

SUBDIVISION REGULATIONS

SCOTTSVILLE-ALLEN COUNTY, KENTUCKY

**ORIGINAL SUBDIVISION REGULATION ADOPTED: JUNE 15, 1998 AND
BECAME EFFECTIVE ON OCTOBER 1, 1998. ALL AMENDMENTS TO
THESE REGULATIONS ARE NOTED BY THE AMENDMENT DATES SET
FORTH IN THESE REGULATIONS.**

ARTICLE 1	GENERAL PROVISIONS	1
1.1	PURPOSE	1
1.2	TITLE	1
1.3	AUTHORITY AND ADMINISTRATIVE AGENCY	1
1.4	AREA OF JURISDICTION	1
1.5	AMENDMENTS	2
1.6	FILING AND INSPECTION FEE	2
1.7	NO SELLING OF LAND BEFORE APPROVAL	2
1.8	ENFORCEMENT AND PENALTIES	3
1.9	EFFECT OF PRIVATE DEED RESTRICTIONS	3
1.10	MINIMUM DESIGN STANDARDS AND RELATIONSHIP TO ZONING REGULATIONS	3
1.11	INTERPRETATION	3
1.12	CONFLICT WITH ZONING AND OTHER REGULATIONS	4
1.13	VARIANCES, EXCEPTIONS, AND WAIVER OF CONDITIONS	4
1.14	SEVERABILITY AND PREVIOUS REGULATIONS	5
1.15	NOTIFICATION ADDRESS	5
1.16	OTHER REGULATIONS AFFECTING LAND	5
ARTICLE 2	DEFINITIONS	6
2.1	PURPOSE OF DEFINITIONS	6
2.2	DEFINITIONS OF WORDS	6
2.3	DEFINITIONS	6
ARTICLE 3	GENERAL REQUIREMENTS	16
3.1	GENERAL APPLICATION	16
3.2	RECORDING OF PLATS	16
3.3	SALE PRIOR TO APPROVAL OF FINAL PLAT	16
3.4	INJUNCTION	16
3.5	IMPROVEMENTS	16
3.6	DEVELOPMENT IN PHASES	17
3.7	HORIZONTAL PROPERTY, CLUSTER DEVELOPMENT, PLANNED UNIT DEVELOPMENT - RULES AND REGULATIONS	17
3.7.1	General Provisions	17
3.7.2	Additional Provisions for Horizontal Property	18
3.7.3	Additional Provisions for Cluster or Planned Unit Development	18
3.7.4	Administrative Procedure	19
3.7.5	Conflicts with Other Sections of the Subdivision Regulations	19
3.8	AMENDMENT TO PLATS AND DEVELOPMENT AGREEMENTS	19
3.9	STREET CLASSIFICATION	19
3.10	BUILDING LINE SETBACK	20
ARTICLE 4	TYPES OF SUBDIVISIONS	21
4.1	CLASSIFICATION OF SUBDIVISIONS	21
4.2	MINOR SUBDIVISION	21
4.3	MAJOR SUBDIVISIONS	22
4.4	FURTHER SUBDIVIDING	23
4.5	OFFICIAL SUBMISSION DATES	23
4.6	APPROVAL OF PLATS	23
4.7	EXEMPT LOT OR LOT OF RECORD	23
4.8	QUALIFICATIONS OF AN EXEMPT LOT	23

ARTICLE 5	PROCEDURE FOR MINOR SUBDIVISION PLATS	24
5.1	PURPOSE	24
5.2	PROCEDURE	24
5.3	CONTENTS AND FORMAT OF MINOR SUBDIVISION PLATS	25
5.3.1	Plat Size	25
5.3.2	Title Block	25
5.3.3	Vicinity map	25
5.3.4	Context	26
5.3.5	Lots, Streets and Easements	26
5.3.6	Certifications	27
5.3.7	Adjoining property	27
5.3.8	Drainage features	27
5.3.9	Health Department Evaluation	28
ARTICLE 6	PROCEDURES FOR MAJOR SUBDIVISION PLATS	29
6.1	PURPOSE	29
6.2	PRE-APPLICATION CONFERENCE	29
6.3	TYPES OF MAJOR SUBDIVISION PLATS	30
6.4	PRELIMINARY SUBDIVISION PLATS	30
6.4.1	Applicability	30
6.4.2	Procedure	31
6.4.3	Public Notification	31
6.4.4	Planning Commission Action	31
6.5	FINAL PLAT APPROVAL	32
6.6	FINAL PLAT AMENDMENTS	34
ARTICLE 7	CONTRACT FOR CONSTRUCTION OF IMPROVEMENTS; CONTRACT PERFORMANCE SURETY	35
7.1	GENERAL PROVISIONS	35
7.2	CONTRACT PERFORMANCE GUARANTEE	35
7.2.1	Cash Surety	35
7.2.2	Letter of Credit	36
7.3	REDUCTION IN CERTAIN TYPES OF CONTRACT SURETIES	36
7.4	DEFAULT	37
7.5	RELEASE	38
ARTICLE 8	PLAT FORMAT AND CONTENT	39
8.1	PRELIMINARY PLAT	39
8.1.1	Content and Format	39
8.1.2	Site Data	40
8.1.3	Proposed Design and Improvements	41
8.1.4	Additional Data Required	43
8.1.5	Certifications	43
8.2	FINAL PLAT	43
8.2.1	Content and Format	43
8.2.2	Additional Data Required	44
8.2.3	Certifications	44
ARTICLE 9	DESIGN AND IMPROVEMENT STANDARDS	46
9.1	GENERAL PROVISIONS	46
9.1.1	Adequacy of Public Facilities	46

9.1.2	Flood Hazards	46
9.1.3	Improvements.....	46
9.2	LOTS.....	47
9.3	MONUMENTS.....	48
9.3.1	Monument Types	48
9.3.2	Monument Placement.....	49
9.4	BLOCKS.....	50
9.5	COMMUNITY PUBLIC IMPROVEMENTS	50
9.6	TELEPHONE, ELECTRIC, GAS AND CABLE UTILITIES.....	50
9.7	WATER SUPPLY.....	51
9.8	SANITARY SEWER DISPOSAL	52
9.9	STREETS.....	52
9.9.1	General Requirements.....	52
9.9.2	Alignment and Extensions.....	55
9.9.3	Street Names and Signs	56
9.9.4	Dedication of Rights-of-way - New Street.....	56
9.9.5	Dedication of Rights-of-way - Existing Streets.....	57
9.9.6	Street Intersections	59
9.9.6.1	General Provisions.....	59
9.9.6.2	Access from arterial street	60
9.9.6.3	Access from Collector Street.....	60
9.9.6.4	Access from local street	60
9.9.6.5	Sight visibility triangles	60
9.9.6.6	Street Offsets	60
9.9.6.7	Minimum street radius.....	60
9.9.6.8	Acceleration and Deceleration Lanes....Error! Bookmark not defined.	
9.9.6.9	Private Streets	61
9.10	RESERVE STREET STRIPS.....	62
9.11	CONSTRUCTION STANDARDS AND SPECIFICATIONS.....	62
9.12	RESIDENTIAL LAND USE ACCESS	64
9.13	NON-RESIDENTIAL LAND USE ACCESS.....	65
9.14	PLANNING FOR CONFLICTING TRAFFIC	65
9.15	DEAD-END STREET.....	65
9.16	CURBS AND GUTTERS	65
9.17	STREET LIGHTS	65
9.18	STORM WATER MANAGEMENT.....	66
9.19	EXTENSION POLICIES.....	66
ARTICLE 10	ADMINISTRATION AND ENFORCEMENT	67
10.1	ADMINISTRATIVE OFFICIAL	67
APPENDIX A	68
	FORMAT OF CERTIFICATES REQUIRED FOR SUBDIVISION PLATS	68
	<u>OWNER'S CERTIFICATION</u>Error! Bookmark not defined.	
	<u>CERTIFICATION OF SURVEY AND ACCURACY</u>	68
	<u>CERTIFICATION OF THE APPROVAL OF SEWAGE SYSTEMS</u>	69
	<u>ALLEN COUNTY HEALTH DEPARTMENT</u>	70
	<u>WATER DISTRIBUTIONS SYSTEM CERTIFICATION</u>	69
	<u>DEPARTMENT OF HIGHWAYS APPROVAL CERTIFICATE</u>	70
	<u>PROFESSIONAL ENGINEER'S CERTIFICATION</u>	70

SUBDIVISION REGULATIONS AMENDMENTS

<u>ARTICLE</u>	<u>TITLE</u>	<u>DATE</u>
Article 1 Section 7.2	Sell or Offer to Sell	12/20/04
Article 2 Section 3	Accessory Building	01/16/01
Article 2 Section 3	Definitions	05/19/25
Article 2 Section 3	Lot of Record	08/21/00
Article 2 Section 3	Subdivision	12/20/99
Article 3 Section 2	Definitions	07/18/07
Article 3 Section 2	Recording of Plats	05/19/25
Article 3 Section 5	Improvements	05/19/25
Article 3 Section 6	Development in Phases	05/19/25
Article 3 Section 10.1-9	Building Line Setback	05/19/25
Article 4 Section 2.1-2	Minor Subdivision	05/19/25
Article 4 Section 2.1.2	Minor Subdivision	01/16/01
Article 4 Section 2.8	Agricultural Tract	7/18/07
Article 4 Section 3.2	Major Subdivision	01/16/01
Article 4 Section 6	Approval of Plats	06/19/00
Article 4 Section 7	Exempt Lot or Lot of Record	08/21/00
Article 5 Section 2.1-3	Procedures for Minor Subdivision Plats	05/19/25
Article 5 Section 2.3	Procedure	10/19/98
Article 5 Section 3.1	Plat Size	05/19/25
Article 5 Section 3.2	Title Block	01/16/01
Article 5 Section 3.3	Vicinity Map	05/19/25
Article 5 Section 3.6.5	Certifications	01/16/01
Article 5 Section 3.6.5	State Highway Department Certificate	05/19/25
Article 5 Section 3.6.6	Certifications	12/21/98
Article 5 Section 3.6.6	Certifications-Blank Square Location	05/19/25
Article 5 Section 3.10	State Highway Department Evaluation	01/16/01
Article 5 Section 3.10	State Highway Department Evaluation	05/19/25
Article 6 Section 5.3	Procedure for Major Subdivision Plats	05/19/25
Article 6 Section 7.1	Electronic Submittal	02/16/04
Article 8 Section 1.1.1-5	Plat Format and Content	05/19/25
Article 8 Section 1.1.4.E	Preliminary Plat	01/16/01
Article 8 Section 1.4.3	Additional Data Required	01/16/01
Article 8 Section 2.1.7-8	Final Plat Format and Content	05/19/25
Article 8 Section 2.7	Certifications	01/16/01
Article 8 Section 2.8	Certifications	12/21/98
Article 9 Section 1.2	Flood Hazards	05/19/25
Article 9 Section 2.1-3	Lots	05/19/25
Article 9 Section 9.9.1	Road Improvements	07/16/07
Article 9 Section 9.9.1.3	Road Improvements	05/19/25
Appendix A	Certification of Survey and Accuracy	10/19/98
Appendix A	Certification of the Approval of Sewage Systems	11/16/98
Appendix A	Certification of Proposed On Site Sewage System	09/17/01
Appendix A	Water Distribution System Certification	01/19/04
Appendix A	Department of Highways Approval Certificate	01/16/01
Appendix A	Easement Certificate	
Appendix A	Notarization	
Appendix A	Certification of the Allen County Health Department	03/21/1

ARTICLE 1

GENERAL PROVISIONS

1.1 PURPOSE

These Subdivision Regulations are designed to encourage the development of sound, healthful and economically stable residential, commercial, industrial and public areas; to provide for safe, convenient and efficient traffic circulation; to coordinate land developments in order to ensure that the future physical growth in Scottsville and Allen County, Kentucky will be orderly, efficient, and conducive to the minimum outlay of public expenditures in providing services to new growth area; to provide for the protection of environmentally sensitive and geologic hazard areas; to minimize fire hazards; to provide for light and air in habitable structures; to encourage the efficient use of energy resources; to mitigate flooding hazards; to provide for the proper disposal of sewage; to enhance the unique aesthetics of the community; to encourage the protection and enhancement of trees and woodland areas; and to provide for the overall harmonious development of the community in accordance with the Scottsville-Allen County Comprehensive Plan.

1.2 TITLE

These Subdivision Regulations shall be known and may be cited as “The Subdivision Regulations of Scottsville-Allen County, Kentucky”.

1.3 AUTHORITY AND ADMINISTRATIVE AGENCY

1.3.1 These Subdivision Regulations have been adopted by the Scottsville-Allen County Planning Commission pursuant to the authority granted to it under Kentucky Revised Statutes (KRS) Chapter 100 and does hereby exercise the power and authority to review, approve and disapprove plats for the subdivision of land.

1.3.2 These Subdivision Regulations shall be administered by the Scottsville-Allen County Planning Commission, hereinafter called the "Planning Commission".

1.4 AREA OF JURISDICTION

The provisions in these Subdivision Regulations shall be applicable within the unincorporated areas of Allen County, Kentucky and within the corporate limits of the City of Scottsville, Kentucky.

1.5 AMENDMENTS

The Planning Commission may from time to time, revise, modify or amend these Subdivision Regulations by appropriate action after a public hearing.

1.6 FILING AND INSPECTION FEE

The following fees, as from time to time established by the Planning Commission, shall be paid by the owner or the Applicant for subdivision plat approval.

- 1.6.1 A fee for preliminary plat approval which shall be paid at the time of filing and;
- 1.6.2 A fee for inspection that shall be paid prior to the commencement of construction or recording of the plat, whichever shall first occur.
- 1.6.3 A fee for recording the plat, restrictions, and a certificate of land use restriction, which must be filed by the Planning Commission or their designee in the office of the Allen County Court Clerk.

1.7 NO SELLING OF LAND BEFORE APPROVAL

- 1.7.1 No land may be subdivided through the use of any legal description other than with reference to a plat approved by the Planning Commission.
- 1.7.2 No owner or agent of the owner of any parcel of the land located in a proposed subdivision shall transfer, offer or agree to sell, or sell any Lot or parcel of land located within a subdivision by reference to, or by exhibition, or by any other use of a plat of such subdivision, before such plat has received final approval of the Planning Commission and has been recorded by the County Court Clerk. Provided, however, any person, or his agent, may agree to sell any lot or parcel of land located within a subdivision by reference to an unapproved or unrecorded plat or by reference to a metes and bounds description of such lot and any such executory contract of sale or option to purchase may be recorded and shall be valid and enforceable so long as the subdivision of land contemplated therein is lawful and the subdivision plat subsequently receives final approval of the planning commission.
- 1.7.3 Any instrument purporting to transfer title to property which has not been approved as provided by KRS Chapter 100 and these Subdivision Regulations shall be void and shall not be recorded by the County Court

Clerk. The recording of any instrument by the County Court Clerk in contravention of these Subdivision Regulations shall in no manner be construed as conferring approval of any such instrument and such instrument shall be void.

1.8 ENFORCEMENT AND PENALTIES

- 1.8.1 It shall be the duty of the Planning Commission to enforce the provisions of these Subdivision Regulations.
- 1.8.2 Violation of the provisions of these Subdivision Regulations and the penalties therefore shall be governed by the provisions of KRS Chapter 100.
- 1.8.3 The Planning Commission shall have remedies in law or equity to prevent any violation of these Subdivision Regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation and to prevent occupancy of a Building, structure, or premises in violation of these Subdivision Regulations. These remedies shall be in addition to the penalties described in 1.8.2.

1.9 EFFECT OF PRIVATE DEED RESTRICTIONS

- 1.9.1 Nothing in these Subdivision Regulations shall prohibit the owner of the subdivision from placing self-imposed restrictions or imposing higher standards than required by these Subdivision Regulations, so long as those standards do not violate these Subdivision Regulations.
- 1.9.2 Private deed restrictions or private covenants do not fall within the jurisdiction for enforcement by the Planning Commission.

1.10 MINIMUM DESIGN STANDARDS AND RELATIONSHIP TO ZONING REGULATIONS

Plans filed pursuant to these Subdivision Regulations shall be required to comply with the Scottsville-Allen County Zoning Regulations.

1.11 INTERPRETATION

In their interpretation and application, the provisions of these Subdivision Regulations shall be held to be the minimum requirements. More stringent provisions may be required by the Planning Commission, if it is demonstrated that

different standards are necessary to promote the public health, safety and welfare. When requiring a higher standard than the minimums stated in these Subdivision Regulations, the Planning Commission shall be governed by the following standards:

- 1.11.1 There are specific on site or off site conditions that adversely affects the properties under consideration that would otherwise cause the property to be unsuitable for development.
- 1.11.2 The land to be subdivided shall be of such a type and character that the additional requirements are required in order to ensure that the property can be used for building purposes without threat from flooding, erosion, contamination or other man made or environmental hazards.

1.12 CONFLICT WITH ZONING AND OTHER REGULATIONS

- 1.12.1 These Subdivision Regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, or regulation, statute, or other provision of law except as provided in these Subdivision Regulations.
- 1.12.2 Where there is a discrepancy between the minimum standards set forth in these Subdivision Regulations and those contained in the Scottsville-Allen County Zoning Regulations, Building Code, or other regulations, law, or ordinance, the regulations which are more restrictive and impose higher standards or requirements shall govern.

1.13 VARIANCES, EXCEPTIONS, AND WAIVER OF CONDITIONS

- 1.13.1 When the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances, exceptions, and waiver of conditions to these Subdivision Regulations so that substantial justice may be done and the public interest served. The variance, exception, or waiver conditions shall not have the effect of nullifying the intent and purpose of these Subdivision Regulations. The Planning Commission shall not approve variances, exceptions, or waiver of conditions unless it shall make findings based upon the evidence presented to it at a public hearing that:

- 1.13.1.1 The granting of the variance, exception, or waiver of conditions will not be detrimental to the public safety, health, or welfare or injurious to other property;
- 1.13.1.2 The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;
- 1.13.1.3 Because of the particular physical surroundings, shape, or topographical conditions of the property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict application of these Subdivision Regulations is carried out;
- 1.13.1.4 The condition upon which the request is based which was not caused by a willful action by the property owner subsequent to the adoption of the Subdivision Regulations.
- 1.13.1.5 The relief sought will not in any manner vary the provisions of the Zoning Regulations, Comprehensive Plan, or official map, except that those documents may be amended in the manner prescribed by law.

1.14 SEVERABILITY AND PREVIOUS REGULATIONS

- 1.14.1 Should any section, subsection, paragraph or provision of these Subdivision Regulations be adjudged by a court of competent jurisdiction to be invalid or unenforceable, all remaining provisions of these Subdivision Regulations shall remain in full force and effect.
- 1.14.2 All previous Subdivision Regulations are hereby repealed by the adoption of these Subdivision Regulations.

1.15 NOTIFICATION ADDRESS

- 1.15.1 All notices required by these Subdivision Regulations to be given to the Subdivider shall be sufficient if given to the address of the Subdivider as reflected in the relevant application filed with the Planning Commission.

1.16 OTHER REGULATIONS AFFECTING LAND

- 1.16.1 Nothing in these Subdivision Regulations is intended to abrogate any other law, rule or regulation affecting real estate.

ARTICLE 2 DEFINITIONS

2.1 PURPOSE OF DEFINITIONS

Unless otherwise expressly stated, the following terms shall, for the purposes of these Subdivision Regulations, have the meaning herein indicated.

2.2 DEFINITIONS OF WORDS

2.2.1 The use of the present tense shall be interpreted to include the future.

2.2.2 The word "person" includes a firm, entity, association, organization, partnership, trust, company, or corporation as well as individual.

2.2.3 The words "shall" or "will" are mandatory requirements, the word "may" is permissive requirement, and the word "should" is a preferred requirement.

2.2.4 The word "structure" includes the word "Building" and the words "Building" and "structure" include any part thereof.

2.3 DEFINITIONS

Access: A point at which provisions are made for vehicular entrance to or exit from or to a Lot or other street.

Acceleration Lane: An added roadway lane that permits integration and merging of slower moving vehicles into the main vehicular stream. Frequently used in connection with the exit from a major traffic generator.

Accessory Building: A subordinate building, the use of which is clearly incidental to that of a Building on the same lot.

Adequate Public Facilities: Facilities determined to be capable of supporting and servicing the physical area and designated intensity of the proposed subdivision as determined by the Planning Commission based upon specific levels of service.

Administrative Officer: Any department, employee, advisory, elected or appointed body or official which is authorized to administer the provision of these Subdivision Regulations.

Aisle: The traveled way by which cars enter and depart parking spaces.

Agricultural Tract: Any tract greater than 10 acres in size that is created from an original tract.

Alley: A service roadway providing secondary Access to the abutting property and not intended for general traffic circulation.

Applicant: The owner of land proposed to be subdivided or the owners representative or agent who shall have express written authority to act on behalf of the owner in all respects under these Subdivision Regulations.

Average Daily Traffic (ADT): The average number of cars per day that pass over a given point.

Block: A unit of land bounded by streets or by a combination of streets and public lands, railroad rights-of-way, shorelines of waterways, or any other barrier to the continuity of development.

Buffer: An area within a property, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and beams, designed to limit continuously the view of and sound from the site to adjacent properties.

Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, process, equipment, goods, or materials of any kind.

Building code: Rules which may from time to time be adopted by the City of Scottsville or the County of Allen to regulate building and construction standards. These include, but are not limited to, the Kentucky Building Code and the BOCA one and two family Building Code, and the National Electrical Code.

Building Setback line: A setback line parallel to a property line beyond which one may not build any improvements. That line that is the required minimum distance between the building's wall and foundation and the lot line (this does not include eaves and overhangs of less than two feet) and that established area within which any structures (not including fences, landscaping or play equipment) must be erected or placed.

Building permit: A permit issued by the Administrative Officer allowing a proprietor or his agent to construct, alter or remove a Building to construct out Buildings or accessory structures, or engage in similar activity which would alter the character of the Lot in question.

Building, Principal: A Building in which is conducted the principal use of the Lot on which it is located. In a residential district, any dwelling shall be deemed to be the principal Building on its Lot.

Collector Street: See street, collector.

Condominium: A Building, or group of Buildings, in which each individual unit are held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of KRS Chapter 381.805 to 381.910.

Condominium unit: A unit available for sale in fee simple contained in a single unit or a multiple unit structure or structures with common elements.

Cluster Development: A development approach in which building Lots may be reduced in size and Buildings cited closer together, usually in groups or clusters, provided that the total development Density does not exceed that which could be constructed on the site under conventional development standards under zoning and Subdivision Regulations. The additional land that remains undeveloped is then preserved as open space and recreational land.

Comprehensive Plan: The long range plan adopted by the Planning Commission and the City of Scottsville and County of Allen in accordance with KRS Chapter 100, which is intended to guide the growth and development of the City and County. It contains the general location and extent of present and proposed physical facilities including housing, commercial and industrial uses, transportation facilities, recreation and parks, community facilities, and land use.

County Court Clerk: The Allen County Court Clerk.

Cul-de-Sac: A local street with only one outlet that terminates in a vehicular turnaround and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Deceleration Lane: An added roadway lane that permits vehicles to slow down and leave the main vehicular stream. Frequently used in connection with the entrance to a major traffic generator.

Density: The permitted number of dwelling units per gross acre of land to be developed.

Detention Basin: A man-made or natural water collector facility designed to collect surface and sub-surface water in order to impede its flow and to release the same gradually at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

Developer: The legal or beneficial owner or owners of a Lot or of any land included in a proposed subdivision. Also, the holder of an option or contract to purchase, or any other person having enforceable proprietary interest in such land.

Drainage: The removal of surface water or groundwater from land by drains, grading, or other means.

Drainage System: The system through which water flows from the land, including all watercourses, Detention Basins, water bodies and Wetlands.

Driveway: A paved or unpaved area used for ingress or egress of vehicles, and allowing Access from a street to a Building or other structure or facility.

Easement: A grant of one or more of the property rights by the property owner to and for the use by the public, a corporation or another person or entity for a specific purpose.

Easement, Drainage: Land required for the installation of storm water sewers, Drainage ditches or other drainage facilities and required for the preservation or maintenance of a natural stream, watercourse, sink, or other drainage facility.

Flood plain: Any land designated as “Flood Plain” on the flood insurance maps of the Federal Emergency Management Agency.

Health Department: The public health department having jurisdiction for Scottsville and Allen County, Kentucky.

Homeowners Association: An association or other organization, whether or not incorporated, that is organized in a development in which individual owners share common ownership and responsibilities for costs and upkeep of common owned open space or facilities.

Lot: A parcel, tract, plot or area of land established by a subdivision or other parcel of land as permitted by law, for the purpose, whether immediate or future, of transfer of ownership, or possession, lease, or building development.

Lot, Flag: A large Lot not meeting minimum frontage requirements and where Access to the public road is by a narrow, private rights-of-way or Driveway.

Lot Line: A line of record, bounding a Lot, that divides one Lot from another Lot or from a street or any other public space.

Lot Line, Front: The Lot Line separating a Lot from the street rights-of-way.

Lot Line, Rear: The Lot Line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped Lots, a line ten feet in length entirely within the Lot, parallel to and at a maximum distance from the front lot line.

Lot Line, Side: Any Lot Line other than a front or rear lot line.

Lot, Reverse Frontage: A through Lot that is not accessible from one of the parallel or nonintersecting streets upon which it fronts. Vehicle Access point for the Lot is limited to the back of the Lot, rather than having Access on the higher classified street.

Lot of Record: A Lot that (a) exists as shown or described in a plat of record, (b) is described in a deed fully executed, including the acknowledgement of all signatures, prior to the effective date of the Scottsville-Allen County Subdivision Regulations, or, (c) is described in a deed placed of record prior to the effective date of the Scottsville-Allen County Subdivision Regulations, or, (d) has been previously divided by public roadway that has not been re-described by a plat or by deed recorded in the office of the Allen County Clerk after the effective date of Scottsville-Allen County Subdivision Regulations.

Lot, Through: A Lot that fronts upon two approximately parallel streets or that fronts upon two streets that does not intersect at the boundaries of the Lot.

Lot Width: The horizontal distance between the side lines of a Lot measured at right angle to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

(LOS) Level of Service Term used to describe the quality of operation of a highway facility. It is a qualitative measure of the effect of such factors as, speed and travel time, traffic interruptions, freedom to maneuver, driving comfort, convenience, safety and operation cost. In this report, LOS is based on peak traffic hours. The flow characteristics are defined in five levels of service.

LOS A Describes a condition of free flow, with low volumes and high speeds.

Traffic density is low, with speeds controlled by driver desires, speed limits, and physical roadway conditions.

LOS B Is in the zone of stable flow, with operating speeds beginning to be restricted somewhat by traffic conditions. Drivers still have reasonable freedom to select their speed and lane of operation.

LOS C Is still in the zone of stable flow, but speeds and maneuverability are more closely controlled by the higher volumes. Most of the drivers are restricted in their freedom to select their own speed, change lanes, or pass.

LOS D This level approaches unstable flow, with tolerable operating speeds being maintained though considerably affected by changes in operating conditions. Fluctuations in volumes and temporary restrictions to flow may cause substantial drops in operating speeds.

LOS E This level cannot be described by speed alone, but represents operations at even lower operating speeds than in level D, with volumes at or near the capacity of the highway. Flow is unstable, and there may be stoppages for brief periods of time.

Major Subdivision: All subdivisions not classified as minor subdivisions.

Minor Subdivision: See Article 4.2.

Marginal Access Street: A service street that runs parallel to a higher-order street which, for purposes of safety, provides Access to abutting properties and separation from through traffic.

Non-buildable Lot: A lot that is created for utility accessibility, drainage purposes or protection of environmentally sensitive areas and shall be designated on all subdivision plats as non-buildable. These lots shall have a minimum street frontage requirement of 20 feet to allow access, and are not required to meet minimum lot sizes. These lots are not included in determination of minor versus major subdivision.

Off Street Parking: A temporary storage area for a motor vehicle that is directly accessible to an access Aisle and that is not located on a dedicated street right-of-way.

Open Space: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for the public or private use or enjoyment of owners and occupants of land adjoining or neighboring such open space.

Original Tract: Any tract, lot or farm that has been recorded by plat or deed prior to adoption date of this ordinance.

Parking Lane: A lane usually located on the sides of streets designed to provide on-street parking for vehicular traffic.

Planned Unit Development: An area of minimum contiguous size, as specified by the zoning regulations, planned, developed, and maintained according to plan as a single entity and containing one or more structures with appurtenant common areas.

Plat: A map representing a tract of land showing the boundaries and location of individual properties, Easements, streets, and other required information.

Preliminary Subdivision Plat: A map and drawings, described in these Subdivision Regulations, indicating the proposed manner or layout of the subdivision with related information that is submitted to the Planning Commission for approval.

Public Facility: Any facility provided by the City of Scottsville-Allen County, the Commonwealth of Kentucky or their agencies, or by a gas, telephone, electric, cable television or telecommunications provider.

Registered Engineer: A person licensed and registered by the Commonwealth of Kentucky to practice engineering.

Registered Land Surveyor: A person licensed and registered by the Commonwealth of Kentucky to practice land surveying.

Retention Basin: A pond, pool, or basin used for the permanent storage of water runoff.

Rights-of-Way: A strip of land acquired by reservation, dedication, prescription, or condemnation that is occupied or intended to be occupied by a street, road, highway, crosswalk, railroad or for other similar use.

Shoulder: The graded part of the rights-of-way that lies between the edge of the main pavement (main traveled way) and the curblane.

Sidewalk: A paved, surface, or leveled area, provided for pedestrian walkway, located parallel to and usually separated from the road or street, but within the rights-of-way.

Sight Distance: A straight line of unobstructed view measured between a point four feet above the finished surface of a street, at the center line of each traffic lane, and a point at a given minimum specified distance away from the first point, located one foot above the finished surface at the centerline of the same traffic lane.

Street: Any vehicular way that: (1) Is an existing state, county, or municipal street; (2) is shown upon a plat approved pursuant to law; (3) is approved by other official action; or (4) is shown on a plat duly filed and recorded in the office of the County Court Clerk's Office from and after the effective date of these Subdivision Regulations.

Street, Arterial: A street with Access controlled to adjoining properties, will have restricted parking, may have channelized intersections, and that collects and distributes traffic to and from Collector Streets. Typical Average Daily Traffic counts on arterial streets are 3,000 plus vehicles.

Street, Local: A street whose function is primarily to provide Access to abutting properties and carries traffic having destination or origin on the street itself and to discourage through traffic. Traffic volumes should not exceed 250 ADT count.

Street, Major Collector: A street whose principal function is to carry relatively high volumes of traffic between a minor arterial street and one or more minor collector or local streets. It may provide direct Access to abutting properties, but on a controlled basis, will have signals at important intersections and stop signs on the side streets. The major Collector Street should carry an average daily traffic count of between 1,000 to 3,000 trips per day.

Street, Marginal Access or Service or Frontage: A street that is parallel and adjacent to an arterial or major Collector Street, providing Access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the arterial street, and so the flow of traffic on the arterial street is not impeded by direct Driveway Access from a large number of abutting properties.

Street, Minor Collector: A street, which provides frontage for Access to Lots and carries traffic between major collectors and local streets. Traffic should have origin or destination in the immediate neighborhood. Traffic volume should not exceed 1,000 ADT count per day.

Street, Private: A means of Access within a subdivision that gives Access to a public street and is owned and maintained by the property owners within the subdivision.

Street, Public: A street that has been accepted for maintenance by the City, County, or Commonwealth of Kentucky.

Street, Stub: A street having only one open end, for which future continuation is planned, not considered dead-end street. Stub streets are planned and are not considered dead-end streets.

Subdivider: A person, including their agents, having an ownership interest in land that is the subject of an application for subdivision.

Subdivision: The division of a parcel of land into three or more Lots, for the purpose, whether immediate or future, of sale, lease, or building development, including all changes in street or Lot Lines, or if a new street is involved, any division of a parcel of land. The division of land for agricultural purposes, in parcels of more than ten (10) acres not involving a new street, shall not require a plat, unless it has been subdivided prior to the effective date of these Subdivision Regulations and now contains less than ten (10) acres. The term includes re-subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided.

Subdivision, Consolidation: The combining of individual recorded Lots to form a single tract in single ownership.

Subgrade: The natural ground lying beneath a road.

Survey: The process of precisely ascertaining the area, dimensions, and location of a piece of land.

Tract: A Lot. The term "tract" is used interchangeably with the term "Lot".

Yard: An open space that lies between the principal Building and the nearest Lot Line.

Yard, Front: A space extending the full width of the Lot between any Building and the front lot line and measured perpendicular to the Building at the closest point to the front lot line.

Yard, Rear: A space extending across the full width of the Lot between the principal Building and the rear lot line and measured perpendicular to the Building at the closest point to the rear lot line.

Yard, Side: A space extending the front yard to the rear yard between the principal Building and the side lot line and measured perpendicular to the side Lot to the closest point to the front lot line.

ARTICLE 3 GENERAL REQUIREMENTS

3.1 GENERAL APPLICATION

No person or his agent shall sell, offer for sale or subdivide any land before securing the approval from the Planning Commission of a plat under the provisions of these Subdivision Regulations.

3.2 RECORDING OF PLATS

No plat of a subdivision of land within the jurisdiction of this regulation shall be recorded by the County Court Clerk until the plat has been approved by the Planning Commission and the approval signed on the plat by the Chairman, Vice-Chairman, or Planning Director of the Planning Commission.

3.3 SALE PRIOR TO APPROVAL OF FINAL PLAT

No person owning land comprising a subdivision, or his agent, shall transfer, sell or agree to sell any Lot or parcel of land located within a subdivision by reference to, or by exhibition, or by any other use of a plat of such subdivision before such plat has received final approval of the Commission and has been recorded. Any such instrument of transfer, sale, or contract shall be void and shall not be subject to be recorded, but all rights of such purchaser to damages are hereby preserved. The description of such Lot or parcel by metes and bounds in any contract or instrument of transfer or other document used in the process of selling or transferring same shall not exempt the person attempting to transfer from penalties provided in these Subdivision Regulations or deprive the purchaser of any rights or remedies the purchaser or transferor may otherwise have.

3.4 INJUNCTION

The Planning Commission shall have the power to apply for an injunction against any type of subdivision construction by a Subdivider in violation of the provisions of this regulation. The Subdivider shall be liable for costs incurred by the Planning Commission incident to its application for such injunction including its court costs and attorneys fees actually incurred.

3.5 IMPROVEMENTS

No public improvement, such as sidewalks, water supply system, storm water Drainage, drainage facilities, sanitary sewerage lines and treatment facilities, gas

service, electric service, street lighting, or cable television, or grading, paving, or surfacing of any street shall be made within any such subdivision by any Subdivider, or by any other entity at the request of a Subdivider, until the Approval for the Preliminary Subdivision Plat has been approved by the Planning Commission.

3.6 DEVELOPMENT IN PHASES

Where a tract of land is proposed to be subdivided in several stages over a period of years and the Subdivider requests approval in parts, the Subdivider shall, at the time approval is sought for the first part, submit a detailed plan of the entire tract to be eventually developed, with appropriate sectioning to demonstrate to the Planning Commission that the total design as proposed for the entire subdivision is feasible. The Planning Commission shall give preliminary plat approval or disapproval to the overall plan and final approval or disapproval on the parts as submitted for approval from time to time. In the event of disapproval of the overall plan or any part or parts thereof, the Planning Commission shall state the specific regulation or regulations of non-conformance resulting in such disapproval.

3.7 HORIZONTAL PROPERTY, CLUSTER DEVELOPMENT, PLANNED UNIT DEVELOPMENT - RULES AND REGULATIONS

3.7.1 General Provisions

- 3.7.1.1 All projects subject to one or more provisions of KRS 381.805 to 381.910, the horizontal property, Cluster Development, or planned unit development provisions of the Zoning Regulations shall be subject to these Subdivision Regulations.
- 3.7.1.2 All projects subject to provisions of this section of these Subdivision Regulations shall be a Major Plat and any amendment will be considered as a Major Plat.
- 3.7.1.3 The maximum permitted overall densities, setbacks, height, parking, signage, and minimum open space requirements shall be controlled by the district classification in which the project is located.
- 3.7.1.4 The permitted uses will be controlled by the zoning district classification in which the project is located.

- 3.7.1.5 A detailed site plan containing the layout, location, number of units, and dimensions of each Condominium Unit shall be presented to the Planning Commission for review at the time preliminary plat is filed. In addition, the common areas and the individual interest of each unit shall be shown and be presented to the Planning Commission for review at the time the preliminary plat is filed.
- 3.7.1.6 All projects whether referred to as horizontal properties, cluster or planned unit development shall be in accordance with the Comprehensive Plan.

3.7.2 Additional Provisions for Horizontal Property

- 3.7.2.1 All projects whether referred to as horizontal properties or as Condominiums shall be subject to section 3.7.
- 3.7.2.2 A copy of the final documents creating the Homeowners Association shall be filed with the Planning Commission with the filing of the final subdivision plat.
- 3.7.2.3 A master deed or lease which sets forth the particulars enumerated by KRS 381.835 shall not be recorded and established as a horizontal property regime without having first been reviewed and approved by the Planning Commission. Floor plans meeting the standards set forth in KRS 381.835(5) shall not be filed in the County Court Clerk's Office without having first been reviewed and approved by the Planning Commission.

3.7.3 Additional Provisions for Cluster or Planned Unit Development

- 3.7.3.1 A master deed for the open space areas shall be presented to the Planning Commission for its review and approval.
- 3.7.3.2 A copy of the final documents creating the Homeowners Association and any other documents necessary setting out the operating and maintenance of common properties or open

space shall be filed with the Planning Commission with the filing of the final subdivision plat.

- 3.7.3.3 All amendments to the final documents setting out the operating and maintenance of common property shall be approved by the Planning Commission prior to such amendments becoming effective.

3.7.4 Administrative Procedure

The establishment, expansion or diminution of the horizontal property Cluster Development, or planned unit development shall be subject to review and approval by the Planning Commission, in the same manor as when they were established.

3.7.5 Conflicts with Other Sections of the Subdivision Regulations

In cases where section 3.7 is in conflict with any other provision of these Subdivision Regulations, the provisions of this section shall take precedence and shall be the controlling provisions.

3.8 AMENDMENT TO PLATS AND DEVELOPMENT AGREEMENTS

A subdivision of land will not be approved unless it conforms with all Zoning and Subdivision Regulations of Scottsville and Allen County. No plat amendment shall be construed to amend any development agreement.

3.9 STREET CLASSIFICATION

All streets or public ways of the City of Scottsville and Allen County shall be classified according to the Major Street Plan as contained in the Comprehensive Plan.

3.10 BUILDING LINE SETBACK

All lots created under these regulations shall have building setback lines as follows:

- 3.10.1 A Building Line to establish a front yard for all buildings and structures shall be established at a distance of 25 foot from the right-of-way of the street This includes lots fronting on more than one street.

- 3.10.2 Lots that front on a cul-de-sac, or hammerheads, which have a mandatory 100 feet radius may use a minimum 25-foot building setback line provided the required lot width can be maintained. This setback would also apply to specially designed cul-de-sacs with wide rights-of-way and medians.
- 3.10.3 All lots shall have side yard setbacks of 10 feet, when a lot fronts on multiple streets one rear yard may be designated as a side yard. This subsection 3.10.3 shall not apply to accessory buildings.
- 3.10.4 All lots shall have a rear yard setback of 15 foot, when a lot fronts on multiple streets one rear yard may be designated as a side yard.
- 3.10.5 Lots that abut a fully controlled highway, which allows no direct access, shall have a building setback line from the right-of-way of said highway of 25 feet. This Building Line shall be the same without consideration of how any building or proposed building will face.
- 3.10.6 Building setback lines, as established by this section, may be greater than these minimums; however, for purposes of establishing minimum lot width of a lot, this distance shall not exceed 100 feet.
- 3.10.7 Where existing development on adjoining lots does not meet this front yard requirement, the front yard setback may be reduced to the average front yard setback of the adjoining lots to maintain the character of the neighborhood.
- 3.10.8 This shall not apply to the pump islands of gasoline service stations whose required setback shall be limited to a maximum control of 30 feet.
- 3.10.9 If a lot is created within the jurisdiction of the Zoning Ordinance of the City of Scottsville, it shall meet the setback requirements of these regulations or of the Zoning Ordinance, whichever setback requirement is less restrictive.

ARTICLE 4 TYPES OF SUBDIVISIONS

4.1 CLASSIFICATION OF SUBDIVISIONS

All proposed Subdivisions shall be classified by the Planning Commission. The following classifications of Subdivisions may be assigned as set forth in these Subdivision Regulations:

- A. Major plat, or
- B. Minor plat
- C. Exempt Lot or Lot of record

4.2 MINOR SUBDIVISION

To qualify for consideration as a Minor Subdivision plat, the Subdivision must meet one or more of the following criteria:

4.2.1 Where the original tract to be divided is to be divided into five (5) or less Lots, excluding agricultural tracts (10 acres or greater), counting the remainder of the original tract, with all Lots in a Minor Subdivision fronting on an existing public street and shall involve no extension of the surface of a public street; and each Lot contains:

4.2.1.1 Lots served by Public Sanitary Sewage System

In areas where lots are served by a public sanitary sewage disposal system, the minimum lot size shall be 0.25 (1/4) of an acre or 10,890 square feet with a minimum of 7,700 square feet of the area of the lot being free of all building and setback lines, easements and rights-of-ways.

4.2.1.2 Lots served by On-Site Sewage Disposal System

In areas where lots are not served by a public sanitary sewage disposal system, the minimum lot size shall be 0.70 (7/10) of an acre or 30,492 square feet with a minimum of 20,000 square feet of the area of the lot being free of all building and setback lines, easements and rights-of-ways provided that the proposed lot for the on-site sanitary sewage disposal system is approved by the Health Department.

4.2.2 Does not include any new street, or rights-of-way;

- 4.2.3 Does not include a provision for a public area or public facility;
- 4.2.4 Conforms to the setback line requirements and other requirements of the applicable zoning district;
- 4.2.5 Where up to and including five (5) Lots of record are consolidated to create a lesser number of parcels and involve no new public improvements.
- 4.2.6 Where there is a need to make technical revisions to a recorded final Major Subdivision plat of an engineering or drafting nature or similar small technical discrepancy but not including the change to any property lines, Building Lines or public improvement requirements.
- 4.2.7 Where there is a need to amend a recorded minor plat for the purpose of release or modification of existing Easements and the addition of new Easements.
- 4.2.8 Agricultural tracts that are subdivided shall be considered as minor subdivisions: if it is less than 15 acres and one new lot and a remainder lot is created; if it is 15 acres to less than 20 acres and two new lots and a remainder lot is created; if it is 20 acres to less than 25 acres and three new lots and a remainder lot is created; and if it is 25 acres or greater and four lots and a remainder lot is created.

4.3 MAJOR SUBDIVISIONS

The class of "Major Subdivisions" are those Subdivisions of land which are of greater importance to the long range growth and development of Scottsville and Allen County. All Subdivisions, which do not conform to the definition and meet all criteria for minor subdivisions shall be considered as Major Subdivisions. This includes all subdivision of land proposing the creation of a new street, public way or the extension of Public Facilities. All lots in Major Subdivision shall contain:

4.3.1 Lots served by Public Sanitary Sewage Disposal System

In areas where lots are served by a public sanitary sewage disposal system, the minimum lot size shall be 0.25 (1/4) of an acre or 10,890 square feet with a minimum of 7,700 square feet of the area of the lot being free of all building and setback lines, easements and rights-of-ways.

4.3.2 Lots served by On-Site Sewage Disposal System

In areas where lots are not served by a public sanitary sewage disposal system, the minimum lot size shall be 0.70 (7/10) of an acre or 30,492 square feet with a minimum of 20,000 square feet of the area of the lot being free of all building and setback lines, easements and rights-of-ways provided that the proposed lot for the on-site sanitary sewage disposal system is approved by the Health Department.

4.4 FURTHER SUBDIVIDING

Nothing in these Subdivision Regulations shall be construed to permit the further subdividing of any Lot of Record without meeting the provisions of these Subdivision Regulations.

4.5 OFFICIAL SUBMISSION DATES

For the purpose of these Subdivision Regulations, the Planning Commission shall publish a set of filing dates for the submission of Subdivision plats for approval. Applications for Subdivision approval will be filed with the Planning Commission at such office as from time to time designated by the Planning Commission.

4.6 APPROVAL OF PLATS

Any plat for the Subdivision of a tract containing more than ten (10) acres, including the remaining tract and not involving a new street or public way, shall be filed for recording with the County Court Clerk without Planning Commission approval. All other plats shall require Planning Commission approval.

4.7 EXEMPT LOT OR LOT OF RECORD

The Planning Commission may, upon application, approve a plat for a Lot of record, if it meets the following:

- a) It is a revision to the legal description of such Lot of Record which does not increase or decrease its area; or
- b) The lots have been previously divided by public roadway that have not been re-described by a plat or by deed recorded in the office of the Allen County Clerk after the effective date of Scottsville-Allen County Subdivision Regulations.

4.8 QUALIFICATIONS OF AN EXEMPT LOT

To qualify as an exempt Lot the Lot shall meet the requirement of a "Subdivision" under KRS Chapter 100.

ARTICLE 5

PROCEDURE FOR MINOR SUBDIVISION PLATS

5.1 PURPOSE

The purpose of this Article is to establish the application procedures and content requirements to be met by Minor plats and the Planning Commission's procedure for reviewing and approving these subdivisions.

5.2 PROCEDURE

- 5.2.1 The Subdivider of a Minor Subdivision shall file a formal application, pay all applicable fees to the Planning Commission, and submit one paper copy of the Minor Plat containing all materials, which are required by these Subdivision Regulations for review.
- 5.2.2 Upon receipt of the application, fee payment and Minor Plat by the Planning Commission, the Planning Commission will have the Plat circulated to all concerned utilities providing services to the subdivision and appropriate governmental agencies for their review and comment. When all reviews are complete and comments are corrected, four (4) copies of the Minor Plat containing all materials, which are required by these Subdivision Regulations shall be submitted for approval.
- 5.2.3 The Planning Commission Chairman, Vice-chairman or Planning Director, may approve the Plat if it meets all the requirements of these Subdivision Regulations. The Planning Commission Chairman, Vice-chairman or Planning Director, may not waive any standard or requirement of these Subdivision Regulations. If not approved by the Planning Commission Chairman, Vice-chairman or Planning Director, then the minor plat shall be submitted for action to the next meeting of the Planning Commission.
 - 5.2.3.1 In considering a Minor Plat, the Planning Commission shall approve, approve subject to conditions, disapprove, make a determination that a more thorough investigation of the proposed Plat is required or that the Minor Plat shall be filed as a Major Plat.
 - 5.2.3.2 The Planning Commission shall make its determination on the Minor Plat at the meeting in which it is presented for consideration.

- 5.2.3.3 If the Planning Commission requires the Minor Plat to be filed as a Major Plat, the Subdivider shall be notified in writing of this decision of the Planning Commission within five (5) business days following the Planning Commission meeting. Notification shall be effective upon placing the notification in the United States Mail.
- 5.2.3.4 Following the approval by the Planning Commission of the Minor Plat, the Chairman or other designee of the Planning Commission shall sign the Planning Commission certification on behalf of the Planning Commission.
- 5.2.3.5 Following the signing of Planning Commission certification, the Plat will be recorded by the Planning Commission in the County Court Clerk's Office.

5.3 CONTENTS AND FORMAT OF MINOR SUBDIVISION PLATS

Each request for approval of a minor plat shall include one (1) copy of a completed Planning Commission application form, the original plat and four (4) copies of the original plat, drawn to a scale of one hundred (100) feet or less to one inch.

5.3.1 Plat Size

Minor plats shall be placed on a sheet of paper that is at least 11" x 17" in size. The plat will be clearly legible using a medium that is achievable and easily reproducible.

5.3.2 Title Block

The title block shall contain the name of the Subdivision, address of the property, north arrow, date of the preparation of the plat, written and graphic scales, name and address of the property owner and Developer (if different than the owner), map number and parcel number as provided by the Property Valuation Administrator, name of land surveyor and/or registered engineer (and their respective registration numbers).

5.3.3 Vicinity map

The vicinity map shall relate the property to be subdivided, with its boundary outlined, to a sufficient number of streets with their names and other landmarks to enable recognition of its location. The vicinity map

shall be oriented in the same direction of the Lots being subdivided or with north to the top of page, but does not need to be drawn to a particular scale.

5.3.4 Context

- 5.3.4.1 Angles or true bearings and distances to the nearest established street line or existing official monuments, which shall be accurately described on the plat;
- 5.3.4.2 At least one corner of the land being subdivided must be referenced to a corner of any parent tract, or durable physical object, a control network (i.e. state coordinates) or U.S. Geodetic Survey monument, where such reference point is reasonably accessible;
- 5.3.4.3 Location, type, material and size of all monuments and lot markers and a notation as to whether found or set;

5.3.5 Lots, Streets and Easements

- 5.3.5.1 Lots shall be numbered in numerical order following a consistent scheme with any Lots previously platted.
- 5.3.5.2 For streets and Alleys adjacent to Lots, the following shall be shown: The rights-of-way, names, bearings, angles of intersections, and width of street.
- 5.3.5.3 For all arcs, show the length, radii, central angles, internal angles, points of curvature and tangency, and the length of all tangents;
- 5.3.5.4 For all Easements, lands for joint use of property owners, or other rights-of-way, show the location, width, and the printed words "utility easement", "Drainage Easement" or other similar designation as appropriate;
- 5.3.5.5 For all Lot Lines, show dimensions in feet and hundredths and bearings or angles to nearest second;
- 5.3.5.6 For all Lots, show Lot Lines, Building address number(s) and building setback lines;

5.3.6 Certifications

The following certifications along with required signatures, pursuant to appendix A to these Subdivision Regulations:

- 5.3.6.1 Owner's certification acknowledged before a Notary Public in good standing with the Commonwealth of Kentucky. The owner's certification shall be signed by all persons necessary to convey legal and equitable title to the property described on the Plat.
- 5.3.6.2 Dedication of Easements;
- 5.3.6.3 Registered Land Surveyor's certification;
- 5.3.6.4 Planning Commission certification;
- 5.3.6.5 State Highway Department Certificate, when necessary;
- 5.3.6.6 A 3-inch by 3-inch blank square in the lower right corner, shall be placed on the plat for County Court Clerk's recording stamp. If the plat has a front and back and is less than 18" x 24" in size, the 3-inch by 3-inch blank square shall be on the back lower right corner not the front.

5.3.7 Adjoining property

All adjoining properties shall have their intersections with the platted property shown in dashed lines and the owner of record of these adjoining properties identified.

5.3.8 Drainage features

The location of watercourses, drainage system and facilities shall be shown as well as the location of any sinkholes or Flood Plain areas. The elevation of the regulatory flood level shall be labeled. Proposed stream or natural drainage system relocations shall be shown, if applicable.

5.3.9 Health Department Evaluation

The Health Department evaluation of the site and signature of the Health Department environmentalist reviewing the plat must be shown on the plat if an on site sanitary waste disposal system is proposed.

5.3.10 State Highway Department Evaluation

Any proposed subdivision of land bounded by a state or federally maintained roadway, must be reviewed and approved by the District Highway Office of the Commonwealth of Kentucky Transportation Cabinet, if the proposed lots do not have existing access points.

ARTICLE 6

PROCEDURES FOR MAJOR SUBDIVISION PLATS

6.1 PURPOSE

The purpose of this Article is to establish the step by step procedures which shall be followed in the preparation of a Major Subdivision plan and plats and the Planning Commission's procedure for reviewing and approving these Subdivisions.

6.2 PRE-APPLICATION CONFERENCE

6.2.1 Prior to filing a formal application for a major Subdivision, the Subdivider should meet and consult informally with the Planning Commission at a pre-application conference. At the pre-application conference the Subdivider will meet with representative of agencies or companies which are involved in providing Public Facilities for the jurisdiction where property is located. This conference will be attended by the Subdivider and their designated representatives and designees of the Planning Commission. The purpose of the meeting is as follows:

- A. Discuss these Subdivision Regulations and the requirements of all Public Facilities;
- B. Discuss the location of existing streets, water and sanitary waste disposal systems, drainage systems, electrical, telephone, and cable television and other pertinent Public Facilities and the policies governing their extension into the Subdivision;
- C. Provide the Planning Commission and other agencies an opportunity for input at the formative stages of the Subdivision's design and any other potential issues which may be related to the proposed Subdivision.

6.2.2 The Subdivider or its agent shall present for discussion a rough sketch plan showing generally the boundaries of the proposed Subdivision, the proposed location and widths of streets, Lot and drainage patterns, general location of closest existing Public Facilities that are proposed to serve the

Subdivision, plus any other pertinent information then known to the Subdivider.

- 6.2.3 The participants in the pre-application conference shall not be bound by the determination of the pre-application conference.

6.3 TYPES OF MAJOR SUBDIVISION PLATS

All Major Subdivisions must follow the procedure for preliminary and final Subdivision plats.

6.4 PRELIMINARY SUBDIVISION PLATS

6.4.1 Applicability

- 6.4.1.1 All Major Subdivisions shall be first considered by the Planning Commission as Preliminary Subdivision Plats.
- 6.4.1.2 The Preliminary Subdivision Plat shall set forth the general development scheme for the entire parcel being developed at this time. [It is recommended that, if additional adjoining property is in the same ownership and is expected to be developed at a future date, the Subdivider or his agent include the entire tract for preliminary review.]
- 6.4.1.3 The Preliminary Subdivision Plat shall serve as the planning criteria for the future development of adjoining properties.
- 6.4.1.4 The Preliminary Subdivision Plat shall expire two years from the date of its approval unless renewed by the Planning Commission. Consideration of renewal of the preliminary plat by the Planning Commission will take place only at the written request of the Subdivider and such request must be filed in same time frame as required by the original preliminary approval.
- 6.4.1.5 The Subdivider is responsible for filing the written request for an extension of the approval of the preliminary plat. There will be no additional cost for the first renewal of the preliminary plat.
- 6.4.1.6 Failure to obtain an extension of time for Preliminary Subdivision Plat approval will require filing a new Preliminary Subdivision Plat, meeting all the requirements of

these Subdivision Regulations as they exist at the time of new filing.

6.4.2 Procedure

6.4.2.1 Following the pre-application conference, the Subdivider or his agent shall file a completed application form, pay applicable fees, and submit a Preliminary Plat prepared in conformance with the requirements of these Subdivision Regulations. Complete Preliminary Plats with all other required materials will be filed with the Planning Commission on the date published by the Planning Commission.

6.4.2.2 Upon filing of the application, fee payment and filing of the Preliminary Plat and other required materials by the Subdivider the Planning Commission shall circulate the plat to all entities providing Public Facilities to the Subdivision and appropriate governmental agencies for their review and comment.

6.4.3 Public Notification

Within fourteen (14) days prior to the public hearing on the Preliminary Plat, a notice of the filing of the major subdivision shall be advertised in a newspaper of regular issue, with the largest bona fide circulation in Allen County. An example of the notice shall be as follows:

Notice
Scottsville-Allen County Planning Commission

The following subdivision has been filed for preliminary plat approval with the Scottsville-Allen County Planning Commission. The Planning Commission will hold a public hearing on the subdivision on (date), ____p.m. at the City-County Building, Scottsville, Kentucky.

(Subdivider's name) has filed a subdivision plat entitled (name of subdivision) located on (address of subdivision), (distance) feet from (street or road name).

6.4.4 Planning Commission Action

6.4.4.1 The Planning Commission will hold a public hearing on the Preliminary Plat at the next scheduled regular meeting following the filing of the Preliminary Plat. An opportunity to be heard shall be given to the owner of the Subdivision, his agent, and any other interested party before the Planning Commission takes action upon the Preliminary Plat.

6.4.4.2 The Planning Commission shall approve, disapprove, or approve subject to conditions the Preliminary Subdivision Plat.

6.4.5 If the Preliminary Subdivision Plat is disapproved or approved subject to conditions, the reasons will be stated at the public hearing, for such action, including a statement of the specific conditions which must be met for approval. The Subdivider shall be notified in writing of the reasons for disapproval or conditional approval. If the Subdivider does not submit an acceptable amended plat addressing the reasons for disapproval or conditions to approval within ninety (90) days of the final action on the Preliminary Subdivision Plat by the Planning Commission then the Subdivider must file a new Preliminary Subdivision Plat application in the same manner as the original filing including the payment of the application fee.

6.4.6 Following the approval of Preliminary Subdivision Plat by the Planning Commission or when all conditions have been satisfactorily completed after conditional approval is given, the duly authorized representatives of the Planning Commission shall sign the Preliminary Subdivision Plat and return one copy of the approved plat to the Subdivider.

6.5 FINAL PLAT APPROVAL

6.5.1 Before transferring title to any portion of property comprising a Subdivision, which is pending before the Planning Commission, the Subdivider shall obtain final Plat approval from the Planning Commission.

6.5.2 Final Plats may include all or a portion of the area contained in a preliminary approved Plat or a Plat approved with conditions. Final Plats may not contain areas, which have not received Preliminary Subdivision Plat approval.

6.5.3 The Subdivider shall file an application for final Plat approval on a form supplied by the Planning Commission and shall submit therewith a final Plat prepared by a registered land surveyor in conformance with the requirements of these Subdivision Regulations. Unless waived by the Planning Commission, Final Plats will be submitted to the Planning Commission at least twenty five (25) days prior to the date of a regular meeting in order to be considered at that meeting. Final Plats shall be filed with the Planning Commission at such office as from time to time designated by the Planning Commission. Final Plats may be approved by the Chairman, Vice-Chairman or Planning Director administratively, if

there are no adjustments to the street network, nor any increase in the number of lots and the Final Plat follows the general layout approval of the Preliminary plat.

- 6.5.4 Upon receipt of the final Plat the Planning Commission shall cause the final Plat to be circulated among the various utilities and the fire department for the jurisdiction where the proposed Subdivision is located for their review and recommendation that the Final Plat meets all of their requirements.
- 6.5.5 After submission of the Final Plat and the required information concerning improvements, the Subdivider or their agent will appear before the Planning Commission, at a regular meeting, at which time the Planning Commission shall consider the Final Plat.
- 6.5.6 The Planning Commission may either approve, disapprove, or approve with conditions the Final Plat.

If the Final Plat is disapproved, the Planning Commission shall state the reasons for the disapproval. The Planning Commission shall transmit its decision to the Subdivider by United States Mail.

If the Final Plat is approved with conditions, the conditions must be met prior to recordation of the final Plat. The Planning Commission shall transmit the decision to approve the Plat with conditions, setting forth the conditions, to the Subdivider by United States Mail.

The Subdivider may have the Final Plat amended to satisfy the conditions placed on the final Plat approval and resubmit the Final Plat for consideration by the Planning Commission at its next regular meeting. Unless waived by the Planning Commission, the amended Final Plat must be received at least twenty-five (25) days prior to a regular meeting in order to be considered at that meeting.

If the Final Plat is approved, or when the Subdivider has met the conditions of the Final Plat approval, the Planning Commission certification shall be signed by the designated representative of the Planning Commission. The Planning Commission will then record the Final Plat in the office of the County Court Clerk. The Subdivider shall pay the expense of recording the Final Plat.

- 6.5.7 Approval of the Final Plat shall not constitute approval and acceptance of any dedication of street or Easement for maintenance by the City of Scottsville or the County of Allen. Acceptance of the dedications for

maintenance shall be in a manner as provided under the Kentucky Revised Statutes.

6.6 FINAL PLAT AMENDMENTS

The procedure, format and content for an amendment to an approved Final Plat for a Major Subdivision shall be the same as for the Final Plat submission, except the title in the title block of the amended Plat shall indicate "Amendment # ____". A purpose statement shall be added to the Plat and shall contain 1) a reference to the Plat file number where the original final Plat is recorded in the office of the County Court Clerk; 2) an identification of the Lots affected by the amendment; 3) purpose of the amendment; and 4) date of the amendment. No Plat amendment shall be considered in effect until approved by the Planning Commission and recorded.

6.7 ELECTRONIC SUBMITTAL

In an effort to improve efficiency in review and documentation, the Planning Commission requires an electronic submittal of the Major Plat information. The submittal shall be an exact electronic version of the plat, in a standard computer format from time to time established by the Commission. File origin shall be based using the World Geodetic System 1984 (WGS 84) for horizontal control and National Geodetic Vertical Datum of 1988 (NGVD 88) for vertical control, so that it can be projected into the State Plane Coordinate System. The submittal shall include the same information as the original recording.

ARTICLE 7

CONTRACT FOR CONSTRUCTION OF IMPROVEMENTS; CONTRACT PERFORMANCE SURETY

7.1 GENERAL PROVISIONS

If completion of all improvements, including but not limited to streets, water lines, sanitary sewer lines, fire hydrants, storm water drainage facilities or other Public Facilities prior to the time the Subdivider is ready for recordation of the Final Plat, the Planning Commission shall:

- 7.1.1 Require completion of all improvements prior to recordation of the Final Subdivision Plat; or
- 7.1.2 Enter into a contract with the Subdivider, in a form satisfactory to the Planning Commission, whereby the Subdivider shall agree to complete all improvements required by these Subdivision Regulations and as approved by final action of the Planning Commission on the Final Plat. The contract shall specify a contract amount for the costs of the improvements which shall be in an amount sufficient to pay all of the cost of installing or constructing the Public Facilities and improvements set forth above, as determined by the Planning Commission, plus fifteen percent (15%).

7.2 CONTRACT PERFORMANCE GUARANTEE

To insure the performance of the construction contract, the Subdivider shall provide, subject to the approval of the Planning Commission, one of the following performance guarantees in the amount equal to the contract amount:

7.2.1 Cash Surety

Cash, or other instruments readily convertible to cash, either deposited with the Planning Commission or in escrow with a financial institution acceptable to the Planning Commission, in its discretion. If such cash, or instruments readily convertible to cash, are not deposited with the Planning Commission, then an escrow agreement shall be established with the financial institution in a form satisfactory to the Planning Commission; provided, however, that such escrow agreement shall provide, among other things, that the funds held pursuant to the agreement shall be held until released by the Planning Commission and that such funds shall not be used, pledged, hypothecated, assigned or otherwise used as collateral or security in any manner and that upon the failure of the performance of the

Subdivider to complete the improvements, the funds shall be immediately made available to the Planning Commission for its use in the completion of such improvements.

7.2.2 Letter of Credit

A letter of credit, in a form acceptable to the Planning Commission, from a financial institution acceptable to the Planning Commission in its discretion. The letter of credit shall be delivered to the Planning Commission and shall state the following:

- (a) That it is an amount equal to the contract amount; and,
- (b) That on the failure by the Subdivider to complete the improvements within the required time period, the financial institution shall pay to the Planning Commission, immediately, and without further action, such funds as are represented in the letter of credit.

7.2.3 Payment and Performance Bond

A payment and performance bond naming the Planning Commission as the sole obligee. The payment and performance bond shall be issued by an insurance company licensed to do business in the Commonwealth of Kentucky and whose financial condition shall be acceptable to the Planning Commission.

7.3 REDUCTION IN CERTAIN TYPES OF CONTRACT SURETIES

7.3.1 If progress has been made on the completion of improvements as provided in the construction contract, as provided in these Subdivision Regulations, in a manner satisfactory to the Planning Commission, then in its sole discretion, the Planning Commission may authorize the reduction of the surety for the performance of the construction contract, if all of the following conditions are met:

- (a) The initial surety was for an amount larger than \$20,000.00; and,
- (b) The surety has not previously been reduced by the Planning Commission;
- (c) The request for a reduction was in writing signed by the Subdivider setting out the following information:

- (i) The name of the project, name of the project registered engineer who prepared the Subdivision plans, and the name of the contractor completing the improvements.
- (ii) An itemized list of improvements which have been completed.
- (iii) An itemized list of improvements that remain to be completed.
- (iv) An itemized list of the value of the improvements completed.
- (v) Certification signed by the registered engineer who designed the project that the detailed improvements have been completed, in accordance with the approved Subdivision plans and specifications;

7.3.2 If the Planning Commission authorizes the reduction of the amount of the contract surety, the reduction shall be based upon a surety remaining which equals 115% of the estimated cost of the completion of the improvements, which remain to be completed. Under no circumstances shall the total amount of any reduction approved by the Planning Commission reduce the contract surety to an amount below \$10,000.00.

7.4 DEFAULT

If the public improvements are not completed within the period as set forth in contract which is required in section 7.1 of these Subdivision Regulations, the performance of the construction contract as provided in this section of these Subdivision Regulations shall be in default and the Planning Commission may proceed against the Subdivider and its contract performance guarantee for performance. The Planning Commission may either seek judicial relief to enforce the terms of the contract or it may recover the amount provided by the surety or cash escrow and proceed to complete the improvements. If the Planning Commission shall proceed to complete the improvements then it shall recover as a part of the construction costs its expenses associated with completing the improvements including, but limited to, engineering fees, surveying fees, court costs and attorneys fees, actually incurred.

7.5 RELEASE

Upon completion of the public improvements including Public Facilities as provided in these Subdivision Regulations, the Planning Commission shall terminate the construction contract and release its surety.

ARTICLE 8

PLAT FORMAT AND CONTENT

8.1 PRELIMINARY PLAT

8.1.1 Content and Format

Each request for approval of a Preliminary Plat shall include a completed application form, applicable fees, the preliminary Plat and 4 completed sets of drawings.

- 8.1.1.1 Major Plats shall be placed on a sheet that is 24" x 36" in paper size. The Plat will be clearly legible using a medium that is of achievable quality and that are easily reproducible.
- 8.1.1.2 The Preliminary Plat shall be prepared at the scale of one (1) inch equals two hundred (200) feet or less.
- 8.1.1.3 A vicinity map shall be placed in the upper right hand corner of the sheet. The vicinity map shall show the property to be subdivided, with its boundary outlined, and relate it to a sufficient number of streets with their names and other landmarks to enable the quick recognition of the location. The vicinity map shall be oriented in the same direction as the Lots being subdivided or with north to the top of page, but does not need to be drawn to a particular scale. Existing Subdivisions adjacent to the property to be subdivided shall be shown with their name and street pattern.
- 8.1.1.4 The title block shall be placed at the bottom of the sheet and shall contain the following information:
 - 8.1.1.4.A The name of the proposed Subdivision which shall be distinguishable (phonetically and in spelling) from the name of Platted or existing Subdivisions within the City of Scottsville or the County of Allen unless the proposed Subdivision is an extension of an existing Subdivision;
 - 8.1.1.4.B The name and address of the owner of the land to be subdivided and the Subdivider if other than the owner.

- 8.1.1.4.C The name, address, telephone number and license number of the registered land surveyor and the registered engineer;
- 8.1.1.4.D A legend containing a graphic and written scale, north arrow, date of Plat preparation and acreage of land to be subdivided.
- 8.1.1.4.E The complete legal source of title for the property comprising the Subdivision, which shall include the names of the current owners, map number and parcel number as provided by the Property Valuation Administrator, deed book and page number for the deed for the real property and date of the deed.

8.1.2 Site Data

The following site data shall be shown on the plats:

- 8.1.2.1 The boundaries with bearings and distances of the property proposed for Subdivision. The total acreage of the area within this Preliminary Plat shall be shown.
- 8.1.2.2 The location of all existing structures, Easements, railroad and road rights-of-way, political boundaries, and streams on and within five hundred (500) feet of the Subdivision.
- 8.1.2.3 The names of all Subdivisions and property owners abutting the boundaries of the Subdivision.
- 8.1.2.4 The location of Public Facilities and Easements located within the proposed Subdivision and within five hundred (500) feet of the proposed Subdivision. The location and size of existing public waterline to serve the proposed Subdivision and fire hydrants. The location and size of sanitary sewer line to serve the proposed Subdivision, if any. The location, size and pressure of any pipe line for gas or petroleum products to serve the proposed Subdivision. The location, voltage, and capacity of any electrical distribution line and transformer station to serve the proposed Subdivision.

- 8.1.2.5 Contours referenced to the United States Geological Survey (USGS) data plotted at an interval of not greater than two (2) feet vertical for Lots less than five (5) acres. If all Lots exceed five (5) acres, data may be at an interval of not greater than five- (5) feet vertical. Source of contours shall be stated.
- 8.1.2.6 Existing drainage ditches, watercourses, ponds and poorly drained areas. The 100-year Flood Plain area will be shown and labeled as such.
- 8.1.2.7 The name, location, pavement width and rights-of-way of all existing improved streets, roads or Alleys within five hundred (500) feet of the Subdivision. Recorded but unimproved streets or roads shall be indicated with dashed lines.

8.1.3 Proposed Design and Improvements

- 8.1.3.1 All Lots shall be consecutively numbered and shall indicate the approximate dimensions, building setbacks, and area in square feet.
- 8.1.3.2 The location, width and names of all proposed streets shall be shown. A profile of each street showing the existing grade of the land and proposed grade of finished street center line, sidewalks and curbs.
- 8.1.3.3 The cross-sections shall be shown for the type of roadways, sidewalks and curbs. The detail shall show the width and depth of the improved roadways, sidewalks and curbs with specification for the materials for the construction thereof at a scale, both horizontal and vertical of one (1) inch equals five (5) feet. Construction details and specifications for all required improvements will be included.
- 8.1.3.4 The location of all existing and proposed monuments shall be shown.
- 8.1.3.5 The proposed drainage system with typical cross-sections. Location of all storm water facilities such as Detention Basins, pipes, and outlets shall be shown. Construction details and specifications for all required improvements will be include.

- 8.1.3.6 Erosion or Sedimentation Control Plan shall be provided with the Subdivision application.
- 8.1.3.7 Plans and profiles of proposed sanitary sewers, with grades and pipe sizes, connecting points with existing sanitary sewer and invert elevations indicated shall be provided with the Subdivision application. Plans and profiles of proposed storm sewers, with grades and pipe sizes and point with existing improved drainage system. A plan of the proposed water distribution system, showing pipes sizes and the location of valves and fire hydrants.
- 8.1.3.8 If no storm sewer system is proposed, a profile of the drainage system showing the existing grade of the land, proposed grade of the on-site drainage system and the location and type of existing drainage system shall be provided with the application. If no storm sewer system is proposed or if storm water is to be retained on the site of the Subdivision then a certification shall be placed on the Plat signed by the registered engineer and the Subdivider that adequate provision has been made for storm water runoff for the Subdivision, the storm water system has been designed to meet the expected capacity requirements for the Subdivision meeting current acceptable engineering standards, that adequate storm water retention with a capacity of accepting a 100 year flood standards is located on the site of the Subdivision.
- 8.1.3.9 The name in which legal title is held, acreage, location and use of any parcels to be conveyed or held for public use, or for joint use of property owners, and an explanation of the provisions of reservation and arrangement for maintenance shall be shown on the plat or described by separate document filed with the Subdivision application. A letter from the public agency or government which is proposed to assure maintenance of the property and facility shall be attached to the plans. The letter should state that the appropriate agency has reviewed the proposed dedication and its willingness to accept dedication and maintenance of the proposed public use area.

8.1.4 Additional Data Required

- 8.1.4.1 One (1) copy of any deed restrictions or covenants proposed by the Subdivider.
- 8.1.4.2 A letter from the utility providing the public water supply to the proposed Subdivision indicating the availability of water or sanitary sewage service if the Subdivision is to be connected to a public water or sanitary sewer system.
- 8.1.4.3 Any proposed subdivision of land bounded by a state or federally maintained roadway, must be reviewed and approved by the District Highway Office of the Commonwealth of Kentucky Transportation Cabinet.

8.1.5 Certifications

The owner's certification shall be shown and signed on the preliminary Plat. A Registered Land Surveyor certification containing a statement as to the method used to perform the survey; the unadjusted mathematical error-of-closure ratio of the survey traverse; a statement as to whether or not the directions and distances as shown on the Plat have been adjusted for closure; and a statement as to the basis of the reference meridian used to determine the directions of survey lines; and the signature and registration number of the Registered Land Surveyor responsible for the survey.

8.2 FINAL PLAT

8.2.1 Content and Format

The final Plat shall require the same information as required for that of the approved Preliminary Plat, with the following exceptions:

- 8.2.1.1 The preliminary approximate dimensions will be replaced by accurate survey dimensions.
- 8.2.1.2 The Final Plat shall be labeled RECORD PLAT in large letters immediately above the name of the Subdivision.
- 8.2.1.3 The Plat shall contain all suggested changes to street, water, sanitary and storm sewers, Drainage, or gas line Easements.

- 8.2.1.4 The Plat shall indicate the accurate location of all permanent reference monuments. Every survey point shall be marked with a material detectable by a metal detector.
- 8.2.1.5 The Plat shall indicate the corrections or conditions approved with the Preliminary Subdivision Plat by the Planning Commission.
- 8.2.1.6 Vertical contours of Lots will not be required.
- 8.2.1.7 The Final Plat shall not require the location of all existing structures, Easements, railroad and road rights-of-way, political boundaries, and streams within five hundred (500) feet of the Subdivision.
- 8.2.1.8 The Final Plat shall not require the location of Public Facilities and Easements located within the proposed Subdivision and within five hundred (500) feet of the proposed Subdivision.

8.2.2 Additional Data Required

- 8.2.2.1 Two (2) copies of any deed restrictions or covenants proposed by the Developer shall be submitted as part of the final Plat.

8.2.3 Certifications

The following certifications along with required signatures as set forth in Appendix A:

- 8.2.3.1 Owner's certification acknowledged before a Notary Public in good standing with the Commonwealth of Kentucky. The owner's certification shall be signed by all persons necessary to convey legal and equitable title to the property described on the Plat.
- 8.2.3.2 Dedication of rights-of-way and Easements;
- 8.2.3.3 Registered Land Surveyor's certification;
- 8.2.3.4 Certification by the City of Scottsville or County of Allen's approval of infrastructure;

- 8.2.3.5 Certificate of utilities/adequacy of Easements;
- 8.2.3.6 Planning Commission certification;
- 8.2.3.7 State Highway Department Certificate, if necessary;
- 8.2.3.8 A 3 inch by 3 inch blank in the lower right corner, shall be placed on the Plat for County Court Clerk's recording stamp.

ARTICLE 9

DESIGN AND IMPROVEMENT STANDARDS

9.1 GENERAL PROVISIONS

9.1.1 Adequacy of Public Facilities

No Preliminary Subdivision Plat shall be approved unless the Planning Commission determines that there will be adequate Public Facilities to support and service the area of the proposed Subdivision. The Applicant shall, at the request of the Planning Commission, submit sufficient information and data on the proposed Subdivision to demonstrate the expected impact on and use of Public Facilities by possible uses of the proposed Subdivision.

9.1.2 Flood Hazards

Land proposed for Subdivision which is subject to flooding shall be set aside on the Plat by Drainage Easement and shall not be used except in conformance with the Zoning Ordinance and these Subdivision Regulations. To insure that Lots will be located only where they will provide flood-free building sites, the Planning Commission shall require the Subdivider to provide flood elevation information for any Subdivisions which include official flood hazard areas or Flood Plain districts. Lots which are partially affected by flooding shall have the area subject to flooding clearly delineated, the remaining portion must meet minimum Lot size for the zoning district in which it is located, and the elevation for the first floor intended for living area or commerce shown. Such elevation will be at least one and one half feet above the 100 year flood elevation.

9.1.3 Improvements

All improvements shall comply with the best engineering standards, and all construction on, in and upon streets which are proposed for dedication, and all work in connection with parks, playgrounds, public buildings sites and other areas which are proposed for dedication for public use, shall be based on plans approved by the Planning Commission and construction thereon shall be subject to the inspection and approval of the Planning Commission.

9.2 LOTS

- 9.2.1 Unless otherwise provided in these Subdivision Regulations no Lot shall be created under these Subdivision Regulations which does not front at least sixty (60) feet for lots over 10 acres or one hundred (100) feet for lots less than 10 acres on an improved public way which has been accepted for maintenance or is maintained by the City of Scottsville or the County of Allen.

Frontage under this section may be obtained for lots over ten (10) acres by the creation of a perpetual Easement which cannot be amended or revoked without the approval of the Planning Commission. Such Easements shall be recorded in the office of the Allen County Court Clerk in a form so as to properly convey the right unobstructed and continuous right of ingress or egress to and from the Lot being created over a parcel of land at least sixty (60) feet in width intersecting with an improved public way to the required front yard building setback.

- 9.2.2 A Lot fronting on the curved portion of a Cul-de-Sac may be reduced to a minimum of sixty (60) feet provided the Lot is one hundred (100) feet wide at the front yard setback line. In addition to the minimum lot width requirements of these Subdivision Regulations, each Lot shall provide safe and convenient pedestrian and vehicular access from the Lot onto the street. The Planning Commission may require Lots to have additional minimum frontage in order to achieve a safe and convenient vehicular access from the Lot onto the street.

- 9.2.3 Lots shall meet the site development requirements of the Zoning Regulations when within the municipal limits of Scottsville. Lot dimensions and area shall comply with the requirements of the zoning district in which they are located. Where Lots are more than double the minimum required area for the zoning district, the Planning Commission may require that those Lots be arranged so as to allow further Subdivision and the opening of future streets where they would be necessary to serve potential Lots, all in compliance with the zoning regulations and these Subdivision Regulations.

- 9.2.4 All Lots shall be connected to public sanitary sewers where sanitary sewers are available.

- 9.2.5 Lots subject to flooding or other environmentally sensitive lands such that it would cause a health or safety hazard to potential users may be disapproved by the Planning Commission.

- 9.2.6 Where Flood Plains or other environmentally sensitive lands are partially located on a Lot, the Lot may be approved for development provided there is sufficient land outside the Flood Plain or other environmentally sensitive land equal to the required minimum lot size.
- 9.2.7 Dimensions of corner Lots shall be sized large enough to allow for erection of Buildings, observing the minimum front yard setback from both streets.
- 9.2.8 Side lot lines should be at right angles to straight street center lines and radial to curved street center lines. Lot lines shall consist of straight lines with a minimum number of deflections.
- 9.2.9 Double frontage or through Lots shall be prohibited except where employed to prevent excessive vehicular Driveway Access to streets (reverse frontage Lots), or to separate residential areas from other areas of conflicting land or traffic use. Flag Lots are to be discouraged, except where vacant and otherwise usable property could not otherwise be developed.
- 9.2.10 Lot depth and width or properties reserved or configured for business, commercial, or industrial purposes shall be adequate to provide for the off street parking and loading facilities required for the type of use and development contemplated, as established in the zoning regulations.
- 9.2.11 The Lot Line common to the street rights-of-way shall be the front line. All Lots shall face the front property line.
- 9.2.12 Lots shall be configured so as to provide positive Drainage coordinated with the overall storm drainage system for the area. Drainage shall be designed to avoid concentrations of storm water Drainage from each Lot to adjacent Lots.

9.3 MONUMENTS

The Subdivider shall install permanent reference monuments in the Subdivision as required in these Subdivision Regulations as follows:

9.3.1 Monument Types

Monuments shall be of concrete or stone with a minimum size of 4 inches square by thirty inches (30) and shall be marked on top either with a copper dowel 3/8 inch in diameter, at least 2 ½ inches in length embedded

so that the top of the dowel shall be flush with the surface of the monument at the center thereof, or the top of the monument shall be scored at the center with a cross 2 inches overall in a depth of at least ½ inch.

Iron pins or pipes used for exterior boundary of Subdivision shall be a minimum size of two (2) inches in diameter and at least thirty (30) inches long. Iron pins or pipes used for internal Subdivision boundaries or lines of Lots shall be a minimum size of five-eighths (5/8) inch in diameter, with a 1" or larger cast aluminum cap stamped "Survey Corner - RLS # ____" (blank to be completed by a registered land surveyor) and at least thirty (30) inches long.

9.3.2 Monument Placement

Monuments shall be placed as follows:

- 9.3.2.1 Located on street rights-of-way, at street intersections, angle points of curve and Block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street limits.
- 9.3.2.2 The external boundaries of a Subdivision shall be have monuments in the field by monuments or by iron pins or pipes. These monuments shall not be more than 1,320 feet apart in any straight line and at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line, and at all angle points along the meander line, those points to be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.
- 9.3.2.3 All internal boundaries, corners and lines of Lot not referred to in the preceding paragraph shall have monuments in the field by iron pins.
- 9.3.2.4 Where corners are found to coincide with a previously set permanent Subdivision monument, the designation on the Plat shall indicate that it is a previously set monument.
- 9.3.2.5 All monuments required by these Subdivision Regulations shall be properly set in the ground and approved by a registered land surveyor prior to the time the Planning

Commission recommends approval of the final Plat.

9.4 BLOCKS

- 9.4.1 In general, intersecting streets which determine Block length, shall be provided at such intervals as necessary to meet existing street patterns, topography and requirements for safe and convenient vehicular and pedestrian circulation.
- 9.4.2 Blocks used for residential purposes, generally shall not exceed one thousand three hundred twenty (1,320) feet in length, and shall not be less than four hundred (400) feet in length, except along arterial streets where the minimum shall be one thousand (1,000) feet.
- 9.4.3 Residential Blocks shall have sufficient width to provide two (2) tiers of Lots of appropriate depth except where reverse frontage Lots are used to alleviate conflicting traffic or uses, when Blocks are adjacent to railroads or waterways.
- 9.4.4 Blocks used for non-residential purposes shall be of such length, width and design as the Planning Commission finds necessary for the intended use and shall include adequate provision for off street parking, loading and unloading, Buffer areas, pedestrian movement and control of vehicular access to adjacent streets.

9.5 COMMUNITY PUBLIC IMPROVEMENTS

The Subdivider shall take into consideration the adequacy of existing or proposed Public Facilities which will be needed to properly service the existing Subdivision. The Subdivider shall also take into consideration the need for orderly future growth beyond the proposed Subdivision. The Planning Commission may require over sizing of Public Facilities proposed for the Subdivision.

9.6 TELEPHONE, ELECTRIC, GAS AND CABLE UTILITIES

The following shall be the minimum standards for utilities such as telephone, electric, gas, or other utilities:

- 9.6.1 Utility Easements ten (10) feet in width as a minimum will be required between, at the rear or across Lots and side lot lines. Easements of a greater width may be required by the Planning Commission at the request of the utility or if necessary to provide proper Drainage within or through a

Subdivision. No utilities shall be run under public ways except to cross under such public ways for connections.

- 9.6.2 Easements shall be so configured so that a proper continuity will be created for such utilities from Block to Block. The approval of the Preliminary and Final Plats shall be subject to the approval of the design of the utility Easement by the Planning Commission and appropriate utility company.
- 9.6.3 Every Subdivision shall be provided with a proper telephone, electric, and gas (where gas service exists) supply system.
- 9.6.4 Utility Easements shall connect with existing Easements on adjoining properties.

9.7 WATER SUPPLY

- 9.7.1 Where a public water supply is available, all Subdivision Lots shall be provided with a complete public water distribution system. The public water distribution system shall be extended to the area being developed with pipe lines, valves, fire hydrants, and other water facilities acceptable to the provider of the public water supply. In the layout or design of the water system, the following factors will be considered: Piping characteristics; ground elevations; type of building construction; hydraulic capability of adjacent interconnected piping; fire flow requirements and any unusual requirements peculiar to the specific development.
- 9.7.2 In general, the distribution system will be able to supply peak demands, and fire flows, where available, without reducing pressures below desirable limits.
- 9.7.3 No pipe smaller than six (6) inches nominal diameter will be used. Where fire flow is available, the standards of the applicable state or local fire insurance rating association will be used as a guide in the matter of fire flow requirements. If fire hydrants are installed, such construction as will conform to applicable specifications of the provider of the public water supply along with the American Water Works Association or the American Standards Association will be utilized.
- 9.7.4 If fire hydrants are constructed, those fire hydrants shall be spaced to provide necessary fire flow. In addition, hydrants shall be spaced so that each residence shall be within 1,000 feet of a hydrant, commercial and industrial structures shall be within 500 feet of a hydrant. Fire hydrants

shall be located at the ends of lines, and valves of full line size shall be provided after fire hydrant tees at the ends of all dead lines in order that they may be extended in the future. A fire hydrant shall be located at all low points and at all high points with adequate means of Drainage provided.

9.7.5 The water system shall be designed and constructed of materials which will meet the approval of the provider of the public water supply, Health Department, the Fire Department if fire hydrants are installed, and the Planning Commission.

9.7.6 Each residence or business will be provided with a separate service line and meter.

9.8 SANITARY SEWER DISPOSAL

When public sanitary sewer is not available every Subdivision shall be provided with a sanitary sewage disposal system to comply with all requirements of the Health Department, the Kentucky Cabinet for Natural Resources and Environmental Protection and the Planning Commission.

9.9 STREETS

9.9.1 General Requirements

9.9.1.1 No Subdivision shall be approved unless the area to be subdivided shall have frontage on and Access from an existing public way consistent with the provisions of these Subdivision Regulations.

9.9.1.2 No development shall be approved if such development, at full occupancy, will result in or increase traffic on an arterial or Collector Street so that the street does not function to its intended level of service. A traffic impact analysis shall be required for any development in whole and in parts under the same ownership that contains over 100 development lots. For any development greater than 25 developed lots the Planning Commission reserves the right to request a traffic impact analysis completed by a competent licensed engineer.

9.9.1.2.1 Any all improvements identified in the analysis as necessary improvement to maintain functionality of the road shall be

completed by the developer before Planning Commission approval of the Plat.

- 9.9.1.3 No development shall be approved if such development, at full occupancy, will result in or increase traffic on a local road so that the street or road does not function to its intended level of Service. Any development that creates at a ratio, more than 12 developed lots/tracts less than ten (10) acres in size per mile of road frontage per side, shall be required to make road improvements consisting of shoulder and ditch construction/improvements (as illustrated in Figure 9.9) within the development area as well as spot improvements outside the development area as recommended by the Planning Commission.

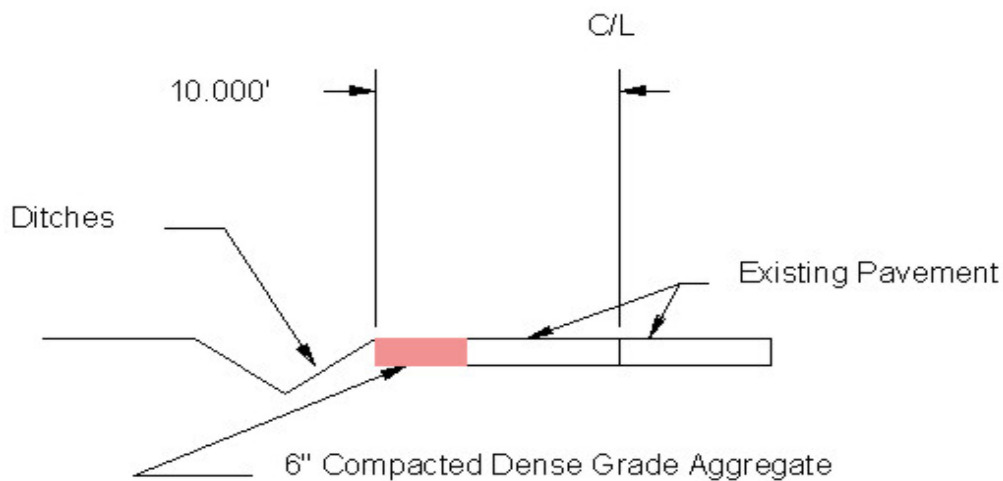


Figure 9.9

- 9.9.1.4 All public ways shall be classified as, arterial, collector, or local roads. In classifying roads, the Planning Commission shall consider projected traffic demands after ten (10) years of development in immediate proximity to the proposed Subdivision.
- 9.9.1.4.1 Rural principal arterial system
The rural principal arterial system shall consist of a connected rural network of continuous routes having the following characteristics:

- 9.9.1.4.1.1 Serve corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel.
- 9.9.1.4.1.1.1 The principal arterial system is stratified into the following two subsystems:
 - 9.9.1.4.1.1.1.1 Interstate System.--The Interstate System consists of all presently designated routes of the Interstate System.
 - 9.9.1.4.1.1.1.2 Other principal arterials.--This system consists of all nonInterstate principal arterials, specifically US 231 and US 31E.
- 9.9.1.4.2 Rural minor arterial road system
The rural minor arterial road system should, in conjunction with the principal arterial system, form a rural network having the following characteristics:
 - 9.9.1.4.2.1 Link cities and larger towns (and other traffic generators, such as major resort areas, that are capable of attracting travel over similarly long distances) and form an integrated network providing interstate and intercounty service.
 - 9.9.1.4.2.2 Be spaced at such intervals, consistent with population density, so that all developed areas of the State are within a reasonable distance of an arterial highway.
 - 9.9.1.4.2.3 Provide (because of the two characteristics defined immediately above) service to corridors with trip lengths and travel density greater than those predominantly served by rural collector or local systems. Minor arterials therefore constitute routes whose design should be expected to provide for relatively high overall travel speeds, with minimum interference to-through movement.
 - 9.9.1.4.2.4 These routes consist of KY 101, KY 100, KY 98, KY 99.
- 9.9.1.4.3 Rural collector road system
The rural collector routes generally serve travel of primarily intracounty rather than statewide importance and constitute those routes on which (regardless of traffic volume) predominant travel distances are shorter than on arterial routes. Consequently, more moderate speeds may be typical,

on the average.

In order to define more clearly the characteristics of rural collectors, this system should be subclassified according to the following criteria:

- 9.9.1.4.3.1 **Major collector roads.**--These routes should: (1) Provide service to any county seat not on an arterial route, to the larger towns not directly served by the higher systems, and to other traffic generators of equivalent intracounty importance, such as consolidated schools, shipping points, county parks, important mining and agricultural areas, etc. ; (2) link these places with nearby larger towns or cities, or with routes of higher classification; and (3) serve the more important intracounty travel corridors. These routes consist of KY 585, KY 1332, KY 1421, KY 252, KY 234
- 9.9.1.4.3.2 **Minor collector roads.**--These routes should: (1) Be spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road; (2) provide service to the remaining smaller communities; and (3) link the locally important traffic generators with their rural hinterland. These routes consist of KY2160, KY 1147, KY 482, KY 2163, KY 1533, KY 517, KY 1855, KY 671, KY 1333,
- 9.9.1.4.4 **Rural local road system**
The rural local road system should have the following characteristics: (1) Serve primarily to provide access to adjacent land; and (2) provide service to travel over relatively short distances as compared to collectors or other higher systems. Local roads will constitute the rural mileage not classified as part of the principal arterial, minor arterial, or collector systems.

9.9.2 Alignment and Extensions

- 9.9.2.1 The location of all streets in a proposed Subdivision shall conform in general alignment to the street plan as contained in the Comprehensive Plan.
- 9.9.2.2 The proposed street layout shall provide for the continuation or projection of existing streets to the property line of

surrounding undeveloped properties. Street Access to adjoining property shall be to the boundary of such property.

- 9.9.2.3 Streets shall be designed with respect to topography to provide proper Drainage and grades.

9.9.3 Street Names and Signs

- 9.9.3.1 Proposed streets in alignment with existing streets shall bear the name of the existing street. Proposed street names shall not duplicate or closely approximate the names of other existing or proposed streets of Allen County, including the City of Scottsville.
- 9.9.3.2 The Subdivider shall provide and install street name signs which have been approved by the Planning Commission at all intersections. Other public safety signs shall be installed as approved on the preliminary Plat. All signs shall conform to the standards of the Manual on Uniform Traffic Control Devices, latest edition published by U.S. Department of Transportation, Federal Highway Administration.

9.9.4 Dedication of Rights-of-way, New Street

- 9.9.4.1 The dedication of rights-of-way from Lot Line to Lot Line for new streets shall be as shown in the Major Street Plan or if not shown thereon shall meet the standards in Table 1. The minimum pavement width for new streets shall meet the standards in Table 1.
- 9.9.4.2 All streets classified as Arterial streets may be considered limited access in the meaning of KRS Chapter 177 and, as such, points of Access to Arterial streets shall be approved by the Planning Commission. For Subdivisions fronting on Arterial Streets, marginal Access streets shall be required. As a minimum, Access to a Lot from an arterial street shall be at least one hundred twenty five (125) feet from any street intersection and shall be spaced at least one hundred (100) feet from another Access point.

Table 1
Minimum Dedicated Rights-of-way and Pavement Width New Streets
(expressed in feet unless otherwise indicated)

<u>STREET TYPE</u>	<u>RIGHTS-OF-WAY</u>	Minimum Number of Travel lanes/ <u>width of lane</u>	<u>PAVEMENT WIDTH</u>	
			<u>With parking on one side of street¹</u>	<u>Without on Street parking</u>
Alley	20	2/9	NA	16
Local				
Residential through	50	2/10	28	20
Commercial or industrial	50	2/12	32	24
Cul-de-sac if less than 1,320 feet	50 ²	2/9	NA	20 ²
Loop if less than 1,320 feet	50	2/9	26	20
Loop longer than 1,320 feet	50	2/10	28	20
Service or marginal Access	50	2/9	NA	20
Minor Collector	60	2/10	32	20
Major Collector	60	2/12	32	24
Arterial	80	3 ³ /12	48	36

NA - On street parking is not permitted.

9.9.4.3 Dedication of one-half (½) of a rights-of-way for proposed streets along the boundary of land proposed for Subdivision shall be prohibited.

9.9.4.4 The entire minimum rights-of-way shall be dedicated when a Subdivision is located on both sides of a street within the area of the proposed Subdivision.

9.9.5 Dedication of Rights-of-way, Existing Streets

9.9.5.1 Owners of Subdivisions platted along an existing street shall dedicate additional rights-of-way along the entire length of all street frontage in order to meet the minimum width requirements as stated in these Subdivision Regulations.

¹Parking lane shall be a minimum of eight (8) feet. For streets with parking on both sides of street at eight (8) feet.

²Turn around rights-of-way shall be a minimum of 100 feet with pavement diameter of 80 feet.

³Requires a center turning lane at all street intersections and may require right turning lanes if traffic volumes are high enough.

9.9.5.2 The entire minimum rights-of-way shall be dedicated where the Subdivision is on both sides of a street.

9.9.5.3 One half (½) of the required minimum rights-of-way, measured from the center line of the existing street, shall be dedicated where the Subdivision is located on only one side of the existing street.

Table 2
Street Design Standards
New Streets
(expressed in feet unless otherwise indicated)

<u>STREET TYPE</u>	Grade		<u>Minimum sight distance</u>	<u>Minimum intersection spacing</u>	Minimum Radius of horizontal curves, figures to centerline
	<u>Min.</u>	<u>Max.</u>			
Alley	0.3%	4%	100	100	200
Local					
Residential through	0.8%	8%	150	150	200 ⁴
Commercial or industrial	0.8%	4%	250	150	300
Cul-de-sac if less than 1,320 feet	0.5%	6%	160	150	200
Loop if less than 1,320 feet	0.5%	6%	160	150	200
Loop longer than 1320 feet	0.8%	8%	150	150	200
Service or marginal Access	0.5%	4%	200	200	200
Minor Collector	0.5%	6%	300	500	300
Major Collector	0.5%	6%	300	500	300
Arterial	0.5%	6%	400	660	500

⁴In instances where a turn of 90% or near 90%, is planned, a lesser radius is acceptable; however, the rights-of-way and pavement is required on the outside edge of the street.

Table 3
Street Design Standards
New Streets
(expressed in feet unless otherwise indicated)

<u>STREET TYPE</u>	<u>Minimum length of vertical curves</u>	<u>Min. length of tangents between reverse curve</u>	<u>Minimum shoulder width, when curbs and gutters not used</u>
Alley	100 ⁵	100	none
Local			
Residential through	100 ⁵	100	4
Commercial or industrial	100 ⁵	150	6
Cul-de-sac if less than 1,320 feet	100 ⁵	100	4
Loop if less than 1,320 feet	100 ⁵	100	4
Loop longer than 1320 feet	100 ⁵	100	4
Service or marginal Access	100 ⁵	100	4
Minor Collector	100 ⁵	150	6
Major Collector	200 ⁶	250	6
Arterial			

9.9.6 Street Intersections

The following guidelines shall be the basis for the determination of proper spacing for street intersections and Driveways. The Planning Commission will apply these guidelines to create safe and efficient traffic movement.

9.9.6.1 General Provisions

- A. When a Lot abuts an intersection of two classifications of streets, Access shall be from the lower classification of street.
- B. Alleys shall not be deemed as streets to provide primary access to any use.
- C. When a watercourse separates the area suitable for building on a Lot from the street, provision shall be made for the installation of a culvert or other structure of a design approved by Planning Commission.

⁵Minimum length shall not be less than 50 feet for each algebraic difference in grade.

⁶Minimum length shall not be less than 20 feet for each algebraic difference in grade.

- D. Intersections involving more than four (4) basic street approaches shall be prohibited unless a traffic circle is provided.

9.9.6.2 Access from arterial street

Points of Access from an arterial street shall be approved by the Planning Commission.

9.9.6.3 Access from Collector Street

Points of Access from a Collector Street shall be a distance of at least seventy five (75) feet from any intersection and shall be spaced at least fifty (50) feet from another Access point.

9.9.6.4 Access from local street

Points of Access from local street shall be a distance of at least fifty (50) feet from any intersection and shall be spaced at least fifty (50) feet from another Access point.

9.9.6.5 Sight visibility triangles

A clear sight visibility area shall be provided at each street intersection so as to provide clear unobstructed visibility for motor vehicle traffic.

9.9.6.6 Street Offsets

Street jogs are not permitted. Centerline offsets shall be no less than one hundred twenty-five (125) feet.

9.9.6.7 Minimum street radius

Streets shall intersect as nearly as practicable at right angles. The minimum radius at property lines at all intersections shall be at least twenty (20) feet for all streets. When the smallest angle of the intersection is less than sixty (60) degrees the above minimum radii shall be increased.

9.9.6.8 Acceleration and Deceleration Lanes

The Planning Commission may require acceleration and Deceleration Lanes on new or existing streets, if the traffic

volume or safety warrant such improvements. The Developer will be responsible for the construction of these improvements in accordance with the design standards of the Division of Highways, Kentucky Transportation Cabinet and the jurisdiction in which the proposed Subdivision is located. In the event of two or more standards, then the more stringent standard shall apply.

9.9.6.9 Private Streets

No private streets shall be allowed except as they meet the following criteria:

- 9.9.6.9.1 The minimum rights-of-way of the proposed private street meets those standards set for local streets.
- 9.9.6.9.2 The private street shall be constructed to all public street construction standards set forth in these regulations.
- 9.9.6.9.3 The warranty deed of each Lot in a proposed Subdivision containing a private street shall contain a covenant providing for the maintenance of the street and rights-of-way.
- 9.9.6.9.4 No Lot having immediate Access from a private street which does not meet public street standards shall be re-subdivided for any use until the private street and rights-of-way become a public street by proper dedication by the owners, street is constructed to the specifications of the Subdivision Regulations, and accepted by the jurisdiction where the street is located.
- 9.9.6.9.5 No private street and rights-of-way shall be accepted for maintenance unless the minimum street construction standards required by the Subdivision Regulations for public streets are met.
- 9.9.6.9.6 No further Subdivision development shall be permitted unless the rights-of-way and pavement meets the minimum requirements of the applicable Subdivision Regulations at the time of the request.

9.10 RESERVE STREET STRIPS

No reserve strips for future streets shall be permitted.

9.11 CONSTRUCTION STANDARDS AND SPECIFICATIONS

Construction standards and specifications for streets shall be in accordance with these Subdivision Regulations. The design for streets shall be prepared by a registered engineer. Street design standards are as follows:

Soils conditions determination: If deemed necessary by the Planning Commission, a soils load bearing test shall be performed by a certified independent laboratory, approved by the Planning Commission. The soils load bearing test shall be paid for by the Developer. The soil bearing strength test will conform to the California Bearing Ratio (CBR), Kentucky method.

Subgrade Compaction: Top soil may not be used for Subgrade. Six inches compacted subgrade shall be required. The Subgrade must be compacted to 95% of standard proctor as determined by a certified independent laboratory, paid for by the Developer, and uniform stability throughout. Test must be run every 500 feet of street length or closer if determined necessary by the Planning Commission. Results shall be sent by the laboratory to the Planning Commission.

Pavement Design: Pavement design for residential street shall be based upon the soil bearing strength, wheel loads, classification of street, and estimated volume of traffic. In no case shall the minimum pavement design be less than 6 inches compacted dense grade aggregate 2 inches of compacted bituminous Class I base and one and one fourth (1¼) inch Class I surface or material of equal strength.

The base may be applied in two courses of dense grade aggregate or equivalent applied and rolled separately to at least 84% density. If an under run in the material has developed, then the deficient quantity would be applied, before applying the prime material. A period of one (1) day will be required between the application of the base and surface courses.

All underground utilities must be in place prior to placement of surface course.

Pavement design for industrial streets shall be based upon the soil bearing strength, wheel loads, classification of street, and estimated volume of

traffic. In no case shall the minimum pavement design be less than 6 inches compacted dense grade aggregate, 10 inches of compacted bituminous Class I base and 5 inches Class I surface or material of equal strength.

The base shall be applied in two courses of dense grade aggregate or equivalent laid and rolled separately to at least 84% density. If an underrun in the material has developed, then the deficient quantity would be applied, before applying the prime material. A period of one (1) day will be required between the application of the base and surface courses.

All underground utilities must be in place prior to placement of surface course.

Concrete pavement shall be a minimum of six (6) inches of reinforced concrete (6x6/6 mesh of #3 bars @ min. 12cc e/w with minimum flexural strength of 650 psi, or compressive strength, 3,000 psi).

Alignment and Grades Alignment must conform to the basic geometric design criteria for rolling terrain and average daily traffic numbers as contained in the Design Manual for the Kentucky Transportation, Division of Highways, Drawing No. 61-07.090 (a) (Sheets 1 and 2).

Centerline grades will show and match typical cross slopes at all intersections. Centerline line grades for a lower classified street intersecting a higher classification will match cross slope grades of major streets for a 50-foot minimum tangent, with a 100-foot vertical curve. All vertical alignment curves shall conform to minimum stopping sight distances for vertical alignment

(Commonwealth of Kentucky, Department of Transportation, Drawing No. 61-04.0200 (a)). For horizontal alignments the minimum radius shall be for:

Arterial	300 feet	Max Degree of Curvature - 19.1
Collector	300 feet	Max Degree of Curvature - 19.1
Local	100 feet	Max Degree of Curvature - 57.3

Typical section: Typical sections will consist of the complete rights-of-way. They will include pavement width, cross slopes, curb and gutter or ditch sections, grading slopes, and sidewalks (if required). Pavement width minimums will not include gutter sections. A typical local residential street section designed for curb and gutters and sidewalks would be: 4 foot

shoulders, 4 foot sidewalk, two foot utility strip, two foot curb and gutter and a 20 foot street.

Super elevation and curve widening: Super elevation and curve widening will be constructed on all arterial streets and on Collector Streets where the degree of curve exceeds 10 degrees.

Grading/Drainage plan: The Developer shall submit a grading plan which contains the same information as the Preliminary Plat including existing and proposed final contours, to the Planning Commission for review and approval.

Grading and fills: The Developer will grade the entire rights-of-way section of the street in order to remove sod, top soil, trees, stumps and other debris. All fills will conform to subgrade requirements and to standard construction practices for the Kentucky Transportation Cabinet, Division of Highways. In areas where fill widths exceed the rights-of-way width topsoil and all other unsuitable material will be removed before filling operations begin.

Culvert Pipe for curb and gutter and storm sewer: Elliptical, bituminous coated corrugated metal or reinforced concrete pipe may be use for culvert pipe. Minimum size pipe for cross drains shall be 18 inch equivalent round. Culvert pipe shall be bedded on three (3) inches of No. 11 crushed limestone and then back filled with the same size stone up to at least the top of the pipe. Soil back fill shall be placed in six (6) inch layers and tamped with mechanical tamper. Concrete head walls built to standards of Kentucky Transportation Cabinet, Division of Highways, shall be constructed on all cross drain structures. Ell ("L") head walls to be constructed on structures at street intersections, also on grade where it is considered necessary to divert flow across the road to outlet. All other head walls to be sloped and flared.

Materials: Dense grade aggregate base, bituminous concrete materials, Portland cement concrete material, steel materials, pipe and drainage materials shall conform to Kentucky Transportation Cabinet, Division of Highways, standard specifications.

9.12 RESIDENTIAL LAND USE ACCESS

All single family residential Lots shall be allowed one Access per Lot. Additional

points of Access shall be allowed for corner Lots or loop Driveways or other instances where the public safety will not be impaired by allowing the second point of Access.

9.13 NON-RESIDENTIAL LAND USE ACCESS

Non-residential land uses shall generally not have access through local residential streets. It is desirable that non-residential land uses have access to arterial public way with an arterial street Access by marginal Access streets or Collector Streets or local streets designed to accommodate industrial standards.

9.14 PLANNING FOR CONFLICTING TRAFFIC

Whenever the proposed Subdivision contains, or is adjacent to a railroad rights-of-way, highway rights-of-way, or conflicting changes in land uses, the Planning Commission shall require marginal Access streets, reverse frontage Lots, Lots with rear service Alleys, Lots with additional depth, or other such treatment as may be necessary for protection of abutting properties and to afford separation of conflicting types of traffic or land use.

9.15 DEAD-END STREET

- (a) Dead-end streets, designed to be so permanently, shall not be longer than 1,320 feet including the turn around which shall be provided at the closed-end with a full Cul-de-Sac rights-of-way radius of fifty (50) feet, curb radius of forty (40) feet.
- (b) Temporary turn arounds shall be required at the end of "stub" streets, if the street serves more than one (1) Lot on each side. Alternate turn around designs other than as provided in subsection (a) above will not be acceptable if serving more than six (6) Lots.

9.16 CURBS AND GUTTERS

Curbs and gutters are permitted in a Major Subdivision which creates a new street. Curbs and gutters may be required by the Planning Commission when it deems them necessary to complete the existing storm drainage system or in order to provide consistency of development.

9.17 STREET LIGHTS

All streets, sidewalks, and walkways, in the discretion of the Subdivider, may be lighted. If such lighting is to be installed, then it shall be installed at the direction of the electric utility providing the electrical service to the Subdivision and constructed in accordance with their standards and specifications. Street lights shall be installed at the expense of the Subdivider or by a public agency, at the discretion of the public agency. Street lights should be located within the street rights-of-way. Easements necessary for provision of street lighting, shall be provided when it is not feasible to locate street lights within the street rights-of-way and may be labeled as "street light easement". If it is the desire of the Subdivider to install street lighting other than the standard used by the appropriate electrical utility, the Subdivider must first secure the written approval of the appropriate utility and the Planning Commission.

9.18 STORM WATER MANAGEMENT

Drainage facilities shall accommodate potential runoff from the entire upstream drainage area and shall be designed to prevent increases in downstream flooding. Drainage calculations shall be based upon a recognized national drainage formula such as the Denver method, SCS method or rational method, and shall be based upon 100 year storm. The Planning Commission will require the use of control methods such as retention or detention, and the construction of off site drainage improvements to mitigate the impacts of the proposed developments. Storm water Easements or Drainage rights-of-way may be required if necessary to provide proper Drainage within or through a Subdivision. Drainage Easements shall connect with existing Easements on adjoining properties. The Subdivider and the Subdivision design engineer shall certify in writing to the Planning Commission that all storm water systems are designed and constructed to the required capacity upon completion and prior to release of any sureties provided to the Planning Commission for Subdivision improvements or prior to final Subdivision Plat approval.

9.19 EXTENSION POLICIES

All public improvements and required Easements shall be extended through the parcel on which new development is proposed. Streets, water lines, wastewater systems, drainage utilities and other Public Facilities shall be constructed through new developments to promote the logical extension of public infrastructure. The Planning Commission may require the Applicant of a Subdivision to extend off site improvements such as public water lines, gas lines, public sanitary sewer lines (where available), electrical utilities and telephone lines to reach the Subdivision or oversize required public improvements to serve anticipated future development as a condition of Plat approval.

ARTICLE 10

ADMINISTRATION AND ENFORCEMENT

10.1 ADMINISTRATIVE OFFICIAL

The Commission shall designate an Administrative Official to be charged with and provided the authority to enforce these Subdivision Regulations.

**APPENDIX A
FORMAT OF CERTIFICATES REQUIRED
FOR SUBDIVISION PLATS**

OWNER'S CERTIFICATION

I (we) the undersigned, do hereby certify that I am (we are) the owner(s) of record of the property shown and described hereon which is recorded in Deed Book _____, page _____, in the Office of the County Court Clerk. In consideration for the approval of this Subdivision Plat I (we) do hereby adopt this plan of Lots with my (our) free consent for this property; do establish the minimum Building Line; do hereby dedicate to all streets, rights-of-way and any other spaces so indicated to public use, except those specifically indicated as private; that I or my successors in title will maintain all such areas until the offer of dedication is accepted by the appropriate authority; and do establish and reserve the Easements indicated for public utility and Drainage purposes.

Date

Owner(s)

Owner(s)

STATE OF _____)

)

COUNTY OF _____)

Executed and acknowledged before me by _____
Parties thereto, to be their own free and voluntary act and deed, in due form of law,
Given under my hand and notarial seal, this the _____ day of _____, 20____.

Notary Public
My commission Expires:_____

CERTIFICATION OF SURVEY AND ACCURACY

I hereby certify that this Plat was prepared by me or under my direction from an actual survey made by or under my supervision; that the error of closure is calculated as follows: _____ with a scale of 1: ____; all monuments indicated hereon actually exist and their location, size and material are correctly indicated; the information shown hereon is correct to the best of my knowledge and belief; and all requirements of the Subdivision Regulations of the Scottsville-Allen County Planning Commission have been fully complied with in these respects. The undersigned certifies that they are a Registered Land Surveyor, duly registered and in good standing under the laws of the Commonwealth of Kentucky.

Date

Registered Land Surveyor's name, number and seal

CERTIFICATION OF THE APPROVAL OF SEWAGE SYSTEMS

I certify that I have reviewed and approved the plans, specifications/calculations for the required sanitary sewer collection system where available and; I further certify that (1) streets, utilities and other improvements have been installed in an acceptable manner and in accordance with the City of specifications; or (2) that a surety has been posted with the Planning Commission in an amount sufficient to complete all required improvements in case of default.

Date

Engineer/Superintendent

ALLEN COUNTY HEALTH DEPARTMENT

- ☐ Public sewer required
- ☐ On existing public sewer
- ☐ Has existing private sewer system
- ☐ On-site sewage private disposal system to service any proposed construction/residence shall be pursuant to the current State Sub-Surface Sewage Disposal Regulations and shall be permitted through this office prior to installation of said system. This is not an approval for a septic system.

Environmentalist, Health Department

Date

WATER DISTRIBUTIONS SYSTEM CERTIFICATION

☐ I certify that I have reviewed and approved the plans, specifications/calculations for the required water distribution system. I further certify that the water distribution system has been installed in an acceptable manner as to provide potable drinking water in accordance with the Kentucky Public Service Commission requirements.

☐ I certify that no public water supply is available to any lots reflected on this plat.

Date

Manager/Superintendent

DEPARTMENT OF HIGHWAYS APPROVAL CERTIFICATE

Access to Highway _____ will require a permit from the Department of Highways. Lots shown on this plat that abuts Highway _____ may be granted access to Highway _____ at the locations as shown on this plat only, provided all conditions and requirements of the Department Permits Policy Manual are met. Lot owner(s) shall contact the Permit Engineer with the Department of Highways, at the District # 3 Office in Bowling Green, KY at (270) 746-7898.

The local department of Highways, as shown on this plat, has approved the current access to Highway _____.

Permit Number: _____

Date

Authorized Signature

PROFESSIONAL ENGINEER'S CERTIFICATION

I hereby certify that the public improvement plans submitted with this Subdivision have been prepared by me or under my supervision; and all requirements of Kentucky laws and regulations and the Subdivision Regulations of Scottsville-Allen County have been fully complied with in these respects.

Date

Engineer's name, number and seal