

1121.01 PURPOSE.

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1121.01 PURPOSE.

The purpose of this chapter is to further the overall purpose of this code and additionally, to:

- (a) Establish standard requirements and conditions for the design and review of subdivisions;
- (b) Provide for the orderly subdivision of land;
- (c) Ensure that adequate public infrastructure, facilities and services are available concurrent with development;
- (d) Encourage a beneficial relationship between the uses of land and circulation of all forms of traffic throughout the City, and to provide for the proper location and design of streets;
- (e) Provide adequate utility systems to support the future needs of the systems; and
- (f) Promote efficient and logical placement of utility structures so as to promote the purpose of this code.

(Ord. 26-22. Passed 4-26-22.)

1121.02 APPLICABILITY.

The developer of a subdivision, or any development that requires public improvements or rights-of-way, shall dedicate all land required for rights-of-way, and shall furnish and install all required improvements serving the subdivision or development. All improvements shall be extended to the boundary of the subdivision or development in order to provide a complete and coordinated system of streets and utilities in accordance with all applicable plans or policies of the City of Sheffield Lake. (Ord. 26-22. Passed 4-26-22.)

1121.03 CONFORMITY WITH PLANS AND REGULATIONS.

(a) The arrangement, character, extent, width, grade and location of all streets shall conform to all plans and policies adopted by the City of Sheffield Lake, and shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and in appropriate relation to the proposed uses of the land to be served by such streets.

(b) Any plans or documents submitted for subdivision or development approval shall comply with the City's standard drawings and specifications and subsequent amendments, as adopted by City Council, on file in the City offices.

(c) The engineering details and standards of streets and other public improvements are subject to such modification as the Code Administrator may deem necessary to the public interest or maintenance of established standards.

(Ord. 26-22. Passed 4-26-22.)

1121.04 SALE OF LAND IN SUBDIVISIONS; START OF CONSTRUCTION.

(a) No owner, or authorized agent, of any land located within a subdivision shall transfer, sell, or agree to sell any land by reference to, by exhibition of, or by the use of, a plan or plat of a subdivision, nor proceed with any construction work before such plan or plat has been approved and recorded in the manner prescribed in these regulations. Any sale or transfer contrary to the provisions of this 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 these regulations.

(b) The Zoning Inspector shall not issue zoning permits for any structure or activity on a lot in a subdivision for which a plat has not been approved and recorded in the manner prescribed in these regulations.

(c) Request for Inspection. Following the complete installation of all improvements, applicants seeking the issuance of zoning permits prior to plat approval shall submit a letter to the Planning

Commission Clerk requesting the City to inspect installed improvements.

(d) Certification by City Engineer. Upon receipt of the inspection request letter, the Planning Commission Clerk shall forward such letter to the City Engineer. The City Engineer, within ten (10) working days. Shall inspect all improvements and notify the applicant as to the status of all improvements. If improvements are satisfactory, the Engineer shall forward a letter to the applicant which certifies the following:

(1) All storm and sanitary sewer and water lines approved in the improvement plans for the proposed subdivision have been completely installed and tested satisfactorily; and

(2) All pavement for the proposed subdivision, as required according to the Subdivision Improvement Standards as approved by the Planning Commissions which are maintained on file with the City Engineer, has been completely installed for a minimum of seven days and all required joints of the same are sealed.

(e) Submission of Applicants and Letter of Certification. Applicants shall submit a zoning permit application to the Zoning Inspector, along with the letter of certification from the City Engineer stating that all conditions identified in Section 1121.04(d) hereof have been met. After the Zoning Inspector receives the application and letter of certification, he or she may issue the zoning permit. (Ord. 26-22. Passed 4-26-22.)

1121.05 BOND REQUIRED.

(a) Performance Bond. No plat of a subdivision of land within the City shall be approved by the Planning Commission until there has been submitted to City Council an engineering plan of all improvements to be constructed in the subdivision and until the plan has been approved by City Council and the improvements have been constructed according to the plan, or, in lieu thereof, there has been deposited with the City a performance bond in the sum of the cost of the improvements, as determined by the City Engineer, in a form approved by the Director of Law and with a completion date satisfactory to City Council.

(b) Maintenance Bond. No improvements shall be approved or accepted by the City after construction until the City is furnished with a maintenance bond in a form acceptable to the Director of Law, in the amount of ten percent (10%) of the construction cost of such improvements and for a term to be determined by City Council, but not to exceed a period of two (2) years.

(c) Deposit Required. No plat shall be approved until there is deposited with the City a sum equal to not less than two percent (2%) nor more than four percent (4%) of the construction cost of such improvements, as determined by the City Engineer, to be used to defray the costs of inspection of the installation of such improvements by the City. Any portion of the deposit which is not so used shall be returned to the persons making the deposit upon the acceptance of the improvements by the City.

(Ord. 26-22. Passed 4-26-22.)

1121.06 GENERAL DESIGN REQUIREMENTS.

(a) General Suitability of Land for Development. If the Planning Commission and the City Council find that land proposed to be subdivided is unsuitable for subdivision development due to flooding, poor drainage, topography or inadequate water supply, wastewater treatment facilities, transportation facilities, or such other conditions as may endanger health, life or property, and if, from investigations conducted by the public agencies concerned, it is determined that, in the best interest of the public, the land should not be developed for the subdivision proposed, the Planning Commission and the City Council shall not approve the land for the purpose unless adequate methods are advanced by the subdivider for solving the problems that will be created by the development of the land.

(b) Projection of Improvements. Where adjoining areas are not subdivided or developed, the arrangement of streets and utilities in new subdivisions shall make provision for the proper projection of streets (i.e., provide for temporary dead-end streets and utilities where street connections can be made to the adjacent land) as required by the Zoning Inspector. Such arrangements shall be made to the subdivision boundary or up to the edge of the phase of buildable lots.

(c) Topography, Floodplain Areas, Wetlands, and Natural Areas.

(1) Natural amenities (including views, mature trees, creeks, riparian corridors, rock outcrops, and similar features) shall be preserved and incorporated into proposed development to the greatest extent feasible.

(2) All subdivisions of land and installation of public improvements involving areas subject to flooding, as defined by National Flood Insurance Program Maps and Data, shall conform to all applicable floodplain regulations and the requirements of adopted regulations involving the City's participation in the National Flood Insurance Program.

(3) Land which is determined by the Planning Commission to be unsuitable for subdivision or development due to flooding, the presence of Federal Jurisdiction Wetlands, or other features which will reasonably be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas shall not be subdivided or developed unless methods adequate to resolve the problems are formulated by the developer and approved by City Council, upon recommendation by the Planning Commission and upon advice of the Zoning Inspector.

(4) The natural topography shall be retained wherever possible in order to reduce excessive runoff onto adjoining property and to avoid extensive regrading of the site.

(d) Homeowners' or Property Owners' Associations. See Section 1109.09: Homeowners' Association for requirements for homeowners' or property owners' associations.

(e) Subdivision Names. The proposed name of the subdivision shall not duplicate or too closely approximate phonetically, the name of any other subdivision in the City or Lorain County. The City shall have final authority to designate the name of the subdivision.

(f) Debris and Waste. No cut trees, diseased trees, timber, debris, earth, rocks, stones, soil, junk, rubbish or other waste materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of the issuance of a zoning permit. No items and materials as described in the preceding sentence shall be left or deposited in any area of the subdivision at the time of dedication of public improvements.

(g) Monuments and Markers.

(1) Monuments and monument boxes shall be installed at the intersection of all centerlines of all streets, points of curvature and points of tangency on all curves.

(2) Property pins shall be set at all lot corners, points of tangency and points of curvature.

(3) Steel rods of a one-half ($\frac{1}{2}$) inch diameter and thirty (30) inches long shall be used for property pins permanently installed.

(4) Monuments and lot corner markers shall be of a design approved by the Zoning Inspector and meeting State of Ohio Minimum Standards for Boundary Surveys.

(Ord. 26-22. Passed 4-26-22.)

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- ORDINANCE NO. 116-84
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