

ORDINANCE NO. 111-20

AN ORDINANCE TO AMEND SECTION 1246.04(b) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON AS IT PERTAINS TO THE MAXIMUM LENGTH OF A TEMPORARY DEAD END STREET

WHEREAS, section 1246.04(b) of the Codified Ordinances requires a temporary turnaround be installed on temporary dead-end streets and prohibits such streets to exceed 250 feet in length; and

WHEREAS, City of Avon Construction Standard P-9 requires a temporary turnaround to be installed when the temporary dead-end street reaches a length of 150 feet; and

WHEREAS, the Planning Coordinator, after discussions with other City administrators, concluded that the safety and functionality of temporary dead-end streets requires section 1246.04(b) to be consistent with Avon Construction Standard P-9, but also requires Planning Commission to exercise some discretion when dealing with larger corner lots; and

WHEREAS, Planning Commission reviewed the current requirements for temporary dead-end streets listed in both 1246.04(b) and P-9 and found that these requirements should be modified to be consistent with one another, but that the Commission should maintain some discretion to permit longer temporary dead-end streets to match the length of the permitted corner lot. A Public Hearing on said amendments to 1246.04(b) was duly publicized according to law and held on November 18, 2020; and

WHEREAS, on November 18, 2020, by a vote of five (5) to zero (0), Planning Commission recommended approval of an amendment to Section 1246.04(b); and

WHEREAS, Council, on December 14, 2020, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on January 11, 2021 at 7:15 PM; and

WHEREAS, Council, considering the recommendation of Planning Commission, finds that amending Section 1246.04(b) to decrease the maximum length of a temporary dead-end street to match the length stated in the City of Avon Construction Standards P-9 (Intersection and Cul-De-Sac Detail) is reasonable and in the best interests of the safety, health and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That Section 1246.04(b) of the Codified Ordinances which currently reads:

1246.04 STREETS.

(b) Dead End Street. A permanent dead-end street is not permitted, except when it is a part of a continuing street plan, and only if a temporary turnaround, satisfactory to the

Commission in design, is provided, and provisions for maintenance and removal are advanced.
A temporary dead-end street longer than 250 feet is not permitted.

Shall be amended to read as follows: (New language in bold print)

1246.04 STREETS.

(b) Dead End Street. A permanent dead-end street is not permitted, except when it is a part of a continuing street plan, and only if a temporary turnaround, satisfactory to the Commission in design, is provided, and provisions for maintenance and removal are advanced. A temporary dead-end street longer than ~~250~~ **150** feet is not permitted, **unless approved by Planning Commission.**

Section 2 - That it is 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 of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading _____

Second Reading _____

Third Reading _____.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

Ordinance No. 111-20 (Con't)

ATTEST:

Barbara Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director