

## City Of Kirtland Subdivision Procedure

The following is an overview of the procedure to be followed for submission of a subdivision. These requirements are subject to change. Following this procedure does not guarantee the acceptance of the proposed subdivision.

1. At least twenty (20) working days before a regularly scheduled Planning and Zoning Commission meeting, submit eighteen (18) copies of a conceptual plan to the Zoning Office with the following information:
  - A. Names and addresses of the owner, subdivider and design engineer.
  - B. A drawing (using Lake County Geographic Information System (GIS) data for base map preparation) showing approximate acreage, number of lots, and proposed use of the subdivision.
  - C. Filing and review fees in accordance with Sections 236.07 and 1242.05 (a) & (c) of the Kirtland Codified Ordinances. An initial deposit of \$650 plus \$100 for each new subplot plus \$5 for each subplot in excess of 10 shall be deposited with the City Clerk.

At the same time, submit one additional plan to the Lake County Soil and Water Conservation District (LCSWCD) offices along with their review fee (about \$300 to \$1000).

2. Planning staff visit the site and review the Conceptual plan to explore alternative roadway alignments, subplot arrangements, the environmental overlay districts, access to adjacent properties, effects of the proposed improvements on the property, the general character of the subdivision relative to the surrounding neighborhood, and how the subdivision fits into the City's future development plans. LCSWCD personnel will visit the site and provide a general natural resource review, which comments on general impacts to natural resources, soils suitability and stability, hydrologic issues such as stream resources, drainage, ground water, riparian corridor protection, and indicate if additional state or federal permitting would likely be required to implement the project.
3. Distribution of the conceptual plan and concerns to be addressed during the subdivision process are listed below. At the discretion of the Mayor, a staff meeting will be held to discuss the concerns and recommend requirements of the subdivider. A list of requirements will be prepared and forwarded to the subdivider for resolution at the preliminary plan stage.

Distribution:

Concerns/Investigations

Fire Chief:

Available fire flows  
Hydrant spacing requirements  
Other relevant concerns

Police Chief:

Traffic impacts  
Sight distance concerns  
Other relevant concerns

- Public Service Administrator:
  - Maintenance of proposed facilities
  - Snow plowing concerns
  - Other relevant concerns
  
- Zoning Inspector:
  - Conformance to zoning requirements
  - Inadvertent creation of nonconforming conditions
  - Screening of properties across the entrance roadway
  - Other relevant concerns
  
- Planning Consultant:
  - 1246.02 Roadway layout
  - 1246.03 Intersection requirements
  - 1246.10 Sublot layout
  - Conformance with future plans of the City
  - General character of the proposed development
  - Other relevant concerns
  
- City Engineer:
  - Areas subject to flooding, Wetlands, Riparian areas
  - Storm water regulations and other drainage issues
  - Federal Flood Plain regulations
  - Phase I Environmental Site Assessment, if requested
  - Other relevant concerns
  
- Law Director (2):
  - Deed Restrictions
  - Bonding
  - Plat language
  - Other relevant concerns
  
- LCSWCD:
  - General Environmental Review
  - Stream and Wetlands Assessment
  - Riparian Corridor Protection
  - Storm Water Management
  - Soil and Slope Limitations
  - Hydrologic Issues
  - Other relevant concerns
  
- P&Z Commission (6), Mayor, Council P&Z Subcommittee (3):
  - Neighborhood concerns
  - City Concerns
  - Other relevant concerns

4. The subdivider and design engineer may be asked to meet with administrative personnel to discuss alternative roadway alignments and sublot arrangements. Alternative concepts may be required from the subdivider for discussion with the Planning and Zoning Commission.

5. The conceptual plan is reviewed at the Planning and Zoning meeting with the Commission and the subdivider to discuss informally the Subdivision Regulations. The purpose of the meeting is to familiarize the subdivider with the Comprehensive Plan, Thoroughfare Plan, Community Facility Plan, Zoning Code, utility system, environmental overlay district considerations, riparian setbacks, City's concerns, and the procedure for subdivision approval. If the subdivision does not move forward in a timely manner, P&Z may require a resubmittal of the conceptual plan.
  
6. After review of the conceptual plan by the Planning and Zoning Commission and incorporation of changes, if any, prepare the preliminary plat and plan. Deposit additional review fees in accordance with Sections 236.07 of the Kirtland Codified Ordinances. An additional amount of \$3,000 plus \$300 per subplot shall be deposited with the City Clerk unless an alternate amount is required or approved by the City Engineer. Note that this is a deposit and actual costs to the subdivider will vary depending on the complexity of the subdivision. Any unused deposit will be refunded to the subdivider. Initially, submit two (2) copies of the completed preliminary plan documentation (Zoning Clerk and Engineer) and four (4) copies of a preliminary plat drawing to the Planning and Zoning Office (Zoning Clerk, Zoning Inspector, Planner and Engineer). When changes are required on the preliminary plat, make sure the drawing date is changed. The preliminary plan and plat shall meet the requirements of the Commission and the following ordinances and sections of code.

- Chapter 1222 - Environmental Quality Overlay Districts
- Section 1244.04 - Preliminary Plat Requirements
- Chapter 1246 - Subdivision Design Standards
- Chapter 1294 - Riparian Setbacks
- Chapter 1446 - Flood Plain Management, if applicable
- Chapter 1464 - Erosion and Sediment Control
- Chapter 1466 - Comprehensive Stormwater Management
- P & Z Commission - P&Z Requirements (attached)

7. Submit five (5) additional copies of the preliminary plat to the following agencies for review, comment and/or approval. Any changes required by these agencies are to be reflected in the most current submittal to the City. Reports and/or approval from these agencies are required to complete the submittal. The Health District review fee is approximately \$750 plus \$190 for each lot in excess of four. The Health District and the City will need a copy of the letter from Ohio EPA denying the construction of a package treatment plant to serve the subdivision.

Distribution:

Concerns/Investigations

Aqua Ohio :

Available normal water pressures  
Determination of available fire flows

Lake County Soil and Water Conservation District (LCSWCD):

Erosion and Sediment Control requirements

Lake County Stormwater Management Department (LCSMD):  
Storm water retention  
Watershed Drainage Plans

Lake County General Health District (LCGHD):  
On-site sewage disposal facilities

Ohio EPA/ US Army Corps of Engineers (US COE):  
Wetlands affirmation  
Section 401/404 permits  
Isolated wetlands permits

8. Submit four (4) draft copies of proposed deed restrictions to the Zoning Office (Zoning Clerk, Law Director (2), Engineer) for review and comment.
9. Prepare a Storm Water Pollution Prevention Plan and submit copies to the City Engineer, Lake County Soil and Water Conservation District, Lake County Stormwater Management Department and Ohio EPA for approval and permits. Include drainage calculations with the submittal.
10. The preliminary plat and plan is reviewed by the City Engineer for completeness, and for satisfaction of City concerns expressed at the conceptual plan stage. When the preliminary plan and plat is found to be complete, submit twelve (12) copies of the plat to the Zoning Office (Planning and Zoning Commission (6), Mayor, Planner, Zoning Inspector, Law Director (2), Engineer).
11. The Zoning Inspector will review the plat for conformance to requirements of the zoning ordinances. Upon satisfaction of the City's requirements, a report will be prepared to the Planning and Zoning Commission recommending approval or disapproval of the preliminary plat and plan.
12. The subdivision will be scheduled for Planning and Zoning Commission review at the first meeting after twenty (20) days after submittal of a complete preliminary plan and plat. The Zoning Inspector shall notify neighboring property owners. P&Z will hold a Public Hearing at their regularly scheduled meeting to discuss concerns of the residents. After concerns are heard, the Commission will approve or deny the proposed subdivision or table the request pending more information.
13. If approved by Planning and Zoning Commission, submit ten (10) copies of the preliminary plat to Council Clerk (Council (8), Police Chief, Fire Chief) for review and vote by City Council in accordance with Section 1244.035 (e). A resolution for preliminary approval of the subdivision will be placed on City Council's agenda for first reading at the first meeting after ten (10) days after submittal of the copies of the P&Z approved preliminary plat. Three (3) readings are required before a vote is taken.

14. Prepare an Erosion and Sediment Control (ESC) Plan and submit copies to the City Engineer and LCSWCD for approval. The ESC plan shall be accompanied by other natural resource permits and documentation relevant to the project, including:
  - Proof of compliance with the Ohio Environmental Protection Agency (OEPA) General Storm Water National Pollution Discharge Elimination System (NPDES) Permit. Proof of compliance shall be, but is not limited to, a copy of NPDES General Storm Water Permit Notice of Intent and/or a copy of NPDES General Storm Water Permit Number, and/or a copy of OEPA Director's Acceptance Letter for NPDES Permit.
  - Proof of compliance with Section 404 of the Clean Water Act administered by the U.S. Army Corps of Engineers relating to waters of the United States under its jurisdiction. Proof of compliance shall be, but is not limited to, a copy of the U.S. Army Corps of Engineers permit number if an Individual Permit is required for the development project. If an Individual Permit is not required, the site owner shall submit proof of compliance with the U.S. Army Corps of Engineer's Nationwide Permit Program. This shall include, but is not limited to, the following:
    - A letter from the site owner verifying that a qualified professional has surveyed the site and found no waters of the United States.
    - A site plan showing that any proposed fill of waters of the United States conforms with the general and specific conditions specified in the applicable Nationwide Permit. The delineation of wetlands and other waters of the United States shall be done by a qualified professional.
  - Proof of compliance with the Ohio Dam Safety Law administered by ODNR Division of Water. Proof of compliance shall be, but is not limited to, a copy of the ODNR Division of Water permit number and/or project approval letter from the ODNR Division of Water.
  - Wetland Delineation verified by the U.S. Army Corps of Engineers if requested by the Administrator.
15. Prepare and submit Improvement Plans conforming to Chapter 1248 (Kirtland General Notes and Standard Details will be supplied to the subdivider's engineer). Provide signature lines for and submit copies of the improvement plans to the City Engineer, Fire Chief, COWC and LCSWCD for approval. (Note: If the subdivision is constructed and platted in phases, additional review fees may be required by LCSWCD.)
16. Submit the construction cost estimate to the City Engineer and two (2) copies of the proposed construction guarantee to the Law Director for review and approval.
17. After approval of the improvement plans, prepare the Final Plat and supplementary information meeting the requirements of Section 1244.10. The final plat should also show the permanent parcel number of the pre-subdivided property. Submit twelve (12) copies of the Final Plat to the Zoning Office (Planning and Zoning Commission (6), Mayor, Planner, Zoning Inspector, Law Director (2), Engineer) along with five (5) sets of improvement plans (Zoning Clerk, Engineer (4)), and five (5) copies of final deed restrictions (Zoning Clerk, Planner, Law Director (2), Engineer) to the Zoning Office. The subdivision will be scheduled for Planning and Zoning Commission review at the first meeting after fourteen (14) days after submittal of a complete Final Plat.

18. After approval by the Planning and Zoning Commission, submit ten (10) copies of the Final Plat to Council Clerk (Council (8), Police Chief, Fire Chief) for City Council approval. A resolution for final approval of the subdivision will be placed on City Council's agenda for first reading at the first meeting after ten (10) days after submittal of the copies of the P&Z approved Final Plat. Three (3) readings are required before a vote is taken.
19. Deposit construction observation fees in accordance with Sections 236.07 of the Kirtland Codified Ordinances. An initial amount equal to twenty-five dollars (\$25) per foot of roadway shall be deposited with the City. Note that this is a deposit and actual costs to the subdivider will vary depending on the complexity of the construction. Any unused deposit will be refunded to the subdivider.
20. Per Section 1464.09 B, deposit a cash bond of five hundred dollars (\$500) per subplot to ensure performance of erosion and sediment control obligations. If the subdivider fails to comply with the erosion and sediment control regulations, the City will suspend work on the improvements and use the cash bond to stabilize the site. Any costs which the City incurs to stabilize the site must be replenished before the subdivider will be permitted to resume work.
21. A pre-construction conference shall be arranged by the subdivider and held at City Hall with the following attendees:
 

<ul style="list-style-type: none"> <li>• Police Chief</li> <li>• Fire Chief</li> <li>• Zoning Inspector</li> <li>• City Engineer</li> <li>• Subdivider</li> </ul>	<ul style="list-style-type: none"> <li>• Contractor</li> <li>• Utility Companies</li> <li>• LCSWCD</li> <li>• LCSMD</li> </ul>
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22. During construction, inspection reports for the OEPA Storm Water NPDES Permit are submitted to and reviewed by the Lake County Soil and Water Conservation District.
23. Construction observation of improvements is by the City Engineer's staff. Upon substantial completion of the improvements, a punch list will be prepared.
24. Permission to build houses must be granted by City Council on a case by case basis on non-accepted for maintenance streets. (See Guidelines for Permission to Issue Zoning Permits).
25. Streets are accepted by City Council and the subdivision is closed out. (See Subdivision Closeout Requirements).

**CITY of KIRTLAND**  
**Planning and Zoning Commission Requirements**

For preliminary approval, the plat must contain a table showing for each subplot: area, net area, width at the right-of-way line, width at the minimum setback line, depth, and depth to width ratio.

- 1) Show the area of each subplot as bounded by the property lines.
- 2) If the sublots are not located on a proposed private road, subtract the following areas: (Section 1246.10 (e), Section 1260.03 (b)(96) ) to determine the net lot area.
  - a) Subtract area within Federally designated floodplains.
  - b) Subtract area of ponds and other wetlands.
  - c) Subtract area of flooding of drainageways as calculated for the following storms:
    - (1) Drainageways with a tributary area of more than six (6) square miles shall calculate the surface area for the flow from a storm frequency of fifty years.
    - (2) Drainageways with a tributary area of between one-half and six (6) square miles shall calculate the surface area for the flow from a storm frequency of ten years.
    - (3) Drainageways with a tributary area of 320 acres or less than shall calculate the surface area for the flow from a storm frequency of five years.
  - d) Subtract the area of any street or easement for a future street
  - e) Show all proposed easements and subtract any easement area in excess of 20% of the total lot area.
- 3) Section 1260.03 (b)(92) Lot line, front. Show the width of the lot along the right of way line.
- 4) Section 1246.10 (e) Width Restrictions. At the minimum setback line, show the width of the lot and subtract the width of ponds and drainageways subject to flooding (if the lot is not located on a proposed private road.
- 5) Section 1260.03 (b)(95) Depth. Show the depth of each lot as the distance between midpoints of straight lines connecting the two (2) front corners and the two (2) rear corners.
- 6) Section 1246.10 (f) Depth. Show the depth to width ratio for each lot. Depth to width ratio requirements for lots are as follows:
  - a) Greater than 1:1 for lots with depths less than 250 feet.
  - b) Less than 5.5:1 for lots less than 225 feet in width.

Section 1246.10 (h) Side Lot Lines. Right angle to straight streets or radial to curved streets. Lots opposite a tee intersection shall not have the dwelling site across from the intersecting road.

Show environmental overlay district boundaries, preliminary drainage facilities, and riparian setbacks. For each subplot show preliminary locations of the house footprint, driveway, sewage treatment systems and duplication area.

Incorporate changes required by the review agencies into the preliminary plat that is submitted to the Planning and Zoning office.

In addition to the requirements of Section 1244.10, the final plat shall delineate the riparian areas.

**CITY of KIRTLAND**  
**Guidelines for Permission to Issue Zoning Permits**

Section 1450.01 of the Kirtland Codified Ordinances requires City Council to give special permission for the issuance of Building Permits on a dedicated street which has not been accepted for maintenance. The following are guidelines as to what conditions Council may impose on a builder prior to the giving of such permission. Satisfaction of these conditions does not guarantee Council will approve the issuance of a permit, such approval is totally at their discretion.

1. Completion of improvements.
2. Utilities installed.
3. General site clean-up and removal of debris.
4. Preparation of City Engineer construction punch list and completion of work.
5. Preparation of COWC construction punch list and completion of work.
6. Removal of rocks and debris greater than 3 inches, grading, fertilizing and seeding of all disturbed areas.
7. Certification by Subdivider's Surveyor/Engineer that iron pins have been accurately set at all lot corners (1248.07).
8. Erect street name signs at all intersections (1248.10(a)). Signs shall be approved by the Kirtland Public Service Administrator.
9. Erect traffic control signs in accordance with the Ohio Manual of Uniform Traffic Control Devices (1248.10(b)). Signs shall include: Stop, 25 MPH, No Outlet, and any other required by the Engineer.
10. Incorporation of Homeowners Association.
11. Maintenance of erosion control facilities until Notice Of Termination of the Stormwater Pollution Prevention Plan is approved by EPA.



**CITY of KIRTLAND**  
**Subdivision Closeout Requirements**

1. Evidence to the Law Director that all taxes, encumbrances, and/or liens against the proposed roads have been paid and/or released (1244.10(b)(12)).
2. Presentation of letters of certification of payment in full of all contractors, subcontractors, suppliers of materials, engineers and surveyors, inspection fees, and any other fees incurred by the subdivider (1248.01).
3. Approval of Notice of Termination (NOT) of Stormwater Pollution Prevention Permit from EPA.
4. Completion of landscaping.
5. One-Year Maintenance Guarantee .
6. An ordinance passed by Kirtland City Council accepting the streets and easements, if any, for maintenance.

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