

TEMPORARY ORDINANCE NO. 28-21

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND REPLACE LANCASTER CODIFIED ORDINANCE PART ELEVEN – PLANNING AND ZONING CODE, TITLE ONE – SUBDIVISION REGULATIONS, CHAPTER 1105, SECTION 1105.03 – SUBMITTAL OF MINOR SUBDIVISIONS (“LOT SPLITS”) (C) THROUGH (H) –AND CHAPTER 1109, SECTION 1109.06 STREETS, (D) DEDICATION OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER

WHEREAS, the City Engineer has recommended Zoning Code text amendments to require sidewalks and wheelchair ramps in all subdivisions and additional right of way dedication in minor subdivisions to comply with the City’s Thoroughfare Plan; and

WHEREAS, these changes are necessary to ensure pedestrian safety and that the City will have enough right of way to provide underground utilities to residents;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That Part Eleven – Planning and Zoning Code, Title One – Subdivision Regulations, Chapter 1105, Section 1105.03 – Submittal of Minor Subdivisions (“Lot Splits”) (c) through (h) –and Chapter 1109, Section 1109.06 Streets, (d) Dedication, of the Codified Ordinances of the city of Lancaster be repealed and replaced pursuant to Exhibit “1” and “2” attached hereto and incorporated by reference herein.

SECTION 2. That City Council hereby finds that this Ordinance was deliberated upon and passed in an open meeting in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Code Enforcement & Zoning Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2021 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council



1105.03 SUBMITTAL OF MINOR SUBDIVISIONS ("LOT SPLITS").

(a) If, upon receipt of an application referenced in Section [1105.02](#) above, the City Engineer determines that the proposed subdivision of land meets the following criteria, and then it shall be classified as a minor subdivision:

- (1) Adjoins an existing public street and does not involve opening, widening, extension or improvements of any roadway or the installation of any public utilities, or new easements deemed necessary by the City Engineer to provide future public utility service, and
- (2) Creates no more than five (5) lots including the remainder, and
- (3) Does not adversely affect adjoining land, and
- (4) Complies with the requirements of Chapter 711 of the Ohio Revised Code and applicable zoning regulations of the City or other area within which it is located.

(b) No minor subdivision shall be approved that utilizes the width of a street at the terminus of such street as the required frontage for the minor subdivision.

(c) All minor subdivisions shall comply with sidewalk and wheelchair ramp requirements located in Lancaster Codified Ordinance 1109.06(g).

(d) If the subdivision is considered a minor subdivision, the City Engineer shall review the existing right of way to determine if the proposed lot split meets the relevant criteria in the City's Thoroughfare Plan or if previous dedications have occurred through the major subdivision process. If the existing right of way fails to meet those specifications, the City Engineer shall require the applicant to dedicate the half width right of way required by the City's Thoroughfare Plan. This land shall be conveyed to the City in fee simple for public right of way use.

(ee) If the subdivision is considered as a minor subdivision, only such drawings and information as is determined necessary by the City Engineer to determine compliance with pertinent platting, zoning and other regulations need to be submitted for approval. At a minimum, the submitted material shall include a survey of the property by a registered Surveyor, a deed of the original tract, and a completed application form as provided for such purpose by the City Engineer.

(ef) After determination that such action meets the criteria for a minor subdivision, the City Engineer shall, within ten (10) working days after submittal, approve or disapprove said minor subdivision by indicating upon the preliminary plan "Approved (Disapproved) Lancaster Planning Commission", or he/she may refer such submittal to the Planning Commission. In cases of approval or disapproval, one (1) copy of the preliminary plan, with such notation thereon, shall be retained for the files of the Planning Commission, and one (1) copy shall be retained by the Code Administrator. The decision of the City Engineer may be appealed in writing to the full Planning Commission with thirty (30) days from the date of the approval or disapproval.

(eg) After approval of a minor subdivision, the Owner/Developer may submit a deed or deeds describing lots by metes and bounds, which shall conform to the approved preliminary plan. The City Engineer shall review such documents of conveyance to determine conformance with the preliminary plan as submitted. If such documents are in conformance, the City Engineer shall mark such deed or deeds "Approved, Lancaster Planning Commission, No Plat Required". Upon approval, the Owner/Developer shall pay all applicable fees to the city as established under separate Ordinance by City Council.

(fh) If no action on a proposed minor subdivision is taken within thirty (30) days from submittal, then the minor subdivision shall be considered as approved by the Planning Commission. (Ord. 5-01. Passed 2-26-01.)



1109.06 STREETS.

(a) General. The arrangement of streets shall generally conform to the Thoroughfare Plan for the City. For streets not indicated on the Thoroughfare Plan, the arrangements shall provide for appropriate extensions of existing streets.

(b) Classification, Street Widths and Street Grades. The arrangement and classification of all streets in newly developed areas shall conform to the Thoroughfare Plan. The City Engineer shall make the final determination as to the classification of any new street, based on the potential development of the site, and its potential traffic volume, expressed in ADT (Average Daily Traffic), the character of the surrounding area, and the Thoroughfare Plan. Rights-of-way, pavement widths and street grades shall be as specified by the Thoroughfare Plan and the City's Design Standards.

(c) Alignment.

(1) The street pattern shall make provision for the continuance of streets into adjoining areas and for the connection to existing rights-of-way in adjacent areas.

(2) If a subdivision adjoins or contains an existing or proposed arterial or major collector street, direct access points to such street shall be minimized. The Planning Commission may require marginal access streets or reverse frontage lots with a reserve strip of a minimum width of twenty feet (20') on the rear of those lots abutting the street, and no vehicular access across the strip.

(3) If a subdivision adjoins an existing or proposed arterial or major collector street, the Planning Commission may require the construction of separate turn lanes on such streets into the proposed subdivision.

(4) Local streets shall be laid out so as to discourage use by through traffic.

(5) Streets shall intersect one another at ninety (90) degrees, or as near to ninety (90) degrees as possible, but in no case less than seventy-five (75) degrees. The intersecting street must remain within these degree parameters for a distance of not less than one-hundred feet (100') from the intersection.

(6) Street jogs shall be discouraged. Where such jogs are unavoidable, in no case shall the centerlines be offset by less than 125 feet.

(7) The maximum length of a cul-de-sac shall be 600 feet, measured from the centerline of the intersecting street to the middle of the turn around.

(8) Half width streets shall be prohibited.

(9) Reserve strips controlling access to streets shall be prohibited except where the control of the access strip is placed solely with the City under conditions approved by the Planning Commission.

(10) Subdivisions should provide a minimum of two (2) access points to existing streets. Where it is not possible to provide a second access, a boulevard style entrance or emergency access shall be provided.

(d) Dedication. The necessary rights-of-way for widening or extensions of all thoroughfares, as delineated in the **Thoroughfare Plan** ~~City Street Design Standards~~ as issued by the City Engineer, shall be dedicated to public use. When a subdivision fronts on an existing City Street, or County or Township road, dedication shall be made to the proper authority.

(e) Blocks. Blocks shall not exceed 1,200 feet in length except where specific topographic conditions require a greater length.

(f) Street Names. The names of new streets shall not duplicate names of existing dedicated streets except that new streets which are extensions of existing streets shall bear the names of such existing streets. All new roadways shall be named according to the following manner:

DIRECTION	*SHORT STREETS	LONG STREETS
North/South	Place	Street
East/West	Court	Avenue
Diagonal	Way	Road
Curving	Lane or Circle	Drive

* Less than 1,000 feet

(g) Curbs, Gutters and Sidewalks. Curbs, gutters, sidewalks, and wheelchair ramps shall be required in all subdivisions ~~except those within the Residential Estate District (RE)~~. In no case shall a certificate of occupancy be granted for a building within a new subdivision where sidewalks are required, until such sidewalks on the lot are constructed and approved. All sidewalks within the subdivision shall be constructed not later than six (6) months after such time when eighty percent (80%) of the lots in the subdivision have been developed.

(h) Driveways.

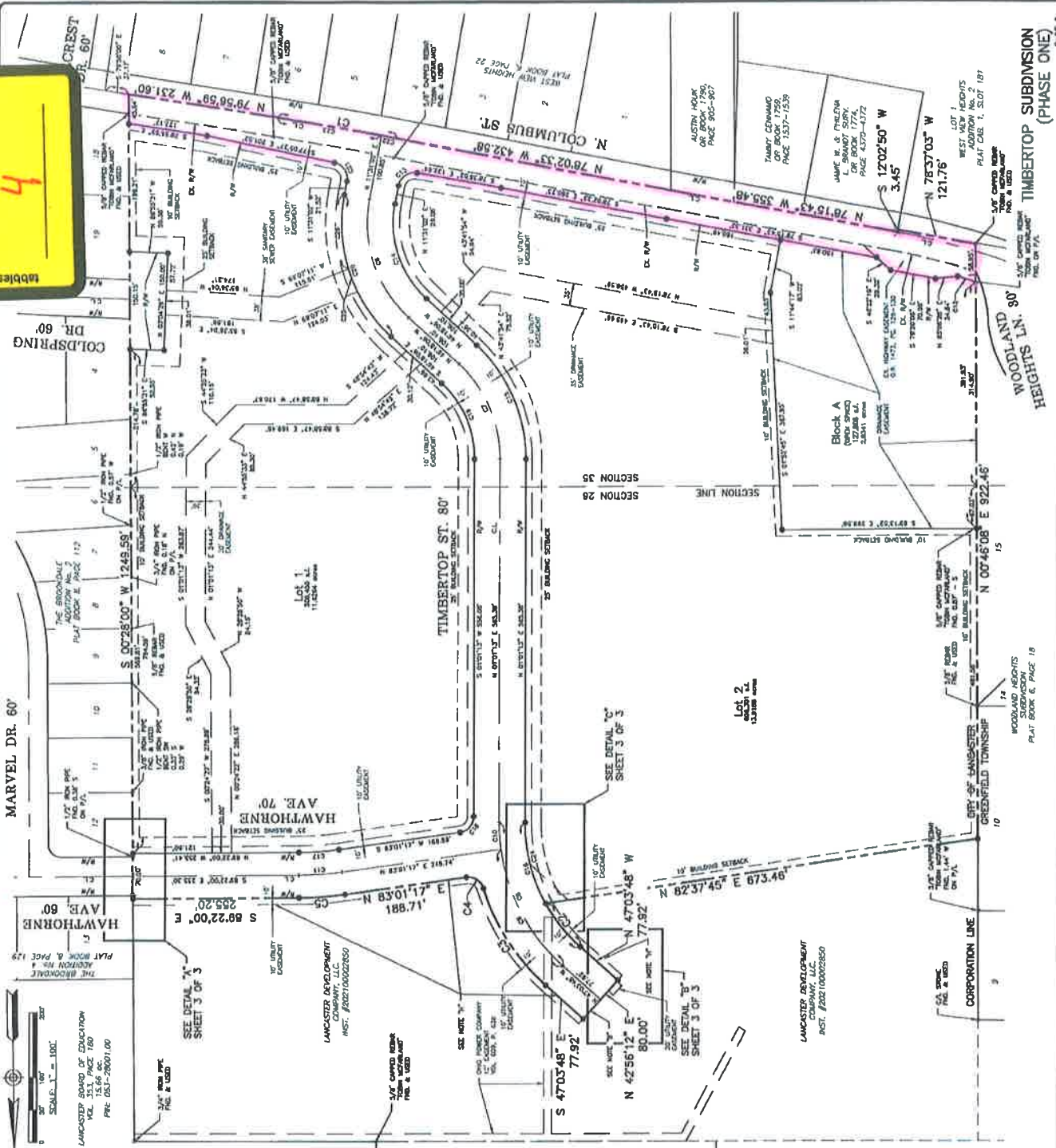
(1) All driveways shall be at least three feet (3') from the side lot line.

(2) No driveway shall be approved providing direct access from a single or two family residential lot to a street designated on the Thoroughfare Plan as an arterial or major collector street, except where no alternative access is available.

(Ord. 5-01. Passed 2-26-01.)



Major Subdivision Example



LEGEND

MEASUREMENTS
 * 1/4" = 100'
 * 1/8" = 50'
 * 1/16" = 25'

CURVE TABLE

CHORD BEARING	CHORD LENGTH	CHORD BEARING	CHORD LENGTH
C1	180.71	180.71	180.71
C2	180.71	180.71	180.71
C3	180.71	180.71	180.71
C4	180.71	180.71	180.71
C5	180.71	180.71	180.71
C6	180.71	180.71	180.71
C7	180.71	180.71	180.71
C8	180.71	180.71	180.71
C9	180.71	180.71	180.71
C10	180.71	180.71	180.71
C11	180.71	180.71	180.71
C12	180.71	180.71	180.71
C13	180.71	180.71	180.71
C14	180.71	180.71	180.71
C15	180.71	180.71	180.71
C16	180.71	180.71	180.71
C17	180.71	180.71	180.71
C18	180.71	180.71	180.71
C19	180.71	180.71	180.71
C20	180.71	180.71	180.71
C21	180.71	180.71	180.71
C22	180.71	180.71	180.71
C23	180.71	180.71	180.71
C24	180.71	180.71	180.71
C25	180.71	180.71	180.71
C26	180.71	180.71	180.71
C27	180.71	180.71	180.71
C28	180.71	180.71	180.71
C29	180.71	180.71	180.71
C30	180.71	180.71	180.71

NOTE 1: THE PURPOSE OF THIS PLAT IS TO SHOW CERTAIN PROPERTY, PLATTING AT THE REQUEST OF ZONING AND PLANNING AUTHORITIES AT THE TIME OF PLATTING. THIS PLAT SHOWS SOME OF THE LIMITATIONS THAT WILL APPLY TO THE PLATTING. THE LIMITATIONS AND REQUIREMENTS MAY CHANGE FROM TIME TO TIME AND SHOULD BE CHECKED WITH THE CITY OF LANCASTER, MISSOURI, AT THE TIME OF PLATTING. THE DEVELOPMENT LIMITATIONS OF THE ZONING CODE AS ADOPTED BY THE CITY OF LANCASTER, MISSOURI, SHALL APPLY TO THE PLATTING. THE DEVELOPMENT LIMITATIONS THAT MAY BE SHOWN ON THIS PLAT, THIS NOTICE SHOULD NOT BE CONSIDERED AS CREATING A PLAT OR SUBDIVISION. THE LAND OR TITLE INTERESTS OF ANY NATURE, EXCEPT TO THE EXTENT SPECIFICALLY IDENTIFIED AS SUCH.

NOTE 2: NO VEHICULAR ACCESS UNTIL SUCH TIME AS THE PUBLIC STREET FRONT OF WAY IS EXTENDED AND DEMONSTRATED BY PLAT OR DEED. REQUIRED BY THE ZONING CODE.

NOTE 3: UNLESS FRONT, SIDE AND REAR YARD SETBACKS AS REQUIRED BY THE ZONING CODE.

NOTE 4: AT THE TIME OF PLATTING, ELECTRIC, CABLE AND TELEPHONE SERVICE ARE SHOWN ON THIS PLAT. THE INSTALLATION AND MAINTENANCE OF THESE SERVICES FOR THE INSTALLATION AND MAINTENANCE OF THESE SERVICES SHALL BE THE RESPONSIBILITY OF THE OWNER. THE CITY OF LANCASTER, MISSOURI, SHALL NOT BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF THESE SERVICES. THE CITY OF LANCASTER, MISSOURI, SHALL NOT BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF THESE SERVICES.

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