

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF
CHAPTER 1369 – REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN
OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO**

WHEREAS, the Building Commissioner has made various recommendations to City Council relative to the burying of Utility Lines as set forth in Chapter 1369-Requirements for Improvements, Reservations and Design of the Codified Ordinances of the City of Wickliffe, Ohio; and

WHEREAS, Council has determined the recommended changes would be in the best interest of the residents of the City of Wickliffe.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WICKLIFFE,
COUNTY OF LAKE, STATE OF OHIO:**

SECTION 1. That Chapter 1369-Requirements for Improvements, Reservations and Design is hereby amended to read as follows:

1369.01 GENERAL IMPROVEMENTS.

(a) Conformance to Applicable Rules and Regulations. In addition to the requirements established in these regulations, all subdivision plats shall comply with the following laws, rules, and regulations:

- (1) All applicable statutory provisions.
- (2) The City Zoning Ordinance, building and housing codes, and all other applicable laws of appropriate jurisdictions.
- (3) The Official Master Plan, Official Map, Public Utilities Plan, and Capital Improvements Program of the City, including all streets, drainage systems, and parks shown on the Official map or master Plan as adopted.
- (4) The special requirements of these regulations and any rules of the Health Department and /or appropriate state or sub-state agencies.
- (5) The rules of the State Highway Department if the subdivision or any lot contained therein abuts a state highway or connecting street.
- (6) The standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City.
- (7) In all residential subdivisions platted subsequent to the effective date of this section, unless exempted from the requirements of this chapter as provided in State Law and/or any provision of this code, all telephone and electric distribution wire, Cable T. V., conduits and cables therein, shall be installed underground, except as necessary to bring service to the subdivision. Existing overhead facilities and any rearrangement, improvement or addition thereto shall be exempt from this requirement. The construction of all underground facilities shall meet the minimum requirements of the Public Utilities Commission of Ohio and any code approved or adopted by the Public Utilities Commission of Ohio.
- (8) Plat approval may be withheld if a subdivision is not in conformity with the above laws, regulations, guidelines, and policies as well as the purposes established in Section 1361.05 of these regulations.

(b) Adequate Public Facilities. No preliminary plat shall be approved unless the Planning Commission determines that public facilities will be adequate to support and service the area of the proposed subdivision. The applicant shall, at the request of the Planning Commission, submit sufficient information and data on the proposed subdivision to demonstrate the expected impact on and use of public facilities by possible uses of said subdivision. Public facilities and services to be examined for adequacy will include roads and public transportation facilities, sewerage, and water service.

- (1) Impact on Public Facilities. The applicant for a preliminary plat must, at the request of the Planning Commission, submit sufficient information and data on the proposed subdivision to demonstrate the expected impact on and use of public facilities and services by possible uses of said subdivision.
- (2) Water. All habitable buildings and lots shall be connected to a public water system capable of providing water for health and emergency purposes, including adequate fire protection.
- (3) Wastewater. All habitable buildings and lots shall be served by an approved means of wastewater collection and treatment.

(4) Storm Water Management. All developments must comply with the storm water management regulations of the City. Drainage improvements shall accommodate potential runoff from the entire upstream drainage area and shall be designed to prevent increases in downstream flooding. The City shall require the use of control methods such as retention or detention, and/or the construction of offsite drainage improvements to mitigate the impacts of the proposed development.

(5) Roads. Proposed roads shall provide a safe, convenient, and functional system for vehicular, pedestrian, and bicycle circulation; shall be properly related to the comprehensive plan; and shall be appropriate for the particular traffic characteristics of each proposed development.

(6) Extension Policies. All public improvements and required easements shall be extended through the parcel on which new development is proposed. Streets, waterlines, wastewater systems, drainage facilities, electric lines, and telecommunications lines shall be constructed through new development to promote the logical extension of public infrastructure. The City Engineer may require the applicant of a subdivision to extend offsite improvements to reach the subdivision or oversize required public facilities to serve anticipated future development as a condition of plat approval.

(c) Self-Imposed Restrictions. If the owner places restrictions on any of the land contained in the subdivision greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference to those restrictions may be required to be indicated on the subdivision plat, or the Planning Commission may require that restrictive covenants be recorded with the County Recorder of Deeds in a form to be approved by the City Law Director. When allowed by law, the subdivider shall grant to the City the right to enforce the restrictive covenants.

(d) Plats Straddling Municipal Boundaries. Whenever access to the subdivision is required across land in another local government, the Planning Commission may request assurance from the City Law Director that access is legally established, and from the City Engineer that the access road is adequately improved, or that a guarantee has been duly executed and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross municipal boundary lines.

(e) Monuments. The applicant shall place permanent reference monuments in the subdivision as required in these regulations and as approved by a Registered Land Surveyor.

(1) Monuments shall be located on street right-of-way lines, at street intersections, angle points of curve and block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street limits.

(2) The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than thirty (30) inches in length, not less than four (4) inches square or five (5) inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least thirty (30) inches long and one (1) inch in diameter. These monuments shall be placed not more than 1,400 feet apart in any straight line and at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line, and at all angle points along the meander line, those points to be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall with a street, or proposed future street, the monuments shall be placed in the side line of the street.

(3) All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by like monuments as described above. These monuments shall be placed at all block corners, at each end of all curves, at a point where a river changes its radius, and at all angle points in any line.

(4) The lines of lots that extend to rivers or streams shall be monumented in the field by iron pipes at least thirty (30) inches long and three-fourths (3/4) inch in diameter or by round or square iron bars at least thirty (30) inches long. These monuments shall be placed at the point of intersection of the river or stream lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.

(5) All monuments required by these regulations shall be set flush with the ground and planted in such a manner that they will not be removed by frost.

(6) All monuments shall be properly set in the ground and approved by a Registered Land Surveyor prior to the time the Planning Commission recommends approval of the final plat.

(f) Character of the Land. Land that the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features that will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Planning Commission, upon recommendation of the City Engineer, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses as shall not involve any danger to public health, safety, and welfare.

I, Sandra J. Fink, Clerk of Council of Wickliffe, Ohio, hereby certify the foregoing is a true copy of
Ordinance No. 2024-17 enacted by Council at its regular meeting on March 25, 2024.

Sandra J. Fink, Clerk of Council

(g) Subdivision Name. The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Planning Commission shall have final authority to designate the name of the subdivision, which shall be determined at sketch plat approval.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 121.22 of the Ohio Revised Code.

Passed: March 25th, 2024

Attest: Clerk of Council

Submitted to the Mayor for approval on

March 25th, 2024

First Reading February 20th, 2024

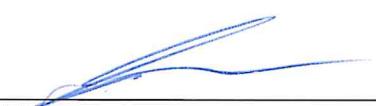
Second Reading March 11th, 2024

Third Reading March 25th, 2024



Council President - Presiding Officer

Approved: March 25th, 2024



Mayor
Passed March 25th, 2024
Yes 5 No 0

I, Sandra J. Fink, Clerk of Council of Wickliffe, Ohio, hereby certify the foregoing is a true copy of
Ordinance No. 2024-17 enacted by Council at its regular meeting on March 25, 2024.
Sandra J. Fink, Clerk of Council