

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)