

SUBDIVISION REGULATIONS FOR THE CITY OF CADIZ

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and
CADIZ-TRIGG COUNTY JOINT PLANNING COMMISSION

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Table of Contents

ARTICLE 1. ADMINISTRATION	1
100 TITLE	1
110 AUTHORIZATION	1
120 PURPOSE	1
130 JURISDICTION	2
140 INCONSISTENCY WITH OTHER PROVISIONS	2
150 SEPERABILITY	3
160 AMENDMENTS	3
170 PROCEDURES	3
171 GENERAL RESPONSIBILITIES	3
ARTICLE 2. DESIGN STANDARDS	5
200 MINIMUM DESIGN STANDARDS	5
201 SELF-IMPOSED REGULATIONS	5
210 LOT DESIGN STANDARDS	6
211 GENERAL LOT LAYOUT GUIDELINES	6
212 NON-RESIDENTIAL LOTS	8
220 SUBDIVISION DESIGN PRINCIPLES	8
221 RELATIONS TO LAND	8
222 MONUMENTS, MARKERS AND PINS	9
223 RESIDENTIAL DEVELOPMENT	9
224 COMMERCIAL AND INDUSTRIAL DEVELOPMENT	10
225 MOBILE HOME DEVELOPMENT	10
226 PLANNED UNIT DEVELOPMENT	11
227 CEMETERIES	11
230 TRANSPORATION FACILITY DESIGN	11
231 STREETS	11
231.1 DEFINITIONS	12
231.2 GENERAL STREET DESIGN CRITERIA	13
231.3 CONSTRUCTION SPECIFICATIONS FOR STREETS WITHIN THE CITY OF CADIZ	17
231.4 CONSTRUCTION SPECIFICATIONS FOR STREETS IN THE COUNTY OUTSIDE THE CITY OF CADIZ	18
232 BIKEWAYS	20
240 PUBLIC UTILITIES	21
241 SANITARY SEWAGE TREATMENT SERVICE	21

242 STORM WATER DRAINAGE SYSTEM _____	23
243 WATER SUPPLY SYSTEM _____	24
244 ELECTRIC, TELEPHONE AND GAS SERVICE _____	25
245 PROVISIONS OF UTILITY EASEMENTS _____	25
250 COMMUNITY FACILITIES AND OPEN SPACE _____	26
251 RESERVATION OF LAND _____	26
252 OFFICIAL PUBLIC PROPERTIES MAP _____	26
253 UNFORSEEN DEVELOPMENT _____	27
254 DESIRABLE FEATURES _____	27
ARTICLE 3. SUBDIVISION PROCESSING _____	28
300 PURPOSE _____	28
301 AUTHORITY _____	28
302 APPLICABILITY _____	29
302.1 CLASSES OF SUBDIVISION _____	29
310 SKETCH PLAT _____	29
311 PROCESSING _____	29
311.1 NOTIFICATION _____	29
311.2 PLAT PREPARATION _____	29
311.3 CLASSIFICATION _____	30
312 FEES _____	30
320 PRELIMINARY PLAT _____	32
321 PROCESSING _____	32
321.1 SUBMITTAL _____	32
321.2 NUMBER OF COPIES _____	32
321.3 PLAT REVIEW _____	32
321.4 COMMISSION ACTION _____	33
321.5 EFFECTIVE PERIOD OF APPROVAL _____	34
321.6 ADJUSTMENT OF PRELIMINARY PLAT REQUIREMENTS _____	34
321.7 AMENDMENT OF PRELIMINARY PLAT _____	35
322 FEES _____	35
322.1 FEES FOR PRELIMINARY PLATS _____	35
322.2 METHOD OF PAYMENT _____	36
322.3 LATE FILING FEES _____	36
322.4 FEE FOR "AMENDED PRELIMINARY PLAT" _____	36
323 PRELIMINARY PLAT REQUIREMENTS AND CHECK LIST _____	37
324 TYPICAL PRELIMINARY SUBDIVISION PLAT (see map) _____	45
330 FINAL PLAT _____	45
331 PROCESSING _____	45
331.1 SUBMITTAL _____	45
331.2 CONTENT _____	45
331.3 NUMBER OF COPIES _____	46
331.4 PLAT REVIEW _____	46
331.5 COMMISSION ACTION _____	46

331.6	RECORD PLAT	47
331.7	REVISIONS OF APPROVED PLAT	47
332	FEES FOR AMENDED FINAL PLATS	47
333	CONSTRUCTION GUARANTEES	47
333.1	COMPLETION OF IMPROVEMENTS	47
333.2	PERFORMANCE BONDS	48
333.3	MAINTENANCE AND REPAIR OF IMPROVEMENTS	49
334	FINAL PLAT REQUIREMENTS AND CHECK LIST	50
334.1		50
335	TYPICAL FINAL SUBDIVISION PLAT (See map).	54
340	MINOR PLAT	56
341	MINOR PLAT REQUIREMENTS	56
341.1		56
341.2		56
341.3		56
341.4		56
342	MINOR PLAT PROCESSING	56
342.1	WAIVER OF PRELIMINARY PLAT	57
342.2	PLANNING COMMISSION REVIEW	57
343	FEES	57
343.1	FEES FOR MINOR PLATS	57
343.2	FEES FOR MINOR PLATS	57
ARTICLE 4.	ENFORCEMENT	58
400	PURPOSE	58
410	PLATS OF RECORD	58
411	RECORDING OF PLATS (KRS 100.344)	58
412	LAND SOLD IN VIOLATION (KRS 100.341)	58
420	PENALTIES	58
421	ENFORCEMENT BY COMMISSION (KRS 100.337)	59
422	PENALTIES (KRS 100.991)	59
430	ADMINISTRATIVE PERSONNEL	59
431	ADMINISTRATIVE OFFICER (KRS 100.271)	59
432	DELEGATION OF AUTHORITY (KRS 100.281)	59
433	PLANNING COMMISSION STAFF (KRS 100.173)	60
440	APPEALS	60
441	APPEALS FROM COMMISSION ACTION (KRS 100.347)	60
ARTICLE 5.	DEFINITIONS	61
ARTICLE 6.	FORMS AND CERTIFICATIONS	67
600	PURPOSE	67
610	CERTIFICATIONS FOR PRELIMINARY PLAT REVIEW AND APPROVAL	67

611 CERTIFICATE OF APPROVAL OF UTILITY PLANS _____	67
612 CERTIFICATE OF ADEQUACY OF WATER AND SEWER SYSTEMS _____	67
613 CERTIFICATE OF PLAT APPROVAL _____	68
614 CERTIFICATE OF REVIEW BY KENTUCKY BUREAU OF HIGHWAYS _____	68
615 CERTIFICATE OF OWNERSHIP AND DEDICATION _____	69
616 CERTIFICATE OF ACCURACY _____	69
620 CERTIFICATIONS FOR FINAL PLAT REVIEW AND APPROVAL _____	70
621 CERTIFICATE OF OWNERSHIP AND DEDICATION _____	70
622 CERTIFICATE OF ACCURACY _____	70
623 CERTIFICATE OF APPROVAL OF STREETS AND UTILITIES _____	71
624 CERTIFICATE OF COMPLIANCE _____	71
625 CERTIFICATE OF APPROVAL FOR RECORDING _____	71
626 CERTIFICATE OF ACCPETANCE _____	72
627 CERTIFICATE OF THE APPROVAL OF INDIVIDUAL WATER AND SEWER SYSTEMS _	72
630 APPLICATION FOR PRELIMINARY PLAT APPROVAL _____	73
640 APPLICATION FOR FINAL PLAT APPROVAL _____	77
650 APPLICATION FOR MINOR SUBDIVISION APPROVAL _____	80

TABLE OF FIGURES

FIGURE 1 _____	14
FIGURE 2 _____	31
FIGURE 3 _____	44
FIGURE 4 _____	55

ARTICLE 1. ADMINISTRATION

100 TITLE

These regulations shall be known and may be cited and referred to as the "Subdivision Regulations of the City of Cadiz-Trigg County, Kentucky" and shall hereinafter be referred to as "These Regulations."

110 AUTHORIZATION

These subdivision regulations are adopted under the authority granted by the Kentucky Revised Statutes, Chapter 100, Section 100.273 through 100.291. The Cadiz – Trigg County Planning Commission, established under the Kentucky Revised Statutes Chapter 100, Section 100.121 has fulfilled the requirements set forth in KRS 100.273 as a prerequisite to the adoption of these regulations and is thereby designated as the administering agency.

120 PURPOSE

Once open land has been divided into streets and parcels, a pattern has been established which may determine how well community needs for residential, public, commercial and industrial land will be met. It will also affect the community's ability to handle traffic problems and the economic provision of public utilities. Assuring that this development is in harmony with community objectives is therefore a matter of serious public concern.

It is therefore declared to be the policy of the Cadiz – Trigg County Joint Planning Commission to consider land subdivision plats as part of a plan for the orderly, efficient, and economical development of the land within its general welfare. The purpose of the standards and procedures included is to first provide a guide for the change that occurs when land becomes urban in character as a result of development for residential, commercial, or industrial purposes; second, to provide assurances that the purchasers of lots are buying a commodity suitable for development and use; and third, to assure the proper provision of public services in an efficiently safe and orderly manner conducive to the minimum outlay of public and private expenditures. This shall be interpreted to include the following provisions which shall guide the Planning Commission in formulating its decisions:

121

Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health and welfare from flooding, fire, contamination, erosion, or other menace.

122

Proper provision shall be made for drainage, water and energy supply, sewerage, and other needed improvements at such a rate as will accommodate the anticipated rate of development.

123

Proposed streets shall compose a convenient and efficient traffic circulation system, properly related to the proposals of the transportation plan. Streets shall be of such width, grade and location to accommodate prospective traffic, provide adequate light and air, and to provide access by service and emergency vehicles.

124

Subdivision plats shall show such information as required to establish the exact location and dimension of each parcel of land in order to provide adequate records for land titles.

130 JURISDICTION

In accordance with Chapter 100, Section 100.131 of the Kentucky Revised Statutes, these regulations shall govern all subdivision of land within the corporate limits of the City of Cadiz and the County of Trigg, Kentucky as now or hereafter established. Any owner of land within these areas, or his representative, wishing to subdivide land shall submit to the Cadiz – Trigg County Joint Planning Commission a plat of the subdivision according to the requirements outlined in these regulations.

140 INCONSISTENCY WITH OTHER PROVISIONS

Wherever there is a discrepancy between minimum standards set forth in these regulations and those of any other lawfully adopted rules, regulations, ordinance or resolutions, the most restrictive or highest standards shall apply.

141

Nothing in these regulations shall prohibit the subdivider from placing self-imposed restrictions, or imposing higher standards than required by these

regulations, but not in violation of these regulations, on the development. However, such restrictions shall be indicated or attached to the plat for processing by the Commission and filing with the County Clerk.

150 SEPERABILITY

The invalidity of any provision of these regulations shall not invalidate any other part thereof which is not itself invalid.

160 AMENDMENTS

The Planning Commission may recommend to the Cadiz City Council and Trigg County Fiscal Court revisions and modifications of these regulations from time to time by holding a public hearing on the proposed changes after giving notice as required by K.R.S. Chapter 424. It shall then make its recommendation on the proposed changes to the legislative body. It shall take a majority of the entire legislative body to override the recommendations of the Planning Commission.

170 PROCEDURES

171 GENERAL RESPONSIBILITIES

171.1 – SUBDIVIDER OR DEVELOPER

The subdivider or developer shall prepare plats and plans consistent with the design standards, accomplish improvements consistent with the improvement requirements, and process said plats and plans in accordance with these regulations. The subdivider or developer shall be responsible for the payment of all plat fees, inspection fees and other regulatory or enforcement fees as deemed necessary by the Planning Commission and/or the governmental bodies.

171.2 – PLANNING COMMISSION

The Planning Commission, or its duly authorized representatives, is charged with the duty of making investigations and reports on the design and improvements of proposed subdivisions and developments and requiring conformance of such subdivisions and developments with the Comprehensive Plan for the County, the Kentucky Revised Statutes, Section 100.111.

PROCESSING OF SUBDIVISION PLATS		
STEP	TASK	RESPONSIBILITY
1	Prepare Sketch Plat (Section 313)	Subdivider
2	Submit Sketch Plat 10 working days prior to Technical Committee meeting	Subdivider
3	Pre-Application Conference	Technical Committee and Subdivider
4	Prepare Preliminary Plat (Section 323)	Subdivider and Engineer
5	Prepare construction plans for streets and utilities	Certified Engineer
6	Submit Preliminary Plat and improvement plans 10 working days prior to Commission meeting	Subdivider
7	Distribution and review of plat and plans	Planning Commission & appropriate agencies
8	Public Meeting on Preliminary Plat	Planning Commission, Subdivider and Engineer
9	Approval, Conditions Approval or Disapproval of plat (Within 60 days of hearing)	Planning Commission
10	Installation of public facilities and marking of lots	Subdivider/Developer
11	Inspection of public facilities under construction	City (County) Engineer
12	Prepare Final Plat (Section 334)	Subdivider
13	Prepare as-built utility plans	Certified Engineer
14	Submit Final Plat and plans 10 working days prior to Commission meeting	Subdivider
15	Inspection of completed public facilities and section performance bond if needed	City (County) Engineer
16	Public meeting on Final Plat	Planning Commission, Subdivider and Engineer
17	Approval, Conditions Approval or Disapproval of plat (Within 60 days of hearing)	Planning Commission
18	Plat stamped approved and signed	Planning Commission Chairman
19	File Final Plat and County Clerk	Subdivider
20	Recommend acceptance of dedicated public facilities to Legislative Body	Planning Commission and Legislative Body

ARTICLE 2. DESIGN STANDARDS

200 MINIMUM DESIGN STANDARDS

The Planning Commission is authorized under Kentucky Revised Statute 100.281 to specify design requirements for streets, blocks, lots, utilities, recreation areas, other public facilities, and hazardous areas including land subject to flooding within the City of Cadiz and Trigg County. Furthermore, the Commission is responsible for insuring that road standards are enforced during development as a condition of subdivision plat approval. Furthermore, the Trigg County Fiscal Court and Cadiz City Council are responsible for insuring that road standards and specifications are enforced in their respective jurisdiction during the development phase as a condition of subdivision plat approval.

These standards for public improvements shall be utilized to assure the conformance of subdivision to the Comprehensive Plan and Zoning Ordinance (if applicable). Towards these goals, the Commission is also given the authority to require the reservation of land for public facilities as a condition of plat approval. The law states:

“The planning commission may require a reservation, not to exceed two years, for parks, open space, school, and other public uses.” KRS 100.281

The standards set forth in this section are considered to be minimum acceptable standards of design acceptable for safe, efficient, and economical community development. Generally, the Developer shall be responsible for providing the land and constructing those public improvements required to serve his development. Where the Commission determines that excess capacity facilities are needed, as defined in the respective sections, the legislative body shall be responsible for arrangements to cover the cost of that capacity required beyond what is needed to serve the immediate development.

201 SELF-IMPOSED REGULATIONS

The Subdivider may provide for final maintenance of common facilities or place restrictions on development more restrictive than those provisions. These shall be noted in the deed restrictions which shall be made a part of the Commission's record.

210 LOT DESIGN STANDARDS

The size, proportion, and orientation of individual parcels of land and the buildings placed on them will vary with intended type of land use and with the geologic characteristics of the land. Many of these characteristics are determined through the zoning regulations governing the use of the land (i.e. minimum lot size, yard requirements, building setback and lot coverage.) Other principles of lot use and layout are more generally applicable and are basic to principles of good subdivision design.

211 GENERAL LOT LAYOUT GUIDELINES

211.01 CONFORM TO ZONING REQUIREMENTS

The site and proportions of lots in any subdivision shall conform to the zoning of the property in effect at the time of final plat submission.

211.02 PUBLIC STREET

All lots shall front on a public street for a minimum of forty (40) feet as measured at the building setback line.

211.03 ONE BUILDING PER LOT

Each separate principle use building within the planning area shall be situated on a separate and single subdivided lot of record.

211.04 LOT LINES

All side lines of lots should be at right angles to straight street lines and radial to curved street lines.

211.05 CORNER LOTS

Corner lots shall be laid out so as to provide at least minimum front yard requirements along both street frontages. Access to corner lots shall be at a distance of at least fifty (50) feet from the intersection.

211.06 TOPOGRAPHY

All parcels shall be laid out as related to topography to provide a building site of adequate size and free from drainage problems.

211.07 LOT AREA REQUIREMENTS

Where public sewers are available and zoning is in effect, minimum residential lot area requirements shall conform to the zoning ordinance. Where public sewers are available and zoning is not in effect, residential

lots shall be at least forty (40) feet wide and ten thousand (10,000) square feet in area. Wherever no public sewers are available, residential lots shall be at least one half acre (21,780 square feet) in area. A greater area than that specified above may be required if, in the opinion of the County Health Officer, and designated county engineer, there are potential health hazards due to drainage, soil, or other factors.

211.08 FRONT YARD SETBACK LINES

Front yard setback lines are determined by the type of street fronting the lot on which the structure is to be built. Existing city and county streets are identified as either arterials, collectors or local streets in the adopted Cadiz-Trigg County Comprehensive Plan. New streets are classified at the time of subdivision approval. The following front yard setback requirements shall apply.

Arterial Streets	50 feet
Collector Streets	30 feet
Local Streets	25 feet

The minimum front yard setback on all unclassified streets shall be 25 feet.

211.09 SIDE AND REAR SETBACK LINE

No building is to be constructed within ten (10) feet of all side and rear property lines where zoning is not in effect.

211.10 MONUMENTS

Permanent monuments of concrete or steel rod at least three feet long shall be set at all corners, angle points, and points of curves in streets and their location marked on the final plat.

211.11 DOUBLE FONTAGE LOTS

Lots shall not be laid out so that they have frontage on more than one street except: (a) corner lots, or (b) when the rear of the lot faces an arterial, freeway or railroad right-of-way and the front of the lot faces on a minor street.

211.12 LOT NUMBERS

All parcels of land in a subdivision, other than streets, shall be given a consecutive lot number. This applies also to lots intended for non-residential use.

212 NON-RESIDENTIAL LOTS

Lots to be used for commercial or industrial purposes shall contain such area as required by zoning regulations, or in lieu of zoning regulations, such area as necessary to accommodate proposed buildings, necessary parking, off street loading, landscaping, and buffer areas where required.

220 SUBDIVISION DESIGN PRINCIPLES

The following sections specify the interrelationships between characteristics of the land (slope, soil composition, woodlands) and the components of urban development (street, blocks, utilities). It is intended that the development of land under these regulations be carried out in harmony with the limitation of the land. Within these limitations, it is intended that flexibility with regard to innovative design and new technology be encouraged.

221 RELATIONS TO LAND

The street plan and lot arrangement of a proposed subdivision shall be so designed to preserve, wherever possible, natural features such as trees, landmarks; and to preserve, wherever possible, the natural lay of the land and disposition of the topsoil.

221.1 UNSUITABLE LAND CONDITIONS

If the Commission finds that land proposed to be subdivided is unsuitable for subdivision such conditions which may endanger health, life or property; and, if investigations conducted by the public agencies concerned determine that in the best interest of the public that the land should not be developed for the proposed purpose; the Commission shall not approve the land for subdivision unless adequate methods are proposed by the subdivider for solving those problems that will be created by the development of the land.

221.2 AREAS PREMATURE FOR DEVELOPMENT

The Planning Commission may refuse to approve what it considers to be scattered or premature subdivision of land which would involve danger of injury to the public health, safety, welfare, by reason of a lack of water supply, schools, proper drainage, adequate roads or transportation

facilities or other public services; or which would necessitate an excessive expenditure of public funds for the supply of such services.

222 MONUMENTS, MARKERS AND PINS

Permanent concrete monuments shall be accurately set and established at the intersections of all outside boundary lines of the subdivision; at the intersections of those boundary lines with all street lines; at the beginning and ending of all curves; at points on curves where the radius or direction changes; and at such other points on curves where the radius or direction changes; and at such other points as are necessary to establish definitely all lines of the plat, including all lot corners. Stone or concrete monuments shall be at least thirty-six (36) inches long and at least six (6) inches in diameter, and shall be provided with an appropriate center point. Solid iron pins or iron pipe monuments at least one inch in diameter and at least thirty-six (36) inches long may be used at all other points.

223 RESIDENTIAL DEVELOPMENT

The subdivision of land for residential purposes shall adhere to sound planning processes in the relationship of land to buildings and to movement systems.

223.1 BLOCKS

The width of a residential block should accommodate two tiers of lots. Block length should be at least 500 feet but not exceed 1,200 feet. Where a block exceeds 900 feet in length, a through sidewalk on a ten foot right-of-way may be required.

223.2 STREET PATTERN

The arrangement, location, character, width, grade, and construction of all streets shall conform to the Transportation section of the Comprehensive Plan and shall be considered in relationship to existing and planned streets topography, access to adjacent land, and public convenience and safety. The street pattern shall discourage through traffic in the interior of a subdivision. Residential development should not front on arterial class streets. See also Section 231.2 of these Regulations.

223.3 LAND REMNANTS

If remnants of land exist after subdividing and have no apparent future use which can be properly controlled, they shall be incorporated into the lot pattern of the proposed subdivision.

224 COMMERCIAL AND INDUSTRIAL DEVELOPMENT

The location and orientation of commercial and industrial land subdivision within the city of Cadiz shall be consistent with the intent of the Cadiz Zoning Ordinance and in conformance with the adopted Land Use Plan.

224.1 MINIMIZE IMPACT

Lot layout and building arrangement shall be so organized as to minimize the adverse effects of normal business operations and vehicular activities on adjacent land. Streets serving commercial and industrial activities shall be planned to connect with arterial or collector streets so as not to generate traffic on minor streets.

224.2 PUBLIC IMPROVEMENTS

The Planning Commission may require of the Developer public improvements, including streets and utilities, of capacities adequate to avoid overloading by recommended development in the immediate area.

225 MOBILE HOME DEVELOPMENT

Development of mobile home sites for rental, lease, or sale shall conform to the Kentucky Revised Statute Chapter 219. In addition, all mobile home sites within the city of Cadiz must comply with the Cadiz Zoning Ordinance.

225.1 PERMIT APPLICATION

The Developer of a mobile home park shall apply to the Kentucky Department of Health to obtain a permit to construct or alter a mobile home park prior to filing a preliminary or minor subdivision plat with the Planning Commission.

225.2 CONSTRUCTION PLAN

The complete Construction Plan as required by the Kentucky Department of Health shall be considered a suitable substitute for all plat requirements of these Regulations in regard to mobile home parks.

225.3 SPECIAL CONSIDERATIONS

Mobile Home developments shall provide for adequate streets with a minimum width of thirty (30) feet, skirting, concrete pads, and tie downs for all units. Conventional homes shall be excluded from mobile home development.

226 PLANNED UNIT DEVELOPMENT

Sections of these Regulations may be modified by the Planning Commission in the case of plans for complete neighborhoods or other design innovations which, in the opinion of the Commission, achieve the basic objectives of these regulations. The Planning Commission may require additional conditions such as covenants or specific notes, which it feels necessary to assure conformity to and achievement of the proposed subdivision plan. Such development proposals shall be accompanied by a compatible zoning plan where zoning is in effect.

226.1 VARIANCES TO LOT DESIGN STANDARDS

Lot design standards may be varied to accommodate innovative building styles and is made up by available common open space. Frontage on public streets and single principle use provisions may be waived for cluster developments.

227 CEMETERIES

These Regulations shall not apply to the subdivision of burial lots in cemeteries except for the requirement to file a plat of record with the Trigg County Clerk.

230 TRANSPORTATION FACILITY DESIGN

The Planning Commission is responsible for assuring that street development conforms to the Transportation section of the Comprehensive Plan with regard to the arrangement, character, location, right-of-way and pavement widths, and grade. Proposed streets shall be considered in their relationship to the existing and planned streets to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. Where it is desirable, consideration will also be given to non-motorized modes of transportation routes including walkways and bikeways.

231 STREETS

Streets, as ways for the movement of vehicular traffic, serve two principle functions: First, the movement of people and goods and second access to adjoining properties. Unfortunately, these two functions are of conflicting nature because the smooth movement of traffic is interrupted by vehicles entering or leaving traffic from or to adjacent property.

231.1 DEFINITIONS

231.11 PRINCIPAL ARTERIALS

The system of principle arterial streets and highways serves the major centers of activity of an urban area; including the highest traffic volume corridors; carries travel desires with the longest trip length. The principal arterial system should carry the major portion of forecasted trips entering and leaving the urban area as well as the majority of through movements desiring to bypass the city. For principal arterials, the concept of service to abutting land should be subordinate to the provision of travel service for major traffic.

231.12 MINOR ARTERIALS

This system interconnects with and augments the principal arterial system and provides service to trips of moderate length at a somewhat lower level of travel mobility than principal arterials. This system includes all arterials not classified as principal and includes facilities that place more emphasis on land access than the principal system and offers a lower level of traffic mobility.

231.13 COLLECTORS

The collector street system differs from the arterial system in that facilities on the collector system may penetrate neighborhoods, distributing trips from the arterials through the area to the ultimate destination, which may be on a local or collector street. The collector system should provide both land access service and local traffic movements within residential neighborhoods, commercial areas and industrial areas. Directional flow may be served by one or two lanes in each direction with additional turning lanes as needed. Parking is permitted. Posted speed limits are low, thirty-five miles per hour or less.

231.14 LOCALS

The local street system comprises all facilities not in one of the higher systems. It serves primarily to provide direct access to the higher order system. It offers the lowest level of mobility and services to through traffic movement should be discouraged. Directional flow is served by one lane in each direction. Posted speeds are low. Parking is permitted and may require additional

roadway widths than for movement only. Layout should discourage through traffic.

231.141 CUL-DE-SAC STREETS

A local street with only one end open to vehicular traffic and the other end terminated by a permanent vehicular turn-around. The length of Cul-de-sac streets shall not be more than one-thousand (1,000) feet from the intersecting collector or arterial street.

231.142 LOOP STREETS

A local street where both ends terminate at an intersection with the same collector or arterial street. The radius of the loop shall not be more than one-thousand (1,000) feet from the intersecting collector or arterial street.

231.15 FRONTAGE ROADS

For the exclusive purpose of providing access to properties adjacent to Arterial Streets and Expressways. Frontage roads provide for two way traffic at a slow-rate of speed and parallel to the Arterial Street with access points to it not more than every two hundred (200) feet. The commission may require Frontage Roads as a condition to approval of development along designated or proposed Arterials or Expressways.

231.16 ALLEYS

For the purpose of providing secondary vehicular access to adjacent properties along the rear or side lot lines in commercial or industrial areas. Alleys shall not be used for residential subdivisions.

231.17 DEAD END STREETS

A street having an outlet at only one end terminated at the other end by undeveloped property. Dead end streets that extend beyond the facilities.

231.2 GENERAL STREET DESIGN CRITERIA

The following guidelines shall be used in the review of subdivision layout.

CLASSIFICATION OF THOROUGHFARES

FIGURE 1

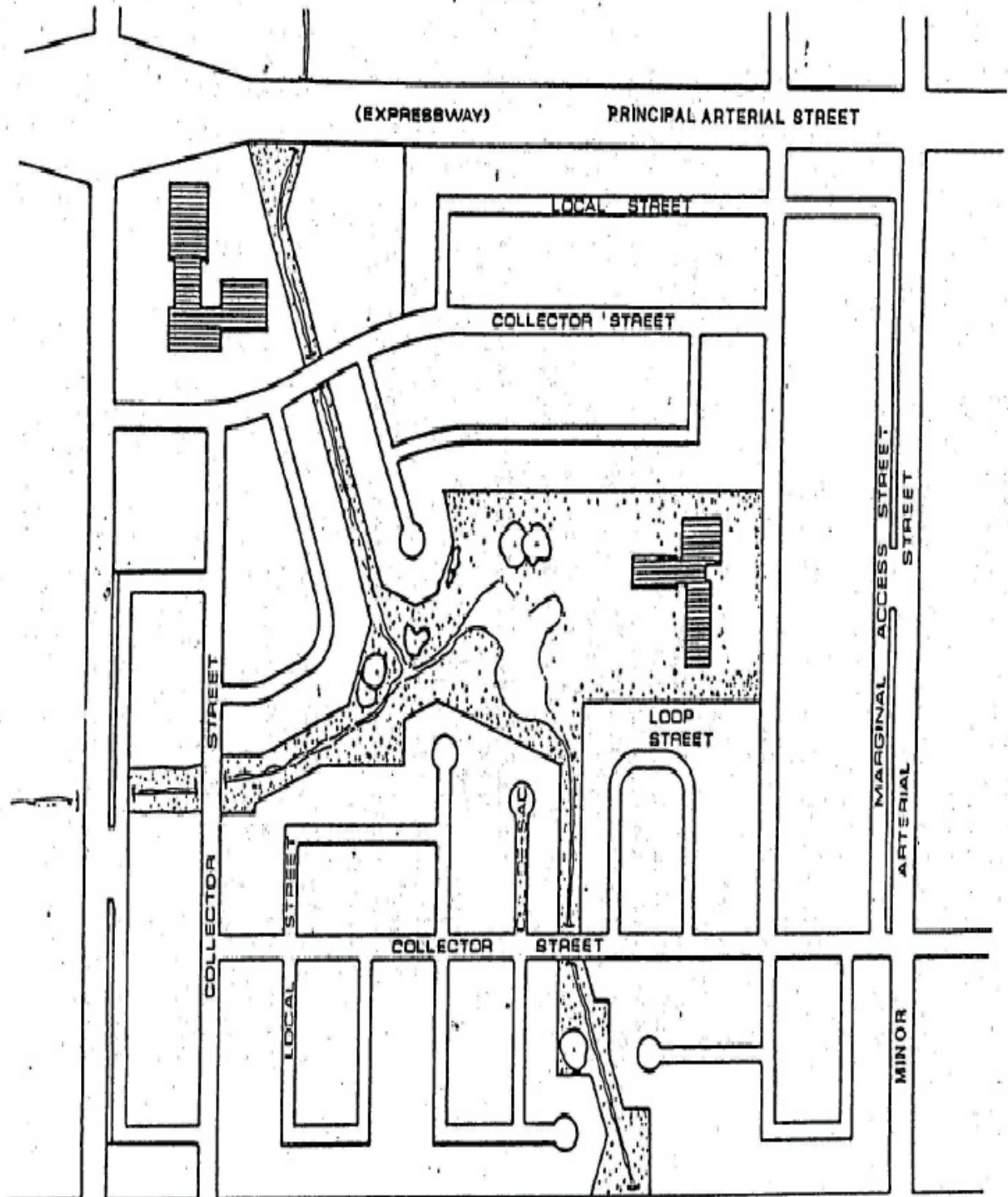


Figure 1

231.21 CONFORMANCE WITH COMPREHENSIVE PLAN

The location of streets in a proposed subdivision shall conform in general alignment with the recommendations of the major street plan.

231.22 RESPONSIBILITY FOR STREETS

The developer shall construct streets including all clearing, grading, laying of subbase, base, pavements, curbs and gutters, culverts, bridges, current City and County standards. The respective legislative body is not required to accept any street until it has been inspected by the City or County Engineer and has been determined that such construction is in conformance with the approved plans and adopted standards. To achieve the purposes of the Comprehensive Plan, the City or County may require that certain streets serving a subdivision be constructed to higher standards than would be necessary to serve the particular subdivision.

231.221 UPGRADING OF STREETS

When a previously unincorporated area is annexed to the City of Cadiz, the City may require that streets be upgraded, or cause such streets to be upgraded to conform to City standards. The City may refuse to accept dedication of substandard streets or to extend city services to areas served by substandard streets.

231.23 STREET INTERSECTIONS

Multiple intersections involving the junction of more than two streets shall be avoided. Streets shall intersect as nearly at right angles as possible, but in no case at an angle of less than 70 degrees. Street intersections shall be aligned opposite one another, otherwise offsets between intersection shall be greater than two hundred (200) feet between center lines.

Minimum safe sight distance at an intersection shall be determined as a straight line of unobstructed view measured in each direction across the corner between points, each sixty (60) feet back from the theoretical intersection of the edges of the pavement extended and between two (2) and six (6) feet above the surface of the pavement. The space so described shall not be blocked by bushes, trees, structures or other obstructions.

231.24 DEDICATION OF RIGHT-OF-WAY-NEW STREETS

The dedication of right-of-way, measured from lot line to lot line, for new streets shall meet the following standards.

<u>Street Type</u>	<u>Dedicated Right of Way Width</u>
Arterial Streets	80'
Collector Streets	60'
Local Streets	50'
Frontage Roads	40'
Alleys	20'

231.25 DEDICATION OF RIGHT-OF-WAY – EXISTING STREETS

Subdivisions platted along existing streets shall dedicate additional right-of-way as necessary to bring the existing right-of-way into conformance with the standards in section 231.24.

231.251

The entire minimum right-of-way shall be dedicated where the subdivision is on both sides of the street.

231.252

When the subdivision is located on only one side of an existing street, one-half of the required right-of-way measured from the center line of the existing roadway shall be dedicated.

231.253

Dedication of one-half of a right-of-way for proposed streets along the boundary of land proposed for subdivision shall be prohibited.

231.26 ACCESS

Access on to Arterial Streets from adjacent residential development should be limited to intersections with Collector Streets. Residential developments that back up to Arterial Streets should have deeper back yards and provisions for buffering.

Adjacent apartment or commercial development should not have direct access to Arterial Streets, but should be served by parallel Frontage Roads with access points to the Arterial Street separated by at least eight hundred (800) feet.

231.27 DEAD END STREETS

Dead end streets, other than complete cul-de-sac streets, shall only be permitted as part of a continuing street plan and only if a temporary turn-around satisfactory to the Commission, is provided. Dedicated right-of-way on dead end streets shall extend to the tract boundary and reserve strips which might be used to control access to adjacent property are prohibited.

231.3 CONSTRUCTION SPECIFICATIONS FOR STREETS WITHIN THE CITY OF CADIZ

The following specifications shall be used in the construction of streets within the City of Cadiz.

231.31 CURBS AND GUTTERS

Curbs and gutters shall be required on all new streets.

231.32 MINIMUM PAVEMENT WIDTHS

Widths shall be measured between curbs and shall be as follows:

Arterials	44'
Collectors	36'
Locals	25'
Frontage Roads	25'
Alleys	20'

231.33 SIDEWALKS

Sidewalks shall be required on both sides of streets in all subdivisions. They shall be constructed of concrete at least 4 inches thick and 4 feet wide, poured over a compacted 4 inch dense grade gravel sub-base. The Planning Commission may waive the requirements for sidewalks where they are not deemed necessary.

231.34 PAVEMENT SPECIFICATIONS

6" DGA with .5 gallons primer per square yard, 2" asphalt base, class I, 1" surface, class I, Type A bituminous concrete. If the developer agrees to winter the DGA, an allowance to replace 2" of asphalt base for 2" of surface, applied in the spring, can be made.

231.35 STREET GRADES

Street grades shall not exceed the following:

Arterials	7%
Collectors	9%
Local Streets	12%

231.4 CONSTRUCTION SPECIFICATIONS FOR STREETS IN THE COUNTY OUTSIDE THE CITY OF CADIZ

The following specifications shall be used in the construction of streets outside the City of Cadiz.

231.41 CURBS AND GUTTERS

Curbs and gutters shall not be required on any new street.

231.42 MINIMUM PAVEMENT WIDTH

Pavement widths shall be as follows:

Arterials	44'
Collectors	24'
Locals	22'
Frontage Roads	22'
Alleys	15'

231.43 SIDEWALKS

Sidewalks shall not be required in developments outside the Urban Service Area.

231.44 DRAINAGE AND SHOULDERS

The developer of a road and/or street or the subdivider shall install adequate drainage to insure proper disposal of all surface water. In no case shall such person or persons build or construct roadway sections that will cause undue flooding on any adjacent property or

on any portion of the property being constructed or developed and for proper disposal shall provide a drainage system including the necessary open ditches, pipes, culverts intersectional drains, drop inlets, bridges, etc. Within a subdivision, before any construction is begun all entrance pipes shall be concrete or C.M.P. pipe according to the following schedule:

15" diameter – 20 foot width with headwalls

15" diameter – 24 foot width without headwalls

(The above dimensions are considered minimum standards. Larger diameter pipe may be required to provide adequate drainage.)

Such drainage pipes and structure shall include all driveways and entrance ways and shall be inspected by the selected County Engineer or the County Board Supervisor and shall be inspected personally or by plat and if in the inspector's discretion, the hereinabove pipe regulations may be waived if in the opinion of said inspector none is needed.

All shoulders shall conform to the attached typical or cross-section and shall be constructed of approved granular material, according to the slope shown on the said typical or cross-section. Granular shoulder material shall extend downward at a depth of no less than one half (1/2) of the dense grade aggregated base.

In light of this section, existing topographic contours at an interval of not greater than two (2) feet shall be required and shown on any plat for the subject property and shall extend beyond for two hundred (200) feet.

231.45 PAVEMENT SPECIFICATIONS

6" DGA with .5 gallons primer per square yard, 2" asphalt base, class I, 1" surface, class I, Type A bituminous concrete. If the developer agrees to winter the DGA, an allowance to replace 2" of asphalt base for 2" of surface, applied in the spring, can be made.

231.46 STREET GRADES

Street grades shall not exceed the following:

Arterials	7%
Collectors	9%
Local Streets	12%

232 BIKEWAYS

Where conditions of high bicycle utilization exist, the Planning Commission may require one of the following types of bicycle facilities to be provided by the Developer to insure the safety of the cyclists and encourage greater use of the bicycle as an alternate means of transportation.

232.1 BICYCLE PATHS

Shall include only those bicycle facilities whereby a spate right-of-way is set aside for the exclusive use of cyclists to the exclusion of motorized vehicles and pedestrians. One-way bike paths shall be at least four (4) feet wide and paved with concrete or bituminous paving material. Two-way bike paths shall be at least eight (8) feet wide.

232.2 BICYCLE LANES

Shall include those bicycle facilities where a portion of a street is designated by a raised curb or painted lane stripe, for the exclusive use of cyclists. Bike lanes shall be prominently marked as such and be one way in direction on each side of the street and a minimum of four (4) feet wide.

232.3 BICYCLE ROUTS

Shall include those existing or proposed streets that are determined by specific analysis to be suitable for the safe operation of bicycles. Bike routes do not provide for the exclusive use of bicycles but require sharing the street with other vehicles, and are designated by a map of public distribution and/or by the official "Bike Route" sign.

240 PUBLIC UTILITIES

The administration of these regulations by the Planning Commission shall take into account the relationships between new development and the adopted community plans for utility systems. Proposed development shall be considered in terms of required service by sanitary sewer facilities, water supply, storm water drainage and energy supply. Where necessary, the Commission shall require the provision of exclusive utility easements consistent with the needs to serve the proposed and future development.

241 SANITARY SEWAGE TREATMENT SERVICE

Where a public sanitary sewer system is reasonably accessible, as determined by the Planning Commission, sanitary sewers shall be installed by the Developer to adequately serve all lots with connections to the public system.

241.1 SANITARY SEWAGE TREATMENT PLANTS

Where a public sanitary sewer system is not reasonably accessible, a neighborhood or "Package" disposal system may be installed according to standards determined by the County Health Officer and the Kentucky Department of Natural Resources and Environmental Protection.

241.2 INDIVIDUAL DISPOSAL SYSTEMS

Where a public sanitary sewer system is not reasonably accessible, septic tank or other individual systems may be installed in accordance with Section 211.07 of these regulations and subject to the approval and conditions of the County Health Office and/or Kentucky Department of Health, based on the review of a soils analysis and percolation data or other pertinent data for each lot in the proposed subdivision.

241.3 FUTURE SERVICE

Where plans exist for extending a public sanitary sewer system into an area that is begin subdivided, and it is reasonably expected that the area will be served by a public sewer system within a period of five years, capped sewers shall be installed to adequately serve all lots in the proposed subdivision.

241.4 GENERAL STANDARDS

Subject to the specific determination to the contrary by the Commission or other agency, the following general standards shall apply: The minimum size sewer pipe connection to any parcel shall be four inches inside diameter (i.d.). The minimum sewer pipe line to be used in a residential subdivision shall be of eight inches i.d. except that a six inch i.d. line may be used to serve no more than four dwelling units. No sanitary sewer system shall be used for the disposal of storm water.

241.5 PLANS REQUIRED

In compliance with Section 323.2F of these regulations, the Subdivider shall submit plans for the proposed sanitary sewage treatment facilities with the filing of the preliminary plat for Commission approval. Such plans shall be prepared by a Registered Civil Engineer and shall show pipe sizes, gradients, type of pipe, invert and finished grade elevations, location and type of manholes, the location, type and size of all lift or pumping stations and treatment facilities, if on site. Manholes shall be located at a maximum distance of every three hundred (300) feet and at changes in grade or direction and shall be designated as a logical extension of the public sewer system including trunk lines as needed to serve the subject tract and future extensions of the system.

Where septic tank systems are used, plans shall show percolation rates, the capacity of the tank and location and length of the drainage field for each parcel.

241.6 OVERSIZED FACILITIES

When it is determined necessary to comply with the Comprehensive Plan, the Developer, after approval by the city Council or Fiscal Court, may be required to install collection or treatment facilities in excess of those required to adequately serve the subdivision. In these cases, the City or County after such prior approval shall reimburse the Developer for the difference in cost between the facilities actually needed in the subdivision and the cost of facilities necessary to provide for future planned development.

242 STORM WATER DRAINAGE SYSTEM

Provisions shall be made by the Developer for the collection and channelization of storm water runoff by means of a storm water drainage system designed to handle the runoff from storms occurring on an average frequency of ten years. The proposed system shall be subject to the review and approval of the Planning Commission and City or County Engineer.

242.1 DISPOSAL BEYOND SUBDIVISIONS

Where an adequate public storm sewer is available at the subdivision boundary, the Developer shall construct the storm sewer system to connect with such storm sewer line. If such a system is not available, the Developer may be required by the Commission to provide for the construction of necessary storm drainage facilities as may be required beyond the immediate boundaries of the subdivision in order to conduct runoff to an acceptable point of disposal.

242.2 PLANS REQUIRED

In compliance with Section 323.2G of these regulations, the subdivider shall submit plans for the proposed storm water drainage system with the filing of the preliminary plat for Commission approval. Such plans shall show contours, catch basins, manholes, junction boxes, inlets, pipe storm drains, ditches, and holding ponds indicating size and material, culverts. And headwalls, bridges, pump stations, and discharge points.

242.3 EROSION CONTROL

Each preliminary plat will be reviewed by the Trigg County Conservation District which shall make the necessary recommendations for controlling excessive erosion during development.

242.4 OVERSIZED FACILITIES

When it is determined necessary to comply with the Comprehensive Plan, the Developer may, after prior approval of City Council or Fiscal Court, be required to install drainage structure in excess of those required to serve the subdivision. In these cases the City or County, after such prior approval, shall reimburse the Developer for the difference in cost between the drainage facilities actually needed in the subdivision and the cost of facilities necessary to provide for future planned development.

243 WATER SUPPLY SYSTEM

The Subdivider shall be required to provide an adequate supply of pure water to all lots in the subdivision. The water supply shall be sufficient to satisfy the needs of both domestic use and fire protection. The distribution system shall be so designed and constructed as to form an integral part of the City's or rural water district or association's distribution system and be in conformity with the Comprehensive Plan. The distribution system shall be in accordance with current City standards as well as the standards of the Department for Natural Resources and Environmental Protection and the State Farm Rating Bureau.

243.1 WATER MAINS

Shall conform to the minimum requirements of the appropriate water company.

243.2 FIRE HYDRANTS

Shall be installed on water mains according to standards established by the appropriate water company.

243.3 VALVES

In accordance with current City or County standards, shall be installed in junctures to enable isolation of line segments for maintenance.

243.4 OVERSIZED FACILITIES

Whenever the City or rural water service deems it appropriate and necessary, in keeping with and in facilitating development of the Comprehensive Plan, the Subdivider may, after prior approval of the City Council or appropriate water utility, be required to install water main, fire hydrants and valves in excess of those required to adequately serve the subdivision. In the appropriate water utility, be required to install water main, fire hydrants and valves in excess of those required to adequately serve the subdivision. In the appropriate water utility after such prior approval, shall reimburse the subdivider for the difference in cost between the water facilities actually needed in the subdivision and the cost of the water facilities necessary to provide for planned future development.

243.5 PUBLIC WATER UNAVAILABLE

In subdivisions where city water supply is not available and an individual well or cistern will supply each dwelling, a letter of acceptance and approval from the State Health Department must be submitted with the preliminary plat.

244 ELECTRIC, TELEPHONE AND GAS SERVICE

Electric service and telephone service shall be accessible to each subdivision. Gas service may be required where reasonable accessible. Whenever such facilities are reasonable accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, electric and street lighting wires, conduits and cables shall be constructed underground except in cases where the City or County Engineer determines that topographic, bedrock, or underground water conditions would result in excessive costs to the subdivider.

245 PROVISIONS OF UTILITY EASEMENTS

The Subdivider shall set aside land easements for the placement and access for maintenance of public and private utilities in accordance with the requirements of Sections 323.1K and 334.1K of these Regulations.

245.1 LOCATION OF EASEMENTS

Where utilities do not follow streets, easements shall follow lot lines in order not to restrict the placement of the building. Easements will terminate where they meet a street or other easement.

245.2 DIMENSION OF EASEMENTS

The minimum width for utility easements shall be fifteen (15) feet to permit access by maintenance vehicles. Where such easements follow lot lines, they may be split with seven and one half feet provided on each lot. Dead end easements shall not exceed one hundred fifty (150) feet in length.

245.3 RESTRICTIONS

No principle or accessory buildings, or other structures shall be permitted within easements. Any overhanging or obstructing limbs, shrubbery, or vegetation may be removed within the limits of the easement at the sole discretion of the appropriate maintenance personnel.

250 COMMUNITY FACILITIES AND OPEN SPACE

The process of land subdivision and development represents a long term commitment to a particular land use movement pattern, good or bad. It is therefore the point in time of a community's development that the planning process is actually implemented with respect to securing the land needed for public services.

251 RESERVATION OF LAND

Where a proposed park, playground, school site, or other public use as indicated in the adopted Comprehensive Plan is located completely or in part in a proposed subdivision, such proposed public use if not dedicated to public use, or conveyed to the appropriate Legislative Body or agency thereof, may be reserved by the Planning Commission for a period of not more than two (2) years from the date of approval of the final subdivision plat. During this time the affected public agency may acquire the reserved area for its fair market value or by other appropriate method.

After the two (2) year period has elapsed, if the affected public agency has not acquired such land area or arranged with the owner for a satisfactory extension of such period, the owner may dispose of the property in conformance with the law.

The Subdivider shall give consideration to dedicating or reserving land for facilities which will be needed by the future residents such as public buildings, shopping facilities, and churches.

252 OFFICIAL PUBLIC PROPERTIES MAP

If the City or County has adopted an Official Properties Map, as provided for in KRS 100.293 – 100.317 which includes such public use, then in addition to the provisions for reservation (Section 251), the Legislative Body may prevent the development of such area by refusing to issue a construction permit. Unless such permit is granted, no person shall recover any damages for the taking or public use of any structure or improvement constructed within the lines shown on the map. Any such structure or improvement shall be removed at the expense of the owner when the land is acquired for public use.

253 UNFORSEEN DEVELOPMENT

Where considered essential by the Commission in its review of large scale or planned unit development not anticipated in the adopted plans, the Commission may require the reservation for purchase of such areas of an extent and location suitable for the needs created by such development for parks, schools, streets, or other public use for no more than two years.

254 DESIRABLE FEATURES

In the subdivision of any land within the area of jurisdiction, due regard shall be given to all natural features such as tree stands, water courses, historical spots, or similar conditions which, if preserved, will contribute to the attractiveness and value of the proposed development.

ARTICLE 3. SUBDIVISION PROCESSING

300 PURPOSE

One of the tools available in local planning and commissions for the implementation of the adopted comprehensive plan is the administration of land subdivision regulations. The emphasis of a community's subdivision regulations is to control the quality of development that has been specified for any given tract of land by the Planning and Zoning ordinance. This is achieved through the efficient utilization of the land in accordance with the standards established in Article 2 of these Regulations.

301 AUTHORITY

The commission's authority and responsibility for these purposes is stated in the Kentucky Revised Statute, Chapter 100, Section 100.277 as follows:

(1) No person or his agent shall subdivide any land, before securing the approval of the planning commission of a plat designating the areas to be subdivided, and no plat of a subdivision of land within the planning unit jurisdiction shall be recorded by the county clerk until the plat has been approved by the Commission and the approval entered thereon in writing by the chairman, secretary, or the other duly authorized officer of the Commission.

(2) No person owning land composing a subdivision, or his agent, shall transfer or 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 planning 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 or deprive the purchaser of any right or remedies he may otherwise have.

(3) Any street, or other public ground which has been dedicated shall not be accepted by the legislative body until it has received recommendations from the Planning Commission.

The subdivider or developer is required to submit certain maps of his proposed subdivision (plats) to the Commission which contain such information as to

permit the evaluation of the proposed project by the Commission and other agencies of the City and County.

302 APPLICABILITY

These regulations and standards shall apply to the subdivision of any tract; the consolidation of two or more parcels of land into a fewer number of parcels; and to the amendment of any subdivision plat previously approved by the Commission, or the Trigg County Fiscal Court when the acceptance of county roads are involved.

302.1 CLASSES OF SUBDIVISION

Proposed subdivisions of land shall be determined by the Chairman or his designee to be classified as Major or Minor Subdivisions. Major Subdivisions shall be processed in accordance with Sections 310 through 330 of these Regulations.

310 SKETCH PLAT

The sketch plat review or pre-application conference is intended to provide the initial contract between the prospective Subdivider (property owner or developer) and the Commission. At this meeting, the commission learns of the imminent plans for the development of the subject tract of land and can initiate contacts with other governmental departments to determine the potential need for acquiring land and providing services. The Subdivider is then briefed on the subdivision regulations and procedures to be followed and reviews the recommendations of the Comprehensive Plan for the vicinity of the land proposed for subdivision.

311 PROCESSING

311.1 NOTIFICATION

The Subdivider shall notify the Planning Commission Technical Committee no less than ten working days before a regularly scheduled meeting of the Commission of his intention to subdivide a property and request a pre-application conference with the Technical Committee for review of the sketch plan.

311.2 PLAT PREPARATION

The Subdivider shall submit a sketch plat containing the information specified in Section 313 of these Regulations. This plat may be in pencil, on a sheet of paper or other suitable material of adequate size to show

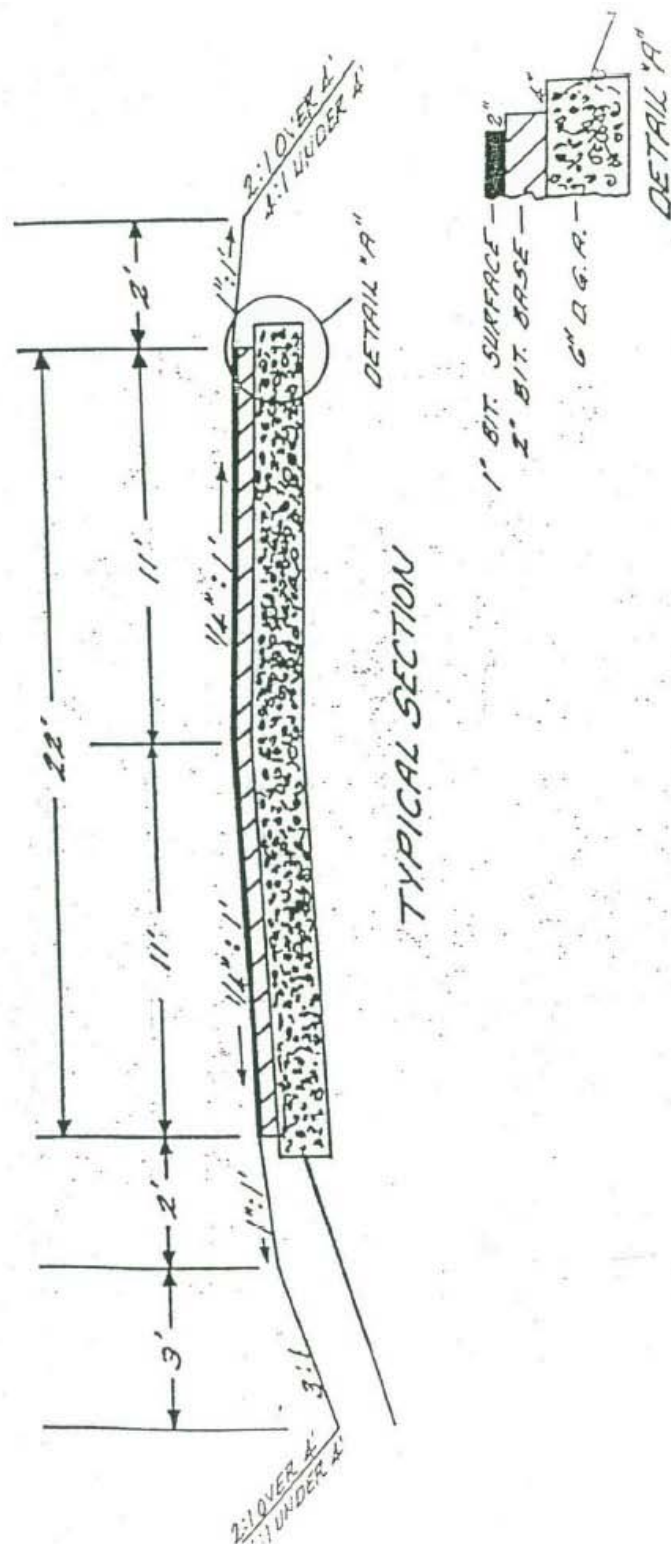
the subdivided area at a scale of 100 ft. per inch or other suitable scale. The sketch plat does not have to be prepared or certified by a registered engineer.

311.3 CLASSIFICATION

At the pre-application conference, the proposed subdivision will be classified as a Major or Minor subdivision and the subdivider advised accordingly of the proper procedure to follow. (Minor plats shall be classified and processed according to Section 340).

312 FEES

There shall be no fees charged for the review of a sketch plat or a pre-application conference when held at a regularly scheduled meeting of the Commission.



PAVEMENT DESIGN

1" A2 SEAL OR 1" BITUMINOUS CONCRETE SURFACE
2" BITUMINOUS CONCRETE BASE
6" DENSE GRADED AGGREGATE BASE (IN 2 COURSES)
SHOULDERS D.G.A.

Figure 2

320 PRELIMINARY PLAT

The purpose of the preliminary plat is to provide the Commission with a detailed graphic statement of the proposed improvements to the subject tract of land. The preliminary plat is "preliminary" only in the sense that the Commission, if applicable, may make suggestions or request suggestions from other qualified agencies towards improving the design or improvement standards presented by the subdivider. Upon Commission approval of the preliminary plat, the subdivider is authorized to proceed with the development of the approved plan and construction of public facilities.

321 PROCESSING

321.1 SUBMITTAL

Within six months of the pre-application conference, the subdivider shall file an application for the consideration of a preliminary subdivision plat in the form described in Article 6. Such application shall be filed with the Commission along with the plat and the information specified in Section 323 at least ten (10) working days prior to a regularly scheduled meeting date of the Commission. The preliminary plat shall be prepared by a qualified registered engineer or surveyor, at a scale of not less than one hundred (100) feet per inch and shall be on one or more sheets 24 x 36 inches in size.

321.2 NUMBER OF COPIES

The subdivider shall submit six (6) copies of the preliminary plat and required supplementary information to the Chairman or his designee for distribution to and review by the Commission members and such other agencies and officials as may be necessary for the purpose of review and recommendations.

321.3 PLAT REVIEW

The preliminary plat shall be reviewed by the Commission and such other agencies and officials as necessary. The findings will be presented and evaluated at a public meeting by the Commission. The subdivider will be mailed notice of such meeting at least five days prior to the meeting at which time the plat is to be considered. The subdivider or a representative is expected to be present at this meeting.

321.31 REVIEW BY KENTUCKY BUREAU OF HIGHWAYS

The subdivider will provide a copy of any plat to the Permit officer of the District highway Department office for those subdivisions with access to state highways. The Commission may defer approval until the comments have been received within fifteen days after the Bureau's receipt of the plat.

321.32

In determining whether a preliminary plat shall be grant approval, the Commission shall consider the following:

1. Conformance with plat specification.
2. Conformance with the applicable provisions of the Zoning Regulations.
3. Coordination with the elements of existing land use and the proposed Comprehensive Plan.
4. Fair allocations of areas for streets, parks, schools, public and semi-public buildings, homes, utilities, business, and industry.
5. Distribution of population and traffic in a manner to create conditions favorable to health, safety, convenience and the harmonious development of the community.
6. Review comments received from agencies and officials.
7. Comments expressed by the public at the Commission review hearing.

321.34

The Commission may require the reservation of land for parks, schools and other public uses for a period not to exceed two years.

321.4 COMMISSION ACTION

Within forty-five (45) days of the Commission meeting on the preliminary plat, it shall take one of the following actions: (1) approve the plat, (2) approve the plat subject to conditions, (3) disapprove the plat, unless such time is extended by agreement of the Commission and subdivider, or (4) postpone taking action for specific stated reasons for up to forty-five (45) days. If the Commission finds that the preliminary plat does not meet the requirements of these Regulations, it shall either disapprove the plat, or conditionally approve the plat, subject to specified revisions,

within the said time period. Failure of the Commission to act on the plat within the specified time shall be considered as approval of the plat.

Approval of the preliminary plat by the Commission does not constitute approval of the subdivision, but is merely an authorization to proceed with the preparation of the final plat and construction of public facilities.

In the event of disapproval or conditional approval of the preliminary plat, a statement in writing by the Commission setting for the reasons for disapproval or the conditions of approval, shall be mailed to the subdivider and entered into the records of the Commission.

321.5 EFFECTIVE PERIOD OF APPROVAL

At such time as a preliminary plat has been approved by the Commission, the chairman, or his designee, shall affix his signature to the plat notification for preliminary approval. One copy shall be returned to the subdivider for compliance with final approval requirement. Such approval shall be effective for a one year period from the date of approval. During that time the general terms and conditions under which the preliminary approval was granted will not be affected by any changes or amendments to these Regulations.

321.6 ADJUSTMENT OF PRELIMINARY PLAT REQUIREMENTS

The Planning Commission may waive the requirements in any individual case where, in the Commission's judgment, such waiver would be in the public interest and would eliminate undue hardship. No waiver shall be granted which will have the effect of nullifying the intent and purpose of these Regulations. In granting any adjustment, the Commission shall attach such conditions as are necessary, in its judgment, to secure substantially the objectives of the standards or requirements so adjusted.

A Planned Unit Development comprised of the large scale construction of housing units together with related uses and necessary ways of access may be approved by the Commission although the design of the project does not follow standard street, lot, or subdivision arrangements; provided that the departure from the standards of these regulations can be made without destroying their intent. The Commission may require such covenants or other legal provisions, which it determines are

necessary to insure conformity to the proposed plan and the intent of these Regulations.

Any waiver of these Regulations shall be specifically requested in writing by the Subdivider with reference to the particular section to be waived. This request shall be accompanied by the submission of the preliminary plat and be entered in the minutes of the review meeting.

321.7 AMENDMENT OF PRELIMINARY PLAT

If, after the Commission has approved a preliminary plat, the Subdivider desires to make a change in the number of lots, alignment of streets, or use of previously dedicated property, an "Amended Preliminary Plat" shall be filed for review according to the procedures previously described.

322 FEES

The Planning Commission shall levy a plat review fee for the examination and review of every preliminary plat reviewed by the Commission. The following fees apply to the preliminary plats and are payable by the Subdivider at the time of filing his application for preliminary plat approval.

322.1 FEES FOR PRELIMINARY PLATS

Preliminary Plat	\$500.00 for each plat filed plus \$6.00 per lot or acre, whichever amount is greater.	
Final Plat	\$500.00	
Minor Plat	\$25.00	\$100.00
Amended Preliminary Plat	\$100.00	\$150.00
Late Filing Fee	Double Fee	
Amended Final Plat	\$40.00	\$150.00

**The new fees above were approved at board meeting on May 25, 2010 by the planning commission. The fee schedule is found on our website at www.ctcplanning.com under Planning & Zoning, then under Fee Schedule.

322.2 METHOD OF PAYMENT

Plat review fees shall be paid in legal tender, certified check, or money order made payable to the Cadiz-Trigg County Planning Commission. Fees for reviewed plats are not refundable.

322.3 LATE FILING FEES

The fee for plats filed later than ten (10) working days prior to the Commission's meeting will be double the regular fee.

322.4 FEE FOR "AMENDED PRELIMINARY PLAT"

The fee for review of an Amended Preliminary Plat shall be ~~\$50.00~~ \$150.00.

**The new fees above were approved at board meeting on May 25, 2010 by the planning commission. The fee schedule is found on our website at www.ctcplanning.com under Planning & Zoning, then under Fee Schedule

323 PRELIMINARY PLAT REQUIREMENTS AND CHECK LIST

323.1

The following information shall be included on the Preliminary Plat unless accompanied by a request for waiver:

	Yes	No
A. Name of subdivision, date, label "Preliminary Plat," graphic scale, north arrow.	_____	_____
B. Name and address of property owner, subdivider (if other than owner) and developer.	_____	_____
C. Names, address and seal of the registered professional engineer or land surveyor responsible for preparation of the plan and supplementary plans.	_____	_____
D. Names of adjacent property owners of record and abutting subdivisions and streets.	_____	_____
E. Vicinity sketch map at a scale of two-thousand (2,000) feet per inch or greater shall be placed on, or included with the preliminary plat. The vicinity map shall show the subject property and surrounding land within one-half (1/2) mile and include existing roads with at least one intersection of common reference, scale, north arrow, streams, and an outline of the subject property. Boundary lines and streets in the proposed subdivision to assure the most advantageous development. Existing proposed shopping facilities, schools, and parks should be designated.	_____	_____
F. The proposed subdivision shall be shown at a scale of not less than one hundred (100) feet per inch. Boundaries of the tract will be drawn to scale showing all bearings and distances to nearest on hundredth foot.	_____	_____

	Yes	No
H. The plat will show physical features including streams, wooded areas, existing structures, ponds and sink holes.	_____	_____
I. Existing topographic contours at an interval of not greater than five (5) feet, or two (2) feet if deemed necessary by the Planning Commission, shall be shown for the subject property and extending beyond for two-hundred (200) feet.	_____	_____
J. Location, dimensions and names of existing streets, railroads, easement, municipal boundaries or other public properties and significant features shall be shown within and adjacent to the plat for a minimum distance of two-hundred feet.	_____	_____
K. Zoning classification of the tract and adjoining property shall be indicated as well as a description of proposed zone changes, if any, and political jurisdiction.	_____	_____
L. Location of existing sewers, water mains, storm drains, power transmission lines with capacities and direction of flow within and adjacent to the tract and showing proposed connections.	_____	_____
M. Location, right-of-way and pavement width of proposed streets and utility easements laid out according to sound planning principles.	_____	_____
N. Radii of streets, points of curvature, lengths of arcs.	_____	_____
O. Street names selected so as not to duplicate any other within the County.	_____	_____
P. Layout of proposed parcels of land including dimensions of lot lines, lot numbers, and building setback line. Lot or parcels shall be laid out according to sound planning principles.	_____	_____

	Yes	No
Q. Designation and acreage of all parcels and areas to be used for non-residential purposes including parcels reserved or dedicated for public use and utility installations. All such parcels shall be assigned parcel numbers.	_____	_____
R. Location and type of monuments and pins, which shall be placed at the intersection of property lines, the intersection of street center lines, changes in street direction and the intersections and angles of the subdivision boundary.	_____	_____
S. Note indicating the lot number and area in square feet of the smallest lot in the subdivision.	_____	_____
T. Subdivision plats being submitted for industrial or commercial development shall also show access points, building masses including proposed entrances, loading areas, and when possible, the number of establishments to be contained within.	_____	_____

323.2

The following items of supplementary information may be required by the Planning Commission and considered as part of the preliminary subdivision plat as specified in Section 320.

	Yes	No
A. Copy of completed subdivision application form (Article 6, Form 630) and payment for subdivision plat processing fee.	_____	_____
B. Legal description of the tract to be subdivided.	_____	_____
C. Description of physiographic characteristics including soil types, slope, permeability rates, ground water, depth to bedrock, sinkholes, flood frequency.	_____	_____
D. Statement of deed restrictions and protective covenants, if any.	_____	_____
E. Typical street sections showing roadbed construction, curbs, gutters, sidewalks and relationship of underground utilities shall be shown on a separate map sheet. This map sheet will also include complete profiles of streets indicating in dotted lines, the original land contour.	_____	_____
F. A plan showing the provision for sanitary sewage disposal as described in Section 241.5 of these Regulations on a separate map of property lines, street and easement right-of-ways.	_____	_____
G. A plan showing the provisions for storm water disposal as described in Section 242.2 of these Regulations on a separate map of property lines, street and easement right-of-ways.	_____	_____

	Yes	No
I. A plan showing the provisions for domestic water supply in compliance with the standards listed in Section 243 of these Regulations on a separate map of property lines, street and easement right-of-ways.	_____	_____
J. Request for modification, variance or waiver of preliminary plat requirements or design standard. (Optional)	_____	_____
K. Certification by the City (County) Engineer of other qualified representative, that the proposed plans for streets, sanitary sewage collection system, storm water drainage system, and water distribution system are adequate for the proposed development plus oversized facilities as are feasible.	_____	_____
L. Certification by the County Health Officer that the proposed sanitary sewer disposal facilities and source of water supply are safe and adequate for the development.	_____	_____
M. Certification of Ownership signed by the owner of record of the property to be subdivided testifying that he is the owner of the tract and agrees with the subdivision plat being filed.	_____	_____
N. Certification by the registered engineer of land surveyor that the plat bearings and dimensions are accurate.	_____	_____
O. Certification of the Utility Companies that electric and telephone service are presently available to this tract of land or will be available prior to the construction of any structure.	_____	_____
P. Certification by the Planning Commission Chairman or his designee that the Preliminary Plat and all supplementary information has been reviewed and meets the Commission's regulations with the exception of requested variances. (To be signed after Commission approval of the plat.)	_____	_____

323.3

The following items of supplementary information may be required by the Planning Commission and considered as part of the preliminary subdivision plat as specified in Section 320.

	Yes	No
A. Land Suitability: topography, possibility of poor drainage, possibility of flooding.	_____	_____
B. Scattered or premature subdivision land, by reason of a lack of water supply, schools, proper drainage, adequate roads, transportation facilities, or other public facilities.	_____	_____
C. The proposed street layout shall be made according to good land planning practice, and shall be coordinated with the street systems of the surrounding areas. All streets must provide for continuation or projection of principal streets and vehicular access for surrounding acreage tracts.	_____	_____
D. Subdivisions which border on or have included within the proposed area to be subdivided any arterial street or streets shall provide marginal access streets in order that the individual lots shall not have direct access to such highway.	_____	_____
E. Street right-of-way in accordance to Section 231.24.	_____	_____
F. Subdivisions along existing, or dedicated, or platted streets where rights-of-way are inadequate shall provide additional right-of-way to meet these minimum standards.	_____	_____
G. Sidewalks in the city limits and Urban Service Areas shall be required according to the subdivision regulations and shall be the responsibility of the developer.	_____	_____

	Yes	No
H. Street alignment shall be designed to eliminate sharp curves and street offsets. No street plan will be approved with intersection which offset less than 200 feet between center lines. Streets shall intersect as nearly at right angles as possible and in no case at any angle of less than 70 degrees.	_____	_____
I. Cul-de-sacs shall in no case exceed 500 feet in length and shall terminate with a turn-around with a diameter at the right-of-way line of 100 feet and a diameter at the edge of pavement of 80 feet.	_____	_____

FIGURE 3



324 TYPICAL PRELIMINARY SUBDIVISION PLAT (see map)

330 FINAL PLAT

The Final Subdivision Plat serves two purposes: It is first of all, a plat of record continuing such information as necessary for the public recording and transfer of land including lot lines, easements, and restrictions. The final plat may also include construction details for streets, sidewalks, public utilities and lands. The Commission's final plat review process serves as a check to assure that subdivision requirements and specification have been met and that public utilities and other improvements have been or will be installed according to minimum standards. Approval of the final plat authorizes the subdivider to record the subdivision with the County Clerk and offer lots for sale to the public.

331 PROCESSING

331.1 SUBMITTAL

Within the one year effective period of the preliminary plat, the subdivider shall file the final subdivision plat for review and action by the Commission. Failure to submit the final plat within one year's time shall require re-approval of the expired preliminary plat. Application for processing must be filed with the Commission at least ten (10) working days prior to the review meeting on the form shown in Article 6.640.

331.2 CONTENT

The final plat shall conform substantially to the approved preliminary plat and incorporate all modifications and changes as required by the Commission. The final plat may constitute only that portion of an approved preliminary plat which the Subdivider proposes to develop and record at the time. The plat shall include those items and supplementary information specified in Section 334 of these Regulations. The Planning Commission may waive certain requirements at its discretion in situations of undue hardship upon written request from the Subdivider as specified in Section 321.6 of these Regulations. The final plat shall be prepared at a scale of not less than one hundred (100) feet per inch on sheets 24 x 36 inches in size by a registered engineer whose seal shall appear on the plat.

331.3 NUMBER OF COPIES

The subdivider shall submit six (6) copies of the final plat and required supplementary information to the Chairman or his designee for distribution and review by the Commission members and such other agencies and officials as may be necessary for review and comment.

331.4 PLAT REVIEW

Prior to submission to the Planning Commission the subdivider shall submit the final plans for review and certification by the proposed water supplier, the plat surveyor or engineer, and the City or County Engineer as required in Section 334.2. Upon application, the final plat shall then be reviewed by the Commission and such other agencies and officials as necessary.

The City or County Engineer will check the plat in regard to computation, certification, monuments and that the required improvements have been installed to the satisfaction of the public officials having jurisdiction. Where such improvements have not been installed, the enforcement officer shall establish the amount of the security bond or certified check required to be posted to cover the costs of such improvements in accordance with Section 333.

The Subdivider shall be notified by mail of the time and place of the review meeting and is expected to be represented at the meeting.

331.5 COMMISSION ACTION

Within forty-five (45) days of the Commission's meeting on the final plat, the Commission shall approve, disapprove, or postpone action on the plat. If the plat is disapproved, the reasons for disapproval shall be provided in writing to the Subdivider and stated in the records of the Commission. If action on the plat is postponed for up to 45 days, the specific reasons for postponement will be stated in writing. Failure of the Commission to act within the prescribed time shall be considered as approval of the plat.

The Commission shall not disapprove the final plat if the Subdivider has fulfilled all requirements and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat. If the final plat is disapproved, the subdivider shall make the necessary corrections and resubmit the final plat within thirty days from disapproval.

If a plat is refused by the Commission, the person submitting the plat which the Commission refused to approve may file a petition within 60 days after such refusal in the Circuit Court of Trigg County.

Approval of the final plat by the Planning Commission shall not constitute the acceptance by the public of the dedication of any streets or other public ways or grounds.

331.6 RECORD PLAT

When the final plat has been approved by the Commission, one (1) copy shall be returned to the Subdivider with the approval of the Commission Chairman or his designee certified thereon for filing with the County clerk as the official plat of record.

331.7 REVISIONS OF APPROVED PLAT

No changes, erasures, modifications or revisions shall be made in any final plat after approval has been given by the Commission and endorsed in writing on the plat, unless said plat is first resubmitted to the Commission as an "Amended Final Plat" and the Commission approves such modifications. In the event that any such final plat is recorded without complying with this requirement, that plat shall be considered null and void, and the Commission shall institute proceedings to have the plat stricken from the records of the County Clerk.

332 FEES FOR AMENDED FINAL PLATS

A fee for review of an Amended Final Plat shall be ~~\$40.00~~ \$150.00 where the plat has previously been approved by the Commission and recorded with the County Clerk.

**The new fees above were approved at board meeting on May 25, 2010 by the planning commission. The fee schedule is found on our website at www.ctcplanning.com under Planning & Zoning, then under Fee Schedule

333 CONSTRUCTION GUARANTEES

333.1 COMPLETION OF IMPROVEMENTS

Prior to the submission of the final plat to the Commission for approval, the Developer shall complete all required improvements to the satisfaction of the City or County Engineer who will certify there satisfactory completion in writing to the Commission.

333.2 PERFORMANCE BONDS

The Developer may execute and file guarantees of construction with the Planning Commission in lieu of actual installation or completion of the required improvements when requesting approval of the final plat.

A Performance Bond shall be filed with the Planning Commission in an amount not less than 100% of the cost as the Planning Commission shall estimate and determine to be reasonably necessary to complete all of the improvements required to be done by the Developer (including measures to control erosion and sedimentation, when applicable) and also the Planning Commission's fees, for field inspection. The bond may be in the form of a surety bond, certified check, or a cash bond or negotiable United States Treasury Certificates of the kind approved by law for securing deposits of public money. The bond shall be executed by the Developer as principal, and if a surety bond, shall be executed by a corporation authorized to act as a surety under the laws of the Commonwealth of Kentucky, as surety. The bond shall be a joint bond and several obligations, faithful performance of any and all work and the construction and installation of all improvements required to be done by the Developer together with all engineering and inspection costs and fees incurred by the City or County. The bond shall contain further condition that should the Developer fail to complete all work and improvements required to be done by him within twenty-four (24) consecutive calendar months of the date of approval of the Final Plat, or within a mutually agreed upon extension not to exceed twelve (12) consecutive calendar months that City or County may, at its option, cause all required work to be done and improvements constructed. The parties executing the bond shall be firmly bound for the payment of all necessary costs therefore. Whenever the Developer elects to deposit cash, certified check or approved negotiable United States treasury Certificates, the City or county shall be authorized, in the event of any default on the part of the developer or the performance of any work or construction of any improvements for which the cash or negotiable bonds has been deposited, to cause the required work to be done and to withdraw that amount required for payment of all costs therefore. The bond shall be filed with the City or County Clerk.

At such time that the Developer has completed such improvements specified in the bond guarantee, he shall notify the City or County

engineer, who will inspect the improvements and, if all are in conformance with the requirements, will notify the Commission in writing and recommend the release of the bond.

333.3 MAINTENANCE AND REPAIR OF IMPROVEMENTS

The Developer shall be responsible for the maintenance and repair of the improvements installed. The Developer shall be responsible for any damage done to the improvements by construction traffic, local traffic, or by the other means and shall insure the accessibility to all occupied lots until final acceptance for maintenance by the City or County. Upon completion of work and before public acceptance, the Developer shall clean up all ground occupied or affected in connection with the work. Failure to maintain or repair improvements may result in withholding approval of subsequent units of the subdivision or the billing of the developer for such service performed by the City or county. Payment shall be guaranteed by the performance bond.

334 FINAL PLAT REQUIREMENTS AND CHECK LIST

334.1

The following information shall be included on the final plat presented for review by the Commission unless accompanied by a request for waiver:

	Yes	No
A. Name of subdivision and portion there-of, date, label "Final Plat" graphic scale, north arrow.	_____	_____
B. Total site data including acreage, number of lots, area and lot number of the smallest lot, square feet of area or acres in parks and other public uses, zone districts that apply to subdivision.	_____	_____
C. Name and address of property owner, subdivider (if other than owner).	_____	_____
D. Name, address and seal of the registered professional engineer or land surveyor responsible for preparation of the plat and certification that the plat represents a survey made by him and that all monuments shown actually exist, and their location, size and material are correctly shown.	_____	_____
E. Names of adjacent property owners or subdivisions and abutting streets.	_____	_____
F. Vicinity map at a scale of two-thousand (2,000) feet per inch or greater showing the subject property and surrounding land within one-half mile, existing street systems and their connections with proposed streets.	_____	_____
G. All exterior plat boundary lines with lengths of courses and bearings as determined by an accurate survey in the field. The Plat shall be prepared at a scale of not smaller than one-hundred (100) feet per inch.	_____	_____

	Yes	No
H. Bearing and distance to nearest established street lines or other recognized permanent monuments.	_____	_____
I. Exact location, right-of-way, and names of all streets within and adjoining that plat.	_____	_____
J. Radii, internal angles, points of curvature, tangent bearings of chords of all applicable streets within the plat area.	_____	_____
K. Location and Dimensions of all easements or right-of-way when provided for or owned by public utilities, with the limitations of the easement rights definitely stated on the plat.	_____	_____
L. Location and dimensions of all property which is offered for dedication for public use or reserved by deed restriction or covenant for the common use of property owners of the subdivision. The intended purpose of such use shall be stated on the plat.	_____	_____
M. Location of lots and blocks showing dimensions to nearest one hundredth foot, bearings of lot lines building set-back and identification by consecutive lot number or letter designation.	_____	_____
N. Lot width at building setback line and front lot line for lots located on curves.	_____	_____

	Yes	No
O. All permanent monuments or pins set to be set shall be shown and described on the final plat. Such monuments shall be set at the intersections of property lines, the intersection of street center-lines, and at angles along the sub-division boundary. Any required monument or pin destroyed before acceptance of improvements shall be replaced by the subdivider or developer.	_____	_____
P. Subdivision plats being submitted for industrial and commercial development shall also show buildings including entrances, loading areas and when possible the number of establishments to be contained within.	_____	_____

334.2

The following items of supplementary information may be required by the Planning Commission to be included with and included as part of the final subdivision plat as specified in Section 330.

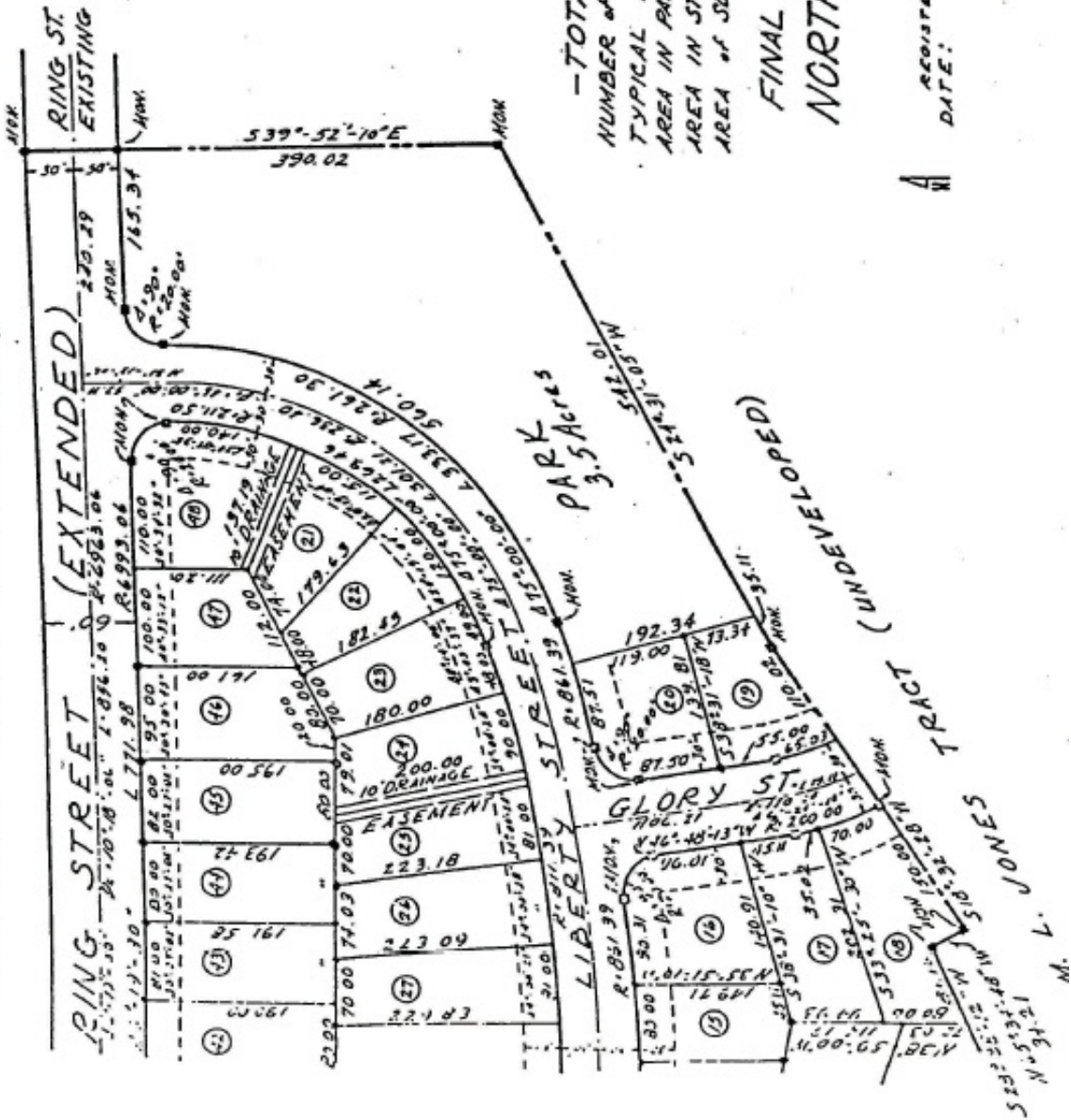
	Yes	No
A. Copy of completed subdivision application form for final plat review and payment of subdivision processing fees (Article 6, Form 640).	_____	_____
B. Legal description of the tract being subdivided and reflecting the boundary survey.	_____	_____
C. Deed restrictions and protective covenants shall either be placed on the Final Plat or attached thereto in form for recording. (If recorded separately, reference to the restrictions shall be made on the final plat.)	_____	_____
D. As-built construction plans for sanitary sewer facilities, storm water disposal facilities and water supply system.	_____	_____
E. Application requesting modification, variance or waiver of final plat requirements or design standards. (Optional).	_____	_____
F. Certification that the final Plat has been filed within twelve months of the approval of the Preliminary Plat. (See 624).	_____	_____
G. Certification of Dedication - A notarized certificate shall be signed and acknowledged offering for dedication all parcels of land shown on the Final Plat and intended for public dedication except those parcels other than streets which are intended for the exclusive use of the lot owners in the subdivision or development, their licenses, visitors, tenants, and servants. This certification shall also show that there are no unpaid taxes or special assessments against the land contained in the Plat.	_____	_____

	Yes	No
H. Certificate of Clear Title - The Final Plat shall be accompanied by a statement prepared by a duly authorized title company stating that the signatures of all persons whose consent is necessary to the preparation and recording of said plat and to the dedication of the streets and other public places are clearly shown on the plat.	_____	_____
I. Certificate of Surveyor - A notarized certificate shall be signed by a Registered Land Surveyor must be accompanied by his seal and registration number.	_____	_____
J. Certificate of Review By board of Health Officer as to the safety and adequacy of the proposed or installed water and sewer system; either public or individual.	_____	_____
K. Certificate by the City or County Engineer as appropriate certifying that the subdivider has installed all improvements in accord with the requirements of these regulations.	_____	_____
L. Certificate by the Planning Commission Chairman or his designee certifying that the final plat and the supplementary material have been reviewed and found to meet the prescribed requirements and therefore approved.	_____	_____
M. Certificate of Acceptance for filing by the County Recorder. This certification is not to be signed prior to review by Planning Commission.	_____	_____

335 TYPICAL FINAL SUBDIVISION PLAT (See map).

FIGURE 4

Certification required



55

-TOTAL SITE DATA -
NUMBER OF RESIDENTIAL LOTS - 48
TYPICAL LOT SIZE 85'X200'
AREA IN PARK 9.5 Acres
AREA IN STREETS 4.8 Acres
AREA OF SUBDIVISION 25.03 Acres

FINAL SUBDIVISION PLAT
NORTHVIEW MANOR
COUNTY KY
LOT No.

REGISTERED CIVIL ENGINEER
DATE:

SCALE 1" = 100'

340 MINOR PLAT

At the pre-application conference (Section 310 of these regulations), the commission will determine whether the proposed subdivision constitutes a Major or Minor Subdivision. In the case of minor subdivision, the lesser significance on the long range development of the community is considered justification for simplifying and expediting the processing of such plats.

341 MINOR PLAT REQUIREMENTS

To qualify for consideration as a minor subdivision plat, a subdivision must meet one of the following situations:

341.1

Where a subdivision contains five (5) or fewer lots, counting the remainder of the original tract; and fronts on an existing public street; and involves no opening, widening, or extension of streets or utilities; and conforms to the adopted subdivision and zoning regulations and comprehensive plan of the City of Cadiz and Trigg County.

341.2

Where a subdivision provides for the transfer of land between adjacent property owners and does not involve the creation of any new lots or building sites.

341.3

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.

341.4

Where there is a need to make technical revisions to a recorded final plot of an engineering or drafting nature or similar small discrepancy, but not including the altering of any property lines or public improvement requirements.

342 MINOR PLAT PROCESSING

Upon the determination that a proposed subdivision meets the requirements of Section 341 of these Regulations, the following procedure may be followed by the Planning Commission.

342.1 WAIVER OF PRELIMINARY PLAT

Upon the pre-application review, the Commission or the Chairman may waive the Preliminary Plat procedure. In this case, the subdivider shall proceed directly with the preparation of a final plat as per Sections 330, 331, and 334 excluding those references to preliminary plats.

342.2 PLANNING COMMISSION REVIEW

An application for review of the Minor Plat shall be submitted within at least ten (10) days of a regularly scheduled Commission Meeting to the Chairman or his designee. The Chairman or his designee may decide at this time to waive the required public review of the minor plat upon the determination that all plat requirements are met. If he so chooses, the Chairman or his designee shall sign the plat thus certifying its approval for recording by the City or County Clerk at the next Commission meeting.

343 FEES

The Planning Commission shall charge a plat review fee in accordance with the provisions of Sections 332, and 332.2 of these Regulations.

~~343.1 FEES FOR MINOR PLATS~~

~~The fee for review and inspection of a minor subdivision plat shall be \$25.00.~~

343.2 FEES FOR MINOR PLATS

The fee for review and inspection of a minor subdivision plat shall be \$100.00 plus recording fee of \$20.00.

**This new fee was approved at board meeting on May 25, 2010 by the planning commission.

This fee is found on our website at ctcplanning.com under Planning & Zoning, then under Fee Schedule

ARTICLE 4. ENFORCEMENT

400 PURPOSE

Chapter 100 of the Kentucky Revised Statutes enables the Planning Commission to establish community standards for local development as well as to establish the procedures necessary for implementing these standards within the context of an adopted Comprehensive Plan. The Statutes also include specific provisions for the enforcement of these Regulations and penalties for the violation thereof. These provisions are set forth as follows:

410 PLATS OF RECORD

Much of the authority for regulating land subdivision comes from the necessity for recording parcels of land with the County Clerk as a condition are set forth in KRS 100.277 cited in Section 301 of these Regulations.

411 RECORDING OF PLATS (KRS 100.344)

Recording of plats, variances, conditional use permits. All final plats approved by the planning commission and all variances and conditional use permits approved by the Board of Adjustments shall be recorded at the expense of the applicant in the office of the County Court Clerk. A copy of all regulations and the official map of each planning unit shall be filed in the office of the County Court Clerk.

412 LAND SOLD IN VIOLATION (KRS 100.341)

Land sold in violation of acts; plats filed; effect. When it has been discovered that land has been sold or transferred, or that a contract has been entered into for the sale or transfer of land in violation of the provisions of this chapter pertaining to the regulation of subdivisions, the owner or owners of record shall file plats of the land in accordance with this chapter, the land shall be governed by the subdivision regulations both prior to and after the platting of the land by the owner of record as if a plat has been filed in accordance with the provisions of this chapter pertaining to subdivision regulations.

420 PENALTIES

The Kentucky Revised Statutes further specify the power and penalties available to the Planning Commission for insuring compliance to these Regulations.

421 ENFORCEMENT BY COMMISSION (KRS 100.337)

Commission shall have a cause of action or all appropriate relief including injunctions against any governmental bodies or any aggrieved person who violates this chapter or regulations adopted hereunder.

422 PENALTIES (KRS 100.991)

(1) Any person or entity who violates any of the provisions of KRS 100.201 to 100.347 and 100.991 (2) or any of the regulations adopted pursuant hereunder for which no other penalty is provided, shall upon conviction be fined not less than ten but no more than five hundred dollars for each conviction. Each day of violation shall constitute a separate offense.

430 ADMINISTRATIVE PERSONNEL

Kentucky Statutes place the authority of enforcement with the Planning Commission. The Commission, however, may delegate its administrative and enforcement authority to various agents responsible to it. In other situations, it depends on other municipal or county departments for information and advice as in the case of public utilities inspection by the City or County Engineer.

431 ADMINISTRATIVE OFFICER (KRS 100.271)

Administrator of zoning regulations, powers. An administrative official shall be designated by the city or county to administer the zoning regulation, and, if delegated, housing or building regulations. The administrative official may be designated to issue building permits or certificates of occupancy, or both, in accordance with the literal terms of the regulations, but may not have the power to permit any construction, or to permit any use or any change of use which does not conform to the literal terms of the zoning regulations.

432 DELEGATION OF AUTHORITY (KRS 100.281)

Contents of subdivision regulations. All subdivision regulations shall be based on the Comprehensive Plan and shall contain: (1) the procedure for the submission and approval of preliminary and final plat and the recordation of final plats. The commission may delegate to its secretary or any other officer or employee the power to approve plats in accordance with the commission's adopted requirements, but all plats, preliminary and final, shall be approved or disapproved within ninety (90) days.

433 PLANNING COMMISSION STAFF (KRS 100.173)

Employing planners or other persons. The planning commission may employ a staff or contract with planners or other persons as it deems necessary to accomplish its assigned duties under its chapter.

440 APPEALS

State statutes also specify the course of action available to persons or entities who disagree or claim to be injured or aggrieved by action of the Commission.

441 APPEALS FROM COMMISSION ACTION (KRS 100.347)

Appeals from Commission or Board of Adjustment. Any appeal from commission action may be taken in the following manner: (1) Any person or entity claiming to be injured or aggravated by any final action of the Planning Commission or Board of Adjustments may appeal from the action to the county in which the land lies. Such appeal shall be taken within thirty (30) days after the final action of the commission or board. Final action shall not include commission's recommendations made to other governmental bodies.

(2) All appeals shall be taken in the appropriate Circuit Court within thirty (30) days after the action or decision of the Planning Commission or Board of Adjustments and allow decisions which have not been appealed within thirty (30) days shall become final. After the appeal is taken the procedure shall be governed by the rules of civil procedure. When an appeal has been filed, the Clerk of the Circuit Court shall issue a summons to all parties, including the Planning Commission in all cases, and shall cause it to be delivered for service as in any other law action.

ARTICLE 5. DEFINITIONS

500 DEFINITIONS

For the purpose of these Subdivision Regulations, certain terms are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural, words in the plural number include the singular; the word person includes association, firm partnership, trust, governmental body, corporation, organization, as well as an individual; the word structure includes building; the word occupied includes arranged, designed or intended to be occupied; the word used includes arranged, designed or intended to be used; the word shall is always mandatory and not merely directive; the word may is permissive. Other words and terms shall have the following respective meanings.

ADMINISTRATIVE OFFICIAL

Any department, employee, or advisory, elected or appointed body which is authorized to administer any provisions of the zoning regulation, subdivision regulations, and if delegated, any provision of any housing or building regulation or any other land use control regulation.

AS-BUILT PLANS

Engineering plans of public facilities, particularly water and sewage systems, prepared after construction to show the exact location and dimensions of the system as it has actually been installed.

BIKEWAY

A way or portion of a way intended and designed primarily for bicycle traffic.

CITY

Refers to the incorporated area of the City of Cadiz as it existed at the time of the adoption of these Regulations and including any subsequent revisions thereto.

CITY OR COUNTY ENGINEER

Refers to the engineer employed or contracted by the City or County for the purpose of administering the operation of public facilities and inspecting the plans and construction of these public facilities.

CHAIRMAN

The elected chairman of the planning commission, or, in his absence, the vice chairman or other delegates.

COMMISSION

The planning commission administering these regulations.

COMPREHENSIVE PLAN

A plan, or portion thereof, adopted by the Planning Commission and/or legislative body of the City of Cadiz

COUNTY

Refers to the territory of Trigg County, Kentucky.

DEVELOPER

Any individual, firm association, corporation, governmental agency or any other legal entity commencing proceedings under these regulations, to carry out the development of land as defined herein, for himself or for another.

GRADE

The inclination from the horizontal of a road, unimproved land, etc. and is expressed by stating the vertical rise or fall as a percent of the horizontal distance.

EASEMENT

Authorization by a property owner for the use by others, of any designated part of his property, for a specified purpose and time as described in the conveyance of land by such easement.

LEGISLATIVE BODY

The chief body of a city or a county with legislative power, whether it is the board of aldermen, the general council, the common council, the board of commissioners or the county fiscal court.

LOT OR PARCEL

A portion of land in a subdivision or plat of land, separated from other lots or portions of land by description as on a subdivision or record of survey map or by metes and bounds; for the purpose of sale, lease, or separate use.

LOT AREA

The amount of surface land contained within the property lines of a lot, including the land within easements on the lot, but excluding any land within the street right-of-way or public open space.

LOT, CORNER

A corner lot is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

LOT DEPTH

The average horizontal distance between the front and rear property lines of a lot.

LOT FRONTAGE

The front of a lot is that portion nearest to the street. For the purpose of determining year requirements for corner and through lots, all sides of a lot adjacent to a street shall be considered frontage.

LOT-OF-RECORD

A lot which is part of a subdivision recorded in the office of the County Clerk, or a lot or parcel described by metes and bounds, the description of which has also been recorded.

LOT, THROUGH OR DOUBLE FRONTAGE

A lot of which the opposite ends abut on streets.

LOT WIDTH

The distance between the two side property lines of a lot measured along the building setback line. The width between side property lines along the right-of-way line should not be less than sixty (60) percent of the lot width for residential lots.

MAJOR STREET PLAN

That portion of the comprehensive plan pertaining to the transportation and existing and proposed streets.

MINOR SUBDIVISION PLAT

See Section 341 of these Regulations.

MOBILE HOME PARK

A parcel of land available to the public in which two or more mobile home lots are occupied or intended for occupancy by mobile homes and includes any service building, structure, enclosure, or other capacity used as a part of the park.

MOBILE HOME SUBDIVISION

A tract of land subdivided for residential development limited to the use of mobile homes wherein the parcels subdivided are intended for sale or lease.

OFFICIAL PUBLIC PROPERTIES MAP OR OFFICIAL MAP

A map prepared in accordance with KRS 100.293 through 317 and adopted by the planning commission and/or the legislative body, showing the location and extent of the existing and proposed public streets, including right-of-way, water courses, parks and playgrounds, public schools and building sites, and other public facility needs.

OWNER

Any individual, firm association, corporation, governmental agency or any other legal entity whose name last appears on the tax roles as owner of the land proposed to be subdivided.

PLANNED UNIT DEVELOPMENT

An area of land in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations.

PLAT

A map or layout of a subdivision indicating the location and boundaries of individual properties.

SKETCH PLAT

A preliminary sketch indicating the sub divider's general objectives and desires in regard to the future development of his land, presented to the Planning Commission for its informal consideration.

PRELIMINARY PLAT

The drawings and supplementary material indicating the proposed layout of the subdivision and its public facilities to be submitted to the Planning Commission for its consideration.

FINAL SUBDIVISION PLAT

The final map, drawing, or chart, upon which the sub divider's plan of subdivision is presented to the Planning Commission for approval, and which, if approved, will be submitted to the County Clerk for recording.

PUBLIC FACILITY

Any use of land, whether publicly or privately owned, for transportation, utilities, or communications, or for the benefit of the general public, including, but not limited to libraries, streets, schools, fire, or police stations, county municipal buildings, recreational centers including parks, and cemeteries.

RIGHT-OF-WAY

Land used generally for streets, sidewalks, alleys, easements, or other public uses. Right-of-way also refers to the distance between lot property lines which generally contains not only the street pavement, but also sidewalks, grass area, and underground and above ground utilities.

SETBACK LINE

A line in the interior of a lot which is parallel to and a specified distance from the property lines. No building shall then be placed in the space between the setback lines and property lines.

SIDEWALK

A way or portion of a way intended primarily for pedestrian traffic.

SIGHT DISTANCE

A straight line of unobstructed view measured between a point four feet above the finished surface of a road, 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

A way for vehicular traffic, however designated and regardless of size or ownership, but excluding private driveways serving only one parcel of land.

STREET CLASSIFICATION

See Section 231.3 of these Regulations.

SUBDIVIDER

Any individual, firm association, corporation, governmental agency or any other legal entity commencing proceedings under these regulations, to create a subdivision of land as defined herein for himself or for another.

SUBDIVISION

The division of a parcel of land into three or more lots or parcels for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land. The term includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided.

UNIT

A portion of a subdivision selected for development as one of series of stages.

ARTICLE 6. FORMS AND CERTIFICATIONS

600 PURPOSE

In order to document compliance with these Regulations and insurance the orderly and uniform processing of subdivision development, the following forms and certifications should be used.

610 CERTIFICATIONS FOR PRELIMINARY PLAT REVIEW AND APPROVAL

The following certifications shall appear on the preliminary subdivision plat prior to review by the Planning Commission.

611 CERTIFICATE OF APPROVAL OF UTILITY PLANS

I hereby certify that the plans for proposed streets, water distribution systems, sanitary sewage collection systems, and storm water disposal conform with the applicable provisions of these Regulations and meet the requirements of the Kentucky State Health Department.

_____, 20____

City or County Road Engineer or his
Authorized Representative

612 CERTIFICATE OF ADEQUACY OF WATER AND SEWER SYSTEMS

I hereby certify that the water supply and/or sewage disposal utility system or systems proposed for installation, fully meet the requirements of the Kentucky State Health Department, and are hereby approved as shown.

_____, 20____

City or County Health Officer or his
Authorized Representative

613 CERTIFICATE OF PLAT APPROVAL

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Cadiz-Trigg County, Kentucky, with the exceptions of such variances, if any, as are noted in the minutes of the Planning Commission.

_____, 20____

Chairman or Secretary,
Cadiz/Trigg County
Planning Commission

614 CERTIFICATE OF REVIEW BY KENTUCKY BUREAU OF HIGHWAYS

(Optional) – I hereby certify that I have reviewed the preliminary subdivision plat for _____, subdivision and submitted necessary recommendations to the Planning Commission.

_____, 20____

Permits Officer, District Office
Bureau of Highways

615 CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open spaces to public or private use as noted.

_____, 20____

Owner

Owner

616 CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Cadiz-Trigg County, Kentucky Planning Commission and that the monuments have been placed as shown on the final plat, to the specifications of the County Engineer or the City Engineer.

_____, 20____

Registered Engineer or Surveyor

620 CERTIFICATIONS FOR FINAL PLAT REVIEW AND APPROVAL

The following certifications shall appear on the final subdivision plat prior to review by the Planning Commission.

621 CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

_____, 20____

Owner

Owner

622 CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is true and correct survey to the accurate required by the Cadiz-Trigg County, Kentucky Planning Commission and that the monuments have been placed as shown on the final plat to the specifications of the County Engineer or the City Engineer.

_____, 20____

Registered Engineer or Surveyor

623 CERTIFICATE OF APPROVAL OF STREETS AND UTILITIES

I hereby certify: (1) That streets, utilities and other improvements have been installed in an acceptable manner and according to specifications and requirements of the Subdivision Regulations in the subdivision entitled: _____

_____ or, (2) That a security bond in the amount of \$_____ has been posted with the City or County legislative body to assure completion of all required improvements in case of default.

_____, 20_____

City or County Road Engineer or other Approving Agent

624 CERTIFICATE OF COMPLIANCE

I hereby certify that the uses proposed for the lots of this subdivision are in compliance with the existing zoning of the respective lots, and that this final plat has been submitted within one year of the approval of the preliminary plat for this subdivision.

_____, 20_____

Applicant

625 CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Cadiz and Trigg County, Kentucky, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the office of the County Clerk.

_____, 20_____

Chairman or Secretary,
Planning Commission

626 CERTIFICATE OF ACCPETANCE

I hereby certify that the final subdivision plat for the subdivision entitled
_____ is accepted for filing and recording.

_____, 20____

County Clerk or Recorder

627 CERTIFICATE OF THE APPROVAL OF INDIVIDUAL WATER AND SEWER SYSTEMS

I hereby certify that the water supply and sewage disposal utility systems installed, or proposed for installation, in the subdivision plat entitled:
_____ fully meet the requirements of the Kentucky State Health Department and are hereby approved as shown.

_____, 20____

City or County Health Officer or other Approving Agent

630 APPLICATION FOR PRELIMINARY PLAT APPROVAL

Date _____

Application Number _____

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor or Engineer _____

Address _____

Phone _____

3. Name of Subdivision _____

4. Locational Description: Tax lot or other identification. _____

(In addition, please attach copy of legal description)

5. Proposed Use _____

6. Present Zoning District _____

7. Proposed Zoning Changes _____

8. Number of Lots _____

Area of Tract _____

9. Do you propose deed restrictions? Yes _____ No _____

(If YES, please attach a copy)

10. What type of sewage disposal do you propose? _____

If an "on lot" type of sewage disposal is proposed, include a letter from the County Board of Health approving a specific type of sewage disposal.

11. List all proposed improvements and utilities and state your intention to install or post a guarantee prior to actual installation.

Improvement	Installation	Guarantee (Cost)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

12. Variances requested from plat or design requirements.

Section Number	Item
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

13. Processing fee: \$500.00 + \$10.00 lots (or acres, whichever is greater) at

\$10.00/lot or acre = Total fee. \$ _____.

14. List other materials submitted with this application.

Item

Number Copies

[illegible]

Applicant

Surveyor or Engineer

FOR OFFICIAL USE

Date Received _____

Date of Meeting of Planning Commission _____

Action by Planning Commission _____

If plat rejected, reason(s) for rejection _____

Variances approved (if any) _____

Date _____

Chairman

640 APPLICATION FOR FINAL PLAT APPROVAL

Date _____

Application Number _____

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor or Engineer _____

Address _____

Phone _____

3. Name of Subdivision _____

4. Date Preliminary Plat Approved _____

5. Was a zoning change requested? _____

6. If YES, the plat may not be approved until it conforms with the local zoning.

Include a certification of zoning compliance if a change was requested.

7. Have all required improvements been installed? _____ If

no, include detailed estimates of cost and a statement relative to the method of improvement guarantee. All estimates must be approved by the responsible (municipal, county) official.

8. Do you propose deed restrictions? _____

(If YES, please attach a final copy)

9. Waivers requested for plat or design standards.

Section Number	Item
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____

10. List other materials submitted with this application.

Item	Number
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____

FOR OFFICIAL USE

Date Received _____

Date of Meeting of Planning Commission _____

Action by Planning Commission _____

If plat rejected, reason(s) for rejection _____

Variances approved (if any) _____

Date _____

Chairman

650 APPLICATION FOR MINOR SUBDIVISION APPROVAL

Date _____ Application Number _____

The undersigned applies for minor subdivision approval under provisions of Section 340 of the subdivision regulations of the Cadiz-Trigg County Planning Commission.

Signature _____

Address _____

Phone _____

Minor subdivision approval is requested under the following provision:

1. Where a subdivision contains five (5) or fewer lots, counting the remainder of the original tract; and fronts on an existing public street; and involves no opening, widening, or extension of streets or utilities; and conforms to the adopted subdivision and zoning regulations and comprehensive plan of Cadiz and Trigg County, Kentucky.
2. Where a subdivision provides for the transfer of land between adjacent property owners and does not involve the creation of any new lots or building sites.
3. Where up to and including five lots of record are consolidated to create a lesser number of parcels and involve no new public improvements.
4. Where there is a need to make technical revisions to a recorded final plat of an engineering or drafting nature or similar small discrepancy, but not including the altering of any property lines of public improvements requirements.

FOR OFFICIAL USE
Planning Commission Review

Date Received _____

Action _____

Comments _____

_____, 20____.

Date

Chairman or authorized representative