

Ashtabula County Planning Commission



SIDEWALK POLICIES

Planning Commission Members

2004

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July, 2004

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Section 1: AUTHORIZATION

Subsection 434.09 of Article 4 of the Ashtabula County Subdivision Regulations, effective April 1, 1999, prescribe that the Ashtabula County Planning Commission may require the installation of public sidewalks within all subdivisions whose plat approval is vested with Planning Commission as enabled under Chapter 711 of the Ohio Revised Code, and Section 118 of the Ashtabula County Subdivision Regulations.

Pursuant to this authority, to establish an equitable, practical, and efficient means to determine under what circumstances and physical settings, during its review of a plat of a proposed subdivision, sidewalks shall be required, Planning Commission now sets forth these Policies.

Planning Commission shall employ these Policies to determine if sidewalks and/or other walkways, as defined hereunder, shall be required for newly proposed and all other subdivisions and development projects whose approval to proceed and develop may fall under its authority.

By these Policies, Planning Commission hereby authorizes the Director of the Ashtabula County Department of Planning, or other duly authorized agent, to employ these Policies as its sole, officially authorized guide and reference in the processing of an application to develop and plat all land within Ashtabula County whose approval rests with the Planning Commission, in order to file a recommendation or opinion whether sidewalks or other walkways should be required. This authorization, however, does not limit or bar the use of other sources of reference by the Director in the submission of his or her recommendation or opinion to Planning Commission or other parties regarding sidewalks.

Planning Commission also authorizes the Director of Planning, or other duly authorized agent, to stand in the shoes of Planning Commission outside of a duly called Planning Commission meeting, to employ, communicate, and/or otherwise instruct any and all public or private parties regarding any aspects of these Policies.

Planning Commission further authorizes the Director of Planning, or other duly authorized agent, to file any recommendation or opinion with Planning Commission regarding sidewalks or other walkways, including for situations outside a platting circumstance, in order to document his or her official determination or conclusion in the matter at hand.

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Planning Commission's authority, which through these Policies regarding sidewalks and other walkways, is delegated to the Director of Planning, or other duly authorized agent, shall also extend, upon approval of the Director, or the other duly authorized agent, to those persons supervised by the Director or other duly authorized agent.

Any recommendation or opinion received from the Director of Planning, or any other party, regarding sidewalks or other walkways, shall be non-binding upon Planning Commission. Planning Commission shall be free to consider, embrace, take, reject, override, or otherwise disregard, in whole or in part, such recommendation or opinion regarding sidewalks or other walkways.

These Policies shall not preclude nor bar Planning Commission from consulting any other document, reference, or person regarding the issue of sidewalks or other walkways in consideration of any plat or other matter falling under its authority, however, these Policies shall be the first and final document so referenced and consulted concerning the subject of sidewalks or other walkways. And when by way of these Policies, the Director of Planning files a recommendation or opinion regarding sidewalks or other walkways, that recommendation or opinion, even if orally given, shall supersede or take preference, at Planning Commission's discretion, consideration of any other recommendation or opinion submitted or testified by anyone regarding sidewalks or other walkways.

These Sidewalk Policies shall be official and binding upon Planning Commission, and be effective immediately upon simple majority approval by the entire Planning Commission (six members or more) as voted upon at any regular meeting of Planning Commission, and signed by the Chair of Planning Commission.

Amendment: These Sidewalk Policies, being not a part of Subsection 434.09 of the Ashtabula County Subdivision Regulations, either by text or reference, but being Planning Commission's carefully selected and officially adopted guide to assist it in applying its authority thereunder, may be amended, in whole or in part, replaced or abolished, by a vote of a simple majority of the entire Planning Commission (six members or more) at any Regular Meeting of Planning Commission, in accordance with its By-Laws.

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Section 2: INTRODUCTION TO SIDEWALK POLICIES

On April 1, 1999, the Ashtabula County Board of Commissioners, upon the recommendation of the Ashtabula County Planning Commission, adopted the revised Ashtabula County Subdivision Regulations, first adopted in 1960.

Included within the Subdivision Regulations under Article 4, "Improvements", and concerning the various required features of "Rights-of-Way", specifically at Subsection 434.09, the design and installation aspects of "Sidewalks" are called-out. This regulation deals with Planning Commission's authority to require sidewalks within subdivisions (please see **Section 1**, paragraph 1). Subsection 434.09 is quoted immediately following.

The Planning Commission, upon consultation with the County Engineer and the Township, may require that the subdivider construct sidewalks on one (1) or both sides of streets, where deemed essential to pedestrian movement and safety, and/or where adjacent to other subdivisions or other areas with existing sidewalks. Where proposed or required, sidewalks shall be constructed one (1) foot inside the right-of-way, shall be not less than four (4) feet in width, shall not be less than four (4) inches in thickness, and, where crossing driveways, shall be not less than six (6) inches in thickness.

Since that time, the Ashtabula County Planning Commission has relied primarily on the staff of the Planning Department to advise the Commission under what circumstances, during their review of newly proposed subdivisions, sidewalks should be required.

As Ashtabula County continues to develop residentially, commercially, and industrially, the Planning Commission has determined that pedestrian access is increasing in importance. There have been several occasions when Commission members saw the need for more substantial criteria upon which to base their decisions regarding sidewalks. Therefore, in 2003, the Commission voted to form an *ad hoc* committee whose purpose was to develop objective criteria to augment, clarify, and define those situations that are normally encountered, and which should be addressed, during the review of subdivision development, to fairly conclude where and when sidewalks should be required, and to supplement Planning Commission's authority in this regard.

The Sidewalk Committee was carefully constructed to include representation from the development community, professional planning staff, township government, the Ashtabula County Engineer's Office, and Planning Commission members. The following individuals have committed much time and effort to this project (listed on page 4, immediately following).

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Sidewalk Committee Membership

Todd L. Humphrey, Assistant Director, Department of Planning

LeRoy McNeilly, Chief Deputy Engineer

Marc Pope, Saybrook Township Clerk and Road Superintendent

Jim Carlson, Developer

Bill Douglass, Planning Commission Member and Developer

Evelyn Schaeffer, Planning Commission Member

Sandi Kanicki, Planning Commission Member

Brenda Chutas, Planning Commission Chair

The Sidewalk Committee identified the issues to be addressed in the Criteria, which are listed in **Section 3**, as follows.

- The settings and elements of residential, commercial, and industrial subdivisions are markedly different and require different criteria.
- Subdivisions that produce higher densities require different criteria than do more rural subdivisions.
- Some subdivision roads are constructed with curbing and gutters, while others are installed with berms and swales; requiring different criteria.
- Connectivity to adjoining and potential vicinity subdivisions must always be considered, along with the characteristics within and around a proposed subdivision.
- The construction time frame must balance with the potential for damage to sidewalks and other amenities, especially considering houses to be built in the future. When sidewalks and other amenities are required, the period of installation may be long, but it is in the public's interest that they be installed in a timely fashion.
- *Intra-* and *Inter-* pedestrian access may not always be best provided by sidewalks within the right-of-way, and therefore, a special category, "Pedestrian Walkway", is necessary.
- Design and construction standards for "Pedestrian Walkways" may differ from typical sidewalk standards.

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At the very onset of this study, it became clear that more than just a list of criteria was necessary to address the sidewalk issue as other factors are so closely tied together with sidewalks, such as ditches, storm water management, construction time framework, right-of-way requirements, and the differences between residential, commercial, and industrial subdivisions . Therefore, the following Criteria, following in **Section 3**, establish Planning Commission's official Sidewalk Policies.

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Section 3: SIDEWALK REGULATION CRITERIA

3.1 DEFINITIONS

Pedestrian Circulation System: Existing pedestrian circulation systems range from the berm or shoulder of thoroughfares at one end of the spectrum all the way up to technically engineered sidewalks meeting rigid specifications within street right-of-ways. It is recognized that in certain instances, due to topography and other conditions, a developer may wish to propose a pedestrian walkway plan for a specific subdivision that will require a deviation from the requirements for conventional sidewalks (such as a system of pedestrian walkways that would follow rear lot lines or border a natural water/drainage course). In such instances, an overall plan for the proposed alternate system of pedestrian walkways shall be submitted with the subdivision preliminary plan and will be reviewed as part of the preliminary plan approval process. An alternate sidewalk or walkway plan must provide a continuous system of walkways located within easements dedicated as pedestrian ways on the plat.

Pedestrian Walkway: A Pedestrian Walkway is a public way, four (4') feet or more in width, for pedestrian use and movement which may or may not be located within the street right-of-way. As a surrogate for a conventional sidewalk in rural areas or rural centers where there is no curb, this is an alternatively surfaced pedestrian facility typically adjacent to a public right-of-way, but protected from vehicular traffic or setback behind a planting strip.

Sidewalk: See Subsection 216.76, Article 2, "Definitions", of the Ashtabula County Subdivision Regulations.

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Pedestrian Sidewalks and Walkways:

- (a) Pedestrian Walkways shall be provided to connect residential areas to open space areas and to provide convenient pedestrian access throughout the proposed subdivision development and from the development to other areas of the community as appropriate. When it is determined by the Planning Commission that the proposed pedestrian walkway system provides access equal to or better than the provision of conventional sidewalks within and along a street right-of-way (ROW), the Planning Commission may determine that traditional sidewalks within the public ROW are not required.
- (b) A pedestrian circulation system shall be included in all conservation subdivision developments, and may also be considered for conventional subdivisions, that is, lot by lot, and shall be designed to ensure that pedestrians can walk safely and easily throughout the development. The pedestrian system shall provide connection between properties and activities or special features within common open space and need not always be located within street ROWs.
- (c) Pedestrian Walkway easements ten (10') feet wide may be required by the Planning Commission through the center of blocks to provide circulation or access to schools, playgrounds, shopping centers, or other community facilities. Pedestrian walkways may connect with off-site public and private facilities or existing pedestrian facilities, for example: Rails to Trails; Metropark paths; parks; athletic fields; commercial and educational centers; etc. Pedestrian walkways shall be extended to the boundary of the proposed subdivision and be provisionally linked with both existing open space on adjoining undeveloped land and with open space on adjoining developed land, as applicable.

Note: The total area and boundary of a proposed subdivision is determined during the review of a preliminary plan and prior to Planning Commission decision, and is defined by a plat.

- (d) In all subdivisions, conventional sidewalks shall be located within the ROW, unless an exception has been permitted to preserve topographical or natural, physical features or other required infrastructure limits occupation and location there, or unless the applicant demonstrates that an alternative pedestrian walkway system provides safe and efficient circulation.

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- (e) Sidewalks may be required in all subdivisions. Sidewalks shall be required in all residential subdivisions where the lot line frontage is less than or equal to two hundred (200') feet and shall be required on both sides of the ROW, unless an exception has been permitted to preserve topographical or natural, physical features or other required infrastructure limits occupation and location there, or unless the applicant demonstrates that an alternative pedestrian walkway system provides safe and efficient circulation. All through-streets, especially arterials and collectors, shall have sidewalks on both sides of the ROW. Sidewalks shall be strongly recommended and may be required in all subdivisions where the lot line frontage is greater than two hundred (200') feet and may be required on only one side of the ROW.

3.2 TABLE OF REQUIRED AND RECOMMENDED SIDEWALKS

Note. The following table shall apply only to sidewalks within residential subdivisions.

Required	Strongly Recommended
Frontage \leq 200' feet	Frontage $>$ 200' feet

- (a) Sidewalks shall not be required on the outside radius of turnarounds at the end of cul de sacs. Additionally, sidewalks shall not be required along the ROW of cul de sacs that are less than three hundred (300') feet, as measured from the center point of the cul de sac, running along the centerline of the right-of-way to a point where the cul de sac right-of-way, whether curved or straight, intersects with the centerline of the adjoining right-of-way.
- (b) Sidewalks shall be required in all commercial or mixed use subdivisions.

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- (c) Sidewalks shall be required in all newly proposed industrial subdivisions where their existence would reasonably help achieve the following results, or on account of the following conditions.
- 1) The improvement of pedestrian safety and access within and to the subdivision.
 - 2) When industrial subdivisions are to be located adjacent to existing industrially used properties or industrially zoned land.
 - 3) Where proposed industrial subdivisions are to be located within 500 feet of a residential or commercial zoning district and the proposed industrial subdivision is also to be located along a Federal, State, or County thoroughfare, or other roadway classified as a collector or arterial.
 - 4) When an industrial subdivision is to be located within 500 feet of any commercial zoning district or commercial center, regardless of its isolation within the township or its adjacency to the proposed subdivision when the commercial center contains more than three (3) business units.
 - 5) Where, due to topography differing from the general vicinity, or because of the proposed layout of sublots within the subdivision, connectivity from business to business would reasonably call for the installation of sidewalks.
 - 6) Where a proposed industrial subdivision is to be located within 500 feet of a recreational facility, park, bikeway, the Western Reserve Greenway, or other similar facilities.
- (d) Sidewalks and graded areas shall be constructed and inspected according to the specifications set forth in the Subdivision Regulations, as now existing or hereafter amended. In commercial and industrial subdivisions or areas, sidewalks may abut the curb when curbs and gutters are required and installed. All other sidewalks shall be separated from the pavement no closer than as depicted on the typical ROW occupation section (See Exhibit "A", "Typical Street Occupation", in the Appendix to the Ashtabula County Subdivision Regulations), or as determined appropriate by the County Engineer for the proposed subdivision as applicable.

(End)

ASHTABULA COUNTY PLANNING COMMISSION
AD HOC SIDEWALK COMMITTEE

June 3, 2004

TO: Ashtabula County Planning Commission

Dear Planning Commission Members:

After several months of meetings, discussion, debate, and review, we submit the enclosed Sidewalk Policies Draft for your consideration. We certify to you that all of our concerns and suggestions were addressed and impartially evaluated during our progress.

We endorse these Sidewalk Policies as a helpful guide for Planning Commission and trust they will provide the criteria necessary for making decisions regarding sidewalk requirements during deliberation of sub-division cases.

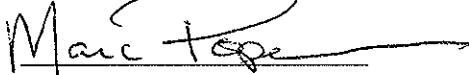
Respectfully submitted,



Todd Humphrey, Assistant Director, Department of Planning



LeRoy McNeilly, Chief Deputy Engineer, Ashtabula County



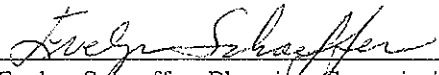
Marc Pope, Saybrook Township Clerk (& Road Superintendent)



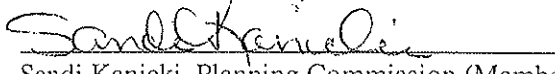
Jim Carlson, Developer



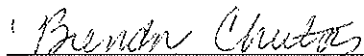
Bill Douglass, Planning Commission (Member) & Developer



Evelyn Schaeffer, Planning Commission (Member)



Sandi Kanicki, Planning Commission (Member)



Brenda Chutas, Planning Commission (Chair)