

Subdivision Regulations

Boyle County
Danville
Junction City
Perryville



JUNE 6, 2018

As Amended

***Danville - Boyle County
Planning & Zoning Commission***

445 West Main Street
Danville, KY 40422

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Danville-Boyle County Planning & Zoning Commission

Jerry Leber (Chair) - Boyle County

Jeffrey Baird (Vice-Chair) - Danville

Wendy Rochester - Danville

James Boyd - Boyle County

Mary Beth Touchstone - Boyle County

Vincent DiMartino - Danville

Susie Kelly - Boyle County

Terry Manon - Danville

David Walden - Perryville

Planning Commission Staff

Stephen Hunter, Director

Jennette Hollon, Office Manager

Lisa Bowman, Compliance Administrator

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ARTICLE 1

GENERAL PROVISIONS

SECTION 1.1 Title

The full title of these regulations shall be the Subdivision Regulations of Boyle County, Kentucky. As a short title, these regulations shall be known and cited as the Subdivision Regulations.

SECTION 1.2 Authority and Administrative Agency

The Danville-Boyle County Planning and Zoning Commission has been empowered to prepare rules and regulations governing the subdivision of land within Boyle County and the cities of Danville, Junction City and Perryville under the authority of Section 100.273 of the Kentucky Revised Statutes. The Planning Commission shall be the administering agency for the Subdivision Regulations. The Planning Commission delegates the power to review and approve Preliminary Subdivision Plats to the Danville-Boyle County Planning and Zoning Commission Technical Review Committee and the Director or his designee in accordance with these regulations. (KRS Section 100.281)

SECTION 1.3 Area of Jurisdiction

All persons, firms, or corporations laying out, subdividing, or platting lands within Boyle County and the cities of Danville, Junction City and Perryville shall comply with these Subdivision Regulations.

SECTION 1.4 Purpose

The Subdivision Regulations of Boyle County, Kentucky are the adopted rules and regulations relating to the Subdivision of property within all applicable jurisdictions as stated in Section 1.3. These regulations are designed for the following purposes:

- A. To guide the development of aesthetic, and economically stable residential, commercial, and industrial areas;
- B. To provide safe and efficient traffic flow;
- C. To coordinate developments and provide for efficient provision of adequate public services;
- D. To protect environmentally and geological, sensitive areas;
- E. To maximize fire and police protection;
- F. To minimize flooding hazards; and,
- G. To comply with the Zoning Ordinance(s) of Boyle County and the cities of Danville, Junction City and Perryville in order to promote the public health, safety and general welfare of the citizens of all applicable jurisdictions.

SECTION 1.5 Exceptions

Where it can be shown that there are extraordinary hardships in the way of compliance with these regulations, the Danville-Boyle County Planning and Zoning Commission shall have the power to grant an exception from these regulations if the no other ordinances of local government are violated, and the exception is the minimum exception necessary to provide relief from the demonstrated hardship. Financial disadvantage to the owner is not proof of hardship within the purpose of this regulation.

SECTION 1.6 Amendments

The Danville-Boyle County Planning and Zoning Commission may from time to time revise, modify or amend these regulations by appropriate action after a public hearing has been held.

SECTION 1.7 Separability and Previous Regulations

Should any section, subsection, paragraph, or provisions 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. It is the intention of the Danville-Boyle County Planning and Zoning Commission to adopt each provision of these regulations separately. Any previous Subdivision regulations adopted by the Danville-Boyle County Planning and Zoning Commission are hereby repealed.

SECTION 1.8 Effective Date

Any Subdivision in which the application has been properly submitted and accepted by the Planning Commission on or after the effective date of these Subdivision Regulations shall comply with all provisions herein. Any Subdivision that has received Preliminary Plat Approval, or Preliminary Plat Approval based on the review of a Site Development Plan, prior to the effective date of these Subdivision Regulations shall continue to comply with the previous Subdivision Regulations, and all provisions therein, that were in effect as of the date of Preliminary Plan Approval WITH ONE EXCEPTION: As of the effective date of these Subdivision Regulations, ALL Subdivisions with Preliminary Plat Approval that have not been completed or recorded will be granted a three (3) year Preliminary Plat Approval beginning with the effective date of the prior approval. At the end of the three (3) year time frame, if the Subdivision is not complete or recorded, it shall comply with these Subdivision Regulations and all provisions herein. The Planning Commission may give special consideration, which may include a time extension, for large scale projects that have demonstrated continuous construction progress throughout the approval period.

SECTION 1.9 Relationship to Zoning Ordinance and other Ordinances

Plans and Plats filed pursuant to these Subdivision Regulations shall be required to comply with applicable Zoning Ordinances or other regulations, rules, ordinances, or laws established by all applicable jurisdictions. In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future ordinance of the applicable jurisdictions or the whole or part of any existing or future private Covenants or deeds, the most restrictive shall apply in all cases.

SECTION 1.10 Land Sold in Violation of Subdivision Regulations

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 these regulations, the owner or owners of record shall file Plats of the land in accordance with these regulations. When land is sold or transferred, or a contract has been entered into for the sale or transfer of land in violation of these regulations, 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 had been filed in accordance with the provisions of these regulations. Plats filed pursuant to these regulations may be filed by the last transferee in the chain of title including holders of deeds, which may otherwise be void under KRS 100.277(2).

SECTION 1.11 Penalties (KRS 100.991)

- A. Any person or entity who violates any of the provisions of KRS 100.201 to 100.347 or any of these regulations adopted pursuant thereto for which no other penalty is provided, shall upon conviction, be fined not less than ten dollars (\$10) but not more than five hundred dollars (\$500) for each conviction. Each day of violation shall constitute a separate violation.
- B. Any person, owner or agent who violates these regulations shall, upon conviction, be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each lot or parcel which was subject of sale or transfer, or a contract for sale or transfer.
- C. The Planning Commission may appoint enforcement officers who shall have authority to issue citations for violations of these regulations, which the officer has observed, but shall not have powers of peace officers to make arrests or carry deadly weapons. The defendant shall appear within a designated time pursuant to the citation.
- D. The procedure for citations issued by an enforcement officer shall be as provided in KRS 431.015.

ARTICLE 2

CLASSIFICATION OF SUBDIVISIONS

SECTION 2.1 Classification

The Planning Commission, its Director or designee shall classify all proposed subdivisions as either a “Major Subdivision,” “Minor Subdivision,” “Non-Conforming Lot of Record”, or “Farm Plat” as set forth in these regulations.

Before any owner or his agent contracts for the sale of or offers to sell any land or lot within a proposed subdivision, he shall apply in writing to the Planning Commission for the approval of said subdivision. The application for subdivision shall be accompanied by the necessary prints, maps, and information prepared in accordance with these Subdivision Regulations. Such fees as are established by the Planning Commission shall also accompany the application. Further, no sale of such subdivided land shall be completed until the Final Plat of said Subdivision shall have been accepted and approved by the Planning Commission or its designee and shall have been recorded in the Boyle County Clerk’s office.

SECTION 2.2 Major Subdivisions

The subdivision of land into four or more lots; or the subdivision of land which requires the construction, improvement, or widening of streets; or the major construction of utility lines and other public services, singularly or in combination with any of the above.

No lot shall be created and land subdivided which is determined to contain areas both within and without the Flood Plain District until a Topographic Survey, submitted as defined in Section 4, has been approved by the Planning Commission. After review of the Topographic Survey, the Planning Commission may request a Drainage Plan if areas of concern are identified.

SECTION 2.3 Minor Subdivisions

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

- A. Where a subdivision contains three (3) lots or fewer, counting the remainder of the original tract; and fronts on an existing public street; and involves no opening, widening or extension of a right-of-way streets or easement of utilities; nor has it been part of a minor plat recorded during the last five (5) years.
- B. Where a subdivision provides for the transfer of land between adjacent property owners and does not involve creation of any new lots or building sites.
- C. Where any number of lots are consolidated into three (3) lots or less and involve no new public improvements.
- D. Where there is a need to make technical revisions to a recorded final plat of any engineering or drafting nature or similar small discrepancy, but not including public improvements requirements.

No lot shall be created and land subdivided which is determined to contain areas both within and without the Flood Plain District until a Topographic Survey, submitted as defined in Section 4, has been approved by the Planning Commission. After review of the Topographic Survey, the Planning Commission may request a Drainage Plan if areas of concern are identified.

SECTION 2.4 Non-Conforming Lots of Record

The Planning Commission is vested with the authority to approve the recordation of non-conforming lots of record for information purposes only and under the following conditions:

- A. The recordation of a plat under this section shall in no manner alter the legal status of a Non-Conforming Lot of Record; following recordation of a plat under this section a Non-Conforming Lot of Record contained thereon shall remain a non-conforming lot of record for all purposes.
- B. No additional development of the property described in the plats recorded in this section shall be allowed except as set forth in the Zoning Ordinance.
- C. No plat shall be approved under this section, which reduces in area or width any non-conforming lot of record.
- D. All plats to be recorded under this section shall contain the following statement conspicuously placed thereon:

NOTICE	NOTICE	NOTICE
“This Plat is being filed for informational purposes only; and the non-conforming status of the lots shown thereon are not altered. No additional development of this property shall be allowed except as set forth in Article 6 (Non-Conforming Lots of Record), in the Zoning Ordinance as of the date of this recording.”		

SECTION 2.5 Farm Plats

The owner of property consisting of at least 20 acres that is zoned agriculture may voluntarily request the recordation of a plat of the property for information and financing purposes. Procedures for the filing of Farm Plats will be listed in Article 3 and 4. All Plats to be recorded under this section shall contain the following statement conspicuously placed thereon:

FARM PLAT NOTICE

“This Plat is being filed for informational purposes only. The Planning Commission has reviewed this Plat solely to determine that the property is currently zoned agricultural and contains a minimum of twenty (20) acres. All other information contained on this plat is the sole responsibility of the surveyor.”

ARTICLE 3

PROCEDURES AND REQUIREMENTS

SECTION 3.1 MAJOR SUBDIVISION PLAT

The purpose of this section is to set forth procedures for the preparation, review, and approval of major subdivisions classified under these regulations. A Topographic Survey shall be required for all major subdivisions. Any subdivision of land in an agricultural zoning district shall only require a Topographic Survey if special circumstances require a full Drainage Plan.

- A. **OPTIONAL PRE-APPLICATION CONFERENCE** – Any developer desiring to subdivide property should contact the Planning Commission Staff and make an appointment for a pre-application conference. The purpose of the pre-application conference is to discuss the compliance with Zoning Ordinance, the Subdivision Regulations and any adopted development conditions. Fees, requirements and procedures related to the development of the property will be established.

- B. **APPLICATION** - Following the optional pre-application conference, the developer may submit an application for subdivision including a Preliminary Lot Layout, a Topographic Survey (a copy of the USGS Topo Map may be submitted if a Topographic Survey cannot be performed), a Drainage Plan (if required) and any proposed Plat Restrictions. The application shall be in the form as prescribed by the Planning Commission. Fees established at the pre-application conference will be paid at the time of application. The Preliminary Lot Layout should conform to the content requirements set forth in Article 4 of these regulations.

- C. **NOTIFICATION LETTER** - If application deficiencies are found, a letter advising the applicant of an incomplete application status and what must be done to complete the application to make it eligible for review. This letter will be sent to the applicant by the Planning Commission Staff within three (3) business days of submission.

- D. **PRELIMINARY PLAT REVIEW AND ACTION** - The Planning Commission Staff or an assigned subdivision Technical Review Committee will review the Preliminary Lot Layout and Topographic Survey or Drainage Plan (if required) to determine if the proposed subdivision conforms to the Zoning Ordinance, these Subdivision Regulations, or any recorded Development Plan. Preliminary Plat Approval grants the developer three (3) years to submit Construction Plans (if required). If Preliminary Plat deficiencies are found, a marked-up Plat indicating what must be done to make Plat eligible for Final Approval/ Recording will be available to the applicant's surveyor/ engineer after review by the Planning Commission Staff or an assigned subdivision Technical Review Committee.

- E. **PLANNING COMMISSION FINAL PLAT REVIEW AND ACTION** - The Planning Commission shall take one of the following actions on each application:
 - 1. **FINAL PLAT APPROVAL** - After the Planning Commission has given final plat approval; one (1) set of the required materials will be returned to the developer along with a written notice of the action, and a Land Use Certificate will be

recorded at the County Clerk's office by the Planning Commission. Final Plat Approval grants the developer three (3) years to record the Plat for all property shown on the Preliminary Lot Layout. If the three (3) year period for filing the Plat elapses, the developer must resubmit the Preliminary Lot Layout, and fees for preliminary plan re-approval. The Planning Commission may give special consideration, which may include a time extension, for large scale projects that have demonstrated continuous construction progress throughout the approval period.

2. **CONDITIONAL FINAL PLAT APPROVAL** - The developer must make all corrections to the Preliminary Lot Layout and Drainage Plan as requested by the Planning Commission, the Planning Commission Director or an assigned subdivision Technical Review Committee.
 3. **DISAPPROVAL** - The Preliminary Lot Layout and Drainage Plans are not acceptable. For further action, the developer must make all changes and resubmit the application, Preliminary Lot Layout, Drainage Plan, and fees.
- F. **PLAT REVIEW, RECORDATION AND ACTION** – The Plat will be reviewed for compliance with the approved preliminary plan review and Planning Commission approval. The Plat of record containing such information as is necessary for the public recording and transfer of land including but not limited to required signatures, lot lines, easements, any recorded conditions and other restrictions.
1. **RECORDING PLAT** - The Recording Plat shall be prepared in accordance with Article 4 of these regulations. The Planning Commission Staff shall record the Subdivision Plat at the Boyle County Clerk's office (which authorizes the property owner or developer to offer lots for sale). A certification of approval shall be stamped on the Recording Plat and affixed with the signature of the Planning Commission Chairman, or Vice-Chairman and Director.
- G. **CONSTRUCTION PLANS** – Within three years (3) after preliminary plat approval, the developer may submit Construction Plans to the Planning Commission for the entire project depicted on the preliminary plat. The Planning Commission will distribute the preliminary lot layout and topographic survey or drainage plan (if required) to relevant agencies, such as the utility companies, health department, responding fire department and city or county engineer, and will solicit comments on the proposed subdivision containing public infrastructure. The appropriate local government will determine through approval of these plans and recordation of the plat if dedications of any public lands, streets, alleys, etc. would be beneficial to the public interest and suitable future acceptance if constructed to current standards. All Construction Plans shall be prepared in accordance with Article 4 of these regulations.

The Construction Plan consists of a Utility Plan Sheet and any other supporting drawings that show the location and general construction details for all public improvements. The plan must contain completed signoff blocks for all affected utilities (public and private) that will be using easements on the property. The Construction Plans shall include detailed improvements to be developed within the subdivision, such as streets (private or public), storm drainage, erosion control, gas,

sanitary sewers or septic systems, water supply, electrical distribution, communications and any other public facilities. All construction sections shall substantially agree with the filed preliminary plat and shall function within the original concept of the subdivision or a new preliminary approval must be obtained.

- H. **CONSTRUCTION PLAN REVIEW AND ACTION** - The Construction Plans will be reviewed by the Planning Commission Staff and the appropriate local government engineer for compliance with the approved preliminary plat and all applicable standards and requirements. Within thirty (30) days the Planning Commission Staff shall in writing take one of the following actions on the Construction Plans:
1. **FINAL APPROVAL** - The developer is permitted to proceed with the construction process after complying with items I, J, K and L (listed below).
 2. **CONDITIONAL FINAL APPROVAL** - The developer must make all corrections to the Construction Plans as requested by the Planning Commission Director or assigned staff. After corrections are made then final approval to proceed shall be granted as outlined above.
 3. **DISAPPROVAL** - The Construction Plans are not acceptable. For further action, the developer must make all changes and resubmit the Construction Plans.
- I. **PRE-CONSTRUCTION CONFERENCE** - After Preliminary Plat Approval, Construction Plan Approval, the developer and his contractor shall be required to schedule and attend a mandatory pre-construction conference with the Planning Commission Staff and the appropriate local government engineer. The developer or contractor shall be prepared to outline all proposed construction operations and procedures as presented on the plat and in the Construction Plans. If the Construction Plans were given conditional final approval, the developer must show that the conditions have either already been met. The developer will be informed of other regulations applicable to the proposed subdivision.
- J. **NOTICE TO PROCEED** - After attending the required pre-construction conference, the developer is permitted to proceed with the construction process after complying with items K and L (listed below) and receiving a "Notice to Proceed" from the Planning Commission Staff.
- K. **CONTRACT** - The contract, signed by the developer and property owner shall specify a surety in an amount that will be sufficient to pay the entire cost of installing the public improvements set forth in the Construction Plans and related documents as determined by the Planning Commission. All required Planning Commission Construction Review Fees shall be paid prior to commencement of construction.
- L. **ACCEPTABLE SURETIES** - To secure the proper completion of all public improvements shown on the approved construction plans, the developer shall provide, subject to the approval of the Planning Commission, one of the following sureties listed in items 1, 2 or 3 below.

Public Improvement 100% Bonding Option - At the time of the preconstruction conference the developer is required to bond the entire estimated cost for constructing the proposed infrastructure plus ten percent (10%) contingency, pay administrative fees based upon the bond estimate and sign a construction contract. The developer will then be allowed to plat and transfer lots while the subdivision infrastructure is being constructed. During the construction process Planning Commission representatives will be monitoring construction and as work is successfully completed the developer may request bond reductions. The developer shall then be allowed to substitute a smaller bond amount that reflects work remaining plus ten percent (10%) contingency. Quality issues during construction may influence the allowable bond reduction. The bond will not be reduced below twenty percent (20%) of the original bond estimate until such time as the public infrastructure has been accepted for maintenance by the appropriate governmental entity.

Public Improvement 20% Bonding Option - At the time of the preconstruction conference the developer will be required to bond twenty percent (20%) of the estimated cost for constructing the proposed infrastructure, sign a construction contract, pay administrative fees based upon the original bond estimate and may then begin construction of the public infrastructure. The developer may not record the subdivision plat or transfer lots until the construction is complete. During the construction process Planning Commission representatives will be onsite monitoring construction. This shall be the bond amount that the developer will provide as surety to the Planning Commission until the project is accepted by the appropriate governmental entity.

1. **CORPORATE SURETY BOND (PERFORMANCE BOND)** - If the developer chooses to provide a Corporate Surety Bond, then it shall be submitted from an insurance company authorized to do business in the Commonwealth of Kentucky. The bond shall be in the form of a payment and performance bond, subdivision bond, or such other form as shall be satisfactory to the Planning Commission. If the developer has employed a contractor to construct all Improvements as provided herein, the Planning Commission may accept the payment and performance bond of such contractor as surety for the performance of the construction contract.

The Corporate Surety Bond shall provide the Planning Commission as a named obligee. The bond should clearly establish that it acts as a surety for the construction contract, signed by the developer or property owner. The payment and performance bond shall specifically name the Improvements set forth in the construction contract. The Corporate Surety Bond shall state that the amount is equivalent to the contract amount. The Corporate Surety Bond shall also state, that upon the failure by the developer to complete the Improvements within the required time period, the insurance company shall pay the Planning Commission, immediately, and without further action, such funds as are represented, in the Corporate Surety Bond.

The original a Corporate Surety Bond will be for a three-year period, reviewed and renewed annually. If requested the Corporate Surety Bond may have two extensions, for a minimum period of one year. This will allow three years for the

completion of the public improvements in the recorded subdivision. The Commission will provide one, non-certified notice of intent to call the Corporate Surety Bond to the developer and to the insurance company which issued the Corporate Surety Bond. Any a Corporate Surety Bond which has not been released nor had documentation submitted for an extension prior to the morning of the expiration date shall be called and converted to a cash surety.

2. **CASH SURETY** - If the developer chooses to provide a Cash Surety, then cash shall be deposited in a separate Subdivision Surety account of the Planning Commission. This bond will allow three years for the completion of the public improvements in the recorded subdivision. The cash surety shall be refunded to the developer if he satisfactorily completes the project within the three-year timeframe.
3. **LETTER OF CREDIT** - The Planning Commission will accept the posting of an approved Letter of Credit as surety for the timely and satisfactory completion of public improvements in a subdivision in order that the subdivision may be recorded in an expeditious manner. The developer may provide, as surety for the performance of the contract, a Letter of Credit, from a financial institution acceptable to the Planning Commission. The Letter of Credit shall be delivered in a form acceptable to the Planning Commission. The Letter of Credit shall state that the amount is equivalent to the contract amount. The Letter of Credit shall also state, that upon the failure by the developer to complete the improvements within the required time period, the financial institution shall pay the Planning Commission, immediately, and without further action, such funds as are represented, in the Letter of Credit. The original Letter of Credit will be for a one-year period.

If requested the Letter of Credit may have two extensions, for a minimum period of one year. This will allow three years for the completion of the public improvements in the recorded subdivision. The Commission will provide one, non-certified notice of intent to call the Letter of Credit to the developer and to the institution which issued the Letter of Credit. Any Letter of Credit which has not been released nor had documentation submitted for an extension prior to the morning of the expiration date shall be called and converted to a cash surety. The developer or the institution must submit the new Letter of Credit to the Planning Commission by 4:00 p.m. on the last working day prior to the expiration date on the face of the original Letter.

- M. **REDUCTION OF CONTRACT SURETIES** - The developer may request a reduction of the surety. If progress has been made on the completion of improvements, the Planning Commission may at authorize the reduction of the surety. The construction must be completed as provided in the construction contract and the Subdivision Regulations and in a manner satisfactory to the Planning Commission. The following conditions must be satisfied for contract surety reduction:

1. **AMOUNT OF INITIAL SURETY** - The initial surety is for an amount greater than ten thousand dollars (\$10,000.00);

2. **WRITTEN REQUEST** - The Planning Commission shall require a written request for a reduction. The request must be made in writing and signed by the developer. The request must include the following: An itemized list of the value of the improvements completed and a certification that the detailed Improvements have been completed, and for which the reduction of the contract surety is requested, in accordance with the approved subdivision plan specifications.
 3. **DETERMINATION OF SURETY REDUCTION** - If the Planning Commission authorizes the reduction of the amount of the contract surety, the reduction shall be based upon the following formula: $\text{New or Revised Bond Amount} = \text{Total Value of Uncompleted Work} + \text{ten (10) percent}$. Under no circumstances shall the total amount of any reduction approved by the Planning Commission reduce the contract surety to an amount below twenty percent (20%) of the initial construction bond estimate (bonded amount set forth in the construction contract).
 4. **PROJECTS IN DEFAULT** - If the improvements are not completed within three (3) years from the date of the Planning Commission's "Notice to Proceed" the construction contract as provided in this Article shall be in default and shall not be eligible to be reduced.
- N. **DEFAULT/ COMPLETION OF PUBLIC IMPROVEMENTS** - If the improvements are not completed within three (3) years from the date of "Notice to Proceed", the construction contract as provided in this Article shall be in default, and the Planning Commission shall proceed within 120 days against the developer and its surety for performance.
- O. **ACCEPTANCE AND MAINTENANCE OF IMPROVEMENTS** - Any street or other public land dedicated by plat shall be accepted for maintenance by the appropriate Legislative Body after it has received approval by the Planning Commission and formally adopted for acceptance by the Legislative Body. Any street built in accordance with specific standards set forth in these regulations or by ordinance shall only be accepted for maintenance by the appropriate Legislative Body after inspection, final approval, submission of "As-Built" plans and adoption of an ordinance, resolution or order to accept public improvements.
- P. **WARRANTY** - As a material part of the developer's duty to construct in accordance with the plat, plans and specifications, as set forth above, the developer shall warranty, for a period of twelve (12) months following the appropriate Legislative Body's acceptance of the work, that the work performed and the products installed under these regulations, have been performed in accordance with said plans, plat and specifications, in a good and workmanlike manner and are free from defects. In the event the developer breaches its warranty, the appropriate Legislative Body shall be entitled to recover its damages, costs, including reasonable attorney's fees, from the developer and/or his surety.
- Q. **RELEASE** - Upon completion of the improvements as provided in these regulations, the Planning Commission shall terminate the construction contract and release its surety.

SECTION 3.2 MINOR SUBDIVISION PLAT

At the pre-application meeting (Section 3.1.A), or upon receipt of application, the Director will determine whether the proposed subdivision constitutes a Major or Minor Subdivision. In the case of a 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. All Sections of this Subdivision Regulations shall be considered and those applicable to a proposed Minor Plat shall be applied.

- A. PRELIMINARY PLAT REVIEW AND ACTION** - The Planning Commission Staff will review the Preliminary Lot Layout to determine if the proposed subdivision conforms to the Zoning Ordinance, these Subdivision Regulations, or any recorded Development Plan. If Preliminary Plat deficiencies are found, a marked-up Plat indicating what must be done to make Plat eligible for Final Approval/ Recording will be available to the applicant's surveyor/ engineer.
- B. FINAL PLAT REVIEW, RECORDATION AND ACTION** – The Plat will be reviewed for compliance with the approved, or marked-up, preliminary plat. The Plat of record containing such information as is necessary for the public recording and transfer of land including but not limited to required signatures, lot lines, easements, any recorded conditions and other restrictions.

 - 1. RECORDING PLAT** - The Recording Plat shall be prepared in accordance with Article 4 of these regulations. The Planning Commission Staff shall record the Subdivision Plat at the Boyle County Clerk's office (which authorizes the property owner or developer to offer lots for sale). A certification of approval shall be stamped on the Recording Plat and affixed with the signature of the Planning Director.

SECTION 3.3 NON-CONFORMING LOTS OF RECORD

The purpose of this section is to set forth procedures for the preparation, review, and approval of subdivisions classified as Non-Conforming Lots of Record under Article 2 of these regulations.

- A. APPLICATION** - Following the pre-application conference, the applicant shall submit the original Recording Plat and the required fees. The Recording Plat shall conform to the content requirements set forth in Article 4 of these regulations.
- B. REVIEW AND ACTION** - The primary focus for the final review is the determination of conformance with all applicable rules and regulations of the Planning Commission. The following actions by the Planning Commission shall be defined in items 1 and 2 below.

 - 1. FINAL APPROVAL** - The Recording Plat meets all requirements of these regulations and the Planning Commission approves the Plat. A certification of approval shall be stamped on the Recording Plat and affixed with the signature of the Planning Commission Chairman, or Vice-Chairman and Director.

2. **DISAPPROVAL** - The Recording Plat fails to meet the necessary requirements. The Planning Commission shall notify the developer in writing of the disapproval and shall state the changes that will render the Recording Plat acceptable.
- C. **RECORDATION OF PLAT** - After approval by the Planning Commission, the Recording Plat shall be recorded in the Boyle County Clerk's office at the developer's expense.

SECTION 3.4 FARM PLATS

The purpose of this section is to set forth procedures for the preparation, review, and approval of Subdivisions classified as Farm Plats under Article 2 of these regulations.

- A. **APPLICATION** - Following the pre-application conference, the applicant shall submit the original Recording Plat and the required fees. The Recording Plat shall conform to the content requirements set forth in Article 4 of these regulations.
- B. **REVIEW AND ACTION** - The primary focus for the final review is the determination of conformance with all applicable rules and regulations of the Planning Commission. The following actions by the Planning Commission shall be defined in items 1 and 2 below.
1. **FINAL APPROVAL** - The Recording Plat meets all requirements of these regulations and the Planning Commission approves the Plat. A certification of approval shall be stamped on the Recording Plat and affixed with the signature of the Planning Commission Chairman, or Vice-Chairman and Director.
 2. **DISAPPROVAL** - The Recording Plat fails to meet the necessary requirements. The Planning Commission shall notify the Developer in writing of the disapproval and shall state the changes that will render the Recording Plat acceptable.
- C. **RECORDATION OF PLAT** - After approval by the Planning Commission, the Recording Plat shall be recorded in the Boyle County Clerk's office at the developer's expense.

ARTICLE 4

CONTENT REQUIREMENTS FOR SUBDIVISION PLATS & PLANS

SECTION 4.1 PURPOSE

The purpose of this Article is to describe the minimum content of plat and plan materials required before consideration by the Planning Commission.

SECTION 4.2 SKETCH PLAN REQUIREMENTS

- A. **TITLE BLOCK** - The title block shall contain the proposed name of the subdivision; the date and scale; north arrow; names and addresses of the owner(s); person preparing plans, and any other appropriate information.
- B. **VICINITY MAP** - The vicinity map shall show the area sufficient to locate the subdivision in all directions. The vicinity map shall be at an appropriate scale.
- C. **PURPOSE STATEMENT** - A purpose statement located directly below the vicinity map shall describe the type of plat and general intent of the plat being filed for review
- D. **BOUNDARY LINES** - The layout, names and widths of proposed streets, alleys, and any existing or proposed easements and the proposed lots. Also, the names of adjacent subdivisions or names of recorded owners of adjacent land shall be shown on the plan. Current zoning shall be shown.

SECTION 4.3 TOPOGRAPHIC SURVEY

- A. **AUTHORIZATION TO PREPARE PLANS** – Topographic Surveys shall be submitted either by a Kentucky Licensed Professional Land Surveyor, Licensed Professional Engineer, Registered Landscape Architect, or to a limited degree an Architect. The division of work to be performed by each profession shall be governed by state statutes and regulations, which regulate each profession. If a Topographic Survey cannot be performed, the Planning Commission will accept a copy of a USGS Topo Map, if necessary.
- B. **NUMBER AND TYPE OF COPIES** - Each application for the approval of subdivision shall be accompanied by two (2) sets of the Topographic Survey. The scale of drawings included shall be two hundred (200) feet to the inch or less.
- C. A Topographic Survey should include the following elements:

1. Contours of the project at a minimum ten-foot interval, including the source of the data.
2. Location and description of all existing drainage structures and related features.

SECTION 4.4 PRELIMINARY LOT LAYOUT REQUIREMENTS

The Preliminary Lot Layout for the subdivision shall meet the following requirements for approval:

- A. **AUTHORIZATION TO PREPARE PLANS** - Preliminary Lot layouts shall be prepared by a Kentucky Licensed Professional Land Surveyor. The division of work to be performed by each profession shall be governed by state statute and regulations, which regulate each profession.
- B. **EXPIRATION OF PRELIMINARY LOT LAYOUT** – A letter will be issued to the applicant stating that preliminary approval has been issued and that this approval will expire three (3) years from that date.
- C. **NUMBER AND TYPE OF COPIES** - Each application for the approval of subdivision shall be accompanied by the following:
 1. Two (2) sets of 18" X 24" drawings and two (2) sets of 11" x 17" size drawings
 2. The scale of these lot layouts shall be two hundred (200) feet to the inch or less.
- D. **TITLE BLOCK** - The title block shall contain the name of the subdivision; the date and scale; the names and addresses of the owner(s); name, address, and phone number of the person or firm preparing the plans; and, any other appropriate information.
- E. **VICINITY MAP** - The vicinity map shall show the area sufficient to locate the Subdivision in all directions. The vicinity map shall be at an appropriate scale.
- F. **PURPOSE STATEMENT** - A purpose statement located directly below the vicinity map shall describe the type of plat and general intent of the plat being filed for review
- G. **BOUNDARY LINES** - The layout, names and widths of proposed streets, alleys, and easements and the proposed lots, numbered and dimensioned with existing and proposed building setback lines, shall be shown. Also, the names of adjacent subdivisions or names of recorded owners of adjacent

land shall be shown on the Preliminary Lot Layout. Current zoning shall be shown.

- H. **UTILITIES** - The Preliminary Lot Layout shall show all existing utilities across or adjacent to the subdivision. The Preliminary Lot Layout shall show the following: location of gas lines; location of electrical distribution lines or transformer stations; location of public water supply; fire hydrants; and, location of any storm or sanitary sewers.
- I. **OPEN SPACE/COMMON RECREATIONAL SPACE/OPTIONAL PUBLIC PARKLAND** - All parcels to be dedicated to open space, common recreational space or optional public parkland use within the subdivision shall be shown on the Preliminary Lot Layout.
- J. **OTHER PERTINENT INFORMATION** - The Preliminary Lot Layout shall contain the names, location, and width of all existing platted streets or other public ways within or adjacent to the subdivision. The Preliminary Lot layout shall show any existing permanent buildings, railroad right-of-ways, existing utility easements, cemeteries and may include other important features, such as political subdivision, incorporation boundaries, within or adjacent to the tract to be subdivided.
- K. **RESTRICTIONS** - The Preliminary Lot Layout shall be accompanied by a copy of or made reference to all restrictions upon use of the land or type of construction that will be allowed by the owner and/or developer.
 - 1. **PRIVATE/ DEED** – Refer to and are included in the deed at the time of sale or transfer of the property or a restriction placed on a piece of property without a plat.
 - 2. **PLAT NOTE** – Refer to restrictions placed on a particular plat of land voluntarily by the owner and/or developer,
 - 3. **DEVELOPMENT CONDITIONS** – Refer to adopted land use restrictions that are agreed upon at the time of a zone change.
- L. **NORTH ARROW** - The Preliminary Lot Layout shall show the north arrow.
- M. **RECORDING OR FINAL PLAT** - The following information and terms required for the Recording/ Final Plat are listed in Item 4.5 (below).

SECTION 4.5 RECORDING PLAT

The following information and terms are required for the Recording/ Final Plat approval:

- A. **AUTHORIZATION TO PREPARE PLATS** - Plats shall be prepared only by a Kentucky Licensed Professional Land Surveyor.
- B. **TYPE OF COPIES** - The Plat shall measure the scale and be two hundred (200) feet to the inch or less. The Recording Plat shall be 100% Linen paper, Judd Board, or Mylar material.
 - 1. Two (2) sets of 18" X 24" drawings and two (2) sets of 11" x 17" size drawings
 - 2. The scale of these Lot layouts shall be two hundred (200) feet to the inch or less
- C. **TITLE BLOCK** - The title block shall contain the name of the subdivision; the date and scale; the names and addresses of the owner(s); name, address, and phone number of surveyor(s); and any other appropriate information.
- D. **VICINITY MAP** - A vicinity map shall show the area sufficient to locate the Subdivision in all directions of the property. It shall be drawn at an appropriate scale.
- E. **PURPOSE STATEMENT** - A purpose statement located directly below the vicinity map shall describe the type of plat and general intent of the plat being filed for review.
- F. **LOTING SCHEME** - The lotting scheme shall be drawn two hundred (200) feet or less to the inch with north oriented to the top of the sheet, if possible, or at another scale and/or orientation that permits clear and legible presentation of the following information.
 - 1. **BEARINGS AND DISTANCES** - The plat shall show the true bearings and distances to the nearest existing monument of the state plane coordinates (Kentucky South zoned NAD 1983, feet) and National Geodetic Vertical Datum of 1988 (NGVD 88) for horizontal and vertical control. The type of monumentation shall be accurately described on the plat.
 - 2. **BOUNDARY LINES** - The plat shall show the names of adjacent property owner(s) or lot number(s) and plat book and page number(s) and the footprint of all existing building(s) within the boundary area of the plat. The plat also shall have all corners marked and show the calls and distances.

3. **STREETS** - The plat shall show the right-of-way, pavement width of existing or proposed streets or roads and the locating distance to nearest centerline of streets, roads, or railroads.
4. **LOT NUMBERING** - The plat shall show the address of lot(s), if applicable, the lot number(s), each building setback line, square footage or acreage of lot(s), and total acreage. The lot number(s) shall be shown in a systematic order.
5. **SETBACKS** - The plat shall show each building setback line on all sides, square footage or acreage of lot(s), and total acreage. The lot number(s) shall be shown in a systematic order.
6. **EASEMENTS** - The plat shall show the size and location and bearings and distances of cross-hatched drainage easements. All other easements shall be shown and clearly labeled as to their width and purpose.
7. **CONTROL MONUMENTS** - The plat shall show the location and description of at least two (2) Control Monuments (or if no other controls can be established, the plat shall show controls to the state plane coordinates). The monuments shall be placed to the state plane coordinates (Kentucky South zoned NAD 1983, feet) and National Geodetic Vertical Datum of 1988 (NGVD 88) for horizontal and vertical control. The plat shall show the accurate location, description, and material of all permanent Control Monuments (See Article 7, for definition of Control Monument).
8. **NORTH ARROW** - The plat shall show the north arrow.
9. **OTHER INFORMATION** – The plat shall also show the following miscellaneous information:
 - a. Location and elevation of all benchmarks
 - b. Minimum FFE of proposed structures on all lots.
 - c. 100-year Flood elevation
 - d. Any non-buildable areas, (floodplain or non-engineered fill).
- F. **RECORDATION INFORMATION** - The plat shall show the previous recording book and page number(s), if applicable, the source of title (deed book and page number), and any recorded Binding Elements (book and page number).

- G. **SURVEYOR'S STAMP/SIGNATURE** - The plat shall show the surveyor's stamp and signature.
- H. **PRIVATE RESTRICTIONS** - The plat shall show all private restrictions placed on the land.
- I. **OPEN SPACE/Common Recreational Space/Optional Public Parkland** - The plat shall show all areas of land intended to be dedicated to open space, common recreational space or optional public parkland use within the subdivision.
- J. **FLOODPLAIN INFORMATION** - The plat shall show the floodplain areas clearly labeled, and where available, the actual computed elevation of the regulatory flood with the source of that information.
- K. **NOTES** - The plat shall include any informational or restrictive notes, and the notes shall be numbered in sequential order and grouped together as one list whenever possible.
- L. **MAINTENANCE NOTE** - The Plat shall include a note that notifies potential lot purchasers of their responsibilities for maintaining drainage and other easement areas.
1. The property owner shall be responsible for maintenance of any portion of a drainage easement that is on their property. This maintenance shall be defined as maintaining a substantial stand of grass, to a height no greater than ten (10) inches, repairing eroded areas, removing debris from inlets structures. The property owner is also responsible for maintenance of any drainage infrastructure (not accepted by the local government) contained within this easement.
 2. Maintenance of "Interpretative" items, including but not limited to, landscaping on right of way, islands, medians, entryways, subdivision signs, traffic control features, traffic circles, roundabouts shall not be the responsibility of the appropriate local government.
- M. **CERTIFICATIONS** - The following certifications shall be placed on the recording plat and shall be properly signed and executed (certification text may be revised, or additional text included as agreed upon by the Planning Commission):

LAND SURVEYOR’S CERTIFICATION - Shall be as follows:

I hereby certify that this plat depicts a survey, made by me, or under my direction, by the Standards of Practice per 201 KAR 18:150 or by the Global Positioning Systems Standards of Practice per 201 KAR 18:150. The bearings and distances shown hereon have been adjusted for closure. This survey and plat meets or exceeds the minimum standards of governing authorities and the Boyle County Subdivision Regulations.

(Signature of Land Surveyor, Professional Land Surveyor Number & Date)

EASEMENT AND DEDICATION - Shall be as follows:

The spaces outlined by dashed lines and designated as easements are hereby reserved for the purposes shown, including the right of ingress and egress over all lots to and from the easements and the right to cut down or trim any trees within or along the easements that may interfere with the installation or operation of infrastructure contained in or on the easement. The easements shall be kept free of all permanent obstructions.

(Signature of Owner(s) and Date)

CERTIFICATE OF OWNERSHIP AND DEDICATION - Shall be as follows:

I hereby certify that I am owner of the property shown and described heron and that I hereby adopt this plan of subdivision with my 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.

(Signature of Owner(s) and Date)

DRAINAGE EASEMENT - Shall be as follows:

All drainage easements are hereby established by recordation of this plat. All drainage shall be maintained by the respective owner(s) of the lot(s) over which said easements cross and no drainage easements shall be altered in any way by filling, changing the contour thereof, or by building any structure thereon, except upon prior written approval of the appropriate governmental authority. This restriction may be enforced by any owner of any lot affected by the drainage over said easement, or by the Planning Commission or appropriate governmental authority.

(Signature of Owner(s) and Date)

Additional Notes: _____

(City, County, or State Authorized Signature and Date)

ACCESS CERTIFICATION – Shall be as follows:

Entrance and/or driveways to lots shall be constructed to meet applicable City, County, or State requirements. Grading within the developed area shall be performed in such a manner that no excess water will be diverted to the road right-of-way without approval of appropriate governmental authority. The same authority certifies that the property has public access to a City, County or State Road but grants the right to make final access approval at the time of an access permit application.

Additional Notes: _____

(City, County, or State Authorized Signature and Date)

UTILITY CERTIFICATION - A representative of the applicable utility company must sign and date the plat. These utilities shall include applicable providers of water, sewer and electrical.

All Utility Easements are shown on this plat. All utility easements shall be maintained by the respective owner(s) of the infrastructure over which said easements cross and no easements shall be altered in any way, except upon prior written approval of the appropriate authority.

Additional Notes: _____

(Signature of Utility(s) and Date)

BOYLE COUNTY HEALTH DEPARTMENT - A representative of the County Health Department will certify the following:

_____ Public sewer connection may be required.

_____ On existing public sewer (if can be determined).

_____ Has existing private sewer or septic system.

_____ On-Site Septic system required.

_____ On-site sewage private disposal system to service any proposed construction/residence shall be pursuant to the current State Sub-Surface Sewage Disposal Regulations and shall be permitted through this office prior to installation of said system.

Additional Notes: _____

(Signature of Boyle County Health Department representative and Date).

CERTIFICATE OF APPROVAL OF RECORDING - The Planning Commission Chairman or Vice-Chairman and Director shall certify as follows:

I hereby certify that the Subdivision Plat shown hereon has been found to comply with the Subdivision Regulations of the Danville-Boyle County Planning and Zoning Commission, Kentucky, and that it has been approved for recording in the office of the Boyle County Clerk.

(Signature Planning Commission Chairman or Vice-Chairman and Date).

(Signature Planning Commission Director's and Date).

SECTION 4.6 DRAINAGE PLAN

- A. **AUTHORIZATION TO PREPARE PLANS** – Drainage Plans shall be prepared by a Licensed Professional Engineer or, to a limited degree, an Architect or Landscape Architect. The division of work to be performed by each profession shall be governed by state statutes and regulations, which regulate each profession.
- B. **NUMBER AND TYPE OF COPIES** - Each application for the approval of Subdivision shall be accompanied by two (2) sets of the Drainage Plan. The scale of drawings included shall be one hundred (100) feet to the inch or less.
- C. **OTHER PERTINENT INFORMATION** - A Drainage Plan for all developments shall comply with federal, state, and local laws including:
1. Boyle County Fiscal Court Ordinances and Resolutions;
 2. City of Danville, Junction City or Perryville Code of Ordinance;
 3. Storm Water Management Manual, Storm Water Criteria in the applicable jurisdiction;
 4. Subdivision Regulations of Boyle County, Kentucky, as from time to time amended;
 5. Kentucky Building Code as from time to time amended;
 6. Kentucky Revised Statutes, Chapter 151, Geology and Water Resources; and,

7. Federal Flood Disaster Protection Act of 1963, or as from time to time amended.

D. DRAINAGE PLAN ELEMENTS - A Drainage Plan should include the following elements:

1. Contours of the project at a minimum one (1) foot interval, including the source of the data.
2. Street horizontal and vertical alignment and street names.
3. Typical street cross-sections, including street paving, pavement drainage, rights-of-way data, and proposed slopes.
4. Lot pattern with lot numbers.
5. Location of all drainage structures including stationing when connected to roadway structures or right-of-way or numbered in a logical pattern when not connected with the roadway.
6. Statement of the criteria used in the drainage design, including the following:
 - a. Rate of precipitation
 - b. Formulas used in sizing Drainage Structures
 - c. All constants or factors involved
7. Size, invert elevations and percent of Grade of all storm drains, catch basins, and inlets and indicate the pipe materials used.
8. Location of easements for access to drainage structures and details of access for maintenance of structures.
9. Total drainage area contributory to each drainage pipe, including off-site area.
10. Design and velocity of drainage ditches and method of erosion control to be used on banks and bottoms.
11. Address potential for surcharge from on-site and off-site areas. Note relation of the on-site area to potential recharge areas.
12. Maximum flood stage elevations on any stream flowing through or adjacent to the property, or whose proximity may affect drainage or access to the property.

13. Establish minimum finished floor elevations (FFE) on all building lots on plans with public improvements. Special consideration will be made in calculating the minimum FFE in relationship to utility requirements, site characteristics and 3-hour 100-year flood levels. For building lots adjacent to drainage basins or easements, minimum finished floor elevations (FFE) shall be set at 1.5' above the high-water elevation of the basin or easement. Elevations based on National Geodetic Vertical Datum of 1988 (NGVD 88).

SECTION 4.7 CONSTRUCTION PLANS

CONSTRUCTION PLAN REQUIREMENTS - The Construction Plans shall be sufficient to show the proposed locations, sizes, types, grades, and general design features of each facility. The plan shall be based upon reliable field data; use the number of sheets and sheet size as required; contain the title block information as for the Preliminary Lot Layout; and meet the following minimum requirements:

- A. **AUTHORIZATION TO PREPARE PLANS** - All Construction Plan materials shall be prepared by licensed Professional Engineer. The division of work to be performed by each profession shall be governed by state statute and regulations, which regulate each profession.
- B. **EXPIRATION OF CONSTRUCTION APPROVAL** – The construction plans should receive approval within 30 days after the receipt of drawings. A letter will be issued to the applicant stating whether or not approval has been issued. Once approval has been issued, it is valid for three (3) years from that date of the approval letter.
- C. **NUMBER AND TYPE OF COPIES** – Each application for the approval of subdivision shall be accompanied by two (2) sets of the construction plans.
- D. **PHASING** – If the improvements require completing in stages, the area and boundaries of each improvement shall be shown as a separate Phase on the preliminary plat. Phases shall be designated with numbers, i.e. Phase 1, 2, 3, 4, etc. If a phase is required to be separated even further, then section letters shall be assigned, i.e., Section A, B, C, D, etc.
- E. **STREET DESIGN** – The street design plans shall include the following information:
 1. **STREET PROFILES** - The plan and profile of each proposed street (with elevations and distances for the existing and proposed ground and street grade surface on, and one hundred (100) feet beyond the tract, or at the beginning of a vertical curve) shall be prepared at a horizontal scale the same as for the approved preliminary plat and a vertical scale of one-tenth (1/10) of the horizontal scale.

2. **STREET CROSS SECTIONS** - A typical cross section of each proposed street or other construction item, at a scale of ten (10) feet or less to the inch, showing the width and slope of pavement, the location, width and slope of sidewalks, curb and gutter, ditches, and rights-of-way shall be submitted.
 3. **STREET CONTINUITY** – All streets shall be designed so that they will create continuity with connecting streets.
 4. **TURN AROUNDS** – All turn-arounds shall be paved and located at the end of all stub streets.
 5. **SIGHT DISTANCE TRIANGLE** – The sight distance triangle at intersections shall be determined as a straight line on unobstructed view between two points.
 6. **STOPPING SIGHT DISTANCE** – Based on design speed, stopping sight distance is the distance needed for a vehicle traveling at or near the designed street speed to stop before reaching a stationary object in its path.
 7. **ACCESS ENVELOPES** – The Street Design Plans shall show all proposed Access Envelopes on all corner lots that designate areas where driveway entrances are to be located on each street frontage. The driveway edge must be no closer to an adjacent property line than five (5) feet and shall not be closer to the intersecting street (edge of pavement) than specified per applicable city or county standard.
- F. **EROSION PREVENTION AND SEDIMENT CONTROL PLAN (EPSC)** - Erosion Prevention and Sediment Control Plans shall be considered as a part of the required construction plan set.
- G. **STORM WATER DRAINAGE** - The plans and profiles of proposed storm water drainage system shall be prepared at a horizontal scale the same as the approved Preliminary Lot Layout, and at a vertical scale of one-tenth (1/10) of the horizontal scale, with grades and sizes indicated. If a piped system of sewers is not proposed, then an alternate system shall be properly illustrated.
- H. **UTILITIES** – The design plans shall include the following information:
1. **SEWER** - The plans and profiles of proposed sanitary sewer drainage system shall be prepared at a horizontal scale the same as the approved Preliminary Lot Layout, and at a vertical scale of one-tenth (1/10) of the horizontal scale, with Grades and sizes indicated.
 2. **WATER** - The plans and profiles of proposed water lines shall be submitted, along with adequate fire hydrants to provide fire protection as required by city or county ordinances. The local supplying utility and the Kentucky Division of Water shall approve the plans.

- 3. **GAS** - The plans and profiles of proposed gas lines shall be submitted, to provide natural gas as required by city or county ordinances. The plans shall show the proposed alignment and elevation at critical points such as ditches and pipe crossings to provide proper clearance and separation. The local supplying utility shall approve the plans.
 - 4. **ELECTRICAL** - The plans and profiles of proposed lines shall be submitted, to provide electrical service as required by city or county ordinances. The plans shall show the proposed alignment and elevation at critical points such as ditches and pipe crossings to provide proper clearance and separation. The local supplying utility shall approve the plans.
 - 5. **COMMUNICATION/ MEDIA** - The plans and profiles of proposed lines shall be submitted, to provide communication and/ or media services. The plans shall show the proposed alignment and elevation at critical points such as ditches and pipe crossings to provide proper clearance and separation. The local supplying utility shall approve the plans.
- I. **JOINT UTILITY PLAN** - A plan showing the location of all utilities and their relationship with streets and drainage shall be submitted. The locations of all appurtenances including street lighting shall be coordinated with all utilities to assure that no major conflicts will exist. Typical cross-sections will be shown for utility trenches and their relation to drainage and transportation structures. A note describing the intended land use should be included.
 - J. **JOINT UTILITY CERTIFICATION** - A representative of the applicable utility company must sign and date the Joint Utility Plan. These utilities shall include applicable providers of: Water, Sewer, Gas, Electric, Communications/ Media

The Certification shall state the following:

The utility design represented on this Joint Utility Plan sheet has been developed concurrently with the utility companies and engineer of record for the Construction Plans. The undersigned utility representatives are in agreement with the general layout and concepts shown. All utility companies reserve the right to submit revisions to the engineer if changes in the design, or as a result of field conditions, make it necessary to deviate from what is shown on this Plan.

<u>Utility</u>	<u>Agent</u>	<u>Date</u>
_____	_____	_____
_____	_____	_____

- K. **CURB AND GUTTER** – Curb and gutter is required along some roadways to be accepted into the City/County road inventory system.
- L. **SIDEWALKS** – Sidewalks shall be shown and noted on the plan view and detail street sections. Sidewalks shall be constructed or bonded as outlined in Article 3 of these regulations. All sidewalks, drive entrances and handicap ramps shall comply with ADA standards as well as other City/ County standards. Grading for sidewalks as shown on typical sections shall occur as part of the subdivision construction.
- M. **CONSTRUCTION DETAILS** – The Construction Plans shall include detail sheets for all sinkhole/drywells, headwalls, curb or yard inlets, curbs, utilities, ADA ramps, pavement thickness and ditches.
- N. **CONSTRUCTION QUANTITIES** – Construction Plans shall include quantities for the following:
1. Grading in cubic yards for mass and final grading.
 2. Dense Grade Aggregate in tons
 3. Asphalt Base in tons
 4. Asphalt Surface in tons or concrete in cubic yards
 5. Linear feet of curbing
 6. Linear feet of sidewalk
 7. Linear feet of storm piping and type
 8. Sod, blankets and/or seeding in square yards
 9. Channel lining in tons
 10. Headwall/ concrete structure summary in cubic yards or each
 11. Signage as each
 12. Crosswalks in linear feet
 13. Landscape buffers in linear feet
 14. ADA ramps as each

SECTION 4.8 HORIZONTAL PROPERTY

- A. **PURPOSE** - The purpose, intent, and application of this Article is to implement and reaffirm the Horizontal Property Law of Kentucky. Encourage a variety and flexibility in land development and land use for basically residential areas, consistent with the Zoning Ordinance of Danville, Junction City, Perryville and Boyle County, Kentucky; and, to provide a framework within which an effective relationship of residential land use and related activities can be planned on a total basis.
- B. **GENERAL PROVISIONS** - All projects shall be subject to these regulations:
1. **ZONING COMPLIANCE** - All projects whether referred to as horizontal properties or condominium properties shall be in accord with the Zoning Ordinance of Boyle County, Danville, Junction or Perryville, Kentucky, and the elements thereof.
 2. **MASTER DEED /LEASE** - A master deed or lease that sets forth the particulars enumerated by KRS 381.835 shall not be recorded and established as a horizontal property regime without having first been reviewed and approved by the Planning Commission, including floor plans meeting the standards set forth in KRS 381.835(5). The maximum permitted overall densities and floor area ratios and the minimum outdoor area, living space, and recreation area ratios shall be controlled by the zoning district classification in which the project is located.
 3. **PERMITTED USES** - The permitted uses will be controlled by the zoning district classification in which the project is located.
- C. **ADMINISTRATIVE PROCEDURE** - The establishment, expansion, or diminution of a horizontal property regime shall be subject to review and approval by the Planning Commission. The review shall be in the same manner as approval as set forth in the Zoning Ordinance and the approved Site Development Plan as recorded by the Planning Commission.
- D. **CONFLICTS WITH OTHER SECTIONS OF REGULATIONS** - In a case where this Article conflicts with any other provision of the Subdivision Regulations, the provisions of this Article shall take precedence and shall be the controlling provision.

ARTICLE 5

DESIGN AND IMPROVEMENT STANDARDS

SECTION 5.1 PURPOSE AND EFFECTIVE DATE

The purpose of this Article is to set forth the basic and minimum design and improvement standards required as a prerequisite for development or in conjunction with lot, street, utility, other physical development in the subdivision. The developer may exceed the standards set forth in these regulations, or in some cases, be required to exceed the standards. Construction Plans for Preliminary Plats with Improvements approved prior to ratification of this Article (February 23, 2022), and submitted by June 1, 2022, shall be governed by the 2018 Design and Construction Standards.

SECTION 5.2 SUBDIVISION DESIGN PRINCIPLES

Design principles are those criteria that are used to guide the process of design to achieve specific goals. The principles that **shall** be utilized to layout subdivisions are:

- A. Circulation patterns are laid out to discourage through traffic within the neighborhoods but to provide for connectivity to multiple outlets from the neighborhood.
- B. Right-angle street intersections reduce traffic hazards.
- C. Cul-de-sacs should serve no more than thirty (30) dwelling units nor extend more than thirteen hundred (1300) feet from the common street intersection.
- D. Major access points to the Subdivision are located away from major intersections but lined up with other streets of equal classification, in a manner that promotes ingress and egress.
- E. ADA compliant sidewalks will be used to provide pedestrian access within the Subdivision and to adjacent areas. If alternate methodology will improve drainage or other significant design elements, the alternate designs may be approved.
- F. Curbs and gutters will be used to enhance the safety of the neighborhood and to convey storm water when appropriate. Curbs and gutters must not conflict with ADA requirements.
- G. Utilities buried in right-of-ways and easements, enhance appearance and shall be in compliance with City and County Ordinances.
- H. Access management reduces access points on major routes, conflict points for traffic delay, and improves services flows and capacity of the roadways.

SECTION 5.3 ADEQUATE PUBLIC FACILITY STANDARDS

- A. **WATER SUPPLY AND SEWER** - The developer shall provide a water and sewer (when applicable) distribution system adequate to serve the proposed subdivision. The water and sewer mains shall be of adequate size and quality and designed in accordance with applicable Utility requirements. The construction plans shall show proposed water and sewer mains adequately sized in accordance with the specifications of the serving utility. Details of construction material and methods shall be provided.
- B. **FIRE PROTECTION AND HYDRANT SPACING** - Fire protection, the placement of hydrants and their spacing shall meet current City of Danville regulations and recommendations. In all other areas of Boyle County, fire hydrants shall be required be installed in all new subdivisions and shall be spaced not further than 1,000 feet apart as measured over hard-surface roads. In no event shall the distance between a fire hydrant and a building lot exceed 300 feet as measured on an all-weather road. Fire hydrants shall be installed no further than 10 feet from a permanent all-weather road.
- C. **PUBLIC STREETS AND ROADS** - The Planning Commission is responsible for assuring that street development conforms to the standards contained in this document, including any amendments, additions, and changes thereto, and in conformity to street or highway plans officially adopted by the applicable jurisdictions. Proposed streets shall be considered in their relationship to existing and planned streets, to topographical and drainage conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- D. **NATURAL GAS, COMMUNICATIONS AND ELECTRIC SUPPLY** - Every subdivision shall be served with adequate electric supply. Natural gas supply and other communications shall be provided at the developer's option dependent upon the ability of the local supplier to meet the demands of the development.
- E. **UTILITY EASEMENTS** - Easements shall be provided for utilities wherever necessary.

SECTION 5.4 OPEN SPACE - Open Space is optional, but when included in a development the following is required.

- A. All Open Space must be shown on the Preliminary Lot Layout, and Recording Plat. The following are the two types of Open Spaces:
 - 1. Open Space:
 - a. Open Space shall be defined as the area of a lot open and unobstructed to the sky.
 - b. Open Space may include, along with natural environmental elements, formal landscaped areas, wooded areas, greenways

- trails, watercourses, swimming pools, tennis courts and playgrounds. These areas are not to be part of any drainage areas.
- c. Open Space shall not include driveways, travel-ways, parking lots, storage areas for vehicles, or areas in permanent drainage easements.
 - d. Open Space is to be maintained by the lot owner.

2. Common Open Space:

- a. Common Open Space shall be defined as the area of a subdivision open and unobstructed to the sky which is legally accessible to and usable by all residents of the development.
- b. Common Open Space shall be constructed or developed by the developer.
- c. Common Open Space shall be maintained by the developer until at least 50% of the lots of the subdivision have been sold and developed. The developer shall have the option, at that time, of transferring ownership of the Common Open Space to either the local municipality or governing body, or a properly constituted Homeowners Association acceptable to the Planning Commission. Only after the local government or Homeowners Association voluntarily agree to take possession of the Common Open Space area through a transfer of deed will the developer's responsibility for maintenance and payment of utilities be terminated.
- d. Any metered utilities, such as, electric and water, serving the Common Open Space will be paid for by the owner of the Common Open Space.
- e. Property located in buffer strips and/or public right-of-way (excluding a designated greenway) does not qualify as Open Space.

SECTION 5.5 LOT AND BLOCK STANDARDS

The following standards for Lots and Blocks shall be the minimum required:

- A. BLOCK STANDARDS** - In general, intersecting streets that determine Block length shall be provided at such intervals as necessary to meet existing street patterns, topography, and requirements for safe and convenient vehicular and pedestrian circulation. A Residential Block should conform to the following dimensions as shown in Appendix A. Subdivision layout shall be as necessary for the prospective use, including adequate provision for off-street parking, public transportation stops, truck loading and unloading, buffer areas, pedestrian movements, and proper vehicular access to adjacent streets.
- B. LOT SHAPE** - Pointed or very irregular shaped Lots should be avoided where possible. Depth and width dimensions shall be taken perpendicular to each other.
- C. NARROW BORDER STRIPS** - Narrow border strips shall be prohibited. No lot shall be configured for the sole purpose of preventing access to public right-of-way (ROW) from adjacent landowners.

- D. **LOT FRONTAGE AND ACCESS** - Minimum lot frontage and access standards are set forth in the Zoning Ordinance and City/ County Ordinances.
- E. **LOT LINES** - Lot lines should generally be at right angles to straight street centerlines and radial to curved street centerlines. Rear lot lines should consist of straight-line segments with a minimum number of deflections.
- F. **LOT AREA AND MINIMUM BUILDING SETBACK LINE** - Lots for residential or non-residential use shall meet the minimum standards required by the Zoning Ordinance.
- G. **LAND REMNANTS** - If remnants of land exist after subdividing and have no apparent future use that can be properly controlled, they shall be incorporated into the proposed lotting scheme.
- H. **STREET ADDRESSES** - Street address numbers shall be assigned to each Lot by Boyle County Emergency Management Office and/ or 911 to provide a separate and distinct address for each Lot. Street addresses will be available to the public after the plat is recorded.

SECTION 5.6 DRAINAGE STANDARDS

Every subdivision and development shall provide satisfactory drainage of storm water by the requirements outlined in this section or as required in the City of Danville's Storm Water Manual. The basic standard for design of drainage systems for subdivisions will be to keep runoff characteristics after development at the same or lower level as existed before development. The "built-out" conditions appropriate to the zoning classification shall be the design basis for control structures for storms of all intensities and durations. To achieve these objectives, storm water systems will be required in most cases.

- A. **TOPOGRAPHIC SURVEY** - A Topographic Survey shall include the quantitative measurement of existing conditions. The existing conditions shall include drainage divides, areas, runoff characteristics and outfall points. The Topographic Survey shall include existing conveyance methods, including storm sewers, channels, sinkholes/surface depressions, and containment areas. The Topographic Survey for all developments shall comply with the applicable laws for the Commonwealth of Kentucky, federal government, and local governments.
- B. **DRAINAGE PLAN** - The Drainage Plan will show existing and proposed contours of the project, the street layout and street names, lotting pattern with lot numbers and the location of all drainage structures. Street centerline stationing should be indicated. The drainage calculations shall be for built-out conditions based on the zoning classification. All culverts shall be terminated with headwalls. The Drainage Plan shall include the following elements:
 - 1. **STATEMENT OF CRITERIA** - The plan shall include a statement of the criteria used in the drainage design, including a project description, the rate of precipitation, formula used in sizing drainage structures, and any constants for factors involved.

2. **GRADE** - The drainage plan shall show the size, invert elevations, and percent of grade of all storm drains, catch basins, outlets and inlets and indicate the pipe material used.
3. **DRAINAGE AREA** - Existing and proposed watershed area maps for each drainage pipe, ditch, and basin shall be delineated. Areas of off-site water sheds shall be shown.
4. **DRAINAGE DITCHES** - If drainage ditches are used, indicate design, velocity, and method of erosion control to be used on banks and bottoms; The plan shall show plan, dimensional, cross-section, and flow line profiles of all proposed and existing ditches.
5. **MAXIMUM FLOOD STAGE ELEVATIONS** - The plan shall furnish maximum flood stage elevations on any structure either on or adjacent to the property, or whose proximity may affect the drainage or access to the property.
6. **ELEVATIONS** - The plan shall show elevations that must be based on Mean Sea Level Datum as established using third order accuracy or better using the World Geodetic System 1984 (WGS 84) for horizontal control and National Geodetic Vertical Datum of 1988 (NGVD 88) for vertical control.
7. **STANDARD DRAINAGE FEATURES** - To the maximum extent possible all drainage features shall be specified as KY Transportation Cabinet (KYTC) standard drawings.

C. **DRAINAGE DITCHES** - Drainage ditches or swales shall be designed to minimize erosion. Sod materials and method of construction shall be in accordance with the standard specifications for construction in the City of Danville, Boyle County, or the Kentucky Department of Highways. The following standards apply to drainage ditches in unincorporated area of Boyle County:

1. Ditches shall be designed so that each segment will function without Erosion. Maximum velocity 2.5 fps without sod and 5.0 fps with sod.
2. Channel cross-section will be conducive to maintenance. With a maximum side slope of 3:1, 4:1 may be required.
3. Channel linings will be required for any velocity greater than 5.0 fps. Channel linings will be chosen that are both functional and maintainable.
4. Grass linings and low slopes are conducive to stormwater quality treatment.
5. The minimum slope for open channel ditches shall be 0.8%.

6. Open channel design shall be based on the time of concentration for the 25-yr storm and the 100-yr high water elevation shall be delineated with a drainage easement.
- D. **STORM PIPE** – Storm pipes shall be designed for a minimum 10-yr storm at 1 hour. The minimum freeboard shall be one foot when the maximum headwater is achieved. Calculations for all pipes shall be shown and invert elevations assigned. The minimum velocity of storm pipes shall be 3 fps at full flow conditions. The maximum velocity shall be 15 fps. Pipe alternates may only be allowed with the approval of City Public Works Department, County Public Works Department.
- E. **MANHOLES** - Manholes shall be constructed of pre-cast concrete with a concrete foundation.
- F. **INLETS OR CATCH BASINS** Inlets or catch basins shall be constructed of concrete with reinforced concrete tops. The type of manholes, inlets, and other Drainage Structures shall be indicated on the plans for the proposed work. The spacing of inlets, for curb and gutter sections, shall be designed as to not let the spread exceed the lane width. Inlets shall be placed as to not require surface drainage across any public streets.
- G. **BOX CULVERTS** - Any box culvert, whether cast-in-place or pre-cast shall be constructed of reinforced concrete.
- H. **TRENCHING** - Drainage shall be constructed according to the approved improvement plans for the proposed work. Prior to any trench work in a proposed or existing public right-of-way, a street cut permit will be required.
- I. **FLOODPLAINS AND FLOODWAYS** - Construction of any roads or structures within the floodway requires a permit from the Kentucky Division of Water. Floodways of navigable rivers must have the approval of the U.S. Corps of Engineers, if applicable.
- J. **RELATIONSHIP TO SANITARY SEWER SYSTEMS** - No storm water drainage system may be designed, constructed, or connected so as to flow into any public or private sanitary sewer system.
- K. **RETENTION AND DETENTION BASINS** - Where required to be included in the subdivision design, retention and/or detention basins shall be provided by the developer. In certain cases, other non-basin retention/detention techniques such as underground vault storage may be utilized. The Planning Commission may require a perimeter fence around the retention/detention basins in some circumstances.
 1. **DESIGN CRITERIA** - Detention areas shall be sized based on a 1-hour, 100-year storm. Retention basins shall be sized based on a 1-hour, 100-year storm. Such facilities shall be designed so that they will drain within 72 hours and no freestanding water will remain in the basin during dry weather unless a permanent pond is to be constructed to sufficient size that the standing water will not stagnate and present health hazards. Storage

basins shall not have slopes exceeding 2:1, (4:1 slopes may be required for stability and safety). Ditches shall be designed so that each segment will function without Erosion.

2. **DISCHARGE POINTS** - The maximum discharge from a detention basin shall not exceed the pre-developed discharge. Discharge to areas of known flooding hazards shall be subject to approval of the City Public Works Department or the County Public Works Department. Sinkhole located in retention basins shall be assumed to have no outflow for purposes of computation.
 3. **EASEMENTS AND FINISHED FLOOR ELEVATIONS** - Calculated 100-year high water elevations shall be recorded on the subdivision plat. In areas where a proposed basin is connected with an existing basin, the recorded high-water elevation shall be maintained. The minimum finished floor elevations for structures adjacent to retention and detention basins shall be 12 inches above the 1-hour, 100-year high water elevation. An unobstructed ten (10) foot wide vehicular access to the bottom of the basin shall be constructed at a maximum 3:1 slope in the provided easement.
- L. **STORM DRAINAGE EASEMENTS** – On-site and off-site easements for storm water drainage systems shall be shown on the Recording Plat in locations and sizes approved by the Planning Commission. Special notes relating to the maintenance of such easements shall be placed on the Recording Plat. Drainage easements may be combined with utility and other easements if sufficient widths are provided, however, no drainage easement containing underground storm sewers may be combined with a utility easement containing underground electric or natural gas lines except at necessary crossing points unless sufficient clearance between the facilities is provided.
- M. **SOIL EROSION AND SEDIMENT CONTROLS** - Drainage Plans and Construction Plans must include an Erosion Prevention and Sediment Control Plan and Best Management Practices (BMP) plan, developed based on all applicable City/County/State/Federal ordinances and guidelines.

SECTION 5.7 STREET STANDARDS

Each Subdivision shall be served by public streets or streets for which improvement bonds have been posted. A public street shall be provided for convenient access to each property within the subdivision and each subdivision developer shall furnish proof that the proposed subdivision is afforded proper access by way of a public street. All new public road access to the subdivision and the individual building sites shall not be lower than the Regulatory Flood Protection Elevation. Whenever the proposed subdivision contains or is adjacent to a railroad right-of-way or limited access highway, no street shall be planned to intersect such right-of-way, except by prior written approval of the appropriate agency. All streets classified herein, shall conform to the following standards:

- A. **RESPONSIBILITY OF STREETS** - The developer shall construct streets and appurtenances including all clearing, grading, laying of sub-base, base, pavements, culvert, bridges, storm drainage facilities, and other structures. The respective legislative bodies shall not accept any street until it has been inspected by the City or County, and it has been determined that such construction is in conformance with the approved plans and adopted standards.
- B. **STREET GEOMETRICS** - All streets shall conform to the applicable geometric, cross-section and sight distance triangle standards.
- C. **STREET & TRAIL CONTINUITY** – The Planning Commission may require consideration for the inclusion of streets and/or trails based on an overall Transportation Master Plan to provide for major routes through the city and county. Streets shall be related to topography and shall provide for the continuation of existing or dedicated streets in adjoining or nearby tracts, and provide for connection to tracts, especially those that would otherwise be landlocked.
- D. **STREET NAMES** - The developer shall name the streets in the proposed subdivision but shall avoid the use of street names that closely approximate phonetically or in spelling the name of any existing street, except that the extension of any existing street will carry the same name as the existing street. Further, the Planning Commission should direct that any street be given the same name as an existing street where it is apparent that the proposed street will become an extension of any existing street upon the improvement of an intervening parcel of undeveloped land. The connection of two differently named streets should be avoided but may be allowed if provisions are made for renaming one or the other of the existing streets. Prefix or suffix directions (north, south, east, west) shall only be used when a street intersects within the Cities of Danville, Junction City and Perryville address grid baseline boundaries, and shall not be used elsewhere. Suffix names should reflect the type of street proposed; and should conform with the following:
1. Cul-de-sacs less than 1,000 feet in length - Court, Cove, Landing, Manor, Point, Square, Terrace, or Trace (greater than 1,000 feet in length may also use Drive or Place);
 2. Curvilinear (Winding) Streets - Lane, Trail or Way;
 3. Freeways or Expressways - Bypass, Expressway, Freeway, Highway, Motorway Overpass, Parkway, Pike, Skyway, Throughway or Turnpike;
 4. Loops or U-shaped Streets - Circle, Crescent or Loop, using the most applicable name to describe the street feature; and
 5. Arterials, Collector or Other Local Streets - All other appropriate suffix names, although Boulevard should be retained for wide streets leading to community focal points.

- E. **INTERSECTIONS** - Street curb intersections shall be rounded by a radius as shown on Appendix A. Where one (1) or more streets involved in an intersection is a highway or thoroughfare, intersection standards shall be increased at the discretion of the Planning Commission upon the advice of the street or highway department or as recommended in A Policy on Geometric Design of Highways and Streets by AASHTO. Multiple intersections involving the junction of more than two (2) streets shall be avoided. Centerlines of streets shall intersect as nearly at right angles as possible, but in no case, at an angle of less than eighty (80) degrees. Streets intersecting the same street shall be offset at least one hundred fifty (150) feet between centerlines. 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 fifty (50) feet back along the intersection of the right-of-way lines. Between three and one-half (3 1/2) feet and ten (10) feet above the surface of the pavement no bushes, trees, structures, or other obstructions shall block the view.
- F. **ENTRANCES** - Entrances to be located on any other class roadway except local streets shall require the approval and appropriate permit, if required, from the City, County, and /or State. Entrances shall be required to meet minimum Sight Triangle and Stopping Sight Distance requirements.
- G. **HALF STREETS** - Dedication of new Half streets along tract boundaries shall not be permitted except to complete the other half where such street has been previously platted.
- H. **STUB STREETS** - Stub streets or dedicated easements are required as part of a continuing street plan, to provide for access to any adjacent undeveloped tract of ten (10) acres or larger. Likewise, connections to existing stub streets in an adjacent development are required. Exceptions to this rule may be approved by the Planning Commission if the adjacent use is incompatible or if the project engineer can show substantive geologic, hydrologic or safety issues such as excessively steep grade. In either case, then the stub street may not be required. When stub streets extend beyond one lot, a temporary turn-around 50 feet wide and 24 feet long, referenced from the centerline, must be provided. The turn-around shall be paved with the same pavement design as the adjacent street unless the turn-around is expected to be removed in another phase within six (6) months. In such case, DGA is an acceptable temporary surface course. Curb and gutter on the temporary turn-around is not required. The stub street shall extend to the tract boundary. Stub streets extending only one lot will not require a turnaround but will be required to extend to the property line. The name of the stub street must be consistent as it connects or continues. If a one lot deep stub street is not provided into adjacent undeveloped tracts of ten (10) acres or more a dedicated fifty (50) foot wide easement for future access should be provided.
- I. **STREET LIGHTING** - All Subdivisions in the Cities of Danville, Junction City and Perryville must be provided with streetlights with the design to be approved by the City. The developer is responsible for providing and installing the conduit needed for underground service lines.

- J. **STREET NAME SIGNS AND TRAFFIC CONTROL DEVICES** - Traffic control devices, including sign faces and posts, shall be installed in accordance with the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) of the U.S. Department of Transportation, Federal Highway Administration, current edition. Construction plans shall include street sign plan showing the proposed location of street signs and traffic control devices. All signage and temporary pavement markings must be installed within 30 days after the base course is constructed. Signs shall be furnished and installed by developer. All final pavement markings (if required) shall be thermoplastic and installed by developer, 60 days after the Final surface is constructed.
- K. **DEDICATION OF RIGHT-OF-WAY** - A subdivision platted among existing streets shall dedicate such additional right-of-way to meet the minimum standards set forth in these regulations. When the subdivision is located on only one (1) side of an existing street, only one-half (1/2) of the width, measured from the centerline of the right-of-way shall be provided.
- L. **SIDEWALK CONSTRUCTION** - Minimum width of sidewalks parallel with the roadway shall be developed as shown on Appendix A. All sidewalk sections shall be a minimum thickness of four (4) inches. Sidewalks shall continue to the pavement edge by an ADA-compliant ramp at intersections to facilitate crossing. Forms for sidewalks shall be either steel or wood with flexible forms, which will deflect to conform with radii. Sidewalk cross slopes shall not exceed $\frac{1}{4}$ " per foot (1:50) per ADA. The portion of entrances in alignment with sidewalk sections shall also meet ADA compliant cross slope requirements. In developments, where sidewalks will be installed, the developer shall have the handicap access ramps installed in conjunction with construction of the curb and gutter.
- M. **CUL-DE-SACS** - Commercial and Industrial cul-de-sacs should include a turnaround which shall be provided with a radius of fifty (50) feet minimum. An island may be required in the cul-de-sac with one-way traffic around the island. Residential streets with a paved cul-de-sac should not serve more than thirty (30) dwelling units or be longer than thirteen hundred (1300) feet. Residential cul-de-sacs shall be provided with a back of curb radius of forty (40) feet minimum. For all cul-de-sac designs the entry/exit radius should be at least 30 feet at the point the street intersects the cul-de-sac. The cul-de-sac right-of-way radius shall match the street cross-section. Transitional curves on all cul-de-sac turnarounds shall have a curve radius as recommended in A Policy on Geometric Design of Highways and Streets by AASHTO. Alternate turnaround designs utilizing islands or other features shall be approved on a case-by-case basis.
- N. **MEDIANS** - Medians may be permitted in street cross sections. Medians shall only be allowed when the street cross section is designed to provide for all necessary traffic movements inherent in the standard cross sections. Provision for the maintenance of any Median areas and associated plantings shall be noted on the final and Recording Plat of the property. Plantings shall be of a nature that will not conflict with sight distance or other traffic related requirements.

- O. **STANDARDS FOR CONSTRUCTION FILL MATERIALS FOR STREETS** - Any Fill, which is to be utilized for the purpose of construction of any public or private street, shall conform to the following provisions at a minimum. Higher standards may be required where these standards are not sufficient to ensure stability. Refer to Section 6.2.D & 6.2.E for construction requirements.
- P. **FILL SLOPE** - No compacted Fill shall be made which creates an exposed surface steeper in slope than three (3) feet horizontal to one (1) foot vertical. A flatter slope may be required for stability and safety.
- Q. **SLOPES TO RECEIVE FILL** - Fills shall not be permitted on natural slopes steeper than three (3) feet horizontal to one (1) foot vertical unless a geotechnical analysis proving the stability of the soil is submitted to, and approved by, the Planning Commission.
- R. **STREET CONSTRUCTION** - In order to provide for roads of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire, sanitation, and road maintenance equipment and to coordinate roads to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for streets are the minimum required. Items 1 through 8 below describe the appropriate minimum or maximum standard acceptable for subdivision street development.
 - 1. **EARTHWORK, GRADING, EMBANKMENTS, CUT/FILL, EXCAVATION** - See #4 (below) and Section 6.2.E
 - 2. **SUBGRADE PREPARATION** - See #4 (below) and Section 6.2.I
 - 3. **AGGREGATE BASE** - See #4 (below) and Section 6.2.K
 - 4. **BITUMINOUS CONCRETE (ASPHALT) BASE AND STREET SURFACE**

Street Standard Item	Minimum Depth Required
Stabilizer/ DGA Base	Eight (8) Inches
Base Course*	Two and One-Half (2 ½) Inches
Final Surface Course*	One and One-Half (1 ½) Inches

*For all streets, the cross-section thickness shall be a minimum of four (4) inches thick after compaction for bituminous concrete pavements.

- 5. **STREET CROWN** - A street crown of one-fourth (1/4) inch per foot of street width from the center of the street shall be required for a standard section. Other non-standard cross Slopes may be used if designed and submitted by the developer's engineer and approved by the City or County Public Works Department.

6. **STANDARD CURB AND GUTTER** - Standard curb and gutter when used for public streets shall measure eighteen (18) inches from back of curb to the outer edge of gutter. The back of curb shall be a full twelve (12) inches in depth. The curb shall be a full six (6) inches in thickness for its entire width. The gutter shall Slope 1" per foot toward the curb. Subgrade for curb and gutter shall be constructed per Section 6.2.J. Other non-standard curb and gutter may be used if designed and submitted by the developer's engineer and approved by the City or County Public Works Department.
 7. **MOUNTABLE CURB AND GUTTER** - A concrete mountable curb shall be permitted on residential local public streets. Subgrade for curb and gutter shall be constructed per Section 6.2.J.
- S. **PROPOSED SUBDIVISIONS WHICH ABUT LOCAL, COLLECTOR OR ARTERIAL STREETS** - Whenever a subdivision is proposed for property which abuts a Local or Collector street as defined in these Subdivision Regulations, the developer shall be required to dedicate right-of-way necessary to comply with the standards as set out in Appendix A of these regulations. It is assumed that the same right-of-way dedication will be required on the opposite side of the roadway at such time as that property develops, thereby providing the full necessary right-of-way width.
- T. **PRIVATE STREETS** - Developments containing Private Streets are permitted by the Planning Commission and the Subdivision Regulations. Plats containing Private Streets shall conform to all other subdivision regulations, unless different requirements are listed in the following:
1. **NO DISRUPTION TO THROUGH MOVEMENT** - Private streets may be permitted only if they meet the definition of local streets; if they provide absolutely no present or future impediment to necessary through traffic movement in the general area; and, if adjoining properties and the general area already have, or are capable of providing a proper, efficient and safe street system that will in no way depend upon the Private Streets.
 2. **RIGHT-OF-WAY AND SETBACK REQUIREMENT** - Private Street right-of-ways and building setback lines shall be shown on the plat and shall meet at least the minimum requirements of the Subdivision Regulations and the Zoning Ordinance as required for public streets to assure conformance if such streets are ever accepted for public dedication at a later date.
 3. **STREET IMPROVEMENT STANDARDS** - Any permitted Private Street shall conform to standards established for Public Street sections in these regulations.
 4. **MAINTENANCE RESPONSIBILITY** - A Homeowner's Association or other mechanism which provides for equitable common responsibility for Private Street maintenance and repair shall be required to be established by the developer. The developer's responsibility to create such a mechanism shall be noted on the Recording Plat of the subdivision. A requirement that

each property owner be individually responsible for maintenance and repair of the portion of the street abutting the lot shall not be considered as acceptable for fulfilling the requirements of this section.

5. **FUTURE ACCEPTANCE BY GOVERNMENT** - Any plat containing permitted Private Streets shall have such streets so labeled and shall contain the following signed certification by the owner:

“The owners of this property and any successors in title hereby agree to assume full liability and responsibility for any construction, maintenance, reconstruction, snow removal, cleaning or other needs related to the Private streets so designed on this plat, and do hereby fully relieve the local government from any such responsibility. Furthermore, if the owners in the future should request that the Private Streets be changed to Public Streets, the owners do fully agree that, before acceptance of such streets by the local government, the owners will bear full expense of reconstruction or any other action necessary to make the streets fully conform to the requirements applicable at that time for Public Street prior to dedication and acceptance. Finally, the owners also agree that these streets shall be dedicated to public use without compensation to the owners for right-of-way and expense in making such streets conform to the requirements applicable at that time for Public Streets.”

(Owner’s signature, date)

6. **GOVERNMENT AND UTILITY ACCESS** - Any plan containing permitted private streets shall show and label all other easements normally required; shall conform to all other applicable sections of these regulations and other local ordinances; and shall contain the following certification signed by the owner(s):

“The owners of this property hereby agree to grant full rights of access to this property over the designated street, utility, and other easements for governmental and utility agencies to perform their normal responsibilities.”

(Owner’s signature, date)

ARTICLE 6

CONSTRUCTION PROCEDURES

SECTION 6.1 PURPOSE

The purpose of this Article is to set forth the Planning Commission's construction procedures. These procedures should create a closer continuity between the developer, Developer's engineering representative, contractor, the Planning Commission and representatives of the City/County Public Works Department.

All improvements shall conform with the City of Danville Standard Drawings or Subdivision Regulations and Engineer's Plan. Construction materials and methods for streets, storm sewers, and sidewalks shall conform to those of the current edition of the Kentucky Transportation Cabinet, Department of Highways, Standard Specifications for Road and Bridge Construction, except as herein set forth and described; Portland cement concrete for all items of construction shall conform to requirements of Class "A", Kentucky Transportation Cabinet, Department of Highways, Standard Specifications for Road and Bridge Construction, Current Edition.

SECTION 6.2 PROCEDURES

The following procedures shall extend to all subdivision construction:

- A. **PRE-CONSTRUCTION CONFERENCE** - The developer, contractor, and engineering representative shall contact the Planning Commission to schedule a pre-construction conference prior to starting construction. Major items, all appurtenances, and incidental work, which cover the entire scope of work involved, will be discussed. The developer and contractor will be requested to outline their proposed construction procedures and magnitude of operations, covering all work as detailed on approved subdivision plans. The developer's engineer shall have furnished 2 copies of the approved construction plans with all required changes to the Planning Commission prior to the pre-construction conference. The approved copy of the construction plans shall be the only set used by the contractor in the field. The group in attendance shall include the developer, contractor, their engineering representative, Planning Commission Staff, City or County Public Works Department, and representatives from all public utilities to be installed. At the pre-construction conference, it is the intention to compile sufficient information to prepare an inspection calendar for periodic and routine inspection. At the pre-construction conference, the developer shall provide a preliminary schedule for the work items discussed herein. The developer shall provide a copy of the Encroachment Permit from the City/County/State for access to existing roadways.
- B. **NOTICE OF INTENT** - The developer or his representative shall file a notice of intent (NOI) as required with the Kentucky Division of Water based on all applicable City/County/State/Federal ordinances and guidelines.

- C. **INSPECTIONS AND OBSERVATIONS** - Planning Commission, City or County Public Works Department will provide routine site visits and visual observations of the construction activities throughout the duration of the project. The developer, the engineer, surveyor, contractors, third party testing agencies, and suppliers (External Party Agents), shall be responsible for all Testing (Soil, Aggregate, and Asphalt), Concrete Testing, Utility Testing, As-Built Drawings, Asphalt Plant, Aggregate Plant, and Concrete Plant Testing, and any other testing and paperwork needed for acceptance. External Party Agents shall be properly certified by the Kentucky Transportation Cabinet or the appropriate trade organization for the work they are performing.
- D. **INITIAL GRADING OPERATION** - All areas subject to grading operations must have sedimentation and erosion controls in place prior to commencing work. The City or County Public Works Department and developer's representatives shall inspect the erosion controls prior to continuing with grading. The first field inspection will deal with a general review of the area to be graded within the limits of the roadway with emphasis on the subsoil in particular where any embankment is to be placed. The sod and topsoil shall be removed from the roadway grading area and stockpiled for redistribution. Any disturbed areas shall be stabilized and maintained according to appropriate Erosion Protection and Sediment Control guidelines. The grading operations will be inspected periodically throughout its construction period.
- E. **GRADING AND EMBANKMENTS** - The area on which streets are to be constructed should be cleared of all vegetation and disposed of outside of the limits of the right-of-way. Grading shall be done to the extent of the right-of-way or to the back of the sidewalk at a maximum cross slope of $\frac{1}{2}$ " per foot. Prior to the construction of embankments, any unsuitable material, on which the embankment will be superimposed, should be removed and the area should be stabilized by conventional methods. Where development is proposed on areas of existing fill where the composition and compaction of fill materials is in doubt test borings may be required by the City or County Public Works Department before development is permitted to occur. As the minimum, the area will be proof rolled with a loaded Tandem Axle Truck to determine suitability of the base material. The embankments shall be formed by placing material in successive horizontal layers of no more than six (6) inches in thickness, loose depth. Densities may be verified at minimum two hundred (200) foot interval and if required, shall meet or exceed ninety-five (95) percent standard proctor. No organic material shall be permitted in the embankments. No rock or similar irreducible material with a maximum dimension greater than twelve (12) inches shall be buried or placed in embankments unless approved by the City or County Public Works Department. Small boulders or rock layers shall not be deposited within two (2) feet of sub-grade elevation.
1. **CUT SECTION EXCAVATION** - Cut Sections should be excavated to the required typical section and any unsuitable material encountered shall be removed and the area backfilled in six (6) inch horizontal layers and thoroughly compacted before successive layers are placed. The area will be proof rolled with a loaded Tandem Axle Truck to determine suitability of the cut section. Densities may be run at minimum two hundred (200) foot intervals and if required, shall meet or exceed ninety-five (95) percent standard proctor.

- F. **CULVERT PIPE AND OTHER DRAINAGE OPERATIONS** - The City or County Public Works Department and developer's representatives will inspect when the installation of culvert pipe and retention/ detention areas are started. The concrete headwall construction and various other concrete items, such as sinkhole boxes, etc., will be inspected. The City or County Public Works Department and developer's representatives shall inspect the drainage devices before backfill of major items occurs. In general reference, the overall proposed drainage pattern of the subdivision will be reviewed extending from the summit of the drainage area, along the meandering ravines and ditches to their terminus, whether it be to a natural waterway, natural sinkhole, or ponding area and dry well, to determine if the drainage pattern is substantially in accordance with the approved plans. Drainage operations shall be installed during the initial operations of construction and remain functional (protected from silt and erosion issues) throughout construction.
- G. **UTILITY CONSTRUCTION** - Utilities outside of right-of-way shall be installed according to the specification of the individual utility provider.
1. Water and Sewer trench shall be installed according to Danville Municipal Utilities' specifications including backfilling operations.
 2. In the event of a conflict between the engineer's plan or Planning Commission's Subdivision Regulations and utilities' specifications, utilities' specifications shall govern.
- H. **UTILITY AND STORM SEWER TRENCH BACKFILL REQUIREMENTS WITHIN RIGHTS-OF-WAYS** - The following requirements shall apply to all utilities, storm sewer, casings, and conduits (collectively known as pipes) under pavements and/or curb and gutter sections within right-of-way. References to Flexible and Reinforced Concrete Pipe below are for purposes of storm sewer installation.
1. Flexible Pipe trenches less than 4 feet deep (measured from bottom of pipe to subgrade elevation) shall be backfilled with compacted approved Crusher Run stone, or flowable fill to subgrade elevation.
 2. Reinforced Concrete Pipe trenches under pavements less than 4 feet deep (measured from bottom of pipe to subgrade elevation) or when the top of the pipe is within one pipe diameter of the subgrade elevation shall be backfilled with compacted approved Crusher Run stone or flowable fill to subgrade elevation.
 3. Flexible Pipe trenches more than 4 foot deep (measured from bottom of pipe to subgrade elevation) shall be backfilled with compacted Dense Graded Aggregate or approved Crusher Run stone, or flowable fill to an elevation 4 feet above the bottom of the trench or shall be backfilled with compacted approved Crusher Run stone, or flowable fill to an elevation 1 foot above the top of pipe, whichever provides greater pipe cover.
 4. Reinforced concrete pipe trenches under pavements more than 4 foot deep (measured from bottom of pipe to subgrade elevation) or when the top of the pipe is not within one pipe diameter of the subgrade shall be backfilled with compacted approved Crusher Run stone, or flowable fill up to the top of the pipe and either

granular backfill, flowable fill, or embankment material in 6-inch lifts to an elevation of 1 foot above the top of the pipe.

5. The remainder of the Flexible, Reinforced Concrete, and Utility Pipe trench backfill shall be constructed with Stone or unclassified materials soils mixed with shot rock or excavated stone not to exceed 6" in any dimension. Compaction of Stone backfill shall be six (6) inch or less lifts, placed with mechanical effort. Placement of unclassified materials shall be placed in lifts not to exceed twice the nominal size diameter (one foot maximum) of the stone material, place with mechanical effort, up to 2 feet below subgrade elevation. Clean Soil (without rock) backfill shall be compacted.
 6. All reinforced concrete pipe trenches outside of pavements shall be placed on 3-inches of uncompacted granular bedding material and then backfilled according to Section 6.2.H.5 above.
 7. Trench width shall be that necessary to lay the pipe and properly compact the backfill material (a minimum 12" on each side of the installed pipe) and to meet other industry requirements.
 8. Utility pipe bedding and the utility pipe envelope (backfill immediately adjacent to the pipe) shall meet the specification of the utility company and/or the pipe manufacturer's recommendation if different from #9 Stone, or flowable fill.
 9. Special attention shall be given to backfill around structures (such as manholes and curb inlets) to ensure adequate compaction of backfill. Compacted approved Crusher Run stone shall be used 24" adjacent to the structure then approved earth fill may be used in appropriate compacted lifts.
- I. **SUBGRADE PREPARATION** - As the minimum, the subgrade area will be proof rolled in the presence of the City or County Staff with a loaded Tandem Axle Truck to determine suitability of the sub-grade material. Nuclear density testing is preferred when material permits and must be submitted to the City or County Public Works Department for review, if required.
- J. **CURB AND GUTTER CONSTRUCTION** - Concrete Curb and Gutter materials and construction shall be per requirements of the current edition of the Kentucky Transportation Cabinet's Standard Specifications for Road and Bridge Construction; the number and type of tests may be reduced with the approval of the City or County but shall not be reduced below a minimum of two (2) cylinders tested at the 28-day threshold. If the contractor chooses to pour curb and gutter during impending freezing weather then the contractor shall be required to take appropriate, approved KYTC measures to protect the concrete while curing.
- K. **DENSE GRADED AGGREGATE BASE / CRUSHED STONE BASE CONSTRUCTION** - Prior to commencing DGA/CSB base construction, the developer's representative shall provide, at a minimum, a Gradation Test for the stone base. The City or County Public Works Department and developer's representatives will inspect the placing, shaping, and compaction of the Dense Graded Aggregate Base / Crushed Stone Base Construction. DGA shall be pugged and may placed with a mechanical paver. A box spreader may be

used as long as the contractor can demonstrate that it can be placed without segregation and can meet Kentucky specifications for compaction. Tailgating is not permitted. As the minimum, the DGA/CSB base area will be proof rolled in the presence of the City or County Staff with a loaded Tandem Axle Truck to determine suitability of the DGA/CSB base material. The roadway cross-section shall be checked for proper cross-slope on 50-foot intervals. Weigh tickets and summary shall be submitted to the City or County Public Works Department for approval.

- L. **ASPHALT BASE CONSTRUCTION** - The Asphalt mixture shall be provided by a Kentucky Transportation Cabinet (KYTC) certified asphalt plant. Prior to commencing asphalt base construction, the developer's asphalt supplier shall provide and certify, at a minimum, a job mix formula for the asphalt base. At a minimum, the temperature of the material should also be checked when it arrives on the project site. A representative sampling by coring, or nuclear density testing shall be done. At a minimum, sampling will be required on the compacted asphalt base at random locations and intervals not to exceed 200 feet. Test results shall be submitted to the City or County Public Works Department. Periodic inspections will be made as the operations progress. If a deficiency develops in the asphalt base course of any consequence, adjustments will be made in the overlying or succeeding asphalt surface course to compensate for the deficiency. The developer's representative or contractor shall obtain for the information of the City or County Public Works Department the test reports. Liquid asphalt shall be from a state approved source. Weigh tickets and summary shall be submitted to the City or County Public Works Department. The City or County Public Works Department reserves the right to require additional core samples of the finished asphalt base if insufficient thickness, poor compaction or other deficiencies are suspected.
- M. **ASPHALT TACK COAT AND ASPHALT SURFACE APPLICATION** - Prior to commencing asphalt surface construction, the developer's representative shall provide, at a minimum, a job mix formula, which includes tests and calculations for percent air voids, VMA, max. specific gravity, bulk specific gravity, and percent liquid asphalt content for the asphalt surface. The City or County Public Works Department and developer's representatives shall review the application of asphalt tack coat and the application of the asphalt surface course. The developer's representative or contractor shall obtain for the information of the City or County Public Works Department the test reports showing, at a minimum, the test results, and calculations for percent air voids, VMA, max. specific gravity, bulk specific gravity, and percent liquid asphalt content. Liquid asphalt shall be from a state approved source. Weigh tickets and summary shall be submitted to the City or County Public Works Department. Periodic inspection will be made of this construction. The contractor shall check manholes, valve boxes, and other obstacles within the pavement and adjust them to match the finished cross section, if needed. The City or County Public Works Department reserves the right to require additional core samples of the finished asphalt surface if insufficient thickness, poor compaction or other deficiencies are suspected. The roadway cross-section (including crown and sidewalk areas) shall be checked for proper cross-slope on 50-foot intervals.
- N. **PAVEMENT CONSTRUCTION** - See standards in Section 5.7.R.4 and Appendix A.

- O. **CONSTRUCTION REVISIONS** - Changes to the Construction Plans shall be submitted to the City or County Public Works Department for approval prior to continuing work affected by the changes. Review will be performed in a timely manner to minimize delay.
- P. **INSPECTION OF FINAL DRESSING** - The City or County Public Works Department and developer's representatives will review the final dressing of shoulder, ditches, buffer areas, the back-slopes in cuts, embankment slopes, and all other disturbed areas within the subdivision. Soils and amendments suitable for vegetation must be placed on any slopes that are to be seeded. Improvements will not be accepted until a good stand of grass is achieved and it appears unlikely that damages will occur due to heavy rain.
- Q. **INSPECTION AT COMPLETION OF CONSTRUCTION** - When all items, appurtenances and incidentals have been completed in compliance with the approved Subdivision Construction Plans, the Planning Commission Staff will request the City or County Public Works Department to attend a semi-final inspection of the subdivision in its entirety, and for final inspection. The final inspection will be made by the Planning Commission, the City or County Public Works Department, the developer's engineer, and the contractor.
 - 1. **INSPECTION OF SIDEWALKS** - Sidewalks forms shall be inspected by the City or County Public Works Department prior to, and during, concrete placement. Sidewalk installation must be complete prior to the issuance of the Certificate of Occupancy on any lot by the Building Inspector. Sidewalk ramps and transition areas shall be the responsibility of the developer as included in the construction contract, and shall be installed when curb and gutter are constructed.
- R. **AS-BUILT PLANS** - When all Improvements have been made and approved, two (2) sets of As-Built plans shall be submitted to the Planning Commission. The plans shall show the finished plan and profile of all streets, finished contours and volume of all retention/detention basins and profiles of all major drainage ditches, inlet/outlet elevations of all pipe and storm sewer, and all other pertinent construction. As-Built Plans of the gutter flow lines, edges of pavement, and centerline of road shall be done prior to the surface course or as directed by the City or County Public Works Department. Adjustments to the grade shall be made, if needed, prior to proceeding with surface pavement construction. The As-Built Plans shall be dated and signed by a licensed civil engineer or surveyor.

ARTICLE 7

DEFINITIONS

SECTION 7.1 Use of Terms

All words herein used in the present tense shall include the future tense, the singular shall include the plural, and plural the singular.

The word “shall” is mandatory, not permissive or directory.

The word “used” includes arranged, designed or intended to be used.

SECTION 7.2 Defined Terms

Unless otherwise provided, the following words and phrases are defined as follows.

ADA: Americans with Disabilities Act

ALLEY: A Public or private way permanently reserved as a secondary means of vehicular service access to abutting property.

AS-BUILT PLANS: Documents that depict the actual configuration of installed Improvements.

AVERAGE DAILY TRAFFIC (ADT): The number of vehicles that pass a certain point during a 24-hour period.

BACKGROUND TRAFFIC: The existing traffic levels without the proposed development for current conditions or projected traffic excluding the proposed development and including surrounding developments at built-out conditions.

BLOCK: A surface of land area separated and distinguished from other surface land areas by visible physical boundaries such as streets, railroads, rivers, extremely steep land, or other physical barriers.

BORDER STRIP: A strip of land that is of insufficient width/depth to be considered a buildable Lot that only serves to separate a dedicated public way from lands that would otherwise be adjacent. Border strips have no effect on otherwise adjacent properties with respect to access.

BOUNDARY DESCRIPTION: The metes and bounds text that traces the outer perimeter of the property.

BUFFER STRIP: Grassed or landscaped area between the curb and gutter or the shoulder and the sidewalk.

BUILDING: A structure built or constructed for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind and having a fixed base on, or fixed connection to the ground.

BUILDING SETBACK LINE: A line across a lot beyond which no building may extend, as established by Ordinance. A building setback line in some instances may coincide with the property line.

BUILT-OUT: The fully developed condition of the property.

CASH SURETY: Cash used as the guarantee that Improvements outlined in a Subdivision plan or development plan will be completed.

CORPORATE SURETY BOND: A performance bond provided by an insurance company that guarantees that improvements outlined in a subdivision plan or development plan will be completed.

COMMISSION: Means the Danville- Boyle County Planning and Zoning Commission, KY.

COMMON RECREATIONAL SPACE: The area of a subdivision open and unobstructed to the sky and which is legally accessible to and usable by all residents of the development. Common Recreational Space may include, but not be limited to, wooded areas, watercourses, greenway trails, recreational facilities (i.e. swimming pools, golf courses, playgrounds, soccer practice fields, picnic or passive play areas. These areas are not to be part of any drainage areas.

COMPACTION: The state of the soil matrix measured by the density relative to a standard determined by laboratory analysis.

CONSTRUCTION PLANS: All drawings standards and specifications needed to complete Improvements.

CONTROL MONUMENTS: Survey markers set in accordance with 201 KAR 18.150 used to locate boundaries and installed Improvements.

COVENANTS: Rules that are agreed to by owners that govern the subject property.

CULVERTS: Underground conduits used to convey storm water runoff flows.

DEED RESTRICTIONS: Requirements stated in the property deed that governs activity on that property.

DENSE GRADE (DGA): Crushed aggregate containing a graded mix that will stabilize when compacted.

DETENTION BASIN: A drainage storage structure that will delay the discharge of accumulated storm water runoff.

DEVELOPER: An individual, partnership, corporation, or other legal entity or agent thereof, which undertakes the activities covered by these regulations. In as much as, the subdivision plan drawings are merely a necessary means to the end of assuring development, the term Developer includes subdivider, owner, builder, etc. although the persons and their precise interests may vary at different project stages.

DRAINAGE PLAN: A detailed study and design of the storm water flow and control within a designated area that minimizes erosion, sedimentation, and flooding.

DRAINAGE STRUCTURE: Physical elements of the Drainage Plan. These include but are not limited to ditches, pipes, basins and discharge equipment.

EASEMENT: The right to use another person's property, but only for a limited and specifically named purpose. The owner generally may continue to make restricted use of such land since he has given up only certain, and not all, ownership rights.

ENGINEER: A qualified person registered and currently licensed by the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.

EROSION PROTECTION: Stabilization measures used to prevent natural elements from disturbing soil.

FARM PLAT: The record document that may be used to define large farm properties.

FILL: Imported material used to raise the elevation of land.

FINAL PLAT: The drawing containing all required information incorporating all changes necessary for recording.

FINISHED FLOOR ELEVATION (FFE): The minimum elevation that can be used for construction of an occupied level of a structure.

FLOOD, 100-YEAR: A flood having a one percent chance of being equaled or exceeded in any given year.

FLOOD or FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. the overflow of inland waters; or
- b. the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD, BASE: A flood having a one percent chance of being equaled or exceeded in any given year (commonly referred to as the 100-year flood).

FLOOD HAZARD AREA OR SPECIAL FLOOD HAZARD AREA: Any area inundated by the 100-year flood as delineated by the Flood Insurance Rate Map (FIRM) or the Flood Hazard Boundary Map (FHBM).

FLOOD INSURANCE RATE MAP (FIRM): An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY: The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Hazard Boundary map and the water surface elevation of the base flood.

FLOODPLAIN: Any land area susceptible to being inundated by water from any source.

FLOODWAY: The channel of a river or other watercourse or the depressed area of a sink and the adjacent land area that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than an elevated height.

FLOOR AREA RATIO (FAR): The ratio of gross floor area of all structures on a lot to total lot area.

FRONTAGE: The length of the front lot line measured at the street right-of-way line. A property line that abuts a fully controlled access street and which permanently has no access to that street shall be deemed to not have frontage.

GRADE: The inclination, with the horizontal, of a road, unimproved land, etc., which is generally expressed as a ratio of the vertical rise to the horizontal distance.

HEADWALL: The structure used to stabilize the inlet or outlet of a culvert.

HORIZONTAL PROPERTY: Property developed under the rules and regulations as defined by Kentucky Revised Statutes in Chapter 381.805 et. seq. (Also referred to as condominiums)

HOMEOWNERS ASSOCIATION: A chartered organization representing property owners in a defined area.

IMPROVEMENTS: Physical changes made to raw land, and structures placed on or under the land surface, to make the land more usable for man's activities. Typical improvements in these regulations would be grading, street pavement, curbs, gutters, drainage ditches, storm and sanitary sewers, utility lines of all types, street name signs, property number signs, trees, etc.

LANDSCAPE ARCHITECT: A qualified person currently licensed by the State Board of Examiners and Registration of Landscape Architects of Kentucky.

LEGISLATIVE BODY: The governing organization that has jurisdiction and responsibility for accepting the public facilities constructed on the Property.

LETTER OF CREDIT: A financial instrument that guarantees the fulfillment of the Developer's construction contract obligations.

LEVEL OF SERVICE: A scale that measures the amount of traffic that a Roadway or intersection can accommodate, based on such factors as maneuverability, driver dissatisfaction, and delay.

LOT: A portion or parcel of land considered as a unit, in single ownership and not divided by a street. The lot does not include any land within the right-of-way of a public or private street upon which said lot abuts, even if the ownership to such right-of-way is in the name of the owner of the lot.

MEDIAN: The element that divides traffic lanes and prevents traffic from crossing.

MONUMENTS: Survey markers set to 201 KAR 18.150 used to locate boundaries and installed Improvements. Intended to be located in an undisturbed area and used to establish reliable control for the area during construction and for future use.

NON-BUILDABLE AREA: The portion of a lot rendered unsuitable for location of a structure due to easements or physical restrictions.

NON-CONFORMING LOT OF RECORD: A lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment the Zoning Ordinance and these regulations, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.

OPEN SPACE: The area of a lot open and unobstructed to the sky. Open space may include, along with natural environmental elements, formal landscaped areas, wooded areas, watercourses, greenways trails, swimming pools, tennis courts and play grounds. Open space shall not be deemed to include driveways, travel-ways, parking lots, storage areas for vehicles and material, or areas in permanent drainage easements.

OPEN SPACE, COMMON: The area of a lot open and unobstructed to the sky. Common Open Space is legally accessible to and usable by all residents of the development and may include, along with natural environmental elements, formal landscaped areas, wooded areas, watercourses, greenways trails, swimming pools, tennis courts and play grounds. Common Open Space shall not be deemed to include driveways, travel-ways, parking lots, storage areas for vehicles and material, or areas in permanent drainage easements.

PAVEMENT WIDTH: The dimension from face of curb to face of curb for curb and gutter roads or the dimension from edge to edge of hard surface for other roadways.

PEAK HOUR: The traffic count that represents the highest volume of traffic in a one-hour period.

PLANNING COMMISSION: The Danville-Boyle County Planning and Zoning Commission, Kentucky.

PLAT: The recording document for subdivisions that contains all required signatures and notations.

PLAT RESTRICTIONS: Requirements stated in the plat notes that governs development activity on that property or properties.

PRELIMINARY LOT LAYOUT: The initial plan drawing of the lots and road layout.

PRIVATE EASEMENTS: Noted grants of access or exclusion of use that are placed on property.

PUBLIC IMPROVEMENTS: Facilities that are necessary for access or use which are installed for the benefit of the general population.

PUBLIC PARKLAND: Open lands developed for the use of the general population and shall be defined as the area of a subdivision open and unobstructed to the sky and which is owned by the local municipality or government and is legally accessible to all citizens of Boyle County. These lands may include, along with natural environmental elements, formal landscaped areas, wooded areas, watercourses, greenway trails, recreational facilities such as public swimming pools, public golf courses, playgrounds, picnic and passive play areas.

RECORDING PLAT: Original Plat to be recorded in the Boyle County Clerk's office.

RETENTION BASIN: A drainage storage structure that prevents surface runoff from passing to other surface structures or facilities.

RIGHT-OF-WAY: A strip of land dedicated to the public to accommodate access and/or utilities to lots or tracts. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way shown on a Final Plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

ROADWAY: That portion of a street intended for vehicular traffic.

SKETCH PLAN: The basic concept outline for a proposed subdivision.

SLOPE: The inclined portion of land. The degree of slope is normally expressed in terms of the amount of vertical change for a certain amount of horizontal change.

SOIL EROSION AND SEDIMENT CONTROL PLAN: Documents that show the means that will be employed to stabilize the surface soils and to prevent any eroded soil from leaving the property.

STREET, ARTERIAL: A street primarily for moving vehicles safely and efficiently, providing direct connection with major state, federal, and interstate Roadways, and providing connection between points of heavy traffic generation and neighborhoods at moderate speeds. Arterial streets contain directional flow separated by mountable, non-mountable, or barrier medians and served by one (1) to three (3) lanes in each direction.

STREET, CIRCLE: A Loop street where both ends terminate at the same intersection.

STREET, COLLECTOR: A street that functions to conduct traffic between major Arterial streets, minor activity centers, and Local streets and provides access to adjacent property. Collector streets contain a directional flow served by one (1) or two (2) lanes in each direction and may or may not permits on-street parking.

STREET, COMMERCIAL-INDUSTRIAL: A Local street with two (2) ends open to vehicular traffic or a Cul-De-Sac which serves to conduct commercial traffic to and from place of business or industrial establishments and constructed to sustain the weight and safety requirements imposed by commercial-oriented traffic.

STREET, CUL-DE-SAC: A Local street with only one (1) end open to vehicular traffic and the other end terminated by a permanent vehicular turnaround. The length of a cul-de-sac is measured along the centerline of the street from the centerline intersection of a through street to the center of the cul-de-sac bulb radius.

STREET, DEAD-END: A street similar to a Cul-De-Sac except that it provides no turnaround circle at the closed end. Dead end streets are not allowed in any proposed Subdivision.

STREET, EXPRESSWAY: A highway for through traffic, with full control of access and Grade separations at intersections. Arterials are the only class of street that generally should be connected with expressways at interchange points.

STREET, FRONTAGE ROAD: A street used for the exclusive purpose of providing access to properties adjacent to Arterial streets, limited access highways, or railroad rights-of-way. Frontage Road may include the terms Backage Road, rear Frontage Road or Reverse Frontage Road. Frontage Roads provide for two (2) way traffic at a slow rate of speed and parallel to the Arterial street, limited access highway, or railroad right-of-way.

STREET GEOMETRICS: All dimensions describing the physical requirements or characteristics of a Roadway.

STREET, HALF: A partial street constructed on the boundary of a property typically only on one side of a centerline.

STREET, LOCAL: Streets providing vehicular access and services to abutting property. A local street has a directional flow served by one (1) lane in each direction and allows on-street parking. The layout of a local street should discourage through traffic.

STREET, LOOP: A Local street where both ends terminate at an intersection with the same street.

STREET, PRIVATE: A means of access within a planned developed project that gives access to a public street and is owned and maintained by the property owners.

STREET, PUBLIC: A publicly maintained roadway, constructed within the boundaries of an officially deeded and accepted public right-of-way, which affords a primary means of access to abutting property. The word “public street” may include the words road, highway, Thoroughfare, avenue, drive, circle, parkway, place, court, way or similar term.

STREET, RESIDENTIAL: A Local street with two (2) ends open to vehicular traffic and serving to conduct traffic to and from dwelling units to other streets within the street system.

STREET, STUB: A Local street used only as a temporary turnaround and constructed as part of a continuing street plan. If the Stub street is more than one lot in length, then a turnaround must be installed.

STREET, THOROUGHFARE: A street that serves to move traffic through an area or neighborhood.

STREET, THROUGH: A local street where both ends terminate at intersections with another street(s).

SUBDIVISION: Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more Lots, parcels, sites, units, plots, condominiums, tracts, or interests for the purpose of offer, sale, lease, or development whether immediate or future, either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of residentially and non-residentially zoned land, whether by deed, metes and bounds description, devise, intestacy, lease, map, Plat, or other recorded instrument. Subdivision includes re-subdivision and condominium creation or conversion.

Subdivision, Major: The subdivision of land into four or more lots; or the subdivision of land which requires the construction, improvement, or widening of streets; or the major

construction of utility lines and other public services, singularly or in combination with any of the above.

Subdivision, Minor:

- A. Where a subdivision contains three (3) lots or fewer, counting the remainder of the original tract; and fronts on an existing public street; and involves no opening, widening or extension of a right-of-way streets or easement of utilities; nor has it been part of a minor plat recorded during the last five (5) years.
- B. Where a subdivision provides for the transfer of land between adjacent property owners and does not involve creation of any new lots or building sites.
- C. Where any number of lots are consolidated into three (3) lots or less and involve no new public improvements.
- D. Where there is a need to make technical revisions to a recorded final plat of any engineering or drafting nature or similar small discrepancy, but not including public improvements requirements.

SUBGRADE: The supporting material immediately below the design pavement or foundation section.

SURVEYOR: A person licensed as a Land Surveyor by the Kentucky State Board of Registration for Professional Engineers and Land Surveyors.

TANDOM AXLE TRUCK (Loaded): A vehicle weighing sixteen to twenty tons or similar equipment capable of producing an equivalent loading

TOPOGRAPHIC SURVEY: A generalized description of the existing drainage conditions for a site. At a minimum, ten (10) foot contours from a USGS 7.5 minutes series topographic quadrangle map. A graphical representation of the existing drainage structure locations, along with a narrative describing the existing drainage conditions for the site and the sizes of existing drainage structures, should be included.

TRAFFIC IMPACT STUDY: The collection, processing and report of data showing current and future conditions of vehicular movement.

VEHICLES PER HOUR (VPH): The number of vehicles that pass a certain point during a sixty (60) minute period.

ZERO LOT LINE: The location of a building on a Lot in such a manner that one of the buildings sides rest directly on a property line.

ZONING ORDINANCE: The Zoning Ordinance of Boyle County and the cities of Danville, Junction City and Perryville.

APPENDIX A

STREET STANDARDS

APPENDIX A																					
Street Design Standards																					
Arterial & Collector Standard				Residential Standard								Commercial Standard						Industrial Standard			
Street Type/ Zoning Classification	Major Arterial	Minor Arterial	Major Collector	Minor Collector	RR	R1-A	R1-B	R1-C	RM-2	RM-3	RM-4	NB	GB	CB	HB	OP	ICD	P	LI	HI	IBD
Right-of-Way (Minimum Feet)	60	60	60	50	50	50	50	50	50	50	50	50	50	50	60	50	50	50	50	50	50
Number of Lanes	3 or 4	2 or 3	2 or 3	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Lane Pavement Width (Minimum Feet)	12	11	11	10	10*	10*	10*	10*	10*	10*	10*	10*	10*	10*	10	10	10*	10*	10*	12	12
Number of Parking Lanes (Minimum)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0
Parking Lane Width (Minimum Feet)	9	9	8	8	8	8	8	8	8	8	8	8	8	8	9	8	8	8	8	9	9
Street Grade (Maximum %)	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Street Grade (Minimum %)	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Stopping Sight Distance (Minimum Feet)	250	250	250	250	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	250	250
Length of Vertical Curves (Minimum Feet)	200	200	200	200	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Curb & Gutter Required? ****	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sidewalk Required? *****	Yes	Yes	Yes	Yes	Optional	Yes**	Yes**	Yes**	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sidewalk One or Two Sides?	Two	Two	Two	Two	Optional	Two**	Two**	Two**	Two	Two	Two	Two	Two	Two	Two	Two	Two	Two	Two	Two	Two
Sidewalk Width (Minimum Feet)	6	6	6	5	Optional	5**	5**	5**	5**	5	5	5	5	5	8	5	5	5**	5**	5	5**
Interior Corner Radius (Minimum Feet)	25	25	25	25	20	20	20	20	20	20	20	20	20	20	20	35	20	20	20	35	50
Interior Corner Radius (Maximum Feet)	75	75	75	75	50	35	35	35	35	35	35	35	35	50	50	50	50	50	50	75	75
Design Speed (mph)	30	30	30	30	30	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
Intersection Spacing (Minimum Feet)	250	250	250	250	250	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	250
Crosswalk Length (Maximum Feet)	30	30	25	25	25	25	25	25	25	25	25	25	25	25	30	25	25	25	25	30	30
Street Lights Required?***	Yes	Yes	Yes	Yes	Optional	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Street Light Spacing (Maximum Feet)***	200	200	200	200	Optional	210	180	200	160	150	150	150	150	150	200	150	150	150	200	200	200
Pavement Markings Required?	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

* 9' Reduced Lane Width Permitted with Dedicated Parking Lane (w Marking and/or Signage)

** 6' Concrete Sidewalk (One Side of All Thru Streets) Substitution Permitted in the Following Areas: Unincorporated Boyle County, City of Junction City and City of Perryville

*** Streetlights Required in Incorporated Areas of: Danville, Junction City and Perryville

**** City of Danville Roadside Swale Cross-Section Standard: Optional Roadside Swale Cross-Section substitutes the the Curb and Gutter requirement with Swales as the Stormwater Conveyance Method along City Streets

- Roadside Swale Cross-Section Standard shall only be used in the City of Danville on Local Streets in the following Zones: R1-A, R1-B, R1-C, MHP, RM-2, RM-3, RM-4, OP, P, LI, and IBD
- Lane Pavement Widths must be equivalent to the Lane Widths shown above
- Roadside Swale cross-section must cease, and Curb and Gutter must be utilized within 50' of intersections and when roadway grade exceeds 4%.
- Roadside Swales must be Designed using the Swale Guidelines in the City of Danville's Stormwater Manual
- Swales shall be placed between the Roadway and Sidewalk when applicable
- Each adjoining Property Owner or designated HOA shall be responsible for Vegetation Maintenance; the City of Danville Stormwater Department shall be responsible for Stormwater System Maintenance
- The Developer's Engineer shall provide Calculations and Sizing for Driveway Culverts which shall be a minimum of 12", including Headwalls

***** City of Danville Shared Street Cross-Section Standard: Optional Shared Street Cross-Section allows for the Substitution of Sidewalks by creating a Safe, Pedestrian-Friendly Environment within in City Streets

- Shared Street Cross-Sections shall only be used in Residential Zones with an ADT less than 300
- Signage shall be installed designating the Street as "Shared"
- Crosswalks at Entrance to Shared Streets shall be constructed as a Raised Crossing
- Posted Speed Limit shall be 15 MPH
- Total Pavement Width shall be greater than 20 feet for City Shared Streets
- Traffic Calming Measures shall be utilized at a Spacing no greater than 300 Feet
- Acceptable Traffic Calming Measures include but are not limited to: Chicanes, Pinchpoints, Medians, Lane Shifts, Vegetated Bump Outs, Speed Humps or Tables
- Street Trees shall be included where Practical in any Shared Street Cross Section
- Tactile Warning Strips shall be located at the Entrance to City Shared Streets