code, Section 711.102)

(b) A county recorder who records a plat contrary to the provisions of these Regulations shall forfeit and pay not less than one hundred dollars (\$100) nor more than five hundred (\$500), to be recovered with costs in a civil action by the prosecuting attorney in the name and for the use of the Village of Lordstown. (Ohio Revised Code, Section 711.12)

- (c) Whoever being the owner or agent of the owner of any land within the jurisdictional area of the Village of Lordstown Planning Commission, transfers, offers for sale, or leases for a period of more than five years any lot, parcel or tract of land from a plat of a subdivision before such plat has been recorded in the office of the County Recorder or that violates these Regulations shall forfeit and pay the sum of not less than one hundred (\$100.00) nor more than five hundred dollars (\$500.00) for each lot, parcel, or tract of land sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section. The sum may be recovered with costs in a civil action by the prosecuting attorney in the name and for the use of the Village of Lordstown. (Ohio Revised Code, Section 711.13)
- The sale of lots, parcels or tracts from a plat of a subdivision on which any and all areas indicated as streets or open grounds are expressly indicated as for the exclusive use of the abutting or other owners in such subdivision and not as public streets, ways or grounds shall not serve to exempt the seller from the requirements of these Regulations or from the forfeiture provided in this section. (Ohio Revised Code, Section 711.13)
- (d) Any person who disposes of or offers for sale or lease for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of these Regulations are complied with shall forfeit and pay the sum of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each lot or part of a lot sold or offered for sale or lease, to be recovered with costs in a civil action by the prosecuting attorney in the name and for the use of the Village of Lordstown. (Ohio Revised Code, Section 711.15)
(Ord. 56-2005. Passed 10-3-05.)

1102.11 WRITTEN NOTICE/STOP ACTION.

The Planning Administrator shall serve a written notice or order upon the person responsible whenever any work is being done or any transactions are being made in violation of the provisions of these Regulations or in violation of a detailed statement or plan submitted and approved. Such notice shall direct the discontinuance of any illegal action and remedy the condition that is in violation of the provisions and requirements of these Regulations.

In case such notice or order is not promptly complied with, the Planning Administrator or other appropriate agency shall notify the other public offices, utility companies, and other officials concerned therewith and shall request the same to withhold their approval and stop all services to the property where such violation is involved until these Regulations are complied with. The Planning Administrator or other appropriate agency, in any case, shall also request the Prosecutor to institute the appropriate action or proceedings at law of equity to restrain, correct, remove, or prosecute such violator.

(Ord. 56-2005. Passed 10-3-05.)

1102.12 PERMITS.

No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these Regulations, nor shall the Village have any obligation to issue certificates of occupancy or to extend utility services to any parcel created in violation of these Regulations.

(Ord. 56-2005. Passed 10-3-05.)

1102.13 APPEAL.

Any person who believes he or she has been aggrieved by these Regulations or the actions of the Planning Commission and/or the Administrator has all rights to appeal as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section.
(Ord. 56-2005. Passed 10-3-05.)

CHAPTER 1103
Subdivision Application, Procedures and Approval Process

1103.00	Classification of subdivisions.	1103.08	Pre-application meeting and sketch plan
1103.01	General approval procedure.	1103.09	Pre-application sketch content.
1103.02	Conditions and requirements for minor subdivision.	1103.10	Preliminary development plan required.
1103.03	Residual property.	1103.11	Reserved.
1103.04	Combining existing and/or proposed parcels.	1103.12	Final plat required.
1103.05	Replat and correction plat.		
1103.06	Vacations.		
1103.07	Conditions for major subdivisions.		

1103.00 CLASSIFICATION OF SUBDIVISIONS.

Upon the submission of a proposed division of property and an application therefore to the Planning Administrator or authorized representative, the Administrator or authorized representative shall classify the proposed division as a major subdivision (five or more splits), a minor subdivision (also known as lot split), or a subdivision that is exempt by definition pursuant to Section 711.001 (B) of the *Ohio Revised Code*, and shall follow the procedure for review and approval as required by these Regulations and Chapter 711 of the *Ohio Revised Code*.

The Village Road Commissioner or the County Sanitary Engineer shall require a subdivision determination from the County Planning Commission upon the submission of construction plans for any improvement to lands within the *Village of Lordstown*. If the Planning Commission determines that the improvements satisfy the definition of a subdivision as defined in Section 711.001 of the *Ohio Revised Code*, the developer shall adhere to the procedures and requirements of a major subdivision as specified in these Regulations.
 (Ord. 56-2005. Passed 10-3-05.)

1103.01 GENERAL APPROVAL PROCEDURE.

Before any land is subdivided, the owner of the property, or his authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures:

- (a) Minor Subdivision or Lot Splits. Minor subdivisions or lot splits which comply with all conditions and requirements of Section 1103.02 of these Regulations may be approved by the Planning Administrator or designated (in writing) representative of the Planning Commission. Minor subdivisions of any lot located within a currently recorded plat shall follow the procedures and requirements for replats as specified in Section 1103.05.
- (b) Platted Subdivision or Major Subdivision. Major subdivisions involve approval action by the Planning Commission. The approval process is essentially the same for a subdivision, cluster development, or planned unit development (PUD) and includes three principal steps: an optional sketch plan, a required preliminary plan, and final plat.
(Ord. 56-2005. Passed 10-3-05.)

1103.02 CONDITIONS AND REQUIREMENTS FOR MINOR SUBDIVISION.

(a) Conditions for Minor Subdivision. A minor subdivision or lot split may be approved by Planning Administrator without a plat in accordance with Section 711.131 of the *Ohio Revised Code* subject to the requirements and administrative procedures for minor subdivision approval as specified in these Regulations if the proposed division conforms to the following conditions:

- (1) The proposed division of a parcel of land as shown on the last preceding tax duplicate involves no more than five (5) lot splits.
- (2) The proposed division is along an existing public street and involves no opening, widening or extension of any street, road or public utility.
- (3) The proposed division is not contrary to any applicable platting, subdivision, zoning or other regulations.

If the minor subdivision satisfies the preceding conditions, it in no way exempts any requirements of these Regulations except for eliminating the need for a final plat.

(b) Requirements for Minor Subdivision. A minor subdivision or lot split shall comply with the following requirements:

- (1) A boundary survey of the proposed division shall be performed by a professional surveyor licensed in the State of Ohio in accordance with the minimum standards for boundary surveys as specified in Chapter 4733 of the *Ohio Administrative Code*.
- (2) When a division creating an additional parcel, lot, or building site is located wholly or partially within a 100-year flood boundary as determined from the Flood Insurance Rate Maps of the National Flood Insurance Program, the limits of the 100-year flood boundary and the 100-year flood elevation shall be indicated on the survey map submitted. ***This requires Planning Commission action.***
- (3) The proposed division, creating an additional parcel, lot, or building site shall conform to the requirements of the zoning resolution for the *Village of Lordstown* and/or the requirements of these Regulations.
- (4) The proposed division, creating an additional parcel, lot, or building site, shall be required to support an individual sewage disposal system in accordance with the current Regulations of the Trumbull County Board of Health when located in an area where a public sanitary sewer system does not exist. ***Board of Health approval is required before the Village can give approval.***

(c) Submittal Requirements for Minor Subdivision. A complete application for minor subdivision approval shall be submitted to the Planning Administrator or a representative designated in writing by chairman of the Planning Commission and shall include the following items:

- (1) Deeds. Deeds or other instruments of conveyance shall comply with the "Minimum Requirements for Instruments of Conveyance" as adopted by Trumbull County and shall contain an accurate and current legal description of each proposed new parcel created by, or as a result of the proposed minor subdivision.
- (2) Survey. One survey map of the proposed minor subdivision, signed and dated by a professional surveyor registered in the State of Ohio (including registration number and seal), prepared in accordance with Chapter 4733 of the *Ohio Administrative Code*.
- (3) Sewage certification. Certification from the Trumbull County Health Department that each proposed parcel created by or as a result of the proposed minor subdivision conforms to current Regulations of the Trumbull County Board of Health, if no sanitary sewer exists.
- (4) The submittal of any other such information as is pertinent to determine the conformity of the division with these Regulations.
- (5) Fee. The fee required for application for a minor subdivision as specified in Section 1102.09 of these Regulations.

(d) Administrative Procedure and Approval for Minor Subdivision. A minor subdivision or lot split submitted for approval shall be reviewed by the Planning Administrator or designated representative of the Planning Commission for conformity to these Regulations. If within ten (10) full working days the Planning Administrator or designated representative determines that the proposed division and the remainder of the original tract, if any, complies with the conditions and requirements of these Regulations as outlined in Section 1103.02, the Commission's representative shall approve the proposed division and upon presentation of a deed or other instrument of conveyance, shall stamp "*Approved by the Village of Lordstown Planning Commission, No Plat Required*" and sign the conveyance. The owner or legal representative shall then take the deed to the Trumbull County GIS/Tax Map Department for review along with an original copy of the survey map, the County Auditor for transfer of property, and finally to the County Recorder where it will become a legal lot of record.

(Ord. 56-2005. Passed 10-3-05.)

1103.03 RESIDUAL PROPERTY.

When a proposed subdivision of property results in a residual parcel consisting of the remaining lands of the original tract, said residual parcel shall comply with the requirements of the *Village of Lordstown* Subdivision and Zoning Regulations or be combined with an existing adjoining tax parcel, in which the total of the combined parcels are in compliance with these Regulations prior to the approval of the proposed subdivision.

(Ord. 56-2005. Passed 10-3-05.)

1103.04 COMBINING EXISTING AND/OR PROPOSED PARCELS.

Proposed minor subdivisions and/or residual property that are required to be combined as a single parcel to satisfy the requirements of these Regulations and/or Zoning Regulations shall have a deed or replat of the total combined parcel recorded in the Office of the Trumbull County Recorder. The parcels to be combined shall have the same deed reference, shall be adjacent to each other and shall not be separated by a public or private roadway. Parcels not located within a recorded plat shall be combined by recording a deed or other instrument of conveyance or other recordable instrument describing the boundary of the total combined acreage by metes and bounds description based on an actual property survey prepared by a licensed surveyor registered in the State of Ohio. *Combining any parcel currently located within a recorded plat shall follow the procedures and requirements for a replat as specified in Section 1103.05.*
(Ord. 56-2005. Passed 10-3-05.)

1103.05 REPLAT AND CORRECTION PLAT.

A replat shall be required for any changes made to any lot within a previously recorded plat. A correction plat shall be required to amend any errors found in the previously recorded plat. A replat or correction plat shall meet all provisions of these Regulations unless otherwise amended and shall comply with the same requirements and procedures as for final plat approval of a major subdivision as specified in Section 1103.12
(Ord. 56-2005. Passed 10-3-05.)

1103.06 VACATIONS.

Streets and lots may be vacated in accordance with the provisions and procedures of the *Ohio Revised Code* as follows:

- (a) Lots. Lots in a recorded subdivision may be vacated by the owner(s) in accordance with the provisions of Section 711.25 of the *Ohio Revised Code*.
- (b) Streets. Streets may be vacated provided such vacation is in conformance with the provision of Section 5553 of the *Ohio Revised Code*. The request for vacation of streets shall be by petition to or endorsement by the *Village of Lordstown* council after a recommendation from the Village Planning Commission and the Village Road Commissioner. The Planning Commission shall not recommend the vacating of any street or part of a street if such vacating interferes with the uniformity of the existing street pattern or with any street plans for the area which would affect the health, safety, and general welfare of the residents of the community.
 - (1) Street vacation by petition (*Ohio Revised Code* 5553.04).
 - (2) Street vacation by endorsement (*Ohio Revised Code* 5553.31) is used where a plat or replat will alter the existing roads previously dedicated for public use and/or accepted by the *Village of Lordstown* Council. The plat or replat in this situation must be endorsed by the Village Council, Planning Commission and the Road Commissioner to legally vacate affected roads.
(Ord. 56-2005. Passed 10-3-05.)

1103.07 CONDITIONS FOR MAJOR SUBDIVISIONS.

A subdivision shall be subject to major subdivision procedures for approval involving a sketch plan, preliminary plan, and final plat if the proposed division conforms to any of the following conditions:

- (a) The division of more than five (5) lots, any one of which is less than five (5) acres.
- (b) The division or allocation of land for the creation, opening, widening, or extension of any street or access easement.
- (c) The division or allocation of land as easements for the extension and maintenance of public sewer, water, storm drainage, or other public facilities.
- (d) The division or allocation of land as open spaces for common use by owners, occupants, or lease holders.
- (e) Subdividing platted land to create additional building lots in a recorded subdivision.
- (f) The improvement of a previously recorded platted subdivision requiring the extension of any road, water line or sanitary sewer.
(Ord. 56-2005. Passed 10-3-05.)

1103.08 PRE-APPLICATION MEETING AND SKETCH PLAN.

The subdivider is encouraged to meet with the Planning Administrator or its designated representative and Road Commissioner and Village Engineer prior to submitting the preliminary development plan. The purpose of this meeting is to discuss early and informally the purpose and effect of these regulations and the criteria and standards contained therein; and to familiarize the developer with the Comprehensive Plan, the Major Thoroughfare Plan, the Parks and Public Open Space Plan, the Zoning Regulations, and the drainage, sewerage, and water systems for the *Village of Lordstown*.
(Ord. 56-2005. Passed 10-3-05.)

1103.09 PRE-APPLICATION SKETCH CONTENT.

The subdivider is encouraged to submit a sketch plan, legibly drawn at a suitable scale and containing the following information:

- (a) The scale and title of the subdivision, township, section number, north arrow, and date.
- (b) Name, address, and phone number of the owner and the developer.
- (c) The layout and approximate acreage of streets, lots, and any other non-residential features such as commercial, industrial, school, or recreational uses within the proposed subdivision.
- (d) A written statement about storm drainage, sewage disposal, water supply and other facilities that exist in the area and the likely impact of the development on those systems.
- (e) List the utilities available and the type of zoning which exists.
(Ord. 56-2005. Passed 10-3-05.)

1103.10 PRELIMINARY DEVELOPMENT PLAN REQUIRED.

After the pre-application stage, the subdivider shall submit an application for preliminary development plan review for tentative approval by the Planning Commission prior to the formulation and submittal of detailed construction drawings. The preliminary development plan shall conform to the requirements as set forth in this section of these Subdivision Regulations and shall be prepared by a professional engineer or surveyor licensed in the State of Ohio or the cooperation thereof with other professionals certified to prepare development plans such as planners or architects. The submission of a preliminary plan is not for the purpose of recording and therefore not to be considered as the filing of a plat and shall not begin the time within which the Commission must act on a plat.

- (a) Application for Preliminary Development Plan Review. One copy of a completed preliminary development plan application, signed and dated by the applicant or his authorized representative shall be submitted to the Planning Commission together with ten (10) copies of the proposed preliminary development plan and supplemental information specified in subsection (b) through (d) hereof not less than twenty-one (21) days before the meeting of the Planning Commission. Upon receipt of the completed application, preliminary development plan and supplemental information, the Commission, acting through the staff, shall within ten (10) working days , determine if the plan is sufficiently complete and shall place the proposed preliminary development plan on the agenda of the next regular meeting of the Planning Commission. An incomplete application will not be placed on the agenda until all information is submitted within the time frame as required in this section.
- (b) Preliminary Development Plan Form. The preliminary development plan shall be drawn on one or more sheets at a scale not less than one hundred (100) feet to the inch on paper with a minimum size of 11 inch x 17-inch and a maximum of 24-inch x 36-inch.
- (c) Preliminary Development Plan Content. The preliminary development plan shall contain the following information for the entire tract of land in a proposed subdivision:
- (1) Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the Village, except for subsequent subdivisions in the same general development.
 - (2) Location by section, range, county, state and adjacent surveys.
 - (3) Names, addresses and phone numbers of the owner, subdivider and professional engineer, surveyor, planner or architect who prepared the development plan, and the appropriate registration numbers and seals.
 - (4) Bearings and distances of the subdivision boundary, its acreage and the date of survey. The subdivision boundary shall be indicated by a solid heavy line.
 - (5) Subdivision boundaries shall be based on an accurate survey in compliance with the Minimum Standards for Boundary Surveys in the State of Ohio and the measurement specifications as contained in Chapter 4733-37 of the *Ohio Administrative Code*.
 - (6) North arrow, a graphic scale and a written scale.
 - (7) Names of adjacent subdivisions, owners of adjoining parcels of unsubdivided land and the location of their boundary lines.
 - (8) Location, width and names of all existing public and private streets, drives, rail-road rights of way, easements, parks, and corporation, township, and municipality lines.
 - (9) Location of wooded areas, embankments, drainage patterns, streams and water courses, riparian zones and water bodies, wetlands and vernal pools, and other significant topographic and natural features including watersheds within and adjacent to the development plan for a minimum distance of two hundred (200) feet.

- (10) Delineation of the 100-year flood boundary and the 100-year flood elevation as determined from the Flood Insurance Rate Maps of the National Flood Insurance Program shall be boldly indicated on the preliminary development plan.
- (11) Location of existing buildings, structures, towers, power transmission poles and lines, fences, walls, known cemeteries, historical and archeological sites, and other significant or man-made features.
- (12) Existing sanitary sewers, water lines, storm sewers, drainage structures, culverts, oil and gas wells and distribution lines, other underground utilities and structures, and active and abandoned mines within and adjacent to the tract.
- (13) Zoning classification of the tract and adjoining properties and a description of proposed zoning changes, if any.
- (14) Existing and proposed contours at an interval of not greater than two (2) feet if the slope of the ground is fifteen percent (15%) or less; and not greater than five (5) feet where the slope is more than fifteen percent (15%). Existing contours shall be shown by dashed lines and proposed contours shall be shown by solid lines on this topographic map. Elevations shall be based on the North American Vertical Datum (NAVD 88).
- (15) Location and elevation of the nearest United States Geological Survey (USGS) bench mark used.
- (16) Location, type, name, and widths of proposed streets, curbing, sidewalks and easements. Center line distances and radius of curves at the right of way and pavement edge, and a typical section of the proposed street. Total length and area of proposed streets. The arrangement of streets shall be shown for the entire tract of land in a proposed subdivision.
- (17) Location of all proposed soil boring sites along the proposed roadway as deemed necessary by the Road Commissioner in accordance with the requirements of Section 1105.16 of these Subdivision Regulations.
- (18) Building setback lines with dimensions (min 60' from front the right-of-way).
- (19) Type of water supply and wastewater disposal proposed, approximate location and dimensions of all proposed water mains and sewer lines showing their connection with the existing system.
- (20) Storm drainage easements and detention areas.
- (21) All proposed utility easements, including natural gas, electric, and cable.
- (22) Lot design and lot numbers, dimensions and frontage distance at the right-of-way line of each lot. When a lot is located on a curved street or when side lot lines are not at ninety (90) degree angles. The approximate width at the front property line (street right of way) and the front building line and building setback line shall be shown in dimensions and chords. Proposed lot lines shall be shown as solid lines.
- (23) Location and acreage of land to be established as public and/or open space within the proposed development.

- (24) A vicinity map at a scale of not less than two thousand (2,000) feet to the inch shall be shown on, or accompany the development plan showing the relation of the tract to adjoining property and to all streets, municipal, township, and county boundaries, and streams existing within one thousand (1,000) feet of any part of the property proposed to be developed.
 - (25) A table showing the total acreage contained in the proposed subdivision, the acreage in lots, the acreage in roads and the acreage in proposed open space and recreational areas.
- (d) Supplementary Information. The following information shall be supplied in addition to the requirements of Section 1103.10(c):
- (1) Where individual sewage disposal systems are proposed, the developer shall be required to obtain Conceptual Approval from the Trumbull County Health Department in accordance with Section 1106.04(b) prior to the submittal of a preliminary plan for Planning Commission approval. For effects of Conceptual Approval, see Section 1106.04(c).
 - (2) Where private water systems are proposed, the developer shall be required to submit a letter from the Trumbull County Health Department and/or the Environmental Protection Agency indicating that an individual water supply from private wells is feasible for the proposed development.
 - (3) A statement of proposed use of lots, giving type and number of dwelling units, type of business or industry, and acreage of each.
 - (4) For commercial and industrial development, the location, dimensions, and approximate grade of proposed parking and loading areas, pedestrian walks, streets, and points of vehicular ingress and egress to the development.
 - (5) Declaration of covenants, grants of easements, conditions, and restrictions.
 - (6) The developer shall submit an affidavit from the Department of Natural Resources concerning endangered and/or protected species within the area of the proposed project.
 - (7) The Planning Administrator or authorized staff representative may request the inclusion of additional items deemed pertinent to further evaluate the project's merit in accordance to these Regulations.
- (e) Transmission of Preliminary Plan. The Village Planning Administrator in review of the preliminary plan shall send copies to the following officials and agencies for their information, review and recommendations: The Technical Review Committee consists of:
- (1) Village Engineer;
 - (2) County Board of Health (as needed);
 - (3) Village Road Commissioner;
 - (4) County Sanitary Engineer;
 - (5) Village Board of Public Affairs.
- All agencies shall conduct their review within ten (10) days of receiving the preliminary plan and submit their recommendations to the Planning Administrator one (1) week prior to the next meeting of the Planning Commission.

- (f) Preliminary Development Plan Review. Upon the proper submission of the preliminary development plan within the time frame as stated in Section 1103.10(a), the plan shall be placed on the agenda one (1) week prior to the next regular meeting of the Planning Commission. The Commission shall examine all information submitted including reports of the agencies involved to determine the completeness of the documents submitted in accordance with the requirements of this section and review the preliminary plan for compliance with the Regulations. All agency reports must be received and addressed at the Commission meeting. Upon completion of its review, the Commission shall take one of the following actions:
- (1) If the plan is sufficiently complete, the Commission shall approve or deny the proposed plan or the approval of some modification thereof.
 - (2) If the plan is in contrast with any part of these Regulations or any local, state or federal regulation, or if additional information or a plan revision is required, the Commission shall not approve the plan.
- (g) Action. Following the informal meeting between the Village Engineer the Planning Administrator and the Road Commissioner for review and action of the preliminary plan, the Planning Commission shall determine whether the plan complies with the full provisions of these Regulations and do one of the following:
- (1) Approve the preliminary plan and notify the developer in writing.
 - (2) Conditionally approve the preliminary plan and notify the developer in writing of the conditions of approval. Ten (10) copies of a revised preliminary plan shall be submitted addressing all items of the conditional approval prior to the final approval of the preliminary plan. No construction shall begin nor construction plans approved without the submittal of the revised preliminary plan.
 - (3) Disapprove the preliminary plan and notify the developer in writing of all the reasons for disapproval and the sections of the Village Subdivision regulations that the preliminary plan and application failed to comply with.
- (h) Effect of Approval. Approval of the preliminary plan is not approval of the subdivision for record. It is an approval of a general plan as a guide for the preparation of improvement plans and a subdivision plat for final approval and recording upon fulfillment of all requirements of these Regulations. Construction shall not begin until after the preliminary plan has been approved by the Planning Commission and the improvement plans have been approved by the Village Engineer, the Board of Public Affairs, the Village Road Commissioner, the County Sanitary Engineer or County Health Department along with any required written agreements with the *Village of Lordstown* Council.
- (i) Changes in the Preliminary Plan. If after having received written preliminary plan approval, the developer desires substantial changes in the plan, a revised preliminary plan shall be resubmitted to the Planning Commission for reapproval.
- (j) Preliminary Plan Recall. The Planning Commission may recall unplatted portions of the preliminary plan for consideration and reapproval, modification or disapproval by the Planning Commission. A recall may occur if:
- (1) Incomplete, inaccurate or fraudulent information influenced approval.
 - (2) The subdivider has failed to satisfactorily pursue platting or conditions of approval.
 - (3) Previously unknown or new health, safety, or environmental concerns arise.
- The subdivider shall be notified by letter no later than thirty (30) days before the recall is scheduled for consideration.

- (k) Preliminary Plan Expiration. The approval of a preliminary plan shall be valid for a period not to exceed two (2) years to allow for the preparation and recording of the required subdivision plat and the development of the project. The preliminary plan shall expire, and the approval shall become void after two (2) years unless an extension of time is granted in writing by the Planning Commission. (Ref. 1102.04) (Ord. 56-2005. Passed 10-3-05.)

1103.11 RESERVED.

1130.12 FINAL PLAT REQUIRED.

Following the conditional approval by the Planning Commission of a preliminary development plan and upon compliance with the formal provisions of these Regulations, the subdivider shall submit for recording purposes a final plat of the proposed subdivision. The final plat shall contain all requirements stipulated in the preliminary plan as conditionally approved and if desired, may constitute only that portion of the preliminary plan which the developer proposes to record and develop at the time, provided however, that such portion conforms to all the requirements of these Regulations. The final plat shall be prepared by a professional surveyor licensed to practice in the State of Ohio.

- (a) Application for Approval of Final Plat. An application for final plat approval shall be completed on forms available from the Planning Administrator. The completed application together with an original final plat of the subdivision, ten (10) copies of the plat and supplementary information as specified, shall be submitted to the Village Planning Commission at least fourteen (14) days prior to the meeting at which it is to be considered.
- (b) Filing. A final plat shall be considered officially filed on the date that the plat and all requirements of subsection (a) hereof have been satisfied and received by the Village Planning Commission and so dated. A final plat is required to be filed with the Village Planning Commission prior to the expiration of the preliminary plan as specified in Section 1103.10(k) of these Regulations.
- (c) Final Plat Form. The final subdivision plat shall be on one or more sheets with a maximum size of twenty-four (24) by thirty-six (36) inches, and a minimum size of eleven (11) by seventeen (17) inches and shall be clearly and legibly drawn. The original shall be drawn on reproducible material capable of producing blue or black line paper prints. The plat shall be drawn at a common scale between one hundred (100) feet to the inch and ten (10) feet to the inch inclusive. No ditto marks shall be used on the final plat, and a legend of all symbols and abbreviations used shall be included on the plat. The final plat is also to be filed in a digital or computer format.
- (d) Final Plat Contents. The final plat shall contain the following information:
- (1) Name of the subdivision, location by section, and range.
 - (2) Vicinity map showing the general location of the subdivision.
 - (3) North arrow with a clear statement as to the basis of its referenced direction or the basis of bearing used.
 - (4) Plat boundaries, based on an accurate survey, shall comply with the Minimum Standards for Boundary Surveys in the State of Ohio and the measurement specifications as contained in Chapter 4733-37 of the *Ohio Administrative Code*. Descriptions shall be subject to traverse closure.

- (5) Control station(s) or line cited in the deed description and the relationship of the property to this control.
- (6) Plat boundaries and all control stations shall be referenced to the State Plane Co-ordinate System.
- (7) A notation at each corner of the property stating that the boundary monument specified in the deed description was found or that a boundary monument was set. In addition there shall be a statement describing the material, size, position and condition of every monument found and/or set.
- (8) The length and direction of each line as specified in the deed description of the property or as determined in the actual survey.
- (9) A citation of pertinent documents and sources of data used as a basis for the survey. The existing deed of origination shall be stated on the plat.
- (10) All existing title and source of title of adjoining owners along each boundary line with acreage or lot numbers of adjoining tracts.
- (11) Written and graphic scale of the drawing.
- (12) Name, right-of-way width and centerline dimensions and bearings of all existing and proposed streets within and adjoining the plat. Total length of roads in subdivision from centerline to centerline.
- (13) Control points, radii, internal angles, points of curvature and tangency, lengths of arcs, length and bearing of chords of all street right-of-way lines and center lines within the platted area.
- (14) Monument boxes with iron pins shall be noted at intersections and at all points of curvature and points of tangent.
- (15) Location and dimension of all easements and rights of way provided for public service or utilities with wording addressing the purpose of such easement or right of way.
- (16) All lot lines with accurate dimensions in feet and hundredths. Bearings given in degrees, minutes and seconds.
- (17) Iron pins not less than five-eighths (5/8) inch in diameter and not less than thirty (30) inches long shall be set and shown on the plat as follows:
 - A. At all lot corners.
 - B. At center line intersections of all roads.
 - C. At the point of curvature and the point of tangent of all curves on the center line of all roads and on all lot lines.
 - D. At all angle points
- (18) A lot numbering identification system, acreage of each lot, building setback lines and previous lots or blocks and their numbers indicated by a contrasting line style in the case of a replat.
- (19) Accurate outline of all areas to be dedicated or reserved for public or common use of property owners within the plat.
- (20) Location of all streams, rivers, canals, lakes and flood hazard boundaries of the area.
- (21) The limits of the 100-year flood boundary and the 100-year flood elevation as determined from the Flood Insurance Rate Maps of the National Flood Insurance Program shall be indicated on the final plat with a bold line.

- (22) Open space shall be noted on the plat as being proportionately owned by the total number of lots shown on the plat or within the overall development.
 - (23) A statement or table showing total acreage in the subdivision and total acreage of lots, roads, open space, easements and other types of uses. Whenever a new description encompasses two or more taxing districts or two or more tax parcels, a breakdown of the total area must be recited to create an accurate tax structure.
 - (24) The surveyor's printed name and registration number, signature and seal (in a form which may clearly reproduce on any copies which may be made of the original drawing) certifying that the details of the plat are an accurate representation of a survey made by him and that all required survey monuments are in place and shown correctly thereon.
 - (25) A notarized certificate of ownership witnessed by two other persons dedicating the streets, easements and any area reserved or dedicated for public use or common use of the property owners.
 - (26) A certification of approval by the *Village of Lordstown* Planning Commission.
 - (27) A certification of approval by the Lordstown Engineer.
 - (28) A certification of approval by the Trumbull County Sanitary Engineer.
 - (29) A certification of review by the Trumbull County Health Department where sanitary sewers are not available.
 - (30) A certification of approval by the Board of Public Affairs.
 - (31) A certification for transfer by the Auditor of Trumbull County.
 - (32) A certification for recording by the Recorder of Trumbull County.
- (e) Supplementary Information.
- (1) Certification shall be required showing that all required improvements have been installed and approved by the proper officials and/or agencies and that all required agreements have been executed.
 - (2) A bond or other surety shall be furnished assuring proper installation and initial maintenance of the required improvements.
 - (3) A copy of any restriction and covenant the subdivider intends to include in the deed to the lots in the subdivision.
 - (4) If a zoning amendment is involved, certification from the Village Clerk shall be required, which indicates that the change has been approved and is in effect.
 - (5) If a variance from the zoning ordinance of the *Village of Lordstown* is necessary for the proposed subdivision, then the applicant shall submit the certified minutes of the action taken by the Board of Zoning Appeals on the case.
 - (6) The Planning Administrator or authorized staff representative may request the inclusion of additional items deemed pertinent to further evaluate the project's merit in accordance to these Regulations.
- (f) Transmission of Final Plat. Within ten (10) days of the submission of a plat for approval, the Planning Administrator, or authorized representative of the Planning Commission, shall schedule an informal meeting to consider the plat and send written notice to the officials and agencies listed in this section, informing them of the submission of the proposed plat and the date, time and location of the meeting at which the Village Planning Commission will consider or act upon the proposed plat request. The meeting shall take place within thirty (30) days from the date the plat was formerly filed with the Administrator.

The Village Planning Administrator in review of the final plat shall transmit copies as required by this section to the following officials and agencies, which comprise the Technical Review Committee, for their information, review and recommendations:

- (1) Village Engineer;
- (2) Village Road Commissioner;
- (3) County Tax Map Office;
- (4) Board of Health (as necessary);
- (5) Lordstown Fire Chief;
- (6) County Sanitary Engineer;
- (7) Board of Public Affairs.

- (g) Final Plat Approval. Upon review of all documents accepted as well as official and agency comments received in response to requests solicited in subsection (f) hereof, the Planning Commission shall approve, conditionally approve, or disapprove the final plat of the proposed major subdivision unless such time is extended by agreement with the subdivider, the final plat is withdrawn or a delay of action is requested and granted.

The approval of the Planning Commission or the refusal to approve shall be endorsed on the plat within thirty (30) days after the submission of the plat for approval or within such further time as the applying party may agree in writing; otherwise such plat is deemed approved, and the certificate of the Planning Commission as to the date of the submission of the plat for approval and the failure to take action thereon within such time shall be sufficient in lieu of the written endorsement or evidence of approval required by this section. The ground of refusal of approval of any plat submitted, including citation of or reference to the rule violated by the plat, shall be stated upon the record of the Commission and copy of said record shall be forwarded to the subdivider. Within sixty (60) days after such refusal, the person submitting any plat which the Village Planning Commission refuses to approve may file a petition in the Court of Common Pleas of Trumbull County.

- (h) Conditions for Final Plat Approval. Prior to granting approval of the final plat, the Planning Administrator shall require that all conditions of the preliminary plan approval be satisfied and all improvements be completed by the developer and approved by the proper officials or agencies and that the required bonds have been submitted in accordance with these regulations.
- (i) Final Plat Expiration. The subdivider shall record the final plat within sixty (60) days of final approval, otherwise the final plat approval shall expire and become void. (Ref. 1102.04)
- (j) Signing and Recording of Final Plat. When a final plat has been approved by the *Village of Lordstown* Planning Commission and all conditions for approval have been satisfied, the Planning Administrator or other designated representative shall sign the certificate of approval on the original tracing and return the same to the subdivider. The subdivider shall within sixty (60) days submit the approved plat for processing by the Trumbull County Auditor and filing with the Trumbull County Recorder. It shall be the responsibility of the subdivider to gain all necessary certifications before the signature of the Planning Commission. (Ord. 56-2005. Passed 10-3-05.)

**CHAPTER 1104
Subdivision Design Standards**

1104.00	General purpose.	1104.05	Lots.
1104.01	Suitability of land.	1104.06	Building lines.
1104.02	Conformance to applicable rules and regulations.	1104.07	Easements.
1104.03	Subdivision and site design.	1104.08	Buildings.
1104.04	Blocks.	1104.09	Standards for nonresidential subdivisions.

1104.00 GENERAL PURPOSE.

The purpose of good subdivision and site design is to create a functional and attractive development, minimize adverse impacts, and ensure that a project will be an asset to the *Village of Lordstown*. To promote this purpose, the subdivision shall conform to this chapter's standards which are designed to result in a well-planned community without adding unnecessarily to development costs. These design controls shall help insure creation of convenient and safe streets, usable lots, space for public purposes, and will minimize the undesirable features of unplanned, haphazard growth. The Planning Commission has the responsibility for reviewing the design of each subdivision early in its design development to insure that all the requirements of these Regulations are addressed.
(Ord. 56-2005. Passed 10-3-05.)

1104.01 SUITABILITY OF LAND.

If the Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to poor drainage, flood hazard, topography, inadequate water supply, landslip potential, unstable subsurface conditions due to underground mining or other reasons and other such conditions which may endanger health, life, safety, or property; and if from investigation conducted by the public agencies concerned it is determined that in the best interest of the public the land should not be developed for the purpose proposed, the Planning Commission shall not approve the subdivision unless adequate methods, as determined by the applicable regulatory authority, are advanced by the subdivider to solve the problems that may be created by development of the land.
(Ord. 56-2005. Passed 10-3-05.)

1104.02 CONFORMANCE TO APPLICABLE RULES AND REGULATIONS.

A proposed subdivision shall conform to any and all adopted and effective plans and regulations applicable to the land where the proposed subdivision is to be located as follows:

- (a) Village of Lordstown Major Thoroughfare Plan. The arrangement, character, width and location of all arterial and collector thoroughfares or extensions thereof in a proposed subdivision shall conform to the *Village of Lordstown Major Thoroughfare Plan*. Thoroughfares in a proposed subdivision not mentioned in the Major Thoroughfare Plan shall conform to the recommendations of the Planning Commission based upon the requirements set forth in these Regulations. Proposed thoroughfares and other public access to adjacent undeveloped land shall be designed so that a proposed subdivision and the *Village of Lordstown* can be served by a coordinated thoroughfare system.
- (b) Village of Lordstown Comprehensive Plan. The general use of land, overall layout of lots and streets, and the reservation of space for public utilities, as well as recreational, institutional and other public uses in a proposed subdivision, shall conform to the *Village of Lordstown Comprehensive Plan*, Public Utility Plan, and Capital Improvement Programs, including plans for all streets, drainage systems, and parks shown on the Comprehensive Plan as adopted by the *Village of Lordstown*.
- (c) Village of Lordstown Zoning Regulation. In addition to the requirements of these Regulations, all subdivisions shall, where applicable, conform to the *Village of Lordstown* regulations. (Ref. 1101.05)
- (d) Other.
 - (1) The special requirements of these Regulations and any rule of the health department and/or appropriate state agencies.
 - (2) The standards and regulations adopted by the boards, agencies and officials of the Village and/or Trumbull county.Other aspects of a proposed subdivision shall conform to any other plan(s) and/or regulation(s) adopted by the *Village of Lordstown* or other applicable regulatory agency. (Ord. 56-2005. Passed 10-3-05.)

1104.03 SUBDIVISION AND SITE DESIGN.

Design of the subdivision shall take into consideration existing comprehensive plans, and shall be based on a site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alterations of natural features. The following specific areas shall be preserved as undeveloped open space, to the extent consistent with the reasonable utilization of land, and in accordance with applicable state or federal regulations:

- (a) Unique and/or fragile areas, including wetlands, as may be defined in Section 404, Federal Water Pollution Act, as amended and in Ohio Environmental Protection Agency standards.
- (b) Land within the 100-year flood boundary as identified and mapped using the Federal Emergency Management Agency's Flood Hazard Boundary Maps.
- (c) Steep slopes in excess of fifteen percent (15%) unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken into account.

- (d) Habitats of endangered wildlife as identified on federal and state lists.
- (e) Historically and culturally significant structures and sites, as listed on the National Register of Historic Places.
- (f) Land located within one hundred (100) feet of an existing oil or gas well head, storage tanks or separator units. (Chapter 1501: *Ohio Administrative Code*)

The development shall be laid out to avoid adversely affecting groundwater and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and, to mitigate adverse effects of noise, odor, traffic, drainage, and utilities on neighboring properties. The placement of buildings in residential developments shall take into consideration topography, building height, orientation and drainage. (Ord. 56-2005. Passed 10-3-05.)

1104.04 BLOCKS.

The following regulations shall govern the design and layout of blocks.

- (a) Arrangement. The arrangement of blocks shall conform to the street design criteria set forth in these Regulations. Blocks shall be arranged to accommodate lots and building sites of the size and character required by these Regulations and any applicable zoning resolution to provide for adequate community facilities, convenient access, circulation, control and safety of street traffic with regard of the limitations and opportunities of topography.
- (b) Shape. Irregularly shaped blocks, blocks intended for cul-de-sacs and loop streets, and blocks containing interior parks and playgrounds may be approved by the Planning Commission if properly designed and located.
- (c) Length. No block shall be longer than one thousand six hundred (1,600) feet, or twelve (12) times the minimum lot width required in the zoning district, and no less than eight hundred (800) feet. Cross streets shall be provided between blocks.
- (d) Width. Blocks' width shall be sufficient to provide for two tiers of lots except where unusual topography or other exceptional physical circumstance exists.
- (e) Walkway Easement. Where blocks are greater than nine hundred (900) feet in length, a walkway easement not less than ten (10) feet in width at or near the halfway point of the block shall be required between streets to provide proper access within the proposed subdivision to schools, recreation areas, shopping centers and other facilities. Sidewalks shall be constructed within the walkway easement in accordance with the requirements of these Regulations. The Planning Commission may require similar easements in a proposed subdivision as it deems necessary and appropriate.
- (f) Non-Residential Uses. The depth and width of blocks laid out or reserved for non-residential purposes shall be adequate to provide for off-street parking and service facilities required by the type of use and development contemplated.
- (g) Buffers. A subdivider shall provide for and note on the final plat a permanent reservation or easement area to accommodate a buffer strip where a residential lot in a subdivision backs up to an industrial or commercial area, a railroad right of way, a high pressure gasoline or natural gas line, open drainage ditch, an arterial street or interstate highway or other existing land use which may have a detrimental effect on the residential use of the property. The buffer strip shall have a minimum width of ten (10) feet between the property line and the proposed residential use and landscaped in accordance with the standards as specified in Chapter 1107. (Ord. 56-2005. Passed 10-3-05.)

1104.05 LOTS.(a) Lot Arrangement.

- (1) Lots shall conform to the design requirements set forth in these Regulations, and shall be arranged to accommodate building sites of the size, dimension and character required for the district in which they are located and for the use for which they are intended as set forth in the *Village of Lordstown* zoning requirements.
- (2) Lots shall conform to minimum lot area, width, and yard requirements as defined in these regulations, and to the regulations of the Trumbull County Board of Health, where applicable.
- (3) Where soil conditions are of such a nature that proper operation of wells and sewage disposal systems may be impaired, the Planning Commission, upon recommendation from the Board of Health, may increase the size of any or all lots in the subdivision or may deny approval of the subdivision.
- (4) A lot fronting on a dedicated road right of way shall include the right of way as part of the property description.

(b) Lot Orientation.

- (1) Residential lots shall front on a dedicated public street.
- (2) The lot line common to the street right of way shall be the front line. All lots shall face the front line and a similar line across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the side line of an adjacent lot.

(c) Lot Dimensions. Minimum lot area, frontage, width and yard requirements shall be determined based on the water and sewage systems available to service the lot. Lots serviced with a public water and sewage treatment facility shall comply with existing Village zoning regulations. Lots serviced without public water or sewage treatment facility shall comply with the Planning and Zoning Code, provided that the lot dimensions and size are not less than the minimum established in the appropriate Village zoning classification.

(d) Lot Frontage.

- (1) A lot shall have not less than the required uninterrupted, continuous frontage as specified in these Regulations or other minimum width of frontage greater than that which is specified herein.
- (2) Lots fronting on a cul-de-sac shall not have less than fifty (50) feet of uninterrupted, continuous frontage as measured along the right of way.
- (3) Frontage shall be the distance between property lines as measured along the street right-of-way line.
- (4) All lots shall have their full frontage along a dedicated public street.

(e) Lot Width and Depth.

- (1) A lot shall have an minimum depth not less than two hundred (200) feet.
- (2) Depth shall be measured perpendicular from the center of the right of way (center line) and shall include that portion within the street right of way.
- (3) A lot shall have a minimum width of not less than one hundred (100) feet. The specified frontage is from any point along a side lot line to the opposite lot line as measured perpendicular from that point.

(f) Lot Lines.

- (1) Lot lines shall follow, county, Village, and township boundary lines where possible. Should a parcel cross boundary lines as previously stated, then the following language shall be included on the final plat if a major subdivision, and on the deed or other instrument of conveyance if a minor subdivision:

“Although the land described herein shall be considered as two (2) or more separate and distinct tracts for taxing purposes, be it because taxing districts, township, municipal corporation, and/or county lines run through the land, all land described herein shall be considered as one (1) parcel for subdivision purposes, and no part thereof shall be sold or transferred separately without approval of the *Village of Lordstown* Planning Commission or its successor, pursuant to the applicable Subdivision Regulations in effect at the time of the proposed sale or transfer.”

- (2) Lot lines shall be at right angles or radial to street lines, unless a variation from these rules will give a better street or lot plan as approved by the Planning Commission. All side lot lines shall be at right angles to right-of-way lines and radial to curved right-of-way lines unless approved by the Planning Commission. A proposed lot fronting on a right of way on which the majority of lots within one thousand six hundred (1,600) feet have side lot lines with some other uniform or established orientation, may have side lot lines conforming to said other uniform or established orientation, except where natural or physical features suggest another suitable or appropriate orientation. However, side lot lines shall not deflect more than thirty (30) degrees from the perpendicular in relation to street center lines.
- (3) A side lot line shall maintain the same angle of deflection between the front lot line and the minimum building setback line as established by the zoning resolution or these Regulations.

(g) Double Frontage Lots. Double frontage lots shall be prohibited except where extreme conditions in elevation prevent access to the lot from one of the rights of way and/or where it is necessary to separate residential lots from one or more major arterial thoroughfares. Where a double-frontage lot is created adjacent to and/or abutting a collector or arterial street, the subdivider shall provide and note on the final plat a planting screen easement of at least twenty (20) feet in depth along the collector or arterial street, as approved by the Planning Commission.

(h) Access.

- (1) Lots shall not be created by dividing land at the end of stub streets which are intended to promote continuity of street systems in adjoining subdivisions. If such a division is proposed, the stub street shall be constructed as a cul-de-sac street (permanent dead-end street) in accordance with Section 1105.14(a) of these Regulations. When a street terminates as a segment of a continuing street plan within a proposed subdivision, the remaining acreage of the original tract may become a separate parcel if the stub street is constructed as a temporary dead-end street in accordance with Section 1105.14(b) of these Regulations.

- (2) A strip of land providing access to more than one (1) parcel of land shall be dedicated as a public street and shall be improved by the developer or subdivider in accordance with these Regulations.
- (3) The subdivision of land shall be such as to provide each lot with frontage on a dedicated public street.
(Ord. 56-2005. Passed 10-3-05.)

1104.06 BUILDING LINES.

Building lines shall be established in conformity with existing zoning regulations Building lines shall not infringe upon or be located any closer than ten (10) feet from any easement.

- (a) Minimum Side Yard Building Set-Back Line.
 - (1) There shall be a minimum side yard building set-back line for every dwelling unit hereinafter erected of at least ten (10) feet.
 - (2) Garages or accessory buildings connected to the main dwelling unit by breezeways or other permanently constructed connection shall be construed to be a part of the main structure.
 - (3) There shall be a minimum side yard building set-back line for every garage and accessory building hereinafter erected, independent of the dwelling unit and not attached thereto of at least ten (10) feet.
- (b) Minimum Rear Yard.
 - (1) There shall be a minimum rear yard for every dwelling unit hereinafter erected of at least fifty (50) feet between the principal dwelling to the rear property line.
 - (2) There shall be a minimum rear yard building set-back line for every garage and accessory building hereinafter erected, independent of the dwelling unit and not attached thereto, of at least ten (10) feet.
(Ord. 56-2005. Passed 10-3-05.)

1104.07 EASEMENTS.

Easements for sanitary sewer, storm sewer, water or other utility lines serving a subdivision shall be provided as herein set forth. Such easements shall be considered as part of the lot on which it is located for the purposes of computing lot area. Easements shall be located clear of structures, trees or other improvements which would interfere with the installation or maintenance of utility lines or related appurtenances.

- (a) Sanitary sewer and storm sewer may be located within the road right of way but shall be outside of the pavement area or improved portion of the roadway.
- (b) Sanitary sewer and water line easements located outside of the road right of way shall be shown on the preliminary and final plats. Such easements may be parallel and contiguous to the road right of way having a minimum width of ten (10) feet or parallel and contiguous to side and rear lot lines having a minimum width of twenty (20) feet.
- (c) Storm drainage easements located outside of the road right of way shall be shown on the preliminary and final plats. Such easements shall conform substantially with the lines of any natural water course, channel, stream or creek which traverse the subdivision or for any new channel which is established to substitute for an existing natural water course, channel, stream or creek. Such easements shall conform to the environmental requirements of Chapter 1107 but in no case be less than twenty (20) feet in width.

Provision of an easement in no way makes any political subdivision responsible for maintenance of storm water facilities. The plat shall specify the entity or person responsible for maintenance of storm water facilities.

- (d) Electric power, natural gas, cable television, and telephone lines shall be located inside of the road right of way or within a utility easement and shall not conflict with the sanitary sewer, water or storm utility. Utility lines shall be placed underground. Easements for such purposes shall be shown on the preliminary and final plats parallel and contiguous to the road right of way having a minimum width of ten (10) feet. Such easements may also be parallel and contiguous to side and rear lot lines having a minimum width of twenty (20) feet.
- (e) An existing or proposed utility easement can be used for such utilities as water, sanitary sewer, storm water, as well as electric power, street lighting, natural gas, cable television, telephone wires, conduits, cable appurtenances and other related services. Prior to any construction, the electric, natural gas, cable and telephone provider or the developer shall coordinate the use of the utility easement with the *Village of Lordstown* Road Department, Board of Public Affairs and the Trumbull County Sanitary Engineer to avoid conflicts with the storm and sanitary sewer and water utilities located within such easement. Such utilities shall be clearly shown on the preliminary plan.
- (f) The developer shall provide and secure any and all necessary easements needed from adjacent land owners prior to commencing construction to accommodate utilities. (Ord. 56-2005. Passed 10-3-05.)

1104.08 BUILDINGS.

(a) There shall be no more than one residential building or structure located on a single Residential lot Classified as R-1 as recorded in the Office of the Trumbull County Recorder and listed as a single unit on the Tax Duplicate of the Trumbull County Auditor. A roadway constructed to *Village of Lordstown* Standards shall be required to service the individual residential structures, including duplex, townhouse and apartment buildings, in order to provide access for fire equipment and safety officials. Condominium developments that are in compliance with *Ohio Revised Code* 5311 shall be exempt.

(b) Any building or structure serviced by an individual sewage disposal system shall be permitted on the same "Lot of Record" with the sewage disposal system in accordance to the requirements of these Regulations and the Trumbull County Board of Health.

(c) No new buildings shall be constructed or placed on the site of the proposed subdivision until the subdivision has been approved in accordance with the provisions of these Regulations and recorded in the office of the Trumbull County Recorder. For additional restrictions on building after approval see Section 1108.02.

(d) No buildings or structures (temporary or permanent) shall be constructed within any easement area. (Ord. 56-2005. Passed 10-3-05.)

1104.09 STANDARDS FOR NON-RESIDENTIAL SUBDIVISIONS.

(a) In addition to the principles and standards in these regulations, the applicant shall demonstrate to the satisfaction of the commission that the streets, parcels, blocks, and lot patterns proposed are specifically adapted to the use anticipated and take into account other uses in the vicinity.

(b) No commercial subdivision shall be located so as to allow access for freight deliveries from residential streets.

(c) Proposed industrial parcels shall be suitable in area and dimension to the types of industrial development anticipated.

(d) In order to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, a permanent easement and landscaped buffer area shall be provided and noted on the final plat that has a minimum depth of ten (10) feet between the proposed non-residential use and the property line of the adjacent existing and/or proposed residential uses.

(e) Lots and blocks intended for commercial and industrial subdivisions and other non-residential uses shall be designed specifically for such purposes and shall include adequate provisions for off-street parking, setbacks, loading and unloading areas, and delivery services.

(Ord. 56-2005. Passed 10-3-05.)

CHAPTER 1105
Street Design and Construction Standards

1105.00	General.	1105.14	Special street types.
1105.01	Functional classification.	1105.15	Street improvements.
1105.02	Conformity to development plans and zoning.	1105.16	Subgrade testing.
1105.03	Street and circulation system design.	1105.17	Street construction standards.
1105.04	Rights of way.	1105.18	Street curbs and gutters.
1105.05	Street width.	1105.19	Curb pipe underdrains.
1105.06	Alignment.	1105.20	Reserved.
1105.07	Intersection design standards.	1105.21	Seeding and sodding.
1105.08	Street design standards for cul-de-sac and loop-type streets.	1105.22	Street names.
1105.09	Street design standards for all local streets except cul-de-sac and loop-type streets.	1105.23	Street signs.
1105.10	Street design standards for collector streets.	1105.24	Sidewalks and graded areas.
1105.11	Street design standards for commercial and industrial streets.	1105.25	Street and walkway lighting.
1105.12	Streets for commercial subdivisions.	1105.26	Monumentation.
1105.13	Streets for industrial subdivisions.	1105.27	Culverts and bridges.
		1105.28	Street dedication.
		1105.29	Street acceptance.
		1105.30	Street vacation.
		1105.31	Vehicular access points.
		1105.32	Off-street parking requirements.
		1105.33	Typical residential, commercial/industrial street sections (minimum requirements).

1105.00 GENERAL.

The *Village of Lordstown* Road Commissioner is responsible for overseeing the design, review, inspection and enforcement of all streets and other improvements as set forth in the following specifications and regulations.

The Planning Commission shall regulate the manner in which the road system is arranged on the land to permit the safe, efficient, and orderly movement of traffic; to meet and to anticipate the needs of the present and future population; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.

(Ord. 56-2005. Passed 10-3-05.)

1105.01 FUNCTIONAL CLASSIFICATION.

Streets shall be classified into one of the following functional classifications based upon the type and degree of service.

- (a) Arterial Street. A street or highway primarily for through traffic movement, usually a continuous route, carrying heavy loads and large traffic volumes generally in excess of 10,000 lbs. Average Daily Traffic (ADT).
- (b) Collector Street. A street which intercepts traffic from intersecting local streets within a residential, commercial, industrial or other type of development and directs traffic movement to the nearest arterial street, carrying medium traffic volumes generally in the range of 1,000 lbs. to 5,000 lbs. ADT.
- (c) Local Street. A street used primarily for direct access to individual lots designed to discourage through traffic, carrying light traffic volumes generally less than 1,000 lbs. ADT.
- (d) Commercial and Industrial Street. Provides access to and from an area that is primarily commercial and/or industrial in nature.

(Ord. 56-2005. Passed 10-3-05.)

1105.02 CONFORMITY TO DEVELOPMENT PLANS AND ZONING.

The arrangement, character, width and location of all streets shall conform to the Thoroughfare Plan of the *Village of Lordstown* and subsequent revisions thereof. Streets not contained in the aforementioned plan shall conform to the recommendations of the Village Planning Commission based upon the design standards set forth in these Regulations. In addition, no final plat of land in which an existing zoning regulation is in effect shall be approved unless it conforms to such regulation.

(Ord. 56-2005. Passed 10-3-05.)

1105.03 STREET AND CIRCULATION SYSTEM DESIGN.

Streets shall be established in relation to existing and planned streets, topographic conditions, public convenience and safety, and in their relation to the proposed uses of land to be served by such streets. The Planning Commission reserves the right to disapprove any street plan which does not represent good design or does not insure continuity of the existing street system.

Because subdivisions are reviewed and approved incrementally, the Village-wide network of streets, sidewalks, bikeways and pathways must be considered when reviewing each individual project to ensure that the transportation systems and other development features do not restrict future transportation system connection within the community. Therefore, when a subdivision is adjacent to land likely to be developed in the future, all transportation system features shall continue through fully improved and constructed to the standards as required in these Regulations to the boundary lines of the property to be subdivided. This is required in order to provide for the division of the adjacent land and the transportation and access needs of the Village.

The street layout shall provide, within the boundaries of the subdivision plat, the necessary right of way for the alignment, continuation, extension and connection to any present or planned street.

No reserve strips blocking extension of improvements to adjacent property will be permitted.

The center line of the street shall coincide with the center line of the road right of way.

Temporary dead-end streets or stub streets shall be required to extend to the adjacent unsubdivided acreage at the end of each block in conformance with the maximum block length as specified in Section 1104.04.

A minimum of two (2) access points shall be required for all subdivisions containing more than twenty-five (25) lots or ten (10) acres.

The street system shall be designed to serve the need of the neighborhood and to discourage through traffic in the interior of such subdivision. There shall be no private streets, lanes, alleys, roads or ways nor any private easement used for the purpose of primary access to any subdivision, including subdivisions exempt from platting under *Ohio Revised Code* Section 711.131.

(Ord. 56-2005. Passed 10-3-05.)

1105.04 RIGHTS OF WAY.

The width of the right of way shall conform to the requirements of Table 1. Streets shall be graded for their total width in conformance with the approved Typical Street Section and to lines and grades as shown on the approved plan and profile drawings as set forth in these Subdivision Regulations. The Planning Commission may vary the provisions of these design standards regarding the width of rights of way in situations where the specified width is not feasible, but in no case shall the width of the right of way of any street be less than sixty (60) feet.

The right of way shall be measured from lot line to lot line and shall be sufficiently wide to contain the pavement, curbs, sidewalks, utilities, graded areas and shade trees, if required.

The right of way of a new street that is a continuation of an existing street shall in no case be continued at a width less than that of the existing street.

The right of way for roads shall be in accordance with the major thoroughfare plan and shall provide for future development.

The right-of-way width for a divided entrance shall be eighty (80) feet.

Trees shall not be permitted within the right of way except where the location and type has been specifically approved by the *Village of Lordstown* Planning Commission with recommendations from the Village and Sanitary Engineer.

Table 1: Right-of-Way Standards By Type of Road			
Street Type	Minimum R-O-W Width (feet)		
	2 Lane	3 Lane	4 Lane
Arterial	80	100	120
Collector	60	80	N/A
Local	60	N/A	N/A
Cul-de-Sac Street*	60	N/A	N/A
Commercial/Industrial	80	80	100

*Refers to street leading to Cul-de-Sac. See Section 1105.14(a) for additional requirements.

(Ord. 56-2005. Passed 10-3-05.)

1105.05 STREET WIDTH.

Minimum street pavement widths shall conform to the requirements of Tables 3 through 6 and the Typical Street Sections of these Regulations. Where pavement widths greater than those specified are deemed necessary by the Village Road Commissioner and approved by the Planning Commission, the developer shall bear the extra cost of providing the width beyond the requirements of these Regulations.

(Ord. 56-2005. Passed 10-3-05.)

1105.06 ALIGNMENT.

(a) Horizontal Alignment. When there is an angle of deflection of more than one (1) degree between two (2) center line tangent sections of a street, the following conditions shall be met:

- (1) The preferred maximum degree of curvature (D) is 16° 00'.
- (2) The maximum allowable degree of curvature shall be 23° 00'.
- (3) Degree of Curvature is defined as: $D = 5,729.58/R$ Where R = Radius of the curve.
- (4) Sight conditions shall be such that a minimum stopping sight distance of two hundred (200) feet is provided.
- (5) A minimum tangent length of one hundred (100) feet shall be introduced between reverse curves.
- (6) Design criteria for other than residential streets shall meet the requirements of the Road Commissioner.

(b) Vertical Alignment. All changes of grade in streets shall be connected by vertical curves, the minimum length of which satisfies the following requirements:

- (1) Twenty (20) times the algebraic difference in the rate of grade for arterial and industrial streets.
- (2) Fifteen (15) times the algebraic difference in the rate of grade for collector and local streets.
- (3) A minimum stopping sight distance of two hundred (200) feet.
- (4) The appropriate maximum gradient as specified in the "Street Design Standards" contained in Table 4 shall not be exceeded.
- (5) No street grade shall be less than 0.5 percent, and in no case shall a street grade on a collector or arterial street be more than three (3) percent within one hundred (100) feet of an intersection. Lesser classification of streets shall in no case have a street grade in excess of five (5) percent within one hundred (100) feet of an intersection.
(Ord. 56-2005. Passed 10-3-05.)

1105.07 INTERSECTION DESIGN STANDARDS.

The design and improvement standards for intersections are suggested minimums for all street intersections in subdivisions. All such intersections shall be designed and constructed in accordance with the following requirements and standards as specified in Table 2.

- (a) Multiple intersections involving junctions of more than two (2) streets shall not be permitted.
- (b) Proposed streets shall intersect one another as nearly at right angles as possible. No street shall intersect another street at less than sixty (60) degrees unless justified by extreme topographical conditions. In such a case, special provisions as deemed necessary by the Planning Commission and recommended by the Road Commissioner shall be made.
- (c) Approach to street intersections shall be straight for a distance of at least one hundred (100) feet from the centerline of the street intersected.
- (d) Street jogs shall be discouraged. Where such jogs are unavoidable, in no case shall the centerline offsets be less than one hundred fifty (150) feet.
- (e) Intersections of the street right-of-way lines shall be rounded with a minimum radius of thirty (30) feet for residential street intersections and fifty (50) feet at commercial and industrial street intersections. The minimum radius shall be increased when the smallest angle of intersection is less than sixty (60) degrees.

Table 2: Intersection Design Standards for All Streets			
Street Classification	Local	Collector	Arterial
Maximum Approach Speed (mph)	35	35	35
Clear Sight Distance (ft. length along each approach leg)	90	90	70
Maximum Grade at Intersection	5%	3%	3%
Minimum Angle of Intersection	60° Degrees		
Minimum Edge of Pavement Radius (ft.) (1) Local - Local (2) Local - Collector (3) Collector - Collector (4) Collector - Marginal Access - Arterial (5) Commercial and Industrial	30 - All Classes 30 - All Classes 40 - All Classes 50 - All Classes 50 - All Classes		
Minimum Centerline Offset of Adjacent Intersection (ft.) (1) Local - Local (2) Local - Collector (3) Collector - Collector (4) Collector - Marginal Access - Arterial	150 - All Classes 200 - All Classes 300 - All Classes 1320 - All Classes		

(Ord. 56-2005. Passed 10-3-05.)

1105.08 STREET DESIGN STANDARDS FOR CUL-DE-SAC AND LOOP-TYPE STREETS.

The design and improvement standards contained herein are minimum for cul-de-sac and loop-type local streets in a residential subdivision. All such streets shall be designed and constructed in accordance with standards as specified in Table 3 and other applicable sections of these Subdivision Regulations. Cul-de-sacs are required whenever a street is intended to be permanently dead-ended.

- ① Refer to Chapter 1109 for definition of Terrain Classification.
 - ② Refer to Sections 1105.06(b) and 1105.07 for maximum grade at intersections.
 - ③ No minimum grade required for streets w/o curb and gutter.
 - ④ Refer to Section 1105.24 for sidewalk requirements.
- (Ord. 56-2005. Passed 10-3-05.)

1105.12 STREETS FOR COMMERCIAL SUBDIVISIONS.

Pavement for streets in commercial subdivisions shall be designed as specified in Section 1105.33. Such streets and accessory parking areas shall be planned to connect with arterial streets so as not to generate traffic on local streets. The intersection of driveways from parking areas with arterial or collector streets shall be located so as to cause the least possible interference with traffic movement on the streets and shall be located not less than one hundred (100) feet from the intersection of an arterial or collector street with any other street and shall be spaced not less than two hundred (200) feet from each other. The Planning Commission may require marginal access streets to provide maximum safety and convenience.

(Ord. 56-2005. Passed 10-3-05.)

1105.13 STREETS FOR INDUSTRIAL SUBDIVISIONS.

Pavement for streets in industrial subdivisions shall be designed as specified in Section 1105.33. Such streets shall be planned to serve industrial areas exclusively and shall connect with arterial streets so that no industrial traffic will be directed into any residential streets. The intersections of service streets from parking areas, with arterial or collector streets shall not be less than one hundred (100) feet from the intersections of the arterial or collector street with any other street. Streets shall be planned to be extended to the boundaries of any adjoining land planned for industry, except if severe physical conditions prevent this or if the planning commission finds such extension is not in accord with the approved plan of the area.

(Ord. 56-2005. Passed 10-3-05.)

1105.14 SPECIAL STREET TYPES.

The following requirements shall apply to special street types:

- (a) Cul-de-sac Streets. A cul-de-sac street (permanent dead-end street) shall not exceed a length as specified in Table 3 as measured from the centerline intersection to the center radius point of the circular turnaround. The circular turnaround shall have an unobstructed right-of-way radius of sixty (60) feet, a solid pavement turn-around with a radius of fifty (50) feet (not including curb and gutter) or if islands or other ornamental construction is proposed within the turn-around, a single-lane pavement width of not less than sixteen (16) feet (not including curb and gutter) shall be constructed along an outside pavement radius of fifty (50) feet. Islands or other ornamental construction shall be located on outlots to be owned by an entity capable of maintaining the outlot in perpetuity, rather than within the right of way. Outlots shall be indicated on the preliminary plan, improvement plans and final plat. The street right-of-way lines and the diameter of the turnaround shall be joined by tangent arcs of one hundred (100) feet radius. The edge of pavement at the transition from the roadway to the cul-de-sac shall have a radius of fifty (50) feet (not including curb and gutter).

- (b) Temporary Dead-End Streets. Temporary dead-end streets shall be permitted only when a street terminates as a segment of a continuing street plan within a platted phase of a subdivision or when a street, also known as a stub street, is required to extend to the boundary of a subdivision to provide for the proper continuance at such time as the adjacent land is subdivided.
- (1) Temporary dead-end streets shall not exceed a length of five hundred (500) feet.
 - (2) All temporary dead end streets shall terminate with a "T" type turnaround within the normal right of way designed to the satisfaction of the Village Road Commissioner.
 - (3) The "T" type turnaround shall extend the entire width of the right of way and shall have a minimum width of fifteen (15) feet along the property line with the flared portions rounded to a minimum radius of twenty (20) feet.
 - (4) The subdivider extending the street shall be responsible for removing, regrading and seeding the temporary portion of the turnaround.
 - (5) If a street extends only one (1) lot depth past a street intersection, no turnaround is required.
 - (6) Temporary dead-end streets shall not be permitted as an alternate to the requirements for a permanent dead-end street. The subdivider of adjacent land to a temporary dead-end street shall extend such temporary dead-end street or construct a cul-de-sac (permanent dead-end street) in accordance with Section 1105.14(a) and all other requirements of these Regulations.
 - (7) All temporary dead-end streets (stub streets) shall be constructed in their entirety once development proceeds beyond their intersection.
- (c) One-Way Streets. One-way streets are permitted in new subdivisions if the Planning Commission and Village Road Commissioner determines that such streets are properly integrated with the existing and proposed street system in the area.
- (d) Half Streets. The dedication of new half-streets shall not be permitted. If a parcel to be subdivided exists adjacent to a dedicated or platted and recorded half-width street or alley, the other half-width of such street or alley falling within the proposed subdivision shall be platted, provided that in the opinion of the Planning Commission such right of way is necessary for the proper development of the area.
- (e) Service or Marginal Access Streets. Marginal access streets are auxiliary or secondary streets adjacent to and generally paralleling a major roadway. A marginal street is designed to separate local traffic from through traffic and intercept and collect driveways from adjoining properties.

Where a proposed subdivision adjoins an arterial street, a marginal access street shall be designed and constructed if the proposed subdivision design is such that residential lots would require direct vehicular access onto the arterial street. Points of access to the arterial street shall be spaced at a minimum of one thousand three hundred twenty (1,320) feet. A planting strip having a minimum width of twenty (20) feet shall be provided between the pavement of the arterial street and the pavement of the marginal access street. The minimum width of the marginal access right of way shall be sixty (60) feet.

- (f) Reserved.
- (g) Private Streets. Private streets or easements used for the purpose of access to any lot, parcel or subdivision, including subdivisions approved under *Ohio Revised Code* 711.131, shall be subject to the platting procedures and requirements of these Regulations. Private streets and all improvements within a private street right of way or private access easement shall be constructed and maintained in accordance with *Village of Lordstown* Road Standards and Specifications as set forth in these Regulations. The cost for maintenance and repair of private streets shall be the responsibility of the benefiting property owners, and language to that fact shall be indicated on the final plat and acknowledged in their respective deeds to guarantee the continued maintenance of such streets.
- Service roads and easements of access leading to and providing access to parcels of land on which public utilities are located (i.e. standpipes, lift stations, substations) are exempt from the requirements of this section. Service roads and easements of access exempted from the requirements of this section shall not be used for access to any other parcel of land.
- (h) Existing Streets. Where widening, improving, and/or abandoning of existing streets or previously dedicated unimproved streets is deemed necessary by the Village Road Commissioner to accommodate the proposed subdivision, the developer shall design and construct such work as is necessary at his or her own expense.
- (i) Previously Dedicated Unimproved Streets. The opening, widening or extension of any street, including unimproved streets that have been previously dedicated as shown on a recorded plat in the Office of the Trumbull County Recorder, shall be constructed in compliance with the requirements of these Regulations. Construction improvement plans shall be submitted to the Village Road Commissioner for approval in accordance with Chapter 1108 prior to the commencement of any work within the right of way. All roadway and drainage improvements shall be required to be constructed within the existing dedicated right of way and within the area of all lots shown on the recorded plat serviced by such previously dedicated street in accordance with the requirements of these Regulations. (Ord. 56-2005. Passed 10-3-05.)

1105.15 STREET IMPROVEMENTS.

The subdivider or developer of any road, street or alley shall submit design data and construction drawings to the Village Road Commissioner for approval as specified in Chapter 1108 of these Subdivision Regulations. The establishment and construction of all proposed streets and thoroughfares, whether public or private, and all materials, improvements and construction procedures shall be in accordance with the standards specified in these Regulations and/or the current "Construction and Materials Specifications" of the State of Ohio Department of Transportation unless otherwise approved in advance by the Village Road Commissioner. (Ord. 56-2005. Passed 10-3-05.)

1105.16 SUBGRADE TESTING.

Prior to the submittal of design data and construction drawings, the developer shall hire an independent testing agency to take soil borings along the proposed roadway limits. The location of where the borings shall be taken will be determined by the Road Commissioner. In addition the location of these borings must be shown on the preliminary plan prior to it being approved. A minimum of two (2) bore samples shall be taken for any subdivision or one (1) bore sample per one thousand (1,000) feet of proposed roadway center lines. Once the borings have been taken, a report shall be submitted to the Village Road Commissioner specifying the type of soil that was encountered and the suitability of the soil for development purposes. The location of the borings shall be noted on the construction drawings. The cost of such borings and testing shall be the responsibility of the developer.

(Ord. 56-2005. Passed 10-3-05.)

1105.17 STREET CONSTRUCTION STANDARDS.

(a) **Subgrade.** The subgrade shall be graded and shaped as shown on the typical cross section specified in these Regulations. The work shall consist of the preparation and excavation of roadways including the preparation and the placement of suitable subgrade material, testing the stability and uniformity of compaction of the subgrade and finishing the shoulders and slopes for the entire width of the right of way.

Where the bearing capacity of the materials composing the subgrade is deemed unsatisfactory by the engineer, the contractor or developer shall remove such material and replace it to the satisfaction of the Village Road Commissioner.

In areas where the subgrade consists of sod, vegetative or organic matter, soft clay, and objectionable materials, the roadway shall be undercut to stable soil, filled with material acceptable to the Village Road Commissioner.

All pavement subgrade shall be proof-rolled where required and as directed by the Village Road Commissioner. Compaction testing may be required in all fill areas as deemed necessary by the Road Commissioner. The cost of such proof-rolling and testing shall be the responsibility of the developer.

Approval of the subgrade must be obtained in writing from the Road Commissioner prior to the application of the base course. Under no conditions shall the base material for roads and streets be placed until the subgrade has been inspected and approved by the Road Commissioner.

(b) **Backfill.** Storm sewers, water lines, sanitary sewers, culverts and other underground utilities within the road right of way shall be backfilled in accordance with the State of Ohio Department of Transportation - Construction and Material Specifications.

(Ord. 56-2005. Passed 10-3-05.)

1105.18 STREET CURBS AND GUTTERS.

Curbs shall be required on all streets. In commercial developments or where other similar intensive urban uses exist or are anticipated, curbs shall be required. Where curbs exist on abutting properties, their extension shall be required throughout the proposed subdivision. Curbs and gutters shall be constructed in conformance with the details of Section 1105.33 "Typical Residential Street Sections" of these Regulations.

(Ord. 56-2005. Passed 10-3-05.)

1105.19 CURB PIPE UNDERDRAINS.

Curb pipe underdrains shall be required on both sides of all streets and indicated on the construction drawings unless specifically waived by the Road Commissioner based upon adequate geotechnical information obtained from subgrade testing as required in Section 1105.16 of these Regulations. Curb pipe underdrains shall be installed prior to the placement of the aggregate base and constructed in accordance with the details of Section 1105.33 "Typical Residential Street Sections" of these Regulations. The pipe underdrains shall be 4-inch Sch. 40 perforated PVC tied into storm sewer structures with a slope to ensure positive flow. (Ord. 56-2005. Passed 10-3-05.)

1105.20 RESERVED.**1105.21 SEEDING AND SODDING.**

The entire area within the right of way shall be seeded or sodded to protect against erosion. All areas outside the limits of the right of way and adjoining land of the project where vegetation has been disturbed or in need of protection (due to the fact that erosion of these unprotected areas will result in having dirt deposited in the drainage structures and other improvements within the project and/or create an unsightly condition) shall be restored and protected as directed by the Road Commissioner, with the recommendation of the Trumbull County Soil and Water Conservation District. (Ord. 56-2005. Passed 10-3-05.)

1105.22 STREET NAMES.

Street names in a proposed subdivision shall not duplicate or nearly duplicate those of any street names existing in the *Village of Lordstown*, irrespective of the use of the suffix "street," "avenue," "circle," "boulevard," or "drive," and shall at a minimum meet the following requirements:

For the purpose of street naming the following suffixes shall apply:

- (a) "Avenue" for streets that run in a generally north-south direction;
- (b) "Drive" or "Trail" for curving or meandering type streets;
- (c) "Circle" or "Court" for cul-de-sac type streets that run in a generally east-west direction;
- (d) "Lane" or "Place" for cul-de-sac type streets that run in a generally north-south direction;
- (e) "Road" or "Way" for streets that run in a diagonal manner, either a generally northwest-southeast or northeast-southwest direction;
- (f) "Street" for streets that run in a generally east-west direction;
- (g) The words "north," "south," "east" and "west" shall be prohibited as part of a street name.
- (h) "Boulevard" or "Parkway" for a broad thoroughfare having a right of way greater than sixty-six (66) feet with a center dividing strip or side strips planted with grass, trees or flowers providing a parklike appearance.

Whenever a new street is constructed along the approximate alignment or extension of an existing street, its name shall be the same as that of the existing one.

Whenever a cul-de-sac street serves not more than three (3) lots, the name of the intersecting street shall apply to the cul-de-sac.

Street names in a proposed subdivision shall be approved by the Planning Commission prior to such name being assigned or used.

(Ord. 56-2005. Passed 10-3-05.)

1105.23 STREET SIGNS.

Street name or identification signs of a type in use throughout the Village shall conform to any and all requirements of the Village. Regulatory traffic sign shall be provided and installed in accordance with the requirements of the *Ohio Manual of Uniform Traffic Control Devices*. (Ord. 56-2005. Passed 10-3-05.)

1105.24 SIDEWALKS AND GRADED AREAS.

Sidewalks shall be required to be constructed on both sides of the street in all subdivisions. The following guidelines will be taken into account when deciding if sidewalks are necessary.

Sidewalks shall be constructed in conformance with the "Typical Details" and specifications set forth in these Regulations and shall not be less than four (4) feet in width, shall not be less than four (4) inches in thickness, and where crossing driveways, shall not be less than six (6) inches in thickness.

Sidewalks shall extend to the curb or street pavement at all intersections and a curb ramp shall be constructed in accordance with the current standards as specified in the Americans with Disabilities Act. Sidewalks shall be parallel to the street and placed one (1) foot inside the right of way, unless an exception has been permitted to preserve topographical or natural features or to provide visual interest, or unless the applicant shows that an alternative pedestrian system provides safe and convenient circulation.

Pedestrian-way easements ten (10) feet wide including a four (4) foot sidewalk as may be required by the Planning Commission through the center of blocks to provide circulation or access to schools, playgrounds, shopping or other community facilities. (Ord. 56-2005. Passed 10-3-05.)

1105.25 STREET AND WALKWAY LIGHTING.

The developer shall cooperate with the Village and the local electric utility for the establishment of a "Street Lighting District" in accordance with the requirements of Chapter 515 of the *Ohio Revised Code*. Street lighting shall be designed and located in compliance with the policy and standards of the *Village of Lordstown* in which the subdivision is located. Street lighting shall be designed with appropriate lamps and reflectors to minimize light pollution. (Ord. 56-2005. Passed 10-3-05.)

1105.26 MONUMENTATION.

Roadway points consisting of iron pins or pipes as set forth in Section 4733-37-03(c) of the OAC shall be set in the proposed subdivision at street intersections at points of change in alignment and at the end of streets. The top of the iron pin shall be set about ten (10) inches below the established grade of the street and covered with a cast iron "Monument Box" so marked with removable cover, flush with the pavement grade. The cast iron "Monument Box" shall be of the size and type as specified in the typical details of these Regulations and the Road Commissioner. All monuments and iron pins shall be identified on the final plat and shall be in place at the time the roads and other improvements are inspected for acceptance by the Planning Commission and Road Commissioner. For additional surveying and monumentation requirements, refer to Chapter 1108 of these Regulations. (Ord. 56-2005. Passed 10-3-05.)

1105.27 CULVERTS AND BRIDGES.

Where natural drainage channels intersect any street right of way, it shall be the responsibility of the subdivider to have satisfactory bridges and/or culverts constructed.

All culverts shall extend for an adequate distance to accommodate the required roadway embankment slopes. All culverts under roadway pavement shall be reinforced concrete pipe or HDPE of the size and capacity designed by the developer's professional engineer and approved by the Road Commissioner. The minimum diameter of the culvert pipe shall be twelve (12) inches. Depending on the existing drainage conditions, head walls may be required. Driveway culverts shall have a minimum length of twenty (20) feet and minimum diameter of twelve (12) inches. Driveway culverts shall be laid so as to maintain the flow lines of the gutter.
(Ord. 56-2005. Passed 10-3-05.)

1105.28 STREET DEDICATION.

A street dedicated to public use by the owners of the land on which the street is located shall not become a public street, or under the care or control of any public authority unless the dedication is accepted by the *Village of Lordstown* Council. Approval of a plat for recording shall not be an acceptance by the *Village of Lordstown* Council of the dedication of the street, highway or other way shown on the plat for public maintenance.
(Ord. 56-2005. Passed 10-3-05.)

1105.29 STREET ACCEPTANCE.

The developer may request after final plat approval by the Planning Commission that any dedicated street constructed in accordance with the provisions of these Regulations be accepted by the *Village of Lordstown* Council for government maintenance. The Council shall request the recommendations from the Planning Commission and Road Commissioner to verify that all provisions of the Village Subdivision Regulations have been satisfied. The Council shall review the recommendations and reject or accept the responsibility for maintenance. The acceptance by the *Village of Lordstown* Council shall in no way relieve the developer from his responsibility to maintain the improvements throughout the duration of the maintenance guarantee period.

All work within the subdivision must be completed and all bonds submitted in accordance with the approved construction plans and the provisions of these Regulations before any street will be considered for acceptance. Consideration may be given for a request where only the surface course of asphalt is required to be complete and a performance bond has been filed in accordance with Chapter 1108 of these Regulations. It shall be the responsibility of the developer to obtain an approval from the Village Road Commissioner and Planning Administrator prior to requesting acceptance of any road in which a performance bond has been filed for uncompleted work. In such cases the maintenance bond, provided by the developer in the amount of 20 percent of the entire cost of the roadway and drainage construction as specified in Chapter 1108, shall continue for a period of two years beyond the date in which the performance bond was released by the *Village of Lordstown* Council.
(Ord. 56-2005. Passed 10-3-05.)

1105.30 STREET VACATION.

The Planning Commission shall not recommend the vacation of any street dedicated to and accepted by the public if such vacation will adversely affect the proper functioning of the existing street system or any future street plan prepared by or approved by the Planning Commission. The procedure to vacate a street or alley may be found in *Ohio Revised Code* Section 5553.01. (Reference Section 1103.06(a).)

(Ord. 56-2005. Passed 10-3-05.)

1105.31 VEHICULAR ACCESS POINTS.

Access roads or vehicular ways within subdivisions containing single-family attached dwelling units or multi-family dwellings shall be considered streets and designed and constructed according to these Regulations.

A driveway permit or letter indicating the access point as approved shall be obtained from the Village Road Commissioner. Proof of such permit shall be submitted with the final plat, or the plat dedication shall include a statement requiring all lot owners to apply for a driveway permit prior to development.

Driveways should have a maximum grade of (15) percent. Curb cuts shall be located not less than three (3) feet from the side lot line. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3) feet wider than the driveway on each side. Driveways shall be designed so as to drain into the roadside storm sewer and not into the roadway surface.

Residential driveway access shall not be permitted onto principal arterial roads. Major subdivisions shall be designed to provide residential access onto major arterial roadways by the use of marginal roads. Minimizing driveway access points or curb cuts by using access roads shall be encouraged.

Table 7: Required Driveway Dimensions			
	Residential	Commercial	Industrial
Minimum Width (ft.)	12	15	20
Maximum Width (ft.)	30	40	40
Minimum Turn Radius (ft.)	10	15	25
Maximum Turn Radius (ft.)	25	50	50
Minimum Angle of Intersection (Deg.)	45°	45°	45°

- * The minimum width of commercial driveways is intended to apply to one-way operation. In high-pedestrian activity areas, such as in a business district or in the same block with an auditorium, school or library, the maximum basic width should be 30 feet. The width is intended to be measured along the right-of-way line. The maximum radius for major generator driveways should be much higher than the values shown. Minimum acute angle is measured from edge of pavement and generally based on one-way operation. For two-way driveways and in high pedestrian activity areas, the minimum angle should be 70 degrees.

1105.32 OFF-STREET PARKING REQUIREMENTS.

(a) **Size of Spaces.** Each off-street parking space shall measure ten (10) feet in width by twenty (20) feet in length. Parking spaces for the physically handicapped shall measure twelve (12) feet in width. For every 25 spaces, there must be at least one (1) handicapped accessible space, labeled and signed for such use.

(b) **Parking Areas.** Off-street parking areas shall be located within a reasonable walking distance of the buildings they are designed to serve.

Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to ensure ease of mobility, ample clearance, and emergency vehicle and pedestrian traffic. Only one-way traffic shall be permitted in aisles serving single-row parking spaces placed at an angle other than ninety degrees.

Table 8: Required Parking Requirements	
Types of Uses	Off-Street Parking Requirements
One/Two Family Dwellings	2 Spaces / Dwelling Unit (Driveway)
Townhouse and Multiple Family	2 Spaces / Dwelling Unit (Driveway)
Mobile Homes	2 Spaces / Unit (Driveway)
Office Uses	1 Space for each 100 sq. ft. of usable floor area
Industrial Uses	1 Space per employee in the largest working shift
Churches and Temples	1 Space for each 3 seats
School	2 per classroom, but not less than 1 per teacher and staff
Restaurant	1 per 3 seats
Retail Store	1 per 200 sq. ft. of usable floor area
Shopping Center under 400,000 sq. ft.	4 per 1,000 sq. ft. of usable floor area
Medical Center	1 per 250 sq. ft. of usable floor area
* Where and if these standards conflict with applicable zoning regulations, the zoning regulation standards shall apply.	

Parking lots containing ten (10) or more spaces shall be planted with at least one (1) tree per eight (8) spaces no smaller than 2-inch caliper (tree trunk diameter at chest height).

Parking areas shall be screened along lot lines bordering institutional or residential uses and along streets. Native trees and shrubs shall be planted wherever possible.
(Ord. 56-2005. Passed 10-3-05.)

**1105.33 TYPICAL RESIDENTIAL, COMMERCIAL/ INDUSTRIAL
STREET SECTIONS (MINIMUM REQUIREMENTS).**

All streets shall conform to the minimum standards and details of the following typical sections for residential streets. The Village Road Commissioner may prescribe additional requirements where conditions warrant.

(Ord. 56-2005. Passed 10-3-05.)

4A-51 GRAPHIC

4a-53 GRAPHIC

CHAPTER 1106
Utility Design and Construction Standards

1106.00	Sanitary sewers and water distribution; general requirements.	1106.04	Individual sewage disposal systems.
1106.01	Sanitary sewers.	1106.05	Private water systems.
1106.02	Water distribution.	1106.06	Storm water management and drainage systems.
1106.03	Fire hydrants.		

1106.00 SANITARY SEWERS AND WATER DISTRIBUTION; GENERAL REQUIREMENTS.

The Sanitary Engineer of Trumbull County is responsible for overseeing the design, review, construction, inspection and enforcement of all public sanitary sewer line installations. The Village Board of Public Affairs is responsible for overseeing the design, review, construction, inspection and enforcement of all water lines as outlined in the following regulations. A professional engineer must design all plans for public water supply and wastewater facilities in accordance with the specifications of the Trumbull County Sanitary Engineers and the Village Board of Public Affairs. These plans shall be approved by the Trumbull County Sanitary Engineer, the Board of Public Affairs and the Ohio Environmental Protection Agency. No construction of improvements shall commence until authorization has been received from the Board of Public Affairs and a "Permit to Install" has been received from the Trumbull County Sanitary Engineer and the Ohio EPA.

Before any subdivision plat is signed off for final approval, the developer shall have met all the terms of the private extension agreement with the *Village of Lordstown* Council, have all sanitary sewer and waterlines constructed and tested, have all punch list items addressed and inspection costs paid and have filed a two (2) year maintenance bond with the Sanitary Engineer, the Board of Public Affairs and the Road Commissioner for each utility constructed. A separate agreement and maintenance bond are required for each sanitary sewer or waterline extension. All sanitary sewer and waterline easements pertaining to said subdivision must be filed with the Trumbull County Recorder before the plat is signed. All sanitary sewer and waterlines must be constructed in the road right-of-way or in an easement and they cannot be constructed in the road pavement except when crossing said road is necessary. Any easements that are provided shall extend the full length of the property and be at least ten (10) feet in width. No trees shall be planted, no light poles shall be erected and no other utilities shall be constructed over top of the sanitary sewer or water line. Sidewalks and curbs cannot be built over top of the sanitary sewer or waterline unless it is necessary to cross said utility. (Ord. 56-2005. Passed 10-3-05.)

1106.01 SANITARY SEWERS.

Where an adequate public sanitary sewer system is reasonably accessible in accordance with the 208/201 Facility Plan as determined by the Sanitary Engineer, public sanitary sewers and lateral connections shall be installed to adequately serve each proposed lot in accordance with the General Plan. Public sewer system extensions shall meet the requirements of the Ohio Environmental Protection Agency and the Trumbull County Sanitary Engineer's Department. Combinations of sanitary sewers and storm sewers shall be prohibited. The connection of roof drains, foundation drains and other clean water (surface and/or ground) to the sanitary sewer is prohibited. Where a public sanitary sewer system is not reasonably accessible, the subdivider may provide an on-lot sewage disposal system in accordance with the requirements of the Ohio Environmental Protection Agency, The Trumbull County Board of Health and Section 1106.05 of these Regulations. A "Permit to Install" shall be acquired from the Ohio EPA prior to commencing construction.

(a) Design Criteria for Sanitary Sewers.

- (1) Design factors. Sewer capacities shall be adequate to handle the anticipated maximum daily quantity of sewage and waste acceptable in accordance with Ohio Environmental Protection Agency and Trumbull County Sanitary Engineer requirements.
- (2) Size. The diameter of sewers proposed shall be no less than eight (8) inches except where approved by the Trumbull County Sanitary Engineer.
- (3) Minimum slope. All sewers shall be designed to give mean velocities, when flowing full, of not less than two (2.0) feet per second and not greater than ten (10.0) feet per second. All velocity and flow calculations shall be based on the Manning Formula using an "n" value of 0.013.
- (4) Alignment. All sewers shall be laid with straight alignment between manholes, unless otherwise directed or approved by the County Sanitary Engineer.
- (5) Manholes. Manholes shall be installed at the end of each line; at all changes in grade, size or alignment; at all intersections; and at distances not greater than four hundred (400) feet. The difference in elevation between any incoming sewer and the manhole invert shall not exceed twelve (12) inches except where required to match crowns. The use of drop manholes shall comply with standard engineering principles and practices and will require approval by the County Sanitary Engineer.
- (6) Sewerage location. When located in easements on private property, there shall be access to all manholes. A manhole shall be provided at each street crossing. End lines shall be extended to provide access from road right of way when possible.
- (7) Service connections. All proposed lots shall have a six (6) inch lateral constructed to the edge of the right-of-way or easement.
(Ord. 56-2005. Passed 10-3-05.)

1106.02 WATER DISTRIBUTION.

Where a public water supply is reasonably accessible or required because of groundwater pollution problems, the subdivision shall be provided with a complete water distribution system including a service connection for each proposed lot. Appropriately placed fire hydrants will be required by the Lordstown Board of Public Affairs. Public water distribution and public well systems shall meet the requirements of the Ohio Environmental Protection Agency as cited in the *Ohio Revised Code*.

When a public water main is accessible, the developer shall install adequate water facilities subject to the specifications of the Ohio Environmental Protection Agency and the Village Board of Public Affairs. Residential subdivisions shall be connected to an existing public water supply system if such service is available.

Whenever the Lordstown Board of Public Affairs deems it necessary, water mains shall be extended beyond the limits of the project and looped so as to eliminate dead ends. This shall be included with the costs of the entire project.

Water lines shall be located and sized as determined by the Lordstown Board of Public Affairs, based on engineering considerations, district requirements and the General Plan of the area where the subdivision is proposed. Unless special conditions warrant the installation of smaller water lines or increased volume of water needs by the subdivision require larger water lines, all water mains shall be a minimum of eight (8) inches in size.

Water mains shall be constructed along the full frontage of a premises when platted, or when in the opinion of the Board of Public Affairs, unplatted premises are in the same category as if platted. Water mains along unplatted and undeveloped premises may be constructed to a point selected by the Board of Public Affairs. In special cases, the Board of Public Affairs may waive the above requirements when there is no possibility of a water main being needed beyond the premises.

A separate water service shall be constructed for each lot to be served. Each unit of a duplex shall have its own separate water service. Any multiplex units shall require provisions to accommodate and be accessible for a meter manifold system. All services shall be at least one (1) inch and extend to the edge of the right of way or easement ended with a curb stop and curb box.

A "Permit to Install" shall be acquired from the Ohio EPA prior to commencing construction. (Ord. 56-2005. Passed 10-3-05.)

1106.03 FIRE HYDRANTS.

All fire hydrants shall be located as determined by the Village Board of Public Affairs, based on engineering considerations, service conditions and Ohio Environmental Protection Agency requirements.

Fire hydrants shall be located between property lines and curbs with all outlets facing or parallel to the street. Hydrants shall be placed at the corners of all blocks and at midblock for blocks exceeding eight hundred (800) feet in length. Hydrants shall also be required at the entrance and end of all cul-de-sacs exceeding four hundred (400) feet in length. Hydrants shall be spaced not more than five hundred (500) feet apart.

A hydrant shall be located at all low points and at all high points with adequate means of drainage approved.

The type of hydrant and control valves shall be approved by the Village Board of Public Affairs. Hydrants shall have two - two and one half- (2 ½) inch outlet and one four and one half-(4 ½) inch pumper connection with chained caps covering all three connections.

The minimum size of any waterline serving a hydrant shall not be less than six (6) inches in diameter and shall be on circulating water lines.

(Ord. 56-2005. Passed 10-3-05.)

1106.04 INDIVIDUAL SEWAGE DISPOSAL SYSTEMS.

Where a central sewage collection system does not exist within a reasonable distance of a proposed subdivision as determined by the Trumbull County Sanitary Engineer, and where the proposed subdivision is not located within a sanitary sewer district, the developer may propose individual sewage disposal systems to serve each subplot. Such systems shall conform to the requirements of the Trumbull County Board of Health, the Ohio Board of Health and/or the Ohio Environmental Protection Agency.

(a) General Conditions.

- (1) Where the installation of an individual sewage disposal system is considered, the suitability of the soil, the absorptive ability of the soil, surface drainage, ground water level and the topography of the site shall be the criteria for determining whether or not the installation of an individual sewage disposal system is permissible. Criteria shall be in accordance with the Trumbull County Board of Health.
- (2) For the purpose of proper administration and enforcement of this section of the regulation for individual sewage disposal systems, "Subdivision" means that which is defined by Section 711.001 of the *Ohio Revised Code*.
- (3) No person shall install a household sewage disposal system in a new subdivision, unless it is considered to be impracticable or inadvisable by the Board of Health and the Ohio Environmental Protection Agency to install a central sewage system.
- (4) Any person proposing to create a subdivision shall submit to the Board of Health for "Conceptual Approval" plans and specifications clearly showing that all provisions of rules 3701-29-01 to 3701-29-21 of the *Ohio Administrative Code* (O.A.C.) and those of the Board regulations for Household Sewage Disposal Systems can be adequately met, before any of the lots in the subdivision are sold or offered for sale.

(b) Conceptual Approval. If household sewage disposal systems are proposed, the developer shall see to it that all of the following requirements are complied with at time of plan submission.

- (1) Subdivision "Conceptual" Plan review fee.
- (2) Letter from the Ohio Environmental Protection Agency declaring that the Board of Health has final authority in regard to the type and design of systems to be installed on each lot within the subdivision.
- (3) Letter from the *Village of Lordstown* indicating that all lands located within the proposed subdivision are zoned properly for either one (1), two (2), or three (3) family dwelling units.
- (4) Letter from the Sanitary Engineer stating the distance to the nearest accessible sanitary sewer and approximate cost incurred to extend said sewer to the proposed subdivision is prohibitive.
- (5) Architectural floor plan of typical home to be constructed within the subdivision.
- (6) Soil evaluation prepared by a soil professional who is registered with the American Registry of Certified Professionals in Agronomy, Crops and Soils (A.R.C.P.A.C.S.). Said evaluation shall include, but not necessarily limited to:

- A. The properties and characteristics of the soils in the subdivision,
 - B. Depth to normal ground water table and rock strata,
 - C. Soil permeability,
 - D. Soil-gravel interface area,
 - E. Control of water table,
 - F. Slope of ground,
 - G. Soil classification,
 - H. Rock and other hydraulic boundaries.
- (7) Site plan and specifications prepared by a Licensed Professional Engineer (PE). Said plan shall include, but not necessarily limited to:
- A. Total land area to be used,
 - B. Location and size of all lots,
 - C. Location of all soil boundaries within the subdivision as designated by the soil professional,
 - D. Location of all bodies of water, streams, ditches, sewers, drain tile, existing and proposed potable water supply sources and lines on this or adjacent lots within one hundred feet of the proposed subdivision, or any other information which may affect the installation or operation of household sewage disposal system or the enforcement of rules 3701-29-01 to 3701-29-21, inclusive, of the *Ohio Administrative Code* (O.A.C.).
 - E. All proposed dwellings and/or out buildings for each lot,
 - F. Layout of proposed household sewage disposal system for each lot,
 - G. Existing and finish grade of all lots,
 - H. Duplication (replacement) area.
- (c) Effect of Conceptual Approval. It shall be the responsibility of the developer, after having obtained "Conceptual Approval" from the Commission, to inform the buyer of each lot at time of sale that the granting of "Conceptual Approval" in regard to proposed household sewage disposal systems to be installed within the subdivision does not guarantee that each lot can support a system and that each lot shall be evaluated independently on an individual basis at time of permit application by the owner.
- (d) Development Standards. Each parcel, site or lot located within the subdivision shall contain the following minimum area of usable "on-lot" type soil as prescribed in Section (6) Soil Absorption And Percolation Tests of the Board of Health regulation and the following minimum lot size requirements for residential structures:
- | <u>Number of Bedrooms</u> | <u>Minimum Lot Size</u> |
|---------------------------|-------------------------|
| 2 | 1 acres |
| 3 | 1 ½ acres |
| 4 & 5 | 2 acres |
- (2) The installation of an "off-lot" type household sewage disposal system within a subdivision is prohibited.

- (3) No household sewage disposal system shall be installed within the boundaries of the 100-year flood plain area, wetland or riparian zone as defined in Chapter 1107 of these Subdivision Regulations.
 - (4) No part of any sewage disposal system shall be located within fifty (50) feet of any source or body of water including rivers, streams, lakes, ponds, ditches, cisterns and water wells.
 - (5) Where an official flood plain has not yet been delineated but there exists either a natural or manmade watercourse or pond, or other area subject to flooding on or near the property, any wastewater treatment system or part thereof, except the outfall and any post treatment system pipe necessary for an approved off- site draining system or part, shall be set back at least fifty (50) feet from the normal bank of any stream or pond or, if present, flood prone soils.
- (e) Alternative Individual Sewage Disposal Systems. Plans and specifications for “on-lot” type household sewage disposal systems that are contrary to Trumbull County Health Board regulations for household sewage disposal systems may be considered for approval by the Board through a variance procedure as adopted by the Trumbull County Board of Health; however, before approval is granted, said proposed system must be approved in writing by the Director of the Ohio Department of Health. In addition, said proposed system must be designed and/or engineered by a professional engineer in consultation with but not necessarily limited to an electrical engineer, mechanical engineer, or such persons employed by academia that possess such skills and/or knowledge to properly design an alternative type “on-lot” system which shall be in the public interest.
(Ord. 56-2005. Passed 10-3-05.)

1106.05 PRIVATE WATER SYSTEMS.

Where a central water supply system does not exist within a reasonable distance of a proposed subdivision as determined by the Village Board of Public Affairs, and where the proposed subdivision is not located within a water district, the sub-divider may propose individual water wells to serve each subplot. Such wells shall conform to the requirements of the Trumbull County Board of Health, the Ohio Board of Health and/or the Ohio Environmental Protection Agency.
(Ord. 56-2005. Passed 10-3-05.)

1106.06 STORM WATER MANAGEMENT AND DRAINAGE SYSTEMS.

(a) Storm Water Management. The design and construction of Storm Water Management Facilities shall require the review and approval of the Village Road Commissioner and shall be in accordance with the Trumbull County Standard Drainage Criteria Manual. The Planning Commission shall consider but not be limited to consideration of the recommendation of the Road Commissioner on matters pertaining to storm water management.

The developer shall construct all necessary storm water management facilities including underground pipe, inlets, or catch basins, as determined by the Road Commissioner, to provide for the adequate disposal of subsurface and surface water, and maintenance of natural drainage courses. Storm water management facilities shall also include but not be limited to underground storage facilities, as necessary to control the amount and timing of storm water released to land within and adjacent to the proposed subdivision, to minimize off-site storm water runoff, increase on-site filtration, encourage natural filtration functions, preserve natural drainage systems, and minimize off-site discharge of pollutants to ground and surface water. In all cases, the developer shall provide for a storm water management system in a proposed subdivision to ensure that post-development storm water runoff rates do not exceed pre-development storm water runoff rates. Construction of storm water management facilities shall be in accordance with the Erosion and Sediment Control Plan as required in Section 1107.03 and shall follow the standards and specifications for soil erosion and sediment control as established in Rainwater and Land Development: Ohio's Standards for Storm Water Management, Land Development and Urban Stream Protection, (Ohio Department of Natural Resources, Division of Soil and Water Conservation).

(b) Storm Water Management Plan. It is the intent of these Regulations to mitigate the detrimental effects of accelerated storm water runoff due to construction activity and development. Where a proposed subdivision involves the removal or disturbance of natural topsoil, trees, and/or vegetation, or where a proposed subdivision involves a change in the natural surface contour of land in the proposed subdivision, the developer shall prepare and submit a Storm Water Management Plan to the Road Commissioner for review and approval. The Storm Water Management Plan shall be included in the improvement plans for the proposed subdivision. The Storm Water Management Plan shall conform to the requirements of the Village Road Commissioner and the Trumbull County Standard Drainage Criteria Manual, and at a minimum include the following information:

- (1) Identification. The Plan shall include sufficient contours and grading details to indicate proposed lot grading and drainage to ensure runoff will enter the drainage system as designed. Existing soils and surface water locations shall be identified, including springs, wetlands, streams, lakes, etc. on and within two hundred (200) feet of the proposed subdivision.
- (2) Controls. The Plan shall indicate all storm water improvement and facilities which are used to control storm water runoff and shall address such issues as volume, timing, and rate of runoff. Inclusive of major items in the Plan design are: size, type, special features, typical sections, and easement widths - including charts, plans, and profiles. In no case shall storm water runoff be permitted to be released into a central sanitary sewage collection system.
- (3) Maintenance. The Plan shall provide a description of maintenance procedures needed to assure continued performance of control practices, and shall be designed to minimize maintenance requirements. All control practices, whether temporary or permanent, shall be maintained and repaired, during construction and the maintenance guarantee period, by the developer, as determined to be necessary by the Road Commissioner, to assure continued performance of their intended function.

- (4) Inspection. The Plan shall provide that all storm water management controls on the site are inspected after any storm event with greater than one-half ($\frac{1}{2}$) inch of rain in a twenty-four (24) hour period. The developer shall maintain and keep on site an inspection log, which shall note the name of inspector, date and time of inspection, area(s) requiring maintenance, description of actual maintenance performed, and date and time actual maintenance was performed.

In addition, the following data and support calculations shall be provided. All calculations and design specifications shall be prepared by a Professional Engineer registered in the State of Ohio.

A. Hydrologic Calculations.

1. Tributary drainage areas delineated on a map with contributing acreage shown.
2. Design flow.
3. Design year frequency.
4. Supporting calculations for the above, giving times of concentration, intensity, and runoff coefficients

B. Hydraulic Calculations.

1. Sufficient documentation to indicate the results of the investigation into the downstream drainage system's ability to accept the anticipated runoff from the proposed development. The results will determine the maximum allowable release rate for the proposed development (not to be more than the ten year pre-development discharge) and in turn, the amount of storm water storage that will be required.
2. The plan and profile of all drainage ways shall be provided, superimposed upon which shall be the design energy and hydraulic grade lines.
3. The plan and profile of the entire storm sewer system shall be provided along with calculations supporting sizes and types of drainage improvements.
4. The plan and profile of all culverts (including driveway culverts) shall be provided along with calculations indicating culvert headwater and channel capacities (upstream and downstream). This information is required to insure against adverse affects resulting from excess overflow, erosion, and backwater within the proposed subdivision. Such calculations shall be substantiated by any additional information that is required to determine profile and cross-section of the upstream and downstream channel reaches under consideration.

(c) Drainage Systems.

- (1) Central storm water collection system. Where a central storm water collection system exists within a reasonable distance of a proposed subdivision, the developer shall design and construct a system of mains, inlets, and other appurtenances as determined by the Road Commissioner to tie into said central storm water collection system, including a lateral connection for each proposed subplot or building site.
- (2) Interim group storm water management. Where a central storm water collection system does not exist within a reasonable distance of a proposed subdivision, but where the proposed subdivision is located within a storm water management district established pursuant to applicable provisions of the *Ohio Revised Code*, the Planning Commission may do one of the following:
 - A. Refuse to permit the area to be developed if it finds a proposed use to be detrimental to the public health, safety, and/or welfare of the surrounding area, based upon receipt and consideration of a recommendation from the Village Engineer; or
 - B. Require the developer to design and construct a system of mains, inlets, and other appurtenances as determined to be necessary by the Village Engineer to tie into a central storm water collection system in the future, including a lateral connection for each proposed subplot or building site, and require the developer to design and construct, and provide for the operation and maintenance of an interim group storm water management facility to serve the proposed subdivision until it is tied into a central storm water collection system.
- (3) Individual storm water management systems. Where a central storm water collection system does not exist within a reasonable distance of a proposed subdivision, and where the proposed subdivision is not located within a storm water management district, the developer may propose individual storm water management systems to serve the proposed subdivision and/or each proposed subplot. Such systems shall conform to the requirements of the Village Road Commissioner.

(d) Drainage Improvements. Closed sewers of an approved type and size shall be required as part of the construction. All drainage improvements shall be located in the road right of way or in drainage easements. If any storm drainage improvement is required to cross private property, easements shall be obtained by the sub-divider or developer for the construction and future maintenance. These easements shall be shown on the construction plans.

Storm water runoff control shall be accomplished by storm water detention and/or retention. Such detention and/or retention may be accomplished in oversized pipes or other methods acceptable to the Village Road Commissioner and easements shall be provided for such improvements. After the final acceptance of such improvements and the release of the maintenance guarantee, the *Village of Lordstown* shall assume maintenance responsibilities for such improvements.

No natural drainage course shall be altered in such a way as to change the amount or direction of flow and no fill, buildings, nor structures shall be placed in, on, or over it unless provision is made for the flow of water in a manner satisfactory to the Road Commissioner. An easement shall be provided on both sides of an existing surface drainage course for the purpose of maintaining, protecting, widening, deepening, enclosing, or otherwise improving such stream for drainage purposes.

Storm drainage from lots, including drain tile around basements, shall not be permitted to discharge into any sanitary sewer facility, but shall connect to an adequate drainage outlet.

Where curb or curb and gutter type pavement is used, provisions shall be made for adequate storm drainage lines and inlets to insure proper drainage of the pavement. All circular culverts shall be reinforced concrete pipe, or HDPE, with sealed joints having a diameter to be determined by the Road Commissioner, but in no case less than (12) inches. Where special drainage designs are necessary, such designs in detail must be submitted to the Village Road Commissioner for approval in advance of the completion of the construction plans.

The velocity of flow in an open ditch shall not exceed four (4) feet per second in soil ditches or six (6) 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.

All trenches for storm drainage sewers within pavement or driveway areas, shall be backfilled with premium material to a point within a minimum of six (6) inches of the sub-grade and to a point of three (3) feet outside the pavement edge or three (3) feet back of curb.

(e) Property Line Swales. Subdivision planning and layout requires adequate surface drainage away from buildings. This is obtained by sloping the finished grade at approximately 1 percent in all directions away from the buildings. The layout often calls for a swale to be located along the back property line which then drains longitudinally through the lot. The final grading plan for the lot layout can readily be done, in such a manner as to cause up to 6 inches of depth of temporary ponding facilities along the property line. Temporary ponding facilities along the rear lot line may be percolated into the ground. In the latter case, 6 inches of water could be expected to percolate into the ground the same day on which the rainfall occurred. Prior to the planning of property line swale ponding, the planner should make sure that the neighborhood does not have clay or shale sub-soil condition affecting the building foundations. In such cases where significantly adverse sub-soil conditions exist, water should not be ponded or percolated into the ground.

(f) Reserved.

(g) Reserved.

(h) Ownership. The improvement plans and final plat for a proposed subdivision shall clearly delineate what entity shall own and maintain in perpetuity all storm water management improvements within and/or required for the proposed subdivision.

Commercial/Industrial retention ponds may be considered with the understanding that the owner will properly maintain the retention pond so that it is kept mowable at all times during the mowing season.

(Ord. 56-2005. Passed 10-3-05.)

CHAPTER 1107
Environmental and Resource Protection

1107.00	Flood plain areas.	1107.04	Site protection.
1107.01	Riparian buffer areas.	1107.05	Landscaping.
1107.02	Wetland areas.	1107.06	Buffering.
1107.03	Soil erosion and sediment control.	1107.07	Parking lot landscaping.

1107.00 FLOOD PLAIN AREAS.

Review of flood plain areas falls under the jurisdiction of the Federal Emergency Management Agency (FEMA) and/or the Village Flood Plain Administrator. The Planning Commission shall consider the recommendation of the Federal Emergency Management Agency (FEMA) and/or the Village Flood Plain Administrator on matters pertaining to flood plains. All construction and improvements within a proposed subdivision shall comply with the provisions of the *Village of Lordstown* Flood Plain Regulations on file in the Planning Administrator's Office.

The Planning Commission and/or Administrator may require a developer to obtain a Standard Flood Hazard Determination from the Federal Emergency Management Agency and a *Hydrographic and Hydrological Survey* if existing conditions in a proposed subdivision suggest the likely presence of flood plain areas that may require adjustments in design.

The determination shall identify any areas where permits or other approvals of activity are required to be obtained by the developer from the Federal Emergency Management Agency and/or the Village Flood Plain Administrator. Evidence of said permits or other approvals shall be provided by the developer prior to approval of improvement plans by the Village Engineer.

If any portion of land in a proposed subdivision is located within the 100-year flood zone as indicated on the Federal Emergency Management Agency - Flood Insurance Rate Maps or determined from the Federal Emergency Management Agency and/or the Village Flood Plain Administrator, the limits of the flood plain boundary shall be shown in bold on the Improvement Plans and Final Plat including permit or other approval numbers

Each building lot shall have an adequate amount of building space available outside of the flood plain for the construction of a principal building and any intended accessory building, since construction is prohibited in the Flood Hazard Areas in the *Village of Lordstown*.

A proposed subdivision may be denied if access to the subdivision is periodically blocked by flood waters. (Ord. 56-2005. Passed 10-3-05.)

1107.01 RIPARIAN BUFFER AREAS.

(a) It is hereby determined that the system of rivers, streams and other natural watercourses within the county contribute to the health, safety and general welfare of the residents of the county. The following requirements protect these services by providing reasonable controls governing uses in riparian areas. In addition, the specific purpose and intent of this section are to regulate uses and developments within the riparian buffer area that would impair the ability of the riparian area to:

- (1) Reduce flood impacts by absorbing peak flows, slowing the velocity of flood waters and regulating base flow.
- (2) Stabilize the banks of watercourses to reduce bank erosion and the downstream transport of sediments eroded from watercourse banks.
- (3) Reduce pollutants in watercourses by filtering, settling and transforming pollutants in runoff before they enter watercourses.
- (4) Provide high quality watercourse habitats with shade and food.
- (5) Provide habitat to a wide array of wildlife by maintaining diverse and connected riparian vegetation.
- (6) Benefit the community economically by minimizing encroachment on watercourse channels and the need for costly engineered solutions such as dams, retention basins and rip rap to protect structures and reduce property damage and threats to the safety of watershed residents and by contributing to the scenic beauty and environment of the Village, and thereby preserving the character of the Village, the quality of life of the residents of the Village and corresponding property values.

(b) Establishment of Riparian Buffer Areas.

- (1) The Riparian Buffer Area shall apply to all streams or surface water courses as herein defined and are indicated on one of the following maps:
 - A. United States Geological Survey (USGS) topographical maps.
 - B. Soils maps located in the Soil Survey for Trumbull County, Ohio.Streams or surface water courses: Those with a well-defined bed and bank, either natural or artificial, which confines and conducts continuous or periodical flowing water in such a way that terrestrial vegetation cannot establish roots within the channel.
- (2) Width of the Riparian Buffer Area shall be measured in a horizontal direction outward from the ordinary high water mark on each side of the stream and shall be established as follows:
 - A. A minimum of 65 feet on either side of all streams draining an area greater than ½ square mile.
 - B. A minimum of 25 feet on either side of all watercourses draining an area less than ½ square mile with a defined bed and bank as determined by the Village Road Commissioner.
- (3) Where the 100-year flood plain is wider than the Riparian Buffer Area on either or both sides of the watercourse, the Riparian Buffer Area shall be extended to the outer edge of the 100-year flood plain. The 100-year flood plain shall be defined by FEMA or a site-specific flood plain delineation in conformance with standard engineering practices and approved by the Planning Commission.

- (4) Where wetlands are identified within the Riparian Buffer Area, a 50-foot minimum buffer shall be established from the outer boundary of the wetlands and around the entire wetland area. Wetlands shall be delineated by a qualified professional under guidelines established by the U.S. Army Corps of Engineers and the Ohio Protection Agency and the delineation approved by the appropriate agencies.
 - (5) When slopes in excess of 15 percent (being 15-foot change in elevation in a 100- foot horizontal distance) are located within the Riparian Buffer Area, the Riparian Buffer Area shall be extended an additional distance equal to one half the vertical distance of the slope located within the Riparian Buffer Area but shall not be less than 10 feet.
 - (6) The following are exempt from the terms and provisions of this section: grassy swales, roadside ditches, drainage ditches created at the time of a subdivision to convey storm water to another system, tile drainage systems and stream culverts.
- (c) Conditions. The following conditions shall apply to the Riparian Buffer Area:
- (1) It is encouraged to preserve the Riparian Buffer Area in its natural state. Modifications to the vegetation and trees in the Riparian Buffer Area may be permitted for the purpose of landscaping that will increase the aesthetic value of the subdivision. Any modifications shall require approval via preliminary plan approval as outlined in Chapter 1103.
 - (2) The developer, applicant or designated representative shall be responsible for delineating the Riparian Buffer Area, including any expansions or modifications as required by this section, and identifying this area on all subdivision, land development plans, and/or Zoning permit applications submitted to the Village. This delineation shall be done through a metes and bounds survey and shall be subject to review and approval by the Road Commissioner. As the result of this review, the Village may require further studies from the developer, applicant or designated representative.
 - (3) Prior to land clearing, grading or grubbing, the Riparian Buffer Area shall be delineated by the landowner on the construction site by silt fences, snow fences, or other similar device as approved by the Village Road Commissioner, and such delineation shall be maintained throughout construction.
 - (4) Upon completion of an approved subdivision, land development or other improvement, the Riparian Buffer Area shall be permanently recorded on the plat records for the county.
(Ord. 56-2005. Passed 10-3-05.)

1107.02 WETLAND AREAS.

Review of Wetlands falls under the jurisdiction of the applicable District (Buffalo, New York, or Pittsburgh, Pennsylvania) of the U.S. Army Corps of Engineers and/or the Ohio Environmental Protection Agency. The Planning Commission shall consider the recommendation of the U.S. Army Corps of Engineers and/or the Ohio Environmental Protection Agency on matters pertaining to wetlands.

The Planning Commission may require a developer to submit a wetland study for a proposed subdivision where, as determined by the U.S. Army Corps of Engineers and/or the Ohio Environmental Protection Agency, existing conditions in a proposed subdivision suggest the likely presence of wetlands that may require adjustments in design. The study shall be performed by a person qualified, as determined by the U.S. Army Corps of Engineers and/or the Ohio Environmental Protection Agency, to gather such information.

The study shall identify any areas where the developer is required to obtain permits or other approvals of activity from the U.S. Army Corps of Engineers and/or the Ohio Environmental Protection Agency. Evidence of said permits or other approvals shall be provided by the developer prior to approval of improvement plans by the Road Commissioner.

If any wetland areas are located within a proposed subdivision as determined by the U.S. Army Corps of Engineers, the Ohio Environmental Protection Agency and/or the wetland study, the areas shall be identified on the Improvement Plans and Final Plat including permit or other approval numbers.

(Ord. 56-2005. Passed 10-3-05.)

1107.03 SOIL EROSION AND SEDIMENT CONTROL.

As part of submitting Improvement Plans, the developer shall prepare an Erosion and Sediment Control Plan according to the format and principles described in the Ohio Environmental Protection Agency's general permit for storm water discharges associated with construction activity under the National Pollutant Discharge Elimination System (NPDES). Such plan shall be submitted to the Soil and Water Conservation District and the Village Road Commissioner as part of the Improvement Plan. Sediment control shall follow the standards and specifications in "Rainwater and Land Development" (Ohio Department of Natural Resources, USDA Natural Resources Conservation Service, Ohio Environmental Protection Agency).

When a proposed development area consists of one or more acres of earth disturbing activity, the owner of record shall prepare and submit an Erosion and Sediment Control Plan. When a proposed development area involves less than one acre, it is not necessary to submit an Erosion and Sediment Control Plan. However, the developer shall comply with the standards and specifications in "Rainwater and Land Development" (ODNR, NRCS, OEPA).

The following items provide a checklist for what shall be included in the Erosion and Sediment Control Plans:

- (a) Site Description.
 - (1) A description of the nature and type of the construction activity.
 - (2) Total area of the site and area that is expected to undergo excavation, filling, or grading.
 - (3) Calculation of the runoff coefficients for both pre- and post-construction conditions.
 - (4) Describe the soil and quality of any discharge from the site.
 - (5) A schedule of construction operations.
 - (6) The name and/or location of the immediate receiving stream or surface water(s).

- (7) Site map showing limits of earthmoving, existing contours, proposed contours, future drainage patterns, surface water locations (wetlands, streams) existing locations of buildings, proposed building locations and dimensions, erosion and sediment control practices, permanent storm water management practices.
- (b) Vegetative Practices. A description of control practices designed to preserve existing vegetation where attainable and re-vegetate disturbed areas as soon as practicable after grading or construction shall be provided. Appropriate vegetative practices shall be initiated on all disturbed areas within seven days if the area(s) is to remain undisturbed for more than 45 days. In addition, permanent or temporary soil stabilization shall be applied to disturbed areas within seven days after final grade is reached on any portion of the site. Such vegetative practices may include temporary seeding, permanent seeding, sod, mulching, phasing and protection of trees, and vegetative buffer strips. When seasonal conditions prohibit the application of temporary or permanent seeding, non-vegetative soil stabilization practices such as mulching and matting shall be used.
- (c) Structural Practices. A description of structural practices that shall store runoff allowing sediments to settle and/or divert flows from exposed soils or otherwise limit runoff from eroding exposed areas of the site shall be provided. Structural practices shall be used to control erosion and trap sediment from all sites remaining disturbed for more than 14 days. Such practices may include: sediment traps, sediments basins, silt fences, earth diversion dikes, check dams, storm drain inlet protection.

Sediment control structures shall be functional throughout earth disturbing activity. Sediment ponds and perimeter sediment barriers shall be implemented as the first step of grading and within seven days from the start of grubbing. They shall continue to function until the upslope development area is restabilized. Before any land disturbing activities begin, the Village Road Commissioner shall have approved the Erosion and Sediment Control Plan. The Village Road Commissioner will review the erosion control provisions of the plan and will review the storm water management aspect of the Plan.

The Village Road Commissioner will work to inspect the work, to ensure that the developer has installed the vegetative and structural practices as indicated on the approved plan. The developer and/or contractor shall take necessary procedures to prevent soil erosion and downwash of sediment onto adjoining properties or into existing drainage facilities. The Road Commissioner may require stoppage of work during construction if proper controls for soil erosion, siltation and sedimentation are not being provided by the developer or contractor. The Road Commissioner may take the necessary steps to provide corrective measures, and the cost of such services will be charged to the developer. This does not relieve the developer or contractor of downstream liabilities. No project will be released from bond for failure to comply with this regulation and without cleanup and repair of damages. Final inspection requires all drainage facilities to be free of depositions from erosion, siltation, and construction debris.

- (d) Final Clean Up. Upon completion of the work and before acceptance, the developer and/or contractor shall clean all ground occupied or affected by the work. The entire area shall be left in a neat and presentable condition.
(Ord. 56-2005. Passed 10-3-05.)

1107.04 SITE PROTECTION.

(a) Topsoil Preservation. Topsoil shall be temporarily stored and later redistributed on all regarded surfaces so as to provide at least four inches of even cover to all disturbed areas of the development and shall be stabilized by seeding or planting.

(b) Removal of Debris. All stumps and other tree parts, litter, brush, weeds, excess or scrap building materials or other debris shall be removed from the site and disposed of in accordance with the law. No tree stumps or portions of tree trunks or limbs shall be buried anywhere in the development. If trees and limbs are reduced to chips, they may be used as mulch in landscaped areas subject to approval by the Planning Commission.

(c) Protection of Existing Plantings. No material or temporary soil deposits shall be placed within four feet of shrubs or ten feet of trees designated on the landscape plan to be retained. Protective barriers or tree wells shall be installed around each plant and/or group of plants that are to remain on the site. The plants they are protecting, but shall be self-supporting, shall not support barriers. They shall be a minimum of four feet high and constructed of a durable material that will last until construction is completed. Snow fences and silt fences are examples of acceptable barriers.

(d) Protection of Natural Features. The Planning Commission may reserve the right to deny approval to a subdivision if such subdivision disregards the preservation of natural features such as wooded areas, water courses, areas of natural or historical significance and similar irreplaceable assets which add value to residential development and the community.
(Ord. 56-2005. Passed 10-3-05.)

1107.05 LANDSCAPING.

Landscaping shall be provided as part of the site plan and subdivision design for planned unit developments and for commercial, industrial, and medium and high-density residential subdivisions. Landscaping may include plant materials such as trees, shrubs, and ground covers, perennials, and annuals, and other materials such as rocks, water, sculpture, art, walls, fences, paving materials and street furniture.

- (a) Landscape Plan. A landscape plan shall be submitted with each site plan application for planned developments, commercial, industrial, and/or high-density residential subdivisions, unless an exception is granted by the Planning Commission pursuant to these Regulations. The landscape plan shall identify existing and proposed trees, shrubs, and ground covers; natural features such as rock outcroppings; and other landscaping elements. Where existing plants are to be retained, the applicant shall include in the plans proposed methods of protecting them during construction.

- (b) Slope Plantings. Landscaping of all cuts and fills and/or terraces shall be sufficient to prevent erosion, and all roadway slopes steeper than one foot vertically to three feet horizontally shall be planted with ground cover appropriate for the purpose and for soil conditions, water availability, and environment.
- (c) Planting Specifications. Deciduous trees shall have at least a two-inch caliper at planting. Size of evergreens and shrubs shall be allowed to vary depending on setting and type of shrub. All trees, shrubs, and ground covers shall be planted according to accepted horticultural standards. The developer shall replace dead and dying plants during the following planting season.
- (d) Plant Species. The plant species selected shall be hardy for the climate and appropriate in terms of function and size.
- (e) Shade Trees. Shade trees shall be installed in accordance with the approved landscape plan. When trees are planted at predetermined intervals along streets, spacing shall depend on tree size (at maturity), as follows:

Table 14: Spacing Between Shade Trees	
Growth Diameter (feet)	Planting Interval (feet)
Large Trees (40 +)	50 - 70
Medium Trees (30 - 40)	40 -50
Small Trees (to 30)	30 - 40

When the spacing interval exceeds 40 feet, small ornamental trees can be placed between the larger trees. If a street canopy effect is desired, trees may be planted close together, following the recommendations of a registered landscape architect. The planting of trees shall be coordinated with utilities, roadways, sidewalks, sight easements, or streetlights.

- (f) Maintenance. Plantings shall be watered regularly and in a manner appropriate for the specific plant species through the first growing season, and the applicant shall replace dead and dying plants during the next planting season. No building structure, storage or materials, or parking shall be permitted within any buffer area. Buffer areas shall be maintained and kept free of all debris, rubbish, weeds, and tall grass.
- (g) Additional Landscaping. Additional plantings or landscaping elements may be required throughout the subdivision where necessary for climate control, privacy, or other reasons in accordance with the landscape plan approved by the Planning Commission taking cost constraints into consideration. In nonresidential developments, all areas of the site not occupied by buildings and required improvements shall be landscaped by the planting of grass or other ground cover, shrubs, and trees as part of the landscape plan approved by the Planning Commission. (Ord. 56-2005. Passed 10-3-05.)

1107.06 BUFFERING.

Buffering is the provision of an area between different land uses that attempts to minimize negative environmental impacts from one to the other. Buffers shall provide a year-round visual screen in order to minimize adverse impacts. They may consist of evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. Every developer shall provide sufficient buffering when topographical or other barriers do not provide reasonable screening, and when the Planning Commission determines that there is no need to shield: (1) neighboring properties from any adverse external effects of a development, or (2) the development from negative impacts of adjacent uses such as streets or railroads. In high-density developments when building design and siting do not provide privacy, the Planning Commission may require landscaping, or walls to screen dwelling units for privacy. Buffers shall be measured from side and rear property lines, excluding driveways. Plant materials shall be sufficiently large and planted in such a fashion that a year-round screen at least eight feet in height shall be produced within three growing seasons. All plantings shall be installed according to accepted horticultural standards.

Table 15: Buffer Strip Width	
Parking lots, garbage collection, utility areas and loading and unloading areas	5 feet width minimum
All other land uses	25 feet width minimum

Riparian Buffers shall follow the requirements set forth in the Riparian Buffer Ordinance which can be found in the appendix of these Subdivision Regulations.
(Ord. 56-2005. Passed 10-3-05.)

1107.07 PARKING LOT LANDSCAPING.

In parking lots, at least five percent of the interior parking area shall be landscaped with plantings, and one tree for each eight spaces shall be installed. Parking lot street frontage screenings and perimeter screening shall be a minimum of five feet wide. Planting required within the parking lot is exclusive of other planting requirements, such as shade trees planted along the street.

Landscaping should be located in protected areas, such as along walkways, in center islands, at the ends of bays, or between parking stalls. All landscaping in parking areas and on the street frontage shall be placed so that it will not obstruct sight distance. Plantings in parking areas and on streets shall pay particular attention to sun position during the summer months so that maximum cooling effects can be gained from well-placed trees.

A mixture of hardy flowering and/or decorative evergreen and deciduous trees may be planted. The evergreens should be used along the perimeter of the lot for screening, and the deciduous trees for shade within the lot. The area between trees shall be mulched or planted with shrubs or ground cover. Any area that will be under the overhang of vehicles shall be mulched or covered with paving material.

(Ord. 56-2005. Passed 10-3-05.)

CHAPTER 1108
Requirements for Construction of Improvements

1108.00	Construction procedure.	1108.08	Construction inspection and approval.
1108.01	Materials.	1108.09	Surveying and monumentation.
1108.02	Construction improvement plans and specifications.	1108.10	Final inspection.
1108.03	As-built drawings.	1108.11	Performance guarantee for installation of improvements.
1108.04	Modifications and change orders.	1108.12	Guarantee for maintenance of improvements.
1108.05	Design data.	1108.13	Failure to perform.
1108.06	Intent of regulations, project scope and plans.	1108.14	Acceptance of improvements.
1108.07	Pre-construction requirements.		

1108.00 CONSTRUCTION PROCEDURE.

After all requirements of Section 1103.10 have been satisfied for preliminary plan approval, the developer shall design and construct all improvements in accordance with the procedures and standards as outlined in these Subdivision Regulations prior to final plat approval. All plans, specifications, cost estimates and other essential documents necessary for the construction and installation of the required improvements in a proposed subdivision shall be submitted and approved by the following agencies prior to the commencement of construction in a proposed subdivision:

- (a) All necessary improvement plans for proposed roads, storm sewers, and storm water management facilities shall be approved by the Road Commissioner.
- (b) All necessary improvement plans for sanitary sewer systems shall be approved by the County Sanitary Engineer.
- (c) All necessary improvement plans for water supply systems shall be approved by the Village Board of Public Affairs

- (d) The developer shall secure from the Ohio Environmental Protection Agency a "Permit to Install" prior to any water line and/or sanitary sewer construction.
- (e) All necessary improvement plans for soil erosion and sediment control facilities shall be approved by the Soil and Water Conservation District in accordance with Section 1107.03 prior to approval of the improvement plans by the Road Commissioner.
- (f) All necessary improvement plans for individual sewage disposal and private water systems shall be submitted to the Board of Health for "Conceptual Approval" in accordance with Section 1106.05, prior to the submittal of a preliminary plan for Planning Commission approval as required in Section 1103.10.

Upon approval of the construction improvement plans and specifications, the developer shall notify in writing, the Village Road Commissioner, Board of Public Affairs and County Sanitary Engineer of the date of commencement of construction. A preconstruction meeting shall be required with regard to procedure, materials and inspection of the project. The work shall be done under County and/or Village supervision and inspection and shall be completed to the satisfaction of the Street Commissioner, the Planning Administrator, the County Sanitary Engineer, the Village Board of Public Affairs or other appropriate agency. If it becomes necessary to modify the improvements as approved due to unforeseen circumstances, the developer shall inform the Road Commissioner, the Planning Administrator, the Board of Public Affairs, the County Sanitary Engineer and the Ohio Environmental Protection Agency in writing of the conditions requiring the modifications. Written authorization and approval by the Road Commissioner, the County Sanitary Engineer and the Board of Public Affairs to make the required modifications, must be received before proceeding with the construction of the improvements. Upon completion of all the improvements, the developer shall request in writing a final inspection by the Village Road Commissioner, Village Board of Public Affairs and the County Sanitary Engineer.

The developer shall be required to construct all improvements in a proposed subdivision and submit all performance and maintenance bonds in accordance with the standards outlined in these Subdivision Regulations prior to submitting the application for final plat approval with the Planning Commission. (Ord. 56-2005. Passed 10-3-05.)

1108.01 MATERIALS.

Unless otherwise indicated on the plans with advanced approval of the Village Road Commissioner, the Village Board of Public Affairs or the County Sanitary Engineer, materials shall meet the requirements of and shall be in accordance with the current volume of the "Construction and Material Specifications" from the State of Ohio Department of Transportation and/or the standards of the Village Road Commissioner and County Sanitary Engineer. Water line and sanitary sewer improvements shall conform to the design criteria of the "Ten State Standards." (Ord. 56-2005. Passed 10-3-05.)

1108.02 CONSTRUCTION IMPROVEMENT PLANS AND SPECIFICATIONS.

(a) Filing. All necessary improvement plans for proposed roads, storm sewers and drainage facilities, sanitary sewers, water lines, sewage treatment plants and other proposed public facilities shall be filed with and approved by the Road Commissioner, Board of Public Affairs and County Sanitary Engineer prior to the commencement of any construction on the project site. Improvement Plans shall include Storm Water Pollution Prevention Plans (see Section 1107.03).

Complete Construction Drawings for the entire project shall be submitted at one time, and partial submittal are not acceptable.

The subdivider shall submit one copy of the overall preliminary plan as approved by the Planning Commission along with a copy of the letter granting approval before any drawings are accepted for review and approval.

All plans, specifications, cost estimates and other essential documents necessary for the construction and installation of required improvements in a proposed subdivision shall be designed and prepared by a professional engineer as defined in these Subdivision Regulations. The minimum requirements for materials shall be in accordance with the standards of the current volume of "Construction and Material Specifications" of the State of Ohio Department of Transportation and the Village Board of Public Affairs regulations.

(b) Format. Construction drawings shall be drawn with black reproducible ink on linen, mylar or other suitable material as determined by the Planning Administrator, Road Commissioner, Village Board of Public Affairs and/or the County Sanitary Engineer. Each sheet of the drawing material shall be 24-inch x 36-inch in size with marginal lines drawn around the entire sheet leaving a margin of 1 ½ inches on the binding edge and ½ inch margin on the other edges. Drawings are also requested to be submitted on acceptable electronic format.

The preferred scale of the drawings shall be as follows:

- (1) General Plans 1" = 100'
- (2) Plan and Profile 1" = 50' Horizontal, 1" = 5' Vertical
- or
- 1" = 20' Horizontal, 1" = 2' Vertical
- (3) Cross Sections 1" = 5' Horizontal, 1" = 5' Vertical

Each drawing shall include an appropriate title block, indication of scale, north arrow, and sheet number.

(c) General Content. Drawings shall generally include a title sheet, summary of quantities, existing site plan, proposed site development plan, plan and profile, cross sections, typical sections, detailed drawings and all other pertinent information required for the proper installation of all improvements as requested and deemed necessary by the Road Commissioner, Village Board of Public Affairs and/or the County Sanitary Engineer. Design and drainage calculations shall be a part of the construction drawing submission by the subdivider's engineer.

(d) Title Sheet. The Title Sheet shall include the name of the subdivision or title of the project including Village and County project numbers for water and sewer, its location including a section number, a vicinity map, a listing of necessary approvals with signature lines, index of sheets and other pertinent information as required by the Village and/or County.

(e) General Summary Sheet. The General Summary Sheet shall indicate all the quantities necessary to construct the improvements (this may be placed on the Title Sheet if room is available). A detailed estimate of cost based on the quantities shown on the General Summary shall be presented with the Improvement Plans.

(f) Existing Site Plan. This plan shall include all existing features within the proposed subdivision limits and any facility which will be directly affected by its development exclusive of its location. Minimum information required shall include existing contours at two-foot intervals, existing water courses, drainage facilities and culverts, structures and utilities within the subdivision.

(g) Proposed Site Development Plan. This plan shall include all proposed features within the limits of the subdivision such as street pattern, storm system, sediment control, flood way management and storm water retention facilities, sanitary sewer system, water lines and all other utilities with particular attention to those that may cause conflicts in the construction or maintenance of the underground improvements. This overall plan shall be included with the construction drawings and in conformance with the plan and profile drawings.

(h) Plan and Profile Sheets. All plan and profile sheets shall bear the seal of a registered engineer.

(i) Plan View.

- (1) Show all street center line data, right of way, pavement widths and soil boring locations. Label each type of pavement. Stationing shall begin at the south or west-end of the improvement.
- (2) All existing and proposed underground structures located in the street or easement shall be shown on the construction (plan and profile) drawings. Such underground structures are gas lines, electric and telephone conduits, Cable, sanitary and storm sewers, water mains, and culverts.
- (3) All above-ground structures, which are located in such proximity to the proposed work as may be a factor affecting the construction, shall be shown on the plan. These will include trees, fences, buildings, poles, hydrants, bridges, driveways, and drive culverts.
- (4) Draw to scale all sub-lots (acreage if over one (1) acre) abutting the streets where improvements are to be located. Include the front foot dimensions at the road right-of-way, property owners' names, sub-lot numbers (if area is subdivided) or total acreage owned by each acreage owner for property abutting on the streets.
- (5) Show corporation lines, subdivision names, plat volume and pages when subdivision plat is recorded and original lot lines and numbers on the drawings.
- (6) Show all easements including exact location and width.

(j) Profile View. Profiles are required for pavements, sidewalks, walkways, storm sewers, sanitary sewers and water lines.

- (1) Profile plan shall show existing center line, ground elevations and proposed finished center line grade elevations. Vertical curves (finished grade) shall be stationed at 25-foot intervals.
- (2) Include the location, description, and the exact elevation of a sufficient number of bench marks on the drawings. These bench marks shall be used for construction and inspection purposes. Each plan and profile sheet shall show at least one benchmark.
- (3) All elevations used on drawings shall be based on sea level datum as determined by the United States Coast and Geodetic Survey.
- (4) All pipe, aggregates, and other materials shall be noted or described as to weight, class, pressure rating, gauge, or other notation to clearly define the intention of the designer.

(k) Cross Sections. All cross sections shall clearly show the existing and proposed sections at 50-foot intervals for pavements and sidewalks within the limits of the right-of-way or setback line if grade change so dictates.

(l) Typical Sections. All typical sections shall be shown on the title sheet if possible, and shall conform to the minimum standards as set forth by these Subdivision Regulations.

(m) Detailed Drawings. All catch basins and manholes, inlets, headwalls, utility connections and any other pertinent facility or structure deemed necessary by the Road Commissioner or Sanitary Engineer shall be included as a part of the construction drawing submittal. (Ord. 56-2005. Passed 10-3-05.)

1108.03 AS-BUILT DRAWINGS.

One complete set of as-built drawings shall be submitted to the Road Commissioner, Planning Administrator, Village Board of Public Affairs and Sanitary Engineer upon the final completion of all improvements constructed and installed. An electronic format is also required for the as built drawings. The drawings shall indicate the actual location and elevation of all improvements as constructed in the field and shall be submitted prior to final plat approval and legal description of the road right-of-way. (Ord. 56-2005. Passed 10-3-05.)

1108.04 MODIFICATIONS AND CHANGE ORDERS.

Approval of final plans shall not prevent the Road Commissioner, the Board of Public Affairs and/or Sanitary Engineer from ordering needed changes deemed necessary, or the subdivider's engineer from requesting modification of the plans due to unforeseen circumstances during the prosecution of the work.

If a modification to the approved plans or specifications is ordered or requested, the subdivider's engineer shall revise the plans, specifications and estimate of cost and submit the proposed modification to the Village Road Commissioner, Board of Public Affairs and/or Sanitary Engineer and the Ohio Environmental Protection Agency for approval. If the Road Commissioner, Board of Public Affairs and/or Sanitary Engineer approve such a modification, a written change order shall be prepared by the subdivider's engineer and signed by the appropriate Village or County authority.

This extra work shall be at the developer's expense, but will be limited to the intent of these regulations and the project scope as originally approved by the Road Commissioner, Board of Public Affairs and/or Sanitary Engineer.
(Ord. 56-2005. Passed 10-3-05.)

1108.05 DESIGN DATA.

All design data involving roadway, sanitary sewers, water distribution, storm sewers, storm water drainage and storm water detention shall be submitted with the design drawings bound in a neat and orderly manner on standard size paper.
(Ord. 56-2005. Passed 10-3-05.)

1108.06 INTENT OF REGULATIONS, PROJECT SCOPE, AND PLANS.

The intent of these Subdivision Regulations, project scope and the improvement plans is to prescribe a complete workable improvement at no cost to the *Village of Lordstown* or Trumbull County, which the subdivider undertakes to do in full compliance with the approved plans, standard drawings and specifications of the Road Commissioner, the Board of Public Affairs and/or Trumbull County Sanitary Engineer and the Ohio Environmental Protection Agency. They are to be cooperative and what is called for by either is as binding as if called for by both. Should any misunderstanding arise as to the intent or meaning of said plans, specifications or standard drawings or any discrepancy appear in either, the decision of the Road Commissioner, Planning Administrator, the Board of Public Affairs and/or Trumbull County Sanitary Engineer in such case shall be final and conclusive.
(Ord. 56-2005. Passed 10-3-05.)

1108.07 PRE-CONSTRUCTION REQUIREMENTS.

(a) Pre-Construction Meeting. Prior to commencement of construction and installation of required improvements in a proposed subdivision, the developer shall notify the Soil and Water Conservation District Office in addition to the Village Road Commissioner, the Planning Administrator, the Board of Public Affairs, the County Sanitary Engineer to arrange for a preconstruction meeting. At this meeting, the proposed subdivision shall be discussed with regard to procedure, construction methods, plans, materials and inspections. In addition, the subdivider shall submit to the Road Commissioner, Planning Administrator, the Board of Public Affairs and County Sanitary Engineer a construction schedule which shall show commencement and completion dates for each phase of construction work, including dates for completion of all required improvements in the proposed subdivision.

(b) Subdivider's Agreement and Inspection Fee. Inspection of all improvements including streets, storm sewers, drainage control, sanitary sewers and water lines shall be performed by the Village Road Commissioner, the Board of Public Affairs and the Trumbull County Sanitary Engineer. Before any subdivision plat or construction plan is given final approval, and prior to the commencement of any construction, the developer shall have executed a Subdivider's Agreement with the *Village of Lordstown* Council and the Sanitary Engineer, for the review of construction drawings and construction inspections. The agreement is in effect only to cover the review and inspection fees associated with the particular subdivision. All fees must be paid in full prior to the approval or recording of the final plat.
(Ord. 56-2005. Passed 10-3-05.)

1108.08 CONSTRUCTION INSPECTION AND APPROVAL.

Inspection shall be required for all improvements as shown on the approved construction drawings.

(a) Responsible Officials.

- (1) The official responsible for the inspection of all street, storm sewer/detention and sedimentation improvements as shown on the approved construction drawings shall be the Village Road Commissioner.
- (2) The official responsible for the inspection of all sanitary sewers shall be the Trumbull County Sanitary Engineer and the Ohio Environmental Protection Agency.
- (3) The official responsible for the inspection of all water lines shall be the Village Board of Public Affairs and the Ohio Environmental Protection Agency or certification for water lines by other appropriate water provider.

(b) Developer's Responsibility. The developer and/or contractor shall have available at the proposed subdivision at all times, one approved copy of all required plans and specifications. He shall cooperate with the Village and/or County inspector and with other parties in every way possible. The developer and/or contractor shall at all times have a competent representative acting as his or her agent available to be contacted by the Village and/or County at any time while construction and installation of improvements are occurring on the proposed subdivision site. The representative shall be capable of reading and thoroughly understanding the improvement plans and have full authority to execute the orders or directions of the inspector and to promptly supply such materials, tools, plans, equipment and labor as may be required. A representative shall be furnished regardless of the amount of work sublet. All construction is to be inspected and a minimum of 48 hours notice shall be given by the contractor to the respective agency. All inspection costs shall be paid for by the developer.

(c) Authority and Duties of Inspectors. Inspectors employed by the Village and/or County shall be authorized to inspect all work done and all materials furnished. Such inspection may extend to all or any part of the work and to the preparation, fabrication, or manufacture of the materials to be used. The inspector shall not be authorized to revoke, alter or waive any requirements of the specifications or plans. He shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract in writing. He shall have the authority to reject in writing materials which do not meet specification requirements or suspend the portion of the work involved until any question at issue can be referred to and decided by the Road Commissioner, Board of Public Affairs or Sanitary Engineer. Failure to comply with the inspector, Village, County and/or sanitary engineer's directive, will be deemed a violation of these Subdivision Regulations subject to having the approved final plat invalidated by the *Village of Lordstown*.

- (d) Samples and Tests. In order to assure the use of suitable and acceptable materials, the Village and/or County may require tests to be made in circumstances where deemed necessary. The cost of all tests shall be incurred by the developer whether the tests are performed by Village or County personnel or an independent testing agency. (Ord. 56-2005. Passed 10-3-05.)

1108.09 SURVEYING AND MONUMENTATION.

Boundary monumentation shall be set at all subdivision corners and all lot corners within the subdivision. Center line monumentation shall be set at all street intersections and points of curvature and shall be enclosed in an iron monument box of the type as approved by the Road Commissioner. All monumentation shall be established and set in accordance with the provisions of Chapter 4733 of the Ohio Administrative Code by a licensed Professional Surveyor, registered in the State of Ohio. The Road Commissioner may require other monuments or iron pins to be set in the subdivision as deemed necessary. All monuments and iron pins shall be identified on the final plat and shall be in place prior to final plat approval by the Planning Commission. (Ord. 56-2005. Passed 10-3-05.)

1108.10 FINAL INSPECTION.

Upon completion of all improvements, the developer shall request in writing a final inspection of all streets, storm sewers and drainage facilities from the Road Commissioner and of all sanitary sewers from the County Sanitary Engineer and water supply systems from the Board of Public Affairs. All improvements shall be thoroughly inspected and if found to be satisfactory, the Road Commissioner, Board of Public Affairs and/or County Sanitary Engineer shall approve and certify that the improvements have been completed in accordance with the plans and specifications approved under the provisions of these Subdivision Regulations. The developer should have his representative present at the time of all inspections. (Ord. 56-2005. Passed 10-3-05.)

1108.11 PERFORMANCE GUARANTEE FOR INSTALLATION OF IMPROVEMENTS.

A developer shall be responsible for completing construction and installation of all required improvements in a proposed subdivision prior to the granting of the final plat approval by the Planning Commission. As consideration for final plat approval in lieu of the actual installation or completion of the improvements required by these Subdivision Regulations, the developer shall furnish a 100% construction performance guarantee providing for the completion of the required improvements which shall be deposited and remain at all times with the Clerk of the *Village of Lordstown*. Only those uncompleted improvements authorized by the Road Commissioner, the Board of Public Affairs, the Planning Commission and/or County Sanitary Engineer will be permitted to be included in the performance guarantee, all other required improvements shall be completed by the developer prior to final plat approval by the Planning Commission.

The construction performance guarantee shall be in the form of a surety performance bond or other financial instrument acceptable to the Village Solicitor which binds the developer to the completion of the required improvements. The performance guarantee shall be in the amount of not less than 200 percent of the total estimated cost as determined by the Road Commissioner, the Board of Public Affairs and/or County Sanitary Engineer of all uncompleted work for the construction and installation of the required improvements in a proposed subdivision. The performance guarantee shall be made payable to and enforceable by the *Village of Lordstown* and/or County as appropriate and shall provide that the developer; his/her heirs, successors and their agents will comply with all requirements of these Subdivision Regulations. All required improvements shall be completed by the developer within two years from the date of final plat approval by the Planning Commission unless an extension of time has been granted. The construction performance guarantee shall not be allowed to expire prior to the completion of all improvements and shall remain in effect until released by the *Village of Lordstown*.

The construction performance guarantee shall be released once all improvements have been inspected and approved by the Road Commissioner, the Board of Public Affairs and/or Sanitary Engineer, a maintenance guarantee is in effect, all fees and reimbursements required by any Village Department and these Subdivision Regulations, have been paid by the developer; and a satisfactory set of as-built drawings has been submitted by the developer.

The work performed under the jurisdiction of the Village Road Commissioner (per Section 1108.03) and the Board of Public Affairs shall be a separate guarantee from the work performed under the jurisdiction of the County Sanitary Engineer.

- (a) Extension of Time. If the construction or installation of any improvement or facility for which guarantee has been made by the developer in the form of a performance bond is not completed within two years from the date of final plat approval by the *Village of Lordstown* Planning Commission, the developer may request the Planning Commission to grant a time extension of six months, provided he can show reasonable cause for inability to complete said improvements within the required two years. If granted the time extension shall not affect the terms of the original construction performance guarantee, which shall remain enforceable and in effect until released by the *Village of Lordstown*.
- (b) Failure to Complete Improvements. If within two years from the date of final plat approval, the developer fails to complete the construction and installation of the required improvements for which a performance guarantee has been posted and unless an extension of time has been approved by the Planning Commission; the Road Commissioner and/or the County Sanitary Engineer shall notify the Planning Commission in writing that the developer has defaulted on the requirements of these Subdivision Regulations. The Planning Commission, acting on behalf of the *Village of Lordstown* Council, shall notify the developer and the financial institution or surety company of such failure and its intention to proceed to have such work completed by appropriating the surety bond, and take the necessary steps to require performance by the bonding company.
(Ord. 56-2005. Passed 10-3-05.)

1108.12 GUARANTEE FOR MAINTENANCE OF IMPROVEMENTS.

Prior to final plat approval by the Planning Commission and acceptance of the required improvements by the *Village of Lordstown*, the developer shall have posted a maintenance guarantee which shall be deposited and remain at all times with the Clerk of the *Village of Lordstown*. The maintenance guarantee shall be in the amount of 20 percent of the total project cost for each separate utility or improvement constructed or guaranteed to be constructed in any one particular phase, as determined by the Road Commissioner, the Board of Public Affairs and/or County Sanitary Engineer. The guarantee shall be used as a security to ensure that the developer will perform routine maintenance of all improvements and shall repair all failures due to faulty construction as soon as they become apparent. The developer shall also make repairs due to erosion or abuse by utility companies installing utilities and shall repair all failure, for all other reasons, to maintain the improvements in compliance with the requirements of these Subdivision Regulations for a period of two years from the date on which the work was completed and approved by the *Village of Lordstown*.

In cases where a performance guarantee has been posted for uncompleted work in a proposed subdivision, the maintenance guarantee covering that portion of the improvements for which the uncompleted work is a part, shall be continual and enforceable for a period of two years from the date on which the work covered under the performance guarantee was completed and approved by the Village and/or County and the performance guarantee released by the *Village of Lordstown* Council. Evidence of this extended maintenance guarantee shall be submitted prior to the release of the performance guarantee by the *Village of Lordstown* Council.

In cases where access to the proposed subdivision is along an existing Village road, a maintenance guarantee shall be submitted in the amount as determined by the Village Road Commission to repair any damage and remove any dirt or debris in the roadway that may have been caused by the construction of the proposed subdivision. A preconstruction and post-construction inspection of the access road shall be required by the Village Road Commissioner and the developer.

The maintenance guarantee shall be in the form of a maintenance bond, or other financial instrument acceptable to the Village Solicitor, to guarantee the remedy of any defect in labor or materials of the installed improvements. The maintenance guarantee shall be made payable to and enforceable by the *Village of Lordstown* Council and shall provide that the developer, his/her heirs, successors and their agents will comply with all requirements of these Subdivision Regulations. (Ord. 56-2005. Passed 10-3-05.)

1108.13 FAILURE TO PERFORM.

If within two years from the date of final plat approval, the developer fails to proceed with maintenance of the required improvements, and unless an extension of time has been approved by the Planning Commission; the Road Commissioner, the Board of Public Affairs and/or the County Sanitary Engineer shall notify the Planning Commission that the developer has defaulted on the requirements of these Regulations. The Road Commissioner, acting on behalf of the *Village of Lordstown*, shall notify the developer, the Planning Commission and the financial institution or surety company of such failure and its intention to proceed to have such work completed by appropriating the surety bond and take the necessary steps to require performance by the bonding company. (Ord. 56-2005. Passed 10-3-05.)

1108.14 ACCEPTANCE OF IMPROVEMENTS.

The developer may request, after final plat approval by the Planning Commission, that any or all dedicated improvements constructed in accordance with the provisions of these Subdivision Regulations be accepted by the *Village of Lordstown* Council for government maintenance. The Council shall request the recommendations from the Planning Commission, Road Commissioner and/or County Sanitary Engineer to verify that all provisions of the *Village of Lordstown* Subdivision Regulations have been satisfied. The Council shall review the recommendations and reject or accept for maintenance. The acceptance by the *Village of Lordstown* Council shall in no way relieve the developer from his responsibility to maintain the improvements throughout the duration of the maintenance guarantee period.

All work within a subdivision must be completed and all bonds submitted in accordance with the approved construction plans and the provisions of these Subdivision Regulations before any improvement will be considered for acceptance. Street acceptance shall be in accordance with Section 1105.29 of these Subdivision Regulations.

(Ord. 56-2005. Passed 10-3-05.)

CHAPTER 1109
Definitions

**1109.00 Interpretation of terms
and words.**

1109.01 Glossary.

1109.00 INTERPRETATION OF TERMS OR WORDS.

For the purpose of these Subdivision Regulations, certain terms or words used herein shall be interpreted as follows:

- (a) The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- (b) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- (c) The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
- (d) The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied.”
- (e) The word “lot” includes the words “plot or parcel.”
- (f) The word “Village” where used shall mean the *Village of Lordstown*.
(Ord. 56-2005. Passed 10-3-05.)

1109.01 GLOSSARY.

Administrator: Staff of the *Village of Lordstown* designated to review and approve subdivisions.

Applicant: The owner of land proposed to be subdivided or its representative who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the premises.

Association: An association or organization, whether or not incorporated, which operates under and pursuant to recorded covenants or deed restrictions through which each owner possesses a portion of a subdivision, be it a lot, parcel, unit, or any other interest, is automatically a member as a condition of ownership and each member is subject to a charge or assessment for a pro-rated share of expenses of the association which may become a lien against a lot, parcel, unit or other interest of the member.

Bedroom: Any room within a dwelling that might reasonably be used as a sleeping room including but not limited to rooms designated as a den, office or study.

Block: That property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream, or between any of the foregoing and any other barrier to the continuity of development.

Block Frontage: Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway, or other definite barrier.

Building: A structure designed to be used as a place of occupancy, storage or shelter.

Building, accessory: A subordinate building detached from but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building Site: A parcel under separate deed or description and having road frontage.

Building Line: Building Setback Line

Building, principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

Capital Improvement: A public facility with a life expectancy of five or more years, to be owned and operated by or on behalf.

Commission: *Village of Lordstown* Planning Commission.

Conservation Subdivision: Grouping of houses, or other structures on part of the property while maintaining a large amount of open space on the remaining land.

Contiguous: Lots are contiguous when at least one boundary line of one lot touches a boundary line or lines of another lot.

Comprehensive Development Plan: A plan or any portion, thereof, adopted by the Planning Commission and the *Village of Lordstown* Council showing the general location and extent of present and proposed physical facilities, including housing, industrial, and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Condominium: Condominium means and includes the land, together with all buildings, improvements, and structures thereon, all easements, rights and appurtenances belonging thereto, and all articles of personal property which have been submitted to the provisions of Chapter 5311 of the *Ohio Revised Code* and which is subject to said Chapter 5311.

Contractor: The contractor is the developer or any person, firm, or corporation undertaking the construction of any or all phases of the work contained in these Subdivision Regulations.

Contours: Lines of equal elevation on maps, plats, and engineering designs.

Corner Lot: See Lot Types.

County: Trumbull County, Ohio.

Covenant: A written promise or pledge.

Cul-de-sac: See Thoroughfare.

Culvert: A transverse drain that channels under a bridge, street, or driveway.

Dead-end Street: See Thoroughfare.

Density: A unit of measurement; the number of dwelling units per acre of land.

(a) **Gross Density:** the number of dwelling units per acre of the total land to be developed.

(b) **Net Density:** the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Density, Low Residential: Land to be utilized for residential purposes, including public housing, and industrialized units, which does not exceed two dwelling units per gross acres.

Density, Medium-Low Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed four dwelling units per gross acre. For the purpose of street design requirements, the medium-low density residential classification shall be considered as medium density.

Density, Medium Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed six dwelling units per gross acre.

Density, Medium-High Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed 12 dwelling units per gross acre. For the purposes of street design requirements, the medium-high density residential classification shall be considered as high density.

Density, High Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed 16 dwelling units per gross acre.

Design Standards: Criteria that sets forth specific improvement requirements.

Design Storm: A selected rainfall pattern of specified amount, intensity, duration, and frequency that is used as a basis of design.

Develop: To make a development; also to do any grading or filling of land, whether undeveloped or already subdivided, so as to change the drainage or the flow of water, or to do any work upon the land that is capable of serving as a subdivision or development of building sites in the future.

Developer: Any individual, sub-divider, firm association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.

Driveway: A vehicular travel way used to provide access from a street to a dwelling unit or commercial or industrial activities. Driveways are designed for low travel speeds and are often used as, or are integral with, parking areas for vehicles.

Dwelling Unit: Space within a building comprising living, dining, sleeping and storage rooms as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees.

Easement: A grant by the property owner of the use of a strip of land by the public, a corporation, or other persons, for a specified purpose.

Engineer: Any person registered to practice professional engineering by the state board of registration as specified in Section 4733.14, *Ohio Revised Code*.

Environmental Protection Agency: Ohio Environmental Protection Agency (E.P.A.)

Erosion: The wearing away of the earth's soil surface by water, wind, gravity, or any other natural process.

Escrow: A deposit of cash with the *Village of Lordstown* or escrow agent to secure the promise to perform some act.

Fees in Lieu of Land: Payment of money into an earmarked fund to provide for acquisition/development of facilities off site in place of dedicating land or providing such facility on site.

FEMA: The Federal Emergency Management Agency.

Final Plat: A survey map or drawing of a subdivision prepared by a Registered Surveyor that conforms to the requirements and specifications of these Subdivision Regulations and Chapter 4733 of the *Ohio Revised Code* on which the developer's subdivision is submitted to the *Village of Lordstown* Planning Commission for approval only after all requirements of these Subdivision Regulations have been satisfied and installed, and after such approval, presented to the Trumbull County Recorder for recording.

Flood: An overflowing of water, from watercourses, onto land which is normally dry.

Flood, 100-Year: The temporary inundation of normally dry land areas by a flood that is likely to occur once every 100 years (i.e., that has a one percent chance of occurring each year, although the flood may occur in any year.)

Flood Plain: Any land area susceptible to be inundated by water from the base flood. The term refers to that area designated as subject to flooding from the base flood (100-year flood) on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development.

Grade: The amount of rise or descent of a sloping land surface, usually measured as a percent where the numbered percent represents the amount of vertical rise or fall, in feet, for every 100 feet horizontally. For example, a one foot vertical rise over one hundred horizontal feet represents a one percent slope.

HDPE: High Density Polyethylene Pipe with smooth invert.

Health Department: Trumbull County Health District.

Highway Director: The Director of the Ohio Department of Transportation.

Highway Plan: See "Major Thoroughfare Plan".

Highway, Limited Access: A freeway, expressway or major arterial providing a traffic way for through traffic, in respect to which owners or occupants of abutting property on land and other persons, have no legal right of access to or from the same, except at such points and in such manner as may be determined by the public authority having jurisdiction of the traffic way.

Homeowners Association: See "Association".

Improvement Plans: (Also known as development plans) The maps or drawings showing the specific location and design of improvements to be installed in a subdivision in accordance with the requirements of these Subdivision Regulations as a condition of plat approval.

Improvements: Street pavement, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control for drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

Inspector: The Inspector is the authorized representative of the Road Commissioner, the Board of Public Affairs and/or County Sanitary Engineer, assigned to make a detailed inspection of any or all portions of the work or materials thereof.

Location Map: See Vicinity Map.

Lot: For the purpose of these Regulations, a lot is a “Lot of Record”, or a parcel of land, described and recorded in the Office of the Trumbull County Recorder and listed as a single unit on the Trumbull County Auditor’s Tax Duplicate, of sufficient size to meet minimum health, zoning and subdivision requirements for use, coverage and area, and to provide such yards and other open space as herein required. Such lot shall have a frontage on an improved public street, or an approved private street.

Lot Area: The area of a lot computed exclusive of any portion of the right-of-way of any public or private street.

Lot Depth: The mean horizontal distance between the road right of way line and rear lines of a lot.

Lot Frontage: The uninterrupted portion of a lot that abuts the right-of-way of a public road or platted and recorded private road, in which the distance between the side property lines is measured along the right-of-way line and parallel to the centerline of such public or platted and recorded private road.

Lot Measurements: A lot shall be measured as follows:

- (a) **Depth of a lot:** The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- (b) **Width of a lot:** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the road right of way line, provided, however, that the width between side lot lines at their closest point shall not be less than the required lot width except as provided for a cul-de-sac herein.
- (c) **Lot Frontage:** The uninterrupted portion of a lot that abuts the right-of-way of a public road or platted and recorded private road, in which the distance between the side property lines is measured along the right-of-way line and parallel to the centerline of such public or platted and recorded private road.

Lot of Record: A lot, in which the boundaries are shown as being a part of a subdivision plat recorded in the Office of the Trumbull County Recorder or a parcel of land described by metes and bounds, the description of which has been so recorded by Deed or other instrument of conveyance in the Office of the Trumbull County Recorder and listed as a single unit on the Trumbull County Auditor’s Tax Duplicate.

Lot Types: Terminology used in these regulations with reference to corner lots, interior lots and through lots is as follows:

- (a) **Corner Lot:** A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
- (b) **Interior Lot:** A lot other than a corner lot with only one frontage on a street.
- (c) **Through Lot:** A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
- (d) **Reversed Frontage Lot:** A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
- (e) **Flag Lot:** A lot whose only frontage on a public street is through a narrow strip of land which is generally wide enough to accommodate a driveway, but too narrow to accommodate any structures. The narrow strip of land is referred to as the panhandle.

Lot Width: The horizontal distance between apposing side boundary lines of a lot.

Major Subdivision: A subdivision as defined in, and subject to the platting requirements of Section 711 of the *Ohio Revised Code*.

Major Thoroughfare Plan: The Comprehensive Plan adopted by the *Village of Lordstown* Road Department and the Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the unincorporated area of the Village.

Maintenance Bond: An agreement by a sub-divider or developer with the Village guaranteeing the maintenance of physical improvements for a period of two (2) year from the release of the performance bond.

Minor Subdivision: A division of a parcel of land that requires the approval of the Village Planning Administrator in accordance with Section 711.131, *Ohio Revised Code*. Also known as Lot Split.

Monuments: Permanent concrete or iron markers used to establish all lines of the plat in a subdivision, including all lot corners, and points of change in street alignment.

Open Space: An area open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, swimming pools, tennis courts, and any other recreational facilities that the planning commission deems permissive. Streets, structures for habitation, and the like shall not be included.

Original Tract: A parcel of land as shown on the Trumbull County Auditors Tax Duplicate at the end of the previous year.

Out Lot: Property shown on a subdivision plat outside of the boundaries of the land which is to be developed and which is to be excluded from the development of the subdivision.

Owner: Any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these Subdivision Regulations.

Parcel: Any piece of land described by metes and bounds, the description of which has been so recorded by deed or other instrument of conveyance in the Office of the Trumbull County Recorder and listed as a single unit on the Trumbull County Auditor's Tax Duplicate.

Parking Space, Off-Street: For the purpose of these Subdivision Regulations, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street and maneuvering room, but shall be located totally outside of any street.

Performance Bond or Surety Bond: An agreement by a developer with the *Village of Lordstown* for the amount of the estimated construction cost (as approved by the Road Commissioner, the Board of Public Affairs and County Sanitary Engineer) guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the sub-divider's agreement.

Performance Guarantee: Any security that may be accepted by the Village as a guarantee that the improvements required as part of an application for development that will be completed according to *Village of Lordstown* standards.

Person: An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

Plan: A map or drawing of a proposed subdivision, intended for review purposes only.

Planned Unit Development: An area of land, in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot size and setbacks, than those restrictions that would normally apply under these Subdivision Regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans. (This district requires a separate zoning classification) Planning & Zoning Administrator (Inspector): The zoning inspector of the *Village of Lordstown* appointed by the Mayor and confirmed by the *Village of Lordstown* Council.

Planning and Zoning Administrator (Inspector): The zoning inspector of the *Village of Lordstown* appointed by the Mayor and confirmed by the *Village of Lordstown* Council.

Plat: A survey map or drawing prepared by a Registered Surveyor that conforms to the requirements and specifications of these Subdivision Regulations and Chapter 4733 of the *Ohio Administrative Code*.

Preliminary Plan: A map or drawing of a proposed subdivision, including both narrative and site design information, intended to provide the Planning Commission with an understanding of the manner in which the site in question is to be developed. This plan shall show improvements intended to be constructed at the development site.

Public Improvement: Any roadway, storm drainage sewers and facilities, sanitary sewers, water main, sidewalk, pedestrian way, parkway, trees or any other facility or appurtenance for which the local government may ultimately assume the responsibility for maintenance and operation.

Public Way: An avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public entity have a right, or which are dedicated, whether improved or not. (See "Right-of-Way".)

Registered Engineer: An Engineer properly licensed and registered in the State of Ohio.

Replat: A plat, in which the boundary or property lines of any previously platted lot or subdivision are changed. It may include all or any part of a previous recorded subdivision or plat.

Reserve Strip: An area of land adjacent to a public right-of-way which is retained in ownership by the sub-divider for the purpose of denying access to the adjacent land shall not be permitted.

Right-of-Way: A strip of land taken or dedicated for use as a public or private roadway. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, utility easements and may include special features such as grade separation, landscaped areas, viaducts, and bridges.

Rip-Rap: A permanent erosion resistant groundcover of large, loose, angular stone with filter fabric or compacted granular underlining.

Road: See "Thoroughfare, Street or Road".

Sediment Basin: A temporary Barrier or dam with a controlled storm water release structure formed by constructing an embankment or compacted soil across the drainage way.

Setback Line: A line established by the subdivision and/or zoning regulations, generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure, other than an accessory building, may be located above ground.

Sewers, Central or Group: An approved sewage disposal system which provides a collection net-work and disposal system and central sewage treatment facility for a single development, community or region.

Sewers, On-Site: A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process, or an equally satisfactory process, for the elimination of sewage, and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

Silt Fence: A temporary sediment barrier consisting of a filter fabric stretched across and attached to a post and entrenched.

Sketch Plan: An informal drawing which shows how a developer proposes to subdivide a property and which gives sufficient site information for the planning commission representatives to offer suggestions for site development. This step is optional.

Slippage Potential: The potential which land has to move, under the force of gravity, should it be disturbed during construction activity.

Stopping Sight Distance: The distance down a roadway for which a motorist is able to have unobstructed sight. Stopping sight distance is reduced by vertical and horizontal road curvature, fixed objects on the side of the road, and overhanging vegetation.

Streams or Surface Water Courses: Are those with a well defined bed and bank, either natural or artificial, which confines and conducts continuous or periodical flowing water in such a way that terrestrial vegetation cannot establish roots within the channel.

Street: See "Thoroughfare, Street or Road".

Subdivider: Any individual, developer, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to affect a subdivision of land hereunder for himself or for another.

Subdivision: (O.R.C. 711.001)

- (a) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres, for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (5) acres 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 of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted;
- (b) The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street(s) serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drain-age, or other public facilities.

Surveyor: Any person registered to practice surveying by the State Board of Registration as specified in Section 4733.02 of the *Ohio Revised Code*.

Tract: The term is used to describe a larger area of land, particularly in the context of subdivisions, where one “tract” is subdivided into several “ parcels or lots.”

Technical Review Committee: A committee representing the Village engineer, the County Health department, the Planning Administrator, the Sanitary Engineer and the Road Commissioner who shall meet informally with developers or property owners proposing a major subdivision, a commercial or industrial subdivision, or a minor subdivision on which the Planning Administrator requires additional information. The technical review committee shall make recommendations and offer assistance to the planning commission.

Terrain Classification: Terrain within the entire area of the preliminary plat is classified as level, rolling, hilly, or hillside for street design purposes. The classifications are as follows:

- (a) Level: Land which has a cross slope range of four (4) percent or less;
- (b) Rolling: Land which has a cross slope range of more than four (4) percent but not more than eight (8) percent;
- (c) Hilly: Land which has a cross slope range of more than eight (8) percent but not more than fifteen (15) percent;
- (d) Hillside: Land which has a cross slope range of more than fifteen (15) percent.

Thoroughfare, Street, or Road: The full width between property lines bounding every dedicated travel-way, with a part thereof to be used for vehicular traffic and designated as follows:

- (a) Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route. Design speed is generally 55 miles per hour.
- (b) Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions. Design speed is generally 35 miles per hour.
- (c) Cul-de-Sac: A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround. Design speed is generally 25 miles per hour.
- (d) Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and in-tended to be extended or continued in the future.
- (e) Local Street: A street primarily for providing access to residential, commercial, or other abutting property. Design speed is generally 25 miles per hour.
- (f) Loop Street: A type of local street each end of which terminated at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than three thousand (3000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
- (g) Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street.)

- (h) Private Road or Driveway: Every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.
- (i) Street or Highway: The entire width between the boundary lines of every way open to the use of the public as a thoroughfare for the purpose of vehicular travel.

Through Lot: See “Lot Types”.

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the county in order to better locate and orient the area in question.

Waiver: A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Watershed: The drainage basin in which the subdivision drains or that land whose drainage is affected by the subdivision.

Wetland: An area of land, as defined by the federal definition at the time of preliminary plan submission, inundated by water for a portion of each year resulting in the land possessing unique soil and vegetative types.

Yard: A required open space other than a court unoccupied and unobstructed by any structure from six (6) inches above the general ground level of the graded lot upward, provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstructions of visibility.

- (a) **Yard, Front:** A yard extending between side lot lines across the front of a lot and from the front lot line (Road right of way) to the front of the principal building.
- (b) **Yard, Rear:** A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
- (c) **Yard, Side:** A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Zoning Inspector (Assistant): The person hired by the Mayor and confirmed by the Village of Lordstown Council to assist and work under the direction of the Planning & Zoning Administrator. (Ord. 56-2005. Passed 10-3-05.)

**CHAPTER 1110
Required Statements and Signatures**

- | | |
|---|--|
| 1110.00 Subdivision name.
1110.01 Surveyor's certificate.
1110.02 Owners acceptance and dedication (for a final plat with a dedicated road).
1110.03 Owners acceptance (for a final plat with a private road). | 1110.04 Owners acceptance (for a final plat with no new roads).
1110.05 Certification.
1110.06 Approvals. |
|---|--|

1110.00 SUBDIVISION NAME.

Situated in the *Village of Lordstown*, County of Trumbull, State of Ohio and known as being a part of Section No. _____ and containing _____ acres, being (all or part) of the land conveyed to _____ as described in the Deed and recorded in Volume _____, Page _____, and/or Instrument No. _____ in the Office of the Trumbull County Recorder.
(Ord. 56-2005. Passed 10-3-05.)

1110.01 SURVEYOR'S CERTIFICATION.

I do hereby certify that I have surveyed the premises and prepared the attached plat in accordance with the provisions of Chapter 4733-37 of the *Ohio Administrative Code* and the dimensions of the lots and road(s) are in feet and decimal parts thereof, all of which are correct to the best of my knowledge and belief. Iron monuments or pins as indicated hereon shall be set in place before final inspection and acceptance of the improvements by the Village Planning Administrator and the Village Road Commissioner.

SEAL

(Print Name) Registered Surveyor

Date

(Ord. 56-2005. Passed 10-3-05.)

1110.02 OWNERS ACCEPTANCE AND DEDICATION (FOR A FINAL PLAT WITH A DEDICATED ROAD).

I (we), the undersigned owner(s) _____ of the land shown herein, hereby certify that this plat correctly represents my (our) _____ (Name of Subdivision), a subdivision containing lots ____ through ____ both inclusive, and do hereby accept this plat of same and dedicate to public use the area designated as roads, boulevards, cul-de-sacs, etc. shown herein. The undersigned further agree(s) that any use or improvements made on this land shall be made in accordance with all existing valid zoning, platting, health and other lawful rules and regulations for the benefit of himself and all other subsequent owners or assigns taking title from, under, or through the undersigned. Easements are reserved where indicated on the plat for public utility purposes above and beneath the surface of the ground. In witness whereof the undersigned hereunto set his (their) hand(s) this ____ day of _____, 20____.

Owner _____
(Print Name) Signature

Witness _____
(Print Name) Signature

Owner _____
(Print Name) Signature
(Ord. 56-2005. Passed 10-3-05.)

Witness _____
(Print Name) Signature

1110.03 OWNERS ACCEPTANCE (FOR A FINAL PLAT WITH A PRIVATE ROAD).

I (we), the undersigned owner(s) _____ of the land shown herein, hereby certify that this plat correctly represents my (our) _____ (Name of Subdivision), a subdivision containing lots ____ through ____ both inclusive, and do hereby accept this plat of same. The _____ Homeowner’s Association, a non-profit corporation has been formed under the laws of the State of Ohio and shall be solely responsible for the area designated as roads, boulevards, cul-de-sacs, etc. shown herein. I (we) hereby acknowledge and the grantees shall acknowledge in their respective deeds that they understand that the premises described herein is located upon a non-dedicated (private) right-of-way. I (we) hereby acknowledge and the grantees shall further acknowledge that they understand that no governmental body is responsible for care and maintenance of said right-of-way. The undersigned further agree(s) that any use or improvements made on this land shall be made in accordance with all existing valid zoning, platting, health and other lawful rules and regulations for the benefit of himself and all other subsequent owners or assigns taking title from, under, or through the undersigned. Easements are reserved where indicated on the plat for public utility purposes above and beneath the surface of the ground. In witness whereof the undersigned hereunto set his (their) hand(s) this ____ day of _____, 20____.

Owner _____
(Print Name) Signature

Witness _____
(Print Name) Signature

Owner _____
(Print Name) Signature

Witness _____
(Print Name) Signature

(Ord. 56-2005. Passed 10-3-05.)

1110.04 OWNERS ACCEPTANCE (FOR A FINAL PLAT WITH NO NEW ROADS).

I (we), the undersigned owner(s) _____ of the land shown herein, hereby certify that this plat correctly represents my (our) _____ (Name of Subdivision), a subdivision containing lots _____ through _____ both inclusive, and do hereby accept this plat of same. The undersigned further agree(s) that any use or improvements made on this land shall be made in accordance with all existing valid zoning, platting, health and other lawful rules and regulations for the benefit of himself and all other subsequent owners or assigns taking title from, under, or through the undersigned. Easements are reserved where indicated on the plat for public utility purposes above and beneath the surface of the ground. In witness whereof the undersigned hereunto set his (their) hand(s) this _____ day of _____, 20____.

Owner _____
(Print Name) Signature

Witness : _____
(Print Name) Signature

Owner _____
(Print Name) Signature
(Ord. 56-2005. Passed 10-3-05.)

Witness _____
(Print Name) Signature

1110.05 CERTIFICATION.

Before me, a notary public in and for said county and state personally appeared the above signed _____ who acknowledged that they are the owners of the land shown on the accompanying subdivision plat as shown above, and that the signing of the above certificate is their own free act and deed for the purposes therein expressed.

In witness thereof I have hereunto set my hand and affixed my official seal this _____ day of _____, 20____.

(Print Name) Notary Public

My Commission Expires _____

(Ord. 56-2005. Passed 10-3-05.)

1110.06 APPROVALS.

Approved this _____ Day of _____, 20

Approved this _____ Day of _____, 20

Village Road Commissioner

Approved this ____ Day of _____, 20

Trumbull County Sanitary Engineer

Approved this ____ Day of _____, 20

Approved this ____ Day of _____, 20

Reviewed this ____ Day of _____, 20

Transferred this ____ Day of _____, 20

Trumbull County Auditor

Received for Record this ____ Day of _____, 20__ at ____ o'clock __M

Recorded this ____ Day of _____, 20__ In Plat Book _____ at Page

Date _____

(Ord. 56-2005. Passed 10-3-05.)

CHAPTER 1111
Appendices

Appendix A: Preliminary plan application.

**Appendix B: Application for withdrawal
of preliminary plan.**

Appendix C: Final plat application.

**Appendix D: Application for withdrawal
of a final plat.**

APPENDIX "A"

**PRELIMINARY PLAN APPLICATION IN ACCORDANCE WITH THE
VILLAGE OF LORDSTOWN SUBDIVISION REGULATIONS**

A. NAME OF APPLICANT:

1. Address: _____
2. Telephone Number: _____
3. Fax Number: _____

B.

ENGINEER/SURVEYOR: _____

—

1. Address: _____
2. Telephone Number: _____
3. Fax Number: _____

C. SUBDIVISION NAME: _____

D. SUBDIVISION LOCATION:

Street: _____ Lot/Section No.: _____
Location Description: _____

E. SUBDIVISION DESCRIPTION: Number of Lots: _____

Type of Water Supply: _____

Type of Sewage Disposal: _____

If "Individual Sewage Disposal Systems" are proposed, include a letter of "Conceptual Approval" from the Trumbull County Board of Health.

I hereby certify that I have submitted all of the required information for preliminary plan review pursuant to the *Village of Lordstown* Subdivision Regulations and that all of the information is true and correct to the best of my knowledge.

I also hereby acknowledge that I understand I cannot transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before a plat has been approved and recorded in the manner prescribed in the *Village of Lordstown* Subdivision Regulations. The description of sublots or parcels by metes and bounds in an instrument of conveyance shall not exempt the transaction from the provisions of these Regulations.

Applicant's Signature or Authorized Representative

Date

Date Received: _____

Date of Meeting of Planning Commission: _____

Action Taken by Planning Commission: _____

Planning Administrator

Date

APPENDIX "C"

"FINAL PLAT APPLICATION "IN ACCORDANCE WITH THE VILLAGE OF LORDSTOWN" SUBDIVISION REGULATIONS

A. **NAME OF APPLICANT:** _____
 4. Address: _____
 5. _____
 6. Telephone Number: _____
 7. _____
 8. Fax Number: _____
 9. _____

B. **ENGINEER/SURVEYOR:**

 1. Address: _____
 2. Telephone Number: _____ Fax Number: _____

C. **SUBDIVISION NAME:**

 1. Date of Preliminary Plan Approval: _____
 2. Resolution No. _____

D. **SUBDIVISION LOCATION:**
 Street: _____ Lot/Section No.: _____
 Location Description: _____

I hereby certify that I have submitted all of the required information for final plat review pursuant to the *Village of Lordstown* Subdivision Regulations and that all of the information is true and correct to the best of my knowledge.

I also hereby acknowledge that I understand I cannot transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before a plat has been approved and recorded in the manner prescribed in the *Village of Lordstown* Subdivision Regulations. The description of sublots or parcels by metes and bounds in an instrument of conveyance shall not exempt the transaction from the provisions of these Regulations. I also hereby acknowledge that I understand that if any of the provisions of the *Village of Lordstown* Subdivision Regulations are willfully violated before a plat of a subdivision is recorded in the office of the County Recorder; or if I dispose of, offer for sale or lease from a time exceeding five (5) years any lot or any part of a lot in a subdivision before the provisions of the Regulations are complied with, I shall be subject to the penalties prescribed in Chapter 711 of the Ohio Revised Code.

Applicant's Signature or Authorized Representative

Date

Date Received:

Date of Meeting of Planning Commission:

Action Taken by Planning Commission:

Planning Administrator

Date

APPENDIX "D"

APPLICATION FOR WITHDRAWAL OF A FINAL PLAT FROM REVIEW AND ACTION BY THE *VILLAGE OF LORDSTOWN* PLANNING COMMISSION

I, _____, hereby withdraw from review and action the Final Plat identified as " _____,"

Subdivision by the *Village of Lordstown* Planning Commission.

I understand that I must resubmit all of the materials required by the *Village of Lordstown* Subdivision Regulations in order for the Planning Commission to review the Final Plat at a subsequent meeting.

Applicant's Signature or Authorized Representative Date

Date Received: _____

Action Taken by Planning Commission: _____

Planning Administrator Date