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SUBDIVISION REGULATIONS

ARTICLE I-PURPOSE, AUTHORITY AND JURISDICTION

SECTION 10 PURPOSE

These subdivision regulations are designed to encourage the development of residential, commercial and industrial subdivisions according to recognized standards which provide for sound, efficient, and economically stable development; to provide for safe, convenient, and efficient traffic circulation; to coordinate land development to ensure that future growth will be orderly and conducive to the provision of minimum outlay of public and private expenditures in providing services to developing areas; to minimize fire hazards; to provide adequate light and air in inhabitable structures; and to provide sound and efficient guidelines for the overall development of the area where these subdivision regulations are in force.

SECTION 11 SHORT TITLE

The full title of these subdivision regulations shall be "The Land Subdivision Regulations of Springfield, Kentucky." The short title of these regulations shall be known, and may be cited, as the "Subdivision Regulations".

SECTION 12 AUTHORITY AND ADMINISTRATION

These regulations are adopted by the Springfield Planning Commission and the Springfield City Council under the authority granted by the Kentucky Revised Statues, Chapter 100. The regulations shall be administered by the Springfield Planning Commission.

SECTION 13 AREA OF JURISDICTION

The Springfield Planning Commission, by virtue of adoption of these regulations, shall have jurisdiction and control over the subdivision of all land within the corporate limits of the City of Springfield and within the unincorporated area adjacent to the city for a distance of one mile from the corporate boundary.

ARTICLE II-MAJOR AND MINOR CLASSES OF SUBDIVISIONS ESTABLISHED FOR PROCESSING PURPOSES

SECTION 20 PURPOSE

The purpose of this article is to establish different classes of land subdivisions on the basis of their importance to the overall development of the community. The classification of land subdivisions will expedite the processing of certain classes of subdivisions and permit the establishment of requirements for subdivision plan preparation and approval which may vary for the different classes of subdivisions.

SECTION 21 PROCESSING CLASSES FOR SUBDIVISIONS

Chapter 100, Kentucky Revised Statutes, defines a subdivision as “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; providing that a division of land for agricultural purposes into lots or parcels of five acres or more and not involving a new street shall not be deemed a subdivision. The term includes a re-subdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided”.

The Statutes further provide that no land shall be subdivided, transferred, or sold, or agreed to be sold until after a plat of such land is prepared and approved in conformance with the requirements established by the Planning Commission. Metes and bounds descriptions shall not be used for the above purposes to replace the required platting procedures, and no plat shall be accepted for recording by the County Clerk until it has been approved in writing by the Planning Commission.

In order to proceed towards establishing such requirements, subdivisions shall be classified as follows:

21.10 Major Subdivision

Shall be those subdivisions of land which are generally of major significance to the future development of the community, and shall include all subdivisions which do not conform to the definitions established for minor subdivisions. Generally, major subdivisions would be those which create five or more lots for sale or building development for the establishment of residential, commercial, or industrial activities. If the Commission determines that a minor subdivision is of significant importance to the development of an area, the subdivision may be treated as a major subdivision.

21.11 Minor Subdivision

Shall be those subdivisions of land which are generally of secondary planning significance to the community’s future development. Such minor subdivisions are described below, and shall conform to the requirements established in Article II.

21.111 Consolidation of Minor Subdivision

Shall be those subdivisions characterized by the following:

21.1111 Adjoining Properties

The subdivision shall be solely for the purpose of transferring a portion of a parcel or tract of land to an adjoining property with which it is to be consolidated.

Such adjoining property shall have a common boundary with the parcel of land intended

for transfer.

21.1112 Conformance to Community Plans

The subdivision shall be in conformance with community development plans, implementation devices, and other applicable regulations or ordinances; including, among other considerations, any necessary dedication for adequate street rights-of-way.

21.112 Building Site Minor Subdivision

Shall be those subdivisions characterized by the following:

21.1121 Number of Divisions

There shall be a maximum of five lots in a building site minor subdivision.

21.1122 Access

All lots shall abut for at least fifty (50) feet upon a street dedicated for public use. Lots may abut upon private access easement when all of the following conditions are met:

21.11221 The private street will serve no more than 4 lots;

21.11222 The minimum width of access easement shall be thirty (30) feet;

21.11223 The length of private street shall not exceed 150 feet;

21.11224 The minimum pavement width shall be sixteen (16) feet;

21.11225 The slope of the street shall not exceed twelve (12) percent;

21.11226 All setbacks established for the zone in which the property is located shall be observed from the easement line;

21.11227 All utilities must agree to serve any lots fronting on a private street;

21.11228 The private street shall not adversely impact neighboring properties;

21.11229 A deed of restrictions outlining maintenance responsibilities for the private street shall be filed with the plat.

If a new street dedicated to the public is involved, the subdivision shall be considered a major subdivision. If a new private street is involved, the subdivision shall be considered a minor subdivision.

21.1123 Conformance to Community Plans

The subdivision shall be in conformance with community development plans, implementation devices, and other applicable regulations or ordinances;

including, among other considerations, any necessary dedication for adequate street rights-of-way.

21.12 Administratively Approvable Plats

If all of the following apply, the respective plat may be approved for recording by the Zoning Enforcement Officer:

- (a) The plat reflects a change in lot lines that do not increase the number of lots/tracts or where the division of property results in only one additional lot and there has been no more than one (1) such division in the prior five (5) years, the minor subdivision may be approved by the Zoning Enforcement Officer for recording.
- (b) The use of the property is to remain the same or is a use allowed in the current zoning classification for the property.
- (c) The Zoning Enforcement Officer may at his or her sole discretion refer any plat, subject to approval under this section, to the Planning Commission for its approval.

ARTICLE III--REQUIREMENTS FOR MINOR SUBDIVISION PLATS

SECTION 30 PURPOSE

The purpose of this article is to establish special requirements to expedite the preparation and processing of minor subdivision plats.

SECTION 31 PROCEDURE

Where a proposed subdivision can be classified as a minor subdivision according to Article II, the procedure for submission of a preliminary plat for approval may be waived by the Planning Commission after the advisory meeting. However, the procedure for approval of the final plat remains the same.

ARTICLE IV--PROCEDURE FOR SUBMISSION OF MAJOR SUBDIVISION PLATS

SECTION 40 PURPOSE

The purpose of this article is to establish the procedure which shall be followed by the developer and the Planning Commission in preparing, reviewing, and approving all subdivision plans. (Except that minor subdivisions may skip the preliminary plat phase with approval of the Planning Commission.)

SECTION 41 PRE-APPLICATION CONFERENCE

The developer should arrange a conference with the Planning Commission before a preliminary plat is submitted. The purpose of the conference is to afford the developer an opportunity to avail himself the assistance of the Commission and its staff before he prepares a preliminary plan and makes formal application for its approval. This procedure

will reduce the number of unnecessary and costly changes which are often required when a plat is submitted for review before the Commission has had an opportunity to review it.

41.10 Sketch Plan

The developer should have a rough sketch plan prepared before the pre-application conference to show the boundaries of the tract, location and sidewalks, the proposed street and lot arrangement, and other pertinent information.

41.11 Office Visit

The developer should then visit the Commission's office and informally discuss his ideas with the Commission or its staff. This informal discussion shall not constitute a formal application and will be considered confidential. The developer should also consult with the utility companies and other local agencies at this time.

SECTION 42 PRELIMINARY PLAT PROCEDURE

All subdivision plats shall receive their first official consideration as preliminary plats.

No developer shall proceed with any construction work, including grading, before a plat has been given preliminary approval.

The following procedures shall be required during the preliminary plat procedure:

42.10 Design Plans

The developer shall have a registered surveyor, registered engineer, landscape architect, architect, or community planner (provided that engineering data is supplied by a registered engineer or surveyor for landscape architects, and community planners) prepare the preliminary plat in conformance with the format, design, and improvement requirements of these regulations. Utility companies and other concerned city and county agencies should be consulted before the preliminary plat is prepared.

42.11 Formal Application and Submission

A completed application secured from the Commission's office and six (6) 11" x 17" copies of the preliminary plat folded to 8 ½ x 11" submitted to the Planning Commission shall constitute an application for formal action on the preliminary plat. For maximum assurance that a plat will receive commission consideration at a certain meeting, the plats should be submitted at least twenty (20) days before such meeting.

42.111 Letter of Availability

A letter addressing the availability of utilities shall be filed with the preliminary plat.

42.12 Distribution and Review of Plats

The Commission shall make copies of the preliminary plats available to all concerned city and county agencies. The Commission will consider all comments from these agencies before making recommendations on the plats.

42.13 Notification of Action

After Commission action, two (2) copies of the plat will be marked in conformance with the Commission's actions and the developer shall be notified of the Commission's action and requested to pick up his plat.

42.131 Approval

Means the developer is authorized to proceed with physical improvements in the proposed subdivision and to proceed with the preparation of the final plats. Lots shall not be sold until a final plat has been approved.

Preliminary approval grants a developer a maximum time limit of twelve (12) months during which he shall submit a final plat, unless a time extension is granted by the Commission. During this twelve (12) month period, no changes shall be made unless they are for the purpose of correcting obvious errors or omissions.

42.132 Conditional Approval

Means the developer may proceed as outlined above in Section 42.131 but only after corrected preliminary plats have been submitted to the Commission's chair.

42.133 Postponement

Means action is delayed for definite reasons which shall be noted by the Commission.

42.134 Disapproval

Means the denial of approval for the submitted plat. Before further action can occur, the developer must revise his plat to conform to the Commission's requirements.

SECTION 43 FINAL PLAT PROCEDURE

All subdivision plats shall receive their second and last consideration as final plats. No developer shall sell or agree to sell any lot until after a final plat has been approved. The following procedure shall be required for all final plats:

43.10 Design Plans

The developer shall have a registered surveyor or engineer prepare a final plat in conformance with the format, design, and improvement requirements of these regulations. The final plat is a legal record of the subdivision as surveyed in the field and must agree with the approved preliminary plan, except that final plans covering a portion of the approved preliminary plat may be submitted.

43.11 Time Lapse

Unless a time extension has been requested by the developer and granted by the Commission, all final plats shall be submitted within twelve (12) months of the approval

date of the preliminary plat. If a time period in excess of twelve (12) months elapses, the preliminary plat must be re-submitted and approved before final plat approval can be considered.

43.12 Material to be Submitted

The following final plat materials must be submitted by the developer. For maximum assurance that a plat will be considered at a certain Commission meeting for the plat materials should be submitted at least ten (10) days prior to such meeting.

43.121 Subdivision Plats

Six (6) prints of the plat showing the manner in which the land is proposed to be subdivided and legally recorded shall be presented to the Commission. The plats shall be in conformance with specifications outlined in Article V.

43.122 Bond for Physical Improvements

The Commission shall have no obligation to allow developers to post surety bonds in lieu of completed physical improvements, but it may permit said bonds if it so desires. When bonds are permitted, the developer shall submit cost estimates to the Commission to cover the full cost of all physical improvements. The developer shall then post a surety bond with the Commission, running to the Planning Commission for and on behalf of the City of Springfield. A time period of one (1) year will be allowed for construction of improvements.

43.123 Utility Approval

A copy of a letter approving the location and size of all easements and rights of way must be obtained from the following utilities: Springfield Water and Sewer Commission, electric utility companies, gas utility companies, telephone utility companies, internet utility companies and cable television utility companies.

43.13 Distribution and Review of Plats

The Commission shall make copies of the final plat available to all concerned city and county agencies. The Commission will consider all comments from these agencies before making recommendations on the plats.

43.14 Notification of Action

After Commission action two (2) copies of the plat will be marked in conformance with the Commission's action and the developer shall be notified of the Commission's action and requested to pick up his plat.

43.141 Approval

Means the final plat has been signed by the Chair of the Commission and may be recorded. After recording, the developer may sell or agree to sell lots by reference to

the approved and recorded final plat. Commission approval shall not be deemed to constitute or effect an acceptance by the City or County of the dedication of any street or other proposed space offered for dedication, since such acceptance is the prerogative of the City and County legislative bodies.

43.142 Conditional Approval

Means the developer may proceed as outlined above in Section 43.141 but only after he has met the conditions attached to the approval.

43.143 Postponement

Means the Commission has deferred action until some future Commission meeting in order that certain clarification can be made in regard to the plat.

43.144 Disapproval

Means complete denial of the final plat. To request review and action, the developer must revise the plat to conform to Commission requirements and re-submit a new set of final plats.

43.15 Recording Final Plat

Within ninety (90) days of the Commission's approval, unless a time extension has been granted by the Commission previous to the expiration date, a certified copy of the final plat shall be filed for recording in the Washington County Clerk's Office. The Commission's action becomes null and void if this requirement is not met. The Commission's action is also voided if the certified plat is altered in any manner (except for Commission requirements) between the date of Commission approval and recording.

43.16 Release of Bond

If a surety performance bond has been permitted by the Commission its release shall be approved by the Commission after all improvements, in the opinion of the Commission, have been satisfactorily completed, except a certain percentage that may be withheld for a period of one year after date of approval of improvements to ensure that any roadway construction remain in satisfactory condition after one year of use. Release of the final portion of said bond shall be approved by the Commission after inspection of the roadway is completed by the City Engineer or Zoning Official.

43.17 Private Engineer's Inspection

Before the surety performance bond is released, the developer's engineer and City Engineer or Zoning Official must certify that all physical improvements have been completed and are in full conformance with the Commission's regulations.

ARTICLE V-SPECIFICATIONS FOR PLATS

SECTION 50 PURPOSE

The purpose of this article is to describe the content and format of required plat materials

and the information which the plats must contain. Conformance to these requirements will provide for the expedient processing of plats.

All plans shall adhere to these specifications unless the Commission grants permission for modifications due to unusual or special circumstances. Plans which are flagrantly or repeatedly lacking the required data shall be returned to the developer by the Commission immediately after the absence of data is apparent.

SECTION 51 PLAN MATERIALS FOR PRE-APPLICATION CONFERENCE

As previously described in Section 41 of "Procedures", the minimum plat materials for the pre-application conference should be a sketch plan showing the boundaries of the tract, a rough street and lot layout, the sidewalk plans and other information concerning pertinent physical features. The sketch is not required to be to any definite scale, drawn on any special material, or meet any other specifications.

SECTION 52 PRELIMINARY PLAT MATERIALS

The preliminary plat material shall consist of three categories of materials as explained below. Other material may be submitted by the developer may be required by the Planning Commission.

52.10 Restrictive Covenants

When the developer proposes to regulate land use in a subdivision and otherwise protect a development, one draft copy of such covenants shall be submitted as part of the preliminary plat materials.

52.11 Land Subdivision Plat

Six (6) prints of the proposed subdivision shall be submitted on sheet sizes of 18" x 24" or 24" x 36", unless the Commission grants permission for other sizes because of unusual or special circumstances. If necessary, more than one sheet may be used if a key map is prepared to relate each sheet to the entire subdivision. The information required on the preliminary plats shall be positioned in the following manner:

52.111 Title Block

The title block should be placed on the bottom of the sheet, and shall contain the following information:

52.1111 Subdivision Name

The name of the proposed subdivision, which shall not duplicate or approximate the name of any other subdivision in Springfield or Washington County.

52.1112 Property Identification

The record name and mailing address of the property being subdivided.

52.1113 Identification

The name and mailing address of the property owner and the developer's engineer.

52.1114 Legend Information

Graphic scale, written scale, north point, date of preparation, and any other pertinent legend data.

52.112 Location Sketch

A sketch showing the general location of the subdivision shall be placed in the upper right or left corner of the sheet. The location sketch shall be drawn at a scale large enough to show the proposed subdivision's relationship to existing and proposed features such as major traffic arteries, schools, recreation areas, shopping areas and industrial areas

52.113 Lot Design

The design scheme shall be drawn at a scale of one hundred (100) feet or less to the inch, and shall show the following existing conditions and proposed development features

52.1131 Existing Conditions

The following information of existing conditions shall be illustrated:

52.11311 Boundary Lines

The location, distance, and bearings of the boundary lines.

52.11312 Streets

Street names, right-of-way widths, and approximate grades shall be shown on all streets adjacent to and within the proposed subdivision.

52.11313 Utilities

The location and size of all utilities and easements adjacent to and within the proposed subdivision.

52.11314 Topography

Contours with five-foot intervals, referenced to U.S.G.S. datum.

52.11315 Subsurface Conditions

When required, result of tests made to ascertain soil percolation quality if individual sewage disposal systems are proposed.

52.11316 Other Conditions on the Tract

Such as watercourses, marshes, wooded areas, isolated preservable trees, and houses or barns and other significant features which will be retained or removed.

52.11317 Conditions on Adjacent Land

Such as approximate direction and gradient of ground slope; railroads, commercial areas, and other nearby nonresidential land uses or adverse

influences; owners of adjacent, unplatted land; subdivision names adjacent platted land; perimeter lotting and typical lot size in adjacent subdivision.

52.1132 Proposed Development on Tract

The following information on proposed development shall be shown:

52.11321 Streets

The proposed names, right-of-way and pavement widths, and approximate grades and direction thereof.

52.11322 Other Rights-of-Way or Easements

The location, width and purpose.

52.11323 Lots and Setback Lines

The location and approximate distances of all lot lines. Lot numbers shall also be shown.

52.11324 Setback Lines

The location of proposed building setback lines with dimensions showing the setback from the street rights-of-way.

52.11325 Public Sites

The name, acreage, and use of any sites proposed for public use such as parks, playgrounds, and school sites.

52.11326 Multi-Family and Non-Residential Uses

The acreage and use of non-public uses such as multi-family dwellings, shopping centers, church etc.

52.11327 Sidewalks

The location of sidewalks, cross-sections showing width of sidewalks, materials, location and other pertinent information.

52.12 Other Materials

When the tract shown on the subdivision plan represents only a portion of the developers holding, an additional sketch shall be required to illustrate the proposed street layout for the remainder of the tract.

SECTION 53 FINAL PLAT MATERIALS

The final plat materials shall consist of three groups of material; restrictive covenants; plat for recording; and as-built improvement construction drawings. Other materials may be submitted by the developer or required by the Commission.

53.10 Restrictive Covenants

When the developer intends to regulate land use in a subdivision and otherwise

protect the development, two (2) copies of the restrictive covenants shall be submitted as part of the final plat materials.

53.11 Plat for Recording

A legible plat suitable for recording with an overall sheet size of 18" x 24" or 24' x 36" shall be prepared. If necessary, more than one sheet may be used if a key map is shown to relate each sheet to the entire platted area. Six (6) prints of this plat shall be submitted by the developer when he makes application for final approval. The information required on this sheet should be positioned in the title block, certificate block, location sketch, or on the lot design scheme.

53.111 Title Block

The title block should be placed on the bottom of the sheet and shall contain the following information:

53.1111 Subdivision Name & Phase

The name of the subdivision and, where the proposed final plat is a portion of a larger subdivision bearing the same name, the section number of other positive identification. A subdivision name shall not duplicate or closely approximate any other subdivision name in the City or County.

53.1112 Person Identification

The names and mailing addresses of the following: the property owner; developer; and developer's engineer.

53.1113 Legend Information

The graphic scale, written scale, north point, date of preparation, and other pertinent legend information.

53.1114 Property Information

The deed book and page number, PVA parcel number, lot acreage, and existing zoning of property.

53.112 Certification Block

The certification block should be placed on the bottom of the sheet at the end of the title block, and shall contain the following certification with signatures:

53.1121 Owner's Certification

OWNER'S CERTIFICATION

I (we) do hereby certify that I am (we are) the owner(s) of record of the property shown and described hereon which is recorded in Deed Book _____, page _____, in the Washington County Clerk's Office; do hereby adopt this plan of lots for this property; do hereby dedicate the streets and any other spaces so indicated to public use; and do establish and reserve the indicated easements for public utilities and drainage purposes.

Owner(s) _____ Date: _____

_____ Date: _____

53.1122 Engineer's Certification

ENGINEER CERTIFICATION – THIS CERTIFICATION MAY BE MODIFIED TO MEET CURRENT ENGINEERING STANDARDS

I do hereby certify that the Construction Plans and/or As-Built Plans for this subdivision were prepared by me or under my direction; and are in conformance with all appropriate rules and regulations; and that to the best of my knowledge and belief all requirements of the Subdivision Regulations, Storm Water Ordinance, and Zoning Ordinance have been fully complied with.

Engineer's Name: _____ Date: _____

Engineer's Seal

53.1123 Surveyor's Certification

SURVEYOR'S CERTIFICATION – THIS CERTIFICATION MAY BE MODIFIED TO MEET CURRENT SUREYING STANDARDS

I do hereby certify that this plat was prepared by me or under my direction; that all monuments indicated hereon actually exist and their locations, size, and material are correctly indicated; the information shown hereon is correct to the best of my knowledge and belief; and that to the best of my knowledge and belief all requirements of the Subdivision Regulations have been fully complied with.

Surveyor's Name: _____ Date: _____

Surveyor's Seal

53.1124 Certification of Streets

CERTIFICATION OF THE APPROVAL OF STREETS

I hereby certify: (1) that streets and other improvements have been installed in an acceptable manner and according to city specifications in the subdivision entitled:

_____ and/or, (2) that a security bond in the amount of \$ _____ has been posted with the city legislative body to assure completion of all streets and related improvements in case of default.

City Engineer or Approving Agent _____ Date _____

53.1125 Utilities Certification

CERTIFICATION OF APPROVAL OF ELECTRIC UTILITIES

I hereby certify: (1) that the electric utility improvements have been installed in an acceptable manner and according to relevant specifications in the subdivision entitled: and/or, (2) that a security bond in the amount of \$ _____ has been posted with the utility provider to assure completion of utility improvements in case of default.

Utility Agent or Approving Agent: _____ Date: _____

CERTIFICATION OF APPROVAL OF TELECOMMUNICATION UTILITIES

I hereby certify: (1) that the telecommunication utility improvements have been installed in an acceptable manner and according to relevant specifications in the subdivision entitled: and/or, (2) that a security bond in the amount of \$ _____ has been posted with the utility provider to assure completion of utility improvements in case of default.

Utility Agent or Approving Agent: _____ Date: _____

CERTIFICATION OF APPROVAL OF WATER LINE IMPROVEMENTS

I hereby certify: (1) that the water line utility improvements have been installed in an acceptable manner and according to relevant specifications in the subdivision entitled: and/or, (2) that a security bond in the amount of \$ _____ has been posted with the utility provider to assure completion of utility improvements in case of default.

Springfield Water & Sewer Commission Approving Agent: _____
Date: _____

CERTIFICATION OF APPROVAL OF SEWER LINE IMPROVEMENTS

I hereby certify: (1) that the sewer line utility improvements have been installed in an acceptable manner and according to relevant specifications in the subdivision entitled: and/or, (2) that a security bond in the amount of \$ _____ has been posted with the utility provider to assure completion of utility improvements in case of default.

Springfield Water & Sewer Commission Approving Agent: _____
Date: _____

CERTIFICATION OF APPROVAL OF STORM WATER IMPROVEMENTS

I hereby certify: (1) that the storm water management improvements have been installed in an acceptable manner and according to relevant specifications in the subdivision entitled: and/or, (2) that a security bond in the amount of \$ _____ has been posted with the utility provider to assure completion of utility improvements in case of default.

City of Springfield Approving Agent: _____ Date: _____

53.1126 Commission's Certification

COMMISSION'S CERTIFICATION OF APPROVAL FOR RECORDING

I hereby certify this record plat was approved by the Springfield Planning Commission on _____, 20____, and is now eligible for records

Planning Commission Chair _____ Date: _____

53.1127 Commissions Certification for Administratively Approvable Plats

COMMISSION CERTIFICATION FOR ADMINISTRATIVELY APPROVABLE PLATS

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

Chair or Administrative Official _____ Date: _____

53.113 Location Sketch

A sketch showing the general location of the subdivision in relation to the surrounding area should be placed in the upper right- or left-hand corner of the sheet. The location sketch shall be drawn at a scale large enough to show the proposed subdivision's relationship to existing and proposed community features such as major traffic arteries, schools, recreation area, shopping areas and industrial areas.

53.114 Lot Design

The design scheme shall be drawn at a scale of one hundred (100) feet or less to the inch, and shall show the following information for the proposed subdivision and adjacent land:

53.1141 Street on Adjacent Land

The exact location of streets on adjacent land, and the width along the property lines for all existing or recorded streets intersecting or paralleling and boundaries of the proposed subdivision.

53.1142 Owners of Adjacent Land

For adjacent land which is platted, show the boundaries with dashed lines, the record name, date of recording, and plat book and page number. For adjacent land which is unplatted, show the name(s) of record.

53.1143 Boundary Lines of Tract

In a line style and weight which will distinguish the developer's property from all adjacent property, show the tract boundary lines with lengths to hundredths of a foot and bearings to the nearest minutes. These boundaries shall be determined from an accurate survey in the field.

53.1144 Monuments

Show the accurate location and material of all permanent reference monuments.

53.1145 Streets, Easements, and Lot Lines

For street rights-of-way show the names, bearings, angles of intersection, right-of-way and pavement widths; for all easements or other rights-of-way show the locations, widths, and purposes; for lot lines show dimensions in feet to hundredths of a foot and bearings to the nearest minute.

53.1146 Lot Numbers

Lot numbers shall be shown and numbered in numerical order.

53.1147 Reservations and Dedications

Show the accurate outline of all property which is either offered for dedication to public use or which is reserved by covenant in the deeds for the common use of the property owners in the subdivision, with the purpose plainly printed thereon.

53.1148 Building Setback Lines

Show the minimum building setback line which shall be at least one-half of the total width of the street right-of-way on which the building fronts.

53.115 Construction Drawings

Two (2) copies of these drawings shall be submitted to the City or County Engineer (whichever has jurisdiction) on a sheet size of 18" x 24" or 24" x 36". The drawings shall be referenced to the name and unit number of the proposed subdivision, and shall show the following information:

53.1151 Street Profiles

The profile of each street indicating the existing ground surface and the grade of the new street surfaces at a horizontal scale equal to the horizontal scale of the record plat, and a vertical scale of 1/10th of the horizontal scale, with final grades indicated.

53.1152 Street Cross Sections

A cross section of each new street shall be shown at a scale of ten (10) feet or less to the inch, and shall include the width of pavement, the location and width of sidewalks, and the location of utilities.

53.116 Other Materials

In addition to other sketches or material which may be required by the Planning Commission, the following shall apply to surety performance bonds and recording of plats:

53.1161 Release of Surety Performance Bond

When the Commission has approved a final plat and permitted bonding to ensure completion of required improvements, and the developer has completed such improvement, the following procedure shall apply.

53.11611 City (County) Engineer's Inspection

After completing all improvements, the developer shall notify the City (County) Engineer that the improvements are ready for final inspection.

53.11612 Engineer's Notification to Commission

If the City (County) Engineer finds the improvements are complete in conformance with Commission requirements, he shall notify the Commission by letter and recommend the release of the bond. Conversely, if the date of completion has passed and the improvements are not completed in accordance with Commission requirements, the Engineer shall notify the Commission and recommend that the bonding company be notified to complete the required work within a specified period of time.

53.11613 Planning Commission Action

The Planning Commission shall then act on the Engineer's recommendation and either release the bond and/or call for completion of the required improvements.

ARTICLE VI-DESIGN AND PHYSICAL IMPROVEMENT REQUIREMENTS

SECTION 60 PURPOSE

The purpose of this article is to establish the minimum design standards and the minimum standards to which developers shall conform in providing and constructing physical improvements within a subdivision.

SECTION 61 COMPLETION OF IMPROVEMENTS

Unless the Planning Commission approves a surety performance bond, all required improvements shall be completed prior to final plat approval.

With the Commission's approval the developer, in lieu of completing the improvements as stated above, shall furnish the Commission with a surety performance bond running to the Springfield Planning Commission for and on behalf of the City of Springfield. The bond shall be sufficient to cover the cost of all required improvements to be installed by the sub-divider.

All physical improvements shall be installed under the direction and supervision of the developer's engineer.

SECTION 62 CLASSIFICATION OF STREETS

Streets within or adjacent to a proposed subdivision shall be classified according to one or more of the classifications noted below, and physical improvements and design standards shall be required in accordance with each classification.

The required improvements shall be installed by the developer at his expense in accordance with the specifications of the official or agencies having jurisdiction. Improvements exceeding these minimum requirements may be provided by the developer or required by the Commission.

62.12 Expressways and Arterials

Design and improvement requirements for expressways and arterial streets will be determined by the Planning Commission with the advice of the City Engineer and the Kentucky Department of Highways.

SECTION 63 STREET DESIGN STANDARDS

63.10 Introduction

The purpose of these General Provisions is to establish the minimum standards required for the design and construction of public roadways in the City of Springfield. This section is intended to assist a private developer in the design and construction of subdivision roadways which will be dedicated (once properly constructed) to the City of Springfield for public use, repair, and maintenance.

63.11 Definitions

City of Springfield: The local Government Agency which shall be responsible for all current and future repair and maintenance of existing and newly developed City roadways.

Public Works Department: The Public Works Department, when used in these provisions, shall mean the Public Works Superintendent or other designated representative of the City of Springfield Public Works Department. The Public Works Department shall be responsible for construction review and inspection of any public roadway. The Public Works Department is located at Springfield City Hall, 127 West Main Street, Springfield, KY 40069 and has phone number (859)-336-5440.

City Engineer: City Engineer, when used in these provisions, shall mean the City Engineer employed by the City of Springfield. The City Engineer shall be responsible for the design review and construction review of any public roadway owned and maintained by the City of Springfield. The City Engineer's office is located at Springfield City Hall, 127 West Main Street, Springfield, KY 40069 and has phone number (859)-336-5440.

Standard Specifications: The Kentucky Standard Specifications for Road and Bridge Construction commonly used for all new, repair, and maintenance work associated with State highways and bridges in Kentucky. The Edition of this book to be utilized shall be that edition which is in effect when the design/construction plans for a new proposed City roadway has been submitted to the City for approval. When the term "Engineer" or phrase "as approved by the Engineer" is used in the Standard Specifications, it shall be construed to mean the City Engineer. The Standard Specifications shall be the minimum standard utilized for construction and inspection of the City of Springfield Public Roadways. Any developer who intends to utilize different specifications than the Standard Specifications shall specifically identify the difference in the Construction Plans.

63.12 Procedures

All developers/contractors who wish to construct a new road or extend an existing road, and of which that developer intends to dedicate ownership of that road to the City of Springfield once constructed, shall accomplish the following:

1. Comply with all zoning regulations required by the City of Springfield.
2. Comply with "Subdivision Regulations for the City of Springfield, KY" developed by the Planning Commission.
3. Submit "Preliminary Construction Plans" (with or after the "Preliminary Plat" submittal) to the City Engineer for review. No construction of a proposed public roadway shall begin until the City Engineer has reviewed the Construction Plan.
4. Review the site with the City Engineer. Be prepared to discuss locations of borrow material, sample locations and number of proctors (to be used for soil densities), cross drain culverts, easements, and rights-of-way.
5. Revise Preliminary Construction Plans to comply with the City Engineer's comments and concerns. Re-submit "Final Construction Plans" for final approval by the City Engineer.

6. Once the Final Construction Plans have been approved by the City Engineer, construction may begin (provided the preliminary plat and other requirements of the Planning Commission have been complied with).

NOTE: Any construction activities which begin prior to construction plan review and approval shall be at the owner's own risk.

63.13 Roadway Design and Construction

63.131 Construction Plans

All newly developed roadways, either in subdivisions or extensions of existing roads, which are intended to be dedicated to the City at a later date, shall be required to have construction plans. These construction plans shall be submitted to, reviewed by, and approved by the City Engineer prior to construction.

To assure proper review and approval of the Construction Plans prior to Final Plat approval, the Construction Plans shall be submitted to the City Engineer a minimum of twenty (20) working days prior to the Planning and Zoning subdivision plat review committee meeting.

These plans shall be in sufficient detail to properly inform the City Engineer of all fills, cuts, ditches, culverts, bridges, preliminary lot layout, and any other information necessary which may be required for a City owned roadway. The plans shall comply with the following:

- Roads shall be designed and constructed in accordance with this document and the "Subdivision Regulations for the City of Springfield, KY"
- The minimum requirements for Construction Plans shall be:
 - Plan, profile, curve data, etc. of the roadway showing roadway cuts, fills, alignment, and road grades.
 - Existing contour lines at a minimum of five feet (or closer for hilly sites). Contour lines shall be of sufficient detail to depict all hills, creeks, sink holes, ponds, and other features which might impact roadway construction.
 - Typical roadway cross-sections showing pavement structure, width, and side drainage ditches.
 - Roadway location with respect to subdivision lot layouts, adjacent property owners, connection roads (names), new phases (proposed), etc.
 - Cross drain culverts, including sizes, lengths, locations, and materials (including headwalls). Culverts shall be sized for a 25-year storm event and certified by a Professional Engineer. Show all retention structures if required.
 - Roadway side ditches and proposed driveway culverts.
 - Roadway "right-of-way" to be dedicated to the City.
 - Utility easements with proposed utilities.
 - Construction or maintenance easements if needed.
 - If septic tanks/lateral fields are to be used for sewage disposal, provide a copy of the preliminary on-site evaluation provided by the Washington County Health Department.
 - All plans shall be prepared, sealed, and signed by a Licensed Professional Engineer of Kentucky who routinely prepares such design assuring that all

features such as culverts, bridges, and any other structures are properly designed to carry intended loads.

- All variances to the above requirements shall be specifically noted or requested.

63.132 Specifications

All materials and procedures utilized in the design and construction of a new City roadway shall comply with the appropriate Section in the Standard Specifications such as concrete, asphalt, dense graded aggregate, pipe materials, etc. Typical details such as culvert headwalls shall be as specified in the Standard Drawings Manual developed by the Kentucky Department of Highways. Reference to this manual shall be made when designing such structures. Any variance to this manual shall be noted.

63.133 Roadway Construction (To Subgrade)

All roadway fills and cuts shall be shown on the plans. In areas that require embankments to be constructed, the developer shall understand they will be required to comply with Section 206 – Embankment of the Standard Specifications. Soil Proctors (target densities) may be required as determined in the Construction Plan review. This will depend on the soil type at the proposed development site. Proctors will involve soil samples to be collected and sent off to an acceptable laboratory with target densities (with acceptable moisture contents) developed for the soil to be used in the embankment construction. Field Densities will be routinely checked by using Nuclear Density Meters operated by an approved Construction Inspection company. These field densities will be the responsibility of the developer/contractor when required by the City Engineer.

Density reports shall be routinely provided to the City Engineer during construction. Embankment materials which fail the field density check will be required to be excavated, refilled, and compacted with suitable material in accordance with the Standard Specifications.

The minimum in place dry density of subgrade soils utilized for subgrade construction shall be as described in *Section 205* of the Standard Specifications. Specifically, all subgrade construction shall obtain 95% of the maximum density (based on the proctor) or 98 pounds per cubic foot (whichever is greater).

Most soils within the City of Springfield and Washington County have a California Bearing Ratio (CBR) less than six (6). Subgrade stabilization is recommended for any soil with a CBR less than seven (7).

As a means to provide a barrier between the subgrade and pavement base materials, geotextile fabrics should be used in accordance with the Standard Specifications in saturated foundation areas and in embankment benching areas or as required by the City Engineer.

Subgrade drainage systems shall be installed so as to drain any subsurface water from the pavement structure. Either porous aggregate underdrains or perforated and non-perforated pipe underdrains shall be used in accordance with the Standard Specifications. Underdrain systems shall be installed at a minimum of 100 feet center-to-center spacing along the degrees of the roadway and may be required as directed by the City Engineer.

63.134 Roadway Construction (Pavement Structure)

City streets shall be designed according to the following minimum pavement sections for the specified street classification. Designs are based on soils with a CBR of three (3) or less and a design life of 15 years. Alternate pavement designs may be submitted to the Office of the City Engineer for approval by a licensed Engineer with an accompanying geotechnical report. Alternate designs shall be in accordance with the current edition of KYTC's Pavement Design Guide and Standard Specifications.

Street Classification Minimum Pavement Section

Residential Cul-de-sac (<1,000 ft.)	9" DGA, 3" Asph. Base, 1.25" Asph. Surface
Residential Collector (≥1,000 ft.)	9" DGA, 3.5" Asph. Base, 1.25" Asph. Surface
Commercial	12" DGA, 4.5" Asph. Base, 1.25" Asph. Surface
Light Industrial (LIP)	12" DGA, 5.5" Asph. Base, 1.5" Asph. Surface
Industrial	14" DGA, 6" Asph. Base, 1.5" Asph. Surface

Use of Concrete roads or any other variance from this minimum standard shall be prepared and submitted by a Licensed Professional Engineer to the City Engineer for approval.

63.1341 Dense Graded Aggregate (DGA)

The DGA to be used shall comply with the Standard Specifications in that the DGA shall be run through a pugmill and water added to achieve a moisture content of plus or minus 2% of optimum. The DGA may be placed in one lift no thicker than 6 inches compacted. The DGA shall be spread with a stone spreader capable of obtaining a uniform depth. For roads less than 300 feet in length, tailgate spreading may be used provided it is graded to the correct depths. The DGA shall be compacted while still wet to 84% of solid volume. The contractor shall be responsible for testing compaction which shall comply with the Standard Specifications.

63.13412 Asphalt Bituminous Base Course

The Asphalt base shall be laid in one lift and compacted. The initial compaction pass shall be with a static roller and at least two more passes of a roller in the vibratory mode or as specified in Section 403.03.10 Compaction of the Standard Specifications. Finish rolling shall be accomplished with a static roller.

63.13413 Asphalt Tack Coat

Asphalt tack coat shall be applied to any Asphalt Base Course prior to Surface Placement. The Tack Coat shall comply with and be applied as specified in *Section 406 – Asphalt Curing Seal and Asphalt Prime and Tack Coats* of the Standard Specifications.

63.1414 Asphalt Bituminous Surface Course

The surface course shall be placed and compacted as required by the Standard Specifications.

Both the Bituminous Base and Bituminous Surface Courses shall meet the current Standard Specifications for gradation and asphalt content for work on similar projects by the Kentucky Department of Transportation. The Bituminous Base shall

be compacted to within 95% of the Job Mix formula for the material being used as specified in the Standard Specifications Section 403 – *Production and Placement of Asphalt Mixtures*. The contractor shall provide density reports on the compaction.

The pavement width shall be as described in the Planning Commission’s “Subdivision Regulations for the City of Springfield, KY.” No DGA shoulders will be required unless determined necessary by the City Engineer. See Appendix 1 for typical roadway sections intended for use in the City. Any variance to this section shall be shown on the construction plans when practical.

63.135 Slopes / Ditches / Culverts

63.1351 Slopes

The grades of the proposed roadway shall be specifically shown on the profile sheet. Roadway side slopes (embankment fill areas, including over culverts) shall be a maximum (steepest) of a three (3) horizontal to one (1) vertical – 3H:1V.

63.1352 Ditches

Parallel roadway ditches shall typically be a “V” type ditch with a 3H:1V side slope designed to a depth to properly channel surface drainage away from the pavement structure. Ditches shall be a minimum of six (6) inches below the bottom of the pavement stone base layer so as to allow the subgrade drainage system to function properly. Typical ditches shall be shown on the plan and profile sheets. When the roadway grade is greater than five (5) percent, side ditches shall be rip rap lined two feet up each side slope.

All other ditches shall be seeded and strawed with a Seed Mix Type I, of *Section 212.03.03 Permanent Seeding and Protection* of the Standard Specifications. Any variance of this mixture shall be identified in the Construction Plans. The rates of application shall be as detailed in *Section 212 – Erosion Control* of the Standard Specifications.

All disturbed right-of-way areas shall be seeded at a rate of eighty (80) pounds per acre. Within 48 hours of seeding, the area shall be mulched with straw at rates detailed in *Section 212 – Erosion Control* of the Standard Specifications.

63.1353 Culverts

Culverts shall be sized to carry the flow rates expected for a 25-year storm event. In the design, the HW/D ratio shall be as close to 1.0 as is practical, however, shall not exceed 1.5, or cause unnecessary ponding. A 100-year storm event should not reach an elevation of one (1) foot below the roadway surface so as to prevent overtopping during extreme storm events.

Culvert material shall be, as a minimum, aluminized corrugated metal pipe (ACMP), 16 gage thickness complying with ASTM A819 and AASHTO M274 and the Standard Specifications. Alternative pipe materials may be utilized provided the Owner/Developer specifically identifies and request a variance on the construction plans. All materials to be used shall comply with the Standard Specifications.

Cross drain round culverts twenty-four (24) inches or larger shall require concrete headwalls. All concrete box culverts require headwalls. The culvert length shall be what is necessary for the 3H:1V embankment slope to toe out at the culvert flowline. Rip-rap (shot limestone rock) shall be required at culvert inlets/outlets. The minimum size for a roadway cross drain culvert shall be eighteen (18) inches.

All culverts (box or pipe), and utility structures (pipelines) within the pavement structure area shall be constructed and properly backfilled in accordance with *Section 611– Precast Reinforced Concrete Box Culvert Sections* of the Standard Specifications.

63.136 Right-of-Way

Right-of-way to be dedicated to the City shall be a minimum width identified in the Planning Commission’s “Subdivision Regulations for the City of Springfield, KY” Permanent right-of- way markers shall be installed at all roadway change of direction. These right-of-way marker locations shall be shown on the construction plans.

63.137 Easements

All utility construction, and/or maintenance easements shall be shown on the Construction Plans. Typically, no utility easements shall be located in the right-of- way unless specifically requested and identified on the plans. All underground utilities which cross the roadway (i.e., electric lines) shall be specifically shown on the Construction Plans. All utilities which are to be installed in the City right-of- way shall have “utility identification tape” installed during backfill of the utility trench. This identification tape shall be placed at approximately 18 inches above the utility. All utilities which are installed within the pavement structure area shall be properly backfilled and compacted in accordance with Section 603 – Foundation Preparation and Backfill of the Standard Specifications.

63.138 Curb and Gutters / Sidewalks

Curb, gutters, and sidewalks shall be installed when required by the Planning Commission’s “Subdivision Regulations for the City of Springfield, KY” The minimum sizes/configuration for the curb/gutters and sidewalks are shown in the Appendix 2 and Appendix 3. Any variance from this detail shall be identified in the Construction Plans.

Adequate surface drain structures (i.e., curb box inlets with clean out manholes) shall be installed along the curb and gutters (at all low points in roadways or at sufficient intervals along relatively flat roadways as designed by the Engineer) to allow surface water to drain off from the pavement structure. Catch basin clean out manhole spacing shall not exceed 150 feet.

The Design Engineer shall take into account any subsurface drainage problems that could result from curb/gutter installation due to the site’s soil/clay material and/or terrain. The requirement for subsurface drainage is a designer decision.

63.139 Street Lighting

Street lighting shall be installed to meet City requirements.

63.140 Street Signs

A list of the Streets' names shall be provided to the City for a particular development. It shall be the responsibility of the City to purchase and install all street signs for new and old developments.

63.141 Stormwater Management & Drainage Plan and Encroachments on City Roads

Streets shall be designed with respect to topography to produce the most usable and property situated lots, provide proper drainage for storm water and produce proper grades. Refer to Stormwater Ordinance #2023-018 and any amendments for City Requirements.

SECTION 64 BLOCK DESIGN STANDARDS

The following standards shall be observed in the design of blocks.

64.10 Residential Block Length

Intersecting streets shall be provided at such intervals as necessary to meet existing street patterns, topography, and standards required for safe and convenient vehicular and pedestrian circulation. Blocks should not, however, exceed sixteen hundred (1600) feet in length, nor be less than five hundred (500) feet in length.

64.11 Residential Block Width

The width of blocks shall be sufficient to provide for two tiers of lots of appropriate depth.

64.12 Non-Residential Blocks

Blocks intended for non-residential uses shall be of such length, width, and other design as the Commission finds necessary for the prospective use, including adequate provision for off-street parking, loading and unloading, and limitation and control of vehicular access points to adjacent streets.

SECTION 65 LOT DESIGN STANDARDS

The following standards shall be required in the design of lots.

65.10 Corner Lots

Corner lots shall be of sufficient width to permit compliance with the required minimum setback line. In order to comply with the additional width requirement and continue the same size homes as are on adjoining lots, corner lots shall be increased to whatever width is necessary.

65.11 Lot Lines

Side lot lines shall be at right angles to straight street centerlines and radial to curved street centerlines. Rear lot lines should consist of straight lines with a minimum number of deflections.

65.12 Access

All lots shall abut a public street for at least sixty (60) feet. Lot frontage on curved

streets and cul-de-sac may be reduced to a minimum of thirty-five (35) feet, but such lots shall be at least sixty (60) feet wide at the minimum building setback line.

65.13 Dead-End Streets (Cul-de-sacs)

Minor terminal or dead-end streets or courts which are designed so, as to have one end permanently closed shall be provided at the closed end with a turnaround having a radius at the outside of the pavement of at least forty (40) feet and a radius at the outside of the right-of-way of at least fifty (50) feet.

65.14 Lot Dimensions

Lots located in areas where a zoning ordinance is in effect shall conform to the zoning regulations. Where no zoning ordinance is in effect, zoning classification is required to be obtained prior to public sewer service.

A greater lot area may be required if, in the opinion of the City Engineer or Zoning Official, there are factors of drainage, soil conditions, or other conditions to cause potential health problems.

65.15 Building Setback Line

The minimum building setback line from the right-of-way shall be at least one-half (1/2) of the total width of the street right-of-way. In no instance shall this distance be less than twenty-five (25) feet nor be required to be more than forty (40) feet.

65.16 Development of Hazardous Areas

When lots are located on land which is subject to flooding, subsidence, or other hazards injurious to the health and safety of potential users; and when such hazards cannot be eliminated or adequate safeguards provided to protect the health and safety of potential users, the Planning Commission may declare such land to be unsuitable for subdividing and disapprove such plans or portions thereof.

SECTION 66 EASEMENT DESIGN STANDARDS

66.10 Utilities

Easements twelve (12) feet in width may be required between, at the rear, or across lots whenever necessary. Easements of greater width may be required if necessary for the extension of water and sewer lines or other utilities.

66.11 Storm Water Drainage Easement

Storm water easements or drainage rights-of-way may be required by the Planning Commission if necessary for proper drainage within or through subdivision.

66.12 Connection to Existing Easements

When necessary, utility and drainage easements shall connect with existing easements on adjoining properties.

SECTION 67 COMMUNITY FACILITIES DESIGN STANDARDS

67.10 Accessing the need for Community Facilities

During the review of subdivision plats the Planning Commission shall consider the adequacy of exiting or proposed community facilities which will serve the additional population to be housed in a proposed subdivision. Sub-dividers shall also give consideration to dedicating or reserving land for facilities which will be needed in a subdivision—such as public buildings, recreational areas, and shopping facilities.

67.11 Adequacy of Such Areas

Areas provided or reserved for such community facilities shall be adequate for building sites, landscaping, and off-street parking.

SECTION 68 OTHER REQUIRED IMPROVEMENTS

68.10 Water Supply System

Every subdivision shall be provided with a complete water distribution system adequate to serve the proposed subdivision. The entire water system shall be provided by the developer and shall be designed to meet the approval of the agency having jurisdiction.

68.11 Storm Water Drainage System

Provision shall be made for the satisfactory drainage of storm water by means of underground pipes and/or surface ditches. The storm water drainage system shall be provided by the developer and shall be designed to meet the approval of the agency having jurisdiction.

68.12 Sanitary Sewage Disposal System

Provision shall be made for the satisfactory disposal of sanitary sewage in all subdivisions. When the Planning Commission determines that a public sanitary sewer main is reasonably accessible, the developer shall provide a complete sanitary sewer system according to specifications of the agency having jurisdiction.

68.13 Electric Supply System

Provision shall be made in every subdivision for a satisfactory electric supply system. Every consideration should be given to the possibility of underground installation of all necessary wires.

68.14 Monuments

Developer and developer's engineer shall adhere to regulations set forth by the State of Kentucky. City Engineer or Zoning Official reserves the right to set specific parameters if found necessary.

ARTICLE VII-GENERAL PROVISIONS

SECTION 70 VARIANCES

These land subdivision regulations are adopted as minimum requirements, and all developers should consider developing their subdivisions at higher standards. Thus, the developer is encouraged to go beyond the requirements of these regulations and the Planning Commission may require standards above the minimum contained herein, whenever it feels that public health, safety, or welfare purposes justify such increases.

The Planning Commission may also reduce or otherwise vary the requirements of these regulations whenever it encounters the situations described below. In granting such variances, the Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of the regulations.

70.10 Exceptional Conditions

When the Commission finds that strict application of these regulations would result in extreme practical difficulties because of exceptional and unique topographic or other physical conditions, the Commission may modify these regulations to the extent necessary to provide relief for the undue hardship; provided, however, that such relief may be granted without detriment to the public welfare and without substantially impairing the intent and purpose of these regulations. In granting such variances or modifications, the Planning Commission may require such conditions as will substantially secure the objectives of the standards or requirements so varied or modified. Financial disadvantage to the property owner is no proof of hardship within the purpose of these regulations.

70.11 Design Innovation and Large-Scale Development

These regulations may be modified by the Planning Commission in the case of plans for cluster development, planned unit development, or other design innovations which, in the Commission's opinion, achieve the basic objectives of these regulations. The Commission may require such conditions as it deems necessary to secure the objectives of these regulations.

SECTION 71 AMENDMENTS

The Commission may revise, modify, or amend these regulations by appropriate action taken at a regularly scheduled meeting after the required notice and public hearing as specified in KRS 160.

SECTION 72 VIOLATIONS AND PENALTIES

The following violations and penalties are hereby cited from Chapter 100, Sections 100-277, 100.283, 100.291 and 100.991 of the Kentucky Revised Statutes.

72.10 No Subdivision of Land Before Approval

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.

72.11 No Selling of Land Before Approval

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 been recorded by the County Clerk. Any such instrument of transfer, sale, or contract shall be void and shall not be subject to be recorded.

72.12 Metes and Bounds Descriptions

The description of lots or parcels 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.

72.13 No Recording Before Approval

No plat of a subdivision of land 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 Chair of the Commission.

72.14 Injunctions

The Planning Commission shall have the power to apply for an injunction against any type of subdivision construction by a sub-divider or a landowner where the subdivision regulations have been violated.

72.15 Penalties

Any person or entity who violates any of these provisions or any of the regulations adopted pursuant hereunder for which no other penalty is provided, shall upon conviction be fined not less than ten (10) but no more than five hundred dollars (\$500) for each conviction. Each day of violation shall constitute a separate offense. The City may also enforce these regulations as allowed by KRS 83A.065.

SECTION 73 SEPARABILITY

Should any section, subsection, paragraph or provision of these regulations be held invalid or unenforceable by a court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of these regulations.

