

Kenton County

Land Development Review Process Reference Guide



A guide to assist you with identifying the processes and permits necessary to successfully develop a site and the support agencies to contact for further assistance.

How to Use This Book

The processes described in this booklet track the development review process for the parcel described below. Processes for a parcel with and without access to sewer are also described.

For the purposes of developing this reference guide for Kenton County, the following assumptions were made regarding the potential development site:

1. 50 acres
2. More than 200 linear feet of streams present
3. High-quality, wooded wetlands present
4. Road frontage on a county or state road
5. Water, electric, cable, gas, and telephone services available
6. Zoned agricultural
7. At least 25 percent forested
8. Cemetery or other archeological site present
9. Endangered species or potential habitat present
10. Phase I and II Environmental Site Assessments have been completed and, if necessary, required actions have been implemented satisfactorily

Topics discussed in the *Kenton County Land Development Review Reference Guide* are organized in the following three main categories:

1. Natural and Historical Resources
2. Planning, Land Development, and Building
3. Utilities

Within each category, activities are organized alphabetically.

A flowchart of development activities indicating the relative timeframe when various parts of the process occur is provided on page four of the reference guide.

Table of Contents

Summary of the Development Review Process in Kenton County	4
---	---

Natural and Historical Resources

Archaeology	5
Floodplain and Floodway	6
Rare, Threatened, and Endangered Species.....	7
Streams and Wetlands	8

Planning, Land Development, and Building

Clearing	9
Grading.....	10
Land Disturbance Permit.....	12
Map Amendment (Zone Change).....	14
Major Subdivision Approval	15
Minor Subdivision Approval	16
New Streets.....	17
Zoning and Building Permits.....	18

Utilities

Electric Service.....	19
Gas Service.....	20
On-Site Package Treatment Plant.....	21
Septic System	22
Sewer Line Extension.....	23
Storm and Sanitary Sewer Connection and Capacity Determination	24
Telephone and Cable Services.....	25
Water Service	26

Appendix A

Sample Permit Applications	27
----------------------------------	----

Appendix B

Controlling Agency Contact Information.....	30
---	----

Summary of the Development Review Process in Kenton County

Initial Steps

- Determine water and septic/sewer availability
- Obtain necessary septic or sewer permits
- Apply for zone change, if necessary
- Subdivision preliminary plan review



Middle Steps

- Archaeology coordination
- Floodplain/floodway permit
- Rare, threatened, and endangered species coordination and permit
- Streams and wetlands permits
- Clearing
- Grading
- Land disturbance permit
- New streets
- Electric service
- Gas service
- Telephone and cable service
- Water service



Final Step

- Final plat approval

Natural and Historical Resources Archaeology

Prior to any disturbance of earth on a site, it may be necessary to investigate the site for any potential artifacts of historical and/or cultural significance, such as historic home sites or remnants of prehistoric villages. These studies must be performed by a professional archaeologist.

Controlling Agencies: U. S. Army Corps of Engineers and Kentucky Heritage Council.

Action Required: A thorough literature review of the site or possibly a Phase 1 Archaeological Assessment Report. The Kentucky Heritage Council will provide a letter of no concurrence with the report findings. If items of significance are found, then a Phase 2 assessment and Phase 3 artifact recovery may be required.

Estimated Timeframe: The review process can take 1 to 12 months, depending upon the presence or absence of artifacts on the site and their level of significance.

Inspection and/or Enforcement Duties: U. S. Army Corps of Engineers and Kentucky Heritage Council.

City and/or County Involvement/Responsibility: The involvement of City or County government is not required; however, either can legally request copies of all communications and permits from the controlling agency on a site-by-site basis. An inquiry could trigger the investigation if it has not already occurred. As a duty of their public service mandates and mission, a City or County should and can request notification by the controlling agency when a permit is applied for in their jurisdiction and subsequent status reports, findings, and final resolutions.

Permit Information: For more information regarding the permitting process, contact the U. S. Army Corps of Engineers and Kentucky Heritage Council.

Natural and Historical Resources Floodplain and Floodway

A floodplain permit is required for any proposed construction activities that fall within the floodway and 100-year floodplain of all streams in Kentucky.

Controlling Agency: Kentucky Division of Water.

Action Required: Submit a complete application with a location map, plans of proposed construction activities, and public notice notification. If there is existing flood data on the proposed site (National Flood Insurance Program maps, U. S. Army Corps of Engineers flood studies, or previous permit data), then the permit review will begin. If there is no existing data, the submittal of survey information is required in order to perform an in-house flood study of the area.

Estimated Timeframe: The Floodplain Management Section will notify the applicant within 20 working days once a completed permit application has been received by Kentucky Division of Water.

Inspection and/or Enforcement Duties: Kentucky Division of Water or local government.

City and/or County Involvement/Responsibility: Local governments, including those containing a city of the first class, have the authority to issue building permits to landowners whose property lies within a special flood hazard area if the local government has or has access to engineering staff with sufficient expertise to meet the requirements of the National Flood Insurance Program. A permit granted by a local government is filed with the Environmental and Public Protection Cabinet which shall review it to make certain that all requirements of the National Flood Insurance Program have been met.

Permit Information: The permit application and additional information can be found at < www.water.ky.gov/permitting/>.

Natural and Historical Resources Rare, Threatened, and Endangered Species

Proposed activities may need a permit from both state and federal agencies in order to proceed. The purpose of the permit process is to ensure development activities have minimal impact on state and federal listed rare, threatened, and endangered species.

Controlling Agency: U. S. Fish and Wildlife Service.

Action Required: Agencies involved must complete a study and deliver a letter of no findings or permit with conditions which must be met in order for the proposed activity to be completed. Contact the local field office prior to submitting the incidental take permit application.

Estimated Timeframe: The local field office will be able to provide guidance and a timeline on the application process.

Inspection and/or Enforcement Duties: U. S. Fish and Wildlife Service and U. S. Army Corps of Engineers.

City and/or County Involvement/Responsibility: The involvement of City or County government is not required; however, either can legally request copies of all communications and permits from the controlling agency on a site-by-site basis. An inquiry could trigger the investigation if it has not already occurred. As a duty of their public service mandates and mission, a City or County should and can request notification by the controlling agency when a permit is applied for in their jurisdiction and subsequent status reports, findings, and final resolutions.

Permit Information: Permit application can be found at www.fws.gov/forms/3-200-56.pdf.

Natural and Historical Resources Streams and Wetlands

The developer is responsible for determining if wetlands or streams are located within the footprint of the proposed development activities. It is recommended that a consultant be retained to complete the necessary assessments. Completing necessary site assessments in the infancy stage of the development process will allow for design modifications to account for the presence of streams and/or wetlands on the site. If impacts to wetlands/streams are inevitable, then mitigation may be required.

Controlling Agencies: U. S. Army Corps of Engineers and Kentucky Division of Water.

Action Required: Complete a stream and wetland delineation assessment and report. Submit the delineation for review. Mitigation may be necessary to offset impacts to wetlands/streams. A 404 permit, nationwide or individual, and a 401 permit (Water Quality Certification) will be required for any impacts to onsite streams and/or wetlands.

Estimated Timeframe: The permitting process takes 6 to 12 months.

Inspection and/or Enforcement Duties: U. S. Army Corps of Engineers and Kentucky Division of Water.

City and/or County Involvement/Responsibility: The involvement of City or County government is not required; however, either can legally request copies of all communications and permits from the controlling agency on a site-by-site basis. An inquiry could trigger the investigation if it has not already occurred. As a duty of their public service mandates and mission, a City or County should and can request notification by the controlling agency when a permit is applied for in their jurisdiction and subsequent status reports, findings, and final resolutions.

Permit Information: The 404 permit application can be accessed at <www.lrb.usace.army.mil/regulatory/other/E4345.pdf> and the 401 permit application can be accessed at <www.water.ky.gov/permitting/> .

Planning, Land Development, and Building Clearing

A clearing permit, administered by Sanitation District No. 1 of Northern Kentucky, is required for clearing activities on a property greater than 1 acre in size. These activities include stripping and cutting of trees and ground cover and the removal of roots and associated material. The clearing permit does not include any earth moving activities, including rough shaping of the site. A clearing permit will not be required if the property owner/applicant has received a grading or land disturbance permit for the property covering the same activity.

Controlling Agency: Sanitation District No. 1 of Northern Kentucky and the appropriate legislative body/local government.

Action Required: Permits are required for erosion and sediment control and for other clearing issues. Developer must contact Sanitation Division two to three days prior to any disturbance activities for permit application and an on-site inspection.

Estimated Timeframe: Approximately three weeks should be anticipated to complete the permitting process.

Inspection and/or Enforcement Duties: Sanitation District No. 1 of Northern Kentucky will perform periodic site inspections to check for compliance.

City and/or County Involvement/Responsibility: Local governments can and should request proof of approved permit issued by the controlling agency. City and County staff may independently inspect the site, enforce local regulations, and impose penalties as the situation requires, and/or the local government may refer the situation to the controlling agency for action and resolution.

Permit Information: The permit application can be found at www.sd1.org/forms/forms.asp?id=150&PageFrom=getForms.

Planning, Land Development, and Building Grading

A grading permit is required for any grading activities on a property greater than 1 acre in size, which includes excavation, filling, stockpiling, or other earth moving activities. The permit also includes activities covered by a clearing permit. The installation of storm sewer systems (including storm sewer structures and pipes, detention ponds, etc.) require a Land Disturbance Permit and will not be approved as part of a Grading Permit. A grading permit must be acquired from Kenton County Planning Commission, regardless of size, if the grading activity results in a public infrastructure improvement.

Controlling Agency: Sanitation District No. 1 of Northern Kentucky and Northern Kentucky Area Planning Commission.

Action Required: Developer must contact Sanitation Division two to three days prior to any disturbance activities for permit applications and an onsite inspection. Submit erosion control plans along with permit application to the Sanitation District for permit review. In addition, submit Notice of Intent to Kentucky Division of Water stating project will be in compliance with Kentucky Pollution Discharge Elimination System. At the completion of project, receive Notice of Termination. If the grading activity is for a public infrastructure improvement, the developer must send the permit with grading plans to Northern Kentucky Area Planning Commission staff for their review; activities can not proceed without this approval.

Estimated Timeframe: Approximately three weeks should be anticipated to complete the permitting process.

Inspection and/or Enforcement Duties: Sanitation District No. 1 of Northern Kentucky will perform periodic site inspections to check for compliance of erosion control issues. If the grading activity is for a public infrastructure improvement, NKAPC staff will perform periodic site inspections to check for compliance with applicable subdivision regulations.

Planning, Land Development, and Building Grading (continued)

City and/or County Involvement/Responsibility: Local governments can and should request proof of approved permit issued by the controlling agency. City and County staff may independently inspect the site, enforce local regulations, and impose penalties as the situation requires, and/or the local government may refer the situation to the controlling agency for action and resolution.

Permit Information: Permit applications can be found at www.sd1.org/forms/forms.asp?id=150&PageFrom=getForms and www.water.ky.gov/homepage_repository/kpdes_permit_aps.htm.

Planning, Land Development, and Building

Land Disturbance Permit

A land disturbance permit, administered by Sanitation District No. 1 of Northern Kentucky, is required for any alteration of the earth's surface and where storm sewer systems and construction of hardscapes will occur. This permit may be issued in lieu of the clearing and grading permits as it regulates all land disturbance activities for which the Sanitation District is responsible. This permit is only required for activities occurring on land greater than 1 acre. A permit must also be acquired from Northern Kentucky Area Planning Commission (NKAPC) staff, regardless of size, if the activity results in a public infrastructure improvement.

Controlling Agency: Sanitation District No. 1 of Northern Kentucky and Northern Kentucky Area Planning Commission.

Action Required: Developer is required to submit erosion control plans along with permit application to the Sanitation District for permit review. If the activity is for a public infrastructure improvement, the developer must send the permit with detailed infrastructure plans to Northern Kentucky Area Planning Commission staff for their review; activities can not proceed without their approval. Developer must contact Sanitation Division 2 to 3 days prior to any disturbance activities for permit application and an on-site inspection. It is also required to submit "Notice of Intent" to Kentucky Division of Water stating project will be in compliance with Kentucky Pollution Discharge Elimination System. A "Notice Of Termination" is required by both the Sanitation District and the Kentucky Division of Water to terminate the Land Disturbing Activity Permit when the construction is complete and the site is stabilized.

Estimated Timeframe: Approximately three weeks should be anticipated to complete the permitting process.

Planning, Land Development, and Building

Land Disturbance Permit (continued)

Inspection and/or Enforcement Duties: Sanitation District No. 1 of Northern Kentucky will perform periodic site inspections to check for compliance of applicable regulations. If the activity is for a public infrastructure improvement, NKAPC staff will perform periodic site inspections to check for compliance with applicable subdivision regulations.

City and/or County Involvement/Responsibility: Local governments can and should request proof of approved permit issued by the controlling agency. City and County staff may independently inspect the site, enforce local regulations, and impose penalties as the situation requires, and/or the local government may refer the situation to the controlling agency for action and resolution.

Permit Information: Permit applications can be found at www.sd1.org/forms/forms.asp?id=150&PageFrom=getForms and www.water.ky.gov/homepage_repository/kpdes_permit_aps.htm.

Planning, Land Development, and Building

Map Amendment (Zone Change)

A request for a map amendment is required in such cases where development which is proposed on a site is not permitted under the current zoning. Requests may originate from a property owner (or agent), the planning commission or the legislative body.

Controlling Agency: Kenton County Planning Commission (Northern Kentucky Area Planning Commission, Department of Current Planning)

Action Required: Complete applications are submitted to the staff of the Northern Kentucky Area Planning Commission for review and recommendation to the Kenton County Planning Commission, which holds at least one public hearing following public notice. Findings of fact and recommendation including a summary of evidence and testimony are then sent to the legislative body.

Estimated Timeframe: Approximately four to six months should be anticipated to complete the Map Amendment/Stage I Development Plan review and approval process (does not include timeframe for Stage II Development Plan review, zoning and building permit process).

Inspection and/or Enforcement Duties: Stage I and II Development Plans must be submitted for review and recommendation/approval.

City and/or County Involvement/Responsibility: Cities have a significant role and responsibility for this issue. Initially, the city must receive a formal request from the applicant. Then, NKAPC coordinates public hearings, assesses the application, and then makes recommendations to the planning commission/city for action. The city's governing body has ultimate authority on zoning and can deny the zone change request or pass an ordinance accepting and/or modifying the request.

Permit Information: The permit application can be found at <www.nkcapc.org/applications_forms/maptext.pdf>.

Planning, Land Development, and Building

Major Subdivision Approval

Any subdivision of land containing the division of six or more buildable lots and/or the construction of any street or public utility improvements qualifies as a major subdivision and requires the approval of a Preliminary Plat. Any applicant that proposes a major subdivision is required to attend at least one pre-application meeting with Northern Kentucky Area Planning Commission staff prior to submitting a formal Preliminary Plat application.

Controlling Agency: Northern Kentucky Area Planning Commission, Infrastructure Engineering.

Action Required: Approval of a Preliminary Plat. A public hearing is not required.

Estimated Timeframe: Preliminary Plats will be reviewed within thirty calendar days of submittal.

Inspection and/or Enforcement Duties: Not applicable.

City and/or County Involvement/Responsibility: Local governments have limited responsibilities. As plans are submitted to the controlling agencies for review and approval, cities should ask for notification of projects within their jurisdiction if an automatic or routine process is not already in place.

Permit Information: The Preliminary Plat application is available at <www.nkapc.org>; navigate to applicable county and then to applications and forms page.

Planning, Land Development, and Building

Minor Subdivision Approval

An applicant desiring to subdivide property in a manner that qualifies as a minor subdivision may submit a survey (referenced as an Identification Plat) of the property to be transferred. A minor subdivision must: (1) contain five or less buildable lots and involve no street or public utility improvements; or (2) be for non-building purposes. The Identification Plat must comply with applicable subdivision regulations as well as the applicable requirements of the Kentucky Revised Statutes (K.R.S. 322).

Controlling Agency: Northern Kentucky Area Planning Commission, Infrastructure Engineering.

Action Required: Approval of an Identification Plat.

Estimated Timeframe: Identification Plats will be reviewed within fourteen calendar days of submittal.

Inspection and/or Enforcement Duties: Not applicable.

City and/or County Involvement/Responsibility: Local governments have limited responsibilities. As plans are submitted to the controlling agencies for review and approval, cities should ask for notification of projects within their jurisdiction if an automatic or routine process is not already in place.

Permit Information: The Identification Plat application is available at <www.nkapc.org>; navigate to applicable county and then to applications page.

Planning, Land Development, and Building New Streets

The construction of new streets involving the subdivision of land requires approval of a Preliminary Plat and Improvement Drawings and Specifications. The Improvement Drawings shall provide the minimum acceptable design and improvement standards which are required for the development of lots, streets, utilities, and other physical elements in the subdivision. The Improvement Drawings shall be designed by a Kentucky Registered Professional Engineer.

Controlling Agency: Northern Kentucky Area Planning Commission, Infrastructure Engineering.

Action Required: Obtain approval of Improvement Drawings and Specifications.

Estimated Timeframe: Improvement Drawings will be reviewed within thirty calendar days of submittal.

Inspection and/or Enforcement Duties: NKAPC Staff provides inspections for new street, storm sewer, and sidewalk/driveway apron construction.

City and/or County Involvement/Responsibility: If the new street is a Kentucky Transportation Cabinet project, then the local government is notified and has opportunities to provide input on the project; however, the Cabinet retains ultimate authority. If new public roads are proposed as part of a subdivision project, then the issue is addressed by Northern Kentucky Area Planning Commission and the city is not directly involved. Notification and an opportunity for input should be given to cities.

Permit Information: The Improvement Drawing application is available at <www.nkpc.org>; navigate to applicable county and then to applications page.

Planning, Land Development, and Building

Zoning and Building Permits

Any new development in Kenton County requires both a zoning and building permit. The Northern Kentucky Area Planning Commission's **OneStopShop** program unites the codes administration responsibilities of many of Northern Kentucky's local governments under one roof. **OneStopShop** administers the requirements of the uniform statewide Kentucky Building Code (and attendant National Electric Code), local zoning ordinances, and the International Property Maintenance Code. It also works through and with local code enforcement boards.

Controlling Agency: Northern Kentucky Area Planning Commission, Department of Current Planning (Zoning permits), and Department of Building Codes Administration (Building permits).

Action Required (Building): Request building or electric inspections, request building plan reviews.

Action Required (Zoning): Submit zoning permit application, file zoning complaints, and submit applications for variances, conditional use permits, and find out about non-conforming uses and structures.

Estimated Timeframe: The process takes approximately ten working days.

Inspection and/or Enforcement Duties: Northern Kentucky Area Planning Commission.

City and/or County Involvement/Responsibility: Some cities have centralized their responsibilities through the **OneStopShop** program. A list of those are found at <www.nkonestop.org/>. For cities not participating in this program, involvement is determined at the local level; contact that city directly.

Permit Information: For **oneStopShop** participating cities, zoning and building codes administration application forms can be found at <www.nkcapc.org/zba-forms.html>. For cities not participating in this program, local permits and procedures apply. Please contact that city directly.

Utilities

Electric Service

Customers must make requests for new electric service prior to the start of construction. Duke Energy publishes a manual for persons or firms the plan to install new electric equipment and services and connect to company facilities. Owen Electric Cooperative requires the completion of a New Electric Service (Construction) form.

Controlling Agencies: Duke Energy and Owen Electric Cooperative Inc.

Action Required: Developers must submit a request for electrical service prior to the start of construction. Duke Energy's informative manual outlines the necessary steps for the establishment of electrical service at new development sites. Installation of electric facilities will begin when all company requirements, including the following, have been completed: the developer has completed the required agreements and /or grants of easement to the company for the installation of facilities on or across private property; and the company has received all required permits to install its facilities. Owen Electric has similar requirements and inspectors will determine compliance.

Estimated Timeframe: Varies. Please contact the appropriate agency for additional information.

Inspection and/or Enforcement Duties: Duke Energy and Owen Electric Cooperative Inc.

City and/or County Involvement/Responsibility: This issue is addressed during the subdivision approval process; therefore, the local government has little or no involvement or need for involvement other than notification and information.

Permit Information: Contact the controlling agencies for additional information regarding permit applications. Duke Energy provides information regarding their permit application in their booklet.

Utilities Gas Service

Duke Energy publishes a manual for persons or firms that plan to install gas piping (service or house piping) or connect appliances within the Company's service area. Local laws, ordinances, and government regulations, in addition to agency requirements, and National Fuel Gas Code ANSI Z223.1/NFPA54, will govern such work where applicable. Each of the regulatory commissions having jurisdiction within Duke Energy's service area requires that new customers apply for permission to use natural gas.

Controlling Agency: Duke Energy.

Action Required: Developers must apply for construction of gas facilities and services. Before proceeding with any new gas installation, call Duke Energy for details.

Estimated Timeframe: Varies; please contact the controlling agency for additional information.

Inspection and/or Enforcement Duties: Duke Energy.

City and/or County Involvement/Responsibility: This issue is addressed during the subdivision approval process; therefore, the local government has little or no involvement or need for involvement other than notification and information.

Permit Information: Permit application information is included in the manual prepared by Duke Energy.

Utilities

On-Site Package Treatment Plant

The developer is responsible for preparing the application for an on-site package treatment plant with the Kentucky Division of Water. If the package treatment plant will generate 5,000 gallons or more per day, then the Sanitation District must be the operator of the facility to receive approval from Kentucky Division of Water.

Controlling Agencies: Kentucky Division of Water and Sanitation District No. 1 of Northern Kentucky.

Action Required: Submit application for non-municipally owned wastewater treatment plants directly to Kentucky Division of Water for review. In addition to the technical review, the appropriate regional office performs a site survey to determine if the site is acceptable, the Kentucky Pollutant Discharge Elimination System Branch determines the waste load allocation, and the issuance is coordinated with issuance of the discharge permit.

Estimated Timeframe: Applications will be reviewed within 45 calendar days once the plans have been determined to be complete.

Inspection and/or Enforcement Duties: Kentucky Division of Water and Sanitation District No. 1 of Northern Kentucky.

City and/or County Involvement/Responsibility: Through the zoning ordinances, cities may define acceptable sewage treatment methods and restrict various sewage treatment systems within city limits.

Permit Information: Permit application and additional information can be found at < www.water.ky.gov/permitting/>.

Utilities Septic System

Prior to installation of an on-site treatment system, the Northern Kentucky Health Department needs to perform a site evaluation for each lot to ensure adequate tank and leach field sizes. Once the evaluation has been completed, the system needs to be installed by a certified installer. The installer is responsible for all necessary permits and scheduling of the inspections.

It may be beneficial to perform site evaluations of questionable lots prior to land subdivision. This will allow for lot size manipulation to accommodate septic system size requirements.

Controlling Agency: Northern Kentucky Health Department.

Action Required: Testing, inspections, and certificate are required.

Estimated Timeframe: The initial inspection will occur one to two weeks after the request has been made for a site evaluation to the Health Department.

Inspection and/or Enforcement Duties: The Northern Kentucky Health Department will perform final inspection of installed treatment system.

City and/or County Involvement/Responsibility: Through the zoning ordinances, cities may define acceptable sewage treatment methods and restrict various sewage treatment systems within city limits.

Permit Information: The acquisition of all applicable permits is the responsibility of the certified installer.

Utilities

Sewer Line Extension

Developers must work with the Kentucky Division of Water and Sanitation District No. 1 of Northern Kentucky to establish a connection between the sanitary sewer system and a new development area. An application for sewer line expansion must be made to the Division of Water (Facilities Review Section) and a request for reservation or capacity must be made to the Sanitation District.

Controlling Agencies: Sanitation District No. 1 of Northern Kentucky and Kentucky Division of Water.

Action Required: Submit application for sewer expansion to Kentucky Division of Water for review and approval. Submit the request for capacity determination to Sanitation District No. 1 simultaneously with the extension permit application.

Estimated Timeframe: The Sanitation District Board meets once a month to review applications. The Kentucky Division of Water will review applications within 45 calendar days once the plans have been determined to be administratively complete.

Inspection and/or Enforcement Duties: Sanitation District No. 1 of Northern Kentucky.

City and/or County Involvement/Responsibility: The local government is involved in this issue from an informational standpoint as it must go through various project planning stages and receive approval from Northern Kentucky Area Planning Commission and the Sanitation District. The controlling agencies perform the majority of the inspection and enforcement duties, but local governments can and should request periodic project updates, notifications of violations, and any additional relevant information.

Permit Information: A copy of the Sanitation District permit application is located in Appendix A, page 28, and can be found at <www.sd1.org/forms/forms.asp?id=150&PageFrom=getForms>. The Kentucky Division of Water permit is found at <www.water.ky.gov/homepage_repository/fc_fac_rev.htm>.

Utilities

Storm and Sanitary Sewer Connection and Capacity Determination

Developers must work with the Sanitation District No. 1 of Northern Kentucky to establish a connection between the sanitary and storm sewer systems and a new development area. An application for sanitary sewer connections and a request for reservation or capacity must be made to the Sanitation District. If the board approves the application and request, the developer may proceed on a two-year build out. After the two-year build out, if additional development is scheduled, an additional request must be made for capacity. For storm sewer connections, a water discharge calculation must be made prior to applying for the permit.

Controlling Agency: Sanitation District No. 1 of Northern Kentucky.

Action Required: Submit application for sewer connection with the Sanitation District for review and approval. A request for capacity determination must be made simultaneously.

Estimated Timeframe: The Sanitation District Board meets once a month to review applications.

Inspection and/or Enforcement Duties: Sanitation District No. 1 of Northern Kentucky.

City and/or County Involvement/Responsibility: The local government is involved in this issue from an informational standpoint as it must go through various project planning stages and receive approval from Northern Kentucky Area Planning Commission and the Sanitation District. The controlling agencies perform the majority of the inspection and enforcement duties, but local governments can and should request periodic project updates, notifications of violations, and any additional relevant information.

Permit Information: A copy of the permit application is located in Appendix A, page 28, and can be found at <www.sd1.org/forms/forms.asp?id=150&PageFrom=getForms>.

Utilities

Telephone and Cable Services

Telephone and cable services generally are located in the public right-of-way in association with underground and/or aboveground electric service. The energy companies (Duke Energy and Owen Electric Cooperative Inc.) coordinate the work required for all underground and aboveground utilities, including cable and telephone utilities. If the utilities are not coordinated with the energy companies, the developer and/or the homeowner is responsible for contacting the appropriate agency to establish telephone and cable services.

Controlling Agencies: Cincinnati Bell and Insight Communications.

Action Required: Application for construction and construction of facilities and services must be submitted to the appropriate agency.

Estimated Timeframe: Varies. Please contact the appropriate agency for additional information.

Inspection and/or Enforcement Duties: Cincinnati Bell and Insight Communications.

City and/or County Involvement/Responsibility: By law, telephone and/or cable television companies must have a franchise to use the public right-of-way for its services in each jurisdiction. The local government has the option of requiring companies to obtain this franchise agreement directly from the local government or they may join the Telecommunications Board to streamline this process.

Permit Information: Permit types vary. Please contact the appropriate agency for additional information.

Utilities Water Service

A public water main is owned and maintained by the local water authority and a private water main is maintained by the developer/future owner.

Controlling Agencies: Local water authority—either Northern Kentucky Water District or Bullock Pen Water District (in southern Kenton County)—and Kentucky Division of Water

Action Required: Improvement plans, including existing and proposed water mains, street layout, lot/building locations, fire hydrant location, and other relevant information, are submitted to the local water authority. Plans shall be prepared by a Professional Engineer licensed in the State of Kentucky. The local water authority reviews the plans for water pressure, hydraulic capacity (domestic and fire flows), taps, meters, and fire hydrants. Northern Kentucky Area Planning Commission and local fire district review plans for fire flows and fire hydrant locations. The developer and design engineer should meet with the local water authority prior to plan submittal for review of the overall project. Each water authority has a different application process, standard specification, and drawings. Generally, the local water authority issues a letter establishing capacity. Then, application is made to Kentucky Division of Water and a permit to install is issued.

Estimated Timeframe: Timeframes vary; contact controlling agency for additional information.

Inspection and/or Enforcement Duties: Local water authority.

City and/or County Involvement/Responsibility: The local government is involved in this issue from an informational standpoint as it must go through various project planning stages and receive approval from Northern Kentucky Area Planning Commission, the Sanitation District, and local fire district. The controlling agencies perform the majority of the inspection and enforcement duties, but local governments can and should request periodic project updates, notifications of violations, and any additional relevant information.

Permit Information: Permit types vary. Please contact the appropriate agency for additional information.

Appendix A: Sample Permit Applications

SANITATION DISTRICT #1
1045 EATON DRIVE
FT. WRIGHT, KY 41017-9681
PHONE: (859) 578-7460 FAX: (859) 331-2436

STORM SEWER CONNECTION APPLICATION AND PERMIT

Project: _____
Address: _____

Location of Manhole/Catch Basin: _____

Owner: _____

Address: _____

Phone: _____ Fax: _____

Certified Tapper: _____ Certification # _____

Company: _____

Address: _____

Phone: _____ Fax: _____

Water discharge calculation as required by the District must be submitted prior to obtaining permit.

NOTICE: Inspection is required by Sanitation District No.1. Call (859) 578-7460 before 4:00 pm to schedule an inspection. Twenty-four (24) hour notice is required for scheduling purposes. A cancellation or change must be made at least 2 hours before the scheduled time.

THE OWNER OF THIS PROPERTY AND UNDERSIGNED AGREE TO COMPLY WITH ALL APPLICABLE SANITATION DISTRICT #1 TECHNICAL SPECIFICATIONS PERTAINING TO THIS PROJECT. THIS PERMIT BECOMES NULL AND VOID IF WORK IS NOT COMPLETED WITHIN 6 MONTHS.

Applicant's signature Date

Do not write below this line: for office use only

Date plans received: _____

Permit #: _____

Fee (\$50.00): Cash _____ Check # _____ Receipt # _____

Fee received by: _____ Date: _____

Inspection approval: _____ Date: _____

Permit and Plan Approval*: _____ Date: _____

*Attach one set of plans with inspector's copy of permit.

11/12/02

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES & ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER

APPLICATION FOR PERMIT TO CONSTRUCT ACROSS OR ALONG A STREAM
AND / OR WATER QUALITY CERTIFICATION

Chapter 151 of the Kentucky Revised Statutes requires approval from the Division of Water prior to any construction or other activity in or along a stream that could in any way obstruct flood flows or adversely impact water quality. *If the project involves work in a stream, such as bank stabilization, dredging or relocation, you will also need to obtain a 401 Water Quality Certification (WQC) from the Division of Water. This completed form will be forwarded to the Water Quality Branch for WQC processing. The project may not start until all necessary approvals are received from the KDOW. For questions concerning the WQC process, contact John Dovak at 502/564-3410.*

If the project will disturb more than 1 acre of soil, you will also need to complete the attached Notice of Intent for Storm Water Discharges, and return both forms to the Floodplain management Section of the KDOW. This general permit will require you to create an implement an erosion control plan for the project.

1. OWNER: _____
Give name of person(s), company, governmental unit, or other owner of proposed project.
MAILING ADDRESS: _____

TELEPHONE #: _____ EMAIL: _____
2. AGENT: _____
Give name of person(s) submitting application, if other than owner.
ADDRESS: _____

TELEPHONE #: _____ EMAIL: _____
3. ENGINEER: _____ P.E. NUMBER: _____
Contact Division of Water if waiver can be granted.
TELEPHONE #: _____ EMAIL: _____
4. DESCRIPTION OF CONSTRUCTION: _____
Describe the type and purpose of construction and describe stream impact

5. COUNTY: _____ NEAREST COMMUNITY: _____
6. USGS QUAD NAME _____ LATITUDE/LONGITUDE: _____
7. STREAM NAME: _____ WATERSHED SIZE (in acres): _____
8. LINEAR FEET OF STREAM IMPACTED: _____
9. DIRECTIONS TO SITE: _____

10. IS ANY PORTION OF THE REQUESTED PROJECT NOW COMPLETE? Yes No If yes, identify the completed portion on the drawings you submit and indicate the date activity was completed. DATE: _____
11. ESTIMATED BEGIN CONSTRUCTION DATE: _____
12. ESTIMATED END CONSTRUCTION DATE: _____
13. HAS A PERMIT BEEN RECEIVED FROM THE US ARMY, CORPS of ENGINEERS? Yes No If yes, attach a copy of that permit.
14. THE APPLICANT *MUST* ADDRESS PUBLIC NOTICE:
- (a) PUBLIC NOTICE HAS BEEN GIVEN FOR THIS PROPOSAL BY THE FOLLOWING MEANS:
- ____ Public notice in newspaper having greatest circulation in area (provide newspaper clipping or affidavit)
- ____ Adjacent property owner(s) affidavits (Contact Division of Water for requirements.)
- (b) ____ I REQUEST WAIVER OF PUBLIC NOTICE BECAUSE:
- _____
Contact Division of Water for requirements.
15. I HAVE CONTACTED THE FOLLOWING CITY OR COUNTY OFFICIALS CONCERNING THIS PROJECT:
- _____
Give name and title of person(s) contacted and provide copy of any approval city or county may have issued.
16. LIST OF ATTACHMENTS: _____
List plans, profiles, or other drawings; and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.
- _____

17. I, _____ (owner) CERTIFY THAT THE OWNER OWNS OR HAS EASEMENT RIGHTS ON ALL PROPERTY ON WHICH THIS PROJECT WILL BE LOCATED OR ON WHICH RELATED CONSTRUCTION WILL OCCUR (for dams, this includes the area that would be impounded during the design flood).
18. REMARKS: _____

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

SIGNATURE: _____
Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE: _____

SIGNATURE OF LOCAL FLOODPLAIN COORDINATOR: _____

Permit application will be returned to applicant if not properly endorsed by the local floodplain coordinator.

DATE: _____

SUBMIT APPLICATION AND ATTACHMENTS TO:

Floodplain Management Section
 Division of Water
 14 Reilly Road
 Frankfort, KY 40601

Appendix B: Controlling Agency Contact Information

Bullock Pen Water District

2430 Violet Road
Crittenden, Kentucky 41030
859.428.1235

Cincinnati Bell Inc.

201 East Fourth Street
P.O. Box 2301
Cincinnati, Ohio 45202
513.397.9900
www.cincinnati-bell.com

Duke Energy

1697 Monmouth Street
Newport, Kentucky 41071
800.544.6900
www.duke-energy.com

Insight Communications

7906 Dixie Highway
Florence, Kentucky 41076
859.735.0300
www.insight-com.com

Kenton County Fire Chiefs Association

859.342.7505
http://www.kentoncounty.org/fire_chiefs_association/index.html

Kentucky Division of Water

14 Reilly Road
Frankfort, Kentucky 40601
502.564.3410 ext. 552
www.water.ky.gov

Kentucky Heritage Council

300 Washington Street
Frankfort, Kentucky 40601
502.564.7005
www.state.ky.us/agencies/khc/khchome.htm

Northern Kentucky Area Planning Commission

2332 Royal Drive
Fort Mitchell, Kentucky 41017
859.331.8980
www.nkapc.org

Northern Kentucky Health Department

Administrative and Environmental Center
610 Medical Village Drive
Edgewood, Kentucky 41017
859.341.4246

Northern Kentucky Water District

2835 Crescent Springs Road
Erlanger, Kentucky 41018
859.578.9898
www.nkywater.org

Owen Electric Cooperative Inc.

8205 Highway 127 North
Owenton, Kentucky 40359
800.372.7612
www.owenelectric.com

Sanitation District No. 1 of Northern Kentucky

1045 Eaton Drive
Ft. Wright, Kentucky 41017
859-578-7450
www.sd1.org

Telecommunications Board of Northern Kentucky

3414 Decoursey Avenue
Latonia, Kentucky 41015
(859)261-1300
<http://www.tbnk.org>

U. S. Army Corps of Engineers

Louisville District
P.O. Box 59
Louisville, Kentucky 40201
502.315.6660
www.lrl.usace.army.mil/

U. S. Fish and Wildlife Service

Frankfort Field Office
3761 Georgetown Road
Frankfort, Kentucky 40601
502.695.0568
www.fws.gov/frankfort/

Notes...

A series of 20 horizontal black lines, evenly spaced, providing a template for handwritten notes.

Notes...

A series of 20 horizontal black lines, evenly spaced, providing a template for handwritten notes.

Notes...

A series of 20 horizontal black lines, evenly spaced, providing a template for handwritten notes.

Notes...

A series of 20 horizontal black lines, evenly spaced, intended for writing notes.

Acknowledgements

This publication was funded by a grant from the Kentucky Division of Forestry to the Northern Kentucky Urban and Community Forestry Council. The project was completed for the Northern Kentucky Area Planning Commission and the publication prepared by Davey Resource Group.



Kentucky Division of Forestry
627 Comanche Trail
Frankfort, Kentucky 40601
502.564.4496
www.forestry.ky.gov



**Northern Kentucky Urban and
Community Forestry Council**
c/o Boone County Extension Service
P. O. Box 876
Burlington, Kentucky 41005
www.nkyurbanforestry.org



**Northern Kentucky Area
Planning Commission**
2332 Royal Drive
Fort Mitchell, Kentucky 41017
859.331.8980
www.nkapc.org



A Division of The Davey Tree Expert Company

Davey Resource Group
Walton, Kentucky 41094
859.384.8258
jgulick@davey.com
www.davey.com/drg