Local Regulations

Chagrin River Watershed Partners, Inc.

Amy H. Brennan
(440) 975-3870 •
www.crwp.org
abrennan@crwp.org

July 9, 2013
Applicable Zoning and Building Codes

- Erosion and Sediment Control
- Grading Permits
- Stormwater Management
- Downspout Disconnection
- Rain Barrels & Downspout Diverters
- Mowing Regulations
- Riparian and Wetland Setbacks
- Tree Codes
Erosion and Sediment Control

- Erosion and sediment must be controlled during earth disturbing activities.
- Often managed in cooperation with County Soil and Water Conservation Districts.
Grading Permits

May be required to ensure activities do not negatively impact neighboring property owners or cause water to pond near foundations.

Typical requirements include:

- Minimizing grading from natural contours
- Minimum 2% grade to ensure that water drains away from each building
- Minimum grade of 0.5% for surface swales so that surface water will drain into a storm sewer, drain inlet or natural drainage way
- Minimum and maximum driveway grades
- Avoid abrupt grades in the front yards and along side lot lines
Stormwater Management Codes

- Determine what type and size of stormwater practice was required when the area was developed.

- Plans for Stormwater Practices: Contact local community to see plans of what stormwater practices were supposed to be constructed.

- Operation and Maintenance: For stormwater practices that are 10 years old or newer, an operation and maintenance agreement should be in place that describes what maintenance should be completed and frequency.
**Downspout Disconnection**

- **Required Disconnection:** Downspouts must be disconnected to splash block or other measures.

- **Allowable Disconnection:** Buildings may discharge roof rainwater downspouts to finished grade. May require inspection or permit from local community.

- **Required Connection:** May be permit process for disconnecting.
Best Practices for Downspout Disconnection

- Disconnect to splash block or other measures to minimize erosion and distribute sheet flow away from the building.

- Point of discharge should be at least 2’ from a foundation wall and 5’ from property lines.
  - Discharge water should flow parallel to or away from the nearest property line.

- Discharge water should not discharge to a street, ditch, water bodies, or create icy conditions on walkways.
Stormwater Storage
Common Rain Barrel Code Requirements

- May require a permit for installation.
- Limits on number and size of barrels allowed.
- Restrict placement to rear or side yard.
- Require screening with vegetation or fencing.
- Limit color of barrels to neutral colors or paint to match the house.
- Determine maximum storage capacity allowed.
- Require connector hoses and downspout diverters to match the color of the downspout.
- Storage containers must be covered at all times so they do not cause a public or private nuisance.
Mowing Regulations and Natural Landscaping

Many communities consider lawns over 8 inches a nuisance condition. Community may have code allowing natural landscaping with conditions:

- Minimum lot size required,
- Landscaping plan may be required,
- Active planting of shrubs, trees, prairie or meadow species,
- Depending on landscaping plan, may require annual/semi-annual mowing,
- Setbacks from property lines where mowed lawn must be maintained,
- Minimizing noxious weeds.
Riparian & Wetland Setbacks

- **Zoning tool** to limit development within specific distances of streams and wetlands to **protect property** and **limit infrastructure costs**.

- Similar to front and side yard setbacks.

- **Controls location** of soil disturbing activities.

- A **landscaping plan** may be required to change vegetation if existing riparian corridor is forested.
Riparian Area Planting

- Minimize turf grass along streams and near wetlands.

- Trees suited for riparian areas:

- Shrubs suited for riparian areas:
  - Red osier/Silky/Grey dogwoods, Streamco/Sandbar willow

- Dormant season plantings.
Best Management Options for Riparian Areas and Wetlands

- **Stabilize Streambanks:**
  - Establish woody vegetation
  - Reduce mowing within riparian zone

- **Maintain Streambanks:**
  - Don’t dump yard wastes in riparian corridor or on streambanks
  - Vegetate eroding streambanks immediately

- **Drainage & Runoff:**
  - Use native vegetation to dissipate stormwater runoff and discharge drainage without creating erosion
Ohio EPA and Army Corps Regulations for Streams and Wetlands

**Requires permits** for impacts **below** the Ordinary High Water Mark or **in** the wetland. Small impacts may only require notification to Ohio EPA and Army Corps.

**Result:**

- Changing the location of, filling in, building on, piping, and other impacts to streams and wetlands can be permitted.
- Mitigation required, but not necessarily in the same watershed.
- Agencies have no authority above the ordinary high water mark or outside wetland boundary.
Tree Codes

- Typically establish cutting limits based on size (DBH) of tree.
- May require replacement, impact fees, or permits to remove trees.