

Exhibit A

Proposed Amendments to the Trumbull County Subdivision Regulations

Red – text to be removed

Green – text to be added

1.) **Trumbull County Planning Commission (Page i.)**

County Commissioners

Planning Commission Members

Planning Commission Staff

Commented [KP1]: Categories will be updated to reflect current Commissioners/Members/Staff:

2.) **106.00 Relation to Other Laws (page 4)**

1. ~~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.~~

Commented [KP2]: This section is to be deleted per the recommendation of the TC Prosecutor's office, as it contradicts ORC 711.10(C), which states that the regulations shall be "of uniform application".

3.) **209.00 Fees (page 11)**

The subdivider shall pay a fee to the Trumbull County 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 Trumbull County Treasurer and deposited in the county general fund. The review and processing fee shall be in addition to any fees required by any other County Agency including the County Engineering Department and the County Sanitary Engineering Department for review, inspection or other related costs. **The Fee schedule is available on the Trumbull County Planning Commission website.**

Application Fee

Minor Subdivision pursuant to Article 3, Section 301.05 \$10.00/Division

Major Subdivision pursuant to Article 3, Section 301.10

Preliminary Plan \$50.00 Plan review +\$10.00/Lot

Revised Preliminary Plan \$50.00

Final Plat and Replat \$50.00 Plat Review +\$10.00/Lot

All fees must be paid upon submittal. No fee will be returned once a receipt has been issued. Any application that has been disapproved by the Commission, or withdrawn, may be resubmitted within one year from the original date of submission, **as set forth in the referenced Fee Schedule. with a resubmittal fee of fifty dollars (\$50.00).**

Commented [KP3]: If the Planning Commission is in agreement, by removing the "fees" from the Regulations, we will have more flexibility to adjust the fee schedule, without amending the Regulations.

Exhibit A

4.) 300.00 Classification of Subdivisions (page 14)

The County Highway Engineer 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 land within the unincorporated areas of Trumbull County. 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~~~~minor or major~~ subdivision as specified in these Regulations.

Commented [KP4]: Removing the word "major" from this allows the Planning Commission the ability to make their own determination whether a subdivision is "major or minor".

5.) 302.05 Submittal Requirements for Minor Subdivision (page 15)

1. Fee: The fee required for application for a minor subdivision ~~as specified in Section 209.00 of these Regulations,~~ ~~as specified by fee schedule adopted by Trumbull County, available on the Planning Commission website.~~

Commented [KP5]: Text addition recommended by Nic.

6.) 306.05 Lots (page 17)

~~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.~~

Section 711.25 of the Ohio Revised Code was repealed, effective 3/22/2019.

Commented [KP6]: Section 711.25 was repealed in 2019 and there is no statute or legislation to replace it.

7.) 307.00 Conditions for a Major Subdivision (page 18)

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:

1. The division of more than five (5) lots, any one of which is less than five (5) acres, including the original tract¹.

2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities (ORC 711.001, Plat Definitions, (b)(2)).

Commented [KP7]: #2's wording comes straight from the ORC section that defines "subdivision".

¹ The Regulations define "original tract" as a parcel of land as shown on the Trumbull County Auditor's Tax Duplicate at the end of the previous year.

Exhibit A

2. The division or allocation of land for the creation, opening, widening, or extension of any street or access easement.

3. The division or allocation of land as easements for the extension and maintenance of public sewer, water, storm drainage, or other public facilities.

4. The division or allocation of land as open spaces for common use by owners, occupants, or lease holders.

3.5. Subdividing platted land to create additional building lots in a recorded subdivision.

4.6. The improvement of a previously recorded platted subdivision requiring the extension of any road, water line or sanitary sewer.

8.) 309.25 Transmission of Preliminary Plan (page 22)

All agencies shall conduct their review within ten (10) days of receiving the preliminary plan and submit their recommendations along with a "Subdivision Sign Off Form" (Appendix B) to the Planning Commission prior to the next meeting of the Plats and Zoning Committee.

9.) 309.55 Preliminary Plan Expiration (page 25)

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, prior to the two-year date. At the time of the extension request, the preliminary plan is required to meet the current Subdivision Regulations. (Ref. 204.00 – page 10)

10.) 311.10 Filing (page 26)

A final plat shall be considered officially filed on the date that the plat and all requirements of Section 311.05 have been satisfied and received by the County Planning Commission and so dated. A final plat is required to be filed with the County Planning Commission prior to the expiration of the preliminary plan as specified in Section 309.55 of these Regulations.

Commented [KP8]: #2, #3 and #4 are being removed because they are included in the updated #2.

Commented [KP9]: There is no "Sign-Off Form" or an "Appendix B" in the Regulations.

Commented [KP10]: Text added for clarity, as it was also the policy for any approval to be based upon the preliminary plan abiding by the CURRENT Sub. Regulations.

Commented [KP11]: This section to be omitted, per the recommendation of the TC Prosecutor, because there is no difference between "officially filed" and "submitted." They are one in the same.

Exhibit A

11.) 311.30 Transmission of Final Plat (page 29)

The meeting shall take place within thirty (30) days from the date the plat was submitted formerly filed, and no meeting shall be held until at least seven (7) days have passed from the date the notice was sent by the Planning Commission.

12.) 402.15 Township Zoning Resolution (page 32)

In addition to the requirements of these Regulations, all subdivisions shall, where applicable, conform to Township Zoning Resolution. (Ref. 105.00; page 3). Please note, when a township does not have an adopted zoning resolution, these Regulations are utilized for development standards, by the authority granted by the ORC in Chapters 711 and 713, also referred to in Sections 104.00 Authority and 105.00 Jurisdiction and Applicability (page 3).

Commented [KP12]: Omitted because subdivisions need to conform to both the Regulations AND Zoning.

Commented [KP13]: There is no specific reference to Sub. Regs. having authority over townships with no zoning. The authority for Counties to have Sub. Regs. over unincorporated areas is referenced throughout Sections 711 and 713 of the ORC, and stated at the beginning of the Regulations.

13.) 405.15 Lot Dimensions (page 35)

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 township zoning regulations. Lots serviced without a public water or sewage treatment facility shall comply with the requirements as specified in Table 4.1 of these Regulations as well as township zoning. Lot frontage requirements specified in Table 4.1 shall apply to a parcel only if there is no applicable zoning regulation for lot frontage that apply to the parcel, as specified in ORC Section 711. 133., provided that the lot dimensions and size are not less than the minimum established in the appropriate township zoning resolution. If no zoning exists or if applicable zoning does not establish minimum lot requirements, then the requirements as specified in Table 4.1 of these Regulations shall apply. Lot dimensions shall accommodate the 100-foot wide buffer or landscaped buffer strip as required in Section 404.35 (page 34).

Commented [KP14]: Statement is revised because according to the ORC 711.133 "Procedure for approval of qualifying division without a plat" lot frontage and width to depth ratio can only be regulated when parcels are located in a township without applicable zoning.

14.) 405.20 Lot Frontage/Lot Area (page 36)

1. A lot shall have not less than the required uninterrupted, continuous frontage as specified in these Regulations, when frontage requirements are not regulated under township zoning, per ORC Section 711.133, or other minimum width of frontage, greater than that which is specified herein, where so required under township zoning regulations, where applicable.

Commented [KP15]: Statement is revised because according to the ORC 711.133 "Procedure for approval of qualifying division without a plat" lot frontage and width to depth ratio can only be regulated when parcels are located in a township without applicable zoning

Exhibit A

Page numbers added to following sections:

301.05 Minor Subdivision or Lot Splits (page 14)

Minor subdivisions or lot splits which comply with all conditions and requirements of Section 302 (page 14) of these Regulations may be approved by the Director or designated 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 305.00 (page 17).

302.10 Administrative Procedure and Approval for Minor Subdivision (page 16)

... as outlined in Section 302 (page 14), the Commission's representative shall approve the proposed division ...

304.00 Combining Existing and/or Proposed Parcels (page 17)

... Combining and parcel currently located within a recorded plat shall follow the procedures and requirements for a replat as specified in Section 305.00 (page 17) ...

305.00 Replat and Correction Plat (page 17)

... 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 specified in Section 311 (page 25).

305.05 Replat for Home Sewage Treatment System Upgrades (page 17)

... shall be exempt from the requirements of Section 405.20 Lot Frontage/Lot Area (page 36) and 402.25 Lot Width and Depth (page 37), as long as...

309.15 Preliminary Development Plan Content (page 21)

17. Location of all proposed soil boring sites along the proposed roadway as deemed necessary by the County Engineer in accordance with the requirements of Section 516.00 (page 54) of these Regulations.

309.20 Supplementary Information (page 22)

The following information shall be supplied in addition to the Requirements of Section 309.15 (page 20):

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

Exhibit A

Section 604.20 (page 67) prior to the submittal of a preliminary plan for Planning Commission approval. For effects of Conceptual Approval, see Section 604.30 (page 69).

309.30 Preliminary Development Plan Review (page 23)

Upon the proper submission of the preliminary development plan within the time frame as stated in Section 309.05 (page 15), the plan shall be placed on the agenda of the next regular meeting of the Plats and Zoning Committee. The Committee 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 Section 309 (page 15) and review the preliminary plan for compliance with the Regulations.

405.50 Access (page 38)

- 1.) ...in accordance with Section 514.10 (page 51) of these Regulations.
- ... in accordance with Section 514.20 (page 51) of these Regulations.

407.00 Easements (page 40)

- 3.) ...Article 7 (page 80) ...

408.00 Buildings (page 41)

- 3.) ... see Article 8, Section 802 (page 91).

503.00 Street and Circulation System Design (page 44)

... maximum block length as specified in Section 404.00 (page 33).

504.00 Rights of Way (page 45)

See Section 514.10 (page 51) for additional requirements.

Exhibit A

508.00 Street Design Standards for Cul-de-sac and Loop-type streets (pages 47-48)

509.00 Street Design Standards for All Local Streets Except Cul-de-sac and Loop-Type Streets (page 49)

510.00 Street Design Standards for Collector Streets (page 49)

1. Refer to Article 9 (page 102) for definition of Terrain Classification
2. Refer to Article 9 (page 102) for definition of low, medium and high development density
3. Refer to Typical Residential Street Sections Article 5, Section 533.00 (page 63)
4. Refer to Section 506.20 and 507.00 (page 46) for maximum grade at intersections
5. No minimum grade required for streets w/o curb and gutter
6. Refer to Section 524.00 (page 58) for sidewalk requirements

511.00 Street Design Standards for Commercial and Industrial Streets (page 50)

1. Refer to Article 9 (page 102) for definition of Terrain Classification
2. Refer to Section 506.20 and 507.00 (page 46) for maximum grade at intersections
3. No minimum grade required for streets w/o curb and gutter
4. Refer to Section 524.00 (page 58) for sidewalk requirements

518.00 Street Curbs and Gutters (page 56)

...Curbs and gutters shall be constructed in conformance with the details of Section 533.00 (page 36) “Typical Residential Street Sections” of these Regulations.

519.00 Curb Pipe Underdrains (page 57)

... subgrade testing as required in Section 516.00 (page 54) 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 533.00 (page 63) “Typical Residential Street Sections” of these Regulations.

Exhibit A

530.00 Street Vacation (page 60)

The procedure to vacate a street or alley may be found in Ohio Revised Code Section 5553.01. (Reference Section 306.10 – [page 17](#))

601.00 Sanitary Sewers (page 64)

...the Trumbull County Board of Health and Section 605 ([page 70](#)) of these Regulations.

605.20 Development Standards (page 71)

... as specified in Section [604.05](#) ([604.50](#))

606.10 Storm Water Management and Drainage (page 72)

...Erosion and Sediment Control Plan as required in Section 703.00 ([page 83](#)) ...

800.00 Construction Procedure (page 90)

...After all requirements of Section 309 ([page 19](#)) have been satisfied...

4. 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 703 ([page 83](#)) prior to approval of the improvement plans by the County Engineer.

5. 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 605 ([page 70](#)), prior to the submittal of a preliminary plan for Planning Commission approval as required in Section 309 ([page 19](#)).

802.10 Filing (page 91)

Improvement Plans shall include Storm Water Pollution Prevention Plans (See Section 703 – [page 83](#))

809.00 Surveying and Monumentation (page 97)

Said monumentation shall be placed with a monument box as outlined within section 526.00 ([page 59](#)) Monumentation...

Exhibit A

813.00 Acceptance of Improvements (page 100)

Street acceptance shall be in accordance with Section 529.00 (page 60) of these Regulations.