

CHAPTER 153 – SUBDIVISION CODE

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GENERAL PROVISIONS

153.01 TITLE LAWRENCEBURG SUBDIVISION ORDINANCE

This ordinance shall be known and may be cited and referred to as the Lawrenceburg Subdivision Ordinance.

153.011 PURPOSE AND SCOPE

This ordinance is enacted for the purpose of securing light, air, convenience of access and safety from fire, flood and other danger; for the lessening or avoiding of congestion in the public streets; and for the promoting of the public health, safety, comfort, morals, convenience and general public welfare; and for promoting the orderly development of the city and its environs by classifying, regulating and limiting the subdivision of lands by regulating and determining the area of front, rear and other open spaces about such buildings; by regulating and determining the use and intensity of use of land and lot areas; and by regulating and restricting the design, location, and construction of streets, alleys, rights-of-way and utility easements, all in accordance with the comprehensive plan for the desirable future development of the City of Lawrenceburg , and for providing a method of administering the provisions hereinafter prescribed and providing penalties for the violation thereof.

153.012 ESTABLISHMENT OF CONTROL

I.C. 36-7-4-711. Exclusive control by Plan Commission or Plat Committee. The Plan Commission proceeding in accordance with IC 36-7-3 has exclusive control over the vacation of plats or parts of plats.

No plat or replat of a subdivision of land located within the jurisdiction of the Lawrenceburg City Plan Commission and no deed conveying any part thereof shall be filed with the Dearborn County Auditor, and the Dearborn County Recorder shall not record the same unless said plat has first been approved by the Lawrenceburg City Plan Commission, and also by the Common Council of the City of Lawrenceburg, and such approval shall have been entered in writing on said plat by the secretary of said commission, and by the clerk/treasurer of said City.

153.013 SALE OF LAND IN SUBDIVISION

No owner, or agent of the owner, of any land located within a subdivision shall transfer, sell, agree to sell, or negotiate to sell any land by reference to, exhibition of, or by the use of a plan or plat of a subdivision, before such plan or plat has been approved and recorded in the manner prescribed herein. Any sale or transfer contrary to the provisions of the section is void. The description of such lot or parcel, by metes and

bounds, in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of this ordinance.

153.02 SCOPE

The provisions of this chapter shall, in their interpretation and application be held to the minimum requirements. Where this chapter imposes a greater restriction than is imposed or required by other local provisions or by other rules or regulations or chapters, the provisions of this chapter shall control.

153.03 EXTENT OF APPLICATION

This chapter shall apply to all subdivisions hereafter platted within the incorporated territory of the city.

153.04 COMPLIANCE WITH ZONING CODE

All proposed subdivisions shall meet requirements set forth in the zoning code and other ordinances of the City, as well as the provisions of this chapter.

153.05 DEFINITIONS

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BLOCK: An area of land bounded on all sides by a street or streets.

BUILDING: A structure built for the support, enclosure, shelter, or protection of persons, animals, chattels, or movable property of any kind.

BUILDING SETBACK LINE: A line indicating the minimum horizontal distance between the street right-of-way line and buildings.

CITY: The City of Lawrenceburg, Indiana

CITY ENGINEER: The engineer of the City as appointed by Common Council

COMMON COUNCIL: The Common Council of the City of Lawrenceburg, Indiana

COMPREHENSIVE PLAN: The complete plan, or any of its parts, for the development of the city, prepared by the commission, and adopted in accordance with chapter 7, Title 53, Indiana Code, and all acts amendatory thereto, as are now or may hereafter be in effect.

COUNTY: Dearborn County, Indiana

CROSSWALK: A public right-of-way containing a sidewalk cutting across a block in order to provide pedestrian access between two streets or between a street and a public property.

CURB GUTTER: Shall be of the type approved by the board of public works and safety, in accordance with current City adopted construction standards.

CURB LEVEL: The level of the established curb in front of such building, measured at the center of such front. (Where no curb level has been established, the pavement elevation at the street centerline similarly measured, or the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the “curb level”)

EASEMENT: A grant by the owner of land for the specified use of a part of the land to a person, firm, corporation, public utility, or the public in general.

ENGINEER: A Professional Engineer registered to practice engineering in the state of Indiana.

FLOOD CREST ELEVATION: As from time to time designated by the Indiana Department of Natural Resources.

FLOOD PLAN AREA: As established from time to time by the Indiana Department of Natural Resources.

GENERAL LAND USE PLAN: The Comprehensive Plan of the City as adopted by the Plan Commission, and approved by Common Council.

IMPROVEMENTS: Grading, street pavements, curbs, gutters, sidewalks, streetlight, street signs, water mains, storm and sanitary sewers and other utility mains, piping, and other required facilities.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT:(IDEM)

INDIANA ADMINISTRATIVE CODE: IAC

LOT: A parcel of land intended for transfer of ownership or building development, having frontage on a public street or access thereto.

LOT, BUTT: A lot at the end of a block and located between two (2) corner lots.

LOT, CORNER: A lot abutting upon two (2) or more public streets at their intersection or upon two (2) or more parts of the same street, which in either case, form an interior angle of less than one hundred thirty five (135) degrees.

LOT, DOUBLE FRONTAGE: A lot, other than a corner lot, which fronts on two streets.

LOT DEPTH: The mean horizontal distance between the front line along the street right-of-way and the rear lot line, measured within the lot boundaries.

LOT, SPLIT: Any division of land along a then existing public street, not involving the opening, widening, or extension of any street or road, and involving no more than five lots after the original tract has been completely subdivided, as set forth in the Indiana Code.

MODEL HOME: A dwelling unit used initially for display purposes, which typifies the type of units that will be constructed in the subdivision. Such dwelling units may be erected, at the discretion of the Plan Commission, by permitting a portion of a major subdivision involving no more than two (2) lots to be created according to the procedures for minor subdivisions.

NONRESIDENTIAL SUBDIVISION: A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

OPEN SPACE, PUBLIC: Land which may be dedicated or reserved for acquisition for general use by the public, including parks, recreation areas, school sites, community or public building sites, and other similar lands.

OWNER OF RECORD: Any person, firm, or corporation, or any other legal entity having legal title of public record to the land sought to be subdivided under this ordinance.

PANHANDLE LOTS: Panhandle lots are permitted. Panhandle lots shall not be 'stacked' one behind the other, with reference to street lines. The panhandle portion of the lot shall have a minimum frontage and width of twenty (20) feet and a maximum frontage and width of forty (40) feet.

PEDESTRIAN WAY: A right-of-way across or within a block, for use by pedestrian traffic, whether designed as a pedestrian way, cross walk, or however otherwise designated.

PLAN COMMISSION: The Plan Commission of the City of Lawrenceburg, Indiana.

PRELIMINARY PLAN: The preliminary or tentative plat or plan, map or drawing on which the layout and design of a proposed subdivision is submitted to the Plan Commission for consideration and tentative approval.

PRIVATE DRAINAGE EASEMENT: Authorization by a down stream property owner for use by the upstream property owner for drainage across a specified portion of the downstream property.

PUBLIC (AS IN PUBLIC SEWERAGE OR WATER SYSTEMS): Implies the provision of such service by a person, firm, or corporation, or governmental unit as authorized by law.

RECORD PLAT: The final record plat, plan, or drawing and any accompanying required data or information which is submitted to the Plan Commission for final approval of a proposed subdivision and intended for recording purposes at the Recorders Office of Dearborn County. The record plat shall meet the requirements of Section 153.25.

RECREATION PLAN: The plan for public schools, parks and recreation for the City as adopted by the Plan Commission.

RIGHT-OF-WAY: The width between property lines, of a public street, alley, crosswalk, or easement.

STREET: A right-of-way dedicated to the public use, which provides the principal means of access to abutting property. A public street may be designated as a highway, arterial streets, parkway, boulevard, road, avenue, lane, drive, place, cul-de-sac, or other appropriate name. A Street may also be identified according to type as follows:

ALLEY: A minor right-of-way dedicated to the public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes although not intended for general traffic circulation.

CUL-DE-SAC STREET: A short minor street having only one outlet for vehicular traffic, the other end being permanently terminated by a vehicular turnaround.

DEAD-END STREET: A Street only partially constructed in terms of its ultimately planned length having only one outlet for vehicular traffic with a temporary turn around.

HALF STREET: A Street bordering one or more property lines of a tract of land in which the developer has allocated at least one-half of the ultimate right-of-way width.

HIGHWAY: An existing major street designated as a numbered federal, state, or county highway and designed to accommodate primarily traffic movements through the municipality.

MARGINAL ACCESS STREET: A minor street which is parallel and adjacent to a thoroughfare, and which provides access to abutting properties and protection from through traffic.

MINOR STREETS: Minor streets are streets not designated as primary or secondary arterial streets on the thoroughfare plan and whose main purpose is to serve as access to abutting property.

PRIMARY ARTERIAL STREETS: Primary arterial streets are those designated in the thoroughfare plan for large volumes of traffic movement. They may be limited access, in which case entrance and exit is provided only at certain designated, controlled points.

SECONDARY ARTERIAL STREETS: Secondary Arterial Streets are designated in the thoroughfare plan as important streets to facilitate the collection of traffic from minor residential streets, to permit circulation within neighborhood areas and to provide convenient ways for traffic to reach primary arterial streets.

STREET, COLLECTOR: A street as indicated on the thoroughfare plan intended to collect vehicular traffic from local streets within a neighborhood or industrial district and feed such traffic onto secondary and primary streets.

STREET WIDTH: The shortest distance between lines delineating the right-of-way of a street.

SUBDIVIDER: Any person, firm, or corporation dividing or proposing to divide land so as to constitute a subdivision as herein defined, and includes any authorized agent of the subdivider or owner.

SUBDIVISION:

- (1) The division of any parcel of land shown as a unit in the last preceding tax roll, into two 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 owner, where such sale or exchange does not create additional building sites, shall be exempted.
- (2) The improvement of one or more parcels of land for residential, commercial, or industrial structures or group of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or leaseholders or as easements for the extension of public sewer, water, storm drainage or other public facilities.

SURVEYOR: A surveyor registered in the State of Indiana.

THOROUGHFARE PLAN: The official plan of highways, primary and secondary arterial streets, parkways, and other major streets, including collector streets, adopted by the Plan Commission and approved by the Common Council. This plan shall be presented on the Comprehensive Plan.

ZONING CODE: The official zoning code of the City. See Chapter 154.

153.06 NONRESIDENTIAL SUBDIVISIONS

A) General

If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provision as the Plan Commission may require.

A nonresidential subdivision shall also be subject to all the requirements of site plan review set forth in the Zoning Code. Site plan review and nonresidential subdivision plat approval may proceed simultaneously at the discretion of the Plan Commission. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the Plan Commission, and shall conform to the proposed land use and standards established in the Comprehensive Plan, Thoroughfare Plan and Zoning Code.

B) Standards

In addition to the principals and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
2. Street right-of-ways and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
3. Special requirements may be imposed by the City of Lawrenceburg with respect to street, curb, gutter, lighting and sidewalk design and construction.

4. Special requirements may be imposed by the City of Lawrenceburg with respect to the installation of public utilities, including, but not limited to water, sewer, storm drainage, electric, telephone, and cable.
 5. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
 6. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the foundries of adjacent existing or potential residential areas.
- C) In business and industrial developments, the streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrians.
- D) Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the Plan Commission for prospective use.
- E) In districts zoned for business, commercial, or industrial uses the nearest street extending parallel or approximately parallel to the railroad shall, whenever practicable, be at a sufficient distance wherefrom to ensure suitable depth for commercial or industrial sites.

PLAT AND PLAN PROCEDURES, SPECIFICATIONS

153.20 PREPARATION OF PLATS OR PLANS FOR REVIEW

All plats or plans submitted for review under the requirements of this chapter shall be prepared by or under the supervision of an engineer or land surveyor, as the case may require, registered in the State of Indiana.

153.21 PLAT REQUIRED

- A) It shall be unlawful for any person, firm, or corporation, having control of any land within the City to subdivide or lay out such land in lots unless by a plat in accordance with regulations and procedures set forth in this chapter. No plat shall be recorded and no lot shall be sold from the plat unless the Plan Commission has first approved the plat.

B) Lot split; no subdivision plat required.

A proposed division of a parcel of land along an existing street, not involving the opening, widening, or extension of any street or road, and involving no more than five (5) lots after the original tract has been completely subdivided, may be submitted to a representative designated by the Plan Commission as provided in the Indiana Code for the purpose of reviewing such proposed division. If this representative is satisfied that the proposed division is not contrary to applicable platting, subdividing, or zoning regulations, he/she will within seven (7) working days after submission of such proposed division approve the same, and, on presentation of a conveyance (deed) of the parcel, stamp the same "Approved by Lawrenceburg Plan Commission, no subdivision plat required". Such representative shall require the submission of a parcel cut-up plat prepared by a Land Surveyor registered in the State of Indiana and such other information as is pertinent to his determination herein under. Penalty, see Section 153.99.

C) Condominiums

The subdivision control ordinance may not regulate condominiums regulated by Indiana Code 32-1-6 as stipulated in Supplement 36-7-4-702.

153.22 COMPLIANCE WITH DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

A) Planning and developing of a subdivision shall comply with the general standards of design as set forth in Sections 153.35 through 153.44. Appendix C, Chapter 151, Grading, Excavations and Fills, and Chapter 152, Flood Damage Prevention, and with requirements for installation of improvements set forth in Sections 153.55 through 153.62.

B) Procedure for Approval

1. The Plan Commission shall establish requirements for the submission, review and approval processes involving preliminary plans, improvement plans and record plats. These procedures may be changed at any time by a majority vote of the Plan Commission.
2. Procedures for submittal of all plats and plans as established by the Plan Commission are included in Appendix A and shall be complied with in the submittal, review, and approval of all subdivisions. Penalty, see Section 153.99.

C) Plan Commission may adopt construction standards as may be deemed necessary to ensure the quality of public improvements.

**153.23 PRIMARY PLAT-PLAN COMMISSION STAFF REVIEW
(PRELIMINARY PROCEDURES)**

I.C. 36-7-4-702 Primary Plat approval-standards under subdivision control ordinance.

In determining whether to grant primary approval of a plat, the Plan Commission shall determine if the plat or subdivision qualifies for primary approval under the standards prescribed by the subdivision control ordinance.

I.C. 36-7-4-705 Review of application for Primary Approval Preliminary Procedures.

Upon receipt of an application for primary approval, the Plan Commission staff shall review the application for technical conformity with the standards fixed in the subdivision control ordinance. Within thirty (30) days after receipt, the staff shall announce the date for a hearing before the Plan Commission or plat committee and provide notice in accordance with 36-7-4-706. The Plan Commission shall, by rule, prescribe procedures for setting hearing dates and for the conduct of hearings. [IC 36-7-4-705, as added by Acts 1981, P.L. 309, Section 37; 1982, P.L. 211 Section 9].

36-7-4-706. Notice of Hearing

After the staff has announced a date for a hearing before the Plan Commission or plat committee, it shall:

1. Notify the applicant in writing;
2. Give notice of the hearing by publication in accordance with IC 5-3-1[5-3-1-1-5-3-1-9]; and;
3. Provide for due notice to interested parties at least ten (10) days before the date set for the hearing. The Plan Commission shall by rule, determine who are the interested parties, and notice shall be made by certified mail with the return receipt requested. [IC 36-7-4-706, as added by Acts 1981, P.L. 309, Section 23; 1981, P.L. 310, Section 38; 1982, P.L. 211, Section 10].

A) Notification and Hearing: Notification procedures regarding the review and approval of proposed subdivision shall comply with the following:

1. Written notice, by certified mail, shall be sent to all property owners within two hundred (200) feet of the subject parcel (s), no less than ten (10) days prior to the hearing date of the Plan Commission wherein the application will be reviewed. If the matter is continued to additional meetings, written notice may be sent to the same property owners at the discretion of the Plan Commission.
2. Such notice shall state the date, time, place and purpose of the public hearing,
3. Legal notice shall be given by one (1) publication in a newspaper of general circulation in the city at least ten (10) days before the date of

such hearing, and state where and when the proposed application may be examined, and shall otherwise comply with I.C. 5-3-1.

4. Written notice of a Common Council meeting on the matter shall follow the same procedures as in A) 1 above.
- B) The subdivider shall prepare a Primary Plat of the proposed subdivision, which shall conform to the requirements set forth in division (B) of this section.
1. Filing shall be in accordance with the procedures set forth in Appendix A.
 2. Review
The Plan Commission staff shall check the Primary Plat as to its conformity with the Comprehensive Plan, the Thoroughfare Plan, and as to its compliance with the standards and requirements set forth in this chapter. Review shall be carried out in the manner established in Appendix B.
 3. Tentative Approval.
The Plan Commission staff shall tentatively approve or disapprove the Primary Plat, or approve it with modifications noting thereon any changes that will be required. One copy shall be returned to the subdivider with the date of the tentative approval or disapproval endorsed thereon.
 - a) Extent of Approval
Tentative approval of the Primary Plat shall be an approval of the design features of the tract only and the City Engineer or other officials having jurisdiction may modify engineering or construction details as may be necessary for the protection of the public interest. The Primary Plat approval or condition approval shall be valid for a period of twelve (12) consecutive calendar months only. The Primary Plat shall be subject to required renewal to bring the remaining portions of the Primary Plat not currently part of an approved record plat or approved improvement plan into compliance with the subdivision rules and regulations and zoning ordinance in effect on the date of renewal.
 - b) Pre-existing Primary Plats
Primary Plats which were approved prior to the effective date of the adoption of this code, and which were valid on that effective date shall be deemed valid for a period of time not to exceed six (6) consecutive calendar months after adoption of this document

after which the pre-existing Primary Plat shall be governed by the conditions of division A) 3.a) of this section.

C) A Primary Plat shall include the following:

1. Vicinity Map

A vicinity map drawn at a scale of 400 feet or more to the inch shall be drawn on or shall accompany the Primary Plat. The map will show:

- a) The relation of the proposed development to its general surroundings, including the location of the proposed streets and their connections to existing or proposed streets in adjacent subdivisions
- b) The names, legal mailing addresses and boundaries of the adjacent existing subdivisions and names of record owners of un-platted tracts immediately adjoining the proposed subdivision.

2. Scale and north arrow.

The scale of the Primary Plat shall be one hundred(100) feet to the inch and a north arrow shall be clearly shown on the plan.

3. Plan Title

a) Name of subdivision

The name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the county.

b) Location

The tract designation according to real estate records of the County Recorder showing location by section, range, township, county, and state.

c) Owners of Record.

The names and addresses of the owners of record, the subdivider and the engineer or surveyor.

d) Date

The date of plat preparation.

4) Existing features and conditions

a) Existing streets and other features.

The location widths, and names of all existing or platted street right-of-ways and pavements or other public ways, utility easements, parks and other

public open spaces included within or adjacent to the tract; and other important features, such as, existing buildings, water courses and drainage channels, and corporation, section, township, and county lines.

b) Abutting owners and subdivisions.

The names of adjacent subdivisions and owners of adjoining tracts of un-subdivided land.

c) Zoning districts.

Zoning boundary lines, if any, as they exist on the official zoning map included in the zoning code.

d) Topography.

Contours, normally with intervals of two (2) feet and/or five (5) feet in moderately steep areas and /or ten (10) feet in steep areas referenced to the 1994 Lawrenceburg datum where available or the U.S.G.S. Datum, as required by the Plan Commission staff.

e) Flood Information

This tract of land does not lie within that Special Flood Zone A as said lot plots by scale on the National Flood Insurance Rate Map # _____,

_____ Township, Dearborn County, Indiana, dated _____, 20_____.

5) Proposed development features.

a) Boundary Lines

The boundary lines, accurate in scale, of the proposed area to be subdivided.

b) Proposed street plan.

Layout of street, including names and widths of proposed rights-of-ways, and crosswalks.

c) Lot Layout

Layout and number of proposed lots and typical lot sizes shall be shown on the plan.

d) Dedications and reservations of land

Parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved by deed covenant for use of all property owners in the subdivision, and conditions, if any, of such dedication or reservation.

e) Water courses

All requirements of Chapter 151, Grading, Excavation, and Fills, and Chapter 152, Flood Damage Prevention. Penalty, See Section 153.99

153.24 PRIMARY PLAT-PLAN COMMISSION HEARING (PRIMARY APPROVAL OR DISAPPROVAL OF PLAT)

I.C. 36-7-4-707 Action after Hearing

- A) If, after the hearing, the Plan Commission determines that the application and plat comply with the standards in the subdivision control ordinance, it shall make written finding and a decision granting primary approval to the plat. This decision must be signed by an official designated in the subdivision control ordinance.
- B) If, after the hearing, the Plan Commission disapproves the plat, it shall make written findings that set forth its reasons and a decision denying primary approval and shall provide the applicant with a copy. This decision must be signed by an official designated in the subdivision control ordinance.
- C) Primary approval or disapproval of a plat committee may be appealed only under IC 36-7-4-708. However, it may not be taken directly to court for a review under section 36-7-4-1016 until administrative remedies are exhausted.
- D) This section applies to any subdivision of land, whether or not it is exempted from the notice and hearing requirements of this series under I.C. 36-7-4-701 (d), as added by Acts 1981, P.L. 309, section 23, P.L. 211, section 11.

I.C. 36-7-4-708 Appeal of primary approval or disapproval of plat.

- A) An applicant or other interested party may appeal to the Plan Commission the primary approval or disapproval of a plat or the imposition of a condition on primary approval. A notice of appeal must be filed with the Plan Commission within ten (10) days after a copy of the action of the Plat Committee is mailed to the interested party. Notice shall be given and a hearing held by the Plan Commission in the same manner as in the case of the Plat Committee.
- B) The Plan Commission has the same power as the Plat Committee to approve, disapprove, or impose conditions on the approval of plats.
- C) The primary approval by the Plan Commission of a plat must be certified on behalf of the Plan Commission by an official designated in the subdivision control ordinance.
- D) The primary approval or disapproval of a plat by the Plan Commission or the imposition of a condition on a primary approval is a final decision of the Plan Commission that may be reviewed as provided by I.C. 36-7-4-1016.

Construction plans for improvements to be installed shall be prepared by a qualified engineer or land surveyor registered in the State of Indiana and submitted in accordance with the specifications of officials having jurisdiction and no improvements shall be installed until and unless the plans have been received and approved by the officials. Penalty, see Section 153.99.

A) Procedure

1. Construction of improvements.

All improvements required under this chapter shall be constructed in accordance with the specifications set forth in Sections 153.55 through 153.62 prior to the approval of the final record plat; or

2. Bond in lieu of improvements

a) The subdivider may request approval of the record plat immediately following approval of the Primary Plat and prior to the installation of required improvements, provided that the City is furnished with a performance bond or other type of bond in accordance with the provisions of Section 153.56. Such bond shall be issued to assure the satisfactory construction and performance of the improvements at the time and terms fixed by the Plan Commission and in accordance with this chapter and other City regulations.

b) Posting of bond shall be in accordance with the procedure set forth in Appendix A.

3) Approval of plans

a) Improvement plans shall be approved by the City Engineer before approval of the record plat and before construction is begun. Improvement plans shall be prepared in accordance with the Requirements set forth in division (B) of this section.

b) Filing and review shall be in accordance with the procedures set forth in Appendix A.

B) Specifications

1. Certification

Improvement plans and other engineering data shall be prepared and certified by an engineer or land surveyor registered in the State of Indiana.

2. Drawings required.

All sets of improvement drawings shall include the following items plus any additional information or drawings which may be required by the City Engineer.

- a) Scale and medium of drawings.
These shall be established by the City Engineer with approval of the Plan Commission.

- b) Streets.
 - 1. All streets delineated in plan, showing radii, functions or curves, name, and the like.

 - 2. Centerline profiles of all streets, with grades including any proposed sewer lines and manholes. Scale: horizontal, twenty (20) feet to the inch; vertical, ten (10) feet to the inch. Where a proposed street ends at a property line, or may be extended in the future, the profile shall be shown for a distance of two hundred (200) feet beyond the subdivision boundary line or past the end of the street.

 - 3. The typical section of each type of proposed street to be used, as specified in the engineering rules and regulations.

 - 4. Proposed street names shall not duplicate or closely approximate the name of any other street in the City except extension of existing streets.

- c) Sidewalks
Sidewalks will be required on both sides of the street on City streets. On collector streets within a subdivision, sidewalks will be required:
 - 1. On both sides of the street where the width of the lots at the minimum required building setback line is less than eighty (80) feet.

 - 2. On one side of the street where the side of the lots at the minimum required building set back line is a minimum of eighty (80) feet but less than one hundred (100) feet.

 - 3. Except that the developer will have the option of constructing sidewalks where the width of the lots at the minimum required building set back line is one hundred (100) feet or more.

On Cul-de-sacs and minor streets.

- 4. Sidewalks to be required on both sides of the street where the width of the lots at the minimum required building setback line is less than seventy-five (75) feet.

5. The Plan Commission will have the option of designating sidewalks where the width of the lots at the minimum required building setback line is seventy-five (75) feet or more.
 6. Where a school or park or other pedestrian generator exists within a reasonable distance, as determined by the Plan Commission, sidewalks may be required in a specific case, nonetheless.
- d) Sanitary Sewers
Plans and profiles of the proposed sanitary sewers with grades, sizes, and other required information indicated on the plan. Design and construction shall meet the requirements of the Utility Department of the City of Lawrenceburg . A letter approving the sanitary sewer plans from the Indiana Department of Environmental Management (IDEM) shall be filed with the City prior to the City granting approval of the plans and issuing permits for construction.
- e) Storm Drainage
All requirements of Chapter 151, Grading, Excavation, and Fills, and Chapter 152, Flood Damage Prevention. Penalty, See Section 153.99.
- f) Water Main
Plans and profiles of proposed water mains with grades, sizes, and other required information indicated on the plan. Design and construction shall meet the requirements of the Water Department of the City of Lawrenceburg . A letter approving the water main plans from the Indiana Department of Environmental Management (IDEM) shall be filed with the City prior to the City granting approval of the plans and issuing permits for construction.
- g) Electrical Lines
Plans of proposed electrical facilities with layout, line-sizing, transformer locations and other required information indicated on the plan. Design and construction shall meet the requirements of the Electrical Department of the City of Lawrenceburg .
- h) Telephone
Developer shall coordinate the telephone plan with the local telephone company. Design plan submitted to the City for its record.
- i) Gas
Developer shall coordinate the gas plan with the local gas company. Design plan shall be submitted to the City for its record.
- j) Cable
Developer shall coordinate the cable plan with the local cable company. Design plan submitted to the City for its record.

k) The developer shall provide the data on a 3.5” DOS formatted disk or other approved formatted disk tied to the City’s horizontal and vertical control datum. If no City datum is available in the area proposed for development then the developer shall use U.S.G.S. datum of the State plane coordinate system of the State of Indiana. Said digital data shall be in a current Autocad (DOS) format or other format approved by the City Engineer.

153.25 SECONDARY APPROVAL OF PLAT

I.C. 36-7-4-709 Secondary approval of plat before completion of improvements.

A) Secondary approval under IC 36-7-4-710 may be granted to a plat for a subdivision in which the improvements and installments have not been completed as required by the subdivision control ordinance.

B) Any money received from a bond or otherwise shall be used only for making the improvements and installments for which the bond or other proof of financial responsibility was provided. This money may be used for these purposes without appropriation. The improvement or installation must conform to the standards provided for such improvements or installations by the municipality in which it is located, as well as the subdivision control ordinance.

C) The Plan Commission shall, by rule, prescribe the procedure for determining whether all improvements and installations have been constructed and completed as required by the subdivision control ordinance. The rule must designate the person or persons responsible for making the determination. {IC 3-7-4-709 as added by Acts 1981, P.L. 309 Section 23; 1982, P.L. 211 Section 13; P.L. 337-1985 Section 1}

I.C. 36-7-4-710 Secondary approval of plat- filing and recording

A) The Plan Commission may grant secondary approval of a plat under this section or may delegate to the Plat Committee or staff the authority to grant such secondary approvals.

B) Secondary approval may be granted, after expiration of the time provided for the appeal under IC 36-7-4-708.

C) No notice or hearing is required and the provisions of this series concerning notice and hearing do not apply to secondary approvals.

D) A plat of a subdivision may not be filed with the auditor, and the recorder may not record it, unless it has been granted secondary approval and signed and certified by the official designated in the subdivision control ordinance

governing the area. The filing and recording of the plat is without legal effect unless approved by the Plan Commission or Committee.[IC 36-7-4-710]

A) Upon completion of all required improvements or posting of appropriate securities as stipulated in Section 153.24 (A), the subdivider shall prepare a record plat, which shall conform to the requirements set forth in division (B) of this section.

1. Filing

Shall be in accordance with the procedure set forth in Appendix A.

2. Review

The Plan Commission shall check the record plat as to its compliance with the standards and requirements set forth in this chapter. Review shall be in accordance with procedures established in Appendix A.

3. Final Approval

After fees required by this chapter have been paid, and a copy of the final record plat has been received by the Plan Commission from the City Engineer and provided that the record plat is found to conform with the Primary Plat as tentatively approved or modified, the Plan Commission shall approve the final record plat and shall enter such approval thereon in writing by its secretary. Approval shall be null and void if the plat is not recorded within twelve (12) consecutive calendar months after approval by the Plan Commission.

4. Acceptance of dedications

Approval of dedications shall be in accordance with the provisions of Section 153.61.

5. Recording

The secretary of the Plan Commission shall notify the subdivider of the final action of the Plan Commission in writing.

6. Subdivider to submit tracing.

The subdivider shall furnish either the original tracing, or sepia or other acceptable reproducible drawing to the Plan Commission.

B) All record plats shall include the following:

1. Scale, north arrow, and medium of drawings.

The record plat shall be drawn at a scale of 50 feet to the inch and the scale shall be indicated graphically on the plat with a north arrow. All plats shall be drawn on linen tracing cloth, or similar durable material on a sheet or sheets 24 inches wide by 36 inches long. When more than one sheet is used for any plat, each sheet

shall be numbered consecutively and shall contain a notation giving the total number of sheets.

There shall be a binding margin of 1-1/2 inches on the left side of the 36-inch length, and one-inch margins on all other sides.

2. Plat title.

a) Name of subdivision.

The name of the subdivision

b) Location.

The tract designation by section, range, township, county, and state.

c) Owners of record.

The names and addresses of the owner or owners of record, the subdivider and the engineer or surveyor.

d) Date.

Date of plat preparation.

3. Dimensions, bearings, boundaries, and the like.

a) Boundary of plat.

All plat boundaries with the lengths to the hundredths of a foot and bearings to half minutes. The error of closure shall not exceed one to 5,000. Boundaries shall be determined by an accurate survey in the field. When required, all closure calculations shall be submitted to the City Engineer.

b) Recorded streets.

The names, exact location and width along the property lines of all existing or recorded streets intersecting or paralleling and adjacent to the plat boundaries.

c) Abutting tracts.

Names of adjacent subdivisions and names of record owners of adjacent parcels of un-platted land.

d) Bearings, distances.

Monuments shall be located and accurately described on the plat by bearings and distances to the nearest established street line, section line, county line, subdivision or record, and the like, where applicable.

e) Corporate limits and section boundaries.

Any section lines, corporation lines or recognized monuments, shall be

located and accurately described on the plat.

f) Permanent Monuments

Accurate description of location, material and size of all reference monuments shall be carried out in accordance with the requirements set forth as follows: All exterior corners of the subdivision shall be marked with the forty-eight (48) inches long by six (6) inches square, concrete monuments, pre-cast with a three fourths inch (no. 6) steel reinforcing bar cast full length in the middle of the monument. Monuments shall be set flush with the finished grade. All internal corners shall be monumented with one-half inch diameter (No. 4) steel reinforcing bars with a plastic surveyor's cap as required by the Indiana Code. Penalty, Se Section 153.99.

g) Layout

1. Streets and walkways

Names and exact location bearings, angles of intersection, and widths of all streets and crosswalks within the plat.

2. Easements.

All easements for rights-of-way provided for public services, utilities, surface drainage, cable, televisions, and any limitations of such easements.

3. Lot lines.

All lot numbers and lines, with accurate dimensions in feet and hundredths and with bearings or angles related to street and crosswalk lines.

4. Lengths and curves.

Lengths of all arcs, radii points of curvature and tangent bearings or other information required by the County Recorder.

5. Dedication or reservation lines.

Accurate boundaries of any areas to be dedicated for public use, with the purposes indicated thereon, and any area to be reserved by deed covenant for common use of all property owners in the subdivision.

4) Restrictions, certifications, protective covenants, acceptance.

a) Restrictive covenants.

Private restrictions if any, including boundaries of each type of use restriction; and other private restriction for each definitely restricted section of the subdivision.

- b) Owners acknowledgement
The owner shall acknowledge the plat and all contents and restrictions shown thereon before an officer authorized to take the acknowledgements of deeds, which officer shall certify his official act on the plat, as per Appendix C.
- c) City Engineer Certificate
Certification by the City Engineer as per Appendix C
- d) Utility Director Certificate
Certified by the Utility Director as per Appendix C
- e) Plan Commission Certificate
The secretary of the Plan Commission shall certify that the plat meets all applicable requirements, and the certificate shall be affixed to the final plat, as per Appendix C.
- f) Common Council Certificate
Certification by Common Council as per Appendix C.
- g) Certification by surveyor
Certification by a land surveyor registered in the State of Indiana attesting to the accuracy of the survey made by him/her, that all monuments shown thereon actually exist, and that in attesting he/she has fully complied with the requirements of IAC Rule 12.
- h) The developer shall provide the data on a 3.5” disc or other approved formatted disc tied to the City’s horizontal and vertical control datum. If NO City datum is available in the area proposed for development then the developer shall use U>S>G>S datum of the state plane coordinate system of the State of Indiana. Said digital data shall be in a current AutoCAD (DOS) format or other format approved by the City Engineer.
- i) Acceptance of dedicated land
Space for statement of the City’s acceptance of land dedicated by the owner for street or other public areas with lines for signature and date. Penalty, See Section 153.99

DESIGN STANDARDS, REQUIREMENTS

153.35 COMPLIANCE

In designing the layout of a subdivision, the subdivider shall comply with the following requirements and general principles. Penalty, See Section 153.99.

153.36 MASTER PLANS

A) Thoroughfare Plan

A subdivision layout plan shall conform to the official Thoroughfare Plan adopted by the Plan Commission. Whenever any existing or proposed thoroughfare, parkway, or other major or collector street designated on the Thoroughfare Plan abuts or transverses a tract to be subdivided, such part of the right-of-way shall be platted by the subdivider in the location and at the width indicated on the Thoroughfare Plan.

B) Comprehensive Plan

Layout of the subdivision shall conform to the official Comprehensive Plan adopted by the Plan Commission and Common Council. Where a proposed park or other recreational area, school site, or other public ground shown on the Comprehensive Plan is located in whole or part within the proposed subdivision, such proposed public ground, if not dedicated to the City or the Board of Education, shall be reserved by the subdivider for acquisition by the City or the Board of Education within a period of two (2) years from the Plan Commission approval of the Primary Plat by purchase or other means, unless released by the City or Board of Education. If the City notifies the developer of its decision to buy public land as shown on the Comprehensive Plan, such two (2) year period shall automatically be extended by one (1) additional year. Penalty, See Section 153.99.

153.37 NEIGHBORHOOD PLAN

If a tentative plan has been prepared by the Plan Commission for the neighborhood wherein the proposed subdivision lies, the subdivision layout shall conform generally to the plan. Penalty, See Section 153.99

153.38 STREET LAYOUTS

A) Circulation

The street pattern shall provide ease of circulation within the subdivision as well as convenient access to adjoining streets, thoroughfares, or un-subdivided land as may be required by the Plan Commission. Minor residential streets should be so planned as to discourage their use by non-local traffic.

- B) Consistent with adjoining street layout
The arrangement of streets shall make provision for the continuation of the principal existing or proposed streets in adjoining areas, or their proper projection where adjoining land is not subdivided, insofar as they are necessary for public requirements.
- C) Not to cause hardship to adjoining owners
The street layout shall be such as not to cause hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. The Plan Commission may require land to be reserved for future street purposes to be developed by an adjacent landowner at a later date.
- D) Streets extended to subdivision boundary lines
Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout of the subdivision or the most suitable layout of adjacent tracts.
- E) Intersections
Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit.
- F) Street jogs
Street jogs with centerline offsets at intersections shall not be allowed unless the distance between the centerline offsets is at least two hundred (200) feet on local and collector streets, three hundred (300) feet on secondary thoroughfares and five hundred (500) feet on primary thoroughfares.
- G) Cul-de-sacs
Cul-de-sacs may be approved where necessitated by topography or where, in the opinion of the Plan Commission, they are appropriate for the type of development contemplated. Turnaround of the circular type shall be required. Except in unusual circumstances the Plan Commission shall not approve a cul-de-sac with a length greater than seven hundred (700) feet and in no case shall the length be greater than eight hundred (800) feet from the nearest intersecting street.
- H) Temporary dead end streets
Except as otherwise provided herein, temporary dead end streets may be approved where necessitated by the layout of the subdivision or staging of development, provided that temporary paved turnaround shall be constructed at the end of such streets in cases where more than eight (8) lots front on the street. The width of right-of-way or temporary easement shall be the same as that required for permanent turnarounds. The extra right-of-way in excess of the street right-of-way shall be vacated upon extension of the temporary street and the

reconditioning of the street, all surface improvements, and front yards concerned shall be carried out at the expense of the subdivider responsible for the extension of the temporary dead end street.

I) Half streets

Dedication of half streets shall not be permitted except in special situations, which are in the public interest. Where there exists a dedicated or platted half street adjacent to the tract being subdivided, the other half shall be platted if, in the opinion of the Plan Commission, it is necessary to promote proper development.

J) Private streets

Except in unusual conditions when held desirable by the Plan Commission or in cases permitted in accordance with the provisions of the zoning code, private streets will not be approved. Penalty, See Section 153.99

153.39 BLOCK LAYOUTS

A) Width

Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth, except in the case of approved double frontage lots abutting a primary thoroughfare.

B) Length

Blocks shall not exceed eighteen hundred (1800) feet in length.

C) Crosswalks

Crosswalks, when required shall be suitably located where required by the Plan Commission to provide adequate pedestrian circulation.

D) Irregular shaped blocks

Irregular shaped blocks including those indented by cul-de-sacs, containing interior parks or playgrounds and adequate parking space, will be acceptable when properly designed and covered by agreements as to maintenance of the park areas.

E) Intersecting streets on primary thoroughfares

The number of intersecting streets along primary thoroughfares shall be held to a minimum. Wherever practicable, blocks along such thoroughfares shall be not less than twelve hundred (1200) feet in length. Penalty, See Section 153.99

153.40 MINIMUM RIGHTS-OF-WAY FOR STREETS, CROSSWALKS, AND EASEMENT

A) Primary thoroughfares and exiting highways

As specified in the official Thoroughfare Plan, but not less than ninety- six (96) feet in any case.

B) Secondary thoroughfares

As specified in the official Thoroughfare Plan, but not less than eighty (80) feet in any case.

C) Collector streets

As specified in the official Thoroughfare Plan, but not less than sixty (60) feet in any case.

D) Local streets, 50 feet

All cul-de-sacs shall terminate in a circular turnaround having a minimum right-of-way diameter of one hundred twenty (120) feet. Dead end streets with no turnaround facilities shall not be approved except as authorized in Section 1532.38.

E Alleys

Where platted, shall have a minimum width of twenty (20) feet.

F) Crosswalks

Minimum, ten (10) feet

G Utility Easements

Where required, utility easements shall be at least ten (10) feet along the front lot line and fifteen (15) feet wide along rear or side lot lines and as required by the utility company, the Utility Department of the City of Lawrenceburg, the City Engineer and Chapter 152.

H) Easements along streams

1. Whenever any streams or important surface drainage course is located in the area being subdivided, and open drainage is to be permitted, the subdivider shall provide an adequate easement along each side of the stream or open drainage course for the purpose of widening, deepening, relocation, improving, or protecting the stream or open drainage course for drainage according to Chapter 152, Flood Damage Prevention or recreational use. Penalty, See Section 153.99.
2. Easements shall be provided by the subdivider for the full width and length of any watercourse or open drainage ditch within the subdivision, which will carry drainage runoff from said subdivision and/or from any other lands situated within the watershed.

3. Easements, at least fifteen (15) feet in width, shall be provided by the subdivider for any utility system, facility or portion thereof, that may need to be installed, connected, continued or extended, at any time, in order to adequately serve any other land that adjoins the proposed subdivision.
4. In general, such easements shall be centered on, or adjacent to, rear or side lot lines and shall provide satisfactory access to any connecting street. At the request of the Plan Commission, utility companies are to be contacted by the subdivider to determine easement width needed. Whenever practical, all utilities shall be placed underground. No building shall be erected on said easement. All final plats shall be accompanied with evidence that all utilities concur and easements indicated on the plat are suitable for their servicing area.
5. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a drainage easement conforming substantially with the line of such watercourse, drainage way, channel or stream of at least fifteen (15) feet and shall include both edges of the floodplain area as designated by the engineer or as certified by the subdivider or his engineer. The subdivider shall dedicate said easements to the city, and the property owner of the lots drained by the easement shall be responsible for the upkeep.
6. A report by an engineer or land surveyor registered in the State of Indiana, must accompany the Primary Plat of a subdivision, giving the quantity, velocity and depth of flow in all drainage courses at points of entering and leaving the subdivision and at key points within the subdivision for flows anticipated, after development of the area, from Design Storm Event with an average recurrence interval of ten (10) years and twenty-five (25) years. The effect of such flows at these points on hydraulic structures should be presented in the report. Any open channel must be structurally lined with adequate checks to prevent excessive velocities.
7. All drainage easements shall be private.

153.41 MINIMUM PAVEMENT AND SIDEWALK WIDTHS

Minimum pavement widths, measured face to face of gutter shall be installed at the subdivider's expense in accordance with the following requirements:

A) Primary, secondary thoroughfares and collector streets, thirty-eight (38) feet

1. In cases of primary or secondary thoroughfares usually requiring pavements wider than thirty-eight (38) feet, the matter of financial and other arrangements for installing such wider pavements or expanding the pavements at some future date

shall be taken up by the developer with the officials having jurisdiction, except as provided in Section 153.58 (A) (1)

2. Collector street exceptions

In cases where a collector street does not front directly on a public school site, or in the opinion of the Plan Commission will not provide the shortest and most logical route from at least two hundred-fifty (250) dwelling units (within the neighborhood as delineated in the official master plan) to destinations outside the neighborhood, a pavement width of twenty-eight (28) feet measured back to back of curb may be permitted. In all cases, the costs of the collector streets shall be financed by the subdivider.

B) Local streets, twenty-eight (28) feet

The pavement of a turning circle at the end of a cul-de-sac shall have a minimum Outside diameter of 80 feet back to back of curb.

C) Alleys and service drives

Must be twenty (20) feet, unless planned for one-way directional movement.

D) Sidewalks and crosswalks

Sidewalks shall be installed in both sides of all streets, except when waived by the Plan Commission under Section 153.58 (A) (3), and within the right-of-way or easement of any crosswalk and shall have a minimum width of four (4) feet. Penalty, See Section 153.99.

153.42 STREET GRADES AND CURVES

A) The Plan Commission shall establish standards for all street grades and curves. These standards may be changed at any time by a majority vote of the Plan Commission.

B) Street grade and curve standards shall be compiled with in the design and approval of all subdivisions.

153.43 INTERSECTION

A) Property lines

At the intersection of two streets, property line corners shall be rounded by an arc, the minimum radius of which shall be 12.5 feet.

B) Street curb

Street curb or edges of street pavements shall be rounded by a radii of at least twenty-five (25) feet for local and collector streets and thirty (30) feet for primary and secondary thoroughfares.

C) Small angle intersections

The minimum radii, noted above, shall be increased when the smallest angle of intersection is less than eighty (80) degrees, or in any case where the Plan Commission considers an increase necessary.

D) Angles

The minimum intersection angle of centerlines at intersections shall be eighty (80) degrees on local streets and eighty-five (85) degrees on all other streets and thoroughfares. Penalty, See Section 153.99.

153.44 LOTS

A) Size, shape, and orientation

Size, shape, and orientation of lots shall be appropriate to the location of the proposed subdivision and for the types of development contemplated in compliance with applicable requirements set forth in the zoning code.

B) Minimum frontage and lot widths

Lot frontage and width shall comply to the requirements set forth in the zoning code.

C) Access

1. General

All lots shall front on a public street, except as allowed in the zoning code.

2. Lots fronting directly on a primary thoroughfare

Any lot which is platted after the enactment of this chapter and which fronts or is proposed to front directly on a primary thoroughfare as delineated on the official Thoroughfare Plan shall have a turnaround provided in conjunction with the driveway serving the structure thereon to discourage autos from backing out onto the primary thoroughfare.

D) Double frontage lots

Lots with double frontage shall not be approved except to avoid frontage upon heavily traveled thoroughfares.

E) Lot Lines

Side lines of lots shall be approximately at right angles or radial to the street line unless, in the opinion of the Plan Commission, a variation from this rule will give a better street and lot plan.

F) Building setback line

Minimum building set back lines shall comply with the requirements set forth on the zoning code. Penalty, See Section 153.99.

153.45 PARKS AND RECREATION DEDICATION AND FEES

A) Requirements

As a condition of approval of a final map or parcel map, the subdivider shall dedicate usable land, par a fee in lieu thereof, or both, at the option of the Plan Commission, for park or recreational purposes at the time and according to the standards and formula contained in this Article [Section]. The term “usable land” shall mean land do located in relation to public streets or rights-of-way as to be accessible to the public and shall be of such grade and shape as to be usable by the City for the purpose of parks, playgrounds, or other recreational facilities as is consistent with other parks, playgrounds or recreational facilities in the City existing at the time of dedication.

B) General Standard

It is hereby found and determined that the public interest, convenience, health, welfare and safety require that ten (10) acres of property for each one thousand (1,000) persons residing within this City to be devoted to local park and recreational purposes. (Par acreage standard .01 acres per person)

C) Land dedication formula

- a) The subdivider shall dedicate land for a local park sufficient in size and topography to serve the residents of the subdivision. The amount of land to be provided shall be determined pursuant to the following standards and formula.
- b) The formula for determining acreage to be dedicated shall be as follows:
Average number of person per dwelling unit (DU) x park acreage standard.
(example for single-family dwelling unit: 4.0x.01=.04)
- c) The following table of population density is to be followed:

Park Land Dedication Formula Table

Dwelling Type	Assumed Density	Standard
Single Family	4.0 persons/DU	1 acre/25 DUs
Duplex, low density apartments	3.0 persons/DU	1 acre/33 DUs
Medium and high density apartments	2.5 persons/ DU	1 acre/40 Dus

- d) Dedication of land shall be made in accordance with the procedures contained in this section.

D) Formula for fees in lieu of dedication

a) General formula

If there is a park or recreational facility in the City located so as to serve the immediate and future needs of the residents of the subdivision, the subdivider, shall in lieu of dedicating land, pay a fee equal to the value of the land prescribed for dedication in paragraph 4.9-3 hereof, such fee to be used as hereafter stated.

b) Use of Money

The money collected hereunder shall be used only for the purpose of providing park or recreational facilities reasonably related to serving the subdivision by way of the purchase of necessary land, or , if the Common Council deems that there is sufficient land available for the park, for improving such land for park and recreational purposes.

c) Basis

An “ in lieu fee” shall be required by the Common Council based on the fair market value (F.M.V.) of the land which would have been dedicated for park and recreational purposes.

E) Criteria for requiring both dedication and fee

In subdivisions of over fifty (50) lots, the subdivider shall both dedicate land and pay a fee in lieu there, in accordance with the following criteria.

- a) When only a portion of land to be subdivided is proposed on the general plan as the site for a local park, such portion shall be dedicated for local park purposes and a fee, computed pursuant to the provisions of paragraph 4.9-3 hereof, shall be paid in an amount equal to the value of the land which would otherwise have been required to be dedicated pursuant to paragraph 4.9-3 hereof, such fees to be used for the improvement of other local parks and recreational facilities in the area serving the subdivision.

F) Amount of fee in lieu of land dedication

Where a fee is required to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to Section 3 hereof. The “fair market value”, as set by the Plan Commission, shall be determined at the time of filing the tentative map or parcel. If the subdivider disagrees with the fair market value (FMV) as set by the Plan Commission, the subdivider and Plan Commission shall agree upon a disinterested appraiser to reach an agreed upon fair market value (FMV). The subdivider shall pay the appraisal costs.

G) Determination of land or fee

a) Whether the Plan Commission accepts land dedication or elects to require payment of a fee in lieu thereof, or a combination of both, shall be determined by consideration of the following:

1. Recreational element of the City's general plan
2. Topography, geology, access and location of land in the subdivision available for dedication
3. Size and shape of the subdivision and land available for dedication
4. The feasibility of dedication
5. Availability of previously acquired park property

b) The determination of the Plan Commission as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive.

H) Commencement of development

At the time of approval of the final subdivision map, the Common Council shall specify when development of the park and recreational facilities shall be commenced and finished.

I) Credit for private open space

a) Partial credit

Where private open space for park and recreational purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision, partial credit, not to exceed seventy (70) percent. May be given against the requirement of land dedication or payment of fees in lieu thereof, if the Plan Commission finds that it is in the public interest to do so and that all the following standards are met:

1. That yards, court areas, setbacks, and other open areas required to be maintained by the zoning and building ordinances and regulations shall not be included in the computation of such private open space; and
2. That the private ownership and maintenance of the open space is adequately provided for by recorded written agreement, conveyance, or restrictions; and
3. That the use of the private open space is restricted for park and recreational purposes by recorded covenant, which runs with the land in favor of the future owners of property and which cannot be defeated or eliminated without the consent of the Plan Commission or its successor; and

4. That the proposed private open space is reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access, and location; and
5. That facilities for the open spaces are in substantial accordance with the provisions of the recreational element of the general plan; and
6. That the open space for which credit is given is a minimum of three (3) acres and provides all (or minimum of five (5)) of the local park basic elements listed below, or a combination of such and other recreational improvements that will meet the specified park needs of the future residents of the area:

	Acres
Children's play apparatus area	0.05 to 0.75
Landscape park-like and quiet areas	0.50 to 1.00
Family picnic area	0.25 to 0.75
Game court area	.0.25 to 0.75
Turf play field	2.0 to 4.0

b) Prerequisite Findings

Before credit is given, the Plan Commission shall make written findings that the above standards are met and that the land or in lieu fees are adequate to provide park facilities for the general public use.

J) Procedure

- a) At the time of approval of the tentative map, the Plan Commission shall determine pursuant to Section 3 hereof the land to be dedicated and /or fees to be paid by the subdivider.
- b) At the time of the filing of the final subdivision map, the subdivider shall dedicate the land, as previously determined by the Plan Commission. Where the Plan Commission has determined that fees shall be paid in lieu of or in addition to the dedication of land, the subdivider shall pay said fees in accordance with the following schedule:
 1. For any subdivision consisting of two (2) or more lots, the fees shall be paid, in their entirety, prior to the issuance of any building permit for any building or structure to be located upon any lot in the subdivision.

- 2) Open space covenants for private park or recreational facilities shall be submitted to the Plan Commission prior to approval of the final subdivision map and shall be recorded contemporaneously with the final subdivision map.

153.46 STREET SIGNS

The subdivider shall provide standard City street signs at each street intersection in compliance with the adopted City construction standards.

153.47 UNPAVED AREA

All unpaved areas within a dedicated street right-of-way shall be graded and seeded or sodded in accordance with City standard design and specifications.

153.48 “AS-BUILTS”

Upon the completion of each and every utility, public or private, the plans for each such system shall be documented “As-Builts” and certified by an engineer or land surveyor registered in the State of Indiana and shall be filed with the City Engineer before the performance bond is released. Said documentation shall be both on four (4) mil Mylar and in a current AutoCAD (DOS) or other format approved by the City Engineer.

MINIMUM IMPROVEMENTS REQUIRED

153.55 IMPROVEMENT INSTALLATION

As a condition precedent to approval of a plat of subdivision of and within the City, all improvements required by this chapter shall be completed prior to the filing of the final record plat with the Plan Commission. Such improvements shall be installed in accordance with the standards set forth or authorized to be set forth in this chapter and under the supervision of the officials herein designated. Penalty, See Section 153.56

153.56 PERFORMANCE BOND

In the event that improvements are not completed as required in Section 153.55, the subdivider shall furnish the City with a performance bond in the form of cash, or bond of a recognized surety company acceptable to the Plan Commission, sufficient to cover the cost as estimated by the appropriate municipal agency, of all improvements required to be installed by the subdivider. The bond shall be used to assure the actual construction and installation of such improvements after approval of the final plat and within the time stated in Section 153.61. The bond shall be subject to approval of the City Attorney and shall be filed with the Clerk/Treasurer.

Only the following types of bonds shall be accepted by the City:

- A) Cash Bond
- B) Bond provided by a surety company approved by the City, and/or
- C) A nonrevocable letters of credit prepared in substance and form satisfactory to the Plan Commission or its designee

Penalty, See Section 153.99

153.57 COST OF IMPROVEMENTS

Except as otherwise provided in this section all improvements constructed before or after approval or the final record plat as provided above, shall be installed at the subdivider's cost.

153.58 REQUIRED IMPROVEMENTS

A) Streets

Streets shall be graded to full width of the right-of-way, fully constructed, and paved in accordance with standards and specifications established by the City.

1. Primary and secondary thoroughfares. Where the Plan Commission requires a pavement of greater width than 38 feet or right-of-way in excess of sixty (60) feet, the developer shall be required to pay the additional costs for right-of-way and roadway construction. The Plan Commission may approve lesser pavement widths in negotiating for the acquisition of additional rights-of-way.
2. Collector and local streets. The cost of all improvements on collector and local streets, including turnarounds at the end of cul-de-sacs, shall be paid by the subdivider.
3. Sidewalks. Concrete sidewalks shall be installed on both sides of the street in accordance with the specifications of the City. Except that the Plan Commission may waive sidewalk requirements on one side of any street and on both sides of streets on which property in industrial or manufacturing districts has direct frontage.

B) Storm Drainage System

Every subdivision shall be provided with a storm water damage system according to the requirements of Chapter 152, Flood Damage Prevention.

C) Sanitary Sewers

Every subdivision shall be provided with a complete sanitary sewer system connected with available sewer mains, including a lateral connection for each lot. All sewers shall be constructed in accordance with this chapter and the requirements of the Utility Department of the City of Lawrenceburg, Indiana. A letter approving the sanitary sewer plans from Indiana Department of Environmental Management (IDEM) shall be filed with the City prior to the City granting approval of the plans and issuing permits for construction.

D) Water Distribution

Every subdivision shall be provided with a complete water distribution system adequate to serve the area being platted in accordance with requirements of the Utility Department of the City of Lawrenceburg, Indiana. A letter approving water plans from Indiana Department of Environmental Management (IDEM) shall be filed with the City prior to the City granting approval of the plans and issuing permits for construction.

E) Electrical System

Every subdivision shall be provided with a complete electrical system adequate to serve the area being platted in accordance with requirements of the Utility Department of the City of Lawrenceburg, Indiana.

F) Planting

1. Parkways

All landscaped strips, parkways, and screening areas dedicated to the public shall be graded and seeded in the appropriate manner.

2. Street tree planting

Shade or ornamental trees to be planted in the rights-of-way in the City shall be in accordance with Appendix E.

G) Street name signs

Street name signs shall be at all street intersections or where a change of direction of a street requires a change of street name. The signs shall be of the size and type approved for use by the City.

H) Residential Subdivision Lighting

Lighting shall be provided for each lot of a proposed subdivision per the following standards:

1. Lighting fixtures are to be provided for each lot and be residential in scale with the specific height and design to be approved by the Plan Commission;
2. The setback of such fixtures shall be uniform with the specific setback (location) determined by the Plan Commission doing the review process; and
3. Each such fixture shall be owned by the respective lot owner, connected to the electric line for that lot, and be activated by photo electric cells.

I) Permanent Monuments

Accurate description of location, material and size of all reference monuments shall be carried out in accordance with the requirements set forth as follows: All exterior corners of the subdivision shall be marked with forty-eight (48) inches long by six (6) inches square, concrete monuments, precast with a three-fourths inch (no.6) street reinforcing bar cast full length in the middle of the monument. Monuments shall be set flush with the finished grade. All internal corners shall be monumented with one-half inch diameter (no. 4) steel reinforcing bars with a plastic surveyor's cap as required by the Indiana Code. Penalty, See Section 153.99.

153.59 INSPECTION OF IMPROVEMENTS

Prior to starting any of the work covered by the approved construction plans, the subdivider shall make arrangements to provide for inspection of the work sufficient in the opinion of the City Engineer to assure compliance with the plans and specifications as approved, and written approval obtained from the City Engineer to commence with the

work. Inspection fees shall be posted with the City Engineer prior to the beginning of any and all construction. Penalty See Section 153.99.

153.60 COMPLETION OF IMPROVEMENTS

Construction of all improvements required under this section shall be completed within two (2) years from the date of approval of the commencement of the work, as specified in Section 153.60, unless good cause can be shown for the granting of an extension of time, which extension shall be made by Common Council. Penalty, See section 153.99. If the developer exceeds the twenty-four (24) month period without approval of the Plan Commission, the project shall be considered in default and the bonding company shall be notified accordingly. The City Attorney shall begin measures to foreclose on the Performance Bond.

153.61 ACCEPTANCE OF STREETS AS PUBLIC WAYS

The approval of a final plat by the Plan Commission shall not be deemed to be an acceptance of the dedication of any public street of any other proposed public way of open space shown on the plat. Such streets and improvements included therein shall be accepted as public streets and ways under the provisions of Indiana Code. The acceptance shall be endorsed on the plat at the time the approval is given by the Clerk/Treasurer.

153.62 MAINTENANCE BOND

A one (1) year maintenance bond shall be posted with the City as a condition of acceptance of the public improvements by the City.

Only the following types of bonds shall be accepted by the City:

- A) Cash Bond, or
- B) Bond provided by a surety company approved by the City, or
- C) A nonrevocable letter of credit prepared in substance and in the form satisfactory to the Plan Commission or its designee.
- D) Amount of bond shall be ten (10) percent of the performance bond.

Penalty. See Section 153.99

153.63 UNDERGROUND UTILITIES

All utilities in a subdivision shall be underground with the exception of the area physically required to make the transition from aboveground to underground utilities.

This requirement shall apply only to those areas covered by improvement plans approved after the effective date of adoption of this code.

153.64 EROSION CONTROL PLAN

An erosion control plan shall be prepared as part of the Subdivision Improvement Plans. This plan shall be developed in accordance with the City standards and those of IDEM Rule 5, proper erosion and sediment controls shall be implemented by the owner/builder of each lot during home site development.

153.65 STORM WATER PERMIT-IDEM

The developer shall obtain a permit from IDEM relating to storm water and present a copy of the same to the City prior to approval of the Improvement Plan by the City. This permit pertains to Rule Five (5) and/or other pertinent rules issued by IDEM.

ADMINISTRATION

153.75 PLAN COMMISSION TO BE ADMINISTRATIVE AUTHORITY

This chapter shall be administered by the Plan Commission.

153.76 VAIRANCES; UNDUE HARDSHIP

A) Where the Plan Commission finds that extraordinary hardships may result from unusual topographical or other conditions if strict compliance with these regulations is enforced, the Plan Commission may issue a variance to the regulations in this chapter, excepting those covered by Sections 153.36,153.40,153.41, and 153.55 through 153.62 in its entirety, so that substantial justice may be done and the public interest secured; provided that such variance will not have the effect of nullifying the intent and purpose of the official Thoroughfare Plan, Land Use Plan, and this chapter.

B) Conditions

In granting variances and modification, the Plan Commission shall require such additional conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

153.77 FEE SCHEDULE

A) SUBDIVISIONS

SUBDIVISION REVIEW AND PROCESSING FEES

Charges cover the required review and processing. The fees in this schedule do not include the required fees for inspection of improvements.

1. Primary Plan-Plan Commission Staff Review	Filing & Review Fee (Non-refundable)	\$30.00 per lot
2. Primary Plan-Plan Commission Hearing	Filing & Review Fee (Non-refundable)	\$75.00 per lot
3. Record Plat/Final Plat (Engineering & Planning Review	Filing & Review Fee (Non-refundable)	\$50.00 per lot
4. Parcel Cutup/subdivision Less than 5 lots (engineering & planning review)	Filing and review fee (non-refundable)	\$150.00 per lot
5. Charges by applicant to approved plans	Required Plan Commission Review	\$75.00 per lot
	Requiring Staff review City Engineer	\$40.00 per lot

B) CITY REVIEW OFFICERS HOURLY RATE FEES

For any proposal, not specified elsewhere in this fee schedule, requiring City review, the following hourly rates will apply.

Fees shall be paid to the City prior to the required approval(s) and/or issuing of permit(s).

City Engineer	\$50.00 per hour
Building Commissioner	\$50.00 per hour
City Planner/Zoning Commissioner	\$50.00 per hour

C) WORK WITHIN THE EXISTING PUBLIC RIGHT-OF WAY AND STREETS INTENDED FOR DEDICATION

Permits and Fees

The following permits are issued in reference to work performed within the public right-of-way:

Private contractors:

1. Driveway (entrance) (residential), including inspection	\$15.00
2. Driveway (entrance) (commercial), including inspection	\$48.50
3. Excavations (repair/improvements in sod, including inspection	\$7.50
4. Excavations in pavement including inspection (including brick sidewalk)	\$32.50
5. Tunneling (in addition to items 3,4, &5) including inspection	\$32.50
6. Excavations in sidewalk, including inspection	\$10.00
7. Construction of street intended for dedication to public use, including inspection	\$25.00
8. For projects requiring a performance bond (All projects over \$500, as estimated by the City and all projects within the roadway including curbs) an additional cost of inspection shall be paid	\$10.00/1,000.00 of total estimated cost

153.78 COLLECTION FEES

A) Primary Plat

No action shall be taken on a Primary Plat before the Plan Commission until or unless preliminary charges and fees have been paid in full.

B) Final Plat

The secretary of the Plan Commission shall not endorse his approval on the final plat until or unless all fees required in Section 153.77 have been paid in full.

C) Application Required

Application for any such variance shall be submitted in writing by the subdivider at the time when the Primary Plat is filed for the consideration of the commission. The petition shall state fully the grounds for the application and all facts relied upon by the petitioner.

153.79 SEPARABILITY

The provisions of this chapter are to be considered separable. If any provisions of this chapter shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decisions shall not affect any other section, cause, provision, or portion of this chapter. In the event of inconsistency between this code and the Indiana Code, the State of Indiana shall control.

153.80 REPEAL

All ordinances or parts of ordinances in conflict with this chapter, or inconsistent with the provisions of this chapter, are hereby repealed to the extent necessary to give this chapter full force and effect.

153.90 PENALTY

Whoever willfully violates the subdivision code shall be subject to a fine of not more than \$25 for each day that the violation continues to exist after the mailing of notice by the City to the responsible party, fixing a date certain for compliance with the provisions of the chapter.

APPENDIX A: PROCEDURE FOR PRIMARY PLAT APPROVAL

Method for plan approvals

In accordance with Section 153.22 (B), the Plan Commission should establish procedures for submission, review, and approval of all Primary Plat, improvement plans, and record plats. Time requirements for processing, as well as the number of prints needed for review of various public agencies should also be included. In cases where other agencies exercise approval authority, complete description of these procedures should also be included.

A) Primary Plat-Plan Commission Staff Review

1. Developer will work out layout and road pattern with the Plan Commission staff, following the requirements of this chapter and deliver an approved and initialed plan and two copies thereof to the City Engineer for review. When approved, the City Engineer will submit one signed copy of comments to the Plan Commission with his/her approval report and one copy to the developer.
2. The developer will deliver three copies of the Primary Plat, comprised of storm sewer, water, sanitary sewer, electric, grading plans, and supporting data to the City Engineer for review by the City Engineer and Utility Director.
3. The City Engineer will review these plans and supporting data and send them along with one unmarked copy of each to the Utility Director for review, comments and/or approval and then return this copy to the developer. Absence of any required data will be sufficient cause for immediate rejection by the City Engineer.
4. The developer will correct all revisions and send three corrected copies and the original marked copy to the City Engineer. The City Engineer will review these plans to see that all revisions have been made.
5. The City Engineer will review these plans to see that all other revisions have been made and if so, he/she will approve and sign these plans. If corrections are not satisfactory to the City Engineer he/she will send one marked copy to the developer with instructions to correct and resubmit.
6. As a matter of policy the City Engineer may in all cases above correspond directly with the developer's consultant with the developer's permission in writing. The City Engineer will submit one signed copy to the Plan Commission with his/her approval report.

B) Primary Plat- Plan Commission hearing (Primary Approval or Disapproval of Plat)

1. The Plan Commission will discuss and approve the plans after any required changes are accomplished.
2. To assure placement on the Plan Commission agenda all plans which are presumably correct must be submitted to the City Engineer at least two weeks prior to the Plan Commission agenda closing date.
3. The developer will submit ten copies of the approved plan to the secretary of the Plan Commission for signature.

C) Secondary approval of Plat

1. The developer will submit two copies of the record plat to the City Engineer for review.
2. The City Engineer will mark revisions on one copy and send that copy back to the developer. The developer will correct all revisions and send the marked copy and corrected copies to the City Engineer. The City Engineer will review the plans to see that all revisions have been corrected and if so he will sign and approve the plans. If corrections are not satisfactory to the City Engineer he will send one marked copy to the developer with instruction to correct and resubmit.
3. The City Engineer will determine the amount of performance bond required, if any, for all public improvements. The City Engineer will notify the developer of total amount of bond required, if any.
4. The developer will post the necessary bond with the Clerk/Treasurer of the City of Lawrenceburg who will notify the City Engineer in writing that the bond has been received.
5. As a matter of policy the City Engineer may, in all cases above, correspond directly with the developer's consultant with the developer's permission in writing.
6. The City Engineer will submit his approval report, one corrected copy and the original tracing to the Plan Commission and one copy to each member after all bonds have been received.
7. The Plan Commission may approve the record plat for recording at the Dearborn County Courthouse. When approved by the Plan Commission the Secretary shall sign the original tracing.
8. The original tracing will be given to the developer so it can be recorded and five (5) copies of it will be given to the City Engineer.

9. After the streets indicated on his record plat have been accepted by the City the developer will submit the original tracing to the City Engineer, The City Engineer will advise the Plan Commission of the completion of all work and the approval of his/her office. After approval by the Plan Commission the Clerk/Treasurer of the City of Lawrenceburg shall sign this tracing and return it to the developer. The developer will furnish the City Engineer five copies of the final record plat for distribution as mentioned above.
10. The Plan Commission meeting agenda closing date is ten (10) days prior to the regular Plan Commission meeting.

D) As built plans

The developer will deliver three copies of the as-built plans to the City Engineer within one (1) year of completion of the project. Performance bonds required under Section 153.56 will be retained until the as-built plans are received and approved by the City. If no performance bond is furnished, record plat approval will be delayed until As-Built plans are approved.

APPENDIX B: PRIMARY PLAT-PLAN COMMISSION STAFF REVIEW

Name of subdivision: _____

Date of submission _____

Due date of recommendation (45 days) _____

1. Insert the required information
2. Denote compliance with applicable ordinances by placing his initials in all spaces where applicable.
3. Denote those items, which the subdivider considers “not applicable” to this particular subdivision with the abbreviation “N.A.”

- _____ 1. Five (5) copies of Primary Plat submitted
- _____ 2. Plans are on twenty-four (24) inch by thirty-six (36) inch sheets
- _____ 3. Plan scale is to be less than one (1) inch to one hundred (100) feet
- _____ 4. Minimum profile scale is one () inch to one hundred () feet horizontal and one (1) inch to ten (10) feet vertical
- _____ 5. A title sheet is included with each set of Primary Plats
- _____ 6. Name of proposed subdivision shown
- _____ 7. Location given by town, range, section, or other legal description
- _____ 8. Name & address of owner, trust, corporation of subdivider having control of project is shown
- _____ 9. Name & seal of engineer or surveyor registered in Indiana who prepared topographic survey is shown
- _____ 10. Name & address of the designer of the plan is shown
- _____ 11. North direction is shown
- _____ 12. Date of preparation and date of revision, if any, is shown
- _____ 13. A vicinity map is included indicating;

- _____ a) A scale of not less than one (1) to one thousand (1,000) feet
- _____ b) Boundary lines of adjoining land within an area bounded by the nearest arterial streets or other natural boundaries
- _____ c) Use of surrounding land
- _____ d) Ownership of surrounding land
- _____ e) Alignment of existing streets
- _____ f) Section and corporate lines

_____ 14. Boundary line of proposed subdivision is clearly shown

_____ 15. Total approximate acreage is shown

_____ 16. Existing zoning classification is indicated

_____ 17. The following existing items, if within the boundaries of the subdivision, or located one hundred (100) feet or less outside the boundaries are shown

_____ A) Previously platted streets and other rights-of-way, with improvements, if any indicating

_____ 1. Location

_____ 2. Widths

_____ 3. Names

_____ B) Railroad rights-of-way, indicating

_____ 1. Location

_____ 2. Dimensions

_____ C) Utility rights-of-way, indicating

_____ 1. Location

_____ 2. Width

_____ 3. Type

_____ a) Sanitary sewer

_____ b) Water

_____ c) Electric

_____ d) Storm sewer

_____ e) Gas

_____ f) Telephone

_____ g) Cable

_____ D) Parks & other open spaces indicating;

_____ 1. Location

_____ 2. Area

_____ E) Easements, indicating;

_____ 1. Location

_____ 2. Width

_____ 3. Purpose

_____ F) Permanent buildings & structures, indicating

_____ 1. Location

_____ 2. Setback lines

_____ 3. Names of owners

_____ G) Section & corporate lines

_____ H) Sanitary sewers, indicating;

_____ 1. Location

_____ 2. Size

_____ 3. Manholes

_____ 4. Invert elevations at manholes

_____ 5. Slope

_____ 6. Material

_____ I) Water mains, indicating;

_____ 1. Location

_____ 2. Size

_____ 3. Materials

_____ 4. Valves; indicating

_____ a. Valve manhole, or

_____ b. Valve box

_____ 5. Fire hydrants & auxiliary valves

_____ J) Culverts, indicating

_____ 1. Type

_____ 2. Location

_____ 3. Size

_____ 4. Invert elevations

_____ K) Storm sewers, indicating

- _____ 1. Location
- _____ 2. Size
- _____ 3. Catch basins
- _____ 4. Invert elevations
- _____ 5. Slope
- _____ 6. Material

_____ L) Watercourses, indicating

- _____ 1. Type
- _____ 2. High water width and elevation
- _____ 3. Width of easement
- _____ 4. Location of easement

_____ M) Marshes, indicating

- _____ 1. Locations
- _____ 2. Dimensions
- _____ 3. Soil-bearing capacity

_____ N) Rock Outcrops, indicating;

- _____ 1. Location
- _____ 2. Dimensions

_____ O) Monuments and survey markers, indicating

- _____ 1. Location
- _____ 2. Type

_____ P) Flood plan information

- _____ 1. Tract of land not in Special Flood Zone A

_____ 18. Topographic data is given in feet above mean sea level within the tract and to a distance of one hundred (100) feet beyond, indicating;

- _____ A. Existing contours at vertical intervals of not more than two (2) feet
- _____ B. Proposed contours at vertical intervals of not more than two (2) feet
- _____ C. Bench mark, indicating;
 - _____ 1. Location
 - _____ 2. Description
 - _____ 3. Elevation

_____ 19. Soil-bearing data is given, if required by the City Engineer, indicating;

- _____ A. Location of tests
- _____ B. Depth of tests
- _____ C. Soil-bearing capacity
- _____ D. Moisture content

_____ 20. The following proposes items, if within the boundaries of the subdivision or located one hundred (100) feet or less outside the boundaries are shown;

_____ A) Layout of streets, indicating;

_____ 1. Collector streets, indicating;

- _____ a) Sixty (60) foot of right-of-way width;
- _____ b) Thirty-eight (38) foot roadway width, face to face of gutter

_____ 2. Minor streets, indicating;

- _____ a) Fifty (50) foot right-of-way width
- _____ b) Twenty-eight (28) foot roadway width, back to back of curbs

_____ 3. Cul-de-sac streets, indicating

- _____ a) Fifty (50) foot right-of-way width
- _____ b) Twenty-eight (28) foot roadway width, back to back of curbs
- _____ c) The length does not exceed five hundred (500) feet unless there are less than sixteen (16) lots abutting the cul-de-sac street
- _____ d) Terminus is circular, or nearly so, and right-of-way is at least one hundred (100) feet in diameter
- _____ e) Terminus roadway distance is eighty (80) feet in diameter, back to back of curbs

_____ 4. Marginal access street, indicating;

- _____ a) Forty (40) foot right-of-way width
- _____ b) Twenty-four (24) foot roadway width, back to back of curbs

_____ 5. Through street shown extended to boundaries of subdivision

_____ 6. Storm water runoff pattern on paving

_____ B. Names of streets

- _____ 1. Not duplicating the name of any street heretofore used in the City or its environs, unless the street is an extension of an already existing street, in which case the name shall be used

_____ C. Street improvement plans showing location of all new street improvements, including those to the center line of previously dedicated rights-of-way abutting the subdivision, in accordance with present City standards

_____ D. Utility Easements

- _____ 1. Located at the front or rear of each lot and other necessary locations
- _____ 2. Not less than ten (10) feet in width on each lot
- _____ 3. Purpose is indicated
- _____ 4. Storm water runoff is indicated

_____ E. Center line profiles of all streets showing gradients not less than one (1) per cent, not more than;

- _____ 1. Five (5) per cent, on collector streets
- _____ 2. Twelve (12) per cent on minor streets

_____ F. Sidewalks

- _____ 1. Location
- _____ 2. Width

_____ G. Block layout, indicating

- _____ 1. Blocks do not exceed twelve hundred (1200) feet in length
- _____ 2. Additional access ways to parks, schools, etc., are shown in accordance with the Plan Commission's requirements
- _____ 3. Blocks fit readily into the overall plan of the subdivision, with due consideration given to:
 - _____ a. Topographical conditions
 - _____ b. Lot planning
- _____ 4. Block numbers
- _____ 5. Blocks intended for commercial, industrial, or institutional use

_____ H. Lot layout, indicating;

- _____ 1. Lot dimensions
- _____ 2. Lot areas, not less than those stipulated in the appropriate district regulations of the zoning ordinance. (Areas may be listed by schedule)
- _____ 3. Building setback lines shown and properly dimensioned
- _____ 4. Proposed land use
- _____ 5. Lot numbers
- _____ 6. Corner lots are sufficiently larger than interior lots to allow maintenances of building set back lines on both frontages and still allow a buildable width equal to that of the smallest interior lot in the block, (minimum width-ninety(90) feet
- _____ 7. All lots abut a publicly dedicated street for a distance of not less than the minimum width of the lot
- _____ 8. Lots are as nearly rectangular in shape as is practicable
- _____ 9. Lots are not less than seventy-five (75) feet in width nor one hundred (100) feet in depth
- _____ 10. Lot lines are substantially at right angles to the street lines and radial curved street lines
- _____ 11. Lots abutting or traversed by a watercourse, drainage way, channel or stream, indicate;
 - _____ a. Additional width and depth to provide an acceptable building site
 - _____ b. Width of easement is at least ten (10) feet wider on each side of water at high water level
- _____ 12. Due regard for natural features, such as;
 - _____ a. Trees
 - _____ b. Watercourses
 - _____ c. Historic items
 - _____ d. Other similar conditions

_____ I. Areas intended to be dedicated for public use, indicating:

- _____ 1. Plan conforms to general development plan of the City
- _____ 2. Purpose
- _____ 3. Acreage

_____ J. Source of domestic water supply, indicating:

- _____ 1. Connection to existing water mains
- _____ 2. Size and capacity of connection point

_____ K. Provision for sewage disposal, indicating:

- _____ 1. Connection to existing sanitary sewer mains
- _____ 2. Size and capacity of connection point

_____ L. School sites, indicating:

- _____ 1. Location
- _____ 2. Dimensions
- _____ 3. Acreage

_____ M. Topographical information, indicating:

- _____ 1. Proposed changes in elevation of land show that any flooding would be relieved
- _____ 2. Adequate installation of storm sewers would remove the possibility of flooding

_____ N. Sanitary sewer layout, indicating:

- _____ 1. Location
- _____ 2. Size
- _____ 3. Invert elevations at manholes
- _____ 4. Manhole locations
- _____ 5. Slopes
- _____ 6. Materials
- _____ 7. Lengths

_____ O. Water main layout, indicating:

- _____ 1. Location
- _____ 2. Size
- _____ 3. Looped pattern, where practical
- _____ 4. Fire hydrants, spaced apart not more than six hundred (600) feet

_____ P. Storm sewer layout, indicating:

- _____ 1. Location
- _____ 2. Catch basins at no more than four hundred (400) foot intervals
- _____ 3. Storm water is not carried across or around any intersection
- _____ 4. Surface water drainage pattern for each individual lot and block

_____ Q. Street light layout, indicating:

- _____ 1. Location and typical street light detail, or
- _____ 2. Statement by subdivider that streetlights will be installed in accordance with City standards

_____ R. Electric distribution layout, including

- _____ 1. Distribution lines
- _____ 2. Transformers
- _____ 3. Statement by subdivider that electric system will be installed in accordance with City standards

_____ S. Gas

- _____ 1. Location
- _____ 2. Size

_____ T. Telephone

- _____ 1. Location

_____ U. Cable

- _____ 1. Location

_____ 21. An outline of proposed covenants accompanies the plans, indicating the intention of the subdivider to have the covenants recorded with the final plat

- _____ A. Protective covenant against obstruction of drainage easements

_____ 22. Typical street cross-section, showing base construction, surfacing, concrete curb and sidewalk in accordance with the land improvements ordinance

_____ 23. Indication that sidewalks will be installed along all lot lines coincidental with street rights-of-way

_____ 24. Indication on drawing or by certificate that subdivider is aware of his responsibility for installation of street sign, and for seeding and tree planting in all parkways

_____ 25. Names and legal addresses of adjacent property owners

Completed by: _____

(Name)

(Address)

Date _____

Reviewed by: _____, City Engineer

Date _____

Reviewed by _____, Utility Director

Date _____

**APPENDIX C: FOR PRIMARY PLAT-PLAN COMMISSION HEARING
(PRIMARY APPROVAL OR DISAPPROVAL OF PLAT)**

Name of subdivision _____

Date of subdivision _____

Due date of recommendation (45 days) _____

_____ 1. Plans have been submitted within twelve (12) months of the date of approval by the Plan Commission of the Primary Plat.

_____ 2. Four (4) copies of engineering plans have been submitted

_____ 3. Plans are on twenty-four (24) by thirty-six (36) inch sheets

_____ 4. A title sheet is included with each set of plans, and include;

_____ A. Names of the subdivision & unit number

_____ B. Types of work covered

_____ C. Location map showing relation of area to be improved to existing streets

_____ D. An index of sheets

_____ E. A summary of quantities

_____ F. Name, address and seal of engineer or land surveyor registered in Indiana preparing the plans

_____ G. Date of preparation and revisions, if any, of Primary Plat

_____ 5. Plans & Profiles

_____ A. Horizontal scale is not less than one (1) inch to fifty (50) feet

_____ B. Vertical scale is not less than one (1) inch to five (5) feet.

_____ 6. Cross sections

_____ A. Horizontal and vertical scales no less than one (1) inch to ten(10) feet

_____ 7. North direction is shown for each separate plan view

_____ 8. An adequate number of benchmarks are shown with elevations referenced to mean sea level, to facilitate checking elevations without more than one (1) set up of a surveyor's level

_____ 9. Delineation is shown of all easements necessary to serve all lots with underground and overhead utilities, and to allow for perpetual maintenance of these facilities

_____ 10. An application for IDEM permit for the sanitary sewer extension accompanies the plans

_____ 11. Sanitary sewer plans and specifications are complete and conform to the standards and requirements of the ordinances applicable thereto and denote all of the following:

_____ A. All properties in the subdivision are served and house service connections are provided

_____ B. The minimum size main is eight (8) inch I.D.

_____ C. The plan conforms to the overall City plan for any trunk sewers traversing the subdivision

_____ D. The distance between manholes does not exceed four hundred (400) feet.

_____ E. The invert elevation of each manhole is shown

_____ F. The grade of each section of sewer is shown by percentage in accordance with accepted engineering practice

_____ G. Extra strength pipe and extra strength manhole wall construction is specified and shown on the plans and in the estimates of quantities where the depth of installation exceeds twelve (12) feet

_____ H. Profile of existing and proposed ground surfaces

_____ I. Risers are shown for individual house service laterals where depths of main exceeds twelve (12) feet

_____ J. Pipe joints are of permitted type

_____ K. Minimum manhole cover weights are correct:

_____ 1. Five hundred, forty (540) pounds in collector streets

_____ 2. Four hundred (400) pounds in minor and cul-de-sac streets

_____ 3. Three hundred thirty-five (335) pounds in rear lot easements

_____ L. Specifications include provisions for checking of infiltration or exfiltration

_____ 1. Standard manhole

_____ 2. Drop manhole

_____ 3. Standard manhole cover

_____ 4. Standard riser

_____ 5. Standard service installation

_____ 6. Concrete cradle

_____ 12. An application for IDEM approval of the water main installation accompanies the plans does not exceed four hundred (400) feet

_____ 13. Water distribution plans and specifications are complete and conform to the ordinances applicable thereto and include all of the following:

- _____A. All properties in the subdivision are served and provisions are made for service connection within the property line.
 - _____B. The minimum size main is eight (8) inches I.D.
 - _____C. The plan conforms to the City's overall plan for any trunk lines which might traverse the subdivision
 - _____D. Valve and hydrant spacing and location conform to the approved Primary Plat
 - _____E. Materials and joint specifications comply with the City's standards
 - _____F. Specifications include provisions for testing and sterilization of all new water distribution facilities:
 - _____1. Valve cover
 - _____2. Standard cover
 - _____3. Standard hydrant installation
- _____14. Street plans including storm sewers, are complete and conform to the ordinances applicable thereto and include the following:
- _____A. The location of streets and width of pavements conform to those indicated on the approved Primary Plat
 - _____B. Plan shows curb, gutter and sidewalk locations, and includes the following information:
 - _____1. Corner curb radius is not less than sixteen (16) feet
 - _____2. Curve data for all horizontal curves
 - _____3. Direction of flow along all curbs
 - _____4. No surface water is carried across or around any street intersection, nor for a distance greater than four hundred (400) feet
 - _____C. Cross sections are submitted as necessary to indicate feasibility of proposed street elevations in relation to adjacent lot elevations, and include sidewalk location
 - _____D. Profiles are submitted for all paving center lines and storm sewers and indicate:
 - _____1. Catch basin invert elevations
 - _____2. Minimum pipe size is fifteen (15) inches I.D.
 - _____3. The grade of each section of sewer is shown by percentage in accordance with accepted engineering practice
 - _____4. Storm sewer elevations do not conflict with any other underground utilities
 - _____5. Storm sewer is connected with an adequate outfall
 - _____6. Curve data is given for vertical road curves

_____E. The storm sewer system is designed to provide sufficient capacity for the draining of upland areas contributing to the storm water runoff on the street

_____1. Storm sewer design computations are submitted with plans

_____F. A surface water drainage pattern is shown for each block

_____G. Material specifications comply with City standards and include:

_____1. Paving base materials

_____2. Paving surface materials

_____3. Concrete

_____4. Pipe materials

_____H. Typical cross sections and details include the following:

_____1. Collector street

_____2. Minor or cul-de-sac street

_____3. Concrete curb & gutter

_____4. Concrete sidewalk

_____5. Standard manhole

_____6. Standard cover

_____7. Catch basin

_____15. Streetlight plans are complete and include the following:

_____A. Pole locations

_____B. Spacing

_____C. Average maintained foot-candle illumination (calculated)

_____1. Type of base & pole

_____2. Bracket or arm

_____3. Laminar, indicating type of lamp and wattage

_____4. Mounting Height

_____16. Parkway improvement specifications are completed and include provisions for:

_____A. Removal of stumps, trees that can't be saved, boulders and all other items

_____B. Grading, installations of topsoil, and seeding or sodding

_____17. Street signs are shown to be installed at all street intersections not previously marked

Completed by: (Name) _____

(Address) _____

Reviewed by: (City Engineer) _____

Date: _____

Reviewed by: (Utility Director) _____

Date: _____

Considered by Plan Commission on:(Date) _____

Chairman _____

APPENDIX D: APPROVAL OF PLAT

Name of subdivision: _____

Date of admission: _____

Due date of recommendation (30 days): _____

- _____ 1. Plat has been submitted within six (6) months after approval of the engineering plans
- _____ 2. Plat has been submitted within one (1) year after the approval of the Primary Plat (unless an extension of time has been requested of and granted by the Plan Commission)
- _____ 3. One original drawing of the final plat has been submitted
- _____ 4. One transparency print of the final plat has been submitted
- _____ 5. Four (4) copies of the final plat have been submitted
- _____ 6. Plat is drawn with waterproof India Ink on heavy linen tracing cloth or equal
- _____ 7. North direction is shown
- _____ 8. Scale is shown (minimum one (1) inch equals one hundred (100) feet)
- _____ 9. Section corners and section lines are accurately tied into subdivision by distance and angle
- _____ 10. Official survey monuments are shown and dimensioned
- _____ 11. All necessary easements are shown and dimensioned
- _____ 12. Building setback lines are shown and dimensioned in accordance with the zoning ordinance
- _____ 13. Lot areas are in accordance with the applicable
- _____ 14. Street names are shown
- _____ 15. Areas to be dedicated or reserved for public use are shown and described and the purpose is designated
- _____ 16. Protective covenants are lettered on the plat or are appropriately referenced
- _____ 17. Required certificates are shown and signed
 - _____ A. Surveyor's certificate (including legal description)
 - _____ B. Owner's certificate
 - _____ C. Notary certificates
- _____ 18. Other required certificates are shown
 - _____ A. Plan Commission certificate
 - _____ B. City Engineer
 - _____ C. Utility Director
 - _____ D. Common Council certificate
 - _____ E. Indiana State Highway Commission, if frontage or crossing state highway right-of-way

_____19. The following items have been submitted with the final plat:

- _____A. Detailed specifications for all required land improvements not previously submitted and approved with the engineering plans
- _____B. A copy of IDEM permit for the sanitary sewer installation
- _____C. A copy of the IDEM approval of the water main installation
- _____D. An affidavit by the subdivider acknowledging responsibility for the proper installation of all required land improvements
- _____E. A certified estimate of cost of all required land improvements prepared by an engineer or land surveyor registered in the State of Indiana
- _____F. A description of the bond or guarantee collateral intended to be submitted after contingent approval or granted by the Common Council

Completed by: (name)_____

Address_____

Reviewed by (City Engineer)_____ Date_____

Reviewed by (Utility Director)_____ Date_____

Considered by Plan Commission (Date)_____ Chairman_____

Considered by Common Council (Date)_____ Chairman_____

OWNERS CERTIFICATE:

Each final plat submitted to the commission for approval shall carry a deed of dedication in substantially the following form:

We the undersigned,

Owners of the real estate shown and described herein, which was conveyed to us by deed as recorded in Dearborn County Seed Record Number____Page Number____, do hereby certify that we have laid off, platted and subdivided, and hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as_____, an addition to _____. All streets and alleys shown and not heretofore dedicated are hereby dedicated to the public.

Front yard building set back lines are hereby established as shown in this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure.

There are strips of ground_____feet in width as shown in this plat and marked "Easement", and are hereby dedicated to the public for the use of public utilities for the installation of water, gas and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No buildings or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities.

(Additional dedications and protective covenants, or private restrictions, would be inserted here upon the subdivider's initiative or the recommendation of the commission; important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habitual floor area.)

The foregoing covenants, (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20____, (a twenty-five (25) year period is suggested), at which time said covenants, (or restrictions), shall be automatically extended for successive periods of ten (10) years, unless changed by vote of majority of then owners of the building sites covered by these covenants, or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

WITNESS our Hands and Seals this ____ day of _____, 20_____

STATE OF INDIANA:

SS:

COUNTY OF DEARBORN:

Before me the undersigned a Notary Public, in and for said County and State, personally appeared _____,

_____, And each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal this ____ day of _____, 20_____.

My commission expires: _____ NOTARY PUBLIC resides in Dearborn County, Indiana

CITY ENGINEER CERTIFICATE

STATE OF INDIANA
SS
COUNTY OF DEARBORN

I do hereby certify to the Plan Commission that the streets and storm sewers have been installed in accordance with the approved Improvement Plans and that the facilities have been inspected, tested and approved.

_____ Dated _____
City Engineer
City of Lawrenceburg, Indiana

UTILITY DIRECTOR CERTIFICATE

STATE OF INDIANA
SS
COUNTY OF DEARBORN

I do hereby certify to the Plan Commission that the water mains, sanitary sewers and electrical distribution systems have been installed in accordance with the approved Improvement Plans and that the facilities have been inspected, tested and approved.

_____ Dated _____
Utility Director
City of Lawrenceburg, Indiana

PLAN COMMISSION CERTIFICATE

STATE OF INDIANA
SS
COUNTY OF DEARBORN

Approved and accepted this _____ day of _____, 20_____.

City of Lawrenceburg Plan Commission
Chairman

COMMON COUNCIL CERTIFICATE

Approved and accepted this _____ day of _____, 20_____.

Common Council of _____

By _____
Mayor

Attest: _____, Clerk/Treasurer

DECLARATION OF SURVEY AND SURVEYOR'S REPORT

TO: [Owner's(s) Name(s) and the City of Lawrenceburg Plan Commission

The attached plat and description (File No. _____) were prepared _____(date) from a field survey conducted under my supervision by employees of _____(name of survey company). All monuments were set in this survey unless otherwise indicated on the accompanying plat and the field notes for this survey are filed in the office of _____(Name of survey company).

Bearings are (assumed/ from a 3.765 acre survey/ etc.) And measurements are shown in feet and decimals thereof. The subdivision shown hereon is intended to conform to _____ zoning regulations of the City of Lawrenceburg Ordinance _____ And the variances stated hereon, if any.

In accordance with the Indiana Survey Standards as defined in Indiana Administrative Code 865 IAC 1-12 (Rule 12), the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of uncertainties in the reference monuments, record documents, lines of occupation, and the random errors in measurement (Theoretical Uncertainty).

(Specific explanation of how boundary of this tract was located, etc.)

The Theoretical Uncertainty (due to random errors in measurements) of the corners of the subject tract established this survey is within the specifications of a Class _____ Survey (+/-o. ___ feet) as defined in IAC 865.

SURVEYOR'S CERTIFICATE

I hereby certify that I am a Land Surveyor holding Indiana Registration S-_____
This _____ day of _____, 20_____.

_____ (Signature)

_____ (Name of survey company)

_____ (Address)

_____ (Telephone Number)

APPENDIX E: STREET TREE PLANTINGS

Shade or ornamental trees shall be planted by the developer in right-of-way within subdivision or portions of subdivisions and shall conform to the following specifications:

A) Procedure

The developer shall submit to the Plan Commission three prints of the tree-planting plan drawn at the minimum scale of one (1) inch equals fifty (50) feet, all streets, lots, utility lines (both above and below ground), driveway locations, and proposed species of trees located on the plan. The Plan Commission will review these plans for compliance with this chapter and will return one copy marked approved or disapproved to the developer.

B) Bonds and fees

1. A permit fee of \$.01 per lineal foot or right-of-way proposed to be planted will be required and shall be submitted with the permits for review. Inspection fees will be charged at established rates.
2. A maintenance and guarantee bond shall be required for all trees and shall be effective for one year from the time of planting or acceptance of the street, whichever is later.
3. The cost of the bonds shall be \$25 for each required tree with a maximum charge of \$600 per 100 trees. For each tree over the 100 tree unit, an additional \$25 shall be required for each tree, with an additional maximum limit of \$600 being provided for each further unit of 100 trees.

C) Time of Planting

Planting shall be accomplished when 90% of the houses on a street or between two intersecting streets are constructed, or prior to the expiration of the street construction performance bond. Prior to planting, the developer shall notify the Plan Commission in writing of the planting date. Additional bonds shall be provided for trees not yet planted.

D) Types of trees

Species shall be selected from the list of official street trees for the City. In no case, will any of the trees on the list of undesirable species for street tree planting be used. These lists will be maintained by the Plan Commission. Trees will be selected on the basis of at least two species per street.

E) Materials

1. Shade trees (type I & II) shall be at least 1-1/2 inches in caliber and ornamental trees shall be of nursery stock grown under the same climatic conditions as found in the area southern Indiana. They shall be a symmetrical growth, free of insect pests and disease and durable under contemplated maintenance.
2. Trees will be planted in accordance with the standard specifications of the City.

F) Planting locations

1. Large shade tree species shall be staggered alternately on each side of the street or portion of street not less than seventy-five (75) feet apart or more than ninety (90) feet apart except in instances where such plantings will interfere with fire hydrants, utility poles, driveways, or utility structures. Type I trees shall not be planted under overhead telephone or electric wires.
2. Ornamental and flowering tree species (type III) shall be staggered alternately on each side of the street not less than forty (40) feet apart or more than sixty (60) feet apart except under conditions described above.
3. No tree shall be planted closer than 3-1/2 feet from curbs or future curbs, ten (10) feet from fire hydrants, twenty (20) feet from street lights and five (5) feet from driveways or meter boxes. At least two trees are to be planted at corner lots, one on each street, and these trees shall be set back a minimum of twenty five (25) feet from intersections.

G) Replacements

Replacements required after the inspection at the completion of planting or at the end of the guarantee period shall be trees of the same kind, size and quality as originally indicated. The cost of labor and materials for the installation of these replacements shall be borne by the developer.

H) Other planting

All other plantings within the right-of-way, with the exception of turf or ground covers not exceeding twelve (12) inches in height, shall have the approval of the Plan Commission prior to any planting.

- I) Trees other than those to be planted in a new subdivision shall be planted according to the provisions of this appendix except that fees shall not be charged by the City for the required permits to plant trees in the public right-of-way and no bond or guarantee

period shall be required. Trees planted must be from the approved lists but size requirements may be waived.

J) The following shall be kept by the Plan Commission and made conveniently available to the developer and the public:

1. List of shade trees;
2. Planting guides
3. Procedures for inspection

K) Undesirable species for street tree planting:

Acer- Box Elder
Acer saccharinum- Silver Maple
Aesculus glabra- Ohio buckeye
Aesculus hippocastanum- Horse chestnut
Ailanthus altissima- Tree of heaven
Betula verrucosa- European Birch
Carya (species)-Hickory
Catalpa (species) Catalpa
Crataegus Oxycantha-English Hawthorn
Crataegus Oxycantha (“Pauli”)-Paul Scarlet Hawthorn
Fraxinus Americana- White Ash
Fraxinus Pennsylvania lanceolata-Green Ash
Gleditsia triacanthos (all thorn bearing and fruit types)-Honey Locust
Juglans (species)- Walnut
Morus (species)-Mulberry
Platanus occidentalis- Sycamore
Populus (species)- Poplar
Prunus (fruiting varieties)-Plum, Pear, Apple
Robinia (species)- Black Locust
Salix (species)- Willow
Sorbus aucuparia- Mountain Ash
Ulmus Americana- American Elm
Ulmus carpinifolia- Smooth leaved Elm
Ulmus glabra- Scotch Elm
Ulmus procerata- English Elm
Ulmus pumila- Chinese Elm

L) Official street trees (to be spaced seventy-five (75) to ninety (90) feet apart)

1. Large shade trees (to be spaced seventy-five (75) to ninety (90) feet apart):

Acer platanoides-Norway Maple
Acer rubrum-Red Maple

Acer saccharum-Sugar Maple
Fraxinus Pennsylvanica lanceolata-Marshall's Seedless-Marshall's seedless Ash
Ginkgo biloba "Palo Alto"-Palo Alto Ginkgo
Gledista triacanthos "Moraine" (p.p. 836)-Moraine Honey locust
Gledista triacanthos "Skyline"-(p.p.1619) Skyline Honey locust
Liquidambar styraciflua-Sweet Gum
Platanus acerifolia-London Plane Tree
Quercus borealis-Red Oak
Quercus coccinea-Scarlet Oak
Quercus imbricaria-Shingle Oak
Quercus shumardi-Shumard Red Oak
Sophora japonica-Japanese Pagoda tree
Tilia euchlora-Crimean Linden
Tilia tomentosa-Silver Linden

II. Medium shade trees (to be spaced sixty (60) to seventy-five (75) feet apart):

Acer campestre-Hedge Maple
Acer rubrum "Tilford"-Tilford Red Maple
Aesculus carnes "Ruby"- Ruby Red Horse Chestnut
Carpinus caroliniana-American Hornbeam
Cladrastus lutea-American Yellowwood
Fraxinus holotricha-Moraine Ash
Ostrya virginiana-American Hophornbeam
Phellodendron amurense-Amur Cork tree
Phellodendron sachalinense-Sakhalin Cork tree
Orunus saargenti-Sargent Cherry
Quercus acutissima-Sawtooth Oak
Quercus phellos-Willow Oak
Quercus robur-English Oak
Tilia cordata-Little leaf Linden
Zelkova serrata-Japanese Zelkova

III. Ornamental and flowering tree (to be spaced forty (40) to sixty (60) feet apart):

Acer buergerianum-Trident Maple
Acer ginnala-Amur Maple
Acer griseum-Paperback Maple
Acer platanoides "Erect"-Erect Norway Maple
Acer platanoides globosum-Globe Norway Maple
Acer rubrum "Column"-Column Red Maple
Acer tataricum-Tatarian Maple
Ameelanchier laevis-Alleghany Shadblow
Carpinus betulis fastigiata-Upright European Hornbeam

Cercidiphyllum japonicum-Katsura Tree
Cercis Canadensis-Eastern Redbud
Cornus alternifolia- Pagoda Dogwood
Cornus florida(all cultivars)-Flowering Dogwood
Cornus officinalis-Japanese Cornel
Corylus colurna-Turkish Hazel
Crataegus ambigua-Russian Hawthorn
Crataegus lavellei-Lavelle Hawthorn
Crataegus monogyna compacta-Globe Hawthorn
Crataegus monogyna stricta-Columnar Hawthorn
Crataegus phaenopyrum-Washington Hawthorn
Crataegus succulenta-Fleshy Hawthorn
Crataegus toba-Toba Hawthorn
Ginkgo biloba "Sentry"-Sentry Ginkgo
Koelreuteria paniculata-Golden rain Tree
Magnolia soulangeana "Kern"-Kern Saucer Magnolia
Magnolia soulangeana "Lenne"-Lenne Saucer Magnolia
Malus (selected cultivars)-Flowering Crabapples
Prunus cerasifera-Purple Leafed Plum
Prunus serrulata(all cultivars)-Japanese Cherry
Prunus subhirtella pendula-Weeping Higan Cherry
Pyrus calleryana "Bradford", "Chanticleer"-Callery Pear
Quercus robur fastigiata-Upright English Oak
Syringa amurensis japonica-Japanese Tree Lilac
Tilia Cordata "pyramidal"-Pyramidal Little Leaf Linden

**SUBDIVISION IMPROVEMENT PLAN DISTRIBUTION LIST
(UTILITY COMPANIES)**

Lawrenceburg Municipal Utilities

1. Electric
2. Water
3. Sanitary Sewer
4. Storm Sewer

Greendale Municipal Utilities

1. Electric
2. Water
3. Sanitary Sewer

Aurora Municipal Utilities

1. Electric
2. Water
3. Sanitary Sewer

South Dearborn Regional Sewer District

1. Sanitary Sewer

Cincinnati Gas & Electric

1. Gas

Public Service of Indiana

1. Electric

United Telephone/Sprint

1. Telephone

Suscom Cable

1. Cable

INDOT

1. As it relates to State Highways

Pernod Ricard USA (Seagram's Distillery)

1. Sanitary Sewer
2. Steam