

CITY OF CINCINNATI
DEPARTMENT OF TRANSPORTATION AND ENGINEERING

SUBDIVISION AND DEVELOPMENT STREETS MANUAL

RULES, REGULATIONS AND PROCEDURES FOR
DESIGN, CONSTRUCTION, DEDICATION, AND ACCEPTANCE OF
CINCINNATI STREETS

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ABOUT THIS MANUAL

This *Subdivision and Development Streets Manual - Rules, Regulations and Procedures for Design, Construction, Dedication, and Acceptance of Cincinnati Streets* provides owners, developers, architects, engineers, surveyors, contractors and others involved in managing, financing, planning, designing and building streets serving new subdivisions and other private developments in Cincinnati, with clear and comprehensive:

- ✓ rules and regulations for engineering design of streets and for preparation of plats for their dedication;
- ✓ procedures for City of Cincinnati review and approval of plans for new and improved streets and plats for their dedication;
- ✓ rules, regulations and procedures for construction and acceptance of streets;
- ✓ information about responsibilities for financing street improvements and service delivery; and
- ✓ guidance through the regulatory process.

The goal of this *Manual* is to promote the construction of streets that fit their physical setting in a sustainable manner and preserve scenic, aesthetic, historic and environmental resources while providing high levels of safety and mobility.

The First Edition of the manual was published on April 30, 1947 after Cincinnati City Council approved Ordinance No. 190-1947. Its purpose was to provide uniformity to City of Cincinnati processes for reviewing and approving new subdivision developments. The manual has been updated periodically to reflect improvements in design and construction practices as well as changes in federal, state, and local laws and regulations.

This Sixth Edition, published under authority of Cincinnati Municipal Code Section 721-53, is reorganized and reformatted to correspond more closely with its companion document, *Rules and Regulations of the Cincinnati City Planning Commission for the Subdivision of Land*, to communicate these rules, regulations and procedures in a more comprehensive manner, and to make them more accessible to users. In addition, this *Manual*:

- ✓ updates requirements for improving streets serving subdivisions and other private developments;
- ✓ improves accessibility standards to comply with current Americans with Disabilities Act Accessibility Guidelines, including modifications to curb ramps and placement of detectable warnings; and
- ✓ clarifies roles and responsibilities for public-private partnerships in this process.

A digital version of this *Manual* is available in PDF format on the City of Cincinnati's website (www.cincinnati-oh.gov/dote) under Manuals & Supplements.

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CHAPTER 1. GENERAL

Chapter 1 provides rules, regulations and information used throughout this *Manual* and is organized as follows:

DIVISION	TITLE	PAGE
100	Terms and Definitions	8
130	Standards for Design and Construction of Street Infrastructure	18
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150	Development Team	24
160	Utilities	25

DIVISION 100. TERMS AND DEFINITIONS

Section 100. General

Sections 101 - 123 provide an alphabetical list of abbreviations, words, phrases and other terms used in this *Manual* together with their meanings. These terms shall have the meanings ascribed to them unless different meanings are clearly indicated by the context in which they are used.

Section 101.01. AASHTO. The American Association of State Highway and Transportation Officials.

Section 101.02. Acceptance Ordinance. An ordinance considered by Cincinnati City Council to accept rights of way, easements and/or improvements that have been dedicated for public use.

Section 101.03. Approval. Verification of general compliance with City of Cincinnati Standards. Approval is subject to compliance with changes or necessary actions identified by City of Cincinnati staff during the review process. Approval does not constitute any contractual or implied responsibility or liability as to guaranty of adequacy of design or compliance with City of Cincinnati Standards.

Section 101.04. Area of Special Flood Hazard. Generally, the area in the flood plain subject to a 1 percent or greater chance of flooding in any given year. Specifically, for the purposes of this *Manual*, the area shown in the Flood Insurance Study referenced in Cincinnati Municipal Code Section 1109-05 and kept on file in the office of the City of Cincinnati's Director of City Planning and Buildings.

Section 101.05. AUD. The Architecture and Urban Design Section within the City of Cincinnati's Department of Transportation and Engineering, Division of Transportation Planning and Urban Design.

Section 102.01. Base Flood. The flood having a 1 percent chance of being equaled or exceeded in any given year (Cincinnati Municipal Code Section 1109-01).

Section 102.02. Base Flood Elevation. The water surface elevation of the Base Flood, referenced to either the National Geodetic Vertical Datum of 1929 expressed in Feet Mean Sea Level or the North American Vertical Datum of 1988 expressed in U.S. Survey Feet (Cincinnati Municipal Code Section 1109-01). The Base Flood Elevation shall be measured at the highest point likely to impact the Development.

Section 103.01. CAGIS. The Cincinnati Area Geographic Information System. CAGIS stores and provide cartographic and geographic information for the City of Cincinnati and Hamilton County Ohio. CAGIS is managed by the City of Cincinnati's Department of Enterprise Technology Solutions.

Section 103.02. CCPC. The Cincinnati City Planning Commission.

Section 103.03. Cincinnati's Official Through Street System. Cincinnati's Official Through Street System is an integrated network of streets within the City of Cincinnati designed to meet the traffic demands of Cincinnati and the surrounding region. For the purposes of this *Manual*, streets that are part of Cincinnati's Official Through Street System are termed "Through Streets" and classified as Principal Arterial, Minor Arterial, and Collector Streets. Local Streets are streets that are not part of the Through Street System. The list of streets that are part of Cincinnati's Official Through Street System is maintained by and available from the City of Cincinnati's Department of Transportation and Engineering.

Section 103.04. City. The City of Cincinnati, a municipal corporation of the State of Ohio. References such as City Council, City Planning Commission, City Manager, City Engineer, etc., refer to the respective official, department, board, commission or body of the City of Cincinnati.

Section 103.05. City Acc. No. City of Cincinnati Drawing Accession Number. A number assigned and used by the City of Cincinnati to reference Standard Drawings, Street Improvement Plans, and other additions and changes to public infrastructure.

Section 103.06. City Master Plan. A comprehensive city-wide plan adopted by the Cincinnati City Planning Commission and approved by Cincinnati City Council. The City Master Plan is kept on file in the office of the Director of City Planning and Buildings.

Section 103.07. City Rules and Regulations. Rules and Regulations referenced in Section 131.

Section 103.08. City Standards. All Rules and Regulations, Construction Specifications, and Standard Drawings referenced in Division 130.

Section 103.09. CMC. The Cincinnati Municipal Code. For the convenience of the reader, digital versions of this *Manual* contain hyperlinks to the online version of the Cincinnati Municipal Code. The only officially published version is available through the office of the Clerk of Council, located in Room 308 of City Hall, 801 Plum Street, Cincinnati, Ohio, phone 513-352-3246. The online version may, occasionally, differ from the official version and should be relied upon for general information purposes only.

Section 103.10. Construction Funding Method. Method used to fund construction of Street Improvements as described in Section 511.

Section 103.11. Construction Management Section. The Construction Management Section within the City of Cincinnati's Department of Transportation and Engineering, Division of Engineering.

Section 103.12. Construction Specifications. All construction specifications referenced in Section 132.

Section 103.13. Contractor. The person or persons, firm or corporation contracting with the Developer for construction of Street Improvements shown on the Subdivision Improvement Plan. All references to Contractor shall also include subcontractors retained for this work.

Section 103.14. Coordinated Report. A document compiled by the City of Cincinnati's Real Estate Division identifying City of Cincinnati objections or conditions for the proposed acceptance, sale or use of public property.

Section 103.15. County. The Ohio County of Hamilton. References such as Board of County Commissioners, County Recorder, County Auditor, County Engineer, etc., refer to the respective official, department, board, commission or body of the Ohio County of Hamilton.

Section 103.16. Cul-de-sac. A short, minor street having one end open for motor traffic and the other end being permanently terminated by a vehicular turnaround.

Section 103.17. Curb Line. Where curbs exist, the location of the curb line is based on the curb type as follows:

- A. Vertical Curbs. The roadway face of curb;
- B. Battered Curbs. Where the roadway face of curb meets the top of pavement; and
- C. Roll Curbs. The back face of curb.

Where no curb exists, the edge of pavement shall be considered as the curb line.

Section 104.01. DCPB. The City of Cincinnati's Department of City Planning and Buildings.

Section 104.02. Dedication Plat. A map showing and describing rights of way and permanent easements dedicated for public use prepared for the purpose of recording.

Section 104.03. Developer. The Owner, or person retained by the Owner, responsible for manage all aspects and phases of a proposed Development, including but not limited to financing, funding, real estate transactions, planning, design and construction.

Section 104.04. Development. Any man-made change to improved or unimproved real estate including, but not limited to, subdivisions, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or outdoor storage, requiring construction or improvement of a street or streets.

Section 104.05. Development Agreement. A contract between the City of Cincinnati and the Owner agreeing to terms and conditions related to a specific Development. Generally, the Development Agreement describes the scope, schedule, cost allocation, and responsibilities of the City of Cincinnati and the Owner.

Section 104.06. Development Team. All persons, firms and corporations retained by the Owner or Developer to manage, finance, plan, design and construct a Development. Typical members of a Development Team are listed in Division 150.

Section 104.07. DOTE. The City of Cincinnati's Department of Transportation and Engineering.

Section 104.08. DOTE Coordinator. The employee within the City of Cincinnati's Department of Transportation and Engineering assigned to work with the Developer, the City of Cincinnati's Department of City Planning and Buildings, and other City of Cincinnati agencies to clarify requirements, coordinate reviews of submittals, establish and maintain intradepartmental and interdepartmental communications, and monitor and expedite City of Cincinnati processes.

Section 104.09. DOTE Site Development Permit. A permit issued by the Right of Way Management Section to a Developer to construct Street Improvements shown on an approved Subdivision Improvement Plan. Samples of an Application for DOTE Site Development Permit and a DOTE Site Development Permit may be found in Appendix B.

Section 104.10. DPS. The City of Cincinnati's Department of Public Services.

Section 105.01. Easement. A grant by a property owner of the use, for a specific purpose or purposes, of a designated strip of land to the general public, a corporation, or other individuals.

Section 105.02. Engineer. The person retained by the Developer who is in responsible charge of managing and providing engineering services for Street Improvements shown on the Subdivision Improvement Plan, including planning, investigations, studies, design, plan preparation and construction oversight.

Section 105.03. Engineering Division. The Division of Engineering within the City of Cincinnati's Department of Transportation and Engineering.

Section 105.04. ESA. Environmental Site Assessment.

Section 106.01. FEMA. The Federal Emergency Management Agency within the United States Department of Homeland Security.

Section 106.02. Final Completion Date. The date of completion of Street Improvement construction as established in accordance with 109.12 of the *City Supplement*.

Section 106.03. Floodway Fringe. The portion of the flood plain that could be completely obstructed without increasing the water surface elevation of the base flood more than 1.0 foot at any point.

Section 107.01. GCWW. The City of Cincinnati's Greater Cincinnati Water Works.

Section 107.02. Geotechnical Engineer. The person retained by the Developer who is in responsible charge of managing and providing all geotechnical engineering, related inspections and material testing services.

Section 108.01. HOA. A Home Owners' Association.

Section 109.01. Item. A unit of construction work specified by the *State of Ohio Department of Transportation Construction and Material Specifications* as modified by the *City of Cincinnati Supplement to State of Ohio Department of Transportation Construction and Material Specifications*, and the Special Provisions.

Section 112.01. Landscape Architect. The person retained by the Developer who is in responsible charge of managing and providing landscape architecture services for the Development and Street Improvements shown on the Subdivision Improvement Plan. These services include site development planning and design of landscapes, including sidewalk spaces, islands, medians and easements.

Section 112.02. Lot. A unit area of land within a Development intended for transfer of ownership or for building development.

Section 113.01. Manual. This *Subdivision and Development Streets Manual - Rules, Regulations and Procedures for Design, Construction, Dedication, and Acceptance of Cincinnati Streets*.

Section 113.02. MSDGC. The Metropolitan Sewer District of Greater Cincinnati.

Section 114.01. NAVD 88. The North American Vertical Datum of 1988.

Section 114.02. NGVD 29. The National Geodetic Vertical Datum of 1929.

Section 115.01. OAC. The Ohio Administrative Code. For the convenience of the reader, digital versions of this *Manual* contain hyperlinks to the online version of the Ohio Administrative Code. The online version is not the official version and is subject to the limitations expressed on the State of Ohio's website.

Section 115.02. OCS 83, South Zone. The Ohio Co-ordinate System of 1983, South Zone, as defined in ORC 157.06.

Section 115.03. ODOT. The State of Ohio Department of Transportation.

Section 115.04. Ohio EPA. The State of Ohio Environmental Protection Agency.

Section 115.05. ORC. The Ohio Revised Code. For the convenience of the reader, digital versions of this *Manual* contain hyperlinks to the online version of the Ohio Revised Code. The online version is not the official version and is subject to the limitations expressed on the State of Ohio's website.

Section 115.06. OUPS. The Ohio Utility Protection Service.

Section 115.07. Owner. The person or persons, firm or corporation that owns the land underlying a Development for which Street Improvements are required.

Section 116.01. Public Utility. A publicly or privately owned business or service that supplies the public with a commodity or service by way of facilities located within or adjacent to streets. For the purposes of this *Manual*, public utilities include electricity, gas, stormwater management, telecommunication, telephone, wastewater collection and water supply. Unless otherwise described, "utility" or "utilities" refers to both publicly and privately owned public utilities.

Section 118.01. Real Estate Division. The Real Estate Division of the City of Cincinnati's Department of Law.

Section 118.02. Record Plat. A Subdivision or Dedication Plat that has been accepted and recorded by Hamilton County.

Section 118.03. Revocable Street Privilege (RSP). An authorized or permitted private right in the use of a special part of a city street, sidewalk, alley or way, separate and distinct from the use of city streets, alleys and ways by the general public or by authorized public utility corporations.

Section 118.04. Right of Way. The entire strip of land lying between property lines set aside for transportation purposes. Public rights of way are dedicated by the Owner to the City of Cincinnati for accepted by ordinance adopted by Cincinnati City Council.

Section 118.05. Right of Way Management Section. The Right of Way Management Section within the City of Cincinnati's Department of Transportation and Engineering, Division of Engineering.

Section 118.06. Roadway. The portion of a street lying between the established or presumable curb lines; the portion set aside for vehicular and bicycle use.

Section 119.01. Sidewalk or Sidewalk Space. The portion of a street lying between the established or presumable curb line and the adjacent property line; the portion set aside for pedestrian use.

Section 119.02. SMU. The City of Cincinnati's Stormwater Management Utility.

Section 119.03. Standard Drawings. Standard Drawings referenced in Section 133.

Section 119.04. Street. The land and improvements set apart for public use for transportation purposes.

Section 119.05. Street Classification Systems. Systems used to categorize streets. In this *Manual*, three Street Classification Systems are used to guide design depending on purpose, setting and function.

- A. **Planning.** Includes Thoroughfares, Important Neighborhood Streets, and Minor Streets and is based on the City Master Plan.
- B. **Zoning/Land Use.** Includes Residential, Commercial, and Industrial Streets and is based on the *Cincinnati Zoning Code* and existing Land Use.
- C. **Traffic.** Classification includes Primary Streets (State Highways and Major Arterial Streets), Secondary Streets (Minor Arterial and Collector Streets), and Local Streets and is based on Cincinnati's Official Through Street System.

Section 119.06. Street Improvement Plan. A set of drawings showing all existing and proposed facilities, topography and details required to satisfactorily construct all Street Improvements. This term will be used if a Development does not require a Subdivision Plat, such as where Street Improvements are to be built within existing rights of way.

Section 119.07. Street Improvements. All demolition, earthwork, structures, roadways, sidewalks, landscaping, fire hydrants, traffic control devices, street lighting, utility and mail facilities, and other appurtenant construction required to serve the transportation needs of the Development as shown on the approved Subdivision Improvement Plan.

Section 119.08. Street Status. The legal status of a street as documented in City of Cincinnati and Hamilton County Ohio records. In this *Manual*, three statuses are used: Private, Dedicated, and Public (also termed Accepted).

Section 119.09. Street, Accepted. A street accepted by the City of Cincinnati for control and maintenance in accordance with an Acceptance Ordinance approved by Cincinnati City Council.

Section 119.10. Street, Commercial. A street having adjacent commercial land use or zoning. The City Engineer or City Traffic Engineer may designate a street as Commercial for design purposes if warranted by existing or future traffic considerations.

Section 119.11. Street, Dedicated. Land set aside for public use as a street or alley by the owner of the property as shown on a Subdivision or Dedication Plat approved by the Cincinnati City Planning Commission, accepted by the County Engineer and County Auditor, and recorded by the County Recorder.

Section 119.12. Street, Important Neighborhood. A street designed to serve as an important traffic-way for a neighborhood or as a feeder to a thoroughfare. The determination of such street classification in any specific instance shall rest with the Cincinnati City Planning Commission.

Section 119.13. Street, Industrial. A street having adjacent industrial land use or zoning. The City Engineer or City Traffic Engineer may designate a street as Industrial for design purposes if warranted by existing or future traffic considerations.

Section 119.14. Street, Local. A street that is not part of Cincinnati's Official Through Street System.

Section 119.15. Street, Minor. Any street other than a freeway, expressway, thoroughfare or important neighborhood street.

Section 119.16. Street, Private. A street not accepted by Cincinnati City Council. As described in ORC 723.03, the City of Cincinnati does not control or maintain private streets.

Section 119.17. Street, Public. An Accepted Street.

Section 119.18. Street, Residential. A street having adjacent residential land use or zoning. The City Engineer or City Traffic Engineer may designate a street as Residential for design purposes if warranted by existing or future traffic considerations.

Section 119.19. Street, Through. A street that is part of Cincinnati's Official Through Street System.

Section 119.20. Structural Engineer. The person retained by the Developer who is in responsible charge of managing and providing structural engineering services for Street Improvements shown on the Subdivision Improvement Plan, including bridges, earth retention and stabilization structures, and other structures in rights of way and easements.

Section 119.21. Structures Section. The Structures Section within the City of Cincinnati's Department of Transportation and Engineering, Division of Engineering.

Section 119.22. Subdivision. (As defined in Division (B) of ORC 711.001):

(B) "Subdivision" means either of the following:

- (1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt:
 - (a) A division or partition of land into parcels of more than five acres not involving any new streets or easements of access;
 - (b) The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites;
 - (c) If the planning authority adopts a rule in accordance with section 711.133 of the Revised Code that exempts from division (B)(1) of this section any parcel of land that is four acres or more, parcels in the size range delineated in that rule.
- (2) The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities.

Section 119.23. Subdivision Improvement Plan. A set of drawings showing a proposed subdivision of land together with all existing and proposed facilities, topography and details required to satisfactorily construct all Street Improvements.

If a Subdivision or Dedication Plat is not required, all other rules, regulations and procedures contained in this *Manual* will still apply. In such cases, all references to Subdivision Improvement Plan shall be changed to Street Improvement Plan.

Section 119.24. Subdivision Plat. A map, showing and describing the division of any tract of land into two or more parcels together with rights of way and permanent easements to be dedicated for public use, prepared for the purpose of recording.

Section 119.25. Surveyor. The person retained by the Developer who is in responsible charge of managing and providing land surveying services for Street Improvements shown on the Subdivision Improvement Plan and for Subdivision, Dedication, and

Easement Plats, including topographic, location, property, geodetic and construction layout surveys, and for preparing Subdivision, Dedication, and Easement Plats.

Section 120.01. Thoroughfare. A street of considerable continuity designed as a major traffic way and designated as such in the City Master Plan. This category does not include a freeway or expressway.

Section 120.02. Traffic Engineer. The person retained by the Developer who is in responsible charge of managing and providing transportation planning and traffic engineering services for Street Improvements shown on the Subdivision Improvement Plan, including Traffic Impact Studies, design of traffic control devices, street lighting and maintenance of traffic.

Section 120.03. Traffic Engineering Division. The Division of Traffic Engineering within the City of Cincinnati's Department of Transportation and Engineering.

Section 120.04. Traffic Impact Study. A study conducted to determine the impacts of traffic generated by a proposed development on the transportation system. A Traffic Impact Study will typically indicate existing traffic conditions, additional traffic generated by the development, the impact of this additional traffic on existing conditions, street improvements required to handle the additional traffic where needed, possible changes in the planned site density, use or access that minimize traffic impacts and required street improvements.

Section 120.05. Traffic Services Agreement. An agreement between a Developer and the City of Cincinnati's Department of Public Services to fund removal, installation, modification and/or operation of traffic control devices and/or street lighting related to a Development performed by the City of Cincinnati forces.

Section 120.06. Transportation Design Section. The Transportation Design Section within the City of Cincinnati's Department of Transportation and Engineering, Division of Engineering.

Section 120.07. Transportation Planning Section. The Transportation Planning Section within the City of Cincinnati's Department of Transportation and Engineering, Division of Transportation Planning and Urban Design.

Section 121.01. Urban Forestry. The Natural Resource Management Section within the City of Cincinnati's Department of Parks.

Section 121.02. USPS. The United States Postal Service.

Section 123.01. Warranty. Obligation of the Contractor to remove, replace, and/or repair faulty, defective or improper work, materials or equipment discovered within the Warranty Period.

Section 123.02. Warranty Period. A period during which the Warranty is to be in effect, beginning on the Final Completion Date and extending for a period of one year or until all repairs and corrections are completed to the satisfaction of the City Engineer, whichever is later.

DIVISION 130. STANDARDS FOR DESIGN AND CONSTRUCTION OF STREET INFRASTRUCTURE

Section 130. General

Sections 131 - 133 list standards governing planning, design, and construction of Street Improvements, their dedication and acceptance, and the City's review and approval processes. Section 130 provides general instructions on application and use of those standards.

Section 130.01. Digital Versions. Digital versions of many of the following standards are available online; hyperlinks to available standards are provided in the digital version of this *Manual* wherever they are cited. The digital version of this *Manual* is also fully searchable and has hyperlinks to other sections within the *Manual* to simplify navigation. The digital version of this *Manual*, and standards accessed by hyperlink, may not be the official version of these standards. Development Team members are responsible for contacting agencies publishing these standards to obtain the official versions.

Section 130.02. Effective Date. Unless otherwise indicated, the edition of the standard that is in effect on the date of CCPC approval of the Subdivision Improvement Plan will govern. The City may apply a more current edition of the standard if more than one year elapses from the CCPC approval date to issuance of a Site Development Permit or if more than three years elapse from the CCPC approval date to the completion of construction as indicated by the Final Completion Date.

Section 130.03. Compliance. Plans, plats, construction and all other work shall comply with federal, state and local laws and regulations. All work shall also comply with the standards contained herein unless otherwise approved in accordance with Section 202 or Section 203.

Section 130.04. Standards of Other Agencies. The standards of agencies other than DOTE are incorporated into and cited throughout this *Manual* for reference only and are subject to change. These references are included to provide guidance through the City's regulatory process and are intended neither to fully present nor replace the requirements of other governmental and utility agencies. Development Team members are responsible for reviewing and complying with current requirements of these agencies.

Section 130.05. Coordination of Standards. Where differences exist between standards, the standard of the agency with regulatory responsibility for the specific item will generally be given preference with the approval of the City Engineer.

Section 130.06. Applicability of Standards. This *Manual* references and provides standards for Street Improvements associated with all Subdivisions and Developments. For Developments that do not require a Subdivision Plat, all other rules, regulations and procedures contained in this *Manual* shall apply with all references to Subdivision Improvement Plan changed to Street Improvement Plan.

Section 131. Rules, Regulations and Procedures

In addition to federal, state and local laws and regulations, applicable provisions of the following rules, regulations and procedures shall govern planning, design, review, approval, construction, dedication, and acceptance of all Streets and Street Improvements.

Section 131.01. General

The rules, regulations and procedures contained in Section 131.01 are fundamental standards for Street Improvements serving Subdivision and other Developments. While they govern or supplement many of the succeeding sections, they are not included to avoid repetition.

- A. **City.** *Rules and Regulations of the Cincinnati City Planning Commission for the Subdivision of Land*, hereafter referred to as *CCPC's Rules and Regulations*; and
- B. **City.** *Subdivision and Development Streets Manual - Rules, Regulations and Procedures for Design, Construction, Dedication, and Acceptance of Cincinnati Streets*, hereafter referred to as this *Manual*.

Section 131.02. Land Surveys and Plats

- A. **State.** ORC Chapter 711 - Plats and OAC Chapter 4733-37 - Standards for Boundary Surveys, hereafter collectively referred to as *State Standards for Boundary Surveys*; and
- B. **County.** *Hamilton County Ohio Transfer and Conveyance Standards*, hereafter referred to as *County Transfer and Conveyance Standards*.

Section 131.03. Streets

- A. **Federal.** *American Association of State Highway and Transportation Officials - A Policy on Geometric Design of Highways and Streets*, hereafter referred to as *AASHTO GREEN BOOK*; and
- B. **State.** *State of Ohio Department of Transportation Location and Design Manual, Volumes 1 - 3*, hereafter referred to as *ODOT L&D Manual*.

Section 131.04. Street Restoration.

- A. **City.** *Street Restoration Book, Rules and Regulations for Work in City Streets, Alleys, Sidewalks, and Public Ways of the City of Cincinnati, and the Manner in which the*

Paving and Facilities are to be Restored, hereafter referred to as the City's Street Restoration Book.

Section 131.05. Structures

- A. **Federal.** *American Association of State Highway and Transportation Officials LRFD Bridge Design Specifications, Customary U.S. Units, hereafter referred to as AASHTO LRFD Bridge Design Specifications;*
- B. **Federal.** *American Association of State Highway and Transportation Officials Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals; and*
- C. **State.** *State of Ohio Department of Transportation Bridge Design Manual, hereafter referred to as ODOT Bridge Design Manual.*

Section 131.06. Accessibility

- A. **Federal.** *Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities, hereafter referred to as ADAAG; and*
- B. **City.** *City of Cincinnati Curb Ramps Design Guidelines and Policy, Standard Drawings and Specifications, hereafter referred to as City Curb Ramp Guidelines.*

Section 131.07. Traffic Control Devices

- A. **Federal.** *Federal Highway Administration Manual on Uniform Traffic Control Devices, hereafter referred to as MUTCD; and*
- B. **City.** *City of Cincinnati Department of Transportation and Engineering Division of Traffic Engineering Standard Operating Procedures, hereafter referred to as Traffic Engineering SOPs.*

Section 131.08. Street Lighting

- A. **City.** *City of Cincinnati Minimum Street Lighting Level Standards.*

Section 131.09. Stormwater Management Facilities

- A. **City.** *Stormwater Rules and Regulations of the Stormwater Management Utility, hereafter referred to as SMU's Rules and Regulations.*

Section 131.10. Wastewater Collection Facilities

- A. **County.** *Rules and Regulations Governing the Design, Construction, Maintenance, Operation, and Use of Sanitary and Combined Sewers of the Metropolitan Sewer District of Greater Cincinnati, hereafter referred to as MSDGC's Rules and Regulations.*

Section 131.11. Water Supply Facilities

- A. **City.** *Laws, Ordinances, Rules and Regulations of the Greater Cincinnati Water Works*, hereafter referred to as *GCWW's Rules and Regulations*.

Section 131.12. Buildings

- A. **City.** Cincinnati Building Code, CMC Title XI, hereafter referred to as *Cincinnati Building Code*.

Section 131.13. Fire Prevention

- A. **City.** Cincinnati Fire Prevention Code, CMC Title XII, hereafter referred to as *Cincinnati Fire Prevention Code*.

Section 131.14. Zoning

- A. **City.** Cincinnati Zoning Code, CMC Title XIV, hereafter referred to as *Cincinnati Zoning Code*.

Section 132. Construction Specifications

Construction of all Street Improvements shall comply with the following specifications.

Section 132.01. State. *State of Ohio Department of Transportation Construction and Material Specifications*, hereafter referred to as *ODOT CMS*;

Section 132.02. City. *City of Cincinnati Supplement to State of Ohio Department of Transportation Construction and Material Specifications*, hereafter referred to as *City Supplement*; and

Section 132.03. Special Provisions. Construction specifications written specifically for the proposed Street Improvements included or referenced in the approved Subdivision Improvement Plan.

Section 133. Standard Drawings

The following standard drawings will govern design and construction of all Street Improvements.

Section 133.01. Streets

- A. **State.** *Ohio Department of Transportation Standard Construction Drawings*, hereafter referred to as *ODOT Standard Construction Drawings*; and

- B. **City.** *Engineering Standard Drawings - City of Cincinnati • Department of Transportation and Engineering • Division of Engineering*, hereafter referred to as *Engineering Standard Drawings*.

Section 133.02. Structures

A. **State.** *State of Ohio Department of Transportation Standard Bridge Drawings.*

Section 133.03. Traffic Control Devices and Street Lighting

A. **City.** *Traffic Engineering Standard Drawings - City of Cincinnati • Department of Transportation and Engineering • Division of Traffic Engineering, hereafter referred to as Traffic Engineering Standard Drawings.*

Section 133.04. Stormwater Management Facilities

A. **City.** *Stormwater Management Utility Standard Drawings - City of Cincinnati • Stormwater Management Utility, hereafter referred to as SMU Standard Drawings.*

Section 133.05. Wastewater Collection Facilities

A. **County.** *Metropolitan Sewer District Standard Drawings - Metropolitan Sewer District • Wastewater Engineering, hereafter referred to as MSDGC Standard Drawings.*

Section 133.06. Water Supply Facilities

A. **City.** *Cincinnati Water Works Standard Drawings - City of Cincinnati • Greater Cincinnati Water Works, hereafter referred to as GCWW Standard Drawings.*

DIVISION 140. SUBMITTALS

Section 140. General

Sections 140 - 143 provide submittal requirements for reports, plans, plats, and other submittals. Where conflicts occur between the submittal standards of this *Manual* and those of other agencies, contact the DOTE Coordinator for guidance.

Submittals not meeting these requirements may be considered incomplete and returned without review or approval.

Section 140.01. Quality. Submittals shall be neat, legible and comply with the standards of quality generally accepted for each type of document.

Section 140.02. Type, Number and Timeliness. The type and number of each submittal shall be as specified in this *Manual* and submitted within the specified timeframe.

Section 140.03. Lettering Size. The minimum lettering size on submittals shall be 10 point (0.139 inches). For digital submittals, this standard shall apply at the required print size.

Section 140.04. Sealing of Submittals. Plans, plats, specifications, reports and all other engineering or land surveying work products issued by the Engineer or Surveyor shall be stamped, signed and dated by the Engineer or Surveyor in responsible charge of the work in accordance with OAC Rule 4733-23-01. Work products issued by the Landscape Architect shall be signed, dated, and sealed in accordance with OAC Rule 4703:1-3-01.

Section 140.05. Signatures. All legal and financial documents shall bear original signatures.

Section 140.06. Digital Submittals. Digital submittals shall be provided in the software version in common use by the City. The DOTE Coordinator will provide guidance if required.

Section 141. Documents

Except as otherwise required for plans and plats, submittals shall comply with the following requirements:

Section 141.01. Paper Size. ANSI A size (8½"×11") paper.

Section 141.02. Digital. PDF files formatted for printing on ANSI A size paper.

Section 142. Plans and Plats - Review Sets

Review sets of plans and plats shall be submitted in the following formats:

Section 142.01. Prints. B/W ANSI D size (22"×34") prints. If clearly legible, B/W ANSI B size (11"×17") prints may be permitted.

Section 142.02. Digital. PDF files formatted for producing clearly legible B/W ANSI B size prints.

Section 143. Plans and Plats - Record Sets

Sets of all final plan and plat drawings are required for City records in each of the following formats:

Section 143.01. Prints. B/W ANSI D size prints;

Section 143.02. Mylars. B/W ANSI D size Mylars, 4 mil double matte;

Section 143.03. Digital. If requested, files shall be supplied that are compatible with DOTE's CADD software. Contact the DOTE Coordinator to determine current requirements.

DIVISION 150. DEVELOPMENT TEAM

Section 150. General

Sections 150 - 159 provide qualifications for typical members of a Development Team. Not all members will be required for some Development and other members may be required for others. All Development Team members shall meet the general qualifications described in Section 150.

Section 150.01. Responsibility. The Owner is responsible for ensuring that all members of the Development Team meet the listed qualifications. References in this *Manual* to members of the Development Team are based on their customary role acting as agents of the Owner. Except as provided by law, such references are not intended to assign, limit or relieve the Owner's legal and financial responsibility for all phases and aspects of the Development.

Section 150.02. Experience. All Development Team members must be regularly engaged in providing their respective services in successfully completing Street Improvements and Developments of similar scope and complexity.

Section 151. Contractor

The Contractor must be regularly engaged in construction of Street Improvements and have the necessary personnel, capital, material, machinery and equipment to successfully complete Street Improvements.

Section 152. Developer

In this *Manual*, the term Developer is used to designate the Owner's role of managing a private Development. If the Owner assigns this responsibility to another party, the Developer shall have and provide the City with written authorization from the Owner to act in this capacity and indicate any limitations in the Developer's ability to act as an agent for the Owner for the proposed Development. References to Developer are not intended to relieve the Owner of their primary responsibility for any and all actions taken related to the Development.

Section 153. Engineer

The Engineer must be registered with the Ohio State Board of Registration for Professional Engineers and Surveyors to practice engineering in the State of Ohio in accordance with ORC Chapter 4733.

Section 154. Geotechnical Engineer

The Geotechnical Engineer must be registered with the Ohio State Board of Registration for Professional Engineers and Surveyors to practice engineering in the State of Ohio in

accordance with ORC Chapter 4733 and be on the City of Cincinnati list of recognized geotechnical engineers (based on a list maintained by the Cincinnati Section of the American Society of Civil Engineers). The Geotechnical Engineer shall be with a Geotechnical Engineering and Materials Testing firm.

Section 155. Landscape Architect

The Landscape Architect must be registered with the Ohio State Board of Landscape Architect Examiners to practice landscape architecture in the State of Ohio in accordance with ORC Chapter 4703.

Section 156. Owner

The Owner must own the property to be subdivided or developed and have written agreements with other property owners upon which the Development depends. The Owner shall assume, or assign in writing, the responsibility of Developer for the proposed Development. The Owner is responsible for ensuring that all aspects and phases of Street Improvements are fully funded prior to beginning construction.

Section 157. Structural Engineer

The Structural Engineer must be registered with the Ohio State Board of Registration for Professional Engineers and Surveyors to practice engineering in the State of Ohio in accordance with ORC Chapter 4733.

Section 158. Surveyor

The Surveyor must be registered with the Ohio State Board of Registration for Professional Engineers and Surveyors to practice land surveying in the State of Ohio in accordance with ORC Chapter 4733.

Section 159. Traffic Engineer

The Traffic Engineer must be registered with the Ohio State Board of Registration for Professional Engineers and Surveyors to practice engineering in the State of Ohio in accordance with ORC Chapter 4733.

DIVISION 160. UTILITIES

Section 160. General

Sections 160 - 162 provide general information about and requirements relating to utilities. Some utilities, including cable television, electric, gas, telecommunication and telephone, are privately owned while others, including stormwater management, wastewater collection and water supply, are publicly owned.

Utilities, both privately and publicly owned, are present to provide service to private and public interests along all streets. The Developer and Engineer shall coordinate directly with all utility owners to ensure that their facilities are fully incorporated into Street Improvements.

Section 160.01. Other Utilities. Sections 161 - 162 list utilities commonly located within the Cincinnati street system and are part of most Developments. The Developer is responsible for determining if above ground or underground facilities other than those described in these sections are present within the limits of the Development work area and make all arrangements with their owners as necessary to accommodate such facilities.

Utility services are only permitted within rights of way pursuant to a Franchise Agreement with the City or a Revocable Street Privilege issued by the City.

Section 160.02. Utility Rules and Regulations. Each utility owner has specific requirements for extension, modification, protection and use of their facilities. All members of the Development Team are responsible for complying with these requirements.

Section 160.03. Marking. Under Ohio law, anyone excavating or drilling must contact the Ohio Utilities Protection Service (OUPS), 1-800-362-2764 or 8-1-1, at least 48 hours but no more than 10 working days (excluding weekends and legal holidays) before beginning the work. OUPS notifies owners of underground facilities so they can mark their facilities prior to the start of this work to avoid injury to workers as well as damage to utilities and equipment.

Section 161. Privately Owned Utilities

The following utilities are privately owned.

Section 161.10. Cable Television. Cable television facilities include cables, poles, manholes, pull boxes and other overhead and underground facilities necessary to provide cable television service to customers. Cable television facilities within rights of way are owned by Time Warner Cable Inc.

Section 161.20. Electric. Electric facilities include transmission, primary, secondary and service cables, conduits, pull boxes, chambers, manholes, towers, poles, transformers and other overhead and underground facilities necessary to provide electric service to customers. Electric service facilities within rights of way are owned by Duke Energy Ohio, Inc.

Section 161.30. Gas. Gas facilities include transmission and distribution mains, service branches, valves, valve chambers, manholes and other underground facilities necessary to provide gas service to customers. Gas facilities within rights of way are owned by Duke Energy Ohio, Inc.

Section 161.40. Telecommunications. Telecommunication facilities include cables, wires, poles, towers, manholes, pull boxes and other overhead and underground facilities necessary to provide telecommunication services to customers. Telecommunication facilities within rights of way are owned and operated by a number of companies pursuant to the terms and conditions of a Franchise Agreement with the City. For a current list, contact the Right of Way Management Section.

Section 161.50. Telephone. Telephone facilities include overhead and underground wires, poles, manholes, pull boxes and other facilities necessary to provide telephone service to customers. Telephone facilities within rights of way are owned by Cincinnati Bell Inc.

Section 162. Publicly Owned Utilities

The following utilities are publicly owned. While these utilities are integrated into the City's review processes, the Developer is responsible for complying with all requirements of the utility owners.

Section 162.10. Wastewater Collection. Wastewater collection facilities include sanitary and combined sewers and manholes, sanitary sewer laterals, junction chambers, force mains and other facilities necessary to collect and transport wastewater. Public wastewater collection facilities are owned by the County and managed by MSDGC.

Section 162.20. Stormwater Management. Stormwater management facilities include, but are not limited to, inlets, conduits, manholes and appurtenant features, creeks, channels, ditches, streams, culverts, retention and detention basins, dams, floodwalls and levees. Public stormwater management facilities are owned by the City and managed by SMU.

Section 162.30. Water Supply. Water supply facilities include water transmission and distribution mains, service branches, valves, valve chambers, manholes, fire hydrants and other facilities necessary to supply water to customers. Public water supply facilities are owned by the City and managed by GCWW.

CHAPTER 2. SUBDIVISION IMPROVEMENT PLANS

Sections 200, 400, and 500 of *CCPC's Rules and Regulations* provide general rules and regulations for planning and designing Subdivisions and associated Street Improvements and for preparing Subdivision Improvement Plans. They also provide procedures for their review and approval.

Chapter 2 of this *Manual* supplements those general instructions and provides rules, regulations and procedures to develop and prepare Subdivision Improvement Plans in a manner that expedites its review and approval. Chapter 2 is organized as follows:

DIVISION	TITLE	PAGE
200	General	28
210	Required Scope of Street Improvements	30
220	Land Surveys	35
230	Studies and Investigations	36
240	Design	43
250	Plan Drawings	67
260	Procedures and Coordination	80
270	Plan Approval Duration	87

DIVISION 200. GENERAL

Section 200. General

Sections 200 - 205 provide general City requirements for planning, design, review, and approval of Subdivision Improvement Plans.

Section 201. Responsibility

Except as modified by Development Agreement, the Developer is responsible for ensuring that Street Improvements are designed to fully serve the needs of the Development. To that end, the Developer shall retain the services of an Engineer, Surveyor, and other members of the Development Team as needed to responsibly carry out planning, studies and investigations, design, and plan preparation for the Development, including all Street Improvements.

Section 202. Alternates

If deviation from a DOTE standard is recommended by a Development Team member, the Developer shall submit a written request for a variance identifying the standard and why deviation from it is necessary.

The relevant Development Team member shall submit, for the City Engineer's review and approval, written documentation demonstrating that the recommended alternate provides reasonable levels of safety, functionality, appearance, maintainability and durability that exceed use of the standard. Alternates that can reasonably be expected to increase life cycle costs without a corresponding public benefit will not be approved.

Section 203. Enhancements

The Developer may propose enhancements to DOTE standards, including alternative paved walks and driveways (e.g., pavers, colored concrete), landscaping and other features.

Enhancements must have the approval of the City as indicated by issuance of a Revocable Street Privilege (RSP). Typically issued to abutting property owners, Home Owner or Condominium Associations, recognized community councils or other enduring public or private entities, RSPs shall comply with CMC Chapter 718 and terms and conditions contained in a license issued by the City's Real Estate Division.

The licensee will be required to bear all costs, responsibilities and liabilities for installation, operation, maintenance, repair, replacement, removal and restoration of the permitted use. The licensee will also be required to replace or restore the permitted use to the satisfaction of the City when City or permitted utility work impacts the use.

A sample Application for Revocable Street Privilege Information Sheet may be found in Appendix B.

Section 204. Submittals

The Developer is responsible for ensuring that all reports, plans and other information required to review and approve Subdivision Improvement Plans are submitted.

Section 204.01. Concept Plan. See Section 262.

Section 204.02. Environmental Site Assessments. See Section 231.

Section 204.03. Geotechnical Reports. See Section 232.

Section 204.04. Traffic Impact Studies. See Section 233.

Section 204.05. Detail Subdivision Improvement Plan. See Section 263.

Section 204.06. Subdivision Improvement Final Plan. See Section 264.

Section 204.07. Utility Confirmation Letters. See Section 264.06.

Section 204.08. Subdivision Improvement Record Plan. See Section 265.

Section 205. Plan Approvals

The Subdivision Improvement Plan must have the approval of the CCPC and necessary City officials prior to beginning construction.

Section 205.01. CCPC. As required by ORC 711.09, the Subdivision Improvement Plan shall be submitted to the CCPC for approval.

Section 205.02. City Engineer. Prior to CCPC consideration, the Subdivision Improvement Plan must have the approval of the City Engineer.

Section 205.03. Other Officials. The Subdivision Improvement Plan must have the approval of other City officials including, but not limited to, those in the following table, if the facilities under their control are impacted.

Facility	City Official
Landscaping and Architectural Treatments and Features	City Architect
Traffic Control Devices and Street Lighting	City Traffic Engineer
Stormwater Management Facilities	City Stormwater Management Engineer
Wastewater Collection Facilities	Sewers Chief Engineer
Water Supply Facilities	Water Works Chief Engineer

DIVISION 210. REQUIRED SCOPE OF STREET IMPROVEMENTS

Section 210. General

Sections 210 - 219 provide City requirements for the scope of Street Improvements for existing, proposed and future public and private streets that are part of the Development. The Subdivision Improvement Plan shall include construction or improvement of all streets required to serve the transportation needs of the Development.

Section 210.01. Scope. Street Improvements shall include all work items extending to the limits required, more specifically described as follows:

- A. **Work Items.** Street Improvements shall include site clearance, including demolition, removal, clearing, grubbing and disposal; earthwork, including excavations, embankments, trenching, backfilling and subgrade compaction; sediment, erosion and

dust control measures; structures, including bridges and earth retention structures; roadways, including base, pavement, curbs, islands and medians; sidewalks, including paved walks, driveways, curb ramps and sod areas; landscaping, including trees, sod and seeding; fire hydrants; traffic control devices, including traffic signs, pavement markings and traffic signals; street lighting; utility facilities, including cable television, electric, gas, stormwater management, telecommunication, telephone, wastewater collection and water supply; mail facilities; and all other appurtenant construction required to serve the Development.

- B. **Limits.** Street Improvement limits for proposed and existing streets will be based on the Development's needs; the Traffic Impact Study; DCPB, DOTE, and Cincinnati Fire Department requirements; and requirements of this *Manual*.

Section 210.10. Proposed Streets. Proposed streets shall be completely constructed for their full extent as described in Section 210.01.

Section 210.11. Existing Streets. Existing public streets shall be improved to the limits required in Section 210.01 as modified herein.

Curbs and paved walks shall be constructed along the side of any existing public street within those limits where none currently exist and where proposed subdivision lots abut existing rights of way. These curbs and walks shall extend to the nearest intersections. The Developer may request that the City Engineer decrease these limits where considered excessive.

The Developer may be required to improve existing streets adjacent to the Development where proposed vehicular loadings exceed the structural capacity of existing pavements.

Where improvements are required to existing public streets that are adjacent to one or more parcels of land not belonging to the Owner, the following requirements shall apply.

- A. The Subdivision Improvement Plan shall include improvement of the existing public street for the entire length of the adjacent properties.
- B. Where grading is required on adjacent lots, the Developer shall provide evidence of the legal rights to perform this work as described in Section 210.14.
- C. Where retaining walls are required to support adjacent property, they shall be located outside of the right of way. The Developer shall provide evidence of the legal rights to construct retaining walls on adjacent property as described in Section 210.14.
- D. Where additional right of way is required for the improvement, the Developer shall negotiate with property owners to dedicate the additional property to the City.
- E. The Subdivision Improvement Plan shall include sidewalks along these parcels as described in Section 214.20.

Section 210.12. Private Streets. Private streets shall be designed and constructed to the same standards as public streets to promote safety, accessibility, and sustainability for

current and future abutting property owners, motorists, pedestrians, service providers and emergency responders. This requirement will also facilitate future City acceptance of private streets when requested.

Section 210.13. Future Streets. Where the Owner has a tract of land abutting an existing street and desires to subdivide a portion of that tract with frontage along the existing street leaving the portion behind those lots for future development, the Engineer shall submit a preliminary plan, profile and cross sections of the future street extending from the existing street to the depths of the lots along the existing street. DOTE will review these plans to verify that no landlocked parcels will be created.

Section 210.20. Adjacent Property. Where work must take place on, over or under adjacent property not belonging to the Owner, the Developer shall negotiate with the adjacent owner and obtain the legal right to enter the adjacent property or premises to perform the required work. The Developer shall submit legal documents indicating such rights to the City Engineer.

Section 210.30. Environmental Impacts. Throughout the planning, design and construction process, the Owner and Development Team shall proactively identify and mitigate negative impacts on the site and surrounding community. The Developer shall ensure that dust, sediment, noise and erosion control measures are used, monitored and modified as needed during all phases of the Development to minimize such impacts.

Section 210.40. Developments in Flood Prone Areas. Developments situated within an Area of Special Flood Hazard shall be designed and include facilities required to eliminate or minimize flood damage to all parts of the Development, including Street Improvements.

Section 211. Site Clearance

Street Improvements shall include all work needed to clear land for the extent of proposed rights of way and easements, including demolition and removal of all buildings, structures and other facilities; removal or abandonment of underground facilities; clearing and grubbing; proper disposal of all materials; and other related work required to satisfactorily complete these improvements.

Unless otherwise approved by the City's Office of Environmental Quality and the City Engineer, all removal and remediation of contaminated materials shall be completed prior to beginning Street Improvement construction as described in Section 231.08.

Section 212. Earthwork

Street Improvements shall include all earthwork, including excavations, embankments, trenches, backfills, compaction, securing and managing borrow and disposal areas and other related work required to satisfactorily complete these improvements and to provide access for operations, maintenance and future construction.

Section 213. Structures

Street Improvements shall include all bridges, earth retention and stabilization structures and other related work required to satisfactorily complete these improvements.

Section 214. Streets

Street Improvements shall include all roadways, sidewalks, landscaping and related items required to fully serve the transportation needs of the Development.

Section 214.01. Cul-de-sacs. Where a proposed street ends in a cul-de-sac, the Developer shall provide a turnaround.

Section 214.10. Roadways. Roadways shall consist of pavement constructed on a compacted base placed on a compacted subgrade; curbs and gutters along all pavement edges; and islands and medians if required or permitted.

Section 214.20. Sidewalks. Sidewalks, along both sides of all roadways, shall consist of paved walks, driveways to access each lot and curb ramps at every intersection and other locations to ensure accessibility to the paved walk system.

The City Engineer may allow a sidewalk along only one side of a street where the side without a sidewalk meets the following two conditions:

- A. The sidewalk is expected to have negligible pedestrian activity; and
- B. The sidewalk meets one of the following criteria:
 1. The physical conditions along that side would require extraordinary measures to construct the additional sidewalk that are estimated to increase the total construction cost of all Street Improvements by 25 percent or more; or
 2. The property along that side cannot reasonably be developed.

Section 214.30. Landscaping. See Section 217.

Section 215. Traffic Control Devices

Street Improvements shall include all traffic signs, pavement markings, traffic signals and other traffic control devices required to fully serve the transportation needs of the Development. Street Improvements shall also include all traffic control devices and measures needed to safely maintain traffic throughout construction.

The Developer should review Section 245, Section 512, and then discuss options with representatives of the Traffic Engineering Division and Duke Energy Ohio, Inc.

Section 216. Street Lighting

Street Improvements shall include street lighting required to fully serve the transportation needs of the Development. Required on all streets currently or planned to be on Cincinnati's Official Through Street System, street lighting is recommended and may be required on other streets.

Section 216.01. Underground Conduits. All street lighting circuits shall be placed underground. Where street lighting will not be installed, conduits shall be installed for a future lighting system.

Section 216.02. Street Lighting Options. The Developer should review Section 246 and Section 513 and discuss options with representatives of the Traffic Engineering Division and Duke Energy Ohio, Inc.

Section 217. Landscaping

Street Improvements shall include all landscaping required to satisfactorily complete the improvements. Sod, seeding, trees and approved street trees shall be planted in all unpaved portions of sidewalk spaces, islands and medians along all new and improved streets and within public easements. An RSP, obtained from the City's Real Estate Division, is required for other forms of landscaping in the right of way.

Section 218. Utility Facilities

Street Improvements shall include all privately and publicly owned utility facilities required to fully serve the needs of the Development.

Section 218.01. Limits. Cable television, electric, gas, stormwater management, telecommunication, telephone, wastewater collection and water supply facilities shall be constructed to serve each lot of the Subdivision and all areas of the Development, including new and improved streets.

Section 218.02. Separate Facilities. Separate facilities for all utilities, including stormwater management and wastewater collection, are required.

Section 218.10. Stormwater Management Facilities. Stormwater management facilities shall be provided in accordance with *SMU's Rules and Regulations*.

- A. Additional or modified stormwater management facilities may be required when located below the Base Flood Elevation.
- B. Stormwater detention is required for all Subdivisions and Developments.
- C. Erosion and sediment control is required prior to and during demolition and construction.

Section 218.20. Wastewater Collection Facilities. Wastewater collection facilities shall be provided in accordance with *MSDGC's Rules and Regulations*.

A. The Developer may be required to modify the existing downstream sewer to achieve an acceptable capacity.

Section 218.30. Water Supply Facilities. Water supply facilities, including fire hydrants, shall be provided in accordance with *GCWW's Rules and Regulations* and the *Cincinnati Fire Prevention Code*.

Section 219. Postal Service Facilities

Street Improvements shall include all facilities required by the local USPS office within new and existing rights of way for delivery and collection of mail.

Section 219.01. Limits. Facilities for delivery and collection of mail shall be provided as required by the local USPS office to all lots of the Subdivision and areas of the Development.

DIVISION 220. LAND SURVEYS

Section 220. General

Sections 220 - 221 provide City requirements for land surveys performed for preparation of Subdivision Improvement Plans.

Section 220.01. Responsibility. All land surveys shall be performed under the responsible charge of the Surveyor.

Section 220.02. Standards. All land surveys shall be performed using commonly accepted procedures consistent with applicable standards of practice and comply with the requirements of this *Manual*.

Section 220.03. Current Survey. Locations, bearings and elevations of all existing boundaries, features and facilities used as a basis for design of Street Improvements shall be obtained from recent land surveys performed for that purpose. Land surveys shall be updated as needed to ensure the accuracy of information used for design and shown on Street Improvement Plans.

Section 221. Survey Control

Locations, bearings and elevations used for Street Improvements shall comply with the following requirements.

Section 221.01. Horizontal Control. All existing and proposed locations shall be based on and referenced to OCS 83, South Zone expressed in U.S. Survey Feet.

Section 221.02. Vertical Control. All existing and proposed elevations shall be based on and referenced to NGVD 29 expressed in U.S. Survey Feet.

Section 221.03. Witnesses. The Surveyor shall establish suitable witnesses within the Development for the Engineer to incorporate and reference in Street Improvement Plans so that horizontal and vertical control may be reestablished for construction surveys.

Section 221.04. References. Land surveys for Subdivision Improvement Plans shall be tied into a minimum of two permanent benchmarks in good condition and of known accuracy. The Surveyor shall use City Benchmarks for this purpose unless otherwise approved by the City Engineer.

DIVISION 230. STUDIES AND INVESTIGATIONS

Section 230. General

Sections 230 - 233 provide requirements for studies and investigations typically required for Street Improvements serving Developments. Some Developments will not require all studies and investigations listed while other Developments will require studies and investigations not listed. Sections 231 - 233 provide guidance as to when each respective study and investigation is required.

Section 230.01. Submittals. Reports, plans and other submittals shall be prepared consistent with applicable standards of practice and Division 140. Special attention is directed to Section 140.04 (Sealing of Submittals) and Section 140.05 (Signatures).

Section 230.02. Draft Reports. Prior to public meetings, hearings or issuance of final reports, draft reports shall be submitted to and reviewed with City agencies identified for each study and investigation. All comments shall be addressed to the satisfaction of the review agencies prior to issuance of final reports.

Section 231. Environmental Site Assessments

Section 231.01. General. Phase I Environmental Site Assessments (ESAs) shall be conducted on all proposed rights of way and easements. Where indicated by the Phase I ESA, the Developer shall take all actions necessary, including additional investigations, testing and remediation to ensure compliance with regulatory requirements.

Section 231.02. Responsibility. The Owner is responsible for ensuring that all rights of way and easements dedicated to the City are environmentally safe and meet the requirements established by City Administrative Regulation No. 30.

Section 231.03. Qualified Firm. The Developer shall retain the services of a firm with a qualified professional as defined by ASTM E1527-05. All environmental work, including

investigations, testing, reports, remediation and regulatory compliance reporting shall be performed under the responsible charge of this firm.

Section 231.04. EPA Regulations. The Owner is responsible for ensuring that all public and private streets, easements and lots that are within or improved as part of the development meet or exceed minimum EPA requirements.

Section 231.05. Contact OUPS. The firm shall contact the Ohio Utilities Protection Service (OUPS), 1-800-362-2764 or 8-1-1, at least 48 hours (excluding weekends and legal holidays) but no more than 10 working days before beginning excavation or drilling operations.

Section 231.06. Reports. After draft reports are submitted, reviewed and comments addressed in accordance with Section 230.02 and Section 262.02, copies of final reports shall be distributed as described in Section 263.02.

Section 231.07. Additional Investigations. Based on the findings of the Phase I ESA, additional investigations may be required to determine and better define the scope and extent of environmental hazards.

Section 231.08. Remediation. All unacceptable material shall either be removed from the site and properly disposed or remediated to the satisfaction of regulatory agencies, including the Ohio EPA, the Ohio State Fire Marshal's Office and City's Office of Environmental Quality. The City will neither approve the Subdivision or Dedication Plat nor permit the start of construction of Street Improvements prior to satisfactory completion of this work.

Section 232. Geotechnical Investigations

Section 232.01. General. The Developer shall retain the services of a Geotechnical Engineer to conduct Geotechnical Investigations for Developments that meet any of the following conditions:

- A. The site is susceptible to landslides, determined by either its location in a zone of High or Moderately High Landslide Susceptibility delineated by the City's Landslide Susceptibility Map or evidence of landslide activity as determined by the City's Geotechnical Engineer;
- B. Excavations will be made for underground utilities;
- C. Embankments will be 2 feet in height or greater; or
- D. Earthwork over the entire Development site will exceed 200 cubic yards in volume.

Section 232.02. Responsibility. All geotechnical investigations and studies shall be performed under the responsible charge of the Geotechnical Engineer.

Section 232.03. Geotechnical Engineering and Materials Testing Firm. To ensure proper continuity and coordination of geotechnical engineering services with subsequent materials testing services, the Developer shall retain a Geotechnical Engineering and Materials Testing firm. The firm must agree to the following provisions of the City's current agreements for Geotechnical Engineering Services and Related Materials Testing and Inspection and Related Engineering Services:

Section 1	Scope of Services
Section 4	Subcontracting
Section 5	Assignment
Section 6	Termination
Section 7	Compliance with Laws and Policies
Section 8	Hold Harmless
Section 9	Reports, Information and Audits
Section 10	Conflict of Interest
Section 11	Consultant Insurance
Section 12	Severability
Exhibit A	Scope of Services

Copies of this information may be obtained by contacting the DOTE Coordinator.

Section 232.04. Construction Material Inspection Contract. The Developer shall submit a copy of the contract with the Geotechnical Engineering and Materials Testing firm retained to perform materials testing and inspection during construction. The copy shall be submitted to the Right of Way Management Section along with the Application for DOTE Site Development Permit.

Section 232.05. Scope. The Geotechnical Engineer shall conduct and oversee a program of investigations, analyses, inspections and field and laboratory testing as required to develop recommendations for:

- A. procedures for grading operations to achieve satisfactory performance of:
 - 1. excavations;
 - 2. embankments;
 - 3. foundations;
 - 4. subgrades for embankments and pavements; and
 - 5. slopes;

- B. maximum slopes for stability of proposed excavations and embankments and protection of the stability of existing sensitive slopes;
- C. design of any structures within or required along the right of way;
- D. site drainage;
- E. roadway sub base drainage; and
- F. utility trenches, including measures required to:
 - 1. stabilize excavation walls;
 - 2. avoid landslides;
 - 3. limit lateral and vertical movement of soils surrounding the utility to a degree compatible with satisfactory performance over the planned life of the utility facility;
 - 4. properly place backfill and bedding materials; and
 - 5. ensure corrosion compatibility of existing soils with the proposed utility facilities and materials.

Section 232.06. Contact OUPS. The firm shall contact the Ohio Utilities Protection Service (OUPS), 1-800-362-2764 or 8-1-1, at least 48 hours (excluding weekends and legal holidays) but no more than 10 working days before beginning excavation or drilling operations.

Section 232.07. Reports. The Geotechnical Engineer shall issue a report providing:

- A. results of the geotechnical surface and subsurface exploration, investigations, analyses and tests;
- B. locations and extents of visibly evident excavations or fills, slope instability, erosion and water seepage or wet conditions; and
- C. recommendations to address items identified in Section 232.05.

Section 233. Traffic Impact Studies

Section 233.01. General. Since each development is different, each study will vary depending on the amount of traffic generated by the Development and the traffic issues on the surrounding street network. The following guidelines will be used by the Transportation Planning Section to determine if a Traffic Impact Study is necessary.

- A. A Traffic Impact Study will typically be required if a development is expected to generate 100 or more new inbound or outbound trips during the peak hours.
- B. Even if a development is expected to generate less than 100 new inbound or outbound trips during the peak hours, the City Traffic Engineer may still require analysis of site access for reasons such as, but not limited to:

1. high traffic volumes on the adjacent roadway that may affect movement into or out of the site;
2. lack of existing left-turn lane(s) on adjacent roadways at proposed access points;
3. inadequate horizontal or vertical sight distance at access points;
4. proximity of proposed access points to other existing drives or intersections; and
5. proposed use is a special or conditional use zoning classification or involves a drive-through operation.

After draft reports are submitted, reviewed and comments addressed in accordance with Section 230.02 and Section 262.03, copies of final reports shall be distributed as described in Section 263.03.

Section 233.02. Responsibility. Traffic Impact Studies shall be conducted under the responsible charge of the Traffic Engineer.

Section 233.03. Purpose. A Development will typically change the amount and type of traffic traveling to and from the site. A Traffic Impact Study is sometimes required to understand:

- A. impacts of this change on nearby streets;
- B. improvements to roadways or traffic signs to alleviate anticipated problems;
- C. costs associated with these improvements; and
- D. options to reduce these costs.

Section 233.04. Scope. Once the City has determined that a Traffic Impact Study is necessary, the scope of the study, including specific traffic issues to be addressed, shall be identified. To accomplish this, one or two meetings are recommended during the Planning Phase with the Developer, Traffic Engineer and Transportation Planning Section staff, to develop agreement on study details and assumptions. Some of the major factors that should be addressed in these meetings are as follows:

- A. **Issues.** The Traffic Impact Study shall address specific issues or problems identified by impacted highway agencies, based on their experience and familiarity with the area.
- B. **Study Area.** The geographic area to be included in the study shall be large enough to include all significant impacts from the proposed Development. At a minimum, the area shall include the adjacent traffic signal controlled intersections.
- C. **Time Frame.** Projected traffic demands for the Development when fully occupied shall be considered. For a large multi-phase Development, it may be advisable to analyze traffic demands at the end of every phase. That analysis should include the anticipated roadway improvement associated with the phases already in place.

D. **Non-Site Traffic.** The growth of non-site traffic on the study area roadways may need to be addressed. This growth can be determined by historic traffic growth rates or by traffic projections reviewed and approved by the Ohio Kentucky Indiana Regional Council of Governments. Non-site traffic shall reflect traffic generated by planned or committed development (as identified by local staff) within the study area.

E. **Planned Transportation Improvements.** The extent and scheduling of any planned or programmed improvements to the transportation system shall be defined and taken into account where appropriate.

The Traffic Impact Study scope may be abbreviated with the permission of the City Traffic Engineer provided adequate data and technically sound rationale for such a request are provided by the Developer or Traffic Engineer.

Section 233.05. Study Methodology. All assumptions and data used in the technical analyses, such as traffic generation, trip distribution, capacity analysis, queue lengths and turn bay analysis shall be identified.

For larger studies, the Traffic Engineer should work with DOTE staff on each step to focus study scope, speed reviews and limit costly revisions. For example, the Traffic Engineer should obtain DOTE approval of:

- A. traffic generation and trip distribution before beginning the analysis;
- B. analysis results prior to preparing recommendations; and
- C. recommendations prior to preparing draft report.

Section 233.06. Reports. The Traffic Engineer shall issue a report providing the results of traffic studies and analyses. The following outline is suggested.

A. Introduction

- 1. identification of the study area and existing transportation network;
- 2. description of proposed land use and building floor space in the development;
- 3. location of proposed access points with a complete site plan; and
- 4. identification of peak hours, whether weekday or weekend, to be used in impact analysis.

B. Review of Site Plan

- 1. internal storage at access points;
- 2. parking layout;
- 3. internal site circulation; and
- 4. loading dock locations and access, including design truck used and Dumpster locations.

C. Base Traffic Conditions

1. description of road network and intersections in vicinity of site, specifically at the access points;
 2. traffic counts during peak-impact hours; and
 3. gap or queue length studies, if appropriate.
- D. Site Traffic Generation
1. trip generation rates used and source; and
 2. traffic generated during peak-impact hours.
- E. Site Traffic Distribution
1. method used;
 2. table or figure showing estimated site traffic movements by direction and pass by trips; and
 3. discussion of method used for traffic assignment and assumptions used for assignment of traffic to network.
4. Non-Site Traffic Projections
- a. definition of design year (opening of proposed development or other agreed upon points in item);
 - b. identification of developments in study area whose traffic is to be included in impact calculations;
 - c. adjustment of off-site through traffic volumes, if needed, using agreed upon growth rate; and
 - d. assembling of off-site traffic forecast for design year, if needed.
5. Traffic Assignments and Analysis
- a. assignment of peak-period traffic to intersections and access points;
6. figures for existing peak impact-hour traffic, site traffic and total traffic;
 7. capacity analysis for existing and the existing plus the development traffic levels;
 8. analysis with recommended lane or phasing changes;
 9. queue lengths; and
 10. left and right turn lane analysis.
- F. Discussion of Future Traffic Conditions (if needed)
1. through traffic growth; and
 2. other developments in area.
- G. Summary of Findings and Recommendations (may be listed in outline form at the beginning of the report)

After draft reports are submitted, reviewed, and comments addressed in accordance with Section 230.02 and Section 262.04, copies of final reports shall be distributed as described in Section 263.04.

DIVISION 240. DESIGN

Section 240. General

Sections 240 - 249 provide City design requirements for Street Improvements.

Section 240.01. Design Goal. Street Improvements shall be designed to fit their physical setting in a sustainable manner and preserve scenic, aesthetic, historic and environmental resources while providing high levels of safety and mobility.

Section 240.02. General Layout. When determining the general layout of streets serving a Development, the Engineer shall relate the street layout with the natural contours and adjust the street profile so low points occur at intersections and stormwater runoff drains toward the street.

Generally, this will:

- minimize impacts on the surrounding area;
- decrease excavation and embankment quantities;
- minimize the need for earth retention and stabilization structures;
- reduce the length of required sewers;
- eliminate the need for sewer easements; and
- avoid excessively deep sewers; and produce the most economical plan.

Section 240.03. Responsibility. Street Improvements shall be designed under the responsible charge of the Engineer unless otherwise indicated. The Engineer shall coordinate all aspects of Street Improvement design to achieve the design goal.

Section 240.04. Design Standards. Street Improvements shall be designed using commonly accepted procedures consistent with applicable standards of practice. To the extent possible, Street Improvement shall be designed to:

- A. comply with Rules, Regulations and Procedures listed in Section 131.
- B. comply with and refer to relevant Items contained and described in the Construction Specifications listed in Section 132 (for guidance, many such references are contained in this *Manual*). Additions and modifications to the *ODOT CMS* or *City Supplement* shall be included in the Special Provisions section of General Notes (see Section 252.04.B.)

- C. comply with and refer to relevant Standard Drawings listed in Section 133 (for guidance, many such references are contained in this *Manual*). If modifications to Standard Drawing are required, changes shall be identified, referenced and fully detailed in the Subdivision Improvement Plan.
- D. incorporate recommendations from required studies and investigations, including Environmental Assessments (Section 231), Geotechnical Investigations (Section 232) and Traffic Impact Study (Section 233).
- E. incorporate and address City and utility review changes and comments.

Section 240.05. Locations, Bearings and Elevations. The design of all Street Improvements shall be based on land surveys performed in accordance with Division 220. All locations, bearings and elevations shall be referenced to the horizontal and vertical control established in accordance with Section 221.

Section 240.06. Site Inspection. Members of the Development Team shall visit the site, review existing records and make investigations as necessary to responsibly identify all required work.

Section 241. Site Clearance

Section 241.01. General. The Development site shall be cleared of existing facilities and obstructions as required to permit construction of Street Improvements and provide a safe, attractive and unencumbered Development site. All work shall be performed in accordance with Item 201 of the Construction Specifications.

Section 241.02. Work Items. Work items shall include demolition and disposal of existing structures; filling of basements and other voids; removal, disposal and/or abandonment of existing utilities; removal and disposal of trees and vegetation; and all other related work required to prepare the site for construction of Street Improvements.

Section 241.03. Removal Limits. Generally, all existing structures and utility facilities in proposed rights of way and public easements shall be removed to a minimum of 6 feet below the top of proposed pavement. Where removal to this depth is insufficient to allow construction of proposed structures and utility facilities, existing structures and utility facilities shall be removed:

- A. for proposed structures, to the limits recommended by the Geotechnical Engineer and/or Structural Engineer and approved by the City Engineer; and
- B. for proposed utility facilities, 1 foot below the proposed utility facility within the trench limits.

Section 242. Earthwork

Section 242.01. General. All rights of way and easements shall be graded to their full extent to fully support construction of Street Improvements including utilities, secure stability of all slopes, provide positive drainage, facilitate operation and maintenance activities and enable future improvements. Earthwork shall be phased to promote safety, maintain slope stability and minimize adverse environmental impacts.

All work shall be performed in accordance with Item 203 of the Construction Specifications.

Section 242.02. Responsibility. All earthwork and foundations shall comply with the recommendations contained in the Geotechnical Report and subsequent reviews by the Geotechnical Engineer.

Section 242.03. Adjacent Property. The design and placement of tops and toes of slopes shall not adversely impact adjacent property.

Section 242.04. Legal Agreements. All excavation and embankment work shall be designed to be completely contained on the property being developed, except as permitted by legal agreement with all affected property owners.

Section 243. Structures

Section 243.01. Standards. Structures, including bridges, earth retention and stabilization structures and other structures serving the transportation needs of the Development shall be designed in compliance with all applicable requirements of standards listed in this *Manual*, including Section 131.01, Section 131.05, Section 133.02 and recommendations of the Geotechnical Engineer as described in Section 232.

Section 243.02. Responsibility. All structures shall be designed under the responsible charge of the Structural Engineer.

Section 244. Streets

Section 244.01. Standards. In addition to the requirements of Section 244, streets shall be designed in accordance with all applicable requirements of standards listed in this *Manual*, including Section 131.01, Section 131.03, Section 131.06, Section 133.01; recommendations of the Geotechnical Engineer and Traffic Engineer as described in Section 232 and Section 233, respectively; and Standard Drawing 1, Standard Drawing 2 and Standard Drawing 3 found in Appendix A.

Section 244.02. Geometrics. Roadway widths, horizontal and vertical alignments and other geometric properties of streets shall provide safe, sustainable streets and appropriate modes of transportation while enhancing their environment.

A. **Street Widths.** Street widths shall be based on the street's setting and its role in the City's transportation system as defined by the City Master Plan, approved Neighborhood Plans, Cincinnati's Official Through Street System and traffic analysis.

The following widths for roadways and sidewalks are minimum standards. The City Engineer may require additional width where needed for public safety and traffic impacts.

1. **Roadway Widths.** Roadway widths shall be developed from standards for lane widths, adjacent zoning, functional classification and Traffic Impact Studies. Roadway widths shall be measured between curb lines as defined in Section 103.17.

a. **Lane Widths.** Minimum lane widths are based on the lane's location and function and are given in the following table.

Minimum Lane Widths	
Lane Type	Width (feet)
Thru lanes	10
Bike lane	5
Curb lane	11
Shared curb lane ¹	14
Turn lane	10

¹ Curb lane shared by motorists and bicyclists

b. **Minimum Roadway Widths.** Roadway widths shall meet or exceed the following standards based on adjacent zoning and functional classification. Additional roadway width may be required for medians and where indicated in a Traffic Impact Study.

The minimum roadway width based on adjacent zoning and land use is given in the following table.

Minimum Roadway Widths Adjacent Zoning Basis	
Adjacent Zoning	Width (feet)
Single or two-family zone	26
Multi-family zone (less than 100 dwelling units)	32
Multi-family zone (100 - 499 dwelling units)	36
Multi-family zone (500 or more dwelling units)	44
Industrial zone	36

The minimum roadway width based on functional classification is given in the following table.

Minimum Roadway Widths Functional Classification Basis	
Functional Classification	Width (feet)
Primary Street	50
Secondary Street	44
Local Street	26

2. Sidewalk Spaces

- a. **Minimum Widths.** The minimum width of the sidewalk space between the curb line and the adjacent right of way line along each side of the roadway shall be 10.5 feet adjacent to vertical or battered curbs and 10 feet adjacent to roll curbs. Additional width may be required based on the street's setting, adjacent zoning, required paved walk width, street tree species selection, and transportation need.
- b. **Paved Walks.** Paved walks shall be located within the sidewalk space and, unless otherwise permitted by the City Engineer, 1 foot inside the right of way line. The minimum width of paved walks is based on adjacent zoning, land use and expected pedestrian activity. The minimum widths of paved walks, measured from the back of curb, are given in the following table.

Minimum Paved Walk Widths	
Location	Width (feet)
Business District	10
Thoroughfare	6
Important Neighborhood Street	6
Minor Street	5

- c. **Sod Areas.** Sod areas shall be 4 feet or more in width. Therefore, the minimum distance from the curb line to the edge of paved walk shall be 4.5 feet adjacent to vertical or battered curbs and 4 feet adjacent to roll curbs. Additional width may be required based on street setting, tree species or adjacent zoning or land use.

Sod may not be required in Business Districts, along major pedestrian corridors and other locations designated or approved by the City Engineer. In such areas, the minimum width of the paved walk described in Section 244.02.A.2.b. shall be increased by 4 feet. For example, the required width of a paved walk in a Business District without a sod area is 14 feet.

B. Horizontal Alignment.

1. **Placement.** Roadways shall be centered within their respective rights of way.
2. **Alignment Changes.** Circular curves shall be used to smoothly transition from one tangent alignment to the next. Minimum centerline radii of roadways is based on the street's classification and the design or posted speed of the roadway and are given in the following table.

Minimum Street Centerline Radii	
Street Classification	Radius (feet)
Thoroughfare	500
Important Neighborhood Street	300
Minor Street	200

3. Intersecting Streets

- a. Street alignments shall be adjusted so they intersect as closely as possible to 90 degrees.

- b. Curb lines of intersecting streets shall be joined with a minimum radius of 25 feet or greater if required to accommodate the turning radius of an SU-40 vehicle.

C. Vertical Alignment

1. **General.** Vertical alignment shall promote a smooth surface for motorists, pedestrians and bicyclists; safe sight distances at access points, including intersections, crosswalks and driveways; and excellent drainage of the right of way and adjacent property.
2. **Street Elevations.** Streets shall generally be depressed below adjacent property to minimize depths of stormwater and wastewater collection sewers and to facilitate the flow of stormwater into street gutters.
 - a. Within Areas of Special Flood Hazard, the minimum elevation of streets within an Area of Special Flood Hazard shall be 1 foot above the Base Flood Elevation or an elevation that can be protected from flooding by a levee or other means. Where the street is lower than 1 foot above the Base Flood Elevation, satisfactory measures shall be taken to ensure that the street will not be flooded by the backup of surface runoff or sewers, from flood water through abandoned or proposed utilities, or other sources and that the street is accessible from streets similarly protected.
3. **Maximum Grades.** Maximum profile grades of streets are based on the street's classification and are given in the following table.

Maximum Profile Grades	
Street Classification	Grade (percent)
Thoroughfare	8
Important Neighborhood Street	8
Minor Street	12

4. **Minimum Grades.** The minimum allowable profile grade is 1 percent.
5. **Low Points.** Streets shall be designed so that low points occur adjacent to intersections with pavement elevations designed to keep stormwater from flowing across intersections or crosswalks.
6. **Alignment Changes.** Vertical curves shall be used to smoothly transition from one profile grade to the next. Minimum lengths of vertical curves are based on the street classification, the design or posted speed of the roadway, whether it is a crest or sag condition, and the algebraic difference of the two profile grades (Δ_{PG}) and are given in the following table.

Minimum Vertical Curve Lengths		
Street Classification	Minimum Length (feet)	
	Sag	Crest
Thoroughfare	$49 \times \Delta_{PG}$	$29 \times \Delta_{PG}$
Important Neighborhood Street	$37 \times \Delta_{PG}$	$29 \times \Delta_{PG}$
Minor Street	$26 \times \Delta_{PG}$	$12 \times \Delta_{PG}$

7. **Sidewalks.** The profile of sidewalks shall parallel that of the roadway and be derived from the typical section, except where modified at intersections and other locations to accommodate curb ramps.

To meet doorway and other building entrances abutting the sidewalk, the profile along the back of sidewalk may vary from the roadway profile provided the following design criteria are used:

- a. Maximum Grade: 8 percent or roadway grade, whichever is greater
- b. Minimum Grade: 1 percent (0 percent at level entrances)
- c. Maximum Change in Grade: 2 percent every 5 feet

8. **Driveways.** The profile grade of driveways shall be designed to comply with City Acc. No. 21439.

D. **Cross Slopes.** Cross slopes shall be used to promote safety and drainage.

1. **General.** Generally, roadways shall be highest along their centerline to improve safety and to drain toward the gutters along each side. Sidewalk spaces shall slope toward the adjacent roadway and allow water to flow from the adjacent property and sidewalk space into the gutter.
2. **Typical, Minimum and Maximum Cross Slopes.** Values of typical, minimum and maximum cross slopes are given in the following table.

Cross Slope Standards			
Area	Typical	Minimum	Maximum
Roadway	2%	1% ¹	4%
Paved Walk	2%	½% ¹	2%
Landscaped Area	2%	2%	4%

¹ A steeper cross slope will be required where the profile grade is flat to provide well drained driving and walking surfaces. Generally, the combined slope of the profile grade and cross slope shall be a minimum of 1 percent.

3. Cross Slope Changes

a. Roadways

- (1) Changes in the cross slope of roadways shall occur at centerlines and lane lines.
- (2) Changes in cross slope shall not exceed 1 percent except at centerlines.
- (3) Transitions in cross slopes for horizontal curves and intersections shall occur smoothly to promote safety and drainage.
- (4) On streets with more than two lanes, the cross slopes of curb lanes shall be steepened by ½ to 1 percent to facilitate good drainage.

b. Sidewalk Spaces

- (1) Cross slopes of paved walks shall be maintained across driveways.
- (2) Transitions in cross slopes for intersections and curb ramps shall occur smoothly to promote safety and drainage.

4. **Intersections.** Cross slopes shall be adjusted as roadways approach intersections as necessary to provide a smooth transition for motorists and to achieve proper drainage. The limits of cross slope transitions for each roadway as it approaches and extends through the intersection shall be based on their respective classifications and design speeds.

E. **Cul-de-sacs.** Circular turnarounds, conforming to Standard Drawing 6 found in Appendix A, are preferred for cul-de-sacs in residential subdivisions. Where lot layout and topographic features make a circular turnaround impractical, the City Engineer may approve a tee turnaround. Tee turnarounds shall conform to Standard Drawing 7 found in Appendix A.

Larger cul-de-sacs may be required by the City Traffic Engineer in commercial/industrial developments and other locations where a significant volume of truck traffic is projected.

Section 244.10. Roadways

A. **Base, Pavement and Curbs.** Roadway base, pavement and curbs shall meet the following standards based on adjacent land use and anticipated traffic.

1. Industrial Streets

a. **Rigid Pavement - IR1 (SN = 5.3)**

Component	Item	Description
Base	304	Granular Base, 6" thick
Pavement	452	Unreinforced Concrete Pavement, 9" thick
Curb	609	Curb, Type P-1 (City Acc. No. 21432)

b. **Flexible Pavement - IF1 (SN = 5.4)**

Component	Item	Description
Base	304	Granular Base, 6" thick
Pavement	301	Asphalt Concrete Base, 9" thick
	448	Asphalt Concrete Leveling Course, 1½" thick
	448	Asphalt Concrete Surface Course, Type 1H, 1½" thick
Curb	609	Curb, Type P-4 (City Acc. No. 21433) or Curb, Type S-1 (City Acc. No. 21435)

c. **Composite Pavement - IC1 (SN = 5.6)**

Component	Item	Description
Base	304	Granular Base, 6" thick
Pavement	305	Unreinforced Concrete Base, 7" thick
	448	Asphalt Concrete Leveling Course, 1½" thick
	448	Asphalt Concrete Surface Course, Type 1H, 1½" thick
Curb	609	Curb, Type B-1 (City Acc. No. 21431)

2. Commercial Streets

a. Rigid Pavement - CR1 (SN = 4.8)

Component	Item	Description
Base	304	Granular Base, 6" thick
Pavement	452	Unreinforced Concrete Pavement, 8" thick
Curb	609	Curb, Type P-1 (City Acc. No. 21432)

b. Flexible Pavement - CF1 (SN = 5.0)

Component	Item	Description
Base	304	Granular Base, 6" thick
Pavement	301	Asphalt Concrete Base, 8" thick
	448	Asphalt Concrete Leveling Course, 1½" thick
	448	Asphalt Concrete Surface Course, Type 1H, 1½" thick
Curb	609	Curb, Type P-4 (City Acc. No. 21433) or Curb, Type S-1 (City Acc. No. 21435)

c. Composite Pavement - CC1 (SN = 5.1)

Component	Item	Description
Base	304	Granular Base, 6" thick
Pavement	305	Unreinforced Concrete Base, 6" thick
	448	Asphalt Concrete Leveling Course, 1½" thick
	448	Asphalt Concrete Surface Course, Type 1H, 1½" thick
Curb	609	Curb, Type B-1 (City Acc. No. 21431)

3. Residential Streets

a. Rigid Pavement - RR1 (SN = 4.3)

Component	Item	Description
Base	304	Granular Base, 6" thick
Pavement	452	Unreinforced Concrete Pavement, 7" thick
Curb ¹	609	Curb, Type P-1 (City Acc. No. 21432)

¹ Curb, Type R-1 (City Acc. No. 21434) may be permitted for roadways in single family residential subdivisions.

b. Flexible Pavement - RF1 (SN = 4.3)

Component	Item	Description
Base	304	Granular Base, 6" thick
Pavement	301	Asphalt Concrete Base, 6" thick
	448	Asphalt Concrete Leveling Course, 1½" thick
	448	Asphalt Concrete Surface Course, Type 1, 1½" thick
Curb ²	609	Curb, Type P-4 (City Acc. No. 21433) or Curb, Type S-1 (City Acc. No. 21435)

² Curb, Type R-2 (City Acc. No. 21433) may be permitted for roadways in single family residential subdivisions.

B. Tack Coat (Item 407)

Tack coat shall be applied before an asphalt lift is placed on concrete pavement or on an asphalt pavement surface that is older than three months. For composite pavements, a rubberized asphalt emulsion complying with the requirements of Item 702.13 shall be used as the tack coat between concrete and asphalt.

C. Pavement Joints

Joints in concrete pavement or base shall be coordinated with utility block-outs, comply with *ODOT Standard Construction Drawings* BP-2.1 and BP-2.2 and at locations directed by the City. Joints at intersections shall comply with City Acc. No. 21505.

D. Connections to Existing Pavement

Connecting new and existing pavements may require modification of existing curbs, sidewalks, grading and utilities. The Engineer shall provide details for all such modifications.

Section 244.20. Sidewalk Spaces

A. Paved Walks (Item 608)

1. Paved walks shall be 5" thick, broom-finished, plain gray concrete walks unless otherwise approved by the City Engineer.
2. Driveways shall extend through the paved walk area with joints on each side.
3. To the extent possible, paved walk joints shall be equally spaced and maintained across the driveway crossing.
4. Concrete walk block dimensions shall be based on:
 - a. having equal block lengths between driveways;
 - b. being as square as possible with no side more than 1.5 times its adjacent side; and
 - c. having no dimension greater than 90 inches or less than 36 inches.

B. Driveways (Item 627)

1. Driveways shall be 7" thick, broom-finished, plain gray concrete unless a greater thickness is required due to truck traffic or other heavy loading condition.
2. Driveways shall comply with the following standards:

Residential	City Acc. No. 21436
Commercial	City Acc. No. 21516 or 22855

3. Areas adjacent to driveways shall be graded to accommodate the geometrics of the driveway and to drain into stormwater inlets.

C. Curb Ramps (Item 608)

Curb ramps shall be designed in accordance with ADAAG 4.1 and ADAAG 4.7 as well as *City Curb Ramp Guidelines*.

1. Two curb ramps are typically required at each corner of each intersection to provide a safe, continuous and accessible pedestrian path in each direction. The City Engineer may only grant exceptions as provided in the *City Curb Ramp Guidelines*.
2. Curb ramps shall be placed on both sides of streets at all crosswalks.

- D. **Landscaping.** Sidewalk space shall be landscaped in accordance with Section 247.

E. Sidewalk Space Alternative Materials

Other types of paved walks, driveways or curb ramps (e.g., stamped or colored concrete, brick or granite pavers) may be constructed if approved by the City Engineer and upon issuance of a Revocable Street Privilege (RSP). Use of alternative materials will be subject to the RSP's terms and conditions as described in Section 203.

Section 245. Traffic Control Devices

Section 245.01. Standards. All traffic control devices shall be designed in accordance with *MUTCD, Traffic Engineering SOPs, Traffic Engineering Standard Drawings, City Supplement 1300*, requirements provided herein, and as directed by the City Traffic Engineer. Supports for traffic control devices shall be designed in accordance with *AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals*.

Section 245.02. Responsibility. Traffic Control Devices shall be designed under the responsible charge of the Traffic Engineer.

Section 245.03. Approval. The design of and specifications for equipment, type, location, and operation, including traffic signal phasing and timing, shall have the approval of the City Traffic Engineer.

Section 245.04. Installation. The City reserves the right to perform all, a portion, or none of the work required for installation of traffic control devices. The City Traffic Engineer will make this determination after consulting with DPS.

Section 245.05. Traffic Signs

A. **Regulatory and Warning Signs.** Regulatory and warning signs of the designated type shall be placed at all warranted locations and as directed by the City Traffic Engineer.

B. **Street Name Signs.** Street name signs shall comply with the following requirements.

1. **Locations.** Street name signs shall be located on at least one corner of intersecting streets, including those of Private Streets.
2. **Street Name Blades.** The name of each intersecting street shall be displayed on a separate sign blade in compliance with City standards.
3. **Yellow Tab.** Street name signs on all streets that are not public shall have a yellow 'Private Street' tab designating it as Private.

Section 245.15. Pavement Markings. Pavement markings shall be placed as warranted and as directed by the City Traffic Engineer.

Section 245.25. Traffic Signals. Traffic signals will only be considered where warranted. The design of all traffic signals, including location, type, timing and phasing, shall be approved by the City Traffic Engineer.

Section 245.35. Maintenance of Traffic. All traffic control devices and measures, including temporary pavement markings and traffic signals, advance and detour signage, flaggers and traffic officers and vehicles, shall be designed and specified to safely guide all modes of transportation during all phases of construction.

Section 246. Street Lighting

Section 246.01. Standards. In addition to the provisions of Section 246, street lighting systems shall be designed and constructed in accordance with *Traffic Engineering Standard Drawings, City Supplement 1300* and as directed by the City Traffic Engineer.

Section 246.02. Responsibility. Street Lighting systems shall be designed by a professional lighting designer under the responsible charge of the Traffic Engineer.

Section 246.03. Approval. The type, location and operation of all street lighting systems must have the approval of the City Traffic Engineer.

Section 246.04. Locations. Street lights shall be located at intersections, major crosswalks, at other locations designated by the City Traffic Engineer and at intervals between to provide sufficient and uniform lighting levels.

Section 246.05. Uniform Levels. Street Lighting shall provide a 3:1 Average to Minimum Light Level within the right of way.

Section 246.06. Minimum Lighting Levels. Street lighting shall meet *City of Cincinnati Minimum Street Lighting Level Standards* provided in the following table:

City of Cincinnati Minimum Street Lighting Level Standards		
Street Classification	Land Use	Minimum Foot-Candles
Principal Arterial	Commercial	1.7
	Intermediate	1.3
	Residential	0.9
Minor Arterial	Commercial	1.2
	Intermediate	0.9
	Residential	0.6
Collector	Commercial	0.9
	Intermediate	0.7
	Residential	0.4

Section 246.07. Calculations. The Traffic Engineer shall submit photometric and voltage drop calculations for the proposed street lighting system during the Detail Plan Phase (see Section 263).

Section 246.08. Underground Conduits (Item 1321) and Pull Boxes (Item 1322). Underground conduits and pull boxes of the type and size specified by the City Traffic Engineer shall be furnished and installed to provide electric service to street lights. Underground conduit and pull boxes shall comply with *Traffic Engineering Standard Drawings*, ES-2 series. On streets where the Developer does not desire street lighting, conduits and pull boxes of the type and size specified by the City Traffic Engineer shall be provided and installed along both sides of the street for future lighting.

Section 246.09. Poles and Supports (Item 1318). Supports for street lights shall be designed in accordance with *AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals*. Support Type shall be based on location and street classification as follows:

Street Lighting Pole Standards	
Location/Street Classification	Pole Type
Central Business District	MOL/MPL-T Systems
Cincinnati's Official Through Street System	Standard Roadway
	Non-Standard Roadway
Local Streets	Standard Roadway
	Non-Standard Roadway
	Boulevard

- A. **MOL/MPL-T Systems.** See *Traffic Engineering Standard Drawings*, ES-8 series.
- B. **Standard Roadway Type.** See *Traffic Engineering Standard Drawings*, ES-1 series.
- C. **Non-Standard Roadway Type.** Alternates may be selected from options approved by the City Traffic Engineer.
- D. **Boulevard Type.** Available through Duke Energy Ohio, Inc. as approved by the City Traffic Engineer.

Section 246.10. Luminaires (Item 1325). Street Luminaires shall be based on location and street classification as follows:

Street Lighting Luminaire Standards	
Location/Street Classification	Type
Central Business District	Half-Spherical Roadway
Cincinnati's Official Through Street System	Standard Roadway
	Non-Standard Roadway
Local Streets	Standard Roadway
	Non-Standard Roadway
	Boulevard

- A. **Half-Spherical Roadway Type.** See *Traffic Engineering Standard Drawings* ES-8-7B.
- B. **Standard Roadway Type.** Cobra-head style.
- C. **Non-Standard Type.** Post Top Mounted Type or other type approved by the City Traffic Engineer.

D. **Boulevard Type.** Available through Duke Energy Ohio, Inc. as approved by the City Traffic Engineer.

Section 247. Landscaping

Section 247.01. General. Landscaping within rights of way and easements generally consists of trees and grass. Other forms of landscaping may be permitted if privately maintained as described in Section 247.04.

Section 247.02. Responsibility. Landscaping shall be designed under the responsible charge of the Landscape Architect.

Section 247.03. Types and Locations. Landscaping shall comply with the following requirements.

A. **Street Trees (Item 661).** Two-inch caliper trees (Item 661) shall be planted along each side of all new and improved streets in the center of the area between the paved walk and the back of the curb. Trees shall be single-trunked, high-branched specimens, free from insect, disease and structural defect (e.g. included stems).

Tree species, size and number shall be approved by Urban Forestry. Tree locations shall comply with *Section 3 V* of the *City's Street Restoration Book* and be approved by Urban Forestry and the City Engineer.

B. **Sod (Item 660).** Sod shall be placed in:

1. sidewalk spaces between the curb and paved walk;
2. sidewalk space between the paved walk and adjacent private property that is already developed; and
3. adjacent property not belonging to the Owner that is disturbed by construction unless otherwise permitted by legal agreement with the abutting property owner.

C. **Seeding (Item 661).** Seeding will be required in all areas of rights of way, easements and adjacent property disturbed by construction that is not otherwise paved or landscaped.

Section 247.04. Landscaping Alternatives. Other types of landscaping may be permitted subject to the following conditions.

A. **Rights of Way.** A Revocable Street Privilege is required for planting and maintaining other types of landscaping in rights of way as described in Section 203.

B. **Easements.** Use of other forms of landscaping within utility easements shall comply with easement conditions and restrictions.

Section 247.05. Islands and Medians. Landscaping within islands and medians will only be permitted if an enduring public or private entity, with sufficient resources dedicated to provide routine care and maintenance on a long-term basis, agrees to maintain the

landscaping. Such agreement shall be documented by either written agreement with the City or issuance of a Revocable Street Privilege as described in Section 203.

Section 248. Utility Facilities

Section 248.01. General. All publicly and privately owned utility facilities shall be designed in accordance with the requirements of their respective owners and comply with *Section 3 of the City's Street Restoration Book* and Section 248. Utility facilities within rights of way are subject to approval of the City Engineer.

A. Locations and Depths

1. **New Streets.** The following general guidelines shall be used to plan placement of utility distribution and collection facilities. The City Engineer will make a final determination of the location and depth of all utility facilities within rights of way based on zoning, land use, street classification and transportation planning requirements; such determination may vary from these general guidelines.

a. **Publicly Owned Utility Facilities.** Within the right of way as shown on Standard Drawing 1 and Standard Drawing 2 found in Appendix A; and

b. **Privately Owned Utility Facilities**

(1) **Residential Subdivisions on Local Streets.** Within Private Utility Easements at least 10 feet wide adjacent to and along both sides of the right of way as shown on Standard Drawing 4 found in Appendix A; and

(2) **Other Streets.** Within Joint Utility Trenches under each side of the pavement at least 4 feet from the curb line and 10 feet from water mains and sewers.

2. **Existing Streets.** The locations of proposed utility facilities, including services, within existing streets shall be initially established by utility owners based on their existing location and the locations of other utilities. Where relocation is necessary, the location identified for new streets shall be used where possible.

B. **Private Utility Easements.** Privately owned utility facilities, including cable television, electric, gas, telecommunication and telephone, shall be installed in Joint Utility Trenches within Private Utility Easements as shown on Standard Drawing 4 found in Appendix A. Cable television, electric, telecommunication and telephone lines shall be installed in 4-inch diameter or larger PVC conduits.

C. **Joint Utility Trenches.** Privately owned utility facilities within Joint Utility Trenches shall be arranged in the same manner as shown on Standard Drawing 4 found in Appendix A. If Joint Utility Trenches are located within the right of way, conduits shall be concrete-encased.

D. **Joint Utility Crossovers in Streets.** Privately owned utilities, including cable television, electric, gas, telecommunication and telephone, shall be located within Joint Utility Crossovers as shown on Standard Drawing 5 found in Appendix A.

Cable television, electric, telecommunication and telephone lines shall be installed in concrete-encased 4-inch diameter or larger PVC conduits. A minimum of six conduits shall be provided in each Joint Utility Crossover with at least two empty conduits reserved for future City use.

- E. **Utility Coordination.** The Engineer shall coordinate the location and depth of all utility facilities, including but not limited to crossings, services, manholes, valves, chambers and pullboxes, with utility owners and DOTE to avoid conflicts, ensure satisfactory operation and use and promote high-quality construction.
- F. **Additional Conduits.** Additional concrete-encased conduits shall be installed behind each curb and within Joint Utility Crossovers of the size, number and location determined by the City Traffic Engineer.
- G. **Alignment.** Distribution, collection and transmission facilities for all utilities shall be designed to closely follow the roadway's horizontal alignment and, except for stormwater and wastewater collection sewers, the roadway's vertical alignment. This may require additional manholes and valve chambers.
- H. **Cover.** All underground utility facilities shall be installed at a depth conforming to the requirements of their owner unless a greater depth is required to conform to *Section 3 of the City's Street Restoration Book*. All underground utility facilities shall have at least 2 feet of cover.
- I. **Capacity.** Each underground utility facility within the street shall be designed to support the maximum service for the site based on uses permitted by the *Cincinnati Zoning Code* unless a larger size is required by the utility owner.
- J. **Utility Services.** To maximize the area available for traffic control devices, lighting, tree planting and landscaping in rights of way, service branches and lines, building laterals, utility crossovers and other utility facilities that extend through sidewalk spaces or medians shall be grouped:
 - 1. **Privately Owned Utility Services.** (Cable television, electric, gas, telecommunication and telephone):
 - a. If the Development contains Private Utility Easements, all privately owned utility service laterals shall extend directly from the easement to the building or facility served. All privately owned utility services crossing the right of way shall be concrete-encased and installed in a Joint Utility Crossover as shown on Standard Drawing 5 found in Appendix A.
 - b. If the Development does not contain Private Utility Easements, privately owned utility service laterals in the right of way shall be concrete-encased and installed within a 6-foot wide strip. All privately owned utility service laterals shall be placed at least 10 feet horizontally from any sewer or water lateral.

Where the locations of driveways can be determined, privately owned utility service laterals shall extend directly into the property they serve immediately adjacent to the driveway.

2. **Publicly Owned Utility Services.** (Stormwater, wastewater collection and water supply):

Publicly owned utility service laterals shall be placed with 5 feet horizontal clearance between them, and at least 10 feet horizontal clearance from any adjacent privately owned utility service lateral.

K. **Service Equipment.** Transformers, meters and other ground-mounted equipment shall be located at lot corners outside of the right of way.

L. **Future Connections.** Where future connections to utility facilities are anticipated, the locations for those connections shall be located 10 feet beyond the street limits to minimize damage to roadways, sidewalks, landscaping, utilities or other facilities when those connections are made.

M. **Clearances.** All above ground utility facilities, including poles, fire hydrants and service equipment shall be located to provide the following minimum clearances:

1. 2 feet behind curb lines;
2. 5 feet from driveways and curb ramps; and
3. 1 foot from paved walks.

N. **Adjustable Castings.** Top castings of all utility facilities, including manholes, inlets, chambers, pullboxes and vaults, shall be designed to allow vertical adjustment to accommodate future street reconstruction or repaving.

O. **Lids.** Manholes, valve chambers, pullboxes and other utility facilities in sidewalk spaces, crosswalks and other pedestrian pathways shall have skid-proof, ADA-approved lids.

Section 248.10. Cable Television. Time Warner Cable Inc. will design cable television facilities.

Section 248.20. Electric. Duke Energy Ohio, Inc. will design electric facilities.

Section 248.30. Gas. Duke Energy Ohio, Inc. will design gas facilities.

Section 248.40. Stormwater. All stormwater management facilities shall be designed in accordance with *SMU's Rules and Regulations* and *SMU Standard Drawings*.

A. **Detention/Retention Facilities.** Detention/retention facilities shall also comply with *MSDGC's Rules and Regulations*.

Storage facilities shall be located outside of public rights of way.

B. **Sewers and Laterals**

1. **Minimum Diameter.** The minimum diameter of storm sewers is 12 inches.

2. **Depth.** The depth of storm sewers shall be in accordance with *SMU's Rules and Regulations* and subject to approval by the City Engineer.

C. Manholes

1. **Locations.** Stormwater manholes shall be located 5 feet north or east of the roadway centerline at:
 - a. all intersections of two or more sewers; and
 - b. all changes in size of pipe, horizontal alignment, or slope.
2. **Maximum spacing.** The maximum spacing of stormwater manholes shall be in accordance with *SMU's Rules and Regulations* and as approved by the City Engineer.

D. Inlets

1. **Locations.** Generally, stormwater inlets shall be placed along each curb line at:
 - a. the upslope end of return radii of all intersections (to prevent stormwater from flowing across intersections and crosswalks);
 - b. the upslope end of cross slope reversals where the cross slope begins to superelevate (to prevent stormwater from flowing back across pavement);
 - c. grade changes, where the street grade changes to a flatter grade;
 - d. all locations where the maximum pavement spread or maximum flow depth is reached;
 - e. bridges, immediately upslope and down slope of bridge approach slabs;
 - f. the low point of cul-de-sacs on descending streets;
 - g. curb termini, 5 feet upslope of the termini; and
 - h. locations between so that inlet spacing does not exceed 300 feet.
2. **Placement.** Inlets shall be placed on the upslope side of driveways and crosswalks with their edges no closer than 5 feet from the closest projection of drop curbs for driveways and curb ramps.
3. **Type.** Combination Inlets, City Acc. No. 49016 are required in most locations to drain streets. Ditch inlets are required to drain surface run off in watercourses and ditches.

Section 248.50. Telecommunication. The telecommunication company chosen by the Developer will design their telecommunication facilities.

Section 248.60. Telephone. Cincinnati Bell Inc. will design telephone facilities.

Section 248.70. Wastewater Collection. All wastewater collection facilities shall be designed in accordance with *MSDGC's Rules and Regulations* and *MSDGC Standard Drawings*.

A. Sewers

1. **Minimum Diameter.** The minimum diameter of wastewater collection sewers is 8 inches.

B. Manholes

1. **Locations.** Manholes shall be located 5 feet south or west of the roadway centerline at:
 - a. all intersections of two or more sewers;
 - b. all changes in size of pipe, horizontal alignment, or slope; and
 - c. the head end of the system.
2. **Maximum Spacing.** The maximum spacing is determined in accordance with *MSDGC's Rules and Regulations* and as approved by the City Engineer.

C. Building Laterals

1. **Minimum Diameter.** The minimum diameter of building laterals permitted within the right of way is 6 inches.
2. **Minimum Depth.** Building laterals shall be placed at a depth so its flow line is at least 7 feet below the top of the adjacent curb elevation where it crosses the property line.
3. **Minimum Slope.** Building laterals shall be placed at a minimum slope of ¼-inch per foot from the building to the wastewater collection sewer unless otherwise permitted by the MSDGC Director.
4. **Connections.** Building laterals shall typically be connected directly to wastewater collection sewers. Connections to manholes may only occur where approved by the MSDGC Director.

- D. Special Designs.** Branch sewer connections, limitations of angular change of alignment within a manhole, radius of curve for sewers 30 inches in diameter and larger (minimum radius 10 diameters), increaser and reduction chambers, reduction in size of pipe due to steeper grade, changes from a flat to a steeper grade and vice versa, drop manholes and base elbow connections, etc., shall be designed on the basis of fundamental hydraulic principles and recognized good engineering practice. Special designs will be evaluated and approved by MSDGC on a case-by-case basis.

Section 248.80. Water Supply. Water supply facilities shall be designed in accordance with *GCWW's Rules and Regulations* and *GCWW Standard Drawings*.

- A. Circulation.** Water main circulation and connection(s) to the existing system shall meet the requirements of Section 401-13 of *GCWW's Rules and Regulations*.

B. Water Mains

1. **Size.** GCWW will determine the water main size as described in Section 401-18 of *GCWW's Rules and Regulations*.
2. **Depth.** Water mains shall be placed at a depth so they have at least 42 inches of cover over the top of the main.
3. **Location.** Water mains shall generally be located under the paved walk at a uniform distance from the back of the adjacent curb, in the north or east sidewalk space.

C. **Valves.** Four control valves are typically required at each cross intersection; three control valves at each tee intersection; and one control valve at each cross connection. Valves shall also be located on each service branch and fire hydrant.

D. **Valve Chambers.** Control valves on water mains in rights of way shall be housed in valve boxes or chambers designed to safely support vehicular and pedestrian loads. Valve chambers in the sidewalk space shall have skid-proof, ADA-approved lids.

E. **Service Branches.** Water service branches from water mains to property lines shall be Type K copper pipe with brass fittings supplied and installed in accordance with Sections 401-13, 401-31, 401-33 and 401-35 of *GCWW's Rules and Regulations*.

1. **Depth.** Service branches shall be placed at a depth so they have at least 42 inches of cover over the top of the pipe.

F. Fire Hydrants

1. **Spacing.** Dependent on required fire flow, fire hydrants shall be spaced at intervals no less than 300 feet or more than 400 feet as required by *Cincinnati Fire Prevention Code* Section 1229-7.

2. **Location.** Fire hydrants shall be placed 2.75 feet behind the adjacent curb line.

3. **Valves.** Fire hydrant leads shall be constructed so that the valves are behind the curb and housed in a valve box or as shown on the approved water main plans.

G. **Meters.** All public and private meters shall be integrated with GCWW's automated meter reading system. Meters serving private property shall be located within that property.

Section 249. Postal Service Facilities

Section 249.01. Types. Mail box types shall comply with USPS regulations. The following two types are generally used.

A. **Rural Mail Boxes.** Rural mail boxes are individual, pole-mounted boxes near the curb. Mail may not be delivered when mail boxes are blocked by parked cars.

B. **Cluster Boxes.** Cluster boxes are multi-box units in a central location, used for both delivery and collection of mail.

Section 249.02. Locations. Mail boxes may be located within the right of way subject to the conditions of CMC Section 723.18 and USPS regulations.

The Developer shall contact the local Postmaster for additional information regarding mail box types and locations. The types and locations of mail facilities within rights of way are subject to approval of the City Engineer.

DIVISION 250. PLAN DRAWINGS

Section 250. General

Street Improvement Plan drawings shall clearly communicate the full extent of Street Improvements designed in accordance with Division 240. Sections 250 - 252 provide general and detail requirements for Subdivision Improvement Plan drawings.

Section 251. General Requirements

Subdivision Improvement Plans shall include all plans, elevations, profiles, cross sections, sections, details, locations, notes, references, quantities and other information necessary to fully construct the Street Improvements in accordance with this *Manual*.

Section 251.01. Responsibility. Except as otherwise noted in Division 240, all Subdivision Improvement Plan drawings shall be prepared under the responsible charge of the Engineer. The Engineer shall also coordinate and integrate all Street Improvement drawings to ensure that they completely and clearly describe the design intent.

Section 251.02. Drawing Standards. In addition to the requirements of this Chapter, plans shall be prepared consistent with applicable standards of practice, Section 210 of *CCPC's Rules and Regulations*, Division 140 and Division 260. Special attention is directed to Section 140.04 (Sealing of Submittals) and Section 140.05 (Signatures).

Section 251.03. Measurement Units. U.S. Survey Feet shall be used for all coordinates, stations, distances and elevations. Degrees, minutes and seconds shall be used for all bearings, angular measurements, latitudes and longitudes.

Section 251.04. Locations, Bearings and Elevations. All locations, bearings and elevations, including stations and contours, shown on Subdivision Improvement Plans shall be based on land surveys performed in accordance with Division 220 and referenced to horizontal and vertical control established in accordance with Section 221. Existing locations, bearings and elevations shall be obtained from land surveys as described in Division 220. Existing contours shall be developed from that information. The Engineer and other members of the Development Team shall establish proposed locations, bearings, stations, contours and elevations through the design process.

Section 251.05. Baselines. Baselines shall be shown along the centerlines of each street, typically beginning at Station 0+00 and increasing in station from south to north or from west to east. The plans shall show the location of baselines with respect to nearby witnesses established as described in Section 221.03. Proposed locations shall be referenced to respective baselines using the station and offset method.

Section 251.06. References. All Street Improvement construction shall be based on and reference applicable Standard Drawings and Construction Specifications.

- A. **Standard Drawings.** Street Improvement Plan drawings shall use and reference Standard Drawings to the extent possible. Variations from the Standard Drawings shall be identified and clearly detailed on the related detail drawings.
- B. **Construction Specifications.** All construction shall comply with and reference the *ODOT CMS* and *City Supplement* to the extent possible. Additions to and/or modifications of the *ODOT CMS* and *City Supplement* shall be identified and fully described in the Special Provisions section of General Notes (see Section 252.04.B.) If referencing an item to the *ODOT CMS* and *City Supplement* is not appropriate, the item shall be identified as Item Special.

Section 251.07. Street Names. Street names shall be shown on all plan views, elevations, cross sections and details.

Section 251.08. Work by Others. The Subdivision Improvement Plan shall clearly identify and describe work to be performed by parties others than the Contractor.

Section 251.09. Title Block. Each drawing shall have a Title Block that provides the Project Title, Drawing Name, Drawing Number and Total Number of Drawings.

Section 251.10. North Arrow. A correctly oriented North Arrow shall be provided on each plan view, typically placed in the upper center portion of the plan view.

Section 251.11. Scales. Subdivision Improvement Plans shall be drawn to scale with a graphic scale shown below the title of each view. The preferred scale for each drawing is provided. Variation from the preferred scale is subject to approval by the City Engineer. When variations are approved, the same scale shall be used for all related drawings.

Section 251.12. Legends. Legends shall be provided as necessary to clarify the meanings of symbols, line types and abbreviations.

Section 251.13. Existing and Proposed Surfaces. Both existing and proposed surfaces (ground line or top of pavement) shall be shown on all profiles, cross sections and elevation views.

Section 251.14. Model Language and Details. Model language for plan notes and the description of required details are provided for guidance only and not intended to restrict the Engineer or other members of the Development Team in developing language and

details specific to each Development. Submitted language and details are subject to approval of the City to promote public interest.

Section 251.15. Sealing of Plans. Except as described herein, the Engineer shall sign, date, and stamp all Subdivision Improvement Plans in accordance with OAC Rule 4733-23-01.

Section 252. Detail Requirements

Subdivision Improvement Plans typically include most of the drawings identified in this Section in the sequence listed to provide all information required to properly construct proposed Street Improvements. Based on the complexity and scope of Street Improvements, drawings may be combined or added as needed.

Section 252.01. Title Sheet. Title Sheets shall provide information described in Section 210.1 of *CCPC's Rules and Regulations*. The Title Sheet shall provide signature lines for the:

- A. Owner(s);
- B. Engineer;

and room for the following officials to stamp the Title Sheet as approved:

- C. Director of City Planning and Buildings;
- D. City Engineer; and
- E. Sewers Chief Engineer.

Section 252.02. Typical Sections (H: 10 scale V: 1 scale). Typical Section drawings shall:

- A. show widths, thicknesses and cross slopes of all roadway and sidewalk items for all new and improved streets;
- B. clearly identify typical Construction Specification Items;
- C. extend for the entire length of each street except where grade details provide the required information; and
- D. indicate the street name and station limits.

Section 252.03. Roadway Details. Roadway Detail drawings shall clarify unique or non-standard roadway details, including:

- A. Utility trench restoration details;
- B. Modifications of Standard Drawings;
- C. Silt fence and straw bale details;

- D. Temporary construction road details; and
- E. Detention basin details.

Section 252.04. General Notes. General Notes drawings shall include notes of a general nature listed together to avoid duplication. In addition to notes specific to the Development, the following notes shall be included.

A. **Standard Notes.** The following notes shall be listed first:

GENERAL

ALL WORK SHALL BE PERFORMED IN COMPLIANCE WITH THE REQUIREMENTS OF THE CONSTRUCTION DOCUMENTS, INCLUDING:

1. THESE PLANS;
2. STANDARD DRAWINGS REFERENCED HEREIN;
3. THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS, DATED _____ AND THE CITY OF CINCINNATI SUPPLEMENT TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS, DATED _____;
4. IN ACCORDANCE WITH A CONSTRUCTION SCHEDULE APPROVED BY THE CITY ENGINEER; AND
5. UNDER THE GENERAL SUPERVISION AND INSPECTION OF THE CITY OF CINCINNATI DEPARTMENT OF TRANSPORTATION AND ENGINEERING.

APPROVAL OF THESE PLANS BY THE CITY OF CINCINNATI, OHIO, IS BASED ON THE FOLLOWING TERMS AND CONDITIONS:

1. THE DEVELOPER SHALL ACQUIRE FROM THE ABUTTING OR AFFECTED PROPERTY OWNER(S), ALL PROPERTY THAT IS NECESSARY FOR THE FULL AND COMPLETE DEVELOPMENT OF THE PROPOSED STREET(S) PRIOR TO BEGINNING WORK;
2. THE DEVELOPER AGREES TO PERFORM, AT THE DEVELOPER'S SOLE EXPENSE, ANY AND ALL WORK NECESSARY FOR PROTECTION OF ABUTTING AND AFFECTED PROPERTY OWNERS; AND
3. THE DEVELOPER SHALL INDEMNIFY AND HOLD THE CITY OF CINCINNATI, OHIO, HARMLESS FROM ANY AND ALL CLAIMS, WHICH MAY BE ASSESSED AGAINST THE CITY OF CINCINNATI, OHIO, RESULTING FROM THE DEVELOPER'S DEVELOPMENT OF THE PROPOSED STREET(S).

EROSION, SEDIMENT AND DUST CONTROL

IMPLEMENT THE EROSION AND SEDIMENT CONTROL PLAN WITH THE BEGINNING OF EARTHWORK TO MINIMIZE EROSION AND SEDIMENTATION IMPACTS ON DOWNSTREAM PROPERTIES AND UPON THE RECEIVING SEWERS.

MINIMIZE IMPACTS OF DUST ON AIR QUALITY AND ADJACENT PROPERTIES THROUGH USE OF WATER, EQUIPMENT SELECTION, SCHEDULE AND OTHER MEASURES TO CONTROL DUST.

COVER ALL DISTURBED AREAS WHERE WORK IS NOT SCHEDULED FOR 21 DAYS WITH TEMPORARY VEGETATION. IN AREAS HIGHLY SUSCEPTIBLE TO EROSION, THE CITY OR CONTRACTOR MAY DETERMINE THAT TEMPORARY VEGETATION IS NEEDED WHERE WORK IS SCHEDULED SOONER THAN 21 DAYS. IN ALL CASES, SUCH TEMPORARY VEGETATION SHALL BE APPLIED WITHIN SEVEN DAYS OF SUCH DETERMINATION OR NOTICE. NO DISTURBED AREA SHALL BE LEFT UNCOVERED BY TEMPORARY VEGETATION FOR MORE THAN 28 DAYS.

CASTINGS

CONSTRUCT ALL UTILITY CASTINGS TO THEIR FINAL ELEVATION. WEDGE ALL CASTINGS PROJECTING ½-INCH OR MORE ABOVE THE ELEVATION OF THE TEMPORARY ROADWAY SURFACE WITH ASPHALT CONCRETE TO A DIAMETER OF 8 FEET. REMOVE ASPHALT WEDGES IMMEDIATELY PRIOR TO FINAL PAVING.

STREET DRAINAGE

ENSURE PROPER DRAINAGE OF EXISTING AND PROPOSED STREETS DURING ALL PHASES OF CONSTRUCTION. PRIOR TO BEGINNING CONSTRUCTION, SUBMIT THE MEANS AND METHODS PROPOSED TO ENSURE POSITIVE DRAINAGE OF ALL ROADWAY BASES AND PAVEMENTS PRIOR TO PLACEMENT OF THEIR SURFACE COURSES TO THE DOTE ENGINEER. PROCEED WITH CONSTRUCTION ONLY AFTER THE DOTE ENGINEER GRANTS APPROVAL OF THESE MEASURES.

BACKFILLING TRENCHES

IN PROPOSED RIGHTS OF WAY, BACKFILL TRENCHES WITH EITHER CONTROLLED DENSITY BACKFILL OR STRUCTURAL BACKFILL. STRUCTURAL BACKFILL MAY ONLY BE USED IF A GEOTECHNICAL ENGINEERING AND MATERIALS TESTING FIRM PERFORMS COMPACTION TESTING IN ACCORDANCE WITH ODOT SUPPLEMENTAL SPECIFICATION 1015 AND VERIFIES THAT LIFTS DO NOT EXCEED 8 INCHES. MATERIALS, PLACEMENT AND COMPACTION SHALL BE IN ACCORDANCE WITH ODOT CMS 603.10 AND 603.11 AS MODIFIED BY THE CITY SUPPLEMENT. THE GEOTECHNICAL ENGINEERING AND MATERIALS TESTING FIRM MUST SEND ALL RESULTS OF THE COMPACTION TESTS TO THE DOTE ENGINEER. IN EXISTING RIGHTS OF WAY, BACKFILL ALL TRENCHES WITH CONTROLLED DENSITY BACKFILL ONLY.

TREE PLANTING

ALL PLANT MATERIAL SHALL COMPLY WITH AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1. ALL PLANT MATERIAL SHALL BE SELECTED BASED ON SITE CONDITIONS AND CONSTRAINTS.

PLANTING BALLED AND BURLAPPED TREES

1. IF NOT READILY APPARENT, LOCATE ROOT FLARE BY REMOVING TWINE, BURLAP AND EXCESS SOIL.

2. DIG TREE HOLE AT LEAST TWO TIMES WIDER THAN THE TREE BALL, WITH SIDES SLOPED TO AN UNEXCAVATED OR FIRM BASE. DIG HOLE TO A DEPTH SO THE LOCATED ROOT FLARE, AT THE FIRST ORDER LATERAL ROOT, WILL BE AT FINISHED GRADE.
3. LIFTING ONLY FROM THE BOTTOM OF THE ROOT BALL, POSITION TREE ON FIRM PAD SO THAT IT IS STRAIGHT AND TOP OF ROOT FLARE IS LEVEL WITH THE SURROUNDING SOIL.
4. REMOVE ALL TWINE FROM THE ROOT BALL. IF PRESENT, REMOVE AND DISCARD AT LEAST THE TOP ONE HALF OF THE WIRE BASKET. BURLAP SHALL BE REMOVED FROM THE TOP TO A POINT HALFWAY DOWN THE ROOT BALL AND DISCARDED.
5. WITH CLEAN, SHARP PRUNING TOOLS, PRUNE OFF ANY SECONDARY/ADVENTITIOUS, GIRDLING AND POTENTIAL GIRDLING ROOTS.
6. BACKFILL PLANTING HOLE WITH EXISTING UNAMENDED SOIL AND THOROUGHLY WATER.
7. MULCH THE ENTIRE PLANTING SURFACE WITH COMPOSTED BARK APPLIED NO LESS THAN TWO INCHES (2") DEEP AND NO MORE THAN THREE INCHES (3") DEEP, LEAVING THREE INCHES (3") ADJACENT TO THE TREE TRUNK FREE OF MULCH.

PLANTING CONTAINERIZED OR GROW BAG TREES

1. IF NOT READILY APPARENT, LOCATE ROOT FLARE BY REMOVING EXCESS SOIL.
2. DIG TREE HOLE AT LEAST TWO TIMES WIDER THAN THE TREE BALL WITH SLOPING SIDES. DIG HOLE TO A DEPTH SO THE LOCATED ROOT FLARE, AT THE FIRST ORDER LATERAL ROOT, WILL BE AT FINISHED GRADE.
3. CREATE A FIRM SOIL MOUND AT THE BOTTOM OF THE PLANTING HOLE.
4. REMOVE TREE FROM CONTAINER OR GROW BAG AND COMPLETELY TEASE APART ROOT SYSTEM, REPOSITIONING ANY GIRDLING OR POTENTIALLY GIRDLING ROOTS.
5. SPREAD ROOTS OVER SOIL MOUND SO THAT ROOT FLARE IS AT FINISHED GRADE AND THE TREE IS STRAIGHT.
6. WITH CLEAN, SHARP PRUNING TOOLS, PRUNE OFF ANY SECONDARY/ADVENTITIOUS, GIRDLING AND POTENTIAL GIRDLING ROOTS.
7. BACKFILL PLANTING HOLE WITH EXISTING UNAMENDED SOIL AND THOROUGHLY WATER.
8. MULCH THE ENTIRE PLANTING SURFACE WITH COMPOSTED BARK APPLIED NO LESS THAN TWO INCHES (2") DEEP AND NO MORE THAN THREE INCHES (3") DEEP, LEAVING THREE INCHES (3") ADJACENT TO THE TREE TRUNK FREE OF MULCH.

PLANTING BARE ROOT TREES

1. DIG TREE HOLE AT LEAST TWO TIMES WIDER THAN THE TREE BALL WITH SLOPING SIDES. DIG HOLE TO A DEPTH SO THE LOCATED ROOT FLARE, AT THE FIRST ORDER LATERAL ROOT, WILL BE AT FINISHED GRADE.
2. CREATE A FIRM SOIL MOUND AT THE BOTTOM OF THE PLANTING HOLE.
3. SPREAD ROOTS OVER SOIL MOUND SO THAT ROOT FLARE IS AT FINISHED GRADE AND THE TREE IS STRAIGHT.
4. WITH CLEAN, SHARP PRUNING TOOLS, PRUNE OFF ANY SECONDARY/ADVENTITIOUS, GIRDLING AND POTENTIAL GIRDLING ROOTS.
5. BACKFILL PLANTING HOLE WITH EXISTING UNAMENDED SOIL AND THOROUGHLY WATER.
6. MULCH THE ENTIRE PLANTING SURFACE WITH COMPOSTED BARK APPLIED NO LESS THAN TWO INCHES (2") DEEP AND NO MORE THAN THREE INCHES (3") DEEP, LEAVING THREE INCHES (3") ADJACENT TO THE TREE TRUNK FREE OF MULCH.

MARKING OF UTILITY SERVICES

THE CONTRACTOR SHALL STAMP THE LOCATION OF ALL UTILITY LATERALS ON THE NEW CURB AS IT IS BEING CONSTRUCTED USING AN APPROVED STAMP SYSTEM. THE DESIGNATIONS SHALL BE AS FOLLOWS:

UTILITY SERVICE MARKINGS	
MARKING	SERVICE
S	WASTEWATER COLLECTION LATERAL
ST	STORMWATER LATERAL
W	WATER LATERAL
UX	UTILITY CROSSOVER

B. Special Provisions. Special Provisions shall:

1. provide requirements of a general nature specific to the construction of Street Improvements;
2. identify and describe all additions and modifications to the *ODOT CMS* and *City Supplement*, and
3. identify and provide full specifications for additional items identified as Item Special (see Section 251.06.B.)

Section 252.05. Estimated Quantities. Estimated Quantity drawings shall provide a table listing all work items needed to complete the Street Improvements. For each item, the table shall include:

- A. **Item.** The number that refers to the *ODOT CMS* and/or *City Supplement* specification section that governs the work item (e.g., Item 203). Work items that are not related to *ODOT CMS* or *City Supplement* specification sections shall be identified as Item Special (see Section 251.06.B.).
- B. **Quantity.** Based on the Unit, the number indicating the estimated amount of the work item needed to complete the Street Improvements.
- C. **Unit.** The unit used to measure the amount of the work Item (e.g., Linear Feet, Square Yards, Cubic Yards, Each, Hours). For work items not reasonably quantified (e.g., Item 614 Maintenance of Traffic), the Quantity and Unit shall be termed Lump Sum.
- D. **Description.** The name of the work item (e.g., Concrete Curb Type S-1, Subgrade Compaction, Embankment, Manhole Type T, Police Officer).

Section 252.06. Demolition Plan (40 scale). Demolition Plans shall:

- A. show and identify all existing structures within the Subdivision;
- B. show and identify removal limits for those structures; and
- C. provide all details and notes required for removal.

Section 252.07. General Plan (40 scale). In addition to the requirements of Section 210.2 of *CCPC's Rules and Regulations*, General Plan drawings shall show and identify all:

- A. public and private rights of way and easements;
- B. stationing along proposed roadway centerlines, including:
 - 1. ties to existing monuments and witnesses;
 - 2. stations where centerlines intersect; and
 - 3. stations of the PC, PI and PT of horizontal curves along with their respective geometric functions (Δ , R, L_c and T);
- C. street names;
- D. limits of existing and proposed roadway pavement and paved walks;
- E. lot lines, lot numbers and dimensions of all proposed parcels in the Subdivision; and
- F. lot lines, owner names and parcel numbers of all existing parcels abutting the subdivision.

The General Plan shall provide a complete description of the benchmarks, including horizontal and vertical location, used by the Surveyor and Engineer as a basis for design and plan preparation. The General Plan shall also show and provide location information for local monuments and witnesses.

Section 252.08. Utility Plan (40 scale). The Utility Plan shall look similar to the General Plan but show and identify:

- A. all public and private rights of way and easements;
- B. street names;
- C. lot lines and numbers of all proposed parcels in the Subdivision;
- D. limits of all existing and proposed roadway pavement and paved walks;
- E. proposed roadway centerline stationing;
- F. the location, size and type of all existing and proposed privately owned utility facilities;
- G. the location, size and type of all existing and proposed water supply facilities, including mains, service branches, valve chambers, valve boxes and fire hydrants;
- H. the size and flow direction of all existing sewers with rim and invert elevations of all existing sewer manholes and inlets;
- I. all proposed stormwater management facilities, including:
 - 1. the location, size and type of all proposed storm sewers, manholes, ditches, inlets and inlet laterals;
 - 2. the location, size and type of all proposed building laterals, drains and downspouts;
 - 3. the location, limits and grading of all permanent and temporary detention and retention facilities;
 - 4. limits of all existing and proposed public and private drainage easements;
 - 5. private storm sewer drainage limits; and
 - 6. additional details of all stormwater management facilities as needed to clarify design intent.
- J. all wastewater collection facilities, including:
 - 1. the location, size and type of all existing and proposed wastewater collection facilities, including sewers, force mains, manholes, lift stations, building laterals, etc.;
 - 2. limits of all existing and proposed wastewater collection sewer easements; and
 - 3. additional details of all wastewater collection facilities as needed to clarify design intent.

Details of proposed water supply facilities shall be shown on separate plans submitted and approved by GCWW. The location, type, size and details of proposed privately owned utility facilities shall be shown on separate plans prepared in accordance with the utility owners' rules and regulations.

Section 252.09. Plan and Profile (H: 20 scale V: 10 scale). Plan and Profile drawings shall be provided for each street, showing a Plan view directly above its corresponding Profile view. The Title Block shall provide the Street Name and, where more than one drawing is required for a street, the station limits of the drawing.

- A. **Plan (20 scale).** The Plan shall include all details shown on the Utility Plan, including stationing along the roadway centerline.
- B. **Profile (H: 20 scale V: 10 scale).** The Profile shall provide elevations referenced to the roadway centerline stationing. Profiles shall show and identify the:
 - 1. existing surface and the top of proposed pavement along the roadway centerline and label the elevation of each surface at:
 - a. 50' stations within limits of constant slope; and
 - b. 25' stations within limits of vertical curves;
 - 2. percent slope of the roadway centerline within limits of constant grade;
 - 3. stations and proposed elevations of the PVC, PVI and PVT for each vertical curve;
 - 4. location, elevation, type and size of existing and proposed utilities that cross the roadway;
 - 5. location, elevation, size and type of existing and proposed water mains and valve chambers;
 - 6. location, elevation, size and type of all existing and proposed storm sewers, manholes, ditches, inlets and inlet laterals (profiles of proposed inlet laterals between manholes and inlets and profiles of ditches may be shown on a separate sheet as necessary); and
 - 7. the location, elevation, size and type of all existing and proposed wastewater collection facilities, including sewers, force mains, manholes, and lift stations (profiles of sewers outside the limits of the roadway may be shown on a separate sheet as necessary).

Section 252.10. Cross Sections (H: 20 scale V: 10 scale). Cross Section drawings shall be provided for every street. The Title Block on each sheet shall indicate the street name and station limits for cross sections shown on that sheet. Cross sections shall:

- A. show the existing ground line and proposed final surface at each 25-foot station for the entire limit of each street, including existing streets that are to be widened;
- B. extend to the grading limits; and
- C. show existing and proposed underground utilities.

Section 252.11. Grading Plan (40 scale). Grading Plans shall show:

- A. existing and proposed contours at intervals not exceeding 5 feet within the grading limits of the Development;
- B. arrows indicating the proposed direction of stormwater flow;
- C. estimated volumes of excavation and embankment;
- D. estimated volumes of off-site borrow and disposal;
- E. identification of proposed onsite and known offsite borrow areas;
- F. soil classification (gradation and Atterberg Limits), existing moisture content, and moisture/density curves for all materials proposed to be placed in the embankments; and
- G. a description of methods of embankment construction, including:
 - 1. equipment to be used;
 - 2. moisture control methods to be employed;
 - 3. erosion, sediment, dust and runoff control measures to be employed during embankment construction; and
 - 4. testing laboratory to be employed during construction.

Section 252.12. Erosion and Sediment Control Plan (40 scale). The Erosion and Sediment Control Plan shall be prepared in accordance with *SMU's Rules and Regulations*. This plan is typically combined with the Grading Plan.

Section 252.13. Grade Details (10 scale). Grade detail drawings shall include a plan of each intersection, cul-de-sac, limits of proposed pavement and other non- standard locations identifying:

- A. stations of the PC, PI and PT of each horizontal curve along with its geometric functions (Δ , R, L_c and T);
- B. locations and proposed elevations along the top of curb, gutter and pavement surfaces showing where slope changes occur;
- C. all curb ramps with dimensions, elevations and slopes of all components identified to ensure compliance with ADAAG 4.7; and
- D. layout of joints in curbs and concrete pavements.

Grade Detail drawings shall fully detail connections of existing and proposed streets connect, a plan with cross sections showing all modifications to existing infrastructure.

Grade Detail drawings shall also contain Profile views of all lane and gutter lines around intersections and cul-de-sacs.

Section 252.14. Maintenance of Traffic Plan (40 scale). The Maintenance of Traffic Plan drawings shall provide details for maintenance of traffic during all phases of construction, including:

- A. detour routes, including temporary roadways;
- B. advance and detour signage;
- C. closure devices;
- D. traffic patterns;
- E. temporary traffic control devices; and
- F. notes governing traffic maintenance, access to existing properties; and the need for police staffing.

The Traffic Engineer shall sign, date, and stamp Maintenance of Traffic Plans in accordance with OAC Rule 4733-23-01.

Section 252.15. Traffic Control Plan (40 scale). Traffic Control Plans shall provide locations and details of all traffic control devices, including traffic signs, pavements markings and traffic signals. The Traffic Engineer shall sign, date, and stamp Traffic Control Plans in accordance with OAC Rule 4733-23-01.

Section 252.16. Street Lighting Plan (40 scale). Street Lighting Plans shall provide:

- A. the locations and details of all street lights, poles, pull boxes, power service locations and underground conduits;
- B. existing and proposed utilities that may conflict with construction, operation, maintenance, repair and replacement of the street lighting system; and
- C. wiring diagram illustrating circuit connections and compatibility with Street Light Circuit Layout Plan.

The Traffic Engineer shall sign, date, and stamp Street Lighting Plans in accordance with OAC Rule 4733-23-01.

Section 252.17. Landscaping Plan (40 scale). Landscaping Plans shall show:

- A. locations, sizes, and species of trees;
- B. limits and description of other approved vegetation (see Section 247.04.);
- C. limits of sod and seeding;
- D. location, composition and details of subdivision identification signs or monuments; and
- E. locations of Rural Mail Boxes or Cluster Boxes.

The Landscape Architect shall sign, date, and seal the Landscaping Plan in accordance with OAC Rule 4703:1-3-01.

Section 252.18. Structural Plans. Structural Plans shall be provided for all structures in the right of way, including bridges, earth retention and stabilization structures and other structures in rights of way and easements. Plans shall include all plan and elevation views, sections and details necessary to properly construct each structure. The Structural

Engineer shall sign, date, and stamp the Structural Plans in accordance with OAC Rule 4733-23-01.

Section 252.19. Utility Plans. Subdivision Improvement Plans shall show horizontal and vertical locations and identify the size and type of all existing and proposed publicly and privately owned utility facilities, including conduits, poles, manholes, valve chambers, vaults and pullboxes. Subdivision Improvement Plans shall provide all information and details required to properly construct all publicly owned utility facilities.

A. Publicly Owned Utilities

1. **Stormwater Management.** The Engineer shall incorporate stormwater management facility information in the Utility Plan (Section 252.08), Plan and Profile (Section 252.09), Cross Sections (Section 252.10), Grading Plan (Section 252.11), Erosion and Sediment Control Plan (Section 252.12) and prepare other drawings needed to fully convey the design intent.
2. **Wastewater Collection.** The Engineer shall incorporate wastewater collection facility information in the Utility Plan (Section 252.08), Plan and Profile (Section 252.09), Cross Sections (Section 252.10), Grading Plan (Section 252.11) and prepare other drawings needed to fully convey the design intent.
3. **Water Supply.** The Engineer shall prepare a separate set of drawings to be incorporated into the Subdivision Improvement Plan that provides all information required to properly construct all water supply facilities. Lines for the signature of the Water Works Chief Engineer and date of approval shall be provided on the first sheet of these plans to indicate approval of the water supply drawings.

The Engineer shall incorporate water supply facility information in the Utility Plan (Section 252.08), Plan and Profile (Section 252.09) and Cross Sections (Section 252.10).

B. Privately Owned Utilities

1. **Cable Television.** The Developer and Engineer shall work with Time Warner Cable Inc. to develop plans for cable television facilities.
2. **Electric.** The Developer and Engineer shall work with Duke Energy Ohio, Inc. to develop Plans for electric facilities.
3. **Gas.** The Developer and Engineer shall work with Duke Energy Ohio, Inc. to develop Plans for gas facilities.
4. **Telecommunication.** The Developer and Engineer shall work with the chosen telecommunication company to develop plans for telecommunication facilities.
5. **Telephone.** The Developer and Engineer shall work with Cincinnati Bell Inc. to develop plans for telephone facilities.

The Engineer shall incorporate privately owned utility facility information in the Utility Plan (Section 252.08), Plan and Profile (Section 252.09) and Cross Sections (Section 252.10).

DIVISION 260. PROCEDURES AND COORDINATION

Section 260. General

Sections 260 - 265 provide comprehensive procedures used for preparation, review and approval of Subdivision Improvement Plans.

Section 260.01. Responsibility. The Developer and Engineer shall ensure that the Subdivision Improvement Plan is developed following these procedures.

Section 260.02. Sequence. The sequence of procedures contained herein is based on typical Developments and provided for guidance. The Developer may choose to initiate and/or complete their work items earlier than indicated although changes may be necessary following City reviews. City reviews will generally occur in the identified order and require the information described.

Section 260.03. Expedited City Reviews. Complete and responsive submittals will expedite the review and approval process. The Developer and Engineer are encouraged to discuss specific questions and concerns with appropriate City officials prior to submitting plans and information to improve and expedite the review process and the constructed improvements.

The Developer may wish to expedite certain portions of this process that have extended review and approval timeframes. When expedited reviews are permitted, the Developer is cautioned that changes resulting from other reviews may require changes and resubmission of expedited reviews along with additional charges to the Developer for such reviews.

Section 261. Planning Phase

Completing the following items during the Planning Phase will help the Developer and City understand the challenges and opportunities present in the proposed Development and provide the foundation for its success.

Section 261.01. Review Rules and Regulations. The Developer, Engineer and other members of the Development Team review requirements for subdivisions and developments in the most recent editions of City Rules and Regulations and those of privately owned utilities. The Developer, Engineer and other members of the Development Team are encouraged to direct questions about this information to appropriate City officials.

Section 261.02. Determine Flood Susceptibility. The Engineer reviews FEMA Federal Insurance Rate Map to determine the site's susceptibility to flooding as described in CMC Chapter 1109.

Section 261.03. Determine Public Funding Availability. The Developer discusses availability of public funding with staff of the City's Department of Community Development or City Manager's Division of Economic Development. The terms and conditions of public funding are identified in a Development Agreement.

Section 261.04. Determine Availability of Sewer Service. The Developer or Engineer submits a completed "Request for Availability of Sewer Service" form to MSDGC. If available, MSDGC issues a Declaration of Sewer Service Availability.

Section 261.05. Consult with Agencies. During the planning process, the Developer, Engineer and other members of the Development Team discuss their concept while still in sketch form with the planning staffs of City and utility agencies to better understand requirements, potential issues and possible alternatives. The following list identifies agencies along with items for discussion. If the site is susceptible to flooding, the Developer and Engineer discuss flood mitigation with each agency.

Agency	Items
DCPB	General street layout; lot size and orientation; zoning
DOTE	Geotechnical issues; landscaping; multimodal accessibility; street design; street layout; street lighting; public structures; survey control; traffic control; traffic impacts; landscaping and architectural treatments and features, including non-standard sidewalks
Urban Forestry	Street trees
SMU	Stormwater management facilities
MSDGC	Wastewater collection facilities
GCWW	Water supply facilities
Privately Owned Utilities	Cable television; electric; gas; telecommunication; telephone facilities
Local USPS Office	Mail delivery and collection facilities

Predevelopment Meeting. If desired, the Developer, Engineer and other members of the Development Team may present and discuss a preliminary Concept Plan with all necessary staff of DCPB, DOTE and publicly owned utilities simultaneously in a meeting arranged and facilitated by DCPB.

Section 261.06. Initiate Phase I ESA. A Phase I ESA is initiated if and as required in Section 231.

Section 261.07. Initiate Geotechnical Investigation. A geotechnical investigation is initiated if and as required in Section 232.

Section 261.08. Initiate Traffic Impact Study. A Traffic Impact Study is initiated if and as required in Section 233.

Section 262. Concept Plan Phase

After the Planning Phase is complete, the following procedures are used.

Section 262.01. Develop Concept Plan. Using information and input received during the Planning Phase, the Engineer develops a Concept Plan for the Subdivision or Development. The Concept Plan is based on City Rules and Regulations and feedback from the Planning Phase with all exceptions noted.

Section 262.02. Submit Draft Phase I ESA Report. The Developer submits copies of the draft Phase I ESA report, if required, to DCPB, City's Office of Environmental Quality, the DOTE Coordinator, GCWW and MSDGC for review and comment.

Section 262.03. Submit Draft Geotechnical Report. The Geotechnical Engineer submits copies of the draft Geotechnical Report, if required, to DCPB, the DOTE Coordinator, Structures Section, GCWW and MSDGC for review and comment.

Section 262.04. Submit Draft Traffic Impact Study. The Traffic Engineer submits copies of the draft Traffic Impact Study, if required, to DCPB, the DOTE Coordinator, Transportation Planning Section and Traffic Engineering Division for review and comment.

Section 262.05. Submit Concept Plan to DCPB. The Engineer submits five sets of Concept Plans to DCPB for preliminary study. DCPB distributes four sets of Concept Plans to DOTE for review and comment.

Section 262.06. Zoning Approval. DCPB reviews the Concept Plan for compliance with the *Cincinnati Zoning Code*. The Developer takes actions needed to obtain zoning approval, including modifying the Concept Plan, obtaining approval of a variance, special exception and/or conditional use.

Section 262.07. Concept Plan Comments. DCPB provides comments to the Developer within 20 days of submittal.

Section 262.08. Modify Concept Plan. The Engineer modifies the Concept Plan in response to comments received from DCPB. A copy of the modified Concept Plan are submitted to DCPB and DOTE.

Section 262.09. Submit Preliminary Application to GCWW. The Engineer submits a completed Preliminary Application with required information to GCWW for review and approval. This process may take four to six weeks.

Section 262.10. Submit Concept Plans to MSDGC. The Engineer submits the Concept Plan with accompanying letter and information to MSDGC for Concept Review of wastewater collection facilities as described in *MSDGC's Rules and Regulations* for review and approval.

The Engineer submits the Concept Plan for stormwater management facilities as described in *SMU's Rules and Regulations* to MSDGC for review. MSDGC coordinates all future reviews of stormwater management facilities.

Section 262.11. Review Concept Plans with Privately Owned Utilities. The Engineer reviews Concept Plan with privately owned utilities.

Section 262.12. Review Concept Plans with USPS. The Engineer reviews Concept Plan with the local Postmaster to determine USPS recommendations for mail facility locations.

Section 263. Detail Plan Phase

After the Concept Plan Phase is complete, the following procedures are used.

Section 263.01. Complete Land Surveys. The Surveyor completes topographic, location, property and geodetic surveys and establishes monuments and witnesses as needed to complete design, prepare necessary plans and plats and establish control for recording and construction.

Section 263.02. Submit Final Phase I ESA Report. The Developer submits copies of the final Phase I ESA report to DCPB, City's Office of Environmental Quality, the DOTE Coordinator, GCWW and MSDGC.

Section 263.03. Submit Final Geotechnical Report. The Geotechnical Engineer submits copies of the final Geotechnical Report to DCPB, the DOTE Coordinator, Structures Section, GCWW and MSDGC.

Section 263.04. Submit Final Traffic Impact Study. The Traffic Engineer submits copies of the final Traffic Impact Study to DCPB, the DOTE Coordinator, Transportation Planning Section and Traffic Engineering Division.

Section 263.05. Complete Detail Plans. The Engineer and other members of the Development Team develop Detail Subdivision Improvement Plans based on land surveys, standards of practice, City Rules and Regulations, Construction Specifications, and Standard Drawings while incorporating results of studies and investigations,

addressing comments provided during the City's review of the Concept Plan, and providing locations of all utilities.

Section 263.06. Submit Detail Plans to DCPB. The Developer submits 14 sets of Detail Subdivision Improvement Plans for a coordinated City review along with a Subdivision Review Fee to DCPB.

Section 263.07. Submit Plans for Detail Review to MSDGC. After MSDGC grants concept approval, the Engineer submits required information to MSDGC for Detail Review of wastewater collection and stormwater management facilities in accordance with *MSDGC's Rules and Regulations* and *SMU's Rules and Regulations*.

Section 263.08. Secure Review by Privately Owned Utilities. The Developer secures review of the Detail Subdivision Improvement Plans by privately owned utility agencies.

Section 263.09. DCPB Review. Staff of the City Planning and City Buildings Divisions of DCPB review the Detail Subdivision Improvement Plans for compliance with *CCPC's Rules and Regulations* and the *Cincinnati Zoning Code* and transmit 13 sets to the City Engineer for review of Street Improvements.

Section 263.10. DOTE Review Deposit. Upon receipt of the Detail Subdivision Improvement Plan sets, the City Engineer estimates the cost for DOTE review and will then notify the Developer of the amount of this estimate. Before DOTE's review may begin, the Developer shall deposit this amount as described in Section 612.01.

Section 263.11. Engineering Review. The City Engineer transmits the Detail Subdivision Improvement Plan sets to the following City agencies for review and comment:

Agency	Sets
DOTe	5
GCWW	2
MSDGC	2
SMU	2
Urban Forestry	2

Although GCWW, MSDGC and SMU are included in this coordinated review process, the Engineer shall submit required information directly to these agencies for review and approval in accordance with their respective rules and regulations.

Section 263.12. Street Improvements Review. City agencies review the Detail Subdivision Improvement Plans, make corrections and provide review comments. This

review enables preparation of Final Subdivision Improvement Plans for ensuing submissions. Corrections and comments are forwarded to the City Engineer.

Section 263.13. Detail Review Comments. After receiving comments from City review agencies, including DCPB, the City Engineer reviews and consolidates corrections and comments and transmits them to the Developer and Engineer.

Section 264. Final Plan Phase

After the Detail Plan Phase is complete, the following procedures are used.

Section 264.01. Revise Plan. The Engineer and other members of the Development Team revise the Subdivision Improvement Plan, incorporating corrections and addressing comments.

Section 264.02. Submit Revised Plans to City Engineer. The Engineer submits a complete set of the revised Subdivision Improvement Plan to the City Engineer to review resolution of corrections and comments. If legible, digital plans are preferred. The City Engineer identifies required changes to the Engineer. This process may occur several times until the Subdivision Improvement Plans are approved by the City Engineer.

Section 264.03. Finalize Wastewater Collection Plans and Submit Permit to Install Forms to MSDGC. After complying with all MSDGC requirements, the Engineer submits an original Mylar set of the wastewater collection facilities, along with the properly completed Permit To Install forms and fees, to MSDGC in accordance with *MSDGC's Rules and Regulations*. After MSDGC approves the Plans, the Sewers Chief Engineer signs and dates the Title Sheet, forwards required information to the Ohio EPA for review and approval and returns the signed Title Sheet to the Engineer.

Section 264.04. Submit Notice of Intent Forms to Ohio EPA. For developments disturbing one or more acres of land, after SMU approves detail plans, the Developer submits properly completed Notice of Intent forms, Erosion and Sediment Control Plan and fees to the Ohio EPA in accordance with *SMU's Rules and Regulations*.

Section 264.05. Submit Construction Plans to GCWW. Once conceptual approval of water supply facilities is provided, the Engineer prepares and submits construction plans and required information to GCWW for review in accordance with the conditions of the Preliminary Application and GCWW specifications. The Developer obtains a GCWW Plan Review Permit. After complying with all GCWW requirements, the Engineer submits an original Mylar set of the water supply plans to GCWW for approval. When approved, the Water Works Chief Engineer signs and dates the Title Sheet and returns it to the Engineer. After review and approval, GCWW will forward required information to the Ohio EPA for review and approval.

Section 264.06. Submit Utility Confirmations. The Developer or Engineer obtains and submits written confirmation from each privately owned utility owner of their approval of their facilities as shown on the Subdivision Improvement Plan.

Section 264.07. Engineering Report. Once the City Engineer:

- A. determines that plans are finalized as described in Section 264.02;
- B. receives verification of approval from:
 - 1. SMU, MSDGC and GCWW of the plans for their facilities as described in Section 264.03, Section 264.04 and Section 264.05, respectively;
 - 2. City's Office of Environmental Quality of all the environmental documents;
 - 3. Urban Forestry of Landscaping Plans;
 - 4. the City Traffic Engineer of the Traffic Control, Street Lighting and Maintenance of Traffic plans;
 - 5. the City Architect of all landscaping and architectural treatments and features; and
- C. receives confirmation from privately owned utilities as described in Section 264.06;

the City Engineer prepares and sends a written report to DCPB regarding compliance of the Subdivision Improvement Plan with this *Manual* as required in Section 200.3 of *CCPC's Rules and Regulations*. The City Engineer will transmit a digital file of the approved Subdivision Improvement Plan to DCPB with this report.

Section 264.08. DCPB Report. DCPB submits a written report to the CCPC requesting approval of the Subdivision Improvement Plan after receiving notification from the City Engineer. It takes approximately two weeks for DCPB to prepare and submit this report.

Section 264.09. CCPC Consideration. Within 30 days after submission of the completed Subdivision Improvement Plan or within such further time as the applying party may agree, the CCPC, after study and consideration of the staff report thereon, will take action to determine whether the Development should be approved and authorized to proceed in accordance with the provisions of the Subdivision Improvement Plan.

Section 265. Record Set Phase

After CCPC approves the Subdivision Improvement Plan, the following procedures are used (see Section 511 for information regarding Construction Funding Methods).

Section 265.01. Forward Plans to DCPB. Under Construction Funding Methods A and B, the Engineer submits 22 sets of prints and two sets of Mylars of the approved Subdivision Improvement Plan, including approved Water Works Construction Drawings, to DCPB; under Construction Funding Method C, the Engineer submits only two sets of Mylars to DCPB. DCPB stamps, signs and dates the Title Sheet of all submitted sets to reflect CCPC's decision and forwards all sets to DOTE.

Section 265.02. Stamping and Distribution. The DOTE Coordinator assigns and places a City Accession Number on all sets and then DOTE and MSDGC stamp the Title Sheet of all submitted sets. Under Construction Funding Method C, the DOTE Coordinator obtains 22 sets of prints from the approved Mylars.

DOTe distributes approved sets to the Developer and City and County agencies for their records as given in the following table.

Agency	Sets	
	Prints	Mylars
Developer	6	-
DCPB	2	-
DOTe ¹	8	1
MSDGC	6	1

¹ Distribution:	DOTe Coordinator	4	-
	DOTe Construction Engineer	2	-
	DOTe Construction Inspector	2	-
	Engineering Division Files	-	1

Section 265.03. Plan Changes. In accordance with Section 200.7 of *CCPC's Rules and Regulations*, any changes proposed to the physical features included in the approved Subdivision Improvement Plan shall be resubmitted for approval by the CCPC before proceeding with such changes.

DIVISION 270. PLAN APPROVAL DURATION

Section 270. General

Sections 270 - 275 contain information regarding the duration of approvals and requirements for resubmission and subsequent approval.

Section 271. Cincinnati City Planning Commission

CCPC's approval provides authorization to proceed for a three-year period after which time the Subdivision Improvement Plan is subject to review by the CCPC prior to renewal of authorization for an additional three-year period. CCPC's authorization shall immediately terminate if any change is made in the physical features, other than those depicted on the Subdivision Improvement Plan at the time said plan was approved.

Section 272. Department of Transportation and Engineering

If one year elapses from the date of issuance of the DOTE Site Development Permit without beginning construction, the permit will lapse. The Developer and Contractor shall reapply, provide updated information and receive an updated permit prior to beginning construction.

If three years elapse from the date of CCPC approval of the Subdivision Improvement Plan, the Developer and Engineer shall resubmit updated plans for review. Changes in City Standards may require revisions to the previously approved Subdivision Improvement Plan to assure compliance with current standards.

Section 273. Greater Cincinnati Water Works

Section 273.01. Preliminary Application. If three years elapse from the date of the Preliminary Application without beginning water line construction, approval of the Water Supply Plans and Construction will expire. Once expired, the Developer must reinitiate the review and approval process, beginning with submittal of the Preliminary Application.

Section 273.02. Plan Approval. GCWW's approval of Water Supply Plans is valid for a two-year period; an additional two-year period may be granted upon request from the Developer. The additional two-year period may require design and plan revisions. If construction has not begun before Plan Approval expiration, the Developer must reinitiate the review and approval process, beginning with submittal of the Preliminary Application.

Section 274. Metropolitan Sewer District of Greater Cincinnati

Section 274.01. Declaration of Sewer Availability. The Declaration of Sewer Availability is valid for a one-year period; an additional one-year period may be granted upon request from the Developer. If two years elapse prior to beginning construction, the Developer shall resubmit the "Request for Availability for Sewer Service" form for reevaluation.

Section 274.02. Concept Plan Approval. Concept Approval is valid for a one-year period; an additional one-year period may be granted upon request from the Developer. If Detail Plans are not submitted before Concept Approval expires, the Developer must reinitiate all reviews by submitting a new "Request for Availability of Sewer Service" form.

Section 274.03. Permit to Install (PTI). Ohio EPA's issuance of the PTI is valid for 18 months; an additional one year may be granted upon request by the Developer. If construction does not begin prior to expiration of the PTI, the Developer must submit a new permit through MSDGC.

A. Once construction begins, it must be completed within 36 months.

Section 275. Stormwater Management Utility

Section 275.01. Concept Plan Approval. Approval of Concept Plans for stormwater Management facilities will be as described in Section 274.02.

Construction Plan Approval. Approval duration of stormwater management facility plans shall be consistent with the timeframes described in Section 272.

Section 275.02. Notice of Intent. Duration of Ohio EPA's approval shall be as shown on the Ohio EPA Permit.

CHAPTER 3. SUBDIVISION AND DEDICATION PLATS

Sections 300 - 500 of *CCPC's Rules and Regulations* provide the Owner, Developer, Surveyor and Engineer with general rules and regulations for preparing Subdivision and Dedication Plats along with procedures for their review and approval.

Chapter 3 supplements those general instructions and provides rules, regulations and procedures to prepare Subdivision, Dedication and Easement Plats in a manner that expedites their review and approval. Chapter 3 is organized as follows:

DIVISION	TITLE	PAGE
300	General	90
310	Land Surveys	92
320	Home Owners' Association	94
330	Plat Drawings	94
340	Procedures and Coordination	104

DIVISION 300. GENERAL

Section 300. General

Sections 300 - 303 provide general City requirements for preparation, review and approval of Subdivision, Dedication and Easement Plats.

Section 301. Responsibility

The Developer and Surveyor are responsible for ensuring that all plats and information required to review, approve and record Plats are submitted.

Section 302. Plats and Submittals

Section 302.01. Subdivision Plats. Subdivision Plats are required to subdivide land for the purpose of transfer for any subdivision meeting the requirements of ORC 711.001(B) except as exempted by Chapter 6 of *CCPC's Rules and Regulations* or by ORC 711.131. Once a Subdivision Plat is approved by the CCPC, signed by necessary officials and recorded with Hamilton County, lots created by the subdivision may be sold.

Subdivision Plats typically are used to subdivide land and to dedicate rights of way and easements for public use, eliminating the need for a separate Dedication Plat. Such Plats shall also meet all requirements for Dedication Plats.

Section 302.02. Dedication Plats. Dedication Plats are required to dedicate rights of way and easements for public use if:

- A. a Subdivision Plat is not required;
- B. the Subdivision Plat does not dedicate all rights of way and easements required to serve the Development; or
- C. required to comply with federal, state or local laws or regulations.

Section 302.03. Easement Plats. Some utilities may require that their easements be shown and recorded on a separate plat.

Section 302.04. Closures. The Developer shall submit a closure for each irregular parcel (i.e., a parcel that is not a parallelogram) with all Plat submittals.

Section 302.05. Certificates of Title. Before the City will prepare an Acceptance Ordinance for dedicated rights of way and easements, the Developer shall provide copies of Certificates of Title for all property within the boundary of the subdivision and other property required for rights of way and easements. Certificates of Title must be prepared by an attorney stating that the Owner has a good and marketable title to the property in fee simple. A sample Certificate of Title may be found in Appendix B.

Section 302.06. Certification of Payment of Taxes. Before the City will prepare an Acceptance Ordinance for dedicated rights of way and easements, the Developer shall provide a certification from the Hamilton County Auditor's Office indicating that all property taxes have been paid for properties within the boundary of the subdivision and other property required for rights of way and easements.

Section 302.07. Legal Authorizations. The Developer shall provide written evidence of legal authorization to perform work on each property not belonging to the Owner.

Section 303. Plat Approvals

Plats must be approved by the CCPC and necessary City and County officials prior to being submitted to Hamilton County for recording.

Section 303.01. CCPC.

- A. **Subdivision Plat.** The CCPC considers a Subdivision Plat for approval after:
 - 1. the corresponding Subdivision Improvement Plan is approved;
 - 2. a complete and satisfactory Subdivision Plat is submitted; and
 - 3. one of the following conditions:
 - a. All Street Improvement construction shown on the Subdivision Improvement Plan is accepted as described in Section 426;

- b. The Developer submits a fully executed agreement to the City with an acceptable DOTE Developer's Surety Bond as described in Section 522.02; or
- c. The City agrees to construct Street Improvements as described in Section 511.03.

B. Dedication Plat. The CCPC may consider a Dedication Plat for approval:

- 1. once it has approved the corresponding Subdivision Improvement Plan; and
- 2. upon submittal of complete and satisfactory Dedication Plat.

CCPC's decision will be indicated by the Director of City Planning and Buildings.

Section 303.02. City Engineer. As required by ORC 711.08, plats may not be recorded until the City Engineer certifies that the streets shown on the Plat correspond with previous plans on record that were adopted by CCPC.

Section 303.03. Sewers Chief Engineer. All Plats shall be approved by the Sewers Chief Engineer.

Section 303.04. Other Officials. Unless provided by separate agreement, Plats shall have the approval of other City and County officials if permanent easements are required for installation, operation, maintenance, repair and replacement of and access to facilities under their control.

Facility	Approval
Traffic Control Devices/Street Lighting	City Traffic Engineer
Wastewater Collection	Board of County Commissioners
Stormwater Management	City Stormwater Management Engineer
Water Supply	Water Works Chief Engineer

DIVISION 310. LAND SURVEYS

Section 310. General

Sections 310 - 311 provide City requirements for land surveys performed for preparation of Subdivision, Dedication and Easement Plats.

Section 310.01. Responsibility. All land surveys shall be performed under the responsible charge of the Surveyor.

Section 310.02. Standards. All land surveys shall be performed using commonly accepted procedures consistent with applicable standards of practice and comply with the requirements of *State Standards for Boundary Surveys, County Transfer and Conveyance Standards* and this *Manual*.

Section 310.03. Current Survey. Locations, bearings and elevations of all existing boundaries, features and facilities used as a basis for developing and preparing Plats shall be obtained from recent land surveys performed for that purpose. Land surveys shall be updated as needed to ensure the accuracy of information used to develop and shown on Plats.

Section 311. Survey Control

Locations, bearings and elevations used for Plats shall comply with the following requirements.

Section 311.01. Horizontal Control. All existing and proposed locations shall be based on and referenced to OCS 83, South Zone expressed in U.S. Survey Feet.

Section 311.02. Vertical Control. All existing and proposed elevations shall be based on and referenced to NGVD 29 expressed in U.S. Survey Feet.

Section 311.03. Monuments. The Surveyor shall place monuments at boundary corners as required by ORC 711.03 and as described in OAC Rule 4733-37-03.

Section 311.04. References. Land surveys for Plats shall be referenced to each of the following items.

- A. **Benchmarks.** A minimum of two permanent benchmarks in good condition and of known accuracy and location. The Surveyor shall use City Benchmarks for this purpose unless otherwise approved by the City Engineer.
- B. **Local Monuments.** All Plats shall be referenced to one or more of the following:
 - 1. a corner of a lot in a recorded subdivision;
 - 2. a corner of a recorded subdivision;
 - 3. the definite intersection of two intersecting dedicated and accepted or established streets or roads;
 - 4. a section corner, a patent corner of a Military Survey, a quarter section corner, or a registered land corner;
 - 5. the intersection of a section line, a patent line of a Military Survey, or half section line with a dedicated and accepted or established street or road; and
 - 6. the intersection of a dedicated and accepted or established street and a lot line of a recorded subdivision.

DIVISION 320. HOME OWNERS' ASSOCIATION

A Home Owners' Association (HOA), or similar entity recognized by state and local law for such purposes, is required for all Subdivisions and Developments having privately owned or maintained common areas or facilities.

Section 320. HOA Agreement

If privately owned or maintained common areas or facilities are present within the Subdivision or Development, the Developer shall prepare an HOA Agreement satisfactory to the City. The agreement must contain covenants with conditions and restrictions for the perpetual maintenance, repair, replacement and operation of all privately owned or maintained common areas or facilities, including private:

- A. green space;
- B. streets, including roadways, islands, medians and sidewalks;
- C. stormwater management facilities, including retention and detention facilities;
- D. wastewater collection facilities;
- E. street lighting;
- F. structures within the right of way;
- G. traffic control devices;
- H. landscaped medians or islands; and
- I. special landscaping, paving, monuments or other treatments.

DIVISION 330. PLAT DRAWINGS

Section 330. General

Sections 331 - 332 provide general and detail requirements for Subdivision, Dedication and Easement Plat drawings.

Section 331. General Requirements

Plat drawings shall completely and accurately show, label and define all existing and proposed property lines, monuments, rights of way, easements, other features and lines as well as all applicable signatures, dedications, acknowledgements, certifications, and applicable easement and covenant conditions and restrictions, required to fully describe and authorize transfer of property rights in accordance with this *Manual*.

Section 331.01. Responsibility. All Plats shall be prepared under the responsible charge of the Surveyor.

Section 331.02. Drawing Standards. In addition to the provisions of this Chapter, Plat drawings shall be prepared consistent with applicable standards of practice, *State Standards for Boundary Surveys, County Transfer and Conveyance Standards*, Sections 300 & 400 of *CCPC's Rules and Regulations* and Division 140. Special attention is directed to Section 140.04 (Sealing of Submittals) and Section 140.05 (Signatures).

Section 331.03. Measurement Units. U.S. Survey Feet shall be used for all coordinates, stations, distances and elevations. Degrees, minutes and seconds shall be used for all bearings, angular measurements, latitudes and longitudes.

Section 331.04. Locations, Bearings and Elevations. All locations (e.g., existing and proposed property corners, section corners, monuments, intersections), all bearings (e.g., boundary lines, right of way lines, easement lines, lot lines) and all elevations shown on Plats shall be based on land surveys performed in accordance with Division 310. Existing locations, bearings and elevations shall be obtained from the Surveyor's land surveys, research and monumentation. The Surveyor shall define proposed locations, bearings and elevations of all proposed subdivision, lot, right of way, and easement boundaries in collaboration with the Engineer during the design process.

Section 331.05. North Arrow. A correctly oriented North Arrow shall be provided on each plan view, typically placed in the upper center portion of the plan view.

Section 331.06. Scales. Plats shall be scale drawings using 1 inch = 20, 30, 40 or 50 feet. The same scale shall be used on all plan views except as needed for clarity. A graphic scale shall be shown below each plan view.

Section 331.07. Legends. Legends shall be provided as necessary to clarify the meanings of symbols, line types and abbreviations.

Section 331.08. Basis of Bearings. Plats shall include a statement by the Surveyor of the Basis of Bearings used for the Plat.

Section 331.09. Curved Lines. All curved lines shall indicate the radius, central angle, curve length, chord bearing and chord distance.

Section 331.10. Closures. Subdivision Plats shall have a closure table listing the distance, bearing, latitude and departure for each course of the subdivision boundary along with the computation of mathematical error of closure of the boundary. Dedication Plats shall have a closure table listing the distance, bearing, latitude and departure for each course of each right of way boundary along with the computation of mathematical error of closure of the boundary.

Section 331.11. Model Language. Model language for acknowledgements, certifications and covenant conditions and restrictions is provided for guidance only and is not intended to restrict the Owner, Developer, or their agents in developing language

specific to each Development. The City reserves the right to review and modify submitted language as necessary to promote public interest.

Section 332. Detail Requirements

Subdivision, Dedication and Easement Plats shall include all applicable information identified in this Section in the sequence listed to fully describe and authorize the transfer of property rights. Based on the Plat's complexity and scope, drawings may be combined or added as needed.

Section 332.01. Title Sheet. The Title Sheet shall:

- A. Include the names and addresses of Owner(s) and Surveyor.
- B. Include separate approval lines for the signatures and dates for the following officials:

Official
Director of City Planning and Buildings
City Engineer
Sewers Chief Engineer

- C. Unless provided by separate agreement, include separate approval lines for the signatures and dates of officials having facilities under their control within easements or subject to covenant, conditions or restrictions.

Official	Facility
City Traffic Engineer	Traffic Control Devices and Street Lighting
City Stormwater Management Engineer	Stormwater Management
Board of County Commissioners	Wastewater Collection
Water Works Chief Engineer	Water Supply

Section 332.02. Plat Drawings. In addition to requirements described in Section 331, Plat drawings shall comply with applicable following requirements.

- A. **Rights of way.** Plats shall accurately show, label and define the limits of all rights of way. Each right of way shall be labeled with its street name.
 - 1. **Widths.** Minimum right of way widths, based on street type, are given in Section 410.1 of *CCPC's Rules and Regulations*.

2. **Intersections.** Rights of way at intersections shall be concentric with adjacent curb lines.

B. **Acknowledgement.** Plats shall contain the following or similar acknowledgement.

1. **Owner.** In accordance with ORC 711.04 and ORC 711.06, all Plats shall contain the following or similar acknowledgement, signed by all owners, dated, and notarized.

OWNERS' CONSENT AND DEDICATION

WE, THE UNDERSIGNED, BEING THE OWNERS AND LIEN HOLDERS OF THE LANDS HEREIN DESCRIBED, DO HEREBY ADOPT AND CONFIRM THIS PLAT OF SUBDIVISION AND DEDICATE (NAMES OF STREETS) AS SHOWN HEREON FOR PUBLIC USE FOR STREET PURPOSES FOREVER AND ESTABLISH SETBACK LINES AS SHOWN.

WE ALSO GRANT UNTO THE COUNTY OF HAMILTON, OHIO, ITS SUCCESSORS AND ASSIGNS, EASEMENTS FOR WASTEWATER COLLECTION FACILITIES AS CONSTRUCTED, WITHIN AND OUTSIDE OF THE LIMITS OF THE SUBDIVISION AS SHOWN HEREON AND SUBJECT TO RESTRICTIONS OF PUBLIC WASTEWATER COLLECTION EASEMENTS AS DESCRIBED HEREON.

WE ALSO HEREBY ACKNOWLEDGE THAT WASTEWATER COLLECTION FACILITIES ARE NOT AVAILABLE AND NO TAP PERMITS SHALL BE ISSUED OR OCCUPANCY PERMITTED UNTIL THE WASTEWATER COLLECTION FACILITIES ARE COMPLETED, APPROVED AND ACCEPTED BY BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO, ITS SUCCESSORS AND ASSIGNS.

WE ALSO GRANT TO THE CITY OF CINCINNATI, OHIO, ITS SUCCESSORS AND ASSIGNS, EASEMENTS FOR STORMWATER MANAGEMENT AND WATER SUPPLY FACILITIES.

WE, THE UNDERSIGNED, DO HEREBY CONFIRM AND ADOPT THIS PLAT OF LANDS. WE ALSO GUARANTEE THE PAYMENT OF ALL TAXES AND ASSESSMENTS THAT ARE A LIEN ON SAID PROPERTY ON THE DATE OF ACCEPTANCE.

C. **Certifications.** In accordance with ORC 711.04 and ORC 711.06, all plats shall include the following or similar certifications.

1. **Surveyor.** All Plats shall contain the following or similar certification by the Surveyor. The certification shall include the Surveyor's signature, seal, registration number and date.

I CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE SURVEY UPON WHICH IT IS BASED AND THAT BOTH WERE MADE UNDER MY SUPERVISION IN ACCORDANCE WITH OHIO REVISED CODE CHAPTER 711, CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE AND HAMILTON COUNTY OHIO'S "TRANSFER AND CONVEYANCE STANDARDS", AS IN EFFECT ON THIS DATE. I FURTHER CERTIFY THAT ALL MONUMENTS SHOWN ON THIS PLAT EXIST AND THAT THEIR LOCATION, TYPE AND SIZE ARE CORRECTLY SHOWN AND DESCRIBED.

2. **Notary.** The following or similar Notary Statement shall be included immediately below the notarized signature and date.

STATE OF OHIO
COUNTY OF HAMILTON

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, AD 20____,
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE,
PERSONALLY CAME ___(PRINTED NAME)___ OF ___(CORPORATION)___, WHO, ON
BEHALF OF SAID CORPORATION AND FOR THEMSELVES AS SUCH OFFICERS DULY
AUTHORIZED BY ITS BOARD OF DIRECTORS ACKNOWLEDGED THE SIGNING OF THE
FOREGOING INSTRUMENT TO BE THEIR/ITS VOLUNTARY ACT AND DEED FOR THE
PURPOSE IN SAID INSTRUMENT MENTIONED. IN TESTIMONY WHEREOF, I HEREUNTO
SET MY HAND AND AFFIX MY NOTARIAL SEAL ON THE DAY AND DATE AFORESAID.

PLACE
SEAL
HERE

PRINTED NOTARY NAME (IF NOT ON SEAL)

NOTARY SIGNATURE

MY COMMISSION EXPIRES:

-
- D. **Wastewater Collection and Stormwater Sewer Charges.** Plats for Developments having stormwater management or wastewater collection facilities shall contain the following or similar language:

SEWER SERVICE CHARGES, ASSESSMENTS AND FEES

THE OWNERS OF ALL PROPERTIES SHOWN ON THIS RECORD PLAT SHALL BE SUBJECT TO ALL APPLICABLE SEWER SERVICE CHARGES, ASSESSMENTS, TAP-IN CHARGES OR FEES WHICH MAY HAVE BEEN OR MAY BE ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS OR THE CITY OF CINCINNATI, OHIO.

- E. **Private Sewers.** Subdivision Plats having existing or proposed private sewer facilities or easements within or adjacent to their boundary shall contain the following or similar conditions and restrictions:

PRIVATE SEWERS

THE CITY OF CINCINNATI, OHIO AND THE HAMILTON COUNTY, OHIO BOARD OF COMMISSIONERS DO NOT ACCEPT ANY PRIVATE SEWERS OR PRIVATE SEWER EASEMENTS SHOWN ON THIS PLAT. THE CITY OF CINCINNATI, OHIO AND THE HAMILTON COUNTY, OHIO BOARD OF COMMISSIONERS ARE NOT OBLIGATED TO INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE ANY PRIVATE SEWER LINE IN THE SUBDIVISION AND OUTSIDE THE LIMITS OF DEDICATED AND ACCEPTED RIGHTS OF WAY AND EASEMENTS. INSPECTION, CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION, REPLACEMENT OR REMOVAL OF ALL PRIVATE SEWER LINES WITHIN THE SUBDIVISION AND OUTSIDE THE LIMITS OF DEDICATED AND ACCEPTED RIGHTS OF WAY AND EASEMENTS ARE THE OBLIGATION OF THE OWNERS USING THE PRIVATE SEWER LINES.

MAINTENANCE OF PRIVATE DRAINAGE SYSTEMS

THE OWNERS, AT THEIR SOLE EXPENSE, SHALL INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE AS NECESSARY THE DEPICTED PRIVATE STORM DRAINAGE SYSTEM AND RELATED GRADING AND FACILITIES INCLUDING, BUT NOT LIMITED TO (DESCRIPTION OF THE COMPONENTS OF THE PRIVATE DRAINAGE SYSTEM), ALL IN ACCORDANCE WITH THE APPROVED IMPROVEMENT DRAWING FOR THE DEDICATION. NO MODIFICATIONS SHALL BE MADE TO SUCH GRADING OR FACILITIES (INCLUDING PARTICULARLY ANY CHANGE IN THE RATE OF RELEASE) EXCEPT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED IN ADVANCE BY THE METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI ENGINEERING DIVISION.

IN THE EVENT THAT THE PRIVATE DRAINAGE SYSTEM LOCATED WITHIN THE LIMITS OF THIS DEVELOPMENT IS NOT MAINTAINED TO THE SATISFACTION OF THE CITY OF CINCINNATI, OHIO, THEN THE CITY SHALL HAVE THE RIGHT TO ENTER UPON THE LOTS WHERE THE DRAINAGE SYSTEM IS LOCATED, TAKE ANY CORRECTIVE ACTIONS IT DEEMS NECESSARY AND CHARGE THE OWNERS OF THE LOTS IN THE SUBDIVISION FOR SUCH CORRECTIVE ACTIONS. THE DEDICATORS OF THIS PLAT FOR THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS, HEREBY HOLD THE CITY OF CINCINNATI, OHIO HARMLESS FOR ANY DAMAGES THE CITY, ITS EMPLOYEES, AGENTS OR CONTRACTORS MAY CAUSE IN TAKING ANY CORRECTIVE ACTIONS TO THE DRAINAGE SYSTEM LOCATED UPON THE LOTS ON THIS PLAT, BOTH INSIDE AND OUTSIDE THE LIMITS OF DEDICATION.

F. **Easements.** Plats shall accurately show, identify and define the limits of all easements.

1. **Private Utility Easements.** When required, the Owner shall convey Private Utility Easements at least 10 feet in width along each side of all rights of way to provide sufficient space for utilities. Such Plats shall contain the following or similar language:

GRANT OF PUBLIC UTILITY EASEMENTS

FOR VALUABLE CONSIDERATION, WE, THE UNDERSIGNED, DO HEREBY AND FOREVER GRANT TO (UTILITY OWNERS' NAMES) AND OTHER UTILITIES APPROVED BY THE CITY OF CINCINNATI, OHIO, THEIR SUCCESSORS AND ASSIGNS, NON-EXCLUSIVE EASEMENTS, AS SHOWN ON THE WITHIN PLAT AND DESIGNATED AS "PUBLIC UTILITY EASEMENT". IN GRANTING THIS EASEMENT, THE OWNERS GRANT THE PERMANENT AND CONTINUOUS RIGHTS OF INGRESS AND EGRESS TO SAID EASEMENT TO INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE ANY OR ALL FACILITIES FOR THE OVERHEAD OR UNDERGROUND DISTRIBUTION OF CABLE TELEVISION, ELECTRIC, GAS, TELECOMMUNICATION, TELEPHONE OR OTHER UTILITIES. SAID UTILITY COMPANIES SHALL HAVE THE RIGHT OF INGRESS AND EGRESS AND ALSO THE RIGHT TO CUT, TRIM, OR REMOVE TREES, LANDSCAPING, UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENT NOR MAY THE EASEMENT AREAS BE PHYSICALLY ALTERED SO AS TO:

1. REDUCE HORIZONTAL OR VERTICAL CLEARANCES OF UTILITY FACILITIES;
2. IMPAIR THE LAND SUPPORT OF SAID FACILITIES;
3. IMPAIR ABILITY TO MAINTAIN THE FACILITIES; OR
4. CREATE A HAZARD TO HAVE AND TO HOLD SAID EASEMENTS FOREVER.

WE ACKNOWLEDGE HAVING FULL POWER TO CONVEY THIS EASEMENT AND WILL DEFEND THE SAME AGAINST ALL CLAIMS.

2. **Private Sewer Easements.** Subdivision Plats having private storm drainage facilities or easements within or adjacent to their boundary shall contain the following or similar language:

GRANT OF PRIVATE STORM DRAINAGE EASEMENTS

FOR VALUABLE CONSIDERATION, WE, THE UNDERSIGNED, DO HEREBY AND FOREVER GRANT TO (PRIVATE ENTITY), THEIR SUCCESSORS AND ASSIGNS, PRIVATE EASEMENTS, AS SHOWN ON THE WITHIN PLAT AND DESIGNATED AS "PRIVATE STORM DRAINAGE EASEMENT". IN GRANTING THIS EASEMENT, THE OWNERS GRANT THE PERMANENT AND CONTINUOUS RIGHTS OF INGRESS AND EGRESS TO SAID EASEMENT TO INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE ANY OR ALL FACILITIES FOR MANAGEMENT OF STORM DRAINAGE. SAID (PRIVATE ENTITY TYPE) SHALL ALSO HAVE THE RIGHT TO CUT, TRIM, OR REMOVE TREES, LANDSCAPING, UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO. NEITHER THE BOARD OF COUNTY COMMISSIONERS NOR THE CITY OF CINCINNATI SHALL BE RESPONSIBLE TO INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE THE UNDERGROUND PIPING AND/OR ITS FIXTURES, AND SUCH GOVERNMENTAL AUTHORITIES SHALL HAVE NO LIABILITY FOR ANY INJURIES OR DAMAGES RELATING TO THE UNDERGROUND PIPING TO HAVE AND TO HOLD SAID EASEMENTS FOREVER.

SUCH GOVERNMENTAL AUTHORITIES DO NOT ACCEPT ANY PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT AND ARE NOT OBLIGATED TO INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE ANY INSTALLATIONS IN SAID EASEMENTS. THE PRIVATE DRAINAGE EASEMENT AREA WITHIN A LOT AND ALL IMPROVEMENTS IN IT ARE TO BE INSPECTED, CONSTRUCTED, OPERATED, MAINTAINED, REPAIRED, RECONSTRUCTED, REPLACED OR REMOVED BY THE OWNER OF SAID LOT.

WITHIN THE PRIVATE DRAINAGE EASEMENTS, NO STRUCTURES, PLANTINGS, OR OTHER IMPROVEMENTS WILL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF STORMWATER FLOW THROUGH THE DRAINAGE EASEMENT.

THE OWNERS GRANT AN EASEMENT FOR AND AGREE TO PERMIT ALL SURFACE STORMWATER AND OTHER DRAINAGE FROM RIGHTS OF WAY AND DEPICTED PUBLIC STORM SEWER EASEMENTS ONTO OWNER'S PROPERTY AND INTO THE DEPICTED PRIVATE DRAINAGE EASEMENT AND STORMWATER

MANAGEMENT FACILITIES. THE OWNERS SHALL BEAR THE ENTIRE RESPONSIBILITY AND COST RESULTING FROM THE ACCEPTANCE OF SUCH STORMWATER AND DRAINAGE INTO THE PRIVATE DRAINAGE EASEMENT AND STORMWATER MANAGEMENT FACILITIES.

WE ACKNOWLEDGE HAVING FULL POWER TO CONVEY THIS EASEMENT AND WILL DEFEND SUCH AGAINST ALL CLAIMS.

3. **Public Drainage Easements.** If public drainage facilities will extend outside of rights of way, the Owner shall convey a Drainage Easement to the designated public party. The limits of Public Drainage Easements shall be determined by the City Stormwater Management Engineer based on sewer, ditch, or channel size, depth and location and on limits of detention facilities; the minimum width shall be 15 feet. Plats having Public Drainage Easements shall contain the following or similar language:

PUBLIC DRAINAGE EASEMENTS

PUBLIC DRAINAGE EASEMENTS SHOWN ON THIS PLAT GRANT THE CITY OF CINCINNATI, OHIO, ITS SUCCESSORS AND ASSIGNS, THE PERMANENT AND CONTINUOUS RIGHT TO ENTER THE DESCRIBED PROPERTY TO INSPECT, CONSTRUCT, OPERATE MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE PUBLIC STORMWATER DRAINAGE FACILITIES AND ALL OTHER RELATED ACTIVITIES.

THE FOLLOWING RESTRICTIONS SHALL APPLY TO USE OF LAND WITHIN AND NEAR SAID EASEMENTS:

- A. NO IMPROVEMENTS OF ANY KIND SHALL BE MADE ON OR NEAR SAID EASEMENTS THAT WILL INTERFERE WITH ACCESS TO THESE FACILITIES FOR THE PURPOSES HEREIN DESCRIBED OR INTERFERE WITH THEIR FUNCTION; AND THE GRANTEE SHALL NOT BE RESPONSIBLE TO ANY PRESENT OR FUTURE OWNERS OF LOTS SITUATED WITHIN SAID EASEMENT LIMITS FOR ANY DAMAGE DONE ON SAID EASEMENT TO SOD, SHRUBBERY, TREES, OR OTHER IMPROVEMENTS, EITHER NATURAL OR ARTIFICIAL, BY REASON OF ENTERING FOR THE PURPOSES DESCRIBED HEREIN.
- B. ANY BUILDING TO BE CONSTRUCTED ON A LOT OR PARCEL OF REAL ESTATE, IN WHICH SAID EASEMENT EXISTS SHALL BE KEPT NOT LESS THAN 3 FEET FROM THE EASEMENT LINE NEAREST THE SITE OF THE PROPOSED STRUCTURE.
- C. SAID EASEMENTS ARE ALSO FOR THE USE AND BENEFIT OF ADJACENT LOTS TO INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE STORMWATER DRAINAGE LATERALS SERVING THEIR PROPERTY.
- D. ANY DEVIATION FROM THE AFORESAID RESTRICTIONS SHALL BE PETITIONED BY WRITTEN REQUEST TO THE GRANTEES, THEIR SUCCESSORS OR ASSIGNS. EACH SUCH REQUEST SHALL BE CONSIDERED ON AN INDIVIDUAL BASIS.

4. **Public Wastewater Collection Easements.** If public wastewater collection facilities will extend outside of rights of way, the Owner shall convey a Public Wastewater Collection Easement to the Board of County Commissioners of Hamilton County, Ohio. The limits of Public Wastewater Collection Easements shall be determined by the Sewers Chief Engineer based on sewer size, depth and location; the minimum width shall be 20 feet. Plats having Public Wastewater Collection Easements shall contain the following or similar language:

PUBLIC WASTEWATER COLLECTION EASEMENTS

PUBLIC WASTEWATER COLLECTION EASEMENTS SHOWN ON THIS PLAT GRANT THE BOARD OF COUNTY COMMISSIONERS, OHIO, ITS SUCCESSORS AND ASSIGNS, THE PERMANENT AND CONTINUOUS RIGHT TO ENTER THE DESCRIBED PROPERTY TO INSPECT, CONSTRUCT, OPERATE MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE PUBLIC WASTEWATER COLLECTION FACILITIES AND ALL OTHER RELATED ACTIVITIES.

THE FOLLOWING RESTRICTIONS SHALL APPLY TO USE OF LAND WITHIN AND NEAR SAID EASEMENTS:

- A. NO IMPROVEMENTS OF ANY KIND SHALL BE MADE ON OR NEAR SAID EASEMENTS THAT WILL INTERFERE WITH ACCESS TO THESE FACILITIES FOR THE PURPOSES HEREIN DESCRIBED OR INTERFERE WITH THEIR FUNCTION; AND THE GRANTEE SHALL NOT BE RESPONSIBLE TO ANY PRESENT OR FUTURE OWNERS OF LOTS SITUATED WITHIN SAID EASEMENT LIMITS FOR ANY DAMAGE DONE ON SAID EASEMENT TO SOD, SHRUBBERY, TREES, OR OTHER IMPROVEMENTS, EITHER NATURAL OR ARTIFICIAL, BY REASON OF ENTERING FOR THE PURPOSES DESCRIBED HEREIN.
 - B. ANY BUILDING TO BE CONSTRUCTED ON A LOT OR PARCEL OF REAL ESTATE, IN WHICH SAID EASEMENT EXISTS SHALL BE KEPT NOT LESS THAN 3 FEET FROM THE EASEMENT LINE NEAREST THE SITE OF THE PROPOSED STRUCTURE.
 - C. SAID EASEMENTS ARE ALSO FOR THE USE AND BENEFIT OF ADJACENT LOTS TO INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE WASTEWATER COLLECTION LATERALS SERVING THEIR PROPERTY.
 - D. ANY DEVIATION FROM THE AFORESAID RESTRICTIONS SHALL BE PETITIONED BY WRITTEN REQUEST TO THE GRANTEES, THEIR SUCCESSORS OR ASSIGNS. EACH SUCH REQUEST SHALL BE CONSIDERED ON AN INDIVIDUAL BASIS.
5. **Public Water Supply Easements.** If public water supply facilities will extend outside of rights of way, the Owner shall convey a Public Water Supply Easement to the City of Cincinnati, Ohio. The limits of Public Water Supply Easements shall be determined by the Water Works Chief Engineer based on main size and location; the minimum width shall be 10 feet. Plats having Public Water Supply Easements shall contain the following or similar language:

PUBLIC WATER SUPPLY EASEMENTS

PUBLIC WATER SUPPLY EASEMENTS SHOWN ON THIS PLAT GRANT THE CITY OF CINCINNATI, OHIO, ITS SUCCESSORS AND ASSIGNS, THE PERMANENT AND CONTINUOUS RIGHT TO ENTER THE DESCRIBED PROPERTY TO INSPECT, CONSTRUCT, OPERATE MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE PUBLIC WATER SUPPLY FACILITIES AND ALL OTHER RELATED ACTIVITIES.

THE FOLLOWING RESTRICTIONS SHALL APPLY TO USE OF LAND WITHIN AND NEAR SAID EASEMENTS:

- A. NO IMPROVEMENTS OF ANY KIND SHALL BE MADE ON OR NEAR SAID EASEMENTS THAT WILL INTERFERE WITH ACCESS TO THESE FACILITIES FOR THE PURPOSES HEREIN DESCRIBED OR INTERFERE WITH THEIR FUNCTION; AND THE GRANTEE SHALL NOT BE RESPONSIBLE TO ANY PRESENT OR FUTURE OWNERS OF LOTS SITUATED WITHIN SAID EASEMENT LIMITS FOR ANY DAMAGE DONE ON SAID EASEMENT TO SOD, SHRUBBERY, TREES, OR OTHER IMPROVEMENTS, EITHER NATURAL OR ARTIFICIAL, BY REASON OF ENTERING FOR THE PURPOSES DESCRIBED HEREIN.
 - B. ANY BUILDING TO BE CONSTRUCTED ON A LOT OR PARCEL OF REAL ESTATE, IN WHICH SAID EASEMENT EXISTS SHALL BE KEPT NOT LESS THAN 3 FEET FROM THE EASEMENT LINE NEAREST THE SITE OF THE PROPOSED STRUCTURE.
 - C. SAID EASEMENTS ARE ALSO FOR THE USE AND BENEFIT OF ADJACENT LOTS TO INSPECT, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE OR REMOVE WATER SUPPLY BRANCHES SERVING THEIR PROPERTY.
 - D. ANY DEVIATION FROM THE AFORESAID RESTRICTIONS SHALL BE PETITIONED BY WRITTEN REQUEST TO THE GRANTEES, THEIR SUCCESSORS OR ASSIGNS. EACH SUCH REQUEST SHALL BE CONSIDERED ON AN INDIVIDUAL BASIS.
- G. **Covenants.** If subdivisions have private common areas or facilities, plats shall include covenants that clearly assign responsibility for perpetual maintenance, repair, replacement and operation of those areas and facilities.
- 1. **Private Streets.** If Private Streets are proposed, Plats shall clearly identify them as 'Private' and contain the following or similar covenant.

PRIVATE STREETS

INSPECTION, CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION, OR REMOVAL OF STREETS MARKED "PRIVATE", INCLUDING EARTHWORK, STRUCTURES, PAVEMENT, CURBS, SIDEWALKS, TRAFFIC CONTROL DEVICES, STREET LIGHTING AND UTILITIES, ARE THE RESPONSIBILITY OF PROPERTY OWNERS ABUTTING ON SAID STREETS FOR THEIR MUTUAL BENEFIT AND FOR EMERGENCY ACCESS. WHILE THE CITY OF CINCINNATI IS NOT RESPONSIBLE FOR AND CANNOT MAINTAIN PRIVATE STREETS, THE CITY OF CINCINNATI RESERVES THE RIGHT TO INSTALL AND MAINTAIN PAVEMENT

MARKINGS AND TRAFFIC SIGNS ON PRIVATE STREETS AS THEY APPROACH PUBLIC STREETS ONCE PRIVATE STREETS ARE OPEN TO TRAFFIC.

DEEDS FOR PROPERTY ABUTTING ON A PRIVATE STREET SHALL CLEARLY INDICATE THAT THE STREET IS PRIVATELY MAINTAINED. THE OWNER, OR ANY AGENT OF THE OWNER, OF ANY LOT OF LAND ABUTTING ON A PRIVATE STREET, WHO SELLS OR CONTRACTS FOR THE SALE OF SUCH LOT SHALL, PRIOR TO THE EXECUTION OF SUCH SALE OR CONTRACT OF SALE, FURNISH THE INTENDING PURCHASER WITH A SIGNED STATEMENT AS TO WHETHER OR NOT THE LOCATION OF SUCH STREET OR WAY HAS BEEN APPROVED BY THE CINCINNATI CITY PLANNING COMMISSION.

2. **Stormwater Retention and/or Detention Facilities.** If stormwater retention and/or detention facilities are installed, the Plat shall:
 - a. accurately show, identify and define the limits of retention and/or detention facilities;
 - b. contain an easement or covenant restricting the use of land within those limits to the collection, retention, detention and conveyance of stormwater; and
 - c. identify and assign responsibility for maintenance to a private party, such as a Home Owners' Association.

H. **Additional Plat Notes.** The following notes shall be included on all Plats dedicating right of way or easements to the public.

DEED REFERENCE

PROPERTY OWNED OR ACQUIRED BY (OWNER), BEING ALL OF THE LAND CONVEYED BY A DEED RECORDED IN OFFICIAL RECORD BOOK ____, PAGE ____ OF THE RECORDER'S OFFICE OF HAMILTON COUNTY, OHIO.

THIS RECORD PLAT IS RECORDED IN PLAT BOOK ____, PAGE(S) ____ OF THE RECORDER'S OFFICE OF HAMILTON COUNTY, OHIO.

NO PART OF ANY DRIVEWAY OR DRIVEWAY APPROACH WITHIN THE ROADWAY RIGHT OF WAY SHALL BE INSTALLED CLOSER THAN 5 FEET TO ANY INLET, UTILITY POLE, STREET LIGHT POLE, TRAFFIC CONTROL DEVICE, GUY WIRE ANCHOR OR FIRE HYDRANT.

DIVISION 340. PROCEDURES AND COORDINATION

Section 340. General

Sections 340 - 344 provide comprehensive procedures used for preparation, review and approval of necessary Subdivision, Dedication and Easement Plats and HOA Agreements.

Section 340.01. Responsibility. The Developer and Surveyor shall ensure that all Plats and HOA Agreements are developed following these procedures.

Section 340.02. Expedited Review and Approval. Complete and responsive submittals will improve and expedite the review and approval process. The Developer and Surveyor

are encouraged to discuss specific questions and concerns prior to submitting Plats and information to expedite these procedures.

Section 340.03. Sequence. The sequence for City review and approval of Plats and HOA Agreements depends on the method used to fund construction as described in Section 511.

- A. **Method A - Privately Funded.** If construction is privately funded, the Developer may submit Plats and HOA Agreements for review and approval after CCPC approves the Subdivision Improvement Plan.
- B. **Method B - Jointly Funded.** If construction is partially funded by the City and performed by the Contractor, the City may require that a Dedication Plat be submitted, reviewed, approved and recorded prior to the start of construction.
- C. **Method C - Publicly Funded.** If construction is fully funded by the City and performed by the City's contractor, a Dedication Plat must be submitted, reviewed, approved, recorded and the Acceptance Ordinance approved by Cincinnati City Council before construction may begin.

Section 341. Preliminary Plat Phase

Completing the following steps will simplify and streamline approval of Plats.

Section 341.01. Review Rules and Regulations. Developer and Surveyor review requirements for boundary surveys and plats in the most recent editions of State, County and City Rules and Regulations; those of utility owners; and, if federal funding is used, federal requirements. Developer and Surveyor direct questions to each agency for clarification of requirements.

Section 341.02. Prepare Preliminary Plats. Surveyor develops Plats that fully support and are consistent with Subdivision Improvement Plans. Developer drafts HOA Agreements.

Section 341.03. Submit Preliminary Plats to DCPB. Once CCPC approves the Subdivision Improvement Plan, Developer submits seven sets of Preliminary Plats and HOA Agreement drafts to DCPB for review by DCPB, DOTE, SMU, MSDGC and GCWW. This review enables preparation of more complete documents without major flaws for future reviews. City review agencies return corrections and comments to DCPB to compile and forward to the Developer.

Section 342. Detail Plat Phase

After the Preliminary Plat Phase is complete, the following procedures are used.

Section 342.01. Revise Plats. Incorporating corrections and addressing comments, the Surveyor revises Plats and closures and the Developer revises the HOA Agreement.

Section 342.02. Submit Detail Plats to DCPB. Developer submits 11 sets of Detail Plats, closures and HOA Agreements to DCPB for a coordinated City review along with a Subdivision Review Fee.

Section 342.03. DCPB Review. Staff of the City Planning and City Buildings Divisions of DCPB review submittals for compliance with *CCPC's Rules and Regulations* and the *Cincinnati Zoning Code* and forwards 10 sets to City Engineer.

Section 342.04. Technical Review. After receiving submittals, the DOTE Coordinator forwards submittals to City agencies for technical reviews.

A. **Facility Reviews.** The following agencies will review submittals forwarded by the DOTE Coordinator to ensure that their facilities are correctly located with respect to locations of rights of way and easements and to review easement and HOA Agreement conditions and restrictions:

Agency	Sets	Facility
Right of Way Management	3	Streets
Traffic Engineering	1	Traffic Control and Street Lighting
Urban Forestry	1	Street Trees
MSDGC	2	Wastewater Collection
SMU	1	Stormwater Management, including Retention and Detention
GCWW	2	Water Supply

B. **Compliance Reviews.** Transportation Design and Transportation Planning Sections will review submittals for accuracy, completeness and compliance with City standards.

Agency corrections and comments are returned to the DOTE Coordinator, who compiles them and forwards them to DCPB for transmittal to the Developer.

Section 343. Final Plat Phase

After the Detail Plat Phase is complete, the following procedures are used.

Section 343.01. Revise Plats. Incorporating corrections and addressing comments, the Surveyor revises Plats and closures and the Developer revises the HOA Agreement.

Section 343.02. Submit Final Plats to City Engineer. Developer submits two complete sets of revised Plats, closures and HOA Agreements to City Engineer to review resolution of corrections and comments. City Engineer identifies required changes to Developer.

This process may occur several times until the Plats, closures and HOA Agreements are approved by the City Engineer.

Section 343.03. Record HOA Agreement. Developer records HOA Agreements with Hamilton County.

Section 344. Record Plat Phase

After the Final Plat Phase is complete, the following procedures are used.

Section 344.01. Submit Record Plat to DCPB. Upon completion of all revisions and recording of HOA Agreements, Developer submits a set of original Mylar Plats along with closures to DCPB for CCPC consideration. Developer also provides a copy of recorded HOA Agreements.

Section 344.02. Engineering Report. DCPB forwards Final Plats, closures and HOA Agreements to City Engineer. City Engineer, after reviewing submittals, prepares and sends a written report to the CCPC regarding completeness and compliance of Plats with this *Manual*.

Section 344.03. DCPB Report. DCPB submits a written report to the CCPC requesting approval of Plats after receiving notification from the City Engineer. It takes approximately two weeks for DCPB to prepare and submit this report.

Section 344.04. CCPC Consideration. Within 30 days of submission of the Plats to CCPC or within such further time as the applying party may agree, the CCPC, after study and consideration of the staff report thereon, will take action to determine whether the Plat should be approved.

Section 344.05. DCPB Stamps and Signs Plat. DCPB stamps the original Mylar set to reflect CCPC's action, and it is signed by the Director of DCPB. If the Plat is:

- A. approved, it is forwarded to DOTE for obtaining necessary signatures.
- B. disapproved, it is returned to the Developer along with reasons for disapproval.

Section 344.06. DOTE Obtains Approval Signatures. Once CCPC approves Plats, DCPB forwards the Plat to DOTE Coordinator to obtain signatures of City Engineer and, as necessary, Water Works Chief Engineer, City Traffic Engineer and Sewers Chief Engineer (who obtains signatures of City Stormwater Management Engineer and Hamilton County Administrator). DOTE Coordinator returns the original signed Mylar set to Developer.

Section 344.07. Developer Submits Plat to County for Recording. Developer submits Plats to Hamilton County for recording.

Once a Plat dedicating rights of way and easements is approved by the CCPC, signed by necessary officials and recorded with Hamilton County, rights of way and easements become dedicated.

The Owner and Developer are advised that dedicated streets and easements are neither controlled nor maintained by the City of Cincinnati until accepted by Cincinnati City Council.

Section 344.08. Developer Submits Recorded Plat to DOTE. The Developer submits three sets of prints and one set of Mylars of recorded Plat to DOTE Coordinator. This Plat must contain the Plat Book and Page Numbers. The sets will be distributed as follows:

Agency	Sets	
	Prints	Mylars
DOTE ¹	2	1
DCPB	1	-

¹ Distribution:	Engineering Division Files	-	1
	DOTE CAGIS Coordinator ²	1	-
	DOTE Coordinator ³	1	-

² To enter centerlines of rights of way on Dedication Plats into CAGIS, and to assign addresses to lots on Subdivision Plats and enter them in CAGIS.

³ To submit to Law Department with request to prepare Acceptance Ordinance.

Section 344.09. Developer Submits Recorded Plat to Utilities. The Developer submits copies of the recorded Plat to all publicly and privately owned utilities having easements, covenants, conditions or restrictions affecting facilities under their control on the Plat.

CHAPTER 4. CONSTRUCTION AND ACCEPTANCE

Chapter 4 provides rules, regulations and procedures for construction of Street Improvements and for City acceptance of rights of way, easements and streets. Chapter 4 is organized as follows:

DIVISION	TITLE	PAGE
400	General	109
410	Preconstruction	114
420	Construction	116
430	Post Construction	121
440	Acceptance	122

DIVISION 400. GENERAL

Section 400. General

Sections 400 - 405 provide general City requirements for construction and City acceptance of rights of way, easements and streets.

Section 401. Responsibility and Sequence

Except as described below and specifically identified in a Development Agreement, the Owner is responsible for ensuring satisfactory completion of the construction and acceptance phases of Street Improvements.

Responsibility for completing Street Improvement construction and the sequence for recording required Plats, Street Improvement construction and City acceptance depends on the method used to fund construction. For additional information on Construction Funding Methods, see Section 511.

Section 401.01. Street Improvements. Responsibility for ensuring satisfactory construction of Street Improvements is given in the following table.

Street Improvement Construction Responsibility	
Construction Funding Method	Responsibility
A Privately Funded	Owner
B Jointly Funded	Owner
C Publicly Funded	City

Section 401.02. Sequence. The sequence of recording Plats dedicating all rights of way and easements, construction of Street Improvements and acceptance is as follows.

- A. **Method A - Privately Funded.** After the City accepts Street Improvement construction as described in Section 426, and the Developer records all Plats necessary to dedicate rights of way and easements with Hamilton County and furnishes all submittals to the City required for acceptance, City Council will consider acceptance. Once City Council passes the Acceptance Ordinance, rights of way, easements and streets will become public on its effective date.
- B. **Method B - Jointly Funded.** Same as Method A except the City may require that the Developer record all Plats necessary to dedicate rights of way and easements with Hamilton County prior to the start of construction.
- C. **Method C - Publicly Funded.** Prior to the City beginning its procurement process for Street Improvement construction, the Developer must record all Plats necessary to dedicate rights of way and easements with Hamilton County and furnish all submittals required for acceptance. City Council will then consider acceptance. Once City Council passes the Acceptance Ordinance, rights of way and easements become public on its effective date and construction may begin.

Section 402. Contract Documents

Construction of all Street Improvements shall comply with federal, state and local laws and regulations and the following Contract Documents:

- A. Approved Subdivision Improvement Plan;
- B. Construction Specifications - *ODOT CMS* as modified by the *City Supplement* and Special Provisions;
- C. Standard Drawings;
- D. DOTE Site Development Permit; and
- E. permit requirements of and agreements with other agencies, utility owners and property owners.

Section 403. Construction Document Changes

Section 403.01. Written Request. The Contractor shall communicate requests for additions, deletions and changes to the Construction Documents in writing to the Developer, Engineer, other members of the Development Team as applicable and the DOTE Construction Engineer for review and approval.

Section 403.02. CCPC Approval. The Developer is advised that Section 200.7 of *CCPC's Rules and Regulations* requires that Subdivision Improvement Plans be resubmitted to the CCPC for approval if changes to physical features are proposed.

Section 403.03. Approvals. Changes must be approved by signature of the Developer, Engineer, other members of the Development Team as applicable and the DOTE Construction Engineer prior to beginning work not in compliance with the Construction Documents.

Section 403.04. As-Built Drawings. All changes to the Street Improvement Plan shall be documented on As-Built Drawings as described in Section 431.

Section 404. Development Team

Excepting the Contractor and Surveyor under Construction Funding Method C or as modified by Development Agreement, the Owner shall retain and fund the services of members of the Development Team throughout the construction and acceptance phases to ensure complete and proper construction of Street Improvements and City acceptance, including, but not limited to, those described herein.

Section 404.01. Developer. The Developer shall manage all aspects of the Development during the construction and City acceptance phases except as modified by Development Agreement, including but not limited to:

- A. **Funding.** Ensure full funding for all aspects of Street Improvement construction and City acceptance of rights of way, easements and streets;
- B. **Bonding.** Provide required bonding, including the DOTE Developer's Surety Bond and, if required, the DOTE Indemnity Bond;
- C. **Professional Services.** Retain, fund and manage services of the Engineer, Surveyor, Geotechnical Engineer, Geotechnical Engineering and Materials Testing Firm and others required to provide necessary professional services related to construction and City acceptance;
- D. **Applications, Permits and Fees.** Apply for and pay all required permits and fees;
- E. **Meetings.** Participate in the preconstruction conference, progress meetings and other meetings as requested by the DOTE Construction Engineer;

- F. **Real Estate.** Fund and manage all real estate activities, including providing evidence of legal rights, including certificates of title, easements, covenants and written agreements;
- G. **Dispute Resolution.** Proactively communicate with and resolve conflicts with adjacent property owners, utilities and others affected by or involved in Street Improvement construction and City acceptance; and
- H. **Construction.** Retain, manage and ensure full funding for the Contractor to construct Street Improvements in accordance with the approved Subdivision Improvement Plan (Construction Funding Methods A and B only).

Section 404.02. Engineer. The Engineer shall have responsible charge of all engineering services related to construction of Street Improvements. These services shall include, but are not limited to:

- A. **Submittal Review.** Review all submittals for compliance with and requests for changes to Contract Documents;
- B. **Site Inspections.** Make site inspections as needed to determine general compliance of construction with the Subdivision Improvement Plan;
- C. **Meetings.** Participate in the preconstruction conference, progress meetings and other meetings as requested by the DOTE Construction Engineer;
- D. **Problem Resolution.** Promptly investigate, analyze and provide recommendations to resolve changed conditions, plan and/or specification conflicts and other related issues;
- E. **Requests for Information.** Promptly respond to requests for information related to construction of Street Improvements; and
- F. **As-Built Drawings.** Provide As-Built Drawings for various City agencies.

Section 404.03. Surveyor. The Surveyor shall have responsible charge of all surveying services related to construction of Street Improvements for Construction Funding Methods A and B; the City will provide these surveying services under Construction Funding Method C except as noted. These services shall include, but are not limited to:

- A. **Construction Layout.** Provide sufficient horizontal and vertical control for the contractor to properly construct Street Improvements in accordance with the Subdivision Improvement Plan;
- B. **Meetings.** Participate in the preconstruction conference and other meetings as requested by the DOTE Construction Engineer;
- C. **As-Built Surveys.** Check the final locations, bearings and elevations of work as necessary to determine compliance with the Subdivision Improvement Plan and Plats required to dedicate rights of way and easements. Where changes from the

Subdivision Improvement Plan occur, the Surveyor shall provide as-built information to the Engineer for preparation of As-Built Drawings;

- D. **Property Line Marking.** Mark curbs at property lines as described in Section 425.01; and
- E. **Information, Monumentation and Plat Revisions.** Reestablish monuments, provide requested information about survey control and revise Plats as needed (Construction Funding Methods A, B and C).

Section 404.04. Geotechnical Engineer. The Geotechnical Engineer shall have responsible charge of all Geotechnical Engineering and Material Testing services required during construction of Street Improvements. These services shall include, but are not limited to:

- A. **Materials Testing.** Direct the Materials Testing program as described in Section 422;
- B. **Geotechnical Engineering Services.** Provide geotechnical engineering services as required, including consultation, investigations, analysis, recommendations and reports; and
- C. **Meetings.** Participate in meetings as requested by the DOTE Construction Engineer.

Section 404.05. Geotechnical and Materials Testing Firm. The Geotechnical Engineering and Materials Testing Firm shall provide all quality assurance investigations, field and laboratory testing and reports as described in Section 422.

Section 404.06. Other Professional Services. Provide other professional services, including environmental assessment, landscape architecture, structural engineering and traffic engineering, as required during construction of street improvements. These services shall include consultation, investigations, analysis, recommendations, reports and meeting participation.

Section 404.07. Environmental Remediation. If additional remediation is required during construction, the Developer shall retain the services of an environmental remediation firm to bring the Development site into compliance with federal, state and local laws and regulations.

Section 404.08. Contractor (Construction Funding Methods A and B). The Contractor shall be responsible for satisfactory construction of Street Improvements including:

- A. **Permits.** Ensure that required permits are obtained prior to starting work, including permits from DOTE, SMU, MSDGC and GCWW. Provide information and documentation required to obtain permits required to perform all work;
- B. **Contractors' Surety Bonds.** Provide all Contractors' Surety Bonds as described in Section 522.01;

- C. **Traffic Services Agreement.** Work with City Traffic Engineer to develop a Traffic Services Agreement;
- D. **Contact OUPS.** Contact the Ohio Utilities Protection Service (OUPS), 1-800-362-2764 or 8-1-1, at least 48 hours but no more than 10 working days before beginning excavation or drilling operations (excluding weekends and legal holidays);
- E. **Compliance.** Comply with General Provisions of Division 100 of Construction Specifications. Under Construction Funding Method B, ensure full compliance with City procurement laws and regulations, including Equal Employment Opportunity, Prevailing Wage, Small Business Enterprise and Prompt Pay;
- F. **Communications.** Schedule and convene a preconstruction conference, progress meetings and other meetings required to ensure proper coordination of work in accordance with Section 108 of the Construction Specifications;
- G. **Construction.** Construct Street Improvements in accordance with the Contract Documents. Direct and supervise all work, including work of subcontractors.
- H. **Progress Schedule.** Provide and update a construction progress schedule in accordance with Section 108.02 of the Construction Specifications; and
- I. **Quality Control.** Ensure materials, equipment and procedures comply with construction documents.

Section 405. Coordinating Agency

DOTe will be the coordinating agency throughout the construction and acceptance process.

Section 405.01. Construction Oversight and Inspection. DOTe will assign a Construction Engineer and Construction Inspector to oversee and inspect the construction of Street Improvements. All costs for DOTe Oversight and Inspection, unless indicated otherwise in the Development Agreement, shall be funded by the Owner as described in Section 612.03. From the issuance date of the DOTe Site Development Permit until the Warranty Period has elapsed and the Contractors' Surety Bonds released, the Contractor shall direct all communications related to Street construction to the DOTe Construction Engineer or DOTe Construction Inspector. Formal communications shall be addressed to the DOTe Construction Engineer.

DIVISION 410. PRECONSTRUCTION

Section 410. General

Sections 410 - 413 provide requirements for the Contractor under Construction Funding Methods A and B unless otherwise indicated. City laws, regulations and procedures provide similar requirements under Construction Funding Method C.

Section 411. Construction Procurement

If Street Improvement construction is funded using Construction Funding Method B - Jointly Funded, the Developer shall review, incorporate and comply with all City procurement provisions for construction contracts found in CMC Title III - Financial, Personnel, Procurement and Real Property Procedures, include requirements for bidding, award, bonding, prevailing wages, Equal Employment Opportunity, Small Business Enterprises and Prompt Payment.

Section 412. DOTE Site Development Permit

Under Construction Funding Methods A and B, after CCPC approves the Subdivision Improvement Plan, the Developer and Contractor shall obtain a DOTE Site Development Permit from the Right of Way Management Section prior to beginning construction.

Section 412.01. Submittals. The Developer and Contractor shall furnish the following typical submittals meeting the requirements of Division 140 before a DOTE Site Development Permit will be issued. Some Developments will not require all submittals listed, while other Developments will require submittals not listed.

- A. Completed Application for DOTE Site Development Permit as described in Section 612.02;
- B. Fully executed copies of Development Agreement and contracts for grants from other governmental agencies;
- C. Copy of agreements for entering and performing work on property not belonging to the Owner;
- D. Copy of Ohio EPA Permit to Install;
- E. Copy of Ohio EPA approval of Notice of Intent;
- F. Copy of the "Letter of Intent" submitted to GCWW and the contract bond required by GCWW to ensure satisfactory completion of water supply facilities and operation during the one-year warranty period;
- G. Copy of MSDGC Completion Bond;
- H. Copy of Geotechnical Engineering and Materials Testing Contract;
- I. Copy of Street Tree Agreement with the City's Department of Parks, if applicable;
- J. Copy of Traffic Services Agreement with DPS;
- K. Copies of reports and approvals as needed to ensure compliance with federal, state and local laws and regulations;
- L. Copies of Procurement Documents, including bid documents, advertisements and submitted bids (Construction Funding Method B only);
- M. Copy of Construction Contract with Contractor;

- N. Original of Contractors' Surety Bonds as described in Section 522.01;
- O. Copy of Contractor's Insurance fully complying with Section 107 of the Construction Specifications;
- P. Borrow area locations and soil classifications, laboratory analyses and moisture/density curves for all borrow areas not already provided on the Grading Plan;
- Q. Disposal site locations for demolition materials, unsuitable soils and surplus excavation materials;
- R. Construction schedule as described in Section 108.02 of the Construction Specifications;
- S. Original DOTE Developer's Agreement and Surety Bond as described in Section 522.02;
- T. Original Indemnity Bond, if required, as described in Section 522.03; and
- U. Deposit for DOTE Construction Oversight and Inspection as described in Section 612.03.

Section 412.02. Site Development Permit. Once the Right of Way Management Section determines that all submittals are satisfactory, permits required from other agencies and utilities have been issued, and all other conditions have been met, the Site Development Permit described in Section 612.04 will be issued.

Section 413. Preconstruction Conference

The Contractor shall schedule a Preconstruction Conference after the DOTE Site Development Permit is issued but prior to beginning construction. The Contractor shall coordinate scheduling, location and list of participants with the DOTE Construction Engineer.

DIVISION 420. CONSTRUCTION

Section 420. General

Sections 420 - 426 provide requirements for the Contractor under Construction Funding Methods A and B unless otherwise indicated. City laws, regulations and procedures provide similar requirements under Construction Funding Method C.

Section 421. Construction Oversight and Inspection

Section 421.01. Notification. The Contractor shall notify the DOTE Construction Engineer or Inspector at least 24 hours in advance of any construction. Construction performed without inspection is subject to additional testing, inspection and possible replacement of uninspected work as required by the City Engineer to ensure compliance with the Subdivision Improvement Plan.

Section 421.02. Construction Oversight. The DOTE Construction Engineer will provide general oversight during construction. The DOTE Construction Engineer will determine acceptability of completed construction. Under Construction Funding Method B, City funds may only be released for completed work upon approval of the DOTE Construction Engineer.

Section 421.03. Inspection. The DOTE Construction Inspector will perform routine quality assurance inspections to determine if construction is in general compliance with the Subdivision Improvement Plan and Construction Specifications.

Section 421.04. Electrical Inspection. DOTE's Electrical Inspector will perform periodic and final inspections of all traffic signal, street lighting and other electrical traffic control devices. All electrical systems must be inspected and have the approval of the City Traffic Engineer prior to being energized.

Section 422. Geotechnical Inspection and Materials Testing

All materials incorporated into the Street Improvements shall be tested and inspected in accordance with the Construction Specifications and as described herein.

Section 422.01. Geotechnical Engineering and Material Testing Firm. As required under Section 232.02, the Developer shall retain a Geotechnical Engineering and Materials Testing Firm to inspect and test all materials incorporated into Street Improvements.

Section 422.02. Materials Testing. Materials incorporated into the work shall be tested in accordance with the *ODOT CMS, City Supplement*, and Special Provisions. Embankment and subgrade compaction shall be tested in accordance with ODOT Supplement 1015.

Section 422.03. Geotechnical Inspection and Materials Testing Reports. Earthwork inspection and materials testing reports shall be submitted to the DOTE Construction Engineer for evaluation prior to accepting completed work items.

Section 423. Contractor Submittals

The Contractor shall comply with the following provisions under Construction Funding Method B.

Section 423.01. Contract Compliance. The Contractor shall comply with all Contract Compliance requirements, including Prevailing Wage, Equal Employment Opportunity, Small Business Enterprise and Prompt Pay. The Contractor shall submit necessary reports confirming compliance at required intervals.

Section 423.02. Payment Submittals. Requests for payments shall comply with the Division 100 of the Construction Specifications, including voucher forms, affidavits and certifications.

Section 424. Schedule Requirements

The Contractor shall submit a construction schedule to the DOTE Construction Engineer prior to issuance of the Site Development Permit complying with the requirements of Section 108 of the Construction Specifications. The Contractor shall update this schedule on a monthly basis throughout the duration of the contract period.

The schedule shall reflect the following requirements.

Section 424.01. Start Construction. Site construction shall begin only after the DOTE Site Development Permit is issued and the Preconstruction Conference occurs. Any work performed prior to its issuance is subject to additional testing, inspection and possible replacement of uninspected work as required by the City Engineer to ensure compliance with the Subdivision Improvement Plan.

Section 424.02. Roadway

- A. **Base and Pavement.** Roadway base and pavement shall only be placed after all earthwork and underground utility construction within 10 feet of the pavement limits is completed; all trenches are satisfactorily backfilled; and the subgrade compacted, all in accordance with the Contract Documents.
- B. **Final Wearing Course.** The surface course of asphalt pavement shall be placed only after:
1. the Developer provides documentation from the appropriate utilities that all facilities constructed under the pavement are acceptable; and
 2. one of the following conditions is met:
 - a. construction is complete on at least 80 percent of the private property with frontage on the street to be paved and on streets solely accessed by the street to be paved based on length of property frontage on those streets; or
 - b. in the opinion of the Engineer and City Engineer, remaining work in the Development is not expected to damage the asphalt surface.

In such cases, the City Engineer may require that a sufficient amount of the DOTE Developer's Bond remain until Development construction is complete.

Section 424.03. Sidewalk Space. Paved walks, driveways, curb ramps, landscaping, traffic control devices, and other elements in the sidewalk space shall only be placed after all earthwork and underground utility construction within 10 feet of the pavement limits is completed; all trenches are backfilled; and the subgrade compacted, all in accordance with the Contract Documents. While permits and construction for some paved walks and

driveways may be made the responsibility of the home builder, streets will not be accepted and the DOTE Developer's Surety Bond not released until the approved sidewalk system is in place.

Section 424.04. Landscaping

- A. **Nursery Inspection.** Trees must be inspected and approved by Urban Forestry at the nursery prior to purchase.
- B. **Sequence.** Trees and other landscaping may only be planted after all sidewalk construction and final grading of the sidewalk spaces of the rights of way are complete.

Section 425. Markings

The Developer is responsible for ensuring accurate marking of property lines and utility services.

Section 425.01. Property Lines. The Surveyor shall establish a witness for each property line by marking the top of the adjacent curb with a 2-inch deep saw cut aligned with the projected lot line.

Section 425.02. Utility Services. The Contractor shall stamp the location of all utility laterals on the new curb as it is being constructed using an approved stamp system. The designations shall be as follows:

Utility Service Markings	
Marking	Service
S	Wastewater Collection Lateral
ST	Stormwater Lateral
W	Water Lateral
UX	Utility Crossover

Section 426. Acceptance of Construction

Acceptance of Street Improvement construction will be in accordance with 109.12 of the *City Supplement* and as described herein.

Section 426.01. Substantial Completion. The Contractor shall notify the DOTE Construction Engineer when the Contractor believes the work is substantially complete as described in 109.12.A of the *City Supplement*.

Section 426.02. Punch List. The DOTE Construction Engineer will provide the Contractor with a Punch List of remaining work items as described in 109.12.B of the *City Supplement*.

Section 426.03. Timely Completion. After the Punch List is developed, the DOTE Construction Engineer shall establish a date for the Contractor to complete remaining work (generally, 30 days after the Punch List date). If the Contractor fails to complete all work by that date without a written time extension granted by the City, notice will be sent to the Contractor, their bonding company and the Developer providing 30 additional days to complete such work. If not completed by that date, the City will notify the Contractor and their bonding company that they are in default, and the City will proceed to make arrangements to complete the remaining work.

This same process will be used for new work items identified during the Final Inspection.

Under Construction Funding Method B, the City may also charge an Administrative Fee of \$100 per day as described in 109.12 C of the *City Supplement*.

Section 426.04. Testing and Evaluation. The Final Completion Date may only be established after all agencies have approved the construction of their facilities based on satisfactory completion of:

- A. testing of wastewater collection facilities in accordance with *MSDGC's Rules and Regulations*;
- B. pressure, disinfection and bacterial testing of water supply facilities by GCWW in accordance with *GCWW's Rules and Regulations*;
- C. evaluation of a video provided by the Contractor of underground stormwater management facilities;
- D. inspection of all traffic signal, street lighting and other electrical traffic control devices by DOTE's Electrical Inspector; and
- E. inspection of all trees and plantings by Urban Forestry.

Section 426.05. Notice of Final Completion. Upon satisfactory completion of all work as determined by the Final Inspection as described in 109.12.C of the *City Supplement*, the DOTE Construction Engineer shall establish and notify the Contractor of the Final Completion Date. The one-year warranty period begins on the Final Completion Date. A sample Final Completion Letter may be found in Appendix B.

DIVISION 430. POST CONSTRUCTION

Section 430. General

Sections 430 - 434 provide requirements for the Contractor and Developer under Construction Funding Methods A and B unless otherwise indicated. City laws, regulations, and procedures provide similar requirements under Construction Funding Method C.

Section 431. As-Built Drawings

Section 431.01. General. Under all Construction Funding Methods, the Engineer shall provide DOTE, SMU, MSDGC and GCWW with a set of As-Built Drawings within 60 days of the Final Completion Date in conformance with 105 of the Construction Specifications and specific agency requirements. Changes reflected on As-Built drawings shall have been approved as described in Section 403.

Section 431.02. DOTE As-Built Drawings. As-Built Drawings submitted to DOTE shall be Mylar drawings with changes shown in red. Changes impacting design intent shall be initialed and dated by the Engineer or appropriate member of the Development Team. These As-Built drawings will be placed with the respective drawings in the original Mylar set submitted to DOTE after CCPC approval of the Street Improvement Plan.

Section 432. Warranty

The Contractor shall remove, replace and/or repair faulty, defective or improper work, materials or equipment discovered during the Warranty Period, which begins on the Final Completion Date and extends for a period of one year or until all repairs and corrections are completed to the satisfaction of the City Engineer, whichever occurs last.

Section 432.01. Warranty Inspection. At least two weeks prior to expiration of the Warranty Period, the Contractor shall schedule a date for the Warranty Inspection with the Developer and the DOTE Construction Engineer.

Section 432.02. Warranty Letter. Upon expiration of the Warranty Period and satisfactory completion of all warranty work, DOTE will issue a letter to the Developer indicating that all work has been completed. A sample One-Year Warranty Letter may be found in Appendix B.

Section 433. Contractors' Surety Bonds

Upon expiration of the Warranty Period and receipt of a request from the Contractor, if the Contractor and Subcontractors have met all obligations of the Contract Documents, including full compliance with 109 of the Construction Specifications, the City Engineer will release the Contractors' Surety Bonds.

The Contractor shall request release of bonds required by other agencies, including SMU, MSDGC and GCWW, directly from those agencies in accordance with their rules and regulations.

Section 434. Maintenance

In accordance with 105.14 of the Construction Specifications, the Contractor shall maintain all Street Improvements until the Final Completion Date. The Developer shall be responsible for maintenance of all Street Improvements from the Final Completion Date until the effective date of the Acceptance Ordinance. The Acceptance Ordinance will not be submitted to City Council until all maintenance issues are resolved.

DIVISION 440. ACCEPTANCE

Section 440. General

Sections 441 - 449 provide requirements for City Council acceptance of streets and easements, along with other information and requirements associated with the acceptance process.

Section 441. Subdivision and Dedication Plats

All plats dedicating rights of way and permanent easements must be approved by CCPC, and City and County officials, recorded by Hamilton County, and a Mylar copy of recorded plats submitted to the DOTE Coordinator.

Section 442. Completion of Street Improvements

When Street Improvements are funded using Construction Funding Methods A or B, the Contractor shall complete all construction and the Developer and Contractor meet all City requirements as described in Division 420 and Division 430. Acceptance may proceed prior to expiration of the Warranty Period.

Section 443. Compliance with Development Agreement

When Street Improvements are funded using Construction Funding Methods B or C, all terms and conditions of the Development Agreement must be satisfactorily fulfilled.

Section 444. Request Acceptance

When Street Improvements are funded using Construction Funding Methods A or B, once the Final Completion Date is established and the Developer and Contractor have met all obligations previously identified, the Developer shall write the City Engineer requesting acceptance of dedicated rights of way and easements. Under Construction Funding Method C, no request is required.

Section 445. Coordinated Report

When Street Improvements are funded using Construction Funding Methods A or B, once the Developer requests acceptance, DOTE will request the City's Real Estate Division to circulate a Coordinated Report. The Coordinated Report is circulated to all City agencies and utilities to ensure that the Developer and Contractor have met all obligations. Once completed, the results of the Coordinated Report will be provided to the Developer. The Developer shall ensure that all comments are satisfactorily addressed.

Section 446. Certification Submittals

The Developer shall provide Certificates of Title and Certification of Payment of Taxes as described in Section 302.05 and Section 302.06 to the DOTE Coordinator.

Section 447. Acceptance Ordinance

Section 447.01. Preparation. Once all applicable preceding requirements have been met, DOTE will request that the Law Department prepare an ordinance to confirm the dedication and accept the streets and easements for public use. Once the ordinance is prepared, DOTE will transmit the Acceptance Ordinance, together with a transmittal memorandum, to City Council for consideration. Samples of the Acceptance Ordinance Transmittal and Acceptance Ordinance may be found in Appendix B.

Section 447.02. Consideration. City Council will consider the request for acceptance.

Section 447.03. Effective Date. Once the Acceptance Ordinance is passed by City Council, all rights of way and easement become public on its effective date. The terms of the Warranty shall not be affected by passage of this ordinance or its effective date.

Section 448. Notification of Acceptance

DOTE will notify all City and County agencies, utility owners and the USPS of the acceptance of all streets and rights of way and the effective date of acceptance.

Section 449. Release of DOTE Bonds and Fees

Section 449.01. DOTE Developer Surety and Indemnity Bonds. Once the Acceptance Ordinance has been passed and the Warranty Period has expired, the Developer may request that the City Manager release required bonds. If any remedial work remains, the Owner and Developer will be notified. The bonds will be released within 30 days of the later of:

- A. receipt of the request, or
- B. completion of all remaining work.

The Developer shall request release of bonds required by other agencies, including SMU, MSDGC and GCWW, directly from those agencies in accordance with their rules and regulations.

Section 449.02. Excess Plan Review and Construction Oversight and Inspection Fees. Once all work is complete and the Acceptance Ordinance has been passed, the Developer may request release of excess Plan Review and Construction Oversight and Inspection fees from DOTE. All excess fees will be returned within 30 days of receipt of the request.

The Developer shall request release of review and inspection fees required by other agencies, including SMU, MSDGC, GCWW and the City's Departments of Public Services and Parks, directly from those agencies in accordance with their rules and regulations.

CHAPTER 5. FINANCIAL RESPONSIBILITIES AND ASSURANCES

Chapter 5 provides rules, regulations and procedures regarding financial responsibilities and assurances and is organized as follows:

DIVISION	TITLE	PAGE
500	General	125
510	Funding	125
520	Bonding	130

DIVISION 500. GENERAL

Section 500. General

The Owner is responsible for ensuring full compliance of the Development Team with the financial responsibility and assurance requirements of all government agencies and utility owners.

DIVISION 510. FUNDING

Section 510. General

Sections 510 - 513 provide information and outline responsibilities for funding phases and portions of Street Improvements. These requirements may only be modified by a Development Agreement.

Section 510.01. Responsibility. The Owner is responsible for ensuring that all phases of the Development are fully funded.

Section 510.02. Development Expenses. Except as described in Sections 511 - 513, the Owner is responsible for ensuring that all expenses associated with the Development are paid in full, including those associated with Street Improvements. These expenses include, but are not limited to, costs for management; financing; real estate; planning; land surveying; engineering; studies and investigations; environmental remediation; plan and plat preparation; regulatory reviews, permits, inspections and fees; construction of all improvements; materials testing; insurance; and bonding.

Section 511. Construction Funding Methods

Subject to the exclusions described in Section 511.04, the construction phase of Street Improvements is funded in one of the following Construction Funding Methods. While the

Construction Funding Method used will not change design or construction standards, it will impact financial responsibilities; contracting requirements; the sequence of construction, dedication and acceptance; and required submittals. A brief description of the general procedure for each method is included.

Section 511.01. Method A - Privately Funded

- A. **Funding.** The Owner is responsible for funding all phases and paying all costs associated with the Development, including Street Improvements, except as described in Section 512 and Section 513.
- B. **General Procedure.** The Development Team completes the Subdivision Improvement Plan and necessary Subdivision and Dedication Plats in accordance with City Standards. After the City approves the Subdivision Improvement Plan and issues a DOTE Site Development Permit, the Contractor begins construction of Street Improvements. After the City accepts Street Improvement construction as described in Section 426 or the Developer provides an agreement and bond as described in Section 522.02, the Developer submits necessary Subdivision and Dedication Plats for City approval. Once the City approves and the County records necessary Plats, the City accepts Street Improvement construction, and the Developer provides all required submittals, City Council considers acceptance. After City Council passes the Acceptance Ordinance, the streets become public upon the effective date of that ordinance.

Section 511.02. Method B - Jointly Funded

- A. **Funding.** The Owner is responsible for funding all phases and paying all costs associated with the Development except as described in Section 512, Section 513 and a fully executed Development Agreement. In addition to other terms and conditions, the Development Agreement provides that:
1. the City issue a grant to fund a portion of Street Improvement construction; and
 2. the Owner agrees to comply with City procurement requirements; satisfactorily complete the Development, including Street Improvement construction; and dedicate rights of way and easements.

The City's decision to provide a grant to fund a portion of Street Improvement construction is generally based on the City's evaluation of the public benefits of the Development and availability of funds.

Grant funds are used to reimburse the Owner for satisfactory completion of work as described in the Development Agreement. The Owner is responsible for paying any and all costs exceeding reimbursements from the grant. Once the City fulfills its Development Agreement obligations, all unexpended grant funds are returned to their funding source.

B. General Procedure. The Development Team completes the Subdivision Improvement Plan and necessary Subdivision and Dedication Plats in accordance with City Standards. Prior to CCPC consideration, the Owner executes a Development Agreement with the City. After CCPC approves the Subdivision Improvement Plan, the Developer bids and awards a contract for Street Improvement construction in accordance with applicable City procurement requirements. If the City requires that necessary Subdivision and Dedications Plats be approved by the City and recorded by the County before beginning construction, or if the Developer elects to do so before the City accepts Street Improvement construction as described in Section 426, the Developer provides an agreement and bond as described in Section 522.02. After the City issues a DOTE Site Development Permit, the Contractor constructs all Street Improvements in accordance with City Standards. Once the City approves and the County records necessary Plats, the City accepts Street Improvement construction, and the Developer provides all required submittals, City Council considers acceptance. After City Council passes the Acceptance Ordinance, the streets become public upon the effective date of that ordinance.

Section 511.03. Method C - Publicly Funded

A. Funding. The Owner is responsible for funding all phases and paying all costs associated with the Development except as described in Section 512, Section 513 and a fully executed Development Agreement. In addition to other terms and conditions, the Development Agreement provides that:

1. the City fund and manage Street Improvement construction; and
2. the Owner satisfactorily completes the Development and dedicates rights of way and easements.

The City's decision to fund and manage construction of Street Improvements is generally based on the City's evaluation of the public benefits of the Development and availability of funds.

City funds are used to pay City costs for management and construction of Street Improvements as described in the Development Agreement. The Owner is responsible for paying any and all other costs for the Development. Once the City fulfills its Development Agreement obligations, all unexpended funds are returned to their funding source.

B. General Procedure. The Development Team completes the Subdivision Improvement Plan and necessary Subdivision and Dedication Plats in accordance with City Standards. Prior to CCPC consideration, the Owner executes a Development Agreement with the City. After the City approves the Subdivision Improvement Plan and necessary Subdivision and Dedication Plats and the County records the Plats, City Council considers acceptance. After City Council passes the Acceptance Ordinance, the streets become public upon the effective date and the City's contractor begins construction.

Section 511.04. Exclusions. Unless otherwise provided in a Development Agreement, the Owner is responsible for funding the following items under all Construction Funding Methods:

- A. Private Street Construction (public funds may not be used for Private Streets);
- B. Environmental Remediation required before, during and after construction of Street Improvements;
- C. Construction of all public utilities, both privately and publicly owned, unless modified by a separate agreements with utility owners;
- D. Professional Services, including construction management, engineering, land surveying, landscape architecture, material testing and inspection, environmental assessment, and other services associated with Street Improvements; and
- E. all permits and fees associated with Street Improvements.

Section 512. Traffic Control Devices

Except as described in this Section, the Owner shall be responsible for furnishing and installing all Traffic Control Devices on all new or improved streets, and the City will be responsible for maintaining, repairing and replacing them on Public Streets upon the effective date of the Acceptance Ordinance or expiration of the Warranty Period, whichever is later. The Owner shall be responsible for ensuring that such work is satisfactorily completed prior to that date.

Section 512.01. Force Account Work. Along Public Streets (including Dedicated Streets intended to become Public Streets) and at or near intersections of Public Streets with Private Streets, City forces may furnish and/or install Traffic Control Devices, including Street Name Signs, in accordance with a Traffic Services Agreement between the City and Owner. If the City elects to perform any or all of the work, the Owner shall provide necessary funding, and the City will repair or replace defective materials furnished by the City and correct defective work performed by City forces.

Section 512.02. Traffic Signals

- A. **Private Streets.** Where a traffic signal will control at least one approach of a Public Street, the Owner must enter into a formal agreement with the City agreeing to pay all costs for installation, as well as all or a portion of the costs for maintenance, repair, replacement and operation. The portion to be paid by the Owner shall be determined by the City based on the prevailing traffic conditions, and the number of and benefit to the private approaches served by the traffic signal.
- B. **Public Streets.** The Owner shall pay all costs for installation, repair, maintenance and operation of traffic signals until they are accepted by the City and become operational, or on the effective date of the Acceptance Ordinance, whichever is later.

Section 513. Street Lighting

Responsibility for funding Street Lighting depends on a street's status.

Section 513.01. Private Streets. The Owner is solely responsible for funding installation, maintenance, repair, replacement and operation of street lighting on Private Streets and for tagging or identifying the poles as privately owned and maintained.

Section 513.02. Public Streets. The following information applies to streets that either are already accepted or will be dedicated as Public Streets.

A. **Underground Conduits.** The Owner is responsible for funding installation of underground conduits and pull boxes required for all street lighting systems.

B. **Street Lighting.** Responsibility for payment for construction, maintenance, repair, replacement and operation of street lighting is as follows:

1. **Standard Street Lighting.** The City will fund construction of Standard Roadway Type Street Lighting (i.e., cobra head luminaires mounted on wood poles) by its own forces or by Duke Energy Ohio, Inc., including cables, wiring, poles, mast arms, luminaires and other appurtenant equipment on all Accepted Streets.

If the Developer desires Standard Street Lighting to be installed and operational prior to the effective date of the Acceptance Ordinance, the Developer must make arrangements with Duke Energy Ohio, Inc. to install street lighting under City supervision. The Developer must pay maintenance, operation and amortized installation costs up to the effective date of the Acceptance Ordinance. After that date, the City will pay future charges.

2. **Non-Standard Street Lighting.** The Developer may request the use of one of several Non-Standard Lighting systems approved by the City Traffic Engineer. Subject to approval, the Developer may use one of the following options to fund and install approved Non-Standard Street Lighting.

- a. **Assessment and City Funding.** The Owner or subsequent abutting property owners must first agree to pay an assessment for any increased materials, labor and energy costs required to install, maintain, repair, replace and operate the Non-Standard Street Lighting system. The City will fund the amount normally required for Standard Street Lighting.

City forces or Duke Energy Ohio, Inc. will install the Non-Standard Street Lighting system upon the effective date of the Acceptance Ordinance. The City will pay all costs for installation, maintenance and operation of the Non-Standard Street Lighting supplemented by funds provided by the assessment.

If the Developer desires Non-Standard Street Lighting to be operational prior to the effective date of the Acceptance Ordinance, the Developer must make arrangements with Duke Energy Ohio, Inc. to install street lighting under City supervision and pay all maintenance, repair, operation and amortized installation

costs up to that effective date. Once accepted, the City will begin assessing abutting owners for all future charges.

b. **Developer and City Funding.** If the Contractor installs a lighting system approved by the City Traffic Engineer at the Developer's expense, the City will pay all future costs for maintenance, repair, replacement and operation upon the effective date of the Acceptance Ordinance or after the Warrant Period expires, whichever is later. The Developer is responsible for all maintenance, repair and operation costs prior to that date.

3. **Boulevard Lighting.** For streets that will not become part of Cincinnati's Official Through Street System, the Developer may enter into an agreement with Duke Energy Ohio, Inc. for installation, maintenance, repair, replacement and operation of a boulevard lighting system. Duke Energy Ohio, Inc. will charge a monthly rate for operating costs plus installation costs amortized over the life of the system. The Developer is responsible for ensuring that the agreement with Duke Energy Ohio, Inc. is transferred to the HOA.

DIVISION 520. BONDING

Section 520. General

Sections 520 - 525 provide rules, regulations and procedures for bonding.

Section 520.01. Responsibility. The Owner shall assure the City that all work will be satisfactorily performed and completed. To that end, the Owner is responsible for furnishing the City with surety bonds of the type and amounts described herein. The Owner will not be required to provide bonding if construction is funded using Construction Funding Method C - Publicly Funded.

Section 520.02. Surety Bonds. All surety bonds shall meet the requirements of City Rules and Regulations. All bonds shall meet applicable requirements of CMC Chapter 304 and shall:

- A. be issued by a surety licensed to do business in the State of Ohio and approved by the City Manager;
- B. be of a form approved by the City Solicitor;
- C. be in the amount required by the City agency;
- D. name the City of Cincinnati as the obligee;
- E. only be considered for reduction or release upon written request from the principal or surety. If the City does not agree to the requested reduction or release, the City will provide both the principal and surety with the reasons for this decision;
- F. only be reduced with the written consent of the City; and

G. only be released after satisfactory completion or performance as determined by written notice from the City that the principal has met all obligations of the bond.

Section 520.03. Other Forms of Surety. Other forms of surety, including cash, irrevocable letters of credit or certificates of deposit, are subject to approval of the City Solicitor.

Section 521. Department of City Planning and Buildings

Section 521.01. Assurance of Completion. In accordance with Section 300.0 of *CCPC's Rules and Regulations*, if construction of Street Improvements is not complete prior to submission of the Subdivision Plat for approval, the Owner must provide a contract secured by a bond guaranteeing satisfactory completion of Street Improvements, including paved walks, landscaping, public and private detention facilities, final paving, testing, As-Built Drawings, punch list work and other work items typically performed last and satisfactory performance for one year after completion. This bond shall also guarantee that all documents required for City acceptance of streets by Ordinance are submitted within six months after notification of final completion.

Typically, DOTE bonding is used to satisfy this requirement. This bond must be provided before the DOTE Site Development Permit is executed.

Section 522. Department of Transportation and Engineering

Section 522.01. Contractors' Surety Bonds. The Owner must ensure that the Contractor and subcontractors provide surety bonds for the full amount of their respective contract work. These bonds shall name the City of Cincinnati as an additional obligee. A copy of all surety bonds shall be furnished to the City prior to issuance of the DOTE Site Development Permit. The purpose of these bonds is to assure the City of satisfactory completion of all Street Improvements and the repair, replacement or restoration of existing streets, utilities and privately owned property disturbed during construction.

The City Engineer will only consider release of the Contractors' Surety Bonds upon expiration of the Warranty Period.

Section 522.02. DOTE Developer's Surety Bond Agreement and Surety Bond. An Agreement of a form satisfactory to the City ensures that the Owner will complete all Street Improvements, including any correction or repair of any item constructed as part of the Subdivision Improvement Plan. A Surety Bond ensures sufficient funding to complete Street Improvements if the Developer, Contractor or Subcontractors cannot complete the work. This bond shall also guarantee that the Developer will provide all documentation required for City acceptance of the streets.

Sample DOTE Developer's Surety Bond Agreement and DOTE Developer's Surety Bond forms may be found in Appendix B.

A. **Sequence.** The DOTE Developer's Surety Bond Agreement and Surety Bond will be required:

1. with the Application for DOTE Site Development Permit if:
 - a. Construction Funding Method B is used;
 - b. construction of housing, buildings or other private infrastructure has already begun; or
 - c. the Subdivision Plat has already been approved by CCPC.
 2. if the DOTE Site Development Permit has already been issued:
 - a. upon CCPC approval of the Subdivision Plat; or
 - b. prior to beginning construction of housing, buildings or other private infrastructure;
- whichever occurs first.

B. **Estimated Cost.** The estimated cost to construct all roadways and sidewalks, including sub base, underdrains, pavement base, pavement, curbs, walk, topsoil, sod, seeding, trees and other landscaping; publicly owned utilities; and any City-maintained lighting and traffic control. The estimated cost of this work will be based on similar work on other City Contracts.

C. **Surety Bond Amount.** The amount of the Developer's DOTE Surety Bond will be determined as follows:

1. if required with the Application for DOTE Site Development Permit as described under Section 522.02.A.1.: the Estimated Cost as described in Section 522.02.B. less any Grant Amount as described under Section 522.02.D.; or
2. if required after issuance of the DOTE Site Development Permit as described under Section 522.02.A.2.: the Estimated Cost as described in Section 522.02.B. less the value of work already completed as determined by the City Engineer.

The minimum Surety Bond Amount is \$10,000.

D. **Grants.** For Construction Funding Method B, the City agency administering the grant may request that DOTE reduce the amount of the DOTE Developer's Surety Bond based on assurances listed in the Development Agreement.

The City Manager will consider release of the DOTE Developer's Surety Bond upon receipt of a written request from the Developer as described in Section 449.01.

Section 522.03. Indemnity Bond. For all Developments, the Owner shall indemnify, defend and hold harmless the City from any and all claims, liabilities, damages, actions, costs and expenses or complaints, including reasonable attorney fees, arising from the Development.

Under certain conditions, the City may require that an adequate Indemnity Bond be filed, at the Owner's sole expense, for this purpose. Such conditions include, but are not limited to:

- A. Developments where the Owner does not own all of the lots or represent the entire ownership of all of the lots abutting both sides of proposed improvements; and
- B. Developments which, in the opinion of the City, have a high degree of public risk.

The Indemnity Bond shall be of a type and amount satisfactory to the City.

The City Manager will consider release of the DOTE Indemnity Bond upon receipt of a written request from the Developer as described in Section 449.01.

Section 523. Greater Cincinnati Water Works

Section 523.01. Contractor's Bond. In accordance with *GCWW's Rules and Regulations*, the Contractor must furnish GCWW with a bond to ensure satisfactory construction and performance of water main extensions. GCWW establishes the bond amount based on the scope of the water main extension work.

Section 523.02. GCWW Developer's Bond. In accordance with *GCWW's Rules and Regulations*, the Developer must furnish a bond to ensure satisfactory construction and performance of water service branches. GCWW establishes the bond amount based on the number of service branches.

Section 524. Metropolitan Sewer District of Greater Cincinnati

Section 524.01. Completion Bond. In accordance with *MSDGC's Rules and Regulations*, MSDGC requires a bond guaranteeing that completion will be accepted.

Section 525. Stormwater Management Utility

Section 525.01. SMU Surety Bond. In accordance with *SMU's Rules and Regulations*, a surety bond is required to ensure satisfactory construction of all stormwater management facilities.

CHAPTER 6. APPLICATIONS, PERMITS AND FEES

Chapter 6 provides rules, regulations and procedures for applications, permits and fees and is organized as follows:

DIVISION	TITLE	PAGE
600	General	134
610	Applications, Permits and Fees	134
620	Schedule of Prices	138

DIVISION 600. GENERAL

Section 600. General

Section 600.01. Responsibility. The Developer is responsible for assuring compliance with the rules and regulations of all governmental agencies and utility owners related to applications, permits, inspections and fees.

Section 600.02. Initiation. City review and inspection services will only begin after required permits are issued and deposits are made. The Contractor shall only begin construction after required permits are issued.

Section 600.03. Separate Applications, Permits and Fees. Separate applications, permits and fees are required by City agencies involved in the Development process, including DCPB, DOTE, SMU, MSDGC, GCWW, DPS and the City's Department of Parks.

DIVISION 610. APPLICATIONS, PERMITS AND FEES

Section 610. General

Sections 611 - 617 provide a list of applications, permits and fees for each City agency associated with Street Improvements and necessary Subdivision and Dedication Plats.

Section 610.01. Responsibility. The Developer is responsible for ensuring that all permits are obtained and fees paid in compliance with City and County rules and regulations.

Section 611. Department of City Planning and Buildings

Section 611.01. Subdivision Improvement Plan Fee. In accordance with Section 200.1 (c) of *CCPC's Rules and Regulations*, the Developer shall pay a non-refundable fee of \$100 when submitting the Subdivision Improvement Plan to DCPB for review.

Section 611.02. Subdivision Plat Fee. In accordance with Section 300.2 of *CCPC's Rules and Regulations*, the Developer shall pay a non-refundable fee of \$100 when submitting the Subdivision Plat to DCPB for review.

Section 612. Department of Transportation and Engineering

Section 612.01. Plan Review Fees. As required by CMC Section 721-51, the Developer shall submit plans for proposed street improvements to the City Engineer, and the City Engineer will review engineering details of those plans. This review will examine details of submitted plans including utility locations but not utility details. The Owner is responsible for funding these services in accordance with CMC Section 721-55 and this *Manual*.

Once Detail Subdivision Improvement Plans are received, the City Engineer will develop an estimate for review services based on the nature of services and amount of time required. After the Owner deposits a check made payable to "City Treasurer" for this amount with the Right of Way Management Section, this review will begin.

Section 612.02. Application for DOTE Site Development Permit. In accordance with CMC Section 721-47, the Developer shall obtain a permit establishing the conditions and modifications of street improvement plans and specifications under which inspection and supervision will be given.

Once CCPC approves the Subdivision Improvement Plan, the Developer shall submit a completed Application for DOTE Site Development Permit. A sample Application for DOTE Site Development Permit may be found in Appendix B and must be returned to the Right of Way Management Section. The Developer shall ensure that all submittals described in Section 412.01 are provided.

No permit application fee is charged.

Section 612.03. Construction Oversight and Inspection Fees. As required by CMC Section 721-47, street improvements must be constructed under public inspection and supervision. The Owner is responsible for funding these services in accordance with CMC Section 721-49 and this *Manual*.

Once the Developer submits the application described in Section 612.02 and the Contractor submits a construction schedule, the City Engineer will develop an estimate for supervision and inspection services based on the nature of services and amount of time required. This fee will also include the cost for DOTE to obtain an As-Built Survey to locate pavements, paved walks and driveways in the right of way. The Developer must

deposit a check made payable to "City Treasurer" for this amount with the Right of Way Management Section in accordance with CMC Section 721-49 and this *Manual* prior to issuance of a DOTE Site Development Permit.

Section 612.04. DOTE Site Development Permit. Once the City Engineer is satisfied that all submittals are satisfactory and requirements have been met, the Right of Way Management Section will issue a DOTE Site Development Permit.

While no fee is charged, the DOTE Site Development Permit will be issued only after the Developer ensures that a sufficient balance remains for additional Plan Review for changes during construction, and that the deposit for Construction Oversight and Inspection has been made.

Section 612.05. Billing. After the Developer deposits funds for Plan Review and Construction Oversight and Inspection as described in Section 612.01 and Section 612.03, the City will bill the respective funds as described in Division 620. The Developer will be notified of the amount of remaining funds after every two-week pay period.

Section 612.06. Additional Deposits. While DOTE will strive to stay within the original estimates described in Section 612.01 and Section 612.03, if the City Engineer determines that additional funds are required to complete Plan Review or Construction Oversight and Inspection services, the City Engineer will notify the Developer in writing of the additional amount required and reasons for the additional deposit. The Developer shall ensure that additional deposits are made in accordance with CMC Section 721-49 and CMC Section 721-55. The City Engineer may withhold approvals and issuance of permits until such additional deposits have been made.

Section 612.07. Remaining Funds. The Owner must submit a written request for return of the remaining balances in the Plan Review and Construction Oversight and Inspection funds as described in Section 449.02.

Section 613. Stormwater Management Utility

Section 613.01. Review and Inspection Charges. Charges for review of stormwater management facility plans and inspection of stormwater management facility construction will be in accordance with *SMU's Rules and Regulations*.

Section 613.02. Notice of Intent. The Developer is responsible for preparing and submitting a Notice of Intent Form to the Ohio EPA for any development disturbing one or more acres of land. Prior to submittal to the Ohio EPA, the Developer shall submit the completed Form along with the Erosion and Sediment Control Plan to SMU for review and approval. The Developer shall furnish a copy of the Ohio EPA's approval of this request prior to issuance of a DOTE Site Development Permit.

Section 614. Metropolitan Sewer District of Greater Cincinnati

Applications, permits and fees shall be in accordance with *MSDGC's Rules and Regulations*. Charges for MSDGC plan review, construction inspection, and testing of wastewater collection facilities will be in accordance with the rates established by the Board of County Commissioners. The Developer shall deposit funds prior to beginning work and will be billed against said deposit for required MSDGC services.

MSDGC requires individual tap permits for each structure. Tap permit fees are subject to change as approved by the Board of County Commissioners.

Section 615. Greater Cincinnati Water Works

Section 615.01. Preliminary Application. The Developer or Engineer must submit a Preliminary Application to GCWW along with a Concept Plan. After review of this submission, GCWW will establish terms and conditions for extensions of and modifications to the water supply system.

Section 615.02. GCWW Fees. The Developer is responsible for ensuring payment of all fees for GCWW detail plan reviews; construction and material inspections; and pressure, disinfection and bacterial testing for the water main and service branch installation in accordance with *GCWW's Rules and Regulations*. GCWW will bill the Contractor for all GCWW fees related to the Development.

Section 615.03. Letter of Intent. In accordance with *GCWW's Rules and Regulations*, the Contractor must submit a Letter of Intent along with the Contractor's Bond required by *GCWW's Rules and Regulations*. The Letter of Intent shall include the GCWW Project Number (CIN###), Project Name, a description of the location and limits, and a tentative start date.

Section 616. Department of Parks

Section 616.01. Street Tree Agreement. The Owner may ask Urban Forestry to plant all street trees instead of the Contractor. If Urban Forestry can perform this work, the Owner shall pay the City's Department of Parks the amount determined by Urban Forestry for this work in advance. Once the payment is made, the Owner's obligation to plant street trees will be satisfied. This option relieves the Owner of further responsibility for planting street trees, eliminates Owner responsibility for rejection, enables Urban Forestry to follow the trees through the one-year guarantee period, reduces bonding requirements, and may speed the dedication and acceptance process.

If Urban Forestry performs this work, Urban Forestry will have its landscape contractor supply, plant and guarantee for one year all street trees. Trees will be planted during the planting season after the Final Completion Date as described in Section 426.05.

Section 617. Department of Public Services

Section 617.01. Traffic Services Agreement. The Developer shall enter into a Traffic Services Agreement with DPS to pay for their services as described below.

- A. **Scope.** The scope of services to be included in a Traffic Services Agreement may include the following:
1. **Installation of Traffic Control Devices.** The City may require that traffic signs, pavement markings and traffic signals be installed by City forces. This determination will be made during the Detail Subdivision Improvement Plan Phase.
 2. **Removal and Relocation of Traffic Control and Street Lighting Equipment.** Generally, City forces will remove and relocate existing Traffic Control and Street Lighting Equipment.
- B. **Sequence.** Once the Owner submits an Application for a Site Development Permit as described in Section 612.02, the Contractor shall schedule a meeting with the City Traffic Engineer to identify impacts on traffic control and street lighting equipment during construction. After that meeting, the City Traffic Engineer will develop an estimate for labor, materials and equipment to:
1. Install Traffic Control Devices, if applicable; and
 2. Remove and relocate existing Traffic Control and Street Lighting Equipment.
- C. **Agreement and Deposit.** The Owner shall enter into a Traffic Services Agreement with DPS for the identified scope of work and provide a certified check for the estimated amount made payable to "City Treasurer" with the Traffic and Roadway Operations Division of DPS. Once these conditions are met and the DOTE Site Development Permit is issued, this work may proceed.
- D. **Billing.** DPS will pay all costs for labor, materials and equipment required to perform the required work from the amount deposited. Should the actual cost of this work exceed the amount deposited, DPS will bill the Owner for the difference; if less, the Owner may request return of the remaining balance upon the effective date of the Acceptance Ordinance and expiration of the Warranty Period.

DIVISION 620. SCHEDULE OF PRICES

Section 620. General

Sections 620 - 621 provide the basis for DOTE charges for Plan Review and Construction Oversight and Inspection as described in Section 612.01 and Section 612.03. Rates charged for services by SMU, MSDGC, GCWW, DPS and other City agencies shall be in accordance with their respective rules and regulations.

Section 621. Charges

DOTE charges will be based on the number of hours worked by assigned DOTE employees for Plan Review and Construction Oversight and Inspection of Street Improvements multiplied by their respective compensation rates. If the City contracts with a consultant to provide these services, DOTE charges will be based on the amount paid to the consultant for those services and City charges associated with provision of those services.

Section 621.01. Hours Worked. Hours worked will be obtained from assigned employee's work reports. Union agreements and City rules and regulations may establish the minimum number of hours for scheduled or unscheduled overtime.

Section 621.02. Compensation Rate. Compensation rates shall be based on the assigned DOTE employee's Hourly Pay Rate adjusted by any applicable Premium Rates and by the Overhead Rate.

- A. **Hourly Pay Rate.** The hourly pay rate earned by the employee performing the work.
- B. **Premium Rate.** The additional hourly rate earned by the employee performing the work, including, but not limited to, overtime, holiday and special assignment pay in accordance with Union Agreements and City rules and regulations. Premium rates typically apply when construction requires inspection on City holidays, more than eight hours in a day, on weekends, or during second or third shift.
- C. **Overhead Rate.** The overhead rate, as determined by the City's Department of Finance, will include employee health care, pension, insurance, other benefits, and administrative charges.

CHAPTER 7. AVAILABILITY AND DELIVERY OF SERVICES

Chapter 7 provides information about responsibility for delivery and availability of various services on Cincinnati streets.

DIVISION 700. SERVICES

Section 700. General

Sections 700 - 711 provide information about the availability of and responsibility for providing specific services based on a street's legal status (see Section 119.08).

Section 700.01. Street Status. A street's legal status generally determines responsibilities for providing services listed in this Chapter. The following describes the general impact of legal status on responsibility for providing these services.

- A. **Private Street.** The City and utility owners are responsible for providing a limited number of services to property owners along Private Streets. Except as provided by law, the Owner is responsible for delivery of services not otherwise provided unless specifically assigned to a Home Owners' Association, Condominium Association or other private entity.
- B. **Dedicated Streets.** The City and utility owners are responsible for providing a limited number of services to property owners along Dedicated Streets that have not been accepted. Except as provided by law, the Owner or other private party is responsible for delivery of services not otherwise provided.
- C. **Public Streets.** Generally, the City and utility owners are responsible for providing the services described along Public Streets. Exceptions are services specifically included in easements, agreements and warranty repairs that are the responsibility of the Contractor.

Section 701. Street Addresses

DOT's Transportation Design Section will assign street addresses (house numbers) for all lots regardless of street status. The Developer must request street addresses from the Transportation Design Section after the Subdivision Plat is approved by CCPC but prior to recording it with Hamilton County.

Section 702. Firefighting Services

Firefighters will respond to emergencies at all times regardless of a street's status. Call 911 to report emergencies.

Section 703. Paramedic Services

Paramedic services are available at all times regardless of a street's status. Call 911 to report emergencies.

Section 704. Police Services

Police services are available as described in the following sections.

Section 704.01. Emergency Response. Police will respond to emergencies at all times regardless of a street's status. Call 911 to report emergencies.

Section 704.02. Criminal Investigations. Police will conduct criminal investigations at all times regardless of a street's status. Call 911 to report emergencies.

Section 704.03. Accident Investigations. Police will respond to traffic accidents, conduct investigations and prepare reports at all times regardless of a street's status. Call 911 to report accidents.

Section 704.04. Traffic Citations. The Police cannot issue certain citations on Dedicated or Private Streets. Contact the respective Police District to request service.

Section 705. Postal Service

Postal service is available regardless of street status. Property owners and tenants must complete and file a USPS Change of Address form to begin delivery.

Section 706. Public Infrastructure Repair, Operation and Maintenance

Section 706.01. Private and Dedicated Streets. Unless modified by separate agreement or easement, the Owner, Developer or other private entities are responsible for repair, operation and maintenance of Private and Dedicated Streets, including roadways; traffic control devices and streetlights; publicly owned utilities, including stormwater management, wastewater collection and water supply facilities; and all other infrastructure.

Section 706.02. Public Streets. Unless modified by separate agreements or easements, the City and utility owners are responsible for repair, operation and maintenance of Public Streets, including roadways; traffic control devices and streetlights; publicly owned utilities, including stormwater management, wastewater collection and water supply facilities; and all other infrastructure.

Section 706.03. Sidewalk Space. Maintenance and repair of the sidewalk space, including paved walks, driveways and sod strip, is the responsibility of the abutting property owner as described in CMC Section 721-147.

Call Cincinnati Customer Service weekdays at 513-591-6000 or visit www.5916000.com anytime to request repairs of a Public Street. To report hazardous conditions at other times, call 911.

Section 706.04. Contractor Responsibility. Regardless of a street's status, the Contractor is responsible for:

- A. maintenance until the Final Completion Date; and
- B. repairs until the end of the Warranty Period.

Section 706.05. Developer Responsibility. For Dedicated Streets, the Developer is responsible for:

- A. maintenance from the Final Completion Date until the effective date of the Acceptance Ordinance; and
- B. repairs from the end of the Warranty Period until the effective date of the Acceptance Ordinance.

Section 707. Snow Removal

The City can only treat or remove snow from Public Streets. While Public Streets are typically treated and plowed on a systematic basis, call Cincinnati Customer Service weekdays at 513-591-6000 or visit www.5916000.com anytime to request treatment or snow removal on a Public Street.

Section 708. Street Name Signs

The City can only install street name signs on Dedicated and Public Streets. During street construction, the Developer is responsible for providing identification signs for the site and streets. Once construction nears completion, but at least 30 days prior to building occupancy, the Developer shall write the City Traffic Engineer to request installation of street name signs. Once installed, the street name sign will have a yellow 'Private Street' tab on it until it becomes a Public Street. The Owner shall be responsible for reimbursing the City for damage to street name signs before the street becomes a Public Street.

Call Cincinnati Customer Service weekdays at 513-591-6000 or visit www.5916000.com anytime to request replacement of a street name sign on a Public Street.

Section 709. Street Sweeping

The City can only sweep Public Streets. While Public Streets are swept on a scheduled basis, call Cincinnati Customer Service weekdays at 513-591-6000 or visit www.5916000.com anytime to request sweeping of a Public Street.

Section 710. Street Trees

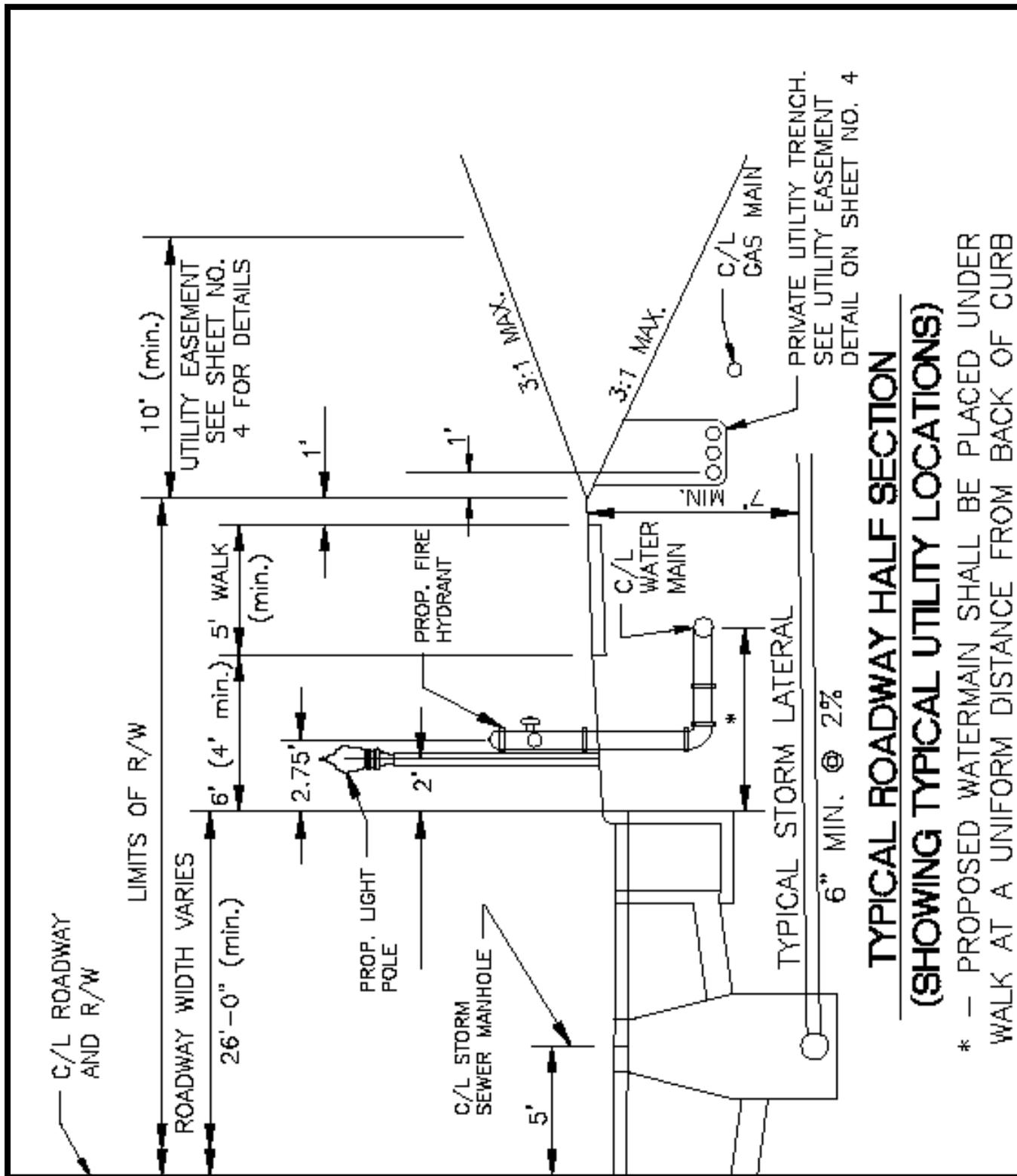
The City can only plant and maintain trees on Public Streets. While trees on Public Streets are maintained on a periodic basis, call Cincinnati Customer Service weekdays at 513-591-6000 or visit www.5916000.com anytime to report problems with trees on a Public Street.

Section 711. Waste Collection

Waste collection is available to property owners on all streets, regardless of status, on scheduled collection days. Call Cincinnati Customer Service weekdays at 513-591-6000 to initiate waste collection services.

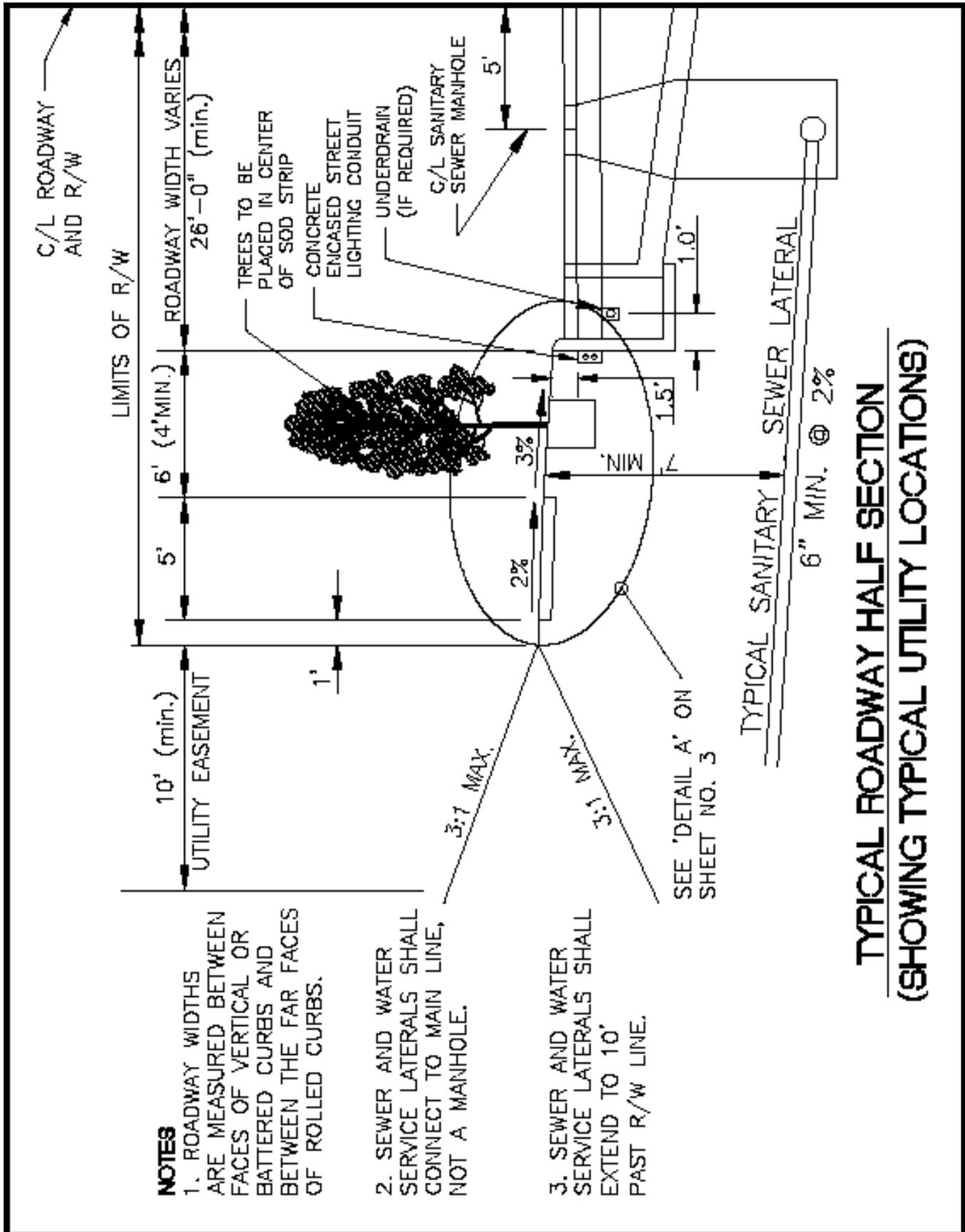
APPENDIX A. STANDARD DRAWINGS

STD. DWG.	TITLE	PAGE
1	Typical Half-Section (Right) Utility Locations	145
2	Typical Half-Section (Left) Utility Locations	146
3	Sidewalk Space Details	147
4	Utility Easement Details	148
5	Utility Crossover Details	149
6	Cul-de-sac Details (Circular)	150
7	Cul-de-sac Details (Tee)	151



**TYPICAL ROADWAY HALF SECTION
(SHOWING TYPICAL UTILITY LOCATIONS)**

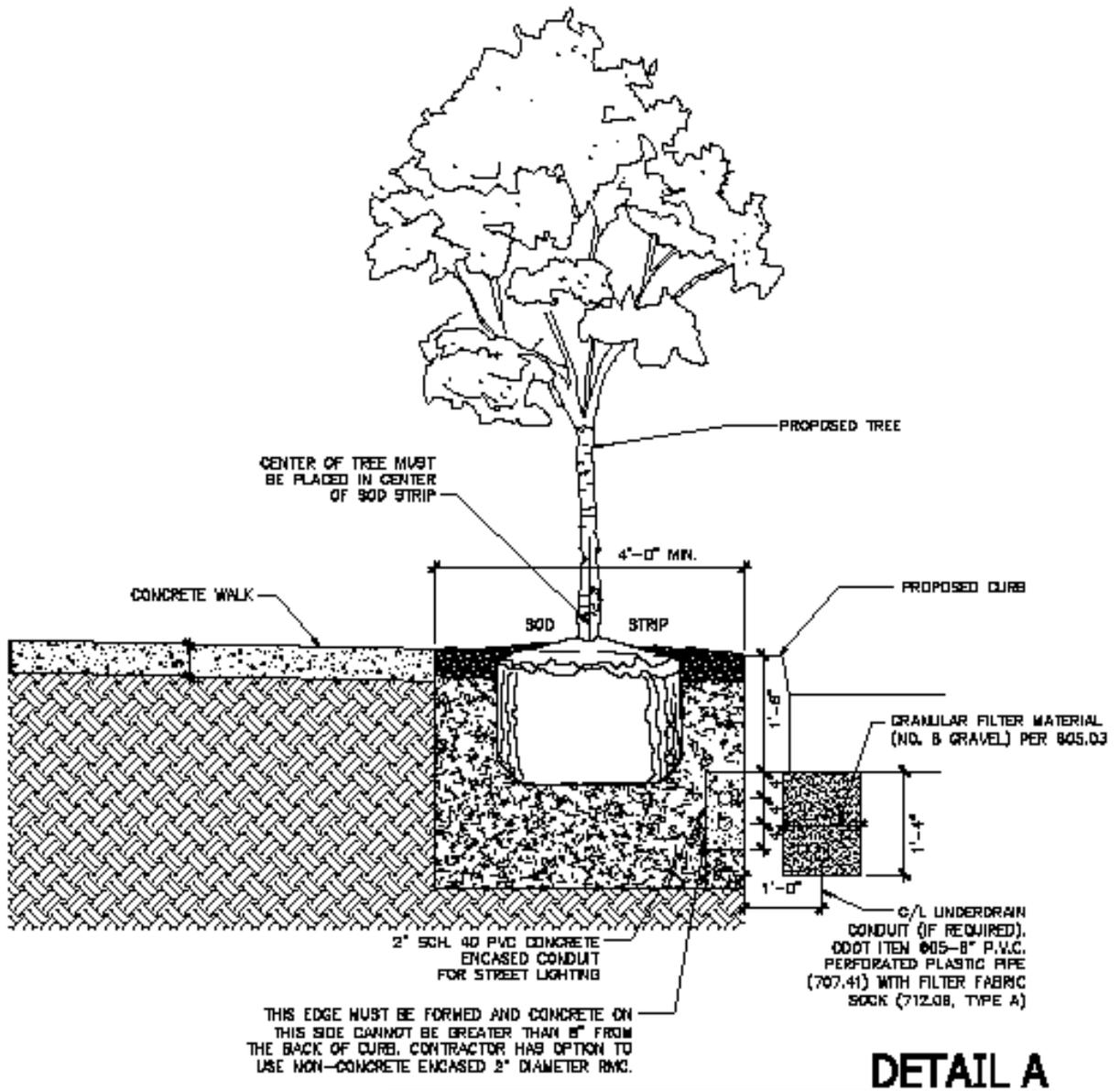
* - PROPOSED WATERMAIN SHALL BE PLACED UNDER WALK AT A UNIFORM DISTANCE FROM BACK OF CURB

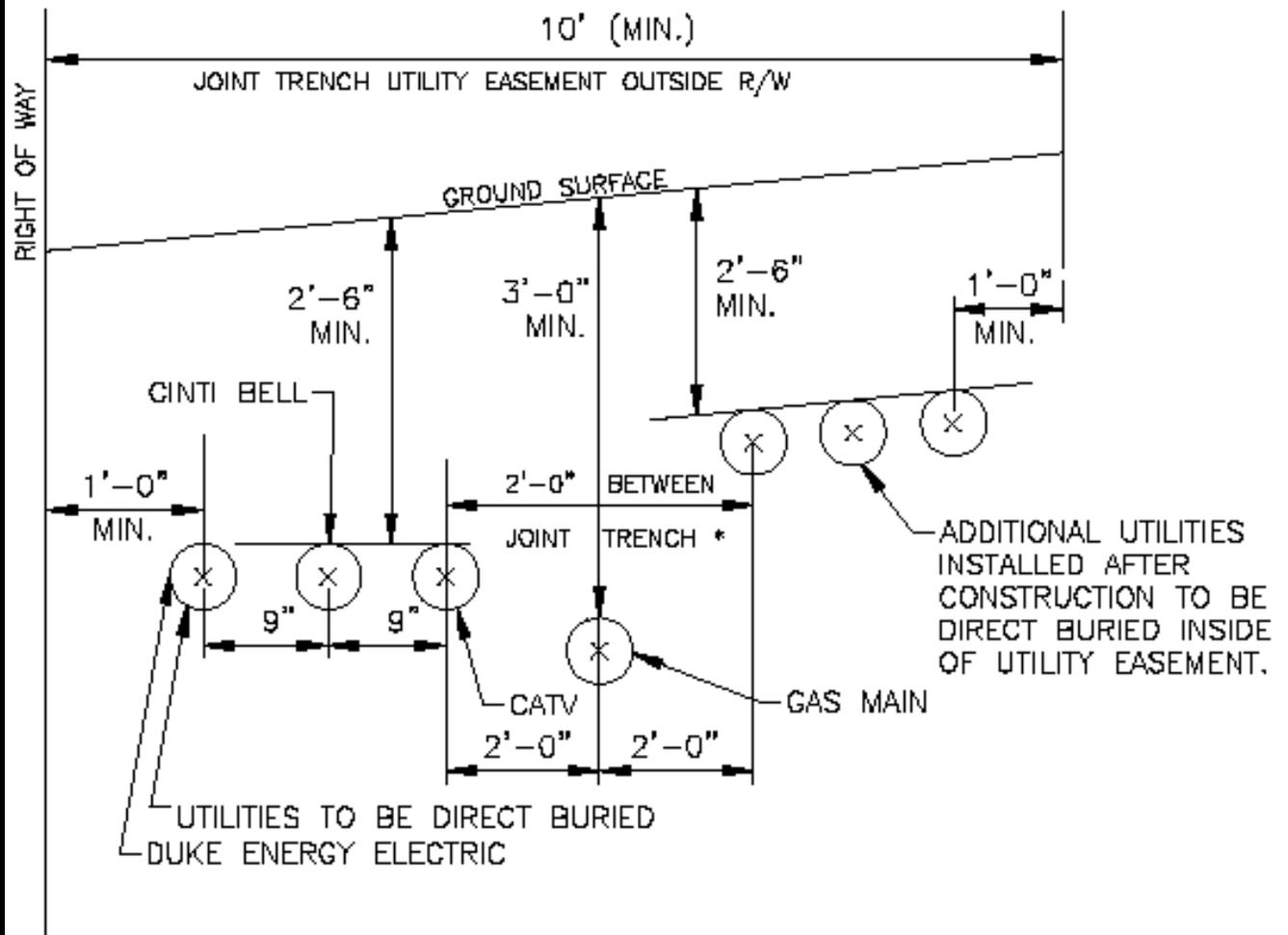


NOTES

1. ROADWAY WIDTHS ARE MEASURED BETWEEN FACES OF VERTICAL OR BATTERED CURBS AND BETWEEN THE FAR FACES OF ROLLED CURBS.
2. SEWER AND WATER SERVICE LATERALS SHALL CONNECT TO MAIN LINE, NOT A MANHOLE.
3. SEWER AND WATER SERVICE LATERALS SHALL EXTEND TO 10' PAST R/W LINE.

**TYPICAL ROADWAY HALF SECTION
(SHOWING TYPICAL UTILITY LOCATIONS)**



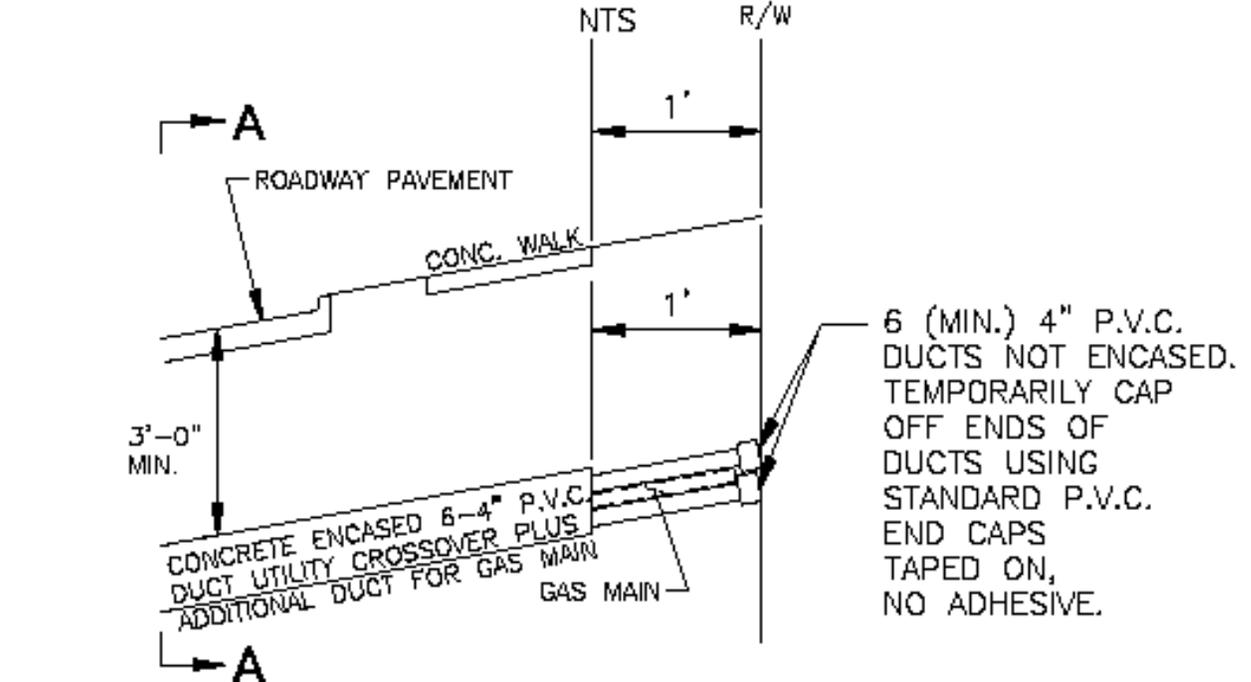


CROSS SECTION UTILITY EASEMENT DETAIL

NTS

* APPLIES ONLY IF NO UTILITY IS BETWEEN
JOINT UTILITY TRENCHES

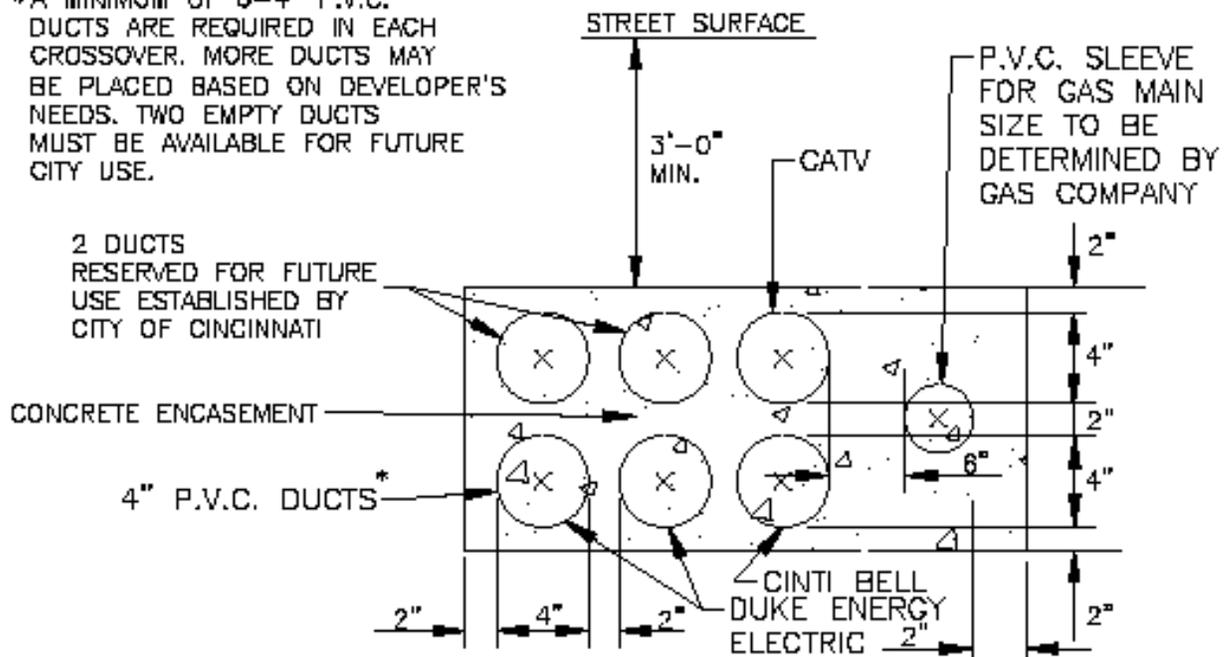
CROSS SECTION UTILITY CROSSOVER DETAIL

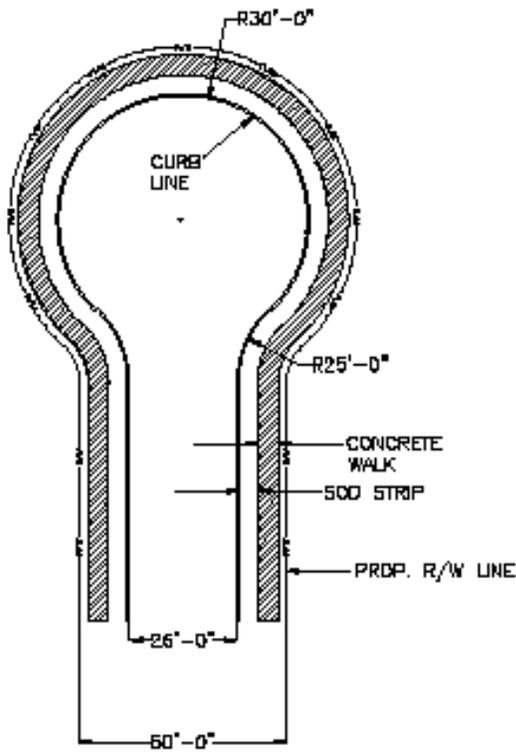


SECTION A-A

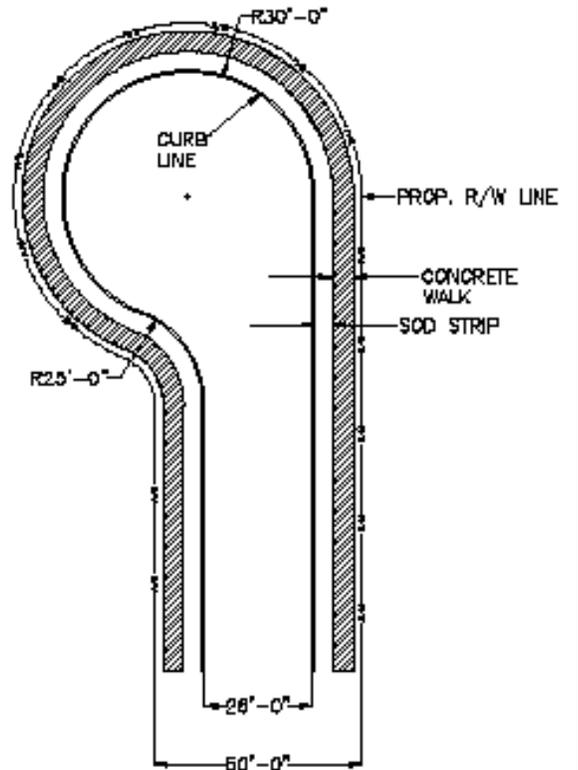
NTS

*A MINIMUM OF 6-4" P.V.C. DUCTS ARE REQUIRED IN EACH CROSSOVER. MORE DUCTS MAY BE PLACED BASED ON DEVELOPER'S NEEDS. TWO EMPTY DUCTS MUST BE AVAILABLE FOR FUTURE CITY USE.



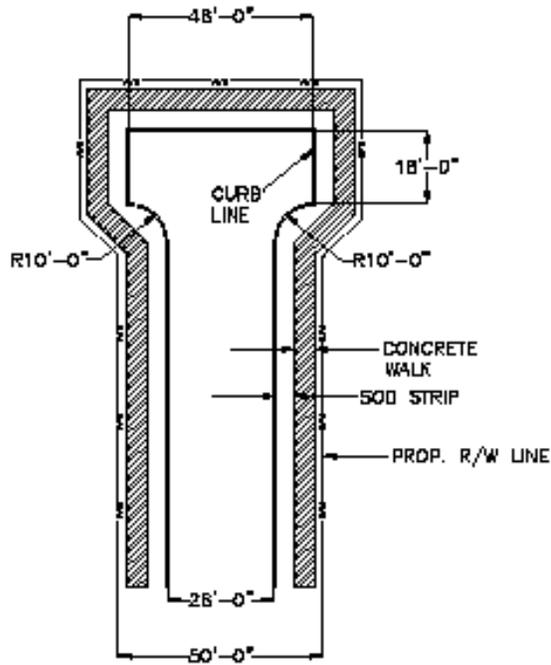


CIRCULAR TURN AROUND

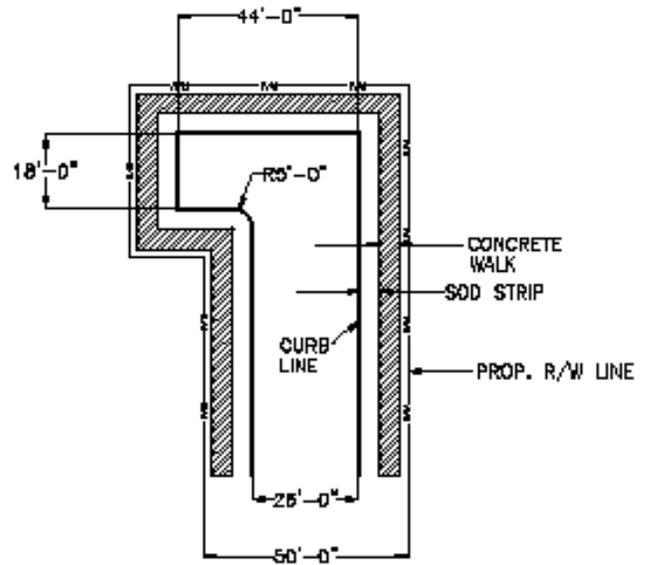


OFFSET CIRCULAR TURN AROUND

RESIDENTIAL CUL-DE-SACS



TEE TURN AROUND



OFFSET TEE TURN AROUND

RESIDENTIAL CUL-DE-SACS

APPENDIX B. SAMPLE DOCUMENTS AND FORMS

SAMPLE DOCUMENT/FORM	PAGE
Dedication Plats	153
Record Plats	161
Application for Revocable Street Privilege Information Sheet	163
Application for DOTE Site Development Permit	164
DOTE Site Development Permit	170
DOTE Developer's Surety Bond Agreement	171
DOTE Developer's Surety Bond	174
Final Completion Letter	176
One-Year Warranty Letter	177
Acceptance Ordinance Transmittal	179
Acceptance Ordinance	180

OWNERS CONSENT AND DEDICATION

WE, THE UNDERSIGNED, BEING THE OWNERS AND LIENHOLDERS OF THE LANDS HEREIN DESCRIBED, DO HEREBY ADOPT AND CONFIRM THIS PLAT OF SUBDIVISION, AND DEDICATE MEDPACE WAY, AND PORTIONS OF MADISON ROAD AS SHOWN HEREON TO PUBLIC USE FOR STREET PURPOSES FOREVER.

WE ALSO GRANT UNTO THE COUNTY OF HAMILTON, OHIO, ITS SUCCESSORS AND ASSIGNS, EASEMENTS FOR SANITARY SEWERS AS CONSTRUCTED, WITHIN AND OUTSIDE OF THE LIMITS OF THE SUBDIVISION AS SHOWN HEREON AND SUBJECT TO RESTRICTIONS ON SEWER EASEMENTS AS DESCRIBED HEREON. WE ALSO HEREBY ACKNOWLEDGE THAT SANITARY SEWERS ARE NOT AVAILABLE AND NO TAP PERMITS SHALL BE ISSUED OR OCCUPANCY PERMITTED UNTIL THE SANITARY SEWERS ARE COMPLETED, APPROVED, AND ACCEPTED BY THE HAMILTON COUNTY BOARD OF COUNTY COMMISSIONERS, ITS SUCCESSORS AND ASSIGNS. WE ALSO GRANT UNTO THE CITY OF CINCINNATI, OHIO, ITS SUCCESSORS AND ASSIGNS, EASEMENTS FOR STORM SEWERS AS SHOWN AND SUBJECT TO RESTRICTIONS ON SEWER EASEMENTS AS DESCRIBED HEREON. WE ALSO DO HEREBY ADOPT AND CONFIRM THIS PLAT OF PRIVATE DRAINAGE LIMITS. WE ALSO ACKNOWLEDGE THAT SAID DRAINAGE LIMITS AS SHOWN ON THIS PLAT, BOTH INSIDE AND OUTSIDE THE LIMITS OF THE DEDICATION, SHALL BE RESERVED FOR STORM SEWERS, PRIMARY STRUCTURES AND DETENTION PURPOSES ONLY AND SUBJECT TO THE TERMS AND CONDITIONS OF THE PRIVATE DRAINAGE LIMITS NOTE AS DESCRIBED HEREON. WE ALSO HOLD THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, AND/OR THE CITY OF CINCINNATI, THEIR SUCCESSORS AND ASSIGNS, HARMLESS FOR ANY DAMAGES TO THE PRIVATE DRIVES DUE TO THE MAINTENANCE OF SANITARY AND/OR STORM SEWERS.

WE, THE UNDERSIGNED, DO HEREBY CONFIRM AND ADOPT THIS PLAT OF LANDS. WE ALSO GUARANTEE THE PAYMENT OF ALL TAXES AND ASSESSMENTS THAT ARE A LIEN ON SAID PROPERTY ON THE DATE OF ACCEPTANCE.

GRANT OF PRIVATE STORM SEWER EASEMENT

FOR VALUABLE CONSIDERATION, WE, THE UNDERSIGNED, DO HEREBY PERMANENTLY GRANT TO THE PROPERTY OWNERS, THEIR SUCCESSORS AND ASSIGNS, FOREVER, NON-EXCLUSIVE EASEMENTS, AS SHOWN ON THE WITHIN PLAT AND DESIGNATED AS "STORM SEWER EASEMENT" FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF ANY AND ALL FIXTURES FOR THE PURPOSE OF THE UNDERGROUND DISTRIBUTION OF SEWERS. SAID PROPERTY OWNERS SHALL HAVE THE RIGHT OF INGRESS & EGRESS AND ALSO THE RIGHT TO CUT, TRIM OR REMOVE TREES, LANDSCAPING, UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO. NEITHER THE BOARD OF COUNTY NOR THE CITY OF CINCINNATI SHALL BE RESPONSIBLE TO MAINTAIN, REPAIR OR REPLACE THE UNDERGROUND PIPING AND/OR ITS FIXTURES AND SUCH GOVERNMENTAL AUTHORITIES SHALL HAVE NO LIABILITY FOR ANY INJURIES OR DAMAGE RELATING TO THE UNDERGROUND PIPING. TO HAVE AND HOLD THE SAID EASEMENTS FOREVER, WE ACKNOWLEDGE HAVING FULL POWER TO CONVEY THIS EASEMENT AND WILL DEFEND THE SAME AGAINST ALL CLAIMS.

GRANT OF PUBLIC UTILITY EASEMENTS

FOR VALUABLE CONSIDERATION, WE, THE UNDERSIGNED, DO HEREBY PERMANENTLY GRANT TO DUKE ENERGY, CINCINNATI BELL TELEPHONE COMPANY, WARNER CABLE AND OTHER FACILITIES APPROVED BY THE CITY OF CINCINNATI, THEIR SUCCESSORS AND ASSIGNS, FOREVER, NON-EXCLUSIVE EASEMENTS, AS SHOWN ON THE WITHIN PLAT AND DESIGNATED AS "UTILITY EASEMENT"; FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF ANY AND ALL FIXTURES FOR THE OVERHEAD OR UNDERGROUND DISTRIBUTION OF GAS, ELECTRIC, TELEPHONE OR TELECOMMUNICATIONS OR OTHER UTILITIES. SAID UTILITY COMPANIES SHALL HAVE THE RIGHT OF INGRESS & EGRESS AND ALSO THE RIGHT TO CUT, TRIM OR REMOVE TREES, LANDSCAPING, UNDERGROWTH OR OVERHANGING BRANCHES WITHIN SAID EASEMENT OR IMMEDIATELY ADJACENT THERETO. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENT, NOR MAY THE EASEMENT AREAS BE PHYSICALLY ALTERED SO AS TO (1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR ABILITY TO MAINTAIN THE FACILITIES OR (4) CREATE A HAZARD. TO HAVE AND HOLD THE SAID EASEMENTS FOREVER, WE ACKNOWLEDGE HAVING FULL POWER TO CONVEY THIS EASEMENT AND WILL DEFEND THE SAME AGAINST ALL CLAIMS.

BY: RBM DEVELOPMENT CO, LLC

OWNER (SIGNED NAME)

WITNESS (SIGNED NAME)

OWNER (PRINTED NAME)

WITNESS (PRINTED NAME)

WITNESS (SIGNED NAME)

WITNESS (PRINTED NAME)

STATE OF OHIO)
COUNTY OF HAMILTON)
BE IT REMEMBERED THAT ON THIS _____ DAY OF _____ A.D., 2011, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID
STATE, PERSONALLY CAME _____ OF RBM DEVELOPMENT CO. LLC WHO, ON BEHALF OF SAID OHIO LIMITED
LIABILITY COMPANY AND FOR THEMSELVES AS SUCH OFFICERS DULY AUTHORIZED BY ITS BOARD OF DIRECTORS ACKNOWLEDGED THE SIGNING OF THE
FOREGOING INSTRUMENT TO BE THEIR/ITS VOLUNTARY ACT AND DEED FOR THE PURPOSE IN SAID INSTRUMENT MENTIONED.
IN TESTIMONY WHEREOF, I HEREUNTO SET MY HAND AND AFFIX MY NOTARIAL SEAL ON THE DAY AND DATE AFORESAID.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

BY: 100 MEDPACE WAY, LLC

OWNER (SIGNED NAME) _____ WITNESS (SIGNED NAME)

OWNER (PRINTED NAME) _____ WITNESS (PRINTED NAME)

WITNESS (SIGNED NAME) _____

WITNESS (PRINTED NAME) _____

STATE OF OHIO)
COUNTY OF HAMILTON)
BE IT REMEMBERED THAT ON THIS _____ DAY OF _____ A.D., 2011, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID
STATE, PERSONALLY CAME _____ OF 100 MEDPACE WAY, LLC, WHO, ON BEHALF OF SAID CORPORATION AND
FOR THEMSELVES AS SUCH OFFICERS DULY AUTHORIZED BY ITS BOARD OF DIRECTORS ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE
THEIR/ITS VOLUNTARY ACT AND DEED FOR THE PURPOSE IN SAID INSTRUMENT MENTIONED. IN TESTIMONY WHEREOF, I HEREUNTO SET MY HAND AND AFFIX
MY NOTARIAL SEAL ON THE DAY AND DATE AFORESAID.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

PRIVATE DRAINAGE EASEMENT

THE CITY OF CINCINNATI, OHIO AND THE HAMILTON COUNTY BOARD OF COMMISSIONERS OF HAMILTON COUNTY, OHIO DO NOT ACCEPT ANY PRIVATE SEWER EASEMENTS SHOWN ON THIS PLAT. THE CITY OF CINCINNATI, OHIO AND THE HAMILTON COUNTY BOARD OF COMMISSIONERS OF HAMILTON COUNTY, OHIO ARE NOT OBLIGATED TO MAINTAIN, REPAIR, OR OPERATE ANY PRIVATE SEWER LINE IN THE SUBDIVISION AND OUTSIDE THE LIMITS OF THE DEDICATION. OPERATION AND MAINTENANCE OF ALL PRIVATE SEWER LINES WITHIN THE SUBDIVISION AND OUTSIDE THE LIMITS OF THE DEDICATION ARE THE OBLIGATION OF THE OWNERS USING THE PRIVATE SEWER LINES.

PRIVATE DRAINAGE SYSTEM

IN THE EVENT THAT THE PRIVATE DRAINAGE SYSTEM LOCATED WITHIN THE LIMITS OF THIS DEVELOPMENT IS NOT MAINTAINED TO THE SATISFACTION OF THE CITY OF CINCINNATI, OHIO THEN THE CITY SHALL HAVE THE RIGHT TO ENTER UPON THE LOTS WHICH DRAINAGE SYSTEM IS LOCATED, TAKE ANY CORRECTIVE ACTION IT DEEMS NECESSARY, AND CHARGE THE OWNERS OF THE LOTS IN THE SUBDIVISION FOR SUCH CORRECTIVE ACTION. THE DEDICATORS OF THIS PLAT FOR THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS, HERE BY HOLD THE CITY OF CINCINNATI, OHIO HARMLESS FOR ANY DAMAGES TO THE CITY, ITS EMPLOYEES, AGENTS OR CONTRACTORS MAY CAUSE IN TAKING ANY CORRECTIVE ACTION TO THE DRAINAGE SYSTEM LOCATED UPON THE LOTS ON THIS PLAT, BOTH INSIDE AND OUTSIDE THE LIMITS OF THE DEDICATION.

PRIVATE STORM DRAINAGE EASEMENT NOTE

THE CITY OF CINCINNATI, OHIO AND THE HAMILTON COUNTY BOARD OF COMMISSIONERS OF HAMILTON COUNTY, OHIO DO NOT ACCEPT ANY PRIVATE SEWER EASEMENTS SHOWN ON THIS PLAT AND THE CITY OF CINCINNATI, OHIO OR THE HAMILTON COUNTY BOARD OF COMMISSIONERS OF HAMILTON COUNTY, OHIO IS NOT OBLIGATED TO MAINTAIN, REPAIR, OR OPERATE ANY CHANNEL INSTALLATIONS IN SAID EASEMENTS. THE PRIVATE DRAINAGE EASEMENT AREA OF THE LOT AND ALL IMPROVEMENTS IN THEM ARE TO BE MAINTAINED BY THE OWNER OF THE LOT. WITHIN THE PRIVATE DRAINAGE EASEMENTS, NO STRUCTURES, PLANTINGS OR OTHER IMPROVEMENTS WILL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD OR CHANGE THE DIRECTION OF FLOW THROUGH THE DRAINAGE CHANNEL IN THE EASEMENT.

RESTRICTIONS ON PERMANENT SEWER EASEMENTS (STORM)

NO IMPROVEMENTS OF ANY KIND WHICH CAN INTERFERE WITH ACCESS TO SAID PUBLIC SEWER EASEMENT SHALL BE PLACED UPON A PERMANENT SEWER EASEMENT, EXCEPTING SUCH ITEMS AS RECREATIONAL SURFACES, PAVED AREAS FOR PARKING LOTS, DRIVEWAYS, OR OTHER SURFACES USED FOR INGRESS AND EGRESS, PLANTS, TREES, SHRUBBERY, FENCES, LANDSCAPING, OR OTHER SIMILAR ITEMS WHICH MAY BE PLACED UPON SAID PERMANENT SEWER EASEMENT. PAVED AREAS, PLANTS, TREES, SHRUBBERY, FENCES, LANDSCAPING OR OTHER SIMILAR ITEMS WHICH MAY BE PLACED UPON SAID PERMANENT SEWER EASEMENT SHALL NOT BE RESPONSIBLE TO ANY PRESENT OWNERS OF THE PROPERTY NOR THEIR EXECUTORS, ADMINISTRATORS, OR ASSIGNS FOR THE CONDITION, DAMAGES TO OR REPLACEMENT OF SUCH AFORESAID ITEMS, OR ANY OTHER ITEMS PLACED UPON THE EASEMENT, RESULTING FROM THE EXISTENCE OF OR USE OF THE SAID PERMANENT EASEMENT BY THE GRANTEEES OR ASSIGNS. ANY STRUCTURE CONSTRUCTED ON GRANTEEES PROPERTY ADJOINING SAID PERMANENT EASEMENT SHALL BE KEPT NOT LESS THAN 3 FEET OUTSIDE THE PERMANENT SEWER EASEMENT LINE NEAREST THE SITE OF THE PROPOSED STRUCTURE. ANY DEVIATION FROM THE AFORESAID RESTRICTIONS SHALL BE PETITIONED BY WRITTEN REQUEST TO THE GRANTEEES OR ASSIGNS. EACH SUCH REQUEST SHALL BE CONSIDERED ON AN INDIVIDUAL BASIS WITH THE APPROVAL NOT BEING UNREASONABLY WITHHELD.

SERVICE CHARGES, ASSESSMENTS, AND FEES

THE OWNERS OF ALL PROPERTIES SHOWN ON THIS RECORD PLAT SHALL BE SUBJECT TO ALL APPLICABLE SEWER SERVICE CHARGES, ASSESSMENTS, TAP-IN CHARGES OR FEES WHICH MAY HAVE BEEN OR MAY BE ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS OR THE CITY OF CINCINNATI.

RESTRICTIONS ON PERMANENT SEWER EASEMENTS (SANITARY)

NO STRUCTURE OF ANY KIND WHICH CAN INTERFERE WITH THE ACCESS TO SAID PUBLIC SEWER SHALL BE PLACED IN OR UPON THE PERMANENT SEWER EASEMENT, EXCEPTING ITEMS SUCH AS RECREATIONAL SURFACES, PAVED AREAS FOR PARKING LOTS, DRIVEWAYS, OR OTHER SURFACES USED FOR INGRESS AND EGRESS, TREES, SHRUBBERY, FENCES, LANDSCAPING, OR OTHER SIMILAR ITEMS, BEING NATURAL OR ARTIFICIAL.

ANY OF THE AFORESAID SURFACES, PAVED AREAS, PLANTS, TREES, SHRUBBERY, FENCES, LANDSCAPING OR OTHER SIMILAR ITEMS WHICH MAY BE PLACED UPON SAID PERMANENT EASEMENT, SHALL BE PLACED AT THE SOLE EXPENSE OF THE PROPERTY OWNER, AND THE GRANTEEES OR ASSIGNS OF ANY PERMANENT EASEMENT, HENCEFORTH SHALL NOT BE RESPONSIBLE TO ANY PRESENT OWNERS OF THE PROPERTY, NOR TO THEIR HEIRS, EXECUTORS, ADMINISTRATORS, OR ASSIGNS, FOR THE CONDITION, DAMAGES TO, OR REPLACEMENT OF ANY SUCH AFORESAID ITEMS, OR ANY OTHER ITEMS PLACED UPON THE EASEMENT, AND RESULTING FROM THE EXISTENCE OR USE OF THE SAID PERMANENT EASEMENT BY THE GRANTEEES OR ASSIGNS.

ANY STRUCTURE CONSTRUCTED ON SAID PROPERTY IN WHICH SAID PERMANENT SEWER EASEMENT EXISTS SHALL BE KEPT NOT LESS THAN THREE (3) FEET OUTSIDE THE PERMANENT SEWER EASEMENT LINE NEAREST THE SITE OF THE PROPOSED STRUCTURE.

ANY DEVIATION FROM THE AFORESAID RESTRICTIONS SHALL BE PETITIONED BY WRITTEN REQUEST TO THE GRANTEEES OR THEIR ASSIGNS. EACH SUCH REQUEST SHALL BE CONSIDERED ON AN INDIVIDUAL BASIS.

CITY OF CINCINNATI DEPARTMENT OF TRANSPORTATION AND ENGINEERING

THIS PLAT RECOMMENDED FOR APPROVAL.

CITY ENGINEER _____ DATE _____

CITY OF CINCINNATI PLANNING COMMISSION

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CINCINNATI AT A MEETING HELD THE _____ DAY OF _____ A.D., 2011.

APPROVED BY: _____
CHARLES C. GRAVES, III
DIRECTOR, DEPARTMENT OF CITY PLANNING AND BUILDINGS

SANITARY SEWERS

SANITARY SEWERS ACCEPTED FOR OPERATION AND MAINTENANCE WITHIN THE RIGHT-OF-WAY OF STREETS AND SANITARY SEWER EASEMENTS AS SHOWN, ACCEPTED ON THIS _____ DAY OF _____ A.D., 2011, BY, FOR, ON BEHALF OF AND IN THE NAME OF THE COUNTY OF HAMILTON AND UNDER THE AUTHORITY OF ITS BOARD OF COUNTY COMMISSIONERS BY VIRTUE OF R.C. SECTION 305.30 AND THE RESOLUTION ADOPTED OCTOBER 26, 2005.

COUNTY ADMINISTRATOR _____

APPROVED BY: _____
INTERIM SEWERS CHIEF ENGINEER (MSD)

APPROVED BY: _____
CHIEF ENGINEER (STORMWATER MANAGEMENT UTILITY)

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS MAP IS BASED ON A SURVEY MADE BY KLEINGERS AND ASSOCIATES, AT MY DIRECTION IN AUGUST 2010 AND THE MONUMENTS ARE OR ~~WILL~~ BE SET AS SHOWN HEREON.

Surveyor Signature _____ Date _____
Surveyor Printed Name _____
Surveyor State License No. _____

SAMPLE DEDICATION PLAT - PAGE 1D

Page 5 of 8

DEDICATION PLAT
2.141 ACRES
SECTION 19, TOWN 4, FRACTIONAL RANGE 2
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

SCALE: 1"=100'
DATE: 8/27/2010
DRAWN: MDH
DESIGNED:
CHECKED: RCW
XREF:
JOB NO.: 08010M004
DEDICATION PLAT

Page
1
Of
2

OWNERS AND DEVELOPERS
RBM DEVELOPMENT CO., LLC
600 WINE STREET, SUITE 2800
CINCINNATI, OHIO 45212
O.R. 11257 P.C. 2020

SIGNATURES AND GRANTS
SHEET 1 OF 2
SHEET 2 OF 2
DEDICATION PLAN AND CLOSURE

DEED REFERENCE
PROPERTY ACQUIRED BY RBM DEVELOPMENT CO., LLC, BEING ALL OF THE LAND CONVEYED BY A DEED RECORDED IN OFFICIAL RECORD 11257, PAGE 2020 OF THE RECORDERS OFFICE OF HAMILTON COUNTY, OHIO.
PROPERTY ACQUIRED BY 100 MEDPACE WAY, LLC, BEING ALL OF THE LAND CONVEYED BY A DEED RECORDED IN OFFICIAL RECORD 11551, PAGE 1447 OF THE RECORDERS OFFICE OF HAMILTON COUNTY, OHIO.

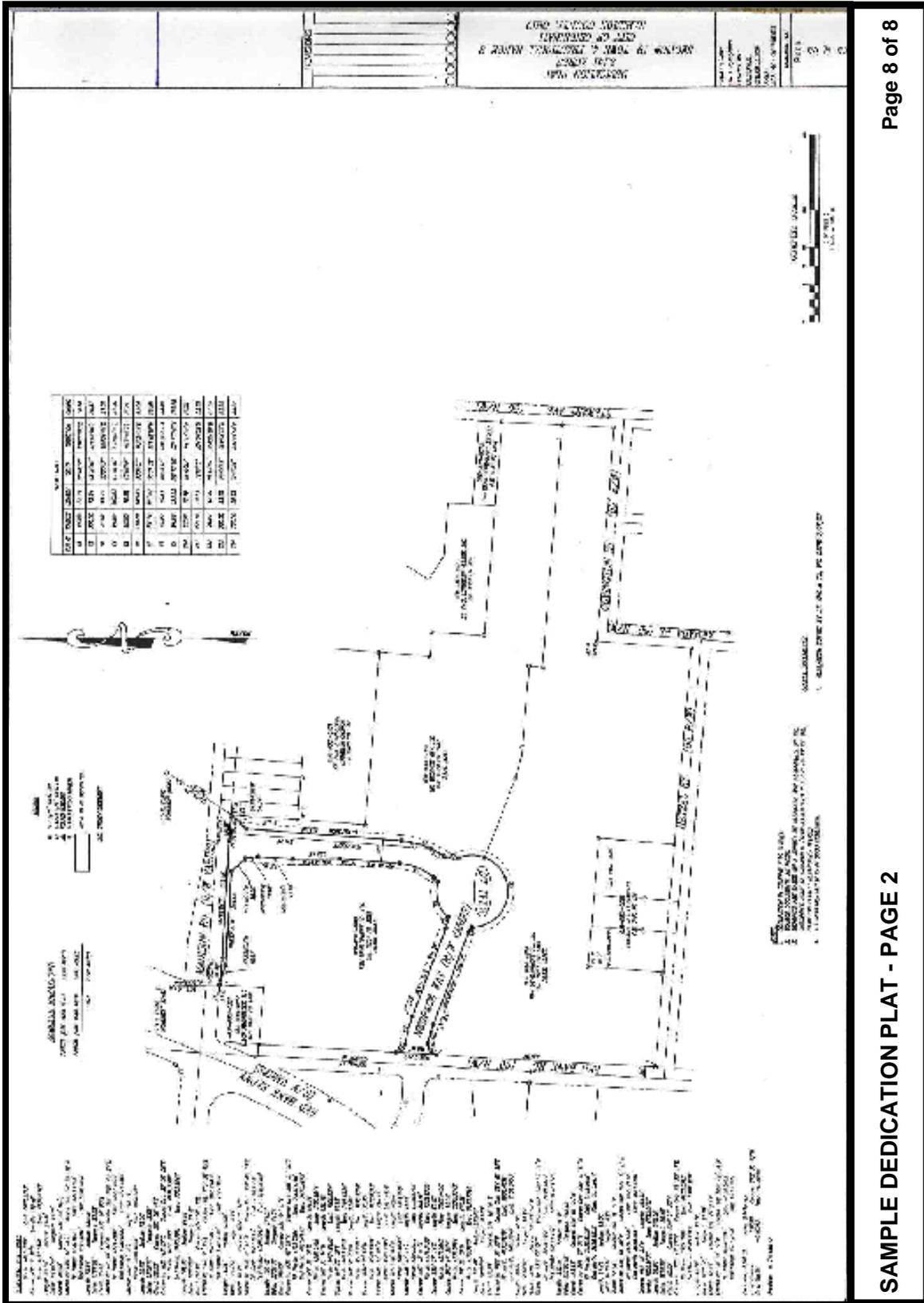
EXISTING ZONING
EXISTING ZONING IS MG

NOTES
THIS RECORD PLAT IS RECORDED IN PLAT BOOK _____, PAGE(S) _____ OF THE RECORDERS OFFICE OF HAMILTON COUNTY, OHIO.
NO PART OF ANY DRIVEWAY OR DRIVEWAY APPROACH WITHIN THE ROAD RIGHT-OF-WAY SHALL BE INSTALLED CLOSER THAN FIVE (5) FEET TO ANY INLET, UTILITY POLE, GUY-WIRE ANCHOR, OR FIRE HYDRANT.

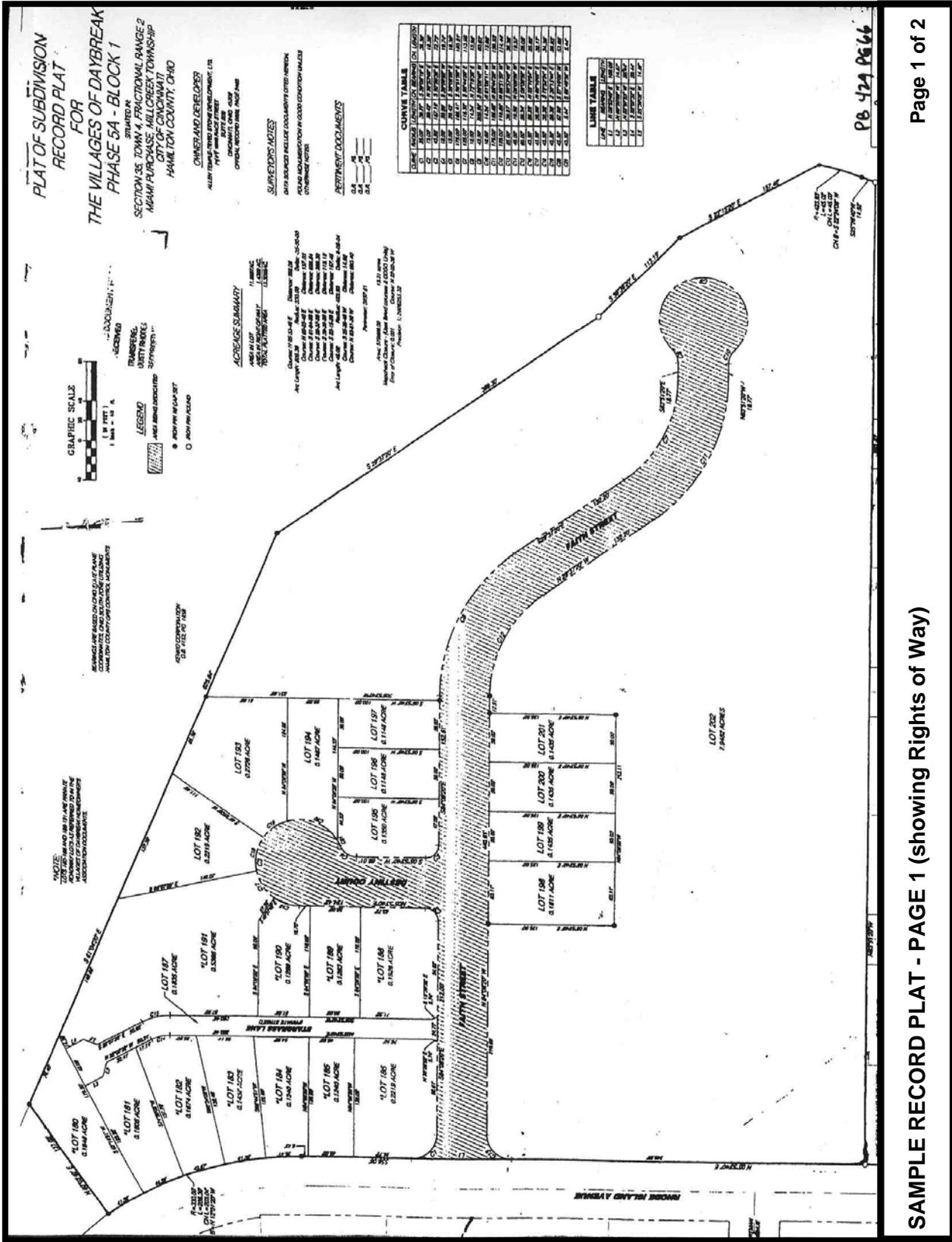
THE OWNERS GRANT AN EASEMENT FOR AND AGREE TO PERMIT ALL SURFACE STORM WATER AND OTHER DRAINAGE FROM THE RIGHT-OF-WAY TO BE DISCHARGED THROUGH THE DEPICTED PUBLIC STORM SEWER EASEMENTS ONTO OWNER'S PROPERTY AND INTO THE DEPICTED PRIVATE DRAINAGE AND DETENTION BASIN. THE OWNERS SHALL BEAR THE ENTIRE RESPONSIBILITY AND COST RESULTING FROM THE ACCEPTANCE OF SUCH STORM WATER AND DRAINAGE INTO THE PRIVATE DRAINAGE AND DETENTION FACILITY.
THE OWNERS AT THEIR SOLE EXPENSE SHALL CONSTRUCT, MAINTAIN, AND RENOVATE AS NECESSARY THE DEPICTED PRIVATE STORM DRAINAGE SYSTEM AND RELATED GRADING AND FACILITIES INCLUDING, BUT NOT LIMITED TO, THE DRAINAGE CHANNEL LEADING FROM THE CITY OF CINCINNATI'S INTERSECTING (INCLUDING ANY GUTTER WITHIN THE PUBLIC EASEMENT AREA) DUKES HEAD WALLS AND RELEASE STRUCTURE ALL IN CONFORMANCE WITH THE IMPROVEMENT DRAWING FOR THE DEDICATION. NO MODIFICATIONS SHALL BE MADE TO SUCH BASIN, GRADING AND FACILITIES (INCLUDING PARTICULARLY ANY CHANGE IN THE RATE OF RELEASE) EXCEPT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED IN WRITING IN ADVANCE BY THE METROPOLITAN SEWER DISTRICT ENGINEERING DIVISION.

SANITARY SEWER EASEMENTS ARE ALSO FOR THE USE AND BENEFIT OF ADJACENT LOTS AND/OR FUTURE DEVELOPMENTS FOR THE PURPOSE OF INSTALLATION, OPERATION, MAINTENANCE, REPAIR, EXTENSION, OR REPLACEMENT OF SANITARY SEWER BUILDING CONNECTIONS AND/OR SANITARY MAINLINE SEWERS APPROVED BY M.S.D.

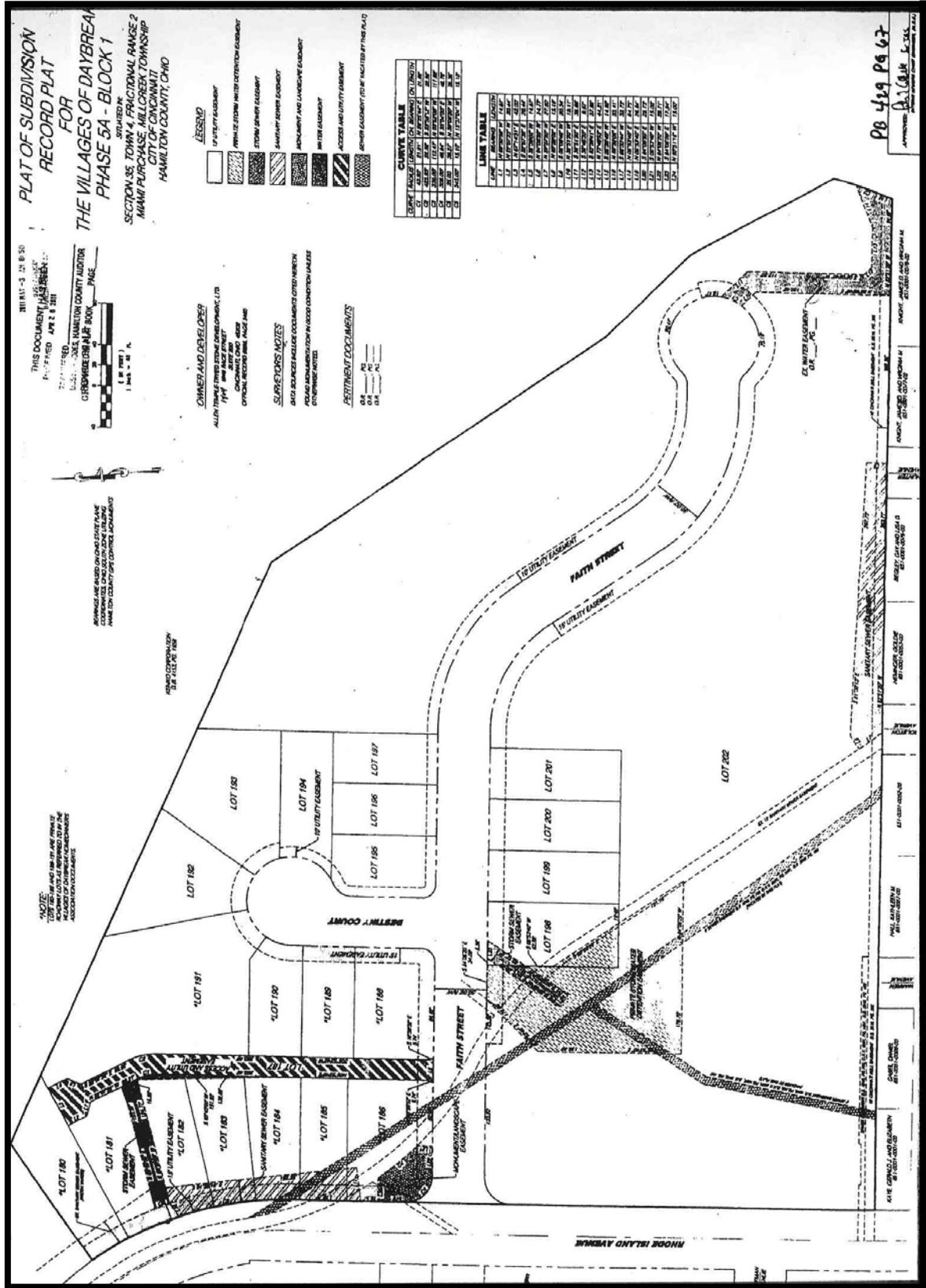
DRAINAGE AND GRADING EASEMENTS
ALL LOTS ARE SUBJECT TO PRIVATE DRAINAGE EASEMENTS IN FAVOR OF THE DEVELOPER, AND THE BUILDER(S), UNLESS NOTED OTHERWISE. SUCH PRIVATE DRAINAGE EASEMENTS SHALL BE 10 FEET IN WIDTH (5 FEET ON EACH LOT) AND SHALL EXIST ALONG ALL COMMON LOT LINES WITH THE COMMON LOT LINE BEING THE CENTER LINE OF SAID EASEMENT. SAID EASEMENTS SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT UPON WHICH THE EASEMENT LIES, THEIR HEIRS, SUCCESSORS AND ASSIGNS.



Dedication Plat II



PB 424 PG 66



**SAMPLE APPLICATION FOR
REVOCABLE STREET PRIVILEGE
INFORMATION SHEET**

City of Cincinnati
Department of Transportation and Engineering

Page 1 of 1

Application for Revocable Street Privilege Information Sheet

OWNERSHIP INFORMATION

Applicant's Name: _____
(Applicant must be property owner or recognized community group)

Mailing Address: _____

Contact's Name: _____

Phone Number: _____

REVOCABLE STREET PRIVILEGE LOCATION

Street Address: _____

Hamilton County Auditor's Book: _____ Page: _____ Parcel: _____

TYPE OF ENCROACHMENT (Circle Number)

1. Removable structure attached to building (awning, canopy, sign, light, banner, flag, fire escape, etc.)
2. Planters or Landscaping
3. Outdoor Café Seating
4. Emergency Doors that swing into right of way
5. Sidewalk pavers or decorative or colored concrete sidewalk
6. Monitoring Wells
7. Community Sign, Historical Marker, or Bus Stop Shelter (Structures with poles and/or foundations)
8. Attachments to City owned utility poles in the right of way (cigarette ash receptacles, sensors, monitors, etc.)
9. Park Bench
10. Private Utility (Franchise)
11. Driveway on Paper Street
12. Other encroachments

Description: _____

Transmit the completed information sheet, along with a letter describing the reason for the request for a Revocable Street Privilege and detailed drawings (if applicable), to:

Ashanti Salter
Real Estate Division
City of Cincinnati
513-352-5362

Mailing Address
City Hall, Room 122
801 Plum Street
Cincinnati, OH 45202-1927

**SAMPLE APPLICATION FOR
DOTE SITE DEVELOPMENT PERMIT**
To Privately Improve Streets and Infrastructure
Under City Supervision

City of Cincinnati
Department of Transportation and Engineering

Page 1 of 6

Application for DOTE Site Development Permit

Cincinnati, Ohio _____, 20____

To: City Engineer

The undersigned, representing the ownership of the (Subdivision or Development Name) , which was approved by the Cincinnati City Planning Commission on (Approval Date) , hereby requests permission to make the following improvement under City supervision:

(Description of improvement. Example: Clear site, including demolition, removal and disposal; grade site, including excavation, embankment and subgrade compaction; construct streets, including roadway bases and full-depth pavements, concrete curbs, paved walks, driveways, curb ramps, traffic signals, signs, pavement markings and street lighting; landscape site, including sod, seeding and street trees; construct public utilities, including cable television, gas, electric, stormwater, telecommunications, telephone, wastewater collection and water supply; and all other work required to satisfactorily complete this work in accordance with the approved Subdivision Improvement Plan.)

subject to the following terms and conditions:

1. The entire expense of the improvement will be borne by the applicant who will also pay the cost of construction inspection as deemed necessary by the City Engineer. The applicant will deposit the sum of \$ (Amount) to provide a fund for payment of inspection of construction items, as provided in CMC Section 721-47 and CMC Section 721-49. Actual inspection costs will be calculated based on bi-weekly Service Reports and additional money may be required if the remaining amount of the fund is less than \$2,000.00. Any surplus in the fund will be returned to the applicant at the completion of the improvement.
2. The applicant will perform any work necessary to connect the proposed improvement with the adjacent existing streets. A Street Opening Permit shall be obtained for any openings that are made in existing pavements or sidewalks outside the work limits shown in the Improvement Plan.
3. When the proposed work includes main sewers and/or lateral connections, permits shall be obtained, as provided in Cincinnati Municipal Code Chapter 720.
4. If the applicant does not own all of the lots or represent the entire ownership of all of the lots abutting both sides of the proposed improvement, the City reserves the right to require that an adequate indemnity bond be filed, at applicant's sole expense, to protect the City from any claims for damages by the owners of the abutting lots.
5. A surety, assuring completion and warranty of all proposed construction, will be required by the City.

Streets constructed/improved under this permit will be done so in accordance with the Subdivision Regulations of the City of Cincinnati and the Cincinnati Municipal Code, as provided by Ordinance #329-1991, passed by Cincinnati City Council on August 7, 1991.

**SAMPLE APPLICATION FOR
DOTE SITE DEVELOPMENT PERMIT**
To Privately Improve Streets and Infrastructure
Under City Supervision

City of Cincinnati
Department of Transportation and Engineering

Page 2 of 6

WITNESS:

APPLICANT:

(Signature)

(Signature)

(Signature)

(Street Address)

(City, ST, Postal Code)

.....
To: Director, Department of Transportation and Engineering

In connection with the above application for permission to make certain improvements as indicated on Drawing Accession No. (Improvement Plan Accession No.), we have checked the plans and specifications and find them satisfactory, subject to the following modifications.

(See Attached Additional Conditions)

RECOMMENDED:

Principal Transportation Design Engineer

Date: _____

APPROVED:

City Engineer

Date: _____

**SAMPLE APPLICATION FOR
DOTE SITE DEVELOPMENT PERMIT**
To Privately Improve Streets and Infrastructure
Under City Supervision

City of Cincinnati
Department of Transportation and Engineering

Page 4 of 6

GRADES: Main grade approved generally before issuance of permit; details to be submitted and approved later.

In making the improvement of the (Subdivision or Development Name), including Proposed (New Street Names) and improvements to (Existing Street Names), which generally consist of:

(Description of improvement. Example: Clear site, including demolition, removal and disposal; grade site, including excavation, embankment and subgrade compaction; construct streets, including roadway bases and full-depth pavements, concrete curbs, paved walks, driveways, curb ramps, traffic signals, signs, pavement markings and street lighting; landscape site, including sod, seeding and street trees; construct public utilities, including cable television, gas, electric, stormwater, telecommunication, telephone, wastewater collection and water supply; and all other work required to satisfactorily complete this work in accordance with the approved Subdivision Improvement Plan.)

all as indicated on Plan Accession No. (Accession No.). The undersigned hereby agrees to do all the work in accordance with the specifications of the City of Cincinnati, on file in the City Engineer's office and further agrees that, at the end of one (1) year after the completion of the improvement, the permittee will correct any defects which, in the opinion of the City Engineer, are due to inferior workmanship or defective materials

OWNER/DEVELOPER:

CONTRACTOR:

Signature

Signature

Printed Name

Printed Name

Address

Address

ADDITIONAL CONDITIONS FOR SITE DEVELOPMENT PERMIT

1. A Pre-construction Meeting between the Contractor(s) and Engineering/Construction Management must be held before start of work.
2. A Construction Schedule must be furnished to the Department of Transportation and Engineering, Right of Way Management, at the Pre-construction Meeting.
3. Erosion controls are required on a continuing basis. If Stormwater Management Utility determines that erosion controls are not adequate or that stormwater problems are being caused by the construction activities, all work may be suspended until Stormwater Management approves the lifting of said suspension.
4. Certification by a Geotechnical Engineer as to adequacy of all sub-grade and fill compaction is required. A schedule of all compaction testing must be submitted to the City at the Pre-construction Meeting.
5. A copy of the Contractor's contract with an approved materials testing firm is to be provided to the City at the Pre-construction Meeting.
6. Material testing reports of concrete and asphalt in accordance with ODOT CMS shall be submitted to the Department of Transportation and Engineering upon completion of this project.
7. Final pavement asphalt surface course may be placed after DOTE receives verification from GCWW and MSD that their underground facilities have been accepted.
8. "As Built" mylar drawings in accordance with the Metropolitan Sewer District and Stormwater Management Utility Rules and Regulations shall be provided, by the Developer, to MSD (Stormwater & Sanitary Sections).
9. "As-Built" drawings showing any changes to the original approved Subdivision Improvement Plans shall be provided, by the Developer, to the Department of Transportation and Engineering upon completion of this project. Mylars or full sized "red-lined" paper sheets are acceptable.
10. In accordance with the Application For Site Development Permit, inspection costs, including final as-built roadway survey costs incurred by the City of Cincinnati Public Works Inspectors and Surveyors during construction of this project, shall be reimbursed out of a fund established by the Developer, through the City of Cincinnati.
11. The Developer will be responsible for construction of all proposed curb ramps and sidewalks shown in the Subdivision Improvement Plans.

**SAMPLE APPLICATION FOR
DOTE SITE DEVELOPMENT PERMIT**
To Privately Improve Streets and Infrastructure
Under City Supervision

City of Cincinnati
Department of Transportation and Engineering

Page 6 of 6

12. A comprehensive plan for constructing privately owned utility infrastructure, including Cable Television, Electric, Gas, Telecommunication and Telephone, must be included in the final Approved Plan. The Developer and Engineer shall coordinate design efforts with the appropriate utility owners; the Developer is responsible for all delays and costs if this comprehensive utility plan is not completed prior to start of construction. If this comprehensive utility plan is not complete prior to start of construction and the DOTE Construction Engineer determines that other construction may be adversely impacted, the DOTE Construction Engineer may halt construction until the utility plan is available. The City of Cincinnati will be held harmless for any actual or perceived damages incurred because of such delay.
13. After construction commences, seven copies of a preliminary Dedication Plat must be submitted to DOTE for distribution for review by City Agencies. Developer must have the approved Dedication Plat recorded. Before the proposed Right of Way is accepted by City Ordinance, the Developer must submit a Certificate of Title prepared by an attorney stating that the Developer or Owner has a good and marketable title to the property in fee simple. Copy of a sample Certificate of Title is attached.
14. In accordance with the Traffic Signal General Notes, the Contractor shall submit to the City Traffic Engineer for review and approval seven sets of drawings, catalog cuts, specifications, data sheets, wiring diagrams, etc. for all apparatus and equipment that the Contractor proposes to furnish.
15. Maintenance of Traffic on adjacent public streets must be in accordance with the attached (Name of Streets) Maintenance of Traffic (MOT) Notes.

SAMPLE
DOE SITE DEVELOPMENT PERMIT
 To Privately Improve Streets and Infrastructure
 Under City Supervision

City of Cincinnati
 Department of Transportation and Engineering

Transportation & Engineering

Doc Control

#TE11019118

City of Cincinnati
 Department of Transportation & Engineering
 Division of Engineering
 Permit & License Center
 Phone: 1-513-352-3463
 Fax: 1-513-352-5397

Permit

Permit No.: *1209806116*
 Permit Type: *Primary Site Development*
COMMERCIAL SUBDIVISION
 This permit is valid for work starting
06/29/2008 and void after *02/01/2009*.

Important: This permit including any approved documents must be kept on the job site at all times

Permittee:
 RAYMOND SCHNEIDER
 1998 DEERFIELD ROAD

Contact: GRANT JOHNSON
 513-290-5219

24-Hours:

Insp: Dave Book
District: ? - Joe Walter
Community: MADISONVILLE

Location: 4900 BABSON PL CINC, Future Babson Lane
Developer: RAYMOND SCHNEIDER

Development Name: Circle Development

Public Works Plan Accession Number: 22981-P

Number of Lots: 0

Building Type: Facility Type Impacted:

This Permit has been granted to do the following: Roadway Construction

Special Notes:

Cond: CD01230885

Circle Development Subdivision as per approved plans (Drawing Acc. No. 22981-P) and as per attached Site Development Permit, and Additional Conditions for Subdivision Permit

Inspection Fees have been posted to permit.

FOR INSPECTION: CALL 352-3451, BETWEEN 7:30 AND 8:30 AM, WEEKDAYS, EVERYDAY THAT YOU ARE DOING WORK UNDER THIS PERMIT. IF YOU ARE DOING WORK UNDER THIS PERMIT ON WEEKENDS, YOU MUST CALL IN THE FRIDAY BEFORE, BETWEEN 7:30 AND 8:30 AM.

If work done under this permit involves or endangers underground facilities belonging to others, Permittee shall notify the owners thereof

In performing work under this permit, the Permittee is responsible for all related operations, that the operations conform to all applicable statutes, rules and regulations of the City of Cincinnati, State of Ohio, and that the Permittee shall hold the City of Cincinnati harmless from any claims, damages and causes for action whatsoever which may arise from the work done under this permit.

Call before you dig 1-800-362-2764

THIS PERMIT MAY BE REVOKED AT ANY TIME

Estimated Inspection Charges: \$25,000.00
Total Inspection Fees Deposited: \$25,000.00

This permit is issued by the City Engineer
 Application Received in City Hall, Room 410,
 Transportation Department, Engineering Division
 801 Plum Street, Cincinnati, Ohio 45202.

Permit Fees:

Item#	Description	Account Code	Est. Fee	Est. Rev.	Rate	Comments
436	Administrative	250-233-3700-7111	15.00	.00	.00	

Total Surety Fees: \$0.00

Total Permit Fees: \$0.00

City Engineer

Date

**SAMPLE
DOTE DEVELOPER'S SURETY BOND
AGREEMENT**

DOTE Developer's Surety Bond Agreement

Property: (Name of Subdivision)

THIS AGREEMENT is made by (Name of Developer) , an Ohio (Type of Entity) , the address of which is (Street Address, City) , Ohio 45 ("Developer"), in favor of the City of Cincinnati, an Ohio municipal corporation, 801 Plum Street, Cincinnati, Ohio 45202 (the "City").

Recitals:

- A. On (Approval Date) , Developer received approval from City Planning Commission of a subdivision improvement plan pertaining to certain real property owned by Developer within the City of Cincinnati labeled " (Subdivision Name) " and designated by the City's Department of Transportation and Engineering ("DOTE") as "City of Cincinnati Engineering Division Accession No. (Accession Number) " (hereinafter, the "Subdivision Improvement Plan").
- B. Developer or his agent has applied to DOTE for one or more permits to privately construct certain public infrastructure improvements at the property (collectively, the "Improvements") as shown on the Subdivision Improvement Plan.

NOW, THEREFORE, in consideration of the permit(s) issued or to be issued by the City to Developer for the construction of the Improvements, Developer hereby agrees as follows:

1. Construction of Improvements; Completion Date; Warranty Period.

- (a) Developer shall complete the Improvements in accordance with the Subdivision Improvement Plan, including any and all subsequently-authorized City engineering changes, no later than (Date) (the "Outside Completion Date") or on such other date as may be approved by the City Engineer. Developer shall complete all work in strict compliance with all laws ordinances, rules and requirements of the City of Cincinnati and the State of Ohio and under the direction and to the satisfaction, of the City Engineer.
- (b) Developer shall notify the City Engineer promptly after Developer deems the work to be complete. Promptly thereafter the City Engineer shall inspect the work. For purposes of this Agreement, the work shall not be deemed to be complete until such time as the City has notified Developer that the City Engineer has made a final inspection of the work and determined it to be satisfactory (a "Notice of Completion").
- (c) Within thirty (30) days after the date that the City issues its Notice of Completion, Developer shall provide the City with an affidavit and/or such other evidence satisfactory to the City that all work has been paid for in full and that there are no outstanding liabilities of any kind with respect to the construction of the Improvements.
- (d) Within one (1) year after the date that the City issues its Notice of Completion (the "Warranty Period"), Developer shall provide the City with all documents

**SAMPLE
DOTE DEVELOPER'S SURETY BOND
AGREEMENT**

that are necessary in order that the public rights of way can be dedicated to and accepted by the City. If defects in the work are discovered during the Warranty Period, Developer shall correct such defects, to the satisfaction of the City Engineer and at no cost to the City, within thirty (30) days after discovering such defects.

2. **Evidence of Funding.** Upon Developer's execution of this Agreement, Developer shall submit to DOTE copies of all contracts between Developer and public entities that are providing funding for the construction of the Improvements.
3. **Developer's Surety Bond.** Upon Developer's execution of this Agreement, Developer shall provide the City with a surety bond in substantially the form attached hereto as Exhibit 1, in the amount of \$ (Surety Amount) , which shall:
 - (i) insure that all work is completed by the Outside Completion Date;
 - (ii) insure that, prior to the expiration of the Warranty Period, Developer will provide the City with all documents that are necessary in order that the proposed public rights of way can be dedicated to and accepted by the City; and
 - (iii) remain in effect throughout the Warranty Period (or such longer period of time as is reasonably necessary to correct defects that are discovered during the Warranty Period), or until the proposed public right-of-way is accepted by Ordinance, whichever occurs later.
4. **Surety Bonds from Developer's Contractors.** If Developer requires its contractors and subcontractors to furnish surety bonds in favor of Developer in connection with the construction of the Improvements, Developer shall require that each such surety bond:
 - (i) identifies the City as a "co-insured";
 - (ii) remains in effect until such time as the City issues its Notice of Completion; and
 - (iii) provides for a one (1) year warranty period.Developer shall provide copies of all such surety bonds to the City prior to commencement of construction of the Improvements at the site.
5. **Indemnification.** In addition to the protections afforded to the City under the surety bond(s) required to be provided to the City under this Agreement, Developer shall and does hereby agree to defend, indemnify and hold the City, its employees, officers, council members and agents (collectively, the "Indemnified Parties") harmless from and against any and all actions, suits, claims, losses, expenses (including without limitation attorneys fees), demands, judgments, liability and damages suffered or incurred by, or asserted against, the Indemnified Parties as a result of the acts of Developer, its agents, employees, licensees, invitees,

**SAMPLE
DOTE DEVELOPER'S SURETY BOND
AGREEMENT**

contractors, subcontractors, or anyone else acting at the request of Developer in connection with the construction of the Improvements.

6. **Exhibits.** The following exhibits are attached hereto and made a part hereof:

(a) Exhibit 1 – Form of Developer's Surety Bond

Executed this _____ day of _____, 20____.

DEVELOPER:

(Company Name)

(Printed Officer Name)

(Signature)

(Officer Title)

RECOMMENDED AND ACCEPTED BY:

Director, Department of Transportation and Engineering

APPROVED AS TO FORM:

Assistant City Solicitor

**SAMPLE
DOTE DEVELOPER'S SURETY BOND**

DOTE Developer's Surety Bond
City of Cincinnati
Department of Transportation and Engineering
Right of Way Management Section (RWM)
801 Plum Street, Room 450
Cincinnati, OH 45202-5704
513-352-3463

As used in this Bond, the following terms have the following meanings:

"Principal" means:

_____ (Name of Developer)

_____ (Street Address)

_____ (City, State, Postal Code)

"Surety" means:

_____ (Name of Surety)

_____ (Street Address)

_____ (City, State, Postal Code)

"City" means the City of Cincinnati, Ohio.

"Work" means all excavation and other work associated with the construction of streets and other public infrastructure, including without limitation the correction of defects therein.

WHEREAS, Principal has applied for one or more permits to perform certain Work on property located within the City, which is required to be completed no later than _____, 20____; and

WHEREAS, Principal is required to complete the Work in compliance with all specifications, ordinances, laws, rules and requirements of the City;

NOW THEREFORE, Principal and Surety are hereby bound to the City, jointly and severally, in the amount of \$_____ (a minimum of \$10,000), to be paid to the City.

If Principal shall:

- (i) perform the Work according to the specifications, ordinances, laws, rules and requirements of the City;
- (ii) complete the Work by the completion date specified herein; and
- (iii) upon notice from the City Engineer and within 30 days thereafter, properly correct such Work that, in the opinion of the City Engineer, is not satisfactory due to damage, defects in workmanship or materials, or otherwise, then this obligation shall be void.

If any of the above conditions are not met, Principal shall be in default of the obligation. Concurrent with any notice of default sent to Principal, the City Engineer shall send a copy of such notice to Surety. In case of default by Principal, Surety shall have the option to either:

**SAMPLE
NOTE DEVELOPER'S SURETY BOND**

- (a) hire a City Licensed Street Contractor, within 15 days after notice of default, to complete the Work or otherwise cure the default; or
- (b) pay the City, within 15 days after notice of default, the full amount, as determined by the City Engineer, necessary to complete the Work or otherwise cure the default.

The obligations of Principal and Surety under this bond shall extend for a period of one year from the date of final inspection and approval of the Work by the City Engineer (or such longer period of time as is reasonably necessary to correct defects that are discovered during such one-year warranty period), or until the public right of way is accepted by City Ordinance, whichever occurs later.

Surety hereby waives notice of any change in the terms of the contract or permit(s) pursuant to which Principal is performing the Work, including without limitation changes in the time for performance. Any proceeding, legal or equitable, pertaining to this bond shall be instituted only in the Hamilton County Court of Common Pleas, or at the City's option, in the county in which the property is located if other than Hamilton County. The obligations and liability of Principal and Surety hereunder shall be binding upon Principal and Surety and their respective heirs, representatives, executors, administrators, successors and assigns. Surety represents to Principal and the City that it is licensed to do business in Ohio. If the person signing this bond on behalf of Surety is signing in his/her capacity as an attorney-in-fact, a current and properly-executed Power of Attorney evidencing such person's authority, in a form acceptable to the City, must be attached to this bond.

Signed by each of the undersigned this _____ day of _____, 20_____.

Principal: _____
(Signature) (Printed Name)

Surety: _____
(Signature) (Printed Name)

Surety's Bond Number: _____

APPROVED AS TO SUFFICIENCY:

APPROVED AS TO FORM:

Director, Transportation and Engineering

Assistant City Solicitor

INSTRUCTIONS:

After this bond form has been signed by the Principal and Surety, with Power of Attorney attached (if applicable), present this bond form to:

City of Cincinnati
Department of Transportation and Engineering
Right of Way Management Section
City Hall, Room 425
801 Plum Street
Cincinnati, Ohio 45202-5704

**SAMPLE
FINAL COMPLETION LETTER**

City of Cincinnati
Department of Transportation and Engineering

Page 1 of 1

Final Completion Letter
City of Cincinnati
Department of Transportation and Engineering
Division of Engineering

(Date) _____

(Developer)

(Street Address)

(City, State, Postal Code)

Re: (Subdivision Name) _____
Final Completion Notice
DOTe Permit No. (#####)
Subdivision Improvement Plan DOTe Acc. No. (#####)

Dear (Developer) :

The work performed under the above permit has been reviewed and found to be complete in accordance with the terms and conditions of the permit. The Date of Final Completion of the permit work designated above is hereby established as (Date) and will start the one-year warranty period as described in the Permits. Any cuts in the new pavements required for correction of warranty work may require that the pavement be resurfaced by "Grind & Pave" or Thermo Seal or similar Infra Red pavement repair.

The following documents need to be submitted so the City can begin the process of accepting the streets in the new rights of ways. If the streets are not accepted by Ordinance, they will not be eligible for City services.

1. Mylar of Subdivision Plat showing properties to be dedicated. Recorded Plat Book and Page must be written on plat. This plat will be attached to the request to City Council to accept the streets by Ordinance.
2. Certificate of Title, prepared by an attorney for (Developer), for all properties that will be dedicated to the City. This Certificate of Title will be attached to the request to City Council to accept the streets by Ordinance. A sample Certificate of Title is attached.

Please contact me at 513-###-#### if you have any questions regarding this letter.

Sincerely,

Right of Way Management Section

cc: MSDGC; GCWW; Traffic Engineering Division; A&R; R/W Files; Admin. Files; EDF

Att: Sample Certificate of Title

**SAMPLE
ONE YEAR WARRANTY LETTER**

City of Cincinnati
Department of Transportation and Engineering

Page 1 of 1

One-Year Warranty Letter
City of Cincinnati
Department of Transportation and Engineering
Division of Engineering

(Date) _____

(Developer)

(Street Address)

(City, State, Postal Code)

Re: _____
(Subdivision Name)
One-Year Warranty Inspection
DOTe Permit No. _____
(#####)
Subdivision Improvement Plan DOTe Acc. No. _____
(#####)

Dear _____
(Developer) :

The work performed on the _____
(Subdivision Name Public Improvements) under this permit has
been reviewed for the one-year warranty. On _____
(Inspection Date), _____
(Inspector Name) of the
Department of Transportation and Engineering verified that he inspected the work performed on
the streets under this permit and found no defects.

Any surety bonds that you or your contractors have for this permit work are no longer needed.

I thank you for your cooperation in constructing this high-quality project.

Please contact me at _____
513-###-#### if you have any questions regarding this letter.

Sincerely,

Right of Way Management Section

cc: R/W Files; Admin. Files; EDF

**SAMPLE
CERTIFICATE OF TITLE**

Certificate of Title

CERTIFICATE OF TITLE

For Dedication and Acceptance of Streets for (Name of Subdivision)

TO THE CITY OF CINCINNATI:

I, the undersigned (Attorney Name), an attorney at law practicing in Hamilton County, Ohio, hereby certify that I have examined the title to all of the property which comprises all the new streets and rights of way for the (Name of Subdivision) and that as of the (Day) of (Month), 20__, title is vested in the name of the (Developer).

The undersigned further states that the owner has a good and marketable title to the property in fee simple, subject to the following:

TAXES: The property is EXEMPT from Taxes.

MORTGAGES: None.

OTHER LIENS AND ENCUMBRANCES: None.

This certification is made for the purpose of securing the City of Cincinnati's dedication and acceptance of all the streets listed below.

Names of Streets with Limits

Attorney at Law

**SAMPLE
ACCEPTANCE ORDINANCE TRANSMITTAL**

City of Cincinnati
Department of Transportation and Engineering

Page 1 of 1

Acceptance Ordinance Transmittal

Date: (Date)

To: Mayor and Members of City Council

From: (City Manager) , City Manager

Subject: ORDINANCE - (SUBDIVISION NAME) STREET ACCEPTANCE

Attached is an ordinance captioned as follows:

ACCEPTING and confirming the dedication of (Street Names and Limits) , to public use for street purposes as shown on the plats for (Subdivision Name) .

This ordinance accepts streets constructed as part of (Subdivision Name) , a subdivision that (Purpose of Subdivision) in the neighborhood of (City Neighborhood) . These streets were constructed using (funding, e.g., local/federal funds administered by the Department of Community Development, private funds, etc.)

Roadway and public infrastructure construction was overseen by City personnel.

The Administration recommends passage of the attached ordinance.

cc: Director, Transportation and Engineering
Community Development
Transportation Design, DOTE
Construction, DOTE
Right of Way Management, DOTE
EDF

Acceptance Ordinance

City of Cincinnati
An Ordinance No. _____

ACCEPTING and confirming the dedication of (Street Names with Limits), to public use for street purposes as shown on the plats for (Subdivision Name).

WHEREAS, (Owner Name), owner of all of the property comprising (Subdivision Name), duly dedicated (Street Names with Limits), (together the "Streets"), on the plats for said subdivision, to public use for street purposes; and

WHEREAS, the subdivision plats for (Subdivision Name) were recorded in the Hamilton County, Ohio Recorder's Office in Plat Book ###, Pages ## through ##; and

WHEREAS, at its meeting on (Date), the City Planning Commission approved the dedication of the Streets; and

WHEREAS, (Attorney Name), Attorney at Law, has certified that (Owner Name) is the owner of the Streets and that the Streets are free and clear of all encumbrances, including real estate taxes; and

WHEREAS, the dedication plats were examined and checked as to their technical features by the office of the City Engineer and found to be correct; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the dedication of (Street Names with Limits), on the plats for (Subdivision Name) recorded in the Hamilton County, Ohio Recorder's Office in Plat Book ###, Pages ## through ##, is hereby accepted and confirmed.

Section 2. That the City Solicitor shall cause an authenticated copy of this ordinance to be filed with the Hamilton County, Ohio Auditor's Office and recorded in the Hamilton County, Ohio Recorder's Office.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 20__

Mayor

Attest: _____
Clerk

SUBMITTAL AND REVIEW CHECKLIST

City of Cincinnati
Department of Transportation and Engineering
Subdivision and Development Streets Manual

No.	Submittal/Review Name	From	To ¹	Section
SUBDIVISION IMPROVEMENT PLAN (SIP)				
A-1	Flood Susceptibility Review	Developer	DCPB	261.02
A-2	Public Funding Request ²	Developer	DCD	261.03
A-3	Request Availability of Sewer Service	Developer	MSDGC	261.04
A-4	City Agency Consultations	Developer	DCPB	261.05
A-5	Draft Phase I Environmental Site Assessment (ESA) Report ³	Developer	DCPB	231 262.02
A-6	Draft Geotechnical Report ⁴	Developer	DCPB	262.03 232
A-7	Draft Traffic Impact Study ⁴	Developer	DOTe	262.04 233
A-8	Concept SIP Submittal	Developer	DCPB	262.05
A-9	Zoning Approval	DCPB	Developer	262.06
A-10	Concept SIP Review Comments	DCPB	Developer	262.07
A-11	GCWW Preliminary Application	Developer	GCWW	262.09 615.01
A-12	Wastewater Collection & Stormwater Management Facilities Concept Plans	Developer	MSDGC	262.10
A-13	Phase I ESA Report ³	Developer	DCPB	231 263.02
A-14	Geotechnical Report ⁴	Developer	DCPB	232 263.03
A-15	Traffic Impact Study ⁴	Developer	DOTe	233 263.04
A-16	Detail SIP Submittal & Fee	Developer	DCPB	263.06 611.01
A-17	Wastewater Collection & Stormwater Management Facilities Detail Plan	Developer	MSDGC	263.07
A-18	DOTe Plan Review Deposit	Developer	DOTe	263.10 612.01
A-19	Detail SIP Review Comments	DOTe	Developer	263.13
A-20	Final SIP Submittals ⁵	Developer	DOTe	264.02
A-21	Ohio EPA Permit to Install Submittal	Developer	MSDGC	264.03
A-22	Ohio EPA Notice of Intent Submittal ⁴	Developer	Ohio EPA	264.04

For NOTES and LEGEND, see Page 5 of 5

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SUBMITTAL AND REVIEW CHECKLIST

City of Cincinnati
Department of Transportation and Engineering
Subdivision and Development Streets Manual

No.	Submittal/Review Name	From	To ¹	Section
A-23	GCWW Construction Plan Submittal & Fee	Developer	GCWW	264.05 615.02
A-24	Privately Owned Utility Confirmations	Developer	DOTe	264.06
A-26	Engineering Report	DOTe	DCPB	264.07
A-27	DCPB Report	DCPB	CCPC	264.08
A-28	CCPC Decision	DCPB	Developer	264.09
A-29	Record SIP Submittal	Developer	DCPB	265.01
A-30	Record SIP Distribution	DOTe	Developer	265.02
SUBDIVISION AND DEDICATION PLATS				
B-1	Preliminary Plat Submittal	Developer	DCPB	341.03
B-2	Draft Home Owners' Association (HOA) Submittal ⁴	Developer	DCPB	341.03 320
B-3	Preliminary Plat & Draft HOA Review Comments	DCPB	Developer	341.03
B-4	Detail Plat & Closures Submittal & Fee	Developer	DCPB	342.02 611.02
B-5	HOA Submittal ⁴	Developer	DCPB	342.02
B-6	Detail Plat, Closures & HOA Review Comments	DOTe	Developer	342.04
B-7	Final Plat Submittal ⁵	Developer	DOTe	343.02
B-8	Record HOA ^{4,6}	Developer	County	343.03
B-9	Record Plat Submittal	Developer	DCPB	344.01
B-10	Engineering Report	DOTe	DCPB	344.02
B-11	DCPB Report	DCPB	CCPC	344.03
B-12	CCPC Decision	DCPB	Developer	344.04
B-13	Approved Record Plat	DOTe	Developer	344.06
B-14	Record Plat Recorded by County	Developer	County	344.07
B-15	Recorded Plat Submittal ⁶	Developer	DOTe	344.08
CONSTRUCTION				
C-1	Application for DOTe Site Development Permit ^{A,B}	Developer	DOTe	412.01.A 612.02
C-2	Development Agreement & Grant Contracts ^{A,B}	Developer	DOTe	412.01.B
C-3	Property Agreements	Developer	DOTe	412.01.C

For NOTES and LEGEND, see Page 5 of 5

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SUBMITTAL AND REVIEW CHECKLIST

City of Cincinnati
Department of Transportation and Engineering
Subdivision and Development Streets Manual

No.	Submittal/Review Name	From	To ¹	Section
C-4	Ohio EPA Permit to Install	Developer	DOTe	412.01.D
C-5	Ohio EPA Notice of Intent	Developer	DOTe	412.01.E
C-6	GCWW Letter of Intent & Contractor's Bond	Developer	DOTe	412.01.F 615.03
C-7	MSDGC Completion Bond	Developer	MSDGC	412.01.G 613
C-8	Geotechnical & Material Testing Contract ^{A,B}	Developer	DOTe	412.01.H
C-9	Street Tree Agreement ^{2 A,B}	Developer	DOTe	412.01.I 616.01
C-10	Traffic Services Agreement ^{4 A,B}	Developer	DOTe	412.01.J 617.01
C-11	Environmental Clearance	Developer	DOTe	412.01.K
C-12	Procurement Documents ^B	Developer	DOTe	412.01.L
C-13	Construction Contract ^{A,B}	Developer	DOTe	412.01.M
C-14	Contractors' Surety Bonds ^{A,B}	Contractor	DOTe	412.01.N 522.01
C-15	Contractor's Insurance ^{A,B}	Contractor	DOTe	412.01.O
C-16	Borrow Area Information ^{A,B}	Contractor	DOTe	412.01.P
C-17	Disposal Site Information ^{A,B}	Contractor	DOTe	412.01.Q
C-18	Construction Schedule ^{A,B}	Contractor	DOTe	412.01.R 424
C-19	DOTe Developer's Surety Bond Agreement & Surety Bond ^{A,B}	Contractor	DOTe	412.01.S 522.02
C-20	Indemnity Bond ^{4 A,B}	Developer	DOTe	412.01.T 522.03
C-21	Construction Oversight & Inspection Deposit ^{A,B}	Developer	DOTe	412.01.U 612.03
C-22	DOTe Site Development Permit ^{A,B}	DOTe	Developer	412.02 612.04
C-23	Ohio Utility Protection Service Notification	Contractor	OUPS	404.08.D
C-24	Geotechnical & Material Testing Reports ^{A,B}	Developer	DOTe	422
C-25	Contract Compliance Reports ^B	Contractor	DOTe	423.01
C-26	Payment Submittals ^B	Contractor	DOTe	423.02

For NOTES and LEGEND, see Page 5 of 5

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SUBMITTAL AND REVIEW CHECKLIST

City of Cincinnati
Department of Transportation and Engineering
Subdivision and Development Streets Manual

No.	Submittal/Review Name	From	To ¹	Section
C-27	Notice of Substantial Completion	DOT E	Developer	426.01
C-28	Punch List ^{A,B}	DOT E	Contractor	426.02
C-29	Utility Testing and Evaluation ^{A,B}	Contractor	DOT E	426.04
C-30	As-Built Drawings ^{A,B}	Developer	DOT E	431
C-31	Notice of Final Completion ^{A,B}	DOT E	Developer	426.05
C-32	One-Year Warranty Inspection	Contractor	DOT E	432.01
C-33	One-Year Warranty Letter	DOT E	Developer	432.02
C-34	Request Release of DOT E Contractors' Surety Bond ^{A,B}	Contractor	DOT E	433 522.01
ACCEPTANCE				
D-1	Recorded Subdivision/Dedication Plat	Developer	DOT E	441
D-2	Completion of Street Improvements	Developer	DOT E	442
D-3	Compliance with Development Agreement	Developer	DOT E	443
D-4	Request for Acceptance	Developer	DOT E	444
D-5	Coordinated Report	DOT E	Law	445
D-6	Certification of Title	Developer	DOT E	446 302.05
D-7	Certification of Payment of Taxes	Developer	DOT E	446 302.06
D-8	Acceptance Ordinance Request	DOT E	Law	447
D-9	Acceptance Ordinance Transmittal	DOT E	Council	447
D-10	Notification of Acceptance	DOT E	Developer	448
D-11	Request Release of DOT E Developer's Surety and Indemnity Bonds ^{A,B}	Developer	DOT E	449.01 522.02 522.03
D-12	Request Refund of Remaining Plan Review and Construction Oversight and Inspection Fees ^{A,B}	Developer	DOT E	449.02 612.01 612.03

For NOTES and LEGEND, see Page 5 of 5

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SUBMITTAL AND REVIEW CHECKLIST

City of Cincinnati
 Department of Transportation and Engineering
 Subdivision and Development Streets Manual

No.	Submittal/Review Name	From	To ¹	Section
NOTES AND LEGEND				
NOTES		LEGEND		
¹	Coordinating Agency or Primary Party. Submit all required copies to this Agency.	City	City of Cincinnati Ohio	
²	Optional.	Council	Cincinnati City Council	
³	A Phase I Environmental Site Assessment (ESA) Report is required. Additional investigations, remediation and reports may be required based on Phase I ESA or subsequent findings.	County	Hamilton County Ohio	
⁴	If required.	DCD	Department of Community Development	
⁵	May require several submittal iterations to finalize plans/plats.	DCPB	Department of City Planning & Buildings	
⁶	If required, the Subdivision Plat must be recorded prior to constructing housing, buildings and other private infrastructure. May require that plat dedicating rights of way and easements to public be recorded prior to start of Street Improvement construction.	DOTe	Department of Transportation & Engineering	
^A	Construction Funding Method A provision	GCWW	Greater Cincinnati Water Works	
^B	Construction Funding Method B provision	Law	Department of Law	
^C	Construction Funding Method C provision	MSDGC	Metropolitan Sewer District of Greater Cincinnati	
		Ohio EPA	Ohio Environmental Protection Agency	