
ARTICLE

2

PROCEDURE FOR SUBDIVISION APPROVAL

SECTION 200

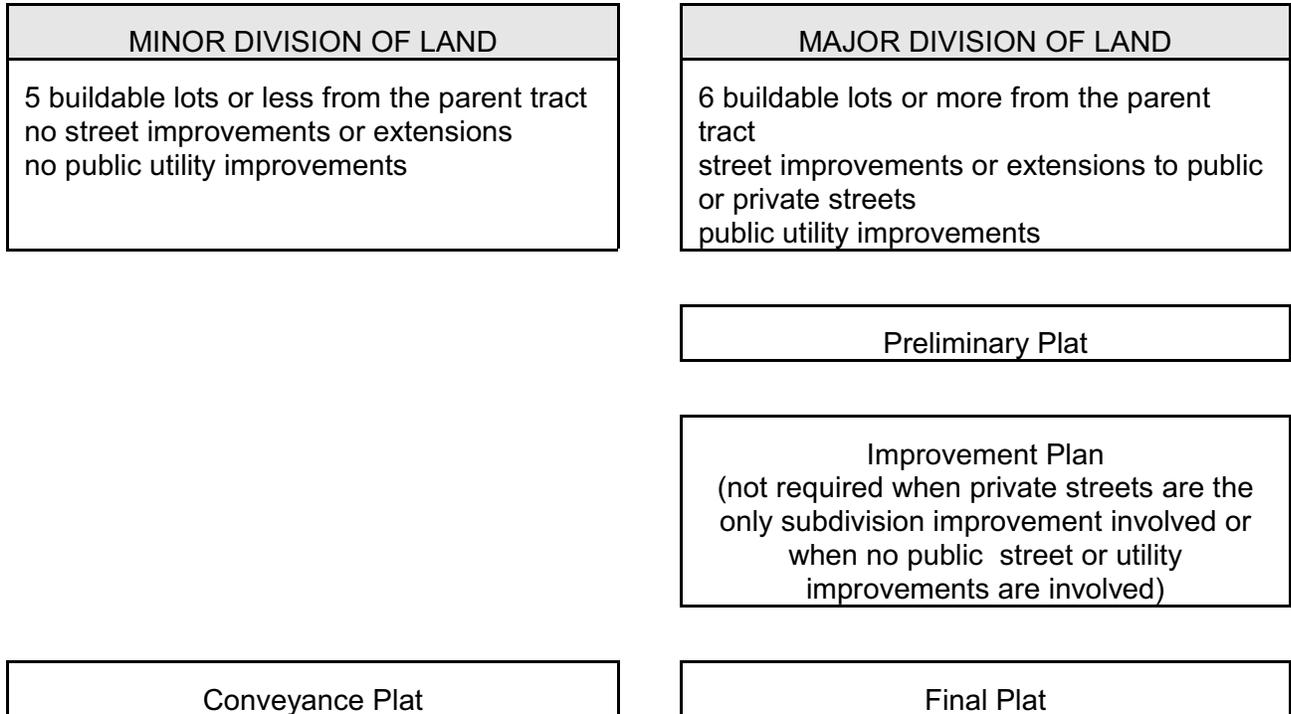
Summary of the Subdivision Review Procedure

The following articles apply to subdivisions or the divisions of land which are used for commercial, industrial, residential, or other types of uses. The subdivision of land can occur in two forms. The first form involves a minor division of land (conveyance plat) or what was formerly known as a minor or convenience plat as outlined in the Definitions section of this document. A minor division of land involves the division of five (5) buildable lots or less from the parent tract, including any remainder or residual tract(s), and is located along an existing public street. The minor division of land involves no widening or extension of a public or private street, and no public utility improvements. A conveyance plat may also be used to record casual sales or the transfer of property from one owner to another. A property owner may use an unlimited amount of conveyance plats if the parcel is a non-buildable lot and does not meet the current zoning requirements. If an applicant or property owner originally used the conveyance plat or minor division of land procedure, but then decided to create more than five buildable lots from the parent tract, then he or she shall be required to follow the major division of land procedure.

The second form involves a major division of land or six (6) or more buildable lots from the parent tract, including any remainder or residual tract(s), and/or subdivisions which include public utilities and/or public or private streets. The review procedure for a major division of land involves a preliminary plat, improvement plan, and a final plat. If, however, the division of land of six (6) or more buildable lots does not require any public utility or public street improvements, the developer will only be required to submit a Preliminary Plat and a Final Plat for review and approval. The major division of land procedure shall also be followed if five cumulative prior conveyances have already occurred from the parent tract under the current ownership.

- a) Minor Division of Land - The subdivider or applicant submits a Conveyance Plat to the Boone County Planning Commission for review and approval based upon the requirements in Section 275 of this document. Once approved, the subdivider or applicant may then proceed to record the conveyance plat in the County Clerk's office. If the new owner of the property intends to build a structure, then he or she may then proceed to obtain a zoning permit for each tract in the subdivision from the Boone County Planning Commission and a building permit from the Boone County Building Inspection Department.

- b) Major Division of Land - The subdivider or applicant submits a Preliminary Plat to the Boone County Planning Commission staff for review and recommendation. The Boone County Planning Commission's staff shall review and take action either to approve or disapprove a Preliminary Plat within thirty (30) days unless the time limitation is waived by agreement between the Boone County Planning Commission and the developer. The Preliminary Plat shall also be reviewed by the Project Review Committee who shall advise the Planning Commission's staff. If the Preliminary Plat is disapproved, the applicant or developer may appeal the decision before the full Planning Commission within thirty (30) days of such denial.



After the Preliminary Plat is approved, the subdivider submits an Improvement Plan to the Boone County Planning Commission for Staff review and recommendation. The Boone County Planning Commission's staff shall review and take action either to approve or disapprove the Improvement Plan within thirty (30) days unless the time limitation is waived by agreement between the developer and the Boone County Planning Commission. The Improvement Plan shall also be reviewed by the Project Review Committee who shall advise the Planning Commission's staff. If the Improvement Plan is disapproved, the applicant or developer may appeal the decision before the full Planning Commission within thirty (30) days. Once the Preliminary Plat and Improvement Plan are approved by the Boone County Planning Commission, the subdivider or applicant may commence grading of the site and construct utilities and streets, subject to review, inspection and approval of federal, state and local government agencies for such public utilities.

Once construction work has commenced in a subdivision or proposed subdivision and the public improvements (e.g. streets, sanitary sewer lines, storm sewer lines and water lines, etc.) are completely installed or near completion and inspected, a Final Plat shall be submitted to the Boone County Planning Commission for review and action. Such public

improvements shall be completed and inspected prior to Final Plat action by the Boone County Planning Commission. Consequently, no lot in an existing or proposed subdivision can be sold or transferred until a Final Plat has been reviewed and approved by the Boone County Planning Commission and signed by an officer of the Boone County Planning Commission (Chairman, Vice-Chairman, Secretary/Treasurer or the Temporary Presiding Officer), or designated employee, and recorded in the Boone County Clerk's office.

The only exception to the above paragraph is when a written agreement or guarantee such as a surety (e.g. a performance bond from an insurance company or a financial institution), cash deposit (e.g. certified check or escrow agreement) or an instrument of credit (e.g. letter of credit from a financial institution) is submitted with a Final Plat application before the Boone County Planning Commission (see Article 4 of the Boone County Subdivision Regulations) in order to cover the cost of completing the public improvements. The written agreement or guarantee is payable to the legislative body and/or the appropriate water and/or sewer commission/district.

Such agreements or guarantees can only be used when a substantial amount of the public improvements (e.g. grading and construction work related to sanitary sewers, storm sewers, water lines and streets) of the subject phase or section of the Improvement Plan are installed and inspected. Specifically, a minimum of seventy-five percent (75%) of all public improvements (e.g. grading and construction work related to sanitary sewers, storm sewers, water lines and streets) and a minimum seventy-five percent (75%) of public street pavement (measured in lineal feet) shall be installed before a guarantee or agreement for the remaining public improvements can be used and approved by the appropriate legislative unit and filed in conjunction with a Final Plat application before the Boone County Planning Commission. The seventy-five percent (75%) of all public improvements is based upon the dollar amount of improvements installed per section or phase divided by the total cost of the improvements of the proposed platted section of the subdivision. The seventy-five percent (75%) figure shall be certified by the subdivider's design engineer with the appropriate documentation. Specific criteria and terms used in written agreements or guarantees are explained in Article 4 of the Boone County Subdivision Regulations. This Article also includes the procedure for submittal and examples.

In relation to Improvement Plan Review and Final Plat Review by the Boone County Planning Commission, a total of two building and zoning permits per section or phase of an existing or proposed residential subdivisions, and one building and zoning permit per section or phase for all other types of subdivisions, may be issued in the name of the developer of the subdivision if the Improvement Plan for the same section of the subdivision has been approved by the Boone County Planning Commission. For more than two lots for residential subdivisions and one lot for all other types of subdivisions, a Final Plat shall be approved and recorded for the same section or phase of the subdivision. The developer or applicant shall then proceed to obtain a zoning permit for each structure in the subdivision from the Boone County Planning Commission and a building permit from the Boone County Building Department. Final Plat approval or disapproval by the Planning Commission shall occur within a ten (10) working-day time period.

As previously stated, if a subdivider or applicant proposes to develop a subdivision with private roads and no public utilities (e.g. sanitary sewer, storm sewer and water mains) are either planned in the near future and are not located in the general vicinity, then the applicant will be required to submit a Preliminary Plat and Final Plat to the Boone County Planning Commission for review and approval. In addition, the applicant shall be required to submit detailed street and grading plans with the Preliminary Plat based upon the requirements of Section 245 (j&l) and Section 290 of this document. Any proposed private streets shall be one hundred (100%) percent completed (per section or phase), inspected for compliance with the approved Preliminary Plat and the requirements of Section 305.O, and accepted by the Boone County Planning Commission prior to approval of a Final Plat; no bonds or other such guarantees shall be accepted to allow the filing of a Final Plat prior to the completion of any private road. If a proposed subdivision already has frontage on a publicly dedicated street and no new street will be constructed or extended, then the applicant is only required to show the elevation of the public road, the location of right-of-way, and the pavement width.

- c) Resubdivision of a Previously Recorded Lot - If a subdivider or applicant wishes to resubdivide a previously recorded lot that is currently recorded on a Final Plat into two (2) or more buildable lots, then the applicant shall submit an amended Final Plat and if the resubdivision is for a non-buildable lot from an existing lot, then the applicant shall submit a conveyance plat for review and approval by the Boone County Planning Commission. If a subdivider or applicant wishes to resubdivide a previously recorded lot that is not recorded on a Final Plat, and the proposed resubdivision does not require the Major Division of Land procedure described herein, then the subdivider or applicant shall submit a Conveyance Plat for review and approval by the Boone County Planning Commission.
- d) Remainder or Residual Tracts or Lots - The creation of a remainder or residual tract is a subdivision pursuant to these regulations and KRS 100.111, except when the land involved is for an agricultural use as defined by said statute. Remainder or residual tracts are not required to be platted and given a new legal description when the parent tract is subdivided, however, sufficient evidence must be provided to demonstrate that any remainder or residual tract is a buildable lot per the applicable zoning regulations and subdivision regulations when the plat for the subdivision of the parent tract is submitted to the Boone County Planning Commission for review. Otherwise, the remainder or residual tract must be platted as a non-buildable lot on the same plat document as the other lot(s) which is (are) being subdivided from the parent tract. One remainder or residual tract may be created per record plat, in addition to any future subdivision phases which are shown on an approved Preliminary Plat.

SECTION 205

Advisory Meeting with Planning Commission

Prior to application for Major Division of Land review and approval before the Planning Commission, each applicant, property owner, or developer is required to have a pre-application meeting or discussion with the Boone County Planning Commission's staff. This dialogue shall occur within sixty (60) days of submitting the formal Preliminary Plat application. This meeting is intended to familiarize the subdivider with the current regulations and to ascertain the location of any planned projects which may affect the property being considered for subdivision. This would also include a review of the topography of the area to determine where potential street connections to adjoining property should occur as well as calculate the approximate number of dwelling units

the connecting road will serve in the future so as to assist in the capacity design of that road. At this stage the subdivider and Planning Commission staff should discuss all suitable development options. This step does not require a formal application or filing of a plat with the Planning Commission. The subdivider or applicant is encouraged, however, to prepare a plat or plan so that the Planning Commission will have the maximum amount of information available for review purposes.

Revision of Previously Approved Preliminary Plats and Improvement Plans

In certain cases, a developer or applicant may find it necessary to make changes to the arrangement, size, number, or location of individual lots, streets, or utilities. These changes are usually recognized by the Planning Commission's Staff in the subdivision review process. In general, the Preliminary Plat, Improvement Plan, and Final Plat shall be similar in design and shall follow the same general development concepts. Depending on whether the changes are major or minor in nature, the Boone County Planning Commission may request that a developer or applicant submit a revised Preliminary Plat and/or Improvement Plan for Planning Commission action or for its files. It is the responsibility of the developer or property owner of the subdivision to submit any revised Preliminary Plat or Improvement Plan to the Boone County Planning Commission and to the affected utility company/organization or legislative body. For changes proposed to an approved Preliminary Plat and/or Improvement Plan, the Boone County Planning Commission's staff will determine if the proposed changes are major or minor in nature in terms of overall impact of the subdivision phase on the adjoining properties and community facilities. The changes will include, but not be limited to, number of lots, lot and street configurations, grading and drainage design, utilities and street construction. Minor changes may be reviewed and approved by the Planning Commission's staff without an additional formal review procedure. Major changes shall be reviewed through the normal application procedures.

Revocation of Subdivision Plat

Revocation of a previously approved Subdivision Plat shall be permitted only in accordance with KRS 100.285.

SECTION 210

Preliminary Plat Review Procedure

- A) After meeting informally with the Planning Commission's Staff as required in Section 205, the subdivider shall, prior to the making of any improvements, prepare a Preliminary Plat for review and approval by the Boone County Planning Commission.

- B) A subdivider or applicant shall file an application and submit seven (7) copies of a Preliminary Plat of the proposed subdivision to the Boone County Planning Commission. IN ADDITION, COPIES OF THE PRELIMINARY PLAT ARE RECOMMENDED TO BE SUBMITTED TO THE FOLLOWING APPROPRIATE ORGANIZATIONS OR AGENCIES:
 - 1. legislative body(ies) or their representative;
 - 2. public/private utilities (water, sewer, electric, telephone, gas, cable, etc.);
 - 3. state highway department or county/city public works department;
 - 4. fire department or district;
 - 5. soil conservation service; and,
 - 6. local or state health board.

Action or comments received by the legislative bodies, the public/private utilities, or other agencies is not required for Planning Commission action. The purpose of this recommendation is to begin coordination of reviews and to seek input from the various organizations or agencies in order to keep revisions to the Preliminary Plat and subsequent reviews at a minimum. Any comment from an outside agency shall be received within a two-week period.

- C) The Planning Commission Staff shall review and take action to approve or deny the submitted application based upon the requirements stated in these Subdivision Regulations.

SECTION 215

Preliminary Plat Requirements

The Preliminary Plat shall meet the minimum acceptable design standards and the general applicable regulations for the construction of public improvements as set forth in this document and shall contain the following information:

- a) The proposed subdivision plat shall be drawn to scale of not less than one (1) inch equals one hundred (100) feet. A graphic or written scale shall be noted on the plat along with the date of the plat and north arrow.
- b) The proposed subdivision name and the names and addresses of the owner, developer and the name, address, and seal of a Kentucky licensed Professional Engineer, and/or licensed Professional Land Surveyor responsible for designing the plat. A Preliminary Plat must be designed by both a Kentucky licensed Professional Engineer and a licensed Professional Land Surveyor if the subdivision proposal involves public infrastructure improvements. If no infrastructure improvements are involved, a Preliminary Plat must be designed by a licensed Professional Land Surveyor.
- c) A vicinity map showing the proposed location of the subdivision in relation to major or minor roads in the area. The vicinity map shall have an approximate scale.
- d) All proposed uses including the type of housing (e.g. single-family attached or detached, townhouses, duplexes, etc.) or other uses in the subdivision and any public dedication or reservation of land. In the case of residential subdivisions, the plat shall indicate if the entire subdivision or if specific sections of the subdivision will utilize an Open Space or Cluster Residential Subdivision design as outlined in Article 3 of these regulations and Article 31 of the Boone County Zoning Regulations. The plat shall also designate which lots (if any) will be used for patio homes, when permitted by the Boone County Zoning Regulations. The uniform architectural program required by Section 3159 "Patio Home Standards" of the Boone County Zoning Regulations shall be provided for any proposed patio home lots.

For residential subdivisions, the plat shall indicate if the proposed development is proposed as an Open Space or Cluster Subdivision, which follows the process described in these regulations and Article 31 of the Boone County Zoning Regulations. Materials shall be submitted which demonstrate compliance with the applicable Open Space or Cluster Subdivision requirements.

- e) Acreage of land to be subdivided, the total number of lots, and if applicable, the approximate number of acres in open space or other public uses.
- f) Existing contours with intervals of not more than two (2) feet to reflect the current topography of the proposed subdivision with elevations based on mean sea level (U.S.G.S. Datum). Also, the current elevations on adjoining streets or roads shall be indicated to determine proper access management.

Identify all landscaped areas within a public street right-of-way along with maintenance of such features. If landscaped islands are proposed, drainage facilities are required. Any fencing required by Section 308.A or landscape treatment required by Section 308.B of these regulations shall be shown or noted. Any trees required by Section 3619 "Street Trees" of the Boone County Zoning Regulations for new dwellings subject to the Zoning Permit procedure shall be shown or noted.

- g) Boundary lines of the land to be subdivided in heavy solid lines, including lengths and bearings. The following existing features within 100 feet of the subdivision boundary shall be indicated: all existing buildings, cemeteries, (see Article 3 design standards), historical landmarks or features, railroads, bridges, all private/public utility facilities and easements, the present zoning classification, both on the land to be subdivided and on the adjoining land, and the names of adjacent subdivisions and all street rights-of-way. All existing topography and water courses (creeks, rivers, swales, drainage ditches, etc.) within 200 feet of the subdivision boundary shall be indicated. The names of the property owners of all adjoining unsubdivided properties shall be noted. If the proposed subdivision is an additional section of an existing subdivision, the plat shall show the numbering of all adjoining sections and lots.
- h) Information pertaining to the proposed and existing public/private utility layouts (e.g. storm and sanitary sewer, water, gas, telephone, electric, cable, etc.) based upon existing and proposed service lines. If applicable, location of all detention/retention areas (see Section 325, Design Standards). The preliminary utility layout for the subdivision shall define the location and direction of flow of each stormwater and sanitary sewer, and the location of each water line. Telephone, electrical, and cable service should be noted as being installed underground or overhead.

For proposed subdivisions or developments containing more than 200 acres or 200 single-family lots or 500 multi-family or single-family attached units or combination there of an overall plan for sanitary sewer, storm sewer, and water service shall be required regardless of ownership or if the proposed subdivision is developed in phases or sections.

- i) Names, locations, and widths of proposed streets (see Section 305 Design Standards). The applicant shall state whether the proposed streets will be public or private. Also, any existing easements shall be shown along with other open spaces or reservation of land. Lots shall be numbered and the lot sizes shall be noted on the plat. For all subdivisions that involve private roads and no public improvements (public streets, storm or sanitary sewers, water mains, etc.), detailed street and grading plans based upon the requirements of Sections 245 (k and m) and Section 290 of this document shall be provided.

- j) Approximate boundaries of 100 year flood plain using the National Flood Insurance Program (FEMA) maps. The reference maps are available at the Planning Commission's office through GIS mapping services. The plat shall show all flood-prone areas. Also, a map using the current U.S. Geological Survey data shall be included to demonstrate the drainage basins upstream and downstream from the development.
- k) Reference to the existing soil types of the site or proposed subdivision. The location and identification of soil types can be found in the Soil Survey of Boone, Kenton, and Campbell Counties, Kentucky. This document and soil mapping are available at the Planning Commission's office. If other data is used, it shall be certified by a professional geotechnical engineer (see Article 5 - Definitions Section). The soil types shall be listed on the Preliminary Plat in order to determine any potential environmental impact as a result of building or public improvement construction on each soil type.

For subdivisions planned with individual sanitary septic tank systems, it is recommended that the applicant contact local and state health officials regarding the permit process and preliminary soil testing.

- l) A digital copy of the Preliminary Plat if the plat was computer generated (CAD format).

SECTION 220

Preliminary Plat Approval

- A) The subdivider shall file the completed Preliminary Plat application with the Planning Commission's staff during normal business hours. The Planning Commission's staff shall indicate its approval or disapproval within thirty (30) days from the date of filing, unless such time is extended by agreement between the Planning Commission and the subdivider. If a request is denied, the reasons for denial shall be provided to the subdivider in writing. The basis for action shall be conformance with the applicable requirements of the Boone County Zoning Regulations and the Boone County Subdivision Regulations.
- B) Approval of the Preliminary Plat by the Planning Commission shall not constitute acceptance of the Improvement Plan or Final Plat.
- C) The approval of the Preliminary Plat shall be in effect for two (2) years from the approval date unless an Improvement Plan for at least one (1) section of the subdivision is submitted for review and approval. As each section of a subdivision is approved and developed, the approval of the Preliminary Plat will be extended for a two year period beyond each approved section or phase. A two (2) year extension of approval of a Preliminary Plat is possible through an application to and action by the Zoning Administrator. Any deviation from or changes made to the approved Preliminary Plat shall be submitted to the Planning Commission for review and approval by the Staff. The Planning Commission shall distribute the approved copies to the appropriate organizations.

SECTION 240

Improvement Plan Review Procedure

- A) The applicant is encouraged to have a pre-application meeting with the Planning Commission's Staff. After meeting informally with the Planning Commission's Staff, the subdivider or applicant shall, prior to the construction and installation of any utilities or

roads or grading of any parcel, prepare and submit an Improvement Plan for review and action by the Boone County Planning Commission's staff. In general, the Improvement Plan shall be consistent with the approved Preliminary Plat.

- B) The property owner, developer, or applicant may file an application and submit an Improvement Plan to the Boone County Planning Commission's staff at any time during normal business hours. The staff will review each plan and have thirty (30) days from date of receipt to take action on a submitted Improvement Plan unless the time limitation is waived by agreement between the developer and the Boone County Planning Commission. If the Commission's staff approves the plan then the applicant may proceed with construction.

The applicant shall submit seven (7) copies of an Improvement Plan of the proposed subdivision to the Boone County Planning Commission's Staff. Copies of the submitted Improvement Plan may then be forwarded by the Planning Commission's Staff to the appropriate public/private utility companies, legislative bodies, state or county highway/road department, soil conservation service or other pertinent body in order to seek input and coordinate reviews. Action or comments received from the above organizations is not required for Planning Commission approval.

SECTION 245

Improvement Plan Requirements

The Improvement Plan shall provide the minimum acceptable design and improvement standards which are required as a precondition to development or in conjunction with development for lots, streets, utilities, and other physical elements in the subdivision. Based upon the information and design plans of the subdivision, the Boone County Planning Commission may request additional information on any of the following requirements in order to clarify design issues. The Improvement Plan shall be designed by a Kentucky licensed Professional Engineer and installed in accord with these and other applicable regulations, and shall contain the following information:

- a) The proposed name of the subdivision or development. In no case shall the name of a proposed subdivision duplicate or be similar to an existing subdivision in Boone County unless it is an extension or expansion of existing subdivision.
- b) Names and addresses of owner or developer of the subdivision and the Kentucky licensed Professional Engineer responsible for the design of all improvements. The plan shall be certified with the seal of the engineer.
- c) A vicinity map showing the proposed location of the subdivision in relation to roads in the area, and the boundaries of the phase or phases under review relative to the entire subdivision. The vicinity map shall have an approximate scale.
- d) The plan shall be to a scale of one inch (1") is equal to fifty (50) feet and the submitted drawing shall be a 24" X 36" sheet size unless another scale is approved by Staff. On large lots, this scale may be used to show just the graded portion of the lots and improvements. A graphic or a written scale shall be on each sheet of the plan.
- e) The date shall be on the cover or first sheet of the plan, and a north arrow shall be on all sheets of the plan.

- f) The boundary of the subdivision or section of subdivision under review shall be indicated by a heavy, solid line on one sheet of the plan at a standard scale to show the location of section under review with other sections of the subdivision. All subdivision boundary lines shall be labeled with the bearing and distance.
- g) Location, right-of-way width, and name of all existing and recorded streets, railroads, public and private utility rights-of-way or easements (including drainage easements); water courses (creeks, rivers, swales, drainage ditches, etc.); public parks and open spaces; buildings (labeled as "to remain" or "to be removed"); corporation, county and state lines; cemeteries (see Article 3 design standards) and other historical landmarks or features. Drainage easements not planned to be piped shall be labeled "surface drainage easement."
- h) Location and sizes of all existing utility facilities (public and private) within or adjacent to the subdivision or development area. Location and width of all public or private sidewalks, including ownership and maintenance of private sidewalks and pathway systems.
- i) Location and identification of all existing zoning districts within or adjoining the subdivision or project area. If used for residential purposes, the type of housing shall be stated on the Improvement Plan. The plan shall also designate which lots (if any) will be used for patio homes, when permitted by the Boone County Zoning Regulations. The plan shall also indicate if the proposed subdivision is an Open Space or Cluster Subdivision.
- j) Existing contours with intervals of not more than two feet (2') shall be clearly marked with elevation based on mean sea level (U.S.G.S. Datum) and location and description of the benchmark used.
- k) Location, right-of-way and pavement width, and name of all proposed streets and other public utility right-of-ways or easements. Show striping of street lanes on roads with more than two lanes. Also, show location of street lights and submit detail of a typical light fixture. A typical detail drawing, which depicts the classification of the proposed street shall be shown on the Improvement Plan. Where divided entrances are proposed, detail plans shall be submitted for review and approval. Note signage located at the temporary dead end of streets that are planned to continue through a development and connect with an adjoining property or another roadway to inform the public of a future street connection. Proposed street names shall not duplicate or too closely approximate phonetically, the name of any other street in Boone County. Street stations and PVI's shall be labeled on the centerline of proposed streets and correspond to profiles of said street. (See Design Standards Section 305)

For full width portland cement concrete streets, the Engineer shall submit a project specific detailed method for prevention of street creep. The design for prevention shall be included within the drawing/details of the specific application submitted. Each submittal will be reviewed by the future street owner to assure that the method is acceptable to prevent creep.

The Engineer can include strategies within the street, driveways, or both. If, however, the driveway construction becomes part of the strategy, assurances will be required to insure compliance by future builders; or driveway prevention techniques included with street construction (construct portions of drives in advance).

- l) Proposed location and identification number of all lots with the distances of all proposed lot lines noted and the areas in terms of square feet. If Open Space or Cluster Subdivision lots are proposed, the design of such lots shall follow Section 302 of this document. The proposed drainage of individual lots will be indicated by arrows showing the water flow off the lot. (See Design Standards Section 325).
- m) Profile of each proposed street with finish grades (including adequate extensions, where necessary, beyond the proposed subdivision or development or section) including all existing and proposed underground public utility crossings with catch basins, junction boxes, and manholes and existing private utility crossings including gas, electricity, and telephone. Horizontal scale shall be same as the plan scale, and vertical scale not less than one inch (1") equal to ten feet (10') unless approved by the Boone County Planning Commission Staff. Stationing shall be labeled and correspond to the plan view. (See Design Standards Section 305)
- n) Location of proposed sanitary, storm water, and water resource systems, including all facilities relating thereto such as manholes, pump stations, sewerage plants, catch basins, junction boxes, headwalls, water valves, fire hydrants. Detention/retention areas or ponds shall be clearly identified with the 100 year storm elevation labeled. Detailed drawings of all overflow facilities shall be shown. All stormwater and sanitary sewer facilities (catch basins, junction boxes, headwalls, manholes) shall be numbered and correspond to those facilities on profiles as described in paragraph "o" of this section. Connection to existing facilities shall be shown and labeled. Responsibility of maintenance of any detention/retention areas shall be noted on the Improvement Plan. If applicable, a copy of a Kentucky Division of Water Stormwater General Permit shall be submitted. (See Design Standards Section).
- o) Show boundaries of Buffer Zones along designated creeks as defined in Section 325.
- p) Location and identification of any drainage facility (i.e. man made dams) or natural feature (i.e. lake or pond) on the site or within one hundred feet (100') of the subdivision or development boundary which has or could have a significant impact on drainage or siltation control.
- q) Profiles of all proposed stormwater and sanitary sewer pipelines, and facilities including percent grade, pipe diameters, material of pipe, pipe lengths, and invert elevations. Profiles shall also show all existing and proposed public utility (water, storm and sanitary sewer) crossings, and all existing private utility (gas, electric, telephone) crossings. The facilities (catch basins, junction boxes, headwalls, manholes) shall be numbered and correspond to those facilities as described in paragraph "n" of this section. The 25 year hydraulic grade lines shall be shown for all storm water systems. Detail drawings of all detention/retention overflow and controlling facilities including valves shall be shown. Connections to existing pipelines or facilities shall be shown and labeled.
- r) Design calculations for all drainage facilities including detention/ retention basins, sediment basins, storm water pipelines and drainage channels. Calculations must include flows, 25 year hydraulic grade elevations, mean velocities, etc., and be approved and signed by a Kentucky licensed Professional Engineer. (See Design Standards Section).
- s) Proposed finished contours with intervals of not more than two feet (2'), shall be clearly labeled and be related to the existing contours. Maximum grade for any excavated (cut or fill) slopes shall be 2 ½:1 (2 ½ feet horizontal for each 1 foot vertical), and the design slope shall be labeled on the plan. Engineered slopes may be steeper upon report by a geotechnical engineer (see Article 5 - Definitions Section) approved by the Planning

Commission. For all residential subdivisions, the top of foundation at the first floor elevation and drainage arrows indicating the final drainage pattern of the proposed lots shall be provided. Disturbed limits shall be clearly identified on the submitted plan and in the field.

If a grading plan of the proposed subdivision or section thereof was approved under Section 290 of the Regulations, then a copy of that approved plan shall be submitted with the proposed Improvement Plan.

- t) The names of adjacent subdivisions and all street rights-of-way within two hundred (200) feet of the subdivision boundary and the names of the property owners of all adjoining unsubdivided properties. If the proposed subdivision is an additional section of an existing subdivision, the plan shall show the numbering of all adjoining sections and lots.
- u) Reference to the type of street and a typical cross-section detail as noted in the current City or County or State Street Specifications.
- v) The minimum building setback lines as stated in the current Boone County Zoning Regulations shall be shown on each lot.
- w) Label lots in the proposed subdivision or development that are intended to be dedicated or temporarily reserved for public use, or to be reserved by deed covenant for use of all property owners in the subdivision, and the conditions (if any) of such dedication or reservation. The applicant shall provide information regarding any dedication of public lands, restrictive covenants on non-development areas, or conservation easements.

Identify all landscaped areas within a proposed public street right-of-way along with an easement and maintenance responsibility of such features. If landscaped islands are proposed, drainage facilities are required, and a detail of the island shown and labeled. Any fencing required by Section 308.A or landscape treatment required by Section 308.B of these regulations shall be shown with explanatory notes or details provided. Any trees required by Section 3619 "Street Trees" of the Boone County Zoning Regulations for new dwellings subject to the Zoning Permit procedure shall be shown or noted.

- x) Location of ALL erosion and sediment control facilities shall be shown on the plan, with detail drawings of each type of facility being used. The detailed soil erosion techniques or features may be referenced on the plan in accordance with the Street, Storm, and Sidewalk Specifications and submitted Best Management Practice document. All excavated slopes shall be seeded and mulched immediately upon completion of grading of that particular slope, and right-of-ways shall be seeded and mulched within sixty (60) days of the Planning Commission's approval of the final plat of that section.
- y) A statement regarding the intent to create a Homeowners Association and intended maintenance for HOA owned or controlled improvements.
- z) Additional documentation or information such as geotechnical studies may be required by the Boone County Planning Commission if an applicant is proposing to make improvements on property located near or in areas classified as hillsides by Section 3162 "Hillside Development Guidelines" of the Boone County Zoning Regulations or along roads that have known landslides. Areas which are classified as hillsides are subject to the requirements of Section 3162 through the Preliminary Plat and Improvement Plan procedures, and Grading Plan procedure if applicable.

- aa) For subdivisions planned with individual sanitary septic tank systems, it is recommended that the applicant contact local and state health officials regarding the permit process and preliminary soil testing.
- bb) A digital copy of the Improvement Plan if the plan was computer generated (CAD format).

SECTION 250

Improvement Plan Approval

- A) The subdivider shall file the completed Improvement Plan application with the Planning Commission's Staff during normal business hours. The Planning Commission's Staff shall indicate its approval or disapproval of the Improvement Plan within thirty (30) days from the date of filing unless time is extended by agreement between the Planning Commission and the subdivider. If a request is denied, the reasons for denial shall be provided to the subdivider in writing. The basis for action shall be conformance with the applicable requirements of the Boone County Zoning Regulations and the Boone County Subdivision Regulations.
- B) Approval of the Improvement Plan by the Planning Commission shall not constitute acceptance of the Final Plat. Approval of the Improvement Plan also shall not be construed as acceptance or agreement to accept any proposed improvement intended to be dedicated to public use.
- C) The Improvement Plan shall become null and void after two (2) years from the date of approval, unless a substantial amount of construction of significant improvements in the subdivision are made and include the following: utility installation, road construction, or extensive excavation. In addition, acceptance of a bond or guarantee will be interpreted by the Planning Commission as having met the requirements of construction of significant improvements. A two (2) year extension of approval of an Improvement Plan is possible through an application to and action by the Zoning Administrator. Any deviation from or changes made to the approved Improvement Plan shall be submitted to the Planning Commission for review and approval by the Staff. The Planning Commission shall distribute the approved copies to the appropriate organizations.

SECTION 255

Final Plat Review Procedure

- A) The Final Plat shall, in general, conform to the approved Preliminary Plat and Improvement Plan, and if desired by the developer, it may constitute only that portion of the approved Improvement Plan which the applicant proposes to record and develop at the time, provided however, that such portion conforms to all requirements of these regulations. If an applicant or property owner originally used the conveyance plat or minor division of land procedure, but then decided to create more than five buildable lots from the parent tract and no public improvements are planned or required, then he shall be required to submit a Preliminary Plat and a Final Plat.
- B) The Boone County Planning Commission's Staff will review the Final Plat application. The subdivider or applicant shall submit three (3) copies of the original plat or drawing, three (copies) of the record drawing, and file an application form. Once the Staff review has been completed, a revised drawing shall be submitted for review and approval by the Staff. Seven (7) paper copies and the original mylar plat or drawing of the revisions shall

be submitted to the Boone County Planning Commission for signature. Once approved by the Staff, the Chairman, Vice-Chairman, Secretary-Treasurer, Temporary Presiding Officer, or designated employee of the Boone County Planning Commission will sign the plat. The application and Final Plat shall be submitted during the regular business hours of the Planning Commission.

SECTION 260

Final Plat Requirements

The Final Plat shall conform to the requirements as follows, and to the current minimum standards as stated by the Kentucky Revised Statutes (KRS 322) and Kentucky Administrative Regulations (201 KAR 18).

- a) The proposed name of the subdivision or development, as established by the Improvement Plan. Also, names of adjacent property owners and recorded subdivisions with section or phase number. All Final Plats shall be drawn on a 18" X 24" fixed line mylar.
- b) Location of the proposed subdivision or development, whether in the incorporation limits of a city or in the unincorporated area of Boone County.
- c) Group Number as established and published by the Boone County Clerk's Office.
- d) Name(s) and address(es) of the owner or developer of the subdivision and the Kentucky licensed Professional Land Surveyor or surveying firm responsible for survey and lot design of the subdivision.
- e) Date, north arrow, and graphic or written scale. The scale shall not be less than one inch (1") equal to fifty feet (50'), except subdivision or developments with lots having a minimum area of eighty thousand (80,000) square feet which shall not be less than one inch (1") equal to one hundred feet (100).
- f) Boundary of the subdivision or section thereof, with bearings and distances based on the field traverse that has an accuracy in accordance with 201 KAR 18.150.
- g) Area in acres of the subdivision or section of the subdivision and area in acres of each lot that is over one (1) acre.
- h) Location and right-of-way width of all streets and easements which are to be dedicated or reserved for public or private use. All proposed easements shall clearly state the purpose of the easement and the party to which it is being conveyed. All private easements shall be labeled "private." In instances where the party responsible for the easement changes over its' course, and/or the public or private nature changes, a defined boundary shall be indicated. The recording reference for existing easements which are already of record shall be noted. Drainage or similar easements do not permit a property owner to perform grading or site work on adjoining lots under different ownership unless the easements are specifically worded to allow such work.
- i) Names of streets within or adjacent to the subdivision, and private streets shall be labeled.

- j) Centerline curve data for the right-of-way of the streets and easements with the data to include: central angle and radius, arc, length, long chord and tangent distances.
- k) Numbered lots whose boundaries are described by bearing and distance for each tangent course, and proper curve data (as given above) for curve courses. Lot corners that are within curved street sections, shall have a reference tie to the tangent line of that centerline curve. Also, if any lots were subject to a conveyance plat, those lots shall be

noted with dashed lines and referenced by deed book and page number. If clustered residential lots are proposed, design of such lots shall follow Section 302 of this document.

- l) All corners of the lots within the subdivision or section thereof shall be monumented and shown, including notation as whether were found or set, and the type of monument used in accordance with 201 KAR 18.150 (See Section 281).
- m) Location of areas to be dedicated for public use and with the planned use clearly indicated. Areas intended to be reserved for common use but not dedicated to public use shall be identified by a lot number and treated as a private lot. Lots to be conveyed to the proper legislative body for detention purposes shall be labeled and the deed of transfer shall be executed. A statement shall appear on the Final Plat that clearly describes the ownership and maintenance responsibilities for any public or non-public common areas. In addition, if the lot(s) are located within either the 65 DNL, 70 DNL or 75 DNL of the current Cincinnati/Northern Kentucky International Airport's Noise Exposure Map as adopted by the Kenton County Airport Board, then the following statement shall appear on the plat:

"These lots or structures may be located in a noise sensitive area according to the Year(s) _____ noise contours and Noise Exposure Map approved by the Kenton County Airport Board."

- n) The following statement shall appear on the Final Plat unless noted in the form of a deed restriction by the developer of a subdivision.

"Building setbacks will be determined by current applicable zoning regulations or districts."

The applicant shall also submit copies of any deed restrictions on the design of housing units within Open Space and Cluster Subdivisions to demonstrate compliance with the requirements of Section 302, and for housing units within patio home subdivisions for compliance with the requirements in Section 3159 of the Boone County Zoning Regulations. This information should address design items such as landscaping, roof styles, porches, size and placement of housing units, orientation of entryways, location and orientation of garages, and the location of any off-street public parking spaces.

- o) When the subdivision is being developed under Article 15, Boone County Zoning Regulations, the date of approval of the Concept Development Plan shall be entered on the plat along with all restrictions and conditions, which are a part of the Concept Development Plan approval, shall be recorded in the Miscellaneous Book in the Clerk's office.

- p) Certificate and seal of the Kentucky licensed Professional Land Surveyor, who is responsible for the survey that the plat represents (Appendix A).
- q) A signed and notarized certificate of the owner(s) indicating adoption of the plat and dedication of the streets, easements, and any other public areas (Appendix B). This certificate shall be signed prior to the plat being signed by an officer of the Planning Commission or at a minimum the application form for Final Plat review shall bear the signature of the property owner. When a parcel adjoins either an existing or proposed arterial, collector, subcollector or local public street, one half the right-of-way as prescribed by Section 305 shall be dedicated and shown on the plat. This right-of-way is measured from the centerline.
- r) Reference to the current Deed Book(s) and Page Number(s) as to the transfer to the current owner(s) of all property that is a part of the subdivision or section thereof. If the reference is of more than one tract, the tract line with current deed references shall be shown on the plat.
- s) Certificate of approval of the Boone County Planning Commission (Appendix C).
- t) Reserved blank space for the Boone County Clerk's recording stamp (Appendix D).
- u) Certificate of the approval of public streets, storm sewer line(s), public water and sanitary sewer lines(s) by the appropriate agency or legislative body, if applicable (Appendix F). This also includes executing a written agreement or guarantee to cover the cost of properly installing the proposed improvements.
- v) A final copy of any Homeowners Agreement document which deals with the future maintenance of sidewalks, streets, open areas, recreational lands, street lighting, private utilities, and other items. At a minimum, the Homeowners Agreement document should include membership names, fee or dues structure, estimated cost for future maintenance items, a detailed list of maintenance items, a budget description and a description of ownership boundaries
- w) For subdivisions which involve on-site individual septic tank sewage disposal systems, this statement shall appear on the Final Plat.

"Plat approval for building development and/or alteration of existing systems on each lot is contingent upon the issuance of a sewage construction permit and inspection by the local and/or state health board or district."
- x) For subdivisions which involve private on-site sanitary sewage treatment plants, the following statement shall be placed on the Final Plat.

"The sanitary sewer lines and the sewage treated at the _____ plant will be owned and operated by _____. The sanitary sewer lines will be maintained by _____ and the sewage treatment plant will be maintained by _____."
- y) Show the location and dimensions of a cemetery if it exists on the site, and the required 30 foot exclusive cemetery easement (see Article 3 Design Standards).

z) The following statement shall appear on the plat:

"This plat shall be void if not filed with the Boone County Clerk for recording purposes within two (2) years of Planning Commission approval."

- aa) A record drawing of all public storm water and sanitary sewer improvements, including: the location, surface elevation, and invert elevations of all accessible structures; the size, slope, and material of all pipes; the as-built topography (maximum 2' contour interval) of all detention/retention ponds; the maximum storage capacity of all detention/retention ponds; and the size and elevation of all detention/retention pond control structures.
- bb) A digital copy of the Final Plat and record drawing of public improvements if the plat and record drawing were computer generated (CAD format).

SECTION 265

Final Plat Approval

- A) Approval or disapproval shall occur within ten (10) working days from the date of submittal. Once reviewed and approved by Staff, the Chairman, Vice-Chairman, Secretary/Treasurer, Temporary Presiding Officer, or designated employee of the Boone County Planning Commission will sign the approved copies and original drawing. If a request is denied, the reasons for denial shall be provided to the subdivider in writing. The basis for action shall be conformance with the applicable requirements of the Boone County Zoning Regulations and the Boone County Subdivision Regulations.
- B) Upon approval by the Boone County Planning Commission, copies of the Final Plat will be forwarded to the Property Valuation Administration (PVA) office, the Boone County Building Department, and the applicant. The Boone County Clerk's office receives the approved original drawing.
- C) Approval of the Final Plat by the Boone County Planning Commission shall not constitute the acceptance by the appropriate legislative body of the public dedication or maintenance of any street or other facility nor shall it imply acceptance by the Boone County Clerk for recording purposes.
- D) A Final Plat shall be recorded in the Boone County Clerk's office within two (2) years from the date of the Planning Commission's approval or else the Final Plat shall become void.

SECTION 270

Conveyance Plat Review Procedure

- A) The provisions for Conveyance Plat Review and approval are intended to provide a convenient and expeditious process for the conveyance or transfer of land in a minor division of land from the parent tract as described in Section 200 of this document.
- B) A Conveyance Plat can be used in situations where there is a minor division of land of five (5) buildable lots or less from the parent tract and when no public street improvements or utility improvements, nor the construction or upgrade of private streets, are required. Each lot intended for building or development purposes must still meet the minimum standards in each zoning district as stated on the Boone County Zoning Map and in the

Boone County Zoning Regulations. This type of plat is intended to allow the division of a single buildable lot (maximum 5 lots) from a large tract for building purposes and for the casual sales of property, including the sale of property for non-buildable lots, when the imposition of the full subdivision procedure would be unnecessary.

- C) Conveyance Plats may be submitted at any time to the Boone County Planning Commission for Staff review and approval by the Chairman, Vice-Chairman, Secretary/Treasurer, Temporary Presiding Officer, or designated employee of the Boone County Planning Commission. Three (3) copies shall be required for submittal and an application. The application and Conveyance Plat shall be submitted during the regular business hours of the Planning Commission.

SECTION 275

Conveyance Plat Requirements

Conveyance Plats are intended to graphically represent the information of a boundary survey of property that is to be subdivided and thus reviewed by the Boone County Planning Commission. The Plat shall conform to the following requirements and conform to the minimum standards in the Kentucky Revised Statutes (KRS 322) and the Kentucky Administrative Regulations (201 KAR 18).

- a) Date, north arrow, and standard engineering scale: not less than 1"=200' unless approved by the Planning Commission Staff. Plats may not be larger than 8-1/2" x 14".
- b) Name, address and seal of the Kentucky licensed Professional Land Surveyor responsible for the survey plat preparation and the Land Surveyor's Certificate (Appendix A).
- c) Boundary of the parcel and subdivision of that parcel, including bearings and distances of each tangent course, and all necessary data for curve courses. The traverse that the boundary is depended on shall be in accordance with 201 KAR 18.150, and if requested by the Commission, closure documentation shall be submitted in addition to the plat.
- d) Area in acres (accuracy of 0.001 acre) of the parcel; and remainder parcel if entire parent tract was surveyed.
- e) Bearing and distance to a reference tie which may be the intersection of two dedicated right-of-ways, recorded subdivision corner, primary control network monument (i.e. state plane coordinates), or a corner to the parent tract that the parcel is a division from.)
- f) Location and names of public or private right-of-ways that adjoin the boundary. All proposed easements shall clearly state the purpose of the easement and the party to which it is being conveyed. All private easements shall be labeled "private." In instances where the party responsible for the easement changes over its' course, and/or the public or private nature changes, a defined boundary shall be indicated. The recording reference for existing easements which are already of record shall be noted. Drainage or similar easements do not permit a property owner to perform grading or site work on adjoining lots under different ownership unless the easements are specifically worded to allow such work.

- g) Encroachments discovered in the course of the survey.
- h) Names and recording information of adjoining property owners and/or recorded subdivisions with section or phase number.
- l) Current, legible vicinity map with an accurate scale.
- j) Group number as established and published by the Boone County Clerk's Office.
- k) Statement by the applicant on whether the transfer will be used or is being used for building or non-building purposes (Appendix E).
- l) Description of all monumentation, including notation as whether found or set, and the type of monument used in accordance with 201 KAR 18.150 (See Section 281).
- m) When a parcel adjoins either an existing or proposed arterial, collector, subcollector or local public street, one half the right-of-way as prescribed by Section 305 shall be dedicated and shown on the plat. This right-of-way is measured from the centerline. A signed and notarized certificate of the owner(s) indicating dedication of this right-of-way shall be on the plat. A statement of dedication shall be on the plat (Appendix E).
- n) Certificate for Planning Commission approval (Appendix E).
- o) Show the location and dimensions of a cemetery if it exists on the site, and the required 30 foot exclusive cemetery easement (Article 3 Design Standards).
- p) If the lot(s) are located within either the 65 DNL, 70 DNL or 75 DNL of the current Cincinnati/Northern Kentucky International Airport's Noise Exposure Map as adopted by the Kenton County Airport Board, then the following statement shall appear on the plat.

 "These lots or structures may be located in a noise sensitive area according to the Year(s) _____ noise contours and Noise Exposure Map approved by the Kenton County Airport Board."
- q) The following statement shall appear on the plat.

 "This plat shall be void if not filed with the Boone County Clerk for recording purposes within two (2) years of Planning Commission approval."
- r) A digital copy of the Conveyance Plat if the plat was computer generated (CAD format).

SECTION 280

Conveyance Plat Approval

- A) Approval or disapproval shall occur within ten (10) working days from the date of submittal. Once reviewed and approved by Staff, the Chairman, Vice-Chairman Secretary/Treasurer, Temporary Presiding Officer, or designated employee of the Boone County Planning Commission will sign the approved copies. If a request is denied, the reasons for denial shall be provided to the subdivider in writing. The basis for action shall be conformance with the applicable requirements of the Boone County Zoning

Regulations and the Boone County Subdivision Regulations.

- B) Upon approval by the Boone County Planning Commission, a copy of the Conveyance Plat will be retained by the Boone County Planning Commission. The remaining copies will be returned to the applicant or applicant's surveyor.
- C) Approval of the Conveyance Plat by the Boone County Planning Commission shall not constitute the acceptance or recording of the plat in the County Clerk's office.
- D) A Conveyance Plat shall be recorded in the Boone County Clerk's office within two (2) years from the date of the Planning Commission's approval or else the Conveyance Plat shall become void.

SECTION 281

Monumentation

All monumentation for a proposed subdivision or development shall be in accordance with 201 KAR 18.150 with regard to material, size, shape, identification and minimum accuracies. All corners of the lots within the subdivision or section of, including individual lots, shall be monumented and shown, including notation as whether found or set, and the type of monument. Set monuments shall be placed prior to recording of plat. Setting of control within the streets (centerline pk's or x-notches, curb notches, etc.) may be used in lieu of lot front corner monuments prior to plat recording, but monuments must be set prior to issuance of "Final Occupancy Permit". All street control must be shown and labeled on plat.

SECTION 282

Condominium Property Regime Plats

In accordance with the Horizontal Property Law (KRS 381.805-381.910), whenever a developer, the sole owner, or the co-owners of a building or buildings constructed or to be constructed, expressly declare, through the recordation of a master deed or lease, a condominium property regime may be established. Once the property is submitted to the condominium property regime, a unit in the building (s) may be individually conveyed and may be the subject of ownership possession or sale and other acts as if it were sole and entirely independent of the other units in the building(s) of which they form a part and the corresponding individual titles and interest shall be recordable. It is the purpose of the condominium property regime plat to provide a process whereby two or more apartments, townhouses, rooms, office spaces, or other units in existing or proposed buildings or structures may be subdivided and offered or proposed to be offered for sale in accordance with requirements as established by these regulations. In order to be processed as a condominium property regime plat, the following requirements must be met in addition to other requirements of the subdivision regulations and applicable sections of KRS 381.805 to 381.910:

- 1. The proposed condominium project does not require Preliminary Plat, Improvement Plan and Final Plat Reviews and public utilities are already in place.
- 2. The proposed condominium project will not involve the subdivision and conveyance of land with any unit within the condominium property regime for which other processes are available.
- 3. If condominiums are being proposed as part of Final Plat Review, the applicable

regulations of this section shall apply.

Submission of Condominium Property Regime Plats

The developer shall submit to the Planning Commission seven (7) copies of the Final Plat drawing prepared in accordance with Article 2 of these subdivision regulations. In addition to other requirements of these regulations, the Final Plat shall show the location of the building or buildings proposed for the condominium project. Simultaneously, with the submission of the Final Plat, there shall be attached seven (7) copies of a set of floor plans of the building or buildings in accord with KRS 381.835 bearing the certification of a registered architect or professional engineer.

At this time, the following information shall be filed with the Planning Commission:

1. Application for Condominium Property Regime Plat Approval: An application form provided by the Commission, shall be submitted at the time of filing for Condominium Property Regime Plat approval.
2. Master Deed or Lease: One (1) copy of the master deed or lease, in accord with the requirements of KRS 381.835 to 381.837.
3. Condominium Property Regime Plat Fees: Plat fees shall be submitted the same as for Final Plats, in accord with Article 1 of these regulations.
4. A digital copy of the Condominium Property Regime Plat if the plat was computer generated (CAD format).

Prior to the construction of a planned condominium development, the following review procedures shall be followed:

1. Public improvements associated with a condominium development (public water mains, sanitary sewer mains, etc.) shall be reviewed through the Improvement Plan procedure.
2. Private improvements associated with a condominium development (placement and height of buildings, parking improvements, etc.) shall be reviewed through the Site Plan procedure as described in the Boone County Zoning Regulations. The Site Plan application and any necessary Improvement Plan application shall be submitted for review concurrently. A Preliminary Plat application is not required if the proposal does not involve the creation of tracts of land, construction of public streets, and/or the dedication of right-of-way. With the exception of setback requirements along internal public rights-of-way, the overall development site for multi-building condominium developments (versus individual buildings or lots within the overall development site) shall be evaluated for compliance with the applicable density/ intensity, setback, and parking requirements outlined in the Boone County Zoning Regulations.

Processing of Condominium Property Regime Plats

The Planning Commission shall review the condominium property regime plats for conformance to the applicable requirements of Article 2 of these subdivision regulations and KRS 381.805 to 381.910. If approved and signed by an officer of the Planning Commission, the original condominium property regime plats shall be recorded simultaneously with the master deed or lease in the County Clerk's office as required by Boone County.

SECTION 285

Grading Plan Review Procedure

- A) An application for a Grading Plan may be submitted after approval of a Preliminary Plat but before the submittal of an Improvement Plan. The Grading Plan shall be limited in its scope to grading and storm sewer work. The Grading Plan shall not include final engineered drawings for streets, water lines, and sanitary sewer lines.
- B) The subdivider or applicant shall submit seven (7) copies of the completed Grading Plan to the Boone County Planning Commission during normal business hours. Grading Plan applications are reviewed and approved by the Planning Commission's staff.
- C) Once the Grading Plan has been approved by the Boone County Planning Commission, the subdivider or applicant has one (1) year from the date of the approved Grading Plan to begin and to complete the work as stated in the Grading Plan or the Plan shall become null and void.

SECTION 290

Grading Plan Requirements

Upon the approval of the Preliminary Plat, the developer of a proposed subdivision or property owner may submit a Grading Plan of the proposed subdivision or section thereof for review by the Commission's Staff. Based upon the submitted grading plan, the Boone County Planning Commission may request utility information from other phases of a subdivision if it impacts the site under review. The grading plan shall be designed by a Kentucky licensed Professional Engineer and installed in accord with these and other applicable regulations, and shall contain the following information:

- a) The name of the proposed subdivision or development.
- b) Names and addresses of owner or developer of the subdivision and the Kentucky licensed Professional Engineer, responsible for all of the improvements. The plan shall be certified with the seal of the Engineer.
- c) A vicinity map showing the proposed location of the subdivision in relation to major or minor roads in the area, and the boundaries of the phase or phases under review relative to the entire subdivision. The vicinity map shall have an approximate scale.
- d) The plan shall be to a scale of not less than one inch (1") equal to fifty feet (50'). On large lots, this scale may be used to show just the graded portion of the lots and improvements. A graphic or written scale shall be placed on each sheet of the plan.
- e) The date shall be on the cover or first sheet of the plan, and a north arrow shall be on all sheets of the plan.
- f) The boundary of the subdivision or section of subdivision under review shall be indicated by a heavy, solid line on one sheet of the plan at a standard scale to show the location of section under review with other sections of the subdivision. All subdivision boundary lines shall be labeled with the bearing and distance.

- g) Location, right-of-way width, and name of all existing or recorded streets, railroads, and public and private utility easements (including drainage easements), public parks and open spaces; buildings (labeled "to remain" or "to be removed"); incorporation, county and state lines; cemeteries (see Article 3 design standards) and other historical landmarks or natural features.
- h) Location and size of all existing utilities (public and private) within or adjacent to the subdivision or project area.
- l) Existing contours with intervals of not more than two feet (2') shall be clearly marked with elevations based on mean sea level (U.S.G.S. Datum) and location and description of benchmark used.
- j) A general location of any proposed streets and detailed plans of any storm sewer facilities to be installed at time of grading. (See Design Standards Section 325.).
- k) Show boundaries of Buffer Zones along designated creeks as defined in Section 325.
- l) Proposed finished contours with intervals of not more than two feet (2') shall be clearly labeled, and related to existing contours. Maximum grade for any excavated (cut or fill) slopes shall be 2 ½:1 (2 ½ feet horizontal for each 1 foot vertical), and the design slope shall be labeled on the plan. Engineered slopes may be steeper upon report by a geotechnical engineer (see Article 5 - Definitions Section) approved by the Planning Commission. For all residential subdivisions, the front door floor elevation and drainage arrows shall be labeled for each building lot. For open space subdivisions, a detailed drainage plan shall be included for all building lots. Disturbed limits shall be clearly identified on the submitted plan and in the field.
- m) Location of erosion and sediment control facilities shall be shown on the plan, with detail drawings of each type of facility being used. The detailed soil erosion techniques or features may be referenced on the plan in accordance with the Street And Storm Drainage Construction Specifications and submitted Best Management Practice document. All excavated slopes shall be seeded and mulched immediately upon completion of grading of that particular slope, and right-of-ways shall be seeded and mulched within sixty days (60) of the Planning Commission's approval of the final plat of that section.
- n) Additional documentation or information such as geotechnical studies may be required by the Boone County Planning Commission if an applicant is proposing to make improvements on property located near or in areas classified as hillsides by Section 3162 "Hillside Development Guidelines" of the Boone County Zoning Regulations. Areas which are classified as hillsides are subject to the requirements of Section 3162 through the Preliminary Plat and Improvement Plan procedures, and Grading Plan procedure if applicable.
- o) A digital copy of the Grading Plan if the plan was computer generated (CAD format).

SECTION 295

Grading Plan Approval

- A) Approval or disapproval shall occur within ten (10) working days from the date of submittal. If a request is denied, the reasons for denial shall be provided to the subdivider in writing. The basis for action shall be conformance with the applicable requirements of the Boone County Zoning Regulations and the Boone County Subdivision Regulations.

- B) The Grading Plan will not serve as a replacement or substitute for the Improvement Plan.

SECTION 296

Cincinnati/Northern Kentucky International Airport Noise Exposure Maps

The following Noise Exposure Maps for the Cincinnati/Northern Kentucky International Airport have been approved by the Kenton County Airport Board.