

Chapter 1129: Subdivision Design

1129.01 Purpose

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

- (a) Establish standard requirements, conditions, and procedures for the design and review of subdivisions;
- (b) Provide for the orderly subdivision of land;
- (c) Encourage the wise use and management of land and natural resources throughout the City;
- (d) Ensure that adequate public infrastructure, facilities and services are available concurrent with development;
- (e) Encourage a beneficial relationship between the uses of land and circulation of traffic throughout the City, and to provide for the proper location and design of streets; and
- (f) Provide adequate utility systems to support the future needs of the system.

1129.02 Applicability

The developer of a subdivision, a multi-family development, or a nonresidential development 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 the Comprehensive Plan, water and sewer plans and any other applicable plans or policies of the City of Wooster.

1129.03 Conformity to Development Plans, Zoning, and Engineering Standards

- (a) The arrangement, character, extent, width and location of arterial, collector and local streets or highways shall conform with the Thoroughfare Plan for the City, which is part of City of Wooster Comprehensive Plan, current edition and is on file in the office of the Zoning Administrator, and with the provisions of the regulations of this chapter. Streets not contained in the Official Thoroughfare Plan should conform to the recommendation of the Commission based on existing and planned streets, topography, public safety and convenience and proposed uses of land.
- (b) Any plans or documents submitted for subdivision or development plan approval shall conform with the following:
 - (1) The Engineering Construction Standards, current edition;
 - (2) The Erosion and Stormwater Runoff Control Manual for Development and Improvement, current edition; and
 - (3) Any other policies or procedures promulgated by the City Engineer regarding the construction of public improvements.
- (c) The specifications of the City shall in all respects govern all construction work. The work shall be done under City supervision and inspection. It shall be completed within the time fixed or agreed upon by the City Engineer.

1129.04 Installation of Public Improvements and Financial Guarantees

- (a) The public improvements that are required as part of a subdivision in this code shall be provided and installed by the developer in accordance with the provisions this code and any other applicable codes, ordinances, and engineering documents of the City.
- (b) Drawings and specifications for public improvements shall be reviewed and approved by the City Engineer and the installation shall be subject to the Engineer's continuous inspection. The installation of all public improvements required by this code shall be completed in accordance with such drawings and specifications.
- (c) Agreements to install such improvements shall be approved concurrent with the Planning Commission's approval of the final plat or the approval of a final development plan. See Section [1105.07](#).
- (d) At the completion of construction, and before acceptance of the public improvements, the developer shall furnish the City a set of record or "as-built" reproducible drawings as well as a digital copy that is compatible with the City Engineer's CAD software showing the locations of all public improvements including the sizes and elevations of all underground utilities.
- (e) The improvements required are determined according to the accessibility of a sewer system and a public water supply, stormwater runoff, drainage requirements, the relationship to existing or planned streets, the type and size of lots required by this code for the applicable zoning district in which the subdivision or development is located, and any other applicable site development issues that fall under the category of public improvements. For improvements within a subdivision, multi-family development, or nonresidential development:
 - (1) Land for rights-of-way for all local streets within the subdivision or development and for all secondary or major streets within or along the boundary of the subdivision or development shall be dedicated by the developer and all easements shall be provided. See [Chapter 1125: Parking, Access, and Mobility](#).
 - (2) Utilities shall be furnished and installed as hereinafter required and they shall be of such sizes and capacities as are required for the proposed development or subdivision.
- (f) **Off-Site Improvements**
 - (1) Where the construction, improvement, development, or subdivision of land makes necessary, at least in part, the installation of new or improved sewerage, water, or drainage facilities located outside the property limits of the development, the developer shall pay a proportionate share of the cost of the facilities, in accordance with this sub-section.
 - (2) No such payment shall be required until the City Council has established, or has committed itself by ordinance, to the establishment of a general sanitary sewer, water or drainage improvement program for an area having related and common sanitary sewer, water and drainage conditions, or any of them, and within which the land to be developed is located. The City may develop and administer all three programs together or any one, or other number, separately or jointly.

- (3) The program shall include regulations that establish reasonable standards to determine the proportionate share of the total estimated cost of ultimate sanitary sewerage, water and drainage facilities required adequately to serve a related and common area, when and if fully developed in accord with the comprehensive plan, that shall be borne by each developer within the area.
- (4) The share to be borne by each developer shall be limited to the proportion of such total estimated cost which the increased sanitary sewerage flow, water use or increased volume and velocity of stormwater runoff to be caused by the proposed development bears to the total estimated volume and velocity of such sanitary sewerage, water or runoff from such area in its fully developed state. In calculating the volume and velocity of stormwater runoff, the City shall take into account the effect of all on-site stormwater facilities or best management practices constructed or required to be constructed by the developer and give appropriate credit therefore.
- (5) Each such payment received shall be expended only for the necessary engineering and related studies and the construction of those facilities for which the payment was required and, until so expended, shall be held in an interest-bearing account for the benefit of the developer. In lieu of such payment, the City Engineer may accept a letter of credit satisfactory to the City Engineer conditioned upon the payment at the commencement of construction. The payments received shall be kept in a separate account for each of the individual improvement programs until such time as they are expended for the improvement program. All payments shall be released and used, with any interest earned, as a tax credit on the real estate taxes on the property if construction of the facilities identified in the established water, sewer and drainage programs is not commenced within twelve years from the date of the posting of the payment.
- (6) Nothing in this section shall imply or constitute an obligation on the part of the City to upgrade or construct any sanitary sewerage, water or storm drainage facilities or prevent the developer from constructing on his own account and to satisfy his own schedule such off-site facilities necessary or desirable for the safe and proper provision of utility service to the development in accordance with this subdivision ordinance and other ordinances of the City.

(g) Financial Guarantees for Public Improvements

- (1) The subdivider or developer shall execute financial guarantees and shall file such financial guarantees with the City prior to approval of a development plan or certification of a final plat, if the applicant does not propose to construct the required public improvements or private streets prior to receiving certification of the final plat or approval of the development plan. Such financial guarantee shall take any form allowed in Section [1129.04\(g\)](#).
- (2) The financial guarantee shall be an obligation for the faithful performance of any and all work and the construction and installation of all public improvements required to be done by the subdivider, together with all engineering and inspection costs and fees incurred by the City.

(3) Guaranteed Amount

- A.** The financial guarantees shall be in an amount equal to the estimated total costs of materials and labor required to install or construct the improvements. The City Engineer shall determine such costs. When any portion of the improvements has, upon inspection, been found satisfactorily completed, a reduction in the bonds or partial withdrawal of funds equal to the estimated costs of such completed improvements may be authorized.
 - B.** Where applicable, engineering, plan review, and construction review fees, etc., shall be required to be a part of the engineer's cost estimate.
 - C.** After a period of two years from the date of submittal, the City Engineer may require that a revised engineer's estimate and bond be submitted that reflects updated unit prices.
- (4)** The terms of such financial guarantees shall be determined by the Law Director, with confirmation by the City Engineer.

(5) Subdivision Agreements

- A.** Where the subdivider chooses to post a financial guarantee in lieu of completion of those public improvements shown on the approved engineering plan and/or final plat in order to allow for the recordation of the final prior to completion and acceptance of all required public improvements, the subdivider shall be required to enter into a subdivision agreement.
 - B.** The subdivision agreement shall be approved as to content and form by the City's Law Department, with confirmation by the City Engineer, prior to approval of the final plat by the Planning Commission. The City shall provide to the subdivider a sample subdivision agreement during review of the final plat.
 - C.** When an applicant for a development plan is required by this code to construct the improvements shown on an approved development plan, the applicant shall enter into an agreement, approved as to content and form by the City's Law Department, with the City prior to approval of the development plan.
- (6)** The financial guarantee and subdivision agreement shall contain the further condition that should one of the following conditions exist, the City may, at its option, cause all required work to be done and public improvements constructed by using the financial guarantee.
- A.** The installation of all required public improvements as called for in these regulations has not taken place within the time period agreed on in the subdivision agreement with the City, and the subdivider has failed to establish reasonable cause for such delay to the satisfaction of the City Council and thereby to receive a time extension; and/or
 - B.** The subdivider has not constructed the required public improvements in accordance with the minimum standards specified by these regulations, and the subdivider is unwilling to modify and upgrade said public improvements within a six-month time period of notice so as to be in compliance with the provisions of these regulations.
- (7)** The parties executing the financial guarantee shall be firmly bound for the payment of all necessary costs therefor.
- (8)** Unit prices used in the engineer's cost estimate shall be based upon unit costs associated with public contracting (i.e., prevailing wage rates).

- (9) Financial guarantees shall be made payable to the City of Wooster and be acceptable to the City Engineer and the Law Director.
- (10) Incomplete public improvements that the City Engineer determines will constitute a safety hazard or maintenance issue, or will prevent the effective functioning of the public improvements, shall be required to be completed prior to the approval of a final plat.

(11) Street, Utility, and Improvements Maintenance

The developer shall guarantee the construction and materials of the street, utilities, and public improvements for a two-year period after acceptance by the City. In order to secure the guarantee, the developer shall deposit an amount equal to 50% of the total cost of the construction of the streets, utilities, and public improvements as determined by the City Engineer. The deposit shall be in the form of a financial guarantee as allowed in Section [1129.04\(g\)](#).

(12) Types of Financial Guarantees

The following are the types of financial guarantees allowed by the City. The standards for each type of guarantee shall apply to any situation where a financial guarantee is required, regardless if it is related to a subdivision application or not.

A. Irrevocable Letter of Credit

The following standards shall apply if an irrevocable letter of credit is utilized as a financial guarantee:

- i. The subdivider shall provide an irrevocable letter of credit from a bank or other reputable institution or individual subject to the approval of the City Law Director and City Engineer.
- ii. The letter shall be deposited with the City, and shall certify the following:
 - a. The creditor guarantees funds in an amount equal to the cost, as estimated in accordance with Section [1129.04\(g\)](#), for completion of all required public improvements.
 - b. In the case of failure on the part of the subdivider to complete the specified public improvements within the required time period, the creditor shall pay to the City immediately and without further action such funds as are necessary to finance the completion of those public improvements, up to the limit of credit stated in the letter.
 - c. This irrevocable letter of credit may not be withdrawn or reduced in amount until released by the City Engineer in accordance with this chapter.

B. Certified Check, Wire Transfer, Escrow, or Cash Deposit

The following standards shall apply if cash is utilized as a financial guarantee:

- i. The subdivider shall provide a certified check, wire transfer, escrow to a third-party escrow account, or cash deposit for the amount of the guarantee, payable to the City of Wooster.
- ii. If a third-party escrow account is to be established, the account shall be with a bank approved by the Law Director and shall be in an account set up for the sole ownership of the City.
- iii. When the public improvements are complete, the City shall issue a check for the released amount based on this subsection.

- iv. The City shall not be responsible for paying interest for the period of time the City retains the guarantee.

C. Bonds

The following standards shall apply if a bond is utilized as a financial guarantee:

- i. A bond in the amount determined in accordance with this section shall be filed with the City of Wooster.
- ii. The bond may be in the form of a surety bond or a cash bond of the kind approved by law for securing deposits of public money.
- iii. The bond shall be executed by the subdivider as principal, and if a surety bond, shall be executed by a corporation authorized to act as a surety under the laws of the State of Ohio.

(h) Insurance

The developer shall agree to indemnify and hold harmless the City against and from any and all loss, cost, damage, liability, and expense on account of damage to property of, or injury to or death of, the parties or a third person caused by or in any way whatsoever attributable to the construction of the improvements and the use of streets delineated on a subdivision plat/plan or a development plan during construction. The developer shall further agree, but without limiting its liability to indemnify the City, to carry liability insurance contracts in an amount determined by the City for injury to or death of persons, and for damage to or destruction of property, which insurance contracts shall include the City as a named insured. The developer shall further agree to maintain on file with the City during the period of such construction, certificates or memoranda of insurance evidencing that such insurance contracts are in force.

(i) Protection of Streets, Utilities, and Other Installations

- (1) The subdivider shall provide the City Engineer with a plan for the routing of construction equipment and traffic with the objective of alleviating any need to traverse adjacent off-site residential streets. In exceptional cases, where no reasonable alternative exists or can be provided, construction equipment may be permitted the use of collector streets for a predetermined time period. The contractor shall be permitted to operate only pneumatic-tired equipment over any paved street surfaces and shall be responsible for correction of any damage to street surfaces in any manner resulting from the contractor's operation. During the period of use, such streets shall be kept reasonably free of debris, based on periodic inspections by the City and in accordance with approved sedimentation and erosion control measures.
- (2) The subdivider and their contractors shall protect the pavement against all damage prior to final acceptance of the work including damage created by the contractor's construction equipment and vehicles, as well as general traffic. As soon as curing and sealing are completed, the contractor shall clean the pavement free of all debris and construction equipment.
- (3) The subdivider and their contractors shall at all times take proper precautions for the protection of utility lines, the presence of which can be determined by contacting the Ohio Utilities Protection Service (OUPS). The subdivider shall be financially responsible for the repair of any damage to such utility lines.

1129.05 General Design Standards

(a) Traffic Control Devices

The subdivider shall provide all traffic control devices for the proposed development, including, but not limited to, traffic signals, signs, pavement markings and the like. Refer to the Ohio Manual of Uniform Traffic Control Devices (OMUTC) for details of the devices to be used, and, in some cases, warrants for their use.

(b) 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 zoning compliance inspection. 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.

(c) 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.

(d) Topography, Natural Vegetation, and Flooding

- (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)** 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.
- (3)** Floor elevations of all buildings shall be carefully studied in relation to existing topography, proposed street grades, existing trees and other pertinent site features.
- (4)** The subdivision shall be designed to minimize development in any floodplain or floodway as defined by FEMA. The platting of lots for residential occupancy in a 100-year floodplain shall be discouraged unless the subdivider can document that any habitable structure shall be located outside the 100-year floodplain.

(e) Homeowners' or Property Owners' Associations

See Section [1121.06](#) for requirements for homeowners' or property owners' associations.

(f) 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 Wayne County. The City shall have final authority to designate the name of the subdivision.

(g) Street Trees

Street trees shall be provided in accordance with Section [1123.04](#).

(h) Street Lights

- (1) The developer shall indicate on his plans where electric street lighting service shall be installed in the development. The developer shall provide streetlights in all major subdivision, and the electric services shall be underground. The developer shall submit two sets of preconstruction drawings to the electric utility company, who shall return one copy of their street lighting recommendations to the City Engineer prior to final acceptance of the preconstruction drawings for the development by the Engineer.
- (2) The developer shall bear the cost of trenching and any special backfilling required for the installation of streetlights. Underground conduits for streetlights shall be installed at the same time the street is constructed, and shall be installed according to the plans developed by the electric utility company. The developer shall be responsible for furnishing the required easements and such easements shall be shown on the final plat.
- (3) In addition, the developer shall bear the cost difference between a normal street light installation and shall bear the cost difference of operating the more aesthetic installation for a period of twenty-two years. Such cost differences shall be paid in an advance lump sum payment according to the schedule on file in the City Engineer's office.

(i) Monuments and Markers

- (1) A complete survey shall be made by a registered surveyor.
- (2) When necessary in accordance with the accepted surveying practice and legal requirements the surveyor shall set boundary monuments so that, upon completion of the survey, each corner of the property and each referenced control station shall be physically monumented.
- (3) When it is impossible or impracticable to set a boundary monument on a corner, the surveyor shall set a reference monument, similar in character to the boundary monument and preferably along one of the property lines which intersect at that corner. When such a reference monument is used, it shall be clearly identified as a reference monument on the plat of the property and in any new deed description that may be written for the property.
- (4) Every boundary monument and/or reference monument set by the surveyor shall, when practicable:
 - A. Be composed of a durable material;
 - B. Have a minimum length of 30 inches;
 - C. Have a minimum crosssection area of material of 0.2 square inches;
 - D. Be identified with a durable marker bearing the surveyor's Ohio registration number and/or name or company name; and
 - E. Be detectable with conventional instruments for finding ferrous or magnetic objects.
- (5) When a case arises, due to physical obstructions such as pavements, large rocks, large roots, utility cables, etc., so that neither a boundary monument or a reference monument can be conveniently or practicably set in accordance with Subsection [1129.05\(i\)\(4\)](#) hereof, then alternative monumentation which is essentially as durable and identifiable (i.e., chiseled "X" in concrete, drill hole, etc.) shall be established for the particular situation.

- (6) Per the City of Wooster Engineering Construction Standards, current edition, monuments shall be located at all intersections and changes in street alignment as well as whenever designated by the City Engineer.

(j) Maintenance and Operations

- (1) Where the development contains sewers, sewage treatment plants, water supply systems, stormwater management facilities or other physical features necessary or desirable for the welfare of the area and which are of common use or benefit and which are of such character that the City or other public agency does not desire to maintain them, such facilities shall be maintained by a the property owner, the homeowners' association or an equivalent agency. Documents creating an association and detailing maintenance responsibilities shall be submitted in a form that is acceptable to the Law Director for the proper and continuous maintenance and supervision of such facilities.
- (2) In the event the property owner, agency, or homeowners' or owners' association, hereafter referred to as the agency, established to own and maintain the facilities, or any successor agency, shall fail to fulfill any obligation imposed on such agency as a condition of approval of the development, the City may serve written notice upon such agency or upon the residents and owners of the development, setting forth the manner in which the agency has failed to fulfill its obligation. The notice shall include a demand that such deficiencies be cured within the time specified within the notice. If such deficiencies are not cured within the specified time, the City, in order to preserve the taxable values of the properties within the development and to prevent the facilities from becoming a public nuisance, may enter upon the facilities and maintain the same and perform the other duties of the agency until such agency shall again resume its obligations. All costs incurred by the City in carrying out the obligations of the agency shall be assessed against the properties within the development and shall become a tax lien on the properties.

1129.06 Lot and Block Design

(a) Lots

The following regulations shall govern the design and layout of lots.

- (1) The lot arrangement and design shall be such that all lots will provide satisfactory building sites that can accommodate a structure and required setbacks in the applicable zoning district. The lots shall be more or less rectangular in form; triangular, elongated, or other shapes that restrict its use as a building site shall be avoided to the maximum extent feasible.
- (2) All lots shall conform to, or exceed, the requirements of the site development standards for the applicable zoning district.
- (3) In case of unusual soil conditions or other factors which may impair the health and safety of the neighborhood in which a subdivision may be located, upon the recommendation of the appropriate Board of Health or the City Engineer, the Planning Commission may require larger lot widths and sizes, as deemed necessary.
- (4) No lot shall have an average depth that is more than two and one-half times its average width. Where extraordinary and unnecessary hardship may result from strict compliance with this regulation, the Zoning Administrator, in consultation with the City Engineer, may vary this requirement.

- (5) All side lot lines shall be at right angles to street lines and radial to curved street lines except where the Planning Commission determines that a variation to this rule will provide a better street and subplot layout.
- (6) Lot lines at street intersections shall be rounded with a minimum radius of 25 feet.
- (7) On curved streets the arc of the front lot line or a rear lot line shall be not less than 60 percent of the required width at the building line.
- (8) Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.
- (9) Each lot shall front on an improved, dedicated street. Lots may abut a private street in accordance with Section [1129.07](#).
- (10) Typically, panhandle lots or through lots shall be discouraged and may only be approved if necessitated by unique features or other special physical conditions as deemed necessary by the Planning Commission. These lots shall meet the requirements established for the applicable lot type in Section [1115.01\(d\)](#).
- (11) Through lots abutting an arterial street and fronting on a local street within a subdivision shall be of sufficient depth so as to provide for a minimum rear setback of 70 feet. Within this setback, a 20-foot buffer strip shall be reserved abutting the arterial street for the planting of screening. This screening shall include dense vegetative plantings incorporating trees and/or shrubs of a variety which shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid, continuous visual screen within three years after the initial installation. At a minimum, at the time of planting, the spacing of trees shall not exceed 12 feet on center, and the planting pattern shall be staggered. Shrubbery shall be more closely spaced.
- (12) For subdivisions located within three miles of the corporate limits of the City, the developer or subdivider shall comply with the criteria listed in [Table 1129-1](#). Except in case of unusual soil conditions or other factors which may impair the health and safety of the neighborhood in which a subdivision may be located, upon the recommendation of the appropriate Board of Health or the City Engineer, the Planning Commission may require larger lot widths and sizes, as deemed necessary.

TABLE 1129-1: MINIMUM LOT CHARACTERISTICS FOR AREAS OUTSIDE OF THE CORPORATE LIMITS OF THE CITY OF WOOSTER		
Type of Development	Minimum Width at Building Line	Minimum Lot Sizes [1]
Single-Family	60 feet	6,500 square feet
Two-Family	80 feet	10,800 square feet
Multi-family (3 or more dwelling units)	80 feet	4,350 per dwelling unit
Commercial	100 feet	20,000 square feet
Industrial	200 feet	2 acres
<p>NOTE: [1] These regulations are based on the provision of group water and/or sewer facilities. If proposed subdivisions are based on individual water and/or sewer facilities, the minimum lot size shall be that which will be approved by the appropriate Board of Health for individual water and/or sewer facilities except that in no case shall lots be smaller for subdivisions located within three (3) miles of the corporate limits of the City that are permitted in Table 1191.04.</p>		

(13) Setbacks Outside of the City of Wooster's Corporation Boundary

Where the subdivided area is not under zoning control and is to be used for residential purposes, the average front building setback shall not be less than 30 feet from the right of way of the street or thoroughfare upon which the lots front. Restrictions requiring greater setbacks than the above may be required for commercial and industrial uses and for residential uses along arterial and collector streets as determined by the Planning Commission.

(b) Blocks

The following regulations shall govern the design and layout of blocks.

- (1) The arrangement of blocks shall be such as to conform to the street planning criteria set forth in Section [1129.07](#) and shall be arranged to accommodate lots and building sites of the size and character required for the zoning district as set forth in this code.
- (2) When a parcel is too small to be laid out economically for the use intended and would result in fractional or odd shaped lots, the Commission may request the developer to include adjoining unsubdivided land so a complete block may be planned and developed as a unit.
- (3) Subdivisions for single-family residential uses shall be designed with blocks of sufficient width to permit two tiers of lots of appropriate depth, except where an interior street parallels a limited access highway, arterial street, or railroad right-of-way. Such blocks shall have a minimum length of 800 feet and a maximum length of 1,500 feet. In reviewing the subdivision plat, the Planning Commission can modify these requirements for blocks that will be located adjacent to nonresidential uses or where there are unusual topographic or natural features.
- (4) Irregularly shaped blocks, those intended for cul-de-sac or loop streets, and those containing interior parks or playgrounds, may be approved if properly designed and located and if the maintenance of interior public spaces is covered by agreements.
- (5) Blocks that will contain multi-family dwellings or nonresidential uses shall be adequate to accommodate the building sites and provide the yards, setbacks, service drives, off-street parking and other required facilities, and shall be designed for unit development and not necessarily according to the typical lot and street pattern.
- (6) Where blocks are over 750 feet in length or at the end of a cul-de-sac, pedestrian ways having a minimum right-of-way or easement of 30 feet shall be required for access to schools, playgrounds or bus stops, or to other public facilities where convenient pedestrian circulation has not been provided by sidewalks and or streets. The Planning Commission may eliminate or lessen the requirements of this subsection based on the following: the existing sidewalk network in the area; topographic and/or other natural constraints; and other similar circumstances.

1129.07 Streets and Thoroughfares

(a) General Street Design

- (1) The arrangement, character, width, grade, construction and location of all streets shall conform to the comprehensive plan, or other applicable street plans, for the City that are in effect at the time of final plat submission.
- (2) Such design elements shall be considered in their relation to existing and planned streets, topographical conditions and public convenience and safety and in their appropriate relation to the proposed uses of the land to be served by such streets.
- (3) The street layout shall provide access to all lots and parcels of land within the subdivision.
- (4) When a proposed development is adjacent to or contains a State highway, the developer and the Planning Commission should seek information from the Ohio Department of Transportation as to the status of such highway in reference to width and direction and also to access of such highway.
- (5) Access control at major arterials and highways shall be taken into consideration in the design of the subdivision plat. The City or ODOT has the right to define and limit access along major arterials or highways.
- (6) The subdivider shall provide within the boundaries of the subdivision plat the necessary right-of-way for the widening, continuance or alignment of such streets in conformity with the comprehensive plan or other applicable street plans.
- (7) Where practical, the arrangement of streets in new subdivisions shall make provision for the continuation of existing streets in adjoining areas.
- (8) Where adjoining areas are not subdivided or developed, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets (i.e., provide for temporary dead-end streets where street connections can be made to the adjacent land) as required by the City Engineer.
- (9) New subdivisions shall be based on a grid or modified grid system to the maximum extent feasible.
- (10) Streets shall be related appropriately to the topography:
 - A. A subdivision/development shall be planned so that as many lots as possible will be above the street grade.
 - B. On irregular topography, streets shall be designed to avoid extensive cuts and fills and to comply with grading standards hereinafter established for streets.
 - C. Streets approximately parallel to contour lines shall be adjusted so that the lots on one side of the street will not be excessively below the street grade.
 - D. Street grades shall conform as closely as practicable to the original topography.
- (11) A street that is not constructed to City standards will not be accepted by the City for dedication as a public street.
- (12) Approval shall not be given for streets within a subdivision which would be subject to flooding. All streets must be located at elevations which will make them flood-free, in order that no portion of the subdivision would become isolated by floods.

- (13) Residential streets shall be designed to discourage through traffic that may otherwise use collector or arterial streets and whose origin and destination are not within the subdivision. However, offset streets should be avoided. Residential streets extending for a considerable distance, parallel to any collector or arterial street, should be avoided.
- (14) Dedicated streets for multi-family developments shall be planned to connect with arterial or collector streets so as not to generate large volumes of traffic on local residential streets.
- (15) Dedicated streets for commercial and industrial developments shall be planned to connect with arterial streets so as not to generate traffic on local residential streets. The Planning Commission may require the dedication and improvement of service roads along arterial streets.
- (16) In the interest of public safety, and as a matter of policy, all points of ingress and egress shall be located as far as possible from the intersection of two or more major arterial streets or highways.

(b) Street Names, Signs, and Numbering

- (1) Street names shall be selected that will not duplicate or be confused with the names of existing streets in the City of Wooster and in Wayne County irrespective of modifying terms such as street, avenue, boulevard, etc. Streets that are or will eventually be continuations of existing or platted streets shall be named the same. Street names shall be included on the preliminary plan and final plat.
- (2) When a new street is a direct extension of an existing street, the name shall remain the same.
- (3) The developer, at his/her expense, shall install traffic control devices within the subdivision and where subdivision streets connect with existing streets in accordance with the recommendations of the traffic impact study. These devices shall meet all applicable standards in the City of Wooster Engineering Construction Standards, current edition.
- (4) Address numbers shall be assigned by the City in accordance with the current numbering system.

(c) Street Classification

Each public street in a proposed development shall be classified as an arterial, collector, or local street. In classifying streets, the City shall consider projected traffic demands after the completion of the entire development. Streets shall be designed according to the following:

(1) Arterial Street

Arterial streets shall not bisect residential neighborhoods but act as boundaries between them. Abutting residential properties shall not face on the roadway unless separated from it by a service road. Access onto arterial streets shall be limited pursuant to the standards in the State of Ohio Department of Transportation State Highway Access Management Manual, current edition and the City of Wooster Engineering Standards. On-street parking shall be prohibited and traffic regulation shall be accomplished by traffic control devices and channelization.

(2) Collector Street

A collector street shall be permitted to have direct, managed access to abutting properties. Regulation of traffic between a collector street and other street types shall be accomplished by traffic control devices. On-street parking may be permitted.

(3) Local Streets

Direct access to abutting properties shall be permitted from local streets. On-street parking may be permitted.

(d) Level of Service Requirements

No development shall be approved if such development, at ultimate build out, will result in or increase traffic on the arterial or collector street to which it is connected, so that the arterial or collector street functions at an average daily traffic Level of Service (LOS) "D" or worse as described in the Highway Capacity Manual" prepared by the Transportation Research Board. The applicant shall mitigate the impacts from the proposed development to ensure adequate roadway capacity at an average daily traffic LOS "C" or better.

(e) General Street and Right-of-Way Design Standards

(1) All public streets shall be constructed in accordance with Engineering Construction Standards, current edition, except where the City Engineer determines that a higher standard is warranted due to unusual conditions.

(2) Minimum Street Right-Of-Way, Pavement Widths, and Curb/Gutters

- A.** The minimum right-of-way and pavement width of public streets shall conform to the width designated in [Table 1129-2](#). The Planning Commission in their review of the proposed subdivision or development plan may vary this width when an increased width is recommended in the Comprehensive Plan, or necessary to accommodate a boulevard, or a reduced width is permitted for a Cluster Residential Development.
- B.** Right-of-way widths for public streets in Planned Developments shall be subject to the approval of the Planning Commission, with review and recommendation from the City Engineer. The Planning Commission shall use these standards as a guide for determining the appropriate width.
- C.** Whenever there exists a dedicated or platted portion of a street adjacent to the tract to be subdivided or to the proposed site for development, the applicant shall dedicate by subdivision plat additional right-of-way so that such streets will have a minimum right-of-way width shown in [Table 1129-2](#) or that shown on the Thoroughfare Plan.
- D.** If the existing rights-of-way within a subdivision are not as specified in [Table 1129-2](#) below, the subdivider shall dedicate additional right-of-way by subdivision plat so that such streets will meet the standards of this chapter.
- E.** Portland cement curbs and gutters or vertical curbs, conforming to the specifications of the City Engineer, shall be provided on both sides of all streets within the corporation limits, provided that the Planning Commission may waive curb requirements within the three-mile area of jurisdiction beyond the corporation limits, in a Cluster Residential, and in a Planned Development, if a subdivision modification is approved in accordance with Section [1105.06\(h\)](#).

- F. The subdivider shall be responsible for establishing the minimum right-of-way width and installing the pavement width (measured from back of curb to back of curb) required in [Table 1129-2](#) below, at the subdivider’s expense.

TABLE 1129-2: MINIMUM PAVEMENT AND RIGHT-OF-WAY WIDTHS FOR PUBLIC STREETS		
Street Type	Right of Way Width	Pavement Width [1]
Arterial, and highways	Variable [1]	Variable [2]
Collector	80 feet	37 feet
Local - Residential	60 feet	27 feet
Local - Commercial or Industrial	80 feet	37 feet
NOTES: [1] See also Subsection (G) below for additional width requirements for on-street parking. [2] Shall conform to applicable cross sections of the Engineering Construction Standards, as determined by the City Planning Commission and the City Engineer.		

- G. A parking lane at least eight feet wide on one or both sides of the street and paved in accordance with the current specifications may be required by the City Engineer, and such requirement may be in addition to the necessary number of lanes for moving traffic.

(3) Street Intersections

- A. The angle of intersection between local streets and arterial streets should not vary by more than ten degrees from a right angle. All other streets should intersect each other as near to a right angle as possible. Property line radius at intersections shall be not less than twenty-five feet.
- B. Not more than two streets shall intersect at any one point, unless the City Engineer advises the Planning Commission that such an intersection can be constructed with no extraordinary danger to public safety.
- C. Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of such street. In any event, where a centerline offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than 200 feet on local streets and 400 feet on collector and arterial streets.
- D. Street curb intersections shall be rounded by a minimum radius of 25 feet on local streets and a minimum radius of 35 feet on collector streets and arterial streets.
- E. Intersections of two local residential streets should be designed to maintain suitable traffic volumes and speeds.

(4) Street Grades and Curvature.

- A. Street grades shall not exceed the following percentages set forth in [Table 1129-3](#), with due allowance for reasonable vertical curves. The Planning Commission may permit deviations from these requirements where the topography is such that these standards are not practical:

TABLE 1129-3: MAXIMUM GRADE OF STREETS	
Type of Street	Maximum Grade (percent)
Arterial Streets	5
Collector Streets	7
Local Streets	9
Cul-de-sacs	10

- B. The minimum street grade shall be one percent in order to provide adequate surface drainage.
- C. In no case shall streets be constructed with grades that, in the professional opinion of the City Engineer, create a substantial danger to the public safety.
- D. Streets shall level off to a grade not exceeding two percent for a distance of not less than 50 feet from each side of an intersection.

(f) Special Street Types and Street Requirements

The following requirements shall apply to special street types or under the specified circumstances:

(1) Dead-End Streets

- A. Permanent dead-end streets shall not be permitted.
- B. Where a subdivision adjoins un-subdivided land, a temporary turn-around shall be provided for each street more than 200 feet in length if lots front thereon, and provisions shall be made for future extension of the street and utilities and reversion of the excess right-of-way to the abutting properties and the same shall be so noted on the final plat.
- C. The temporary turn-around shall conform to the Engineering Construction Standards, current edition.

(2) Cul-De-Sacs

- A. A cul-de-sac street shall have a maximum length of 1,000 feet measured from the centerline of the nearest street intersection to the center of the cul-de-sac turnaround.
- B. For residential, local streets, each cul-de-sac shall be provided with a turnaround having a minimum pavement radius of 45 feet measured from face of curb and a minimum right of way radius of 60 feet.
- C. The standards for streets in commercial and industrial developments shall be determined, by consulting with the City Engineer and the Planning Commission, at the time of preliminary plat review or during development plan review.

(3) Alleys

- A. Alleys may be considered for residential subdivisions if the design of the subdivision, the proposed type or character of development, and/or the surrounding street layout will create a development that complies with the comprehensive plan or enhances traffic movement.
- B. Alleys may be required in nonresidential districts if other provisions cannot be made for adequate service access.

- C. The minimum widths for alleys shall be 20 feet for the right-of-way and 18 feet for the pavement width.

(4) Half-Streets

The dedication of new half-streets shall not be permitted. Where a dedicated or platted half-street exists adjacent to the tract being subdivided, the other half shall be platted if deemed necessary by the Planning Commission.

(5) Private Streets and Common Drives

- A. Private streets and common drives shall not be permitted except as follows:
 - i. As permitted in Section [1109.03\(c\)\(1\)](#); or
 - ii. As permitted in [Chapter 1111: Planned Developments](#).
- B. When the private street is 500 feet or less in length and only serves to provide access to a multi-family development, provided such private street shall not be planned or be expected to extend to serve property outside the multi-family development and the design and layout of the private street(s) shall provide adequate and safe access to the intended units, as determined by the Wooster Police and Fire Departments. Such private street shall be constructed in accordance with Engineering Construction Standards, current edition.
- C. Whenever a private street is included in a Cluster Residential Development or a Planned Development, deed restrictions shall be required which shall specifically include the following language, "The undersigned grantee(s) hereby acknowledge(s) that (he, she, they) understand that the premises described herein is located upon a non- dedicated, private street. And further, the grantee(s) understands that no government body is responsible for care and maintenance of said private street."
- D. Whenever a common drive is proposed as an alternative to a public or private street, such common drives shall be permitted in compliance with the following requirements:
 - i. A common drive shall serve no more than four units.
 - ii. A common drive shall extend from a public street and shall not connect to any other existing or planned public street.
 - iii. The design and layout of the common drive shall provide adequate and safe access to the intended units, as determined by the Wooster Police and Fire Departments.
 - iv. Right-of-ways are not required for common drives; however, a utility easement may be required along the length of the common drive.
 - v. All common drives shall be paved and have a minimum width of 12 feet.
 - vi. Whenever a common drive is included in a Cluster Residential development, deed restrictions shall be required and shall specifically include the following language:

"The undersigned grantee(s) hereby acknowledge(s) that (he, she, they) understand that the premises described herein is located upon a non-dedicated or common drive. And further, the grantee(s) understands that no government body is responsible for care and maintenance of said common drive."

1129.08 Sidewalks, Walkways, Trails, and Bikeways

All subdivisions shall comply with the applicable requirements of Section [1125.09](#).

1129.09 Utilities

(a) General Requirements for Utilities and Underground Facilities

- (1) All public and common electric, cable, and telephone lines and other utilities shall be located underground in all residential, office, commercial and industrial subdivisions and districts, and shall be placed in their own easement, shown on the final or record plat. These underground utility requirements shall also apply to any lines required to serve the new development that extend outside the boundary of the development. The conduits or cables shall be located within easements or public rights-of-way in separate trenches, in a manner which will not conflict with other underground services.
- (2) Whenever public improvements are installed, the open cutting of roads shall be avoided to the greatest extent practicable.
- (3) Where cable, fiber optic, television, or similar services or conduit is or will be in operation, the applicant shall install cable or conduit for such service simultaneously with and in the same manner as electric and telephone cables are installed, both within the right-of-way and to individual building connections.
- (4) All sewer and utility pipelines shall preferably be placed outside the limits of the pavement. All excavations for public utilities made under paved areas shall be properly backfilled with approved granular materials thoroughly compacted in place and subject to approval by the City Engineer.
- (5) All storm drainage grates shall be constructed to allow bicycles to pass over the grate safely and shall have the words "No Dumping, Drains to Stream", or similar, cast into the grate.
- (6) Any plans or documents submitted for subdivision or development plan approval shall conform to the City of Wooster's Development and Improvement Regulations Manual, current edition.

(b) Sanitary Sewers

- (1) Sanitary sewerage facilities shall connect with public sanitary sewerage systems where available and adequate capacity exists. When sanitary sewers are not available, as determined by the City Engineer, the City or County Board of Health shall review lot sizes and shapes, topographic conditions and soil conditions, and if appropriate Board of Health finds that private wells and/or private sewage disposal systems will be acceptable according to the rules and regulations of the City and County Board of Health and the State of Ohio, the Planning Commission may, at their discretion, approve private water supply and/or sewage disposal system provided that all other requirements have been met.
- (2) If public sanitary sewerage facilities are reasonably available to serve the proposed subdivision or development, but inadequate capacity, as determined by the City Engineer, in such facilities exists, the applicant shall at his/her expense upgrade the sanitary sewerage lines or facilities to provide the additional capacity. The City Engineer shall evaluate the downstream sewer system to the point where the flow contributed by the subdivision is less than one percent of the flow in the system.

- (3) In considering the availability of a public sewer, the City Engineer shall consider the following criteria: the proximity of public sewer lines; engineering feasibility and cost of extension of such lines to serve the subdivision; appropriateness of the area and soils for septic sewer service; public health and safety of the proposed subdivision; and the City's plans for sewer line extension or service in the area.
- (4) The sanitary sewerage plan shall include calculations of the amount of sanitary flow to be discharged from the subdivision upon complete occupancy of the site.
- (5) **Construction and Design of Sanitary Sewer**
 - A. Unless public sewer is determined not to be available, sanitary sewers shall be constructed in accordance with the standards prescribed by the City Engineer. The minimum size shall be an eight-inch diameter, placed at a minimum grade of 0.4%.
 - B. The sanitary sewer shall be designed and constructed so as to serve by gravity the lowest floor elevation of proposed principal buildings on all lots.
 - C. Public sewer shall be designed and constructed to be available to each lot, such that individual laterals shall not extend across lots to the served lot.

(c) Water Supply

- (1) Public water, if available as determined by the City Engineer, shall be extended at the developer's and/or owner's cost to all lots. Where the public water system is not available, the City or County Board of Health shall review lot sizes and shapes, topographic conditions and soil conditions for that particular subdivision, and if the appropriate Board of Health finds that private wells will be acceptable according to the rules and regulations of the City and Wayne County Board of Health and the State of Ohio, the Planning Commission may, at their discretion, approve private water supply system provided that all other requirements have been met.
- (2) In considering the availability of public water, the City Engineer shall consider the following criteria:
 - A. The proximity of public waterlines;
 - B. Engineering feasibility and cost of extension of such lines to serve the subdivision or development;
 - C. Alternative sources of water;
 - D. Public health and safety of the proposed development; and
 - E. The City's plans for waterline extension in the area; whether an alternate source of water, acceptable to the fire department, is available or will be provided for fire suppression purposes.
- (3) If public water facilities are reasonably available to serve the proposed subdivision or development, but inadequate capacity as determined by the City Engineer exists, the applicant shall at his expense upgrade the public water mains or facilities to provide the additional capacity. Adequate capacity shall be determined as enabling 1,000 gallons per minute fire flow to be attained at the critical hydrant as determined by the City Engineer, without dropping residual pressures elsewhere within the public water system to or below 20 pounds per square inch.
- (4) Unless public water is determined not to be available, the applicant shall install the public water distribution system within the subdivision or development, including water mains, service lateral through the curb line for each lot, and fire hydrants, and upon its completion, shall dedicate and convey title to the water distribution system to the City of Wooster.

(5) Construction and Design Standards

- A. Water lines shall be constructed in accordance with the standards prescribed by the City Engineer, and shall be ductile iron. The minimum size shall be a six-inch diameter.
- B. Fire hydrant placement shall be as specified in Part 15, Fire Prevention Code, Section 1505.
- C. Water mains shall be looped within or through a subdivision.
- D. Water service line shall be located on a lot corner remote from the electric service.

(6) Placement of Water Services

When public water is designed and constructed to be available to each lot, individual services shall not extend across lots to the served lot.

(d) Storm Sewers and Stormwater Management

- (1) The design of stormwater runoff conveyance systems including, but not limited to storm sewers and appurtenant structures, bridges, culverts, ditches, swales, detention and/or retention facilities, shall meet the requirements of The Erosion and Stormwater Runoff Control Manual for Development and Improvement, current edition.
- (2) Unless otherwise approved by the City Engineer, stormwater management facilities, such as detention and retention ponds, shall not be located on individually owned lots in a residential subdivision. Instead, these facilities shall be located on a lot or lots commonly owned by a homeowner's association or equivalent agency.
- (3) Stormwater management facilities serving a residential subdivision shall be maintained by the homeowner's association or equivalent agency for that subdivision as required in Section [1129.05\(j\)](#), unless City maintenance or another arrangement is approved by the City Engineer. A maintenance plan for the facilities shall be provided as part of the engineering plan for the subdivision, and maintenance responsibility shall be designated on the subdivision plat.
- (4) Detention/retention facilities that are visible from a public street shall be integrated into a landscaped area. Such landscaped areas shall contain any combination of the following elements: shade and ornamental trees, evergreens, shrubbery, hedges, and/or other planting materials as well as ornamental fencing.

(e) Other Utilities

- (1) Electrical service, gas mains and other utilities should be provided within each subdivision. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat.
- (2) **Other Utilities, Electric, Telephone and Cable Television Installation**

The installation, construction and expansion of electric, telephone, cable television and other utilities shall be placed underground subject to the following:

 - A. Transmission lines are exempt from the provisions of this section. Transmission lines are defined as those lines that are part of the transmission grid, constructed on towers between generating stations and substations.

- B. For the standard or typical underground utility installation, that equipment typically placed above ground such as transformers and switches affixed on the ground shall be exempt from the provisions of this section.
- C. For purposes of this section, services, adjacent to new subdivisions as well as commercial and industrial uses, that shall be installed underground include but are not be limited to:
 - i. New distribution lines that deliver local service and are extended across the public right-of-way from existing overhead service to such new subdivisions, commercial and industrial uses; and
 - ii. Existing overhead distribution lines that deliver local service which are located within the public right-of-way that is being widened or improved as part of the improvements for the proposed subdivision.
- D. Temporary overhead services of electric and telephone utilities shall be allowed, provided that all permanent electric, telephone and cable television services within and adjacent to new subdivisions, commercial and industrial uses shall be underground. For the purposes of this section, temporary overhead service shall mean:
 - i. That service which is necessary for immediate public convenience and necessity and is constructed to serve only on an interim basis until permanent underground services can be installed; and
 - ii. That service which in order to reach a new subdivision, commercial or industrial use must be extended from existing overhead service through undeveloped parcels of land not included in the subdivision, commercial or industrial use.
- E. The owner or developer of new subdivisions as well as commercial and industrial uses shall offer an easement for TV cable and TV cable equipment within the easement shown on the plat for electric and telephone utilities. The easement shall be granted at no expense to the TV cable operator.
- F. The providers of electric, telephone, natural gas, and cable television services are encouraged to inform the Planning Commission as to the nature and location of their services and plans for increasing service capacity.

1129.10 Easements

- (a) The developer shall convey a 15-foot wide common or shared utility easements centered on all interior lot lines and interior to all perimeter lot lines, to franchised cable television operators furnishing cable television and corporations furnishing cable television, gas, telephone, and electric service to the development.
- (b) The subdivider shall provide easements for storm drainage purposes which conform substantially to the lines of any natural watercourses, channels, streams or creeks which traverse the subdivision, or for any new channel which is established to substitute for a natural watercourse, channel, stream or creek.
- (c) All underground public utility lines, wires, cables, conduits, vaults, laterals, pipes, mains, valves and other similar distributing equipment shall be placed within easements or dedicated public ways in such a manner so as not to conflict with any other underground service previously installed.
- (d) Easements may also be required across lots where engineering design or special conditions may necessitate the installation of water and sewer lines outside of public rights-of-way.

- (e)** The City Engineer may require a wider easement where necessary to provide adequate separation between water, sewer, and/or stormwater management facilities.
- (f)** The City Engineer may waive the requirement for any of the above easements when the proposed development does not include lots being subdivided.