

FIRST READING: 11-13-17
SECOND READING: 11-27-17
THIRD READING: 1-22-18

ORDINANCE NO. 80-17

BY: JOHN B. SHEPHERD

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 1107.03 OF THE DEVELOPMENT CODE ENTITLED "PRELIMINARY DESIGN PLAN", AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

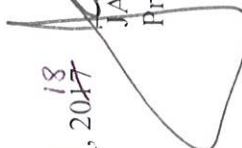
WHEREAS: the Administration of the City of Rocky River, has deemed it necessary to amend Section 1107.03 of our Codified Ordinances regarding the time in which to submit an application for approval of a preliminary design plans prior to the meeting of the Planning Commission; and

WHEREAS: it is the desire of the Administration and Council of the City of Rocky River that Section 1107.03 of the Codified Ordinances of the City of Rocky River concerning the time in which to submit an application for approval of a preliminary design plans prior to the meeting of the Planning Commission be amended, as further described in the attached Exhibit "A"; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That Section 1107.03 entitled "Preliminary Design Plan" of the Development Code of the Codified Ordinances of the City of Rocky River be amended as further described in the attached Exhibit "A".

PASSED: January 22nd, 20¹⁸

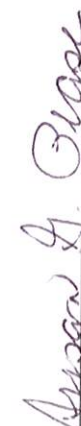

JAMES W. MORAN
President of Council

PRESENTED

TO MAYOR: January 22nd, 20¹⁸

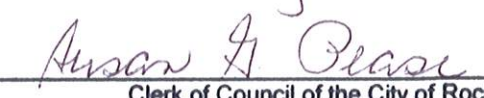
APPROVED: January 22nd, 20¹⁸

ATTEST:


SUSAN G. PEASE
Clerk of Council


PAMELA E. BOBST
Mayor

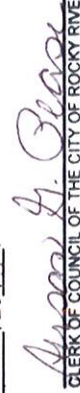
I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 22nd day of January, 20 18.


Clerk of Council of the City of Rocky River, Ohio

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 80-17 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 22nd DAY OF January, 20 18 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 80-17

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 22nd DAY OF January, 20 18.


CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

1107.03 PRELIMINARY DESIGN PLAN.

(a) Application. The developer, having availed himself of information in regard to regulations, requirements and any special problems identified through the procedures set forth in the preceding Section, may file an application for approval of the preliminary plan. The written application shall include six (6) black line or blue line prints of the preliminary plan, or plans, along with the surveys, improvement plans and other documents as required by Chapter 1113 and such other material as the City may require, to the Building Division. Application shall be submitted at least fourteen (14) calendar days prior to the next regular Commission meeting to be included on the agenda.

The principal purposes of the preliminary plan are to explore the best design of the subdivision and its relationship to adjoining developments or vacant land, to ascertain whether it is an improvement to the local street pattern as shown on the adopted Street Plan, to outline the program of land improvements and, moreover, to obtain the suggestions and recommendations of the Commission before a firm plan is prepared.

Wherever construction of buildings is involved, the preliminary subdivision plan may be combined with an application for a Planned Unit Development of buildings as set forth in Chapter 1175 of the Zoning Code.

(b) Planning Commission Action. When the Building Division receives such application, together with all of the maps, drawings, data and plans as required in Chapter 1113, the Division shall place such application on the agenda of the next regular meeting of the Planning Commission for preliminary discussion. One (1) copy shall remain in the Building Division and one (1) copy shall be referred to the Commission's planning consultants for their review and report as to compliance with all relevant regulations, standards and criteria and recommendations for general improvements to the design. Within fourteen (14) days from receiving a preliminary plan, the City Engineer and the planning consultant shall make their reports to the Commission. If adjoining unsubdivided land or lots are directly affected by a street connection or other features, the Commission shall schedule a public hearing and notify by mail the owners of the adjoining unsubdivided land or lots as shown upon the current records of the County Recorder, of the time and place of the hearing.

If the Commission, after an evaluation of the preliminary plan and reports of the City Engineer and planning consultant, approves or approves conditionally, the plan, the chairman and the secretary shall affix their signatures to six (6) copies of the plan with a notation that the developer is authorized to proceed thereon, subject to such special conditions as the Commission may attach. After such approval, the Commission shall return one (1) copy to the developer, submit one (1) copy to the Mayor, file one (1) copy with the Clerk, retain two (2) copies, and file one (1) copy with the Building Division. If the Commission fails to approve the preliminary plan, it shall state in its records the reason for such disapproval. The Commission shall approve, approve conditionally or disapprove within forty-five (45) days after the meeting at which the preliminary plan was received, or within a mutually agreed upon extension.

(c) Effect of Authorization to Proceed. The approval authorizes the developer to proceed using the preliminary plan as the basis for preparing the final plat and assures him that within a nine (9) month period from the date of such authorization, that the relevant regulations of the City and any special conditions attached to the approval of the plan will not be changed;

provided the developer shall submit the final plat and documents for approval for the whole or part of the subdivision within nine (9) months; otherwise, the approval of the preliminary plan shall be considered null and void, unless the Commission extends the time.

(Ord. 58-73. Passed 7-23-73; Ord. 80-17. Passed 01-22-18.)