

**SUBDIVISION REGULATIONS
OF THE
CITY OF ELKTON, KENTUCKY**

ELKTON PLANNING COMMISSION

DATE ADOPTED:

AUGUST 14, 2008

TABLE OF CONTENTS

ARTICLE I. PURPOSE, AUTHORITY AND JURISDICTION

Section 10 – Purpose	1
Section 11 – Authority and Administrative Agency	1
Section 12 – Area of Jurisdiction.....	2
Section 13 – Title.....	2

ARTICLE II. DEFINITIONS

Section 20 – Purpose.....	3
Section 21 – Definitions.....	3

ARTICLE III. MAJOR SUBDIVISION APPROVAL PROCEDURES

Section 30 – Optional Initial Step.....	6
Section 31 – Preliminary Plat Approval	6
31.10 Preliminary Plat Data	6
31.11 Procedure for Preliminary Plat Approval.....	8
31.12 Subdivision of a Portion of a Larger Tract	9
31.13 Construction Plans and Specifications for Subdivision Plat Approval ..	9
Section 32 – Final Plat Approval.....	10
32.10 Final Plat Data	10
32.11 Final Subdivision Plat Approval Procedures	12
32.12 Required Improvements Prerequisite to Final Plat Approval	13
Section 33 – Variances	14
33.10 Exceptional Conditions.....	14
33.11 Group Housing, Office and Business Complex Development	14

ARTICLE IV. GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

Section 40 – Street Specifications and Standards 15

 40.10 Conformity to the Comprehensive Plan 15

 40.11 Minimum Street Pavement Widths..... 15

 40.12 Street Extensions 18

 40.13 Required Right-of-Way Widths for New Streets 19

 40.14 Dedication of Right-of-ways for existing streets..... 19

 40.15 Intersections..... 22

 40.16 Curves in Streets, Horizontal and Vertical 22

 40.17 Street Grades and Elevations 22

 40.18 Marginal Access Streets 23

 40.19 Street Jogs..... 23

 40.20 Dead-end Streets (Cul-de-sacs) 23

 40.21 Street Names 23

 40.22 Private Streets and Reserve Strips 24

 40.23 Alleys..... 24

Section 41 - Stormwater Management..... 24

 41.10 Stormwater Management Plan Format, Contents and Standards 24

Section 42 – Lot Requirements 26

 42.10 Relationship to Streets 26

 42.11 Arrangement 26

 42.12 Dimension 26

Section 43 – Off-Street Loading and Parking Facilities 26

Section 44 – Utility and Drainage Easements 26

 44.10 Easements..... 26

ARTICLE V. MINOR SUBDIVISION PLAT APPROVAL PROCEDURES

Section 50 – Procedures for Minor Subdivision Plat Approval..... 28

 50.10 Approval Procedures 28

 50.20 Content and Format of Minor Subdivision Plat Material..... 28

 50.30 Review of Plats Generally..... 29

ARTICLE VI. ENFORCEMENT AND PENALTIES FOR VIOLATION

Section 60 – Enforcement 30

Section 61 – Penalties 30

Section 62 – Fee Schedules..... 31

ARTICLE VII. ADOPTION, AMENDMENT AND EFFECTIVE DATE

Section 70 – Adoption 32

TABLE OF EXHIBITS

Exhibit 1: Right-of-Way Sections 21

Exhibit C-1: Example Minor Plat Appendix C

APPENDIX

APPENDIX A: Preliminary Plat Application and Checklist 33

APPENDIX B: Final Plat Application and Checklist 39

APPENDIX C: Certification Forms 46

SUBDIVISION REGULATIONS OF THE CITY OF ELKTON, KENTUCKY

ARTICLE I - PURPOSE, AUTHORITY AND JURISDICTION

SECTION 10. PURPOSE

Land subdivision is the first step in the process of community development. Once land has been divided into streets, blocks, lots, and open spaces, a pattern has been established which usually determines how well the county's needs for residence, business, and industry will be met. It also determines to a great extent how well it will be able to meet the demand for home sites and how efficiently and economically it will be able to provide the many services demanded of it.

After land has been subdivided and publicly recorded, it is costly and difficult to correct defects and deficiencies in the subdivision layout and in the facilities provided. In addition, a subdivided area sooner or later becomes a public responsibility in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire county is thereby affected in many important respects. The guidance of land development in harmony with county objectives is, therefore, a matter of serious public concern and it is in the interest of the public, the developer, and the future owners that subdivisions be conceived, designed, and developed in accordance with sound rules and proper standards.

These Subdivision Regulations, certified copies of which are filed in the office of the County Clerk of Todd County, Kentucky, are designed to provide for the harmonious development of the subdivided areas; for a coordinated layout; for the proper arrangement of streets; for adequate and convenient open spaces, for traffic, utilities, recreation, light, air, and access of fire fighting equipment and for adequate provision of water, drainage, sewer, and other sanitary facilities; and for reducing flood damage potentials to the greatest extent possible.

SECTION 11. AUTHORITY AND ADMINISTRATIVE AGENCY

These Subdivision Regulations were prepared and approved by the City of Elkton Planning Commission pursuant to the authority of Chapter 100, of the Kentucky Revised Statutes. It shall be administered by the Elkton Planning Commission. The Elkton Planning Commission, established in accordance with Kentucky Revised Statutes, Chapter 100, has fulfilled the requirements set forth in the applicable sections of the KRS as pre-requested for the adoption of such regulations. The Planning Commission shall assume all powers and duties of a Board of Adjustment. (KRS 100.202)

SECTION 12. AREA OF JURISDICTION

The Elkton Planning Commission, through these Subdivision Regulations shall have jurisdiction and control over the subdivision of all land within the incorporated area of the City of Elkton, Kentucky.

SECTION 13. TITLE

These regulations shall be known and may be cited as the “Subdivision Regulations of the City of Elkton, Kentucky.”

ARTICLE II. DEFINITIONS

SECTION 20. PURPOSE

The purpose of this Article is to define certain words and phrases commonly used in subdivision development. The words and terms expressed in the present tense include the future tense. Singular words and phrases include the plural. The word “may” is permissive, while “shall” and “will” are mandatory.

SECTION 21. DEFINITIONS

The following words and/or phrases are used herein and shall be defined and interpreted as follows:

Access Easement: All lots in a major or minor subdivision will have access to a public street. Private driveways may be shared by two (2) or more lots if each lot owner has fee simple access over the driveway. Driveways for three (3) or more lots shall have fifty (50) foot easements to the public road.

Agricultural use: means the use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provision for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public. (KRS 100.111-2)

Developer: A developer is an individual, partnership, corporation, or other legal entity or agent thereof, which undertakes the activities covered by these regulations. The term “developer” includes subdivider, owner, builder, or applicant.

Improvements: Improvements are physical changes made to land, including structures on or under the land surface, in order to make the land more usable for man’s activities. Typical improvements in these regulations include grading, street paving, curbs, gutters, drainage ditches, storm and sanitary sewers, utility lines of all types, street name signs and property number signs.

Lot: A lot is a portion of a subdivision plan or the basic unit thereof, intended for transfer of ownership or for building development.

Private Street: Any street that is privately owned and maintained and is not dedicated and accepted as a public right-of-way. Private streets are not allowed to be used as ingress/egress access in Major or Minor Subdivisions.

Streets: Streets shall mean a right-of way set aside for vehicular traffic, regardless of size or designation, but excluding private easements (e.g., driveways) serving only one parcels of land.

Local streets are those which are used or will be used primarily for access to abutting properties and which carry or will carry limited volumes of traffic. All plats must note whether streets are dedicated public right-of-ways or private streets.

Structure: means anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground, including buildings and signs.

Subdivision: means the division of land into three (3) or more lots or parcels for the purpose, whether immediate or future, of sale, lease of building, development, or if a new street is involved, any division of a parcel of land, providing that a division of land for agricultural use and not involving a new street shall not be deemed to be a subdivision. The term “subdivision” includes resubdivision and when appropriate to the context, shall relate to the process of subdivision or to the land subdivided; and division or redivision of land into parcels occurring within twelve (12) months following the division of the same land shall be deemed a subdivision within the meaning of this section.

Major Subdivision: All subdivisions not classified as a minor subdivision including but not limited to the subdivision of more than five (5) parcels/lots of any size, subdivisions requiring any new streets or extension of streets, or the creation of any public improvements. However, if the city or other public utility is constructing the new street, street extension or municipal utilities, the subdivision may be deemed a minor subdivision by the Planning Commission.

Minor Subdivision:

Any subdivision containing not more than five (5) lots or parcels and not involving any new streets or roads or the extension of a street or municipal facilities, and not adversely effecting the remainder of the master parcel, and not in conflict with any provision or portion of the Comprehensive Plan or these guidelines. However, if the city or other public utility is constructing the new street, street extension or municipal utilities, the subdivision may be deemed a minor subdivision by the Planning Commission.

The following are also classified as a Minor Subdivision: A subdivision for the purpose of the transfer of land between adjacent property owners, the consolidation

of up to five (5) lots of record to create a lesser number of lots or parcels of land and involving no new public improvements; and technical revisions to a recorded plat of an engineering or drafting nature, which corrects a small discrepancy, but not including the altering of any property lines or public improvement requirements.

Technical Review Committee: A committee consisting of the Planning Commission staff, representatives of utilities, and the City Street Department, Todd County Soil Conservation Service, which meets within 10 days after the filing submission deadline to review subdivision plats.

ARTICLE III.

MAJOR SUBDIVISION APPROVAL PROCEDURES

All Major Subdivision Plats shall receive both Preliminary Plat and Final Plat approval according to the procedures described in this Article.

SECTION 30. OPTIONAL INITIAL STEP:

Before preparing a Preliminary Plat and submitting it to the Planning Commission for approval, the subdivider should meet and consult informally with the Planning Commission or the Commission Engineer for the purpose of ascertaining the locations of proposed major streets, parks, playgrounds and other planned projects which may affect the property being considered for subdivision.

At this meeting, the subdivider should review with the Planning Commission or Commission Engineer, the minimum standard of subdivision design set forth in Article IV. This informal review should prevent unnecessary and costly revisions in the layout and development of the subdivision.

Formal application or filing of a plat with the Planning Commission or the Commission Engineer is not required for this informal advisory meeting.

SECTION 31. PRELIMINARY PLAT APPROVAL

After meeting informally with the Planning Commission or the Commission Engineer, the subdivider shall prepare a Preliminary Plat prior to the making of any construction, street improvements or the installation of any utilities.

31.10 - Preliminary Plat Data

The Preliminary Plat shall meet the standard of design as set forth in Article IV and shall show the following information:

- a. Must be drawn to scale
- b. Name of subdivision, names and addresses of the owners, the land surveyor, source of title and the owners of adjacent property.
- c. Date, approximate north point, and graphic scale.
- d. Total acreage of land to be subdivided.

- e. Boundary lines of area to be subdivided and their bearings and distances and locations to nearest existing intersecting street.
- f. Existing and proposed easements and their locations, widths and distances.
- g. Streets on and adjacent to the tracts and their names, widths, and other dimensions shall be required.
- h. Utilities on and adjacent to the tract showing proposed connections to existing utility systems. Rear easements for utility poles and wires shall be required wherever possible.
- i. A vicinity or key map.
- j. Purpose and intent of the subdivision such as for residential, commercial or industrial purposes.
- k. Contour lines from USGS Quadrangles may be used.
- l. Flood Areas as determined by Federal Emergency Management Act (FEMA) and classification, as per FEMA codes.
- m. Location, size, direction of flow of storm drainage structures and systems.
- n. Lot lines and lot numbers.
- o. Sites and their acreages, if any, to be reserved or dedicated for parks, playgrounds, schools, or other public uses.
- p. Copies of proposed deed restrictions, if any, shall be attached to the Preliminary Plat.
- q. Profiles of proposed grade lines of all streets and improvements, unless waived by Commission Engineer.
- r. Plats shall be submitted no larger than twenty-four inches (24") by thirty-six inches (36") in size.

31.11 Procedure for Preliminary Plat Approval

- a. Ten (10) copies of the Preliminary Plat, construction plans and supplementary materials specified shall be submitted with the required fee to the Planning Staff of the Planning Commission with an application for review by the first working day of the month (excluding Saturdays, Sundays, and Holidays). All applicants shall meet with the staff and members of the Technical Review Committee (TRC) at the scheduled meeting.
- b. Six (6) full size copies and one (1) 8” x 11” copy of the revised Preliminary Plat, as well as two (2) sets of the construction plans and supplementary materials specified shall be submitted for approval to the Planning Commission no later than 14 days after the Technical Review Committee meeting.
- c. Formal staff review of the preliminary plat will be mailed to Planning Commission members seven (7) days prior to the regularly scheduled meeting.
- d. The Planning Commission shall approve, disapprove or approve subject to modification. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated in writing. The action of the Planning Commission shall be noted on two (2) copies of the Preliminary Plat with any notations made at the time of approval or disapproval of the specific changes required. One (1) copy shall be returned to the subdivider and the other retained by the Planning Commission.
- e. Approval of the Preliminary Plat shall not constitute acceptance of the Final Plat. The approval of the Preliminary Plat shall lapse unless a Final Plat based thereon is submitted within two (2) years from the date of such approval. An extension of time may be applied for by the subdivider and granted by the Planning Commission.
- f. Applicants shall bring three (3) paper copies of the Plat to the Planning Commission meeting, which, if approved, the Planning Commission Chairman or designee shall sign, and one of which shall be returned to the applicant as the “owners copy”. The Planning Commission shall retain one copy and two other copies.
- g. No installation of improvements shall begin until the Construction Plans have been approved and signed by the Commission Engineer.

31.12 - Subdivision of a Portion of a Larger Tract

Whenever a part of a tract is proposed to be subdivided and it is intended that additional parts of the tract be subdivided in the future, a sketch plan for the entire tract shall be submitted to the Planning Commission at the same time the Preliminary Plat for the first part of the tract to be platted is submitted.

31.13- Construction Plans and Specifications for Subdivision Plat Approval.

Construction Plans shall contain the following on documents of identical size and scale as the Preliminary Plat. The subdivider must provide ten (10) sets of the construction plans with the preliminary plat for the Commission Engineer and members of the Technical Review Committee with the initial application.

Construction Plans shall contain the following:

- a. Erosion control plan pursuant to the standards listed in these regulations.
- b. Grading plan pursuant to the standards listed in these regulations.
- c. Stormwater management plan pursuant to the standards listed in these regulations. All drainage ways shall be protected by a drainage easement and all stormwater retention ponds shall be “dry” and be a part of a buildable lot protected by an easement - not an independent out-lot.
- d. Utilities plan with the proposed location of water, sanitary sewer, electric, gas, etc. lines.
- e. Grade profiles of all street plans pursuant to the standards listed in these regulations.
- f. All construction plans must be designed by a Civil Engineer registered in the State of Kentucky, and all construction plans in Section 31.13 (a-e) must have a registered Engineer’s stamp affixed to all plans.
- g. All Preliminary and Final Plats must have a Registered Land Surveyor’s stamp on the Plat.

One or more of these construction plan elements may be on the same document. No improvements can be installed nor can any construction begin on the subdivision until the aforementioned construction plans have been approved in writing by the Commission Engineer signing the **CERTIFICATION OF THE REVIEW AND APPROVAL OF STREETS AND DRAINAGE CONSTRUCTION PLANS** affixed to the construction plans. An example of this Certification is in the Appendix C.

SECTION 32. FINAL PLAT APPROVAL

The Final Plat shall conform substantially to the Preliminary Plat as approved, and it may constitute only a portion of the Preliminary Plat, which the subdivider proposed to record and develop.

32.10 Final Plat Data

The Final Plat shall give the following information:

- a. The plat must be drawn to scale.
- b. Date, title, name and location of subdivision, graphic scale, and true north line.
- c. Locations and descriptions of said control points shall be given. All dimensions, angles, bearings, and similar data on the plat shall be tied to primary control points, lot lines or lot corners.
- d. Tract boundary lines, right-of-way lines of streets, easements and other right-of-ways and property lines of residential lots and other sides with accurate dimensions to the nearest one hundredth of a foot; bearings or deflection angles, radii, arcs and central angles of all curves with dimensions to the nearest minute. The subdivision shall be tied to the centerline of the nearest street intersection, monument or permanent physical boundary.
- e. Name and right-of-way width of each street, easement or other right-of-ways. Streets must have notations indicating whether they are private streets or publicly dedicated right-of-ways.
- f. Lot numbers, lot lines and lot areas.
- g. Purpose for which sites, other than residential lots, are dedicated or reserved.
- h. Location and description of existing and set monuments.
- i. Names and locations of adjoining subdivisions and streets, the location of adjoining unplatted properties, and the names and addresses of the owners of adjoining unplatted properties.
- j. Notarized on plat of title showing that the applicant(s) are all the property owner(s) and a statement by such owner(s) dedicating streets, easements, rights-of-way and any other sites for public use. (Appendix C)

- k. Certification on plat by land surveyor as to the accuracy of survey and plat (Appendix C).
- l. Certification that the subdivider has complied with one of the following alternatives (Appendix C).
 - (1) All the improvements have been installed in accordance with the requirements of these regulations, or
 - (2) Corporate Surety, Cash or Irrevocable Letter of Credit has been posted and approved by Planning Commission, in the amount of 125 % of the estimated construction cost to assure such completion of all required improvements.
- m. Protective covenants shall be recorded in the office of the Todd County Clerk at the same time of final plat recording. A certificate of recording shall be placed on plat.
- n. Certification on plat by the Chairman of the Planning Commission that the plat has been approved for recording in the Office of the County Clerk. (Appendix C).
- o. Certification on plat by the Planning Commission Chairman, or his designee, that all streets or other public improvements have been completed or secured with a bond or Irrevocable Letter of Credit. (Appendix C).
- p. Certification by the Commission Engineer that the streets and drainage have been installed in an acceptable manner and according to the city specifications, or that a security bond or letter of credit in the appropriate amount has been posted with the Planning Commission and that the construction plans have been officially approved.
- q. The plat shall be submitted no larger than 24" x 36" in size.
- r. Final Plat shall meet or exceed all Kentucky State Board of Restrictions for professional Land Surveyor plat requirements.

The following paragraphs shall be contained in all protective covenant Documents filed in the Todd County Clerks office. A note on the Final Plat that states as follows under “deed restrictions”:

Any filling, grading or otherwise altering a roadside drainage ditch or other drainage improvement required and constructed as part of the Street and Drainage Plans approved by the Planning Commission or Commission Engineer is prohibited. Any property owner(s) that has altered the approved drainage improvements must reconstruct the drainage improvements at the owner(s) expense to conform to the approved Street and Drainage Plans.

Upon written notice from the Elkton Street Department, Commission Engineer or Mayor, a property owner must reconstruct the property as per the drainage improvements indicated in the approved street and/or Drainage Plans within 60 days. If the property owner(s) does not reconstruct the approved drainage improvements within the 60-day deadline, the Elkton Street Department can have free and unrestrained access to the property for the purpose of reconstructing the drainage improvements. The property owner(s) will be responsible for reimbursing the Street Department for all city expenses involved in the reconstruction of the drainage improvements.

32.11 Final Subdivision Plat Approval Procedures

All applicants for Major Subdivision plat approval must obtain Final Plat approval pursuant to the procedures outlined below:

- a. Prior to the submission of the final plat for approval and signatures, applicant must:
 1. Install infrastructure as per the approved constructions plans and have a field inspection by the Commission Engineer, all water quality protection measures followed by stormwater management installations, storm and sanitary sewers and other improvements; and file a maintenance bond or Irrevocable Letter of Credit for 25 percent of the total cost of the improvements for one (1) year to insure the quality and workmanship of the improvements. The secured improvements include those indicated in the water quality protection plan.
- OR**
2. File a security bond, cash or Irrevocable Letter of Credit for 125 percent of the cost of the proposed improvements which are not completed, except for the required improvements (see Section 32.12), which must be completed and inspected. The secured improvements include those indicated in the water quality protection plan.

- b. Applicants must file with the Planning Commission two (2) originals with original signatures of the Final Plat for Approval, accompanied by the required fee. There is no filing deadline for Final Subdivision Plats.
- c. Final Plats must be in conformity with the data and design standards listed in the Elkton Subdivision Regulations and the approved preliminary plat. All changes to the Preliminary Plat must be noted.
- d. Any significant change(s) will be reviewed by the full Planning Commission according to the adopted Filing Deadline and Review Schedule and considered by the Planning Commission at a regularly scheduled meeting for its approval or disapproval.
- e. If the submitted Final Plat substantially conforms to the approved Preliminary Plat, and if all certificates have been signed and the requirements of Section 32.11 (a) have been met, the staff shall recommend approval of the Final Plat in writing within 30 days of filing, or a determination that a significant change requiring Planning Commission Review shall be made within 30 days.
- f. Final Plats recommended for approval by the Planning Commission staff shall be certified as approved by the Planning Commission Chair or designee on three (3) copies of the Final Plat. The Planning Commission shall retain the reproducible copy and one of the other copies. Final Plats that substantially conform to the approved preliminary plat could be approved by the Planning Commission Chair, or designee. The Planning Commission and the Commission Engineer shall each retain a signed copy of the Final Plat and the third copy shall be returned to the applicant as the “owners copy”, which needs to be recorded in the Office of the County Clerk.

32.12 - Required Improvements Prerequisite to Final Plat Approval.

- a. Monuments - Type

Iron Pin, “rebar” or wrought or galvanized iron pipe monuments not less than one-half (1/2) inch in diameter and not less than eighteen (18) inches in length shall be set with the licensed Surveyor’s ID Cap affixed to the monument.

- b. Monuments – Location

- 1) Iron Pin, “rebar” or wrought or galvanized iron pipe monuments not less than ½ inch in diameter and not less than 18 inches in length shall be set at all lot corners not marked by concrete monuments.
- 2) At the intersection of street property lines.

- 3) At the beginning and ending of all curves where streets and alleys are also surveyed.
- 4) At all angles in property lines of streets and alleys.

SECTION 33. VARIANCES

33.10 Exceptional Conditions

The Planning Commission may grant a waiver to these regulations where by reason of the unusual shape of a specific piece of property, or where by reason of exceptional topographical or other physical conditions not usually found in the city, the strict application of these regulations would result in extreme practical difficulties and undue hardship upon the owner of such property; provided, however, that such relief may be granted without detriment to the public good and without substantially impairing the modifications, the Planning Commission may require such conditions as will substantially secure the objectives of the standards or requirements so varied or modified. Financial disadvantage to the property owner is not proof of hardship within the purpose of these regulations.

33.11 Group Housing, Office and Business Complex Developments.

Comprehensive group housing, office and business developments, together with necessary drives and ways of access, including drives and ways of access privately maintained but dedicated for public use may be approved by the Planning Commission although the design of the project does not include standard street, lot, and subdivision arrangements, provided that departure from the standards of these regulations can be made without destroying their intent. If the drives and ways of access are to be privately maintained, the plat of the subdivision shall specifically indicate that said drives and ways are dedicated for public use and that they will be developed and maintained at the expense of the owners; and that any owner of a lot in the subdivision shall have the right to enforce the development or maintenance of said drives and ways by proceeding in law or in equity against all other owners of lots in the subdivision.

ARTICLE IV.
GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

SECTION 40. STREETS SPECIFICATIONS AND STANDARDS

40.10 Conformity to the Elkton Comprehensive Plan's

Transportation Plan. The widths and locations of all streets in a proposed subdivision will conform to the Elkton Transportation Plan.

40.11 Minimum Street and Pavement Widths:

a Minimum street widths are as follows:

Minor Local Streets Back-to-back of Curb 28'
Cul-de-sacs60'Radius

See Exhibit 1 for pavement and right-of-way widths.

b. Construction of Streets:

The subdivider shall provide streets that shall be designed to carry the expected traffic loads and shall conform with the standards established by the Subdivision Regulations. At a minimum, all streets shall be constructed with the following standards indicated below:

1) *Eight inches (8") of compact limestone aggregate.

* See note below

2) Two inches (2") of base asphalt.

3) One inch (1") of surface asphalt.

The last inch of surface asphalt shall not be installed until 80 percent of the homes/lots are developed within each section or phase of the Final Plat, or within four (4) years of completing the base asphalt, whichever comes first. No longer than four (4) years shall elapse between the installation of the base asphalt and the surface asphalt. The developer is required to maintain a performance bond or Irrevocable Letter of Credit in the amount of 125 percent on the surface asphalt during this period.

4) Each road will be constructed with 1/2 inch per foot of crown.

5) Shoulders shall be constructed with 1" per foot of slope.

6) Grading Specifications:

All streets, roads, and alleys shall be excavated to final grade with top soil removed and prepared according to applicable construction plans approved by the Commission Engineer. Centerline grades shall be established and staked by the subdivider's engineer or surveyor. The finished grade must be inspected and approved by the Commission Engineer before the gravel base is placed on the road. It is the responsibility of the developer to contact the Commission Engineer for all inspections and obtain a written release to proceed with the gravel base improvements. All top soil is to be removed from road surface. Debris nor top soil is to be used for fill areas.

7) Gravel Base

The complete gravel base must be placed on the road (s) before the Final Plat is approved. The gravel base must be inspected by the Commission Engineer before the asphalt is placed on the road (s). It is the responsibility of the developer to contact the Commission Engineer for all inspections and obtain a written release to proceed with the asphalt base improvements.

8) Street Signs

The developer is responsible for the cost of all street signs. All street signs must be in place, or the complete payment to order and install signs must have been given to, and approved by the Elkton Street Department.

c. Utility requirements

1) General Requirements for Installation of Utilities:

Utilities shall be provided in real lot easements wherever possible. When it is necessary to install utilities in street right-of-ways, the following requirements shall apply:

After grading is completed and approved and before any pavement base is applied, all of the in-street underground work -- water mains, gas mains, etc., and all service connections -- shall be completely installed and approved throughout the length of the street and across the flat section. Where the utility mains are outside the pavement area, the subdivider may be allowed to omit the installation of service connections provided that at such time as these connections are needed, they may be jacked across the street without breaking or weakening the existing pavement. Where the rock is known to exist beneath

the pavement area and at such depth as to interfere with the jacking of service connections, the Planning Commission shall require the complete installation of service connections or conduit pipe before any base is applied. In cases where underground utilities must be provided within the right-of-way of streets, they shall not be installed under the paved portions of such streets.

A PVC or metal conduit pipe must be installed for all sanitary sewer and municipal water pipes, which are 4" pipes or larger and crossing under a city, county or state road. All conduits under state roads must be steel casings, rather than PVC. All conduit pipes must be 4" larger than the utility pipe it is designed to encase. All utility pipes must have a minimum cover of 36", or greater if required by the utility.

2) Water Supply System:

The subdivider shall construct a complete water distribution system which shall adequately serve all lots. The supply system shall include appropriately spaced fire hydrants, and this system shall be within a reasonable distance to all lots.

3) Sanitary Sewers:

The subdivider shall construct a subdivision sewer system to adequately serve all lots and connect the subdivision system to the public system after the Commission Engineer or other appropriate officials has approved the size of the lines.

Where lots cannot be served by the extension of an existing public sanitary sewer, the subdivider shall obtain approval of lot sizes for individual septic tanks and disposal fields from the Health Department and Planning Commission. In cases that involve the City of Elkton's, sanitary sewer system, annexation by the City is required before access is provided to this sewer system. Any subdivision requesting access to the City of Elkton's sewer system must be in the corporate limits of the city, or apply for annexation, request appropriate zoning and have the subdivision designed under the *Subdivision Regulations for the City of Elkton*.

d. Street Name Signs

The Planning Commission shall require the installation of durable street name signs at all intersections

- 1) Lettering shall be at least four (4) inches high
- 2) Signs shall be reflectorized or illuminated

- 3) Letters shall be white with a green background
 - 4) In residential areas at least one (1) street name sign post with double mounts shall be mounted at each intersection. All street signage must be approved by the Commission Engineer.
- e. Completion of Improvements Prior to Approval of the Final Plat

No final subdivision plat shall be approved by the Planning Commission or accepted for record by the County Clerk until the required improvements listed above are constructed in a satisfactory manner and approved by the appropriate official. In lieu of such prior construction, the Planning Commission may accept a security bond or Irrevocable Letter of Credit to the city in an amount equal to the estimated cost of installation of the required improvements, plus a 25 percent contingency fee, whereby the improvements may be made and utilities installed without cost to the city in the event of default on the part of the subdivider. The bond or Irrevocable Letter of Credit shall be subject to the conditions that the improvements will be completed within no more than four (4) years after approval of the Final Subdivision Plat. See *Section 32.12 Required Improvements - Prerequisite to Final Approval*, which list some improvements that cannot be bonded and must be completed before the final plat is signed. Also see *Section 32.11 Final Subdivision Plat Approval Procedures*.

40.12 Street Extensions

- a. The street layout of the proposed subdivision shall provide for the continuation or projection of streets already existing in areas adjacent to the area being subdivided unless the Planning Commission deems such continuation or extension undesirable for specific reasons of topography or design.
- b. Where, in the opinion of the Planning Commission, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of such properties. Where the Planning Commission deems it necessary, such dead-end streets shall be provided with a temporary turn-around having a radius of at least sixty (60) feet.
- c. The street system for the proposed subdivision shall provide for extending existing streets at the same or greater width, but in no case shall a street extension be of less width than the minimum width required in these regulations for a street in its category.

40.13 Required Right-Of-Ways for New Streets

- a. The dedication of right-of-ways for new streets measured from lot line to lot line shall be as shown on Exhibit 1, Right-of-way widths, or if not shown thereon, shall meet the following standards:

<u>Street Type</u>	<u>Minimum Dedicated Right-of-Way Width</u>
Local Streets	50 feet
Cul-de-sacs	70 foot Radius

- b. All points of access shall be as approved by the Planning Commission. Marginal access streets may be required by the Planning Commission for subdivisions fronting on arterial streets.
- c. Street widths shall be increased ten (10) feet on each side if needed to provide parking without interfering with normal traffic movement.
- d. In cases where topography or other physical conditions make a street of the required minimum width impractical the Planning Commission may modify these requirements.

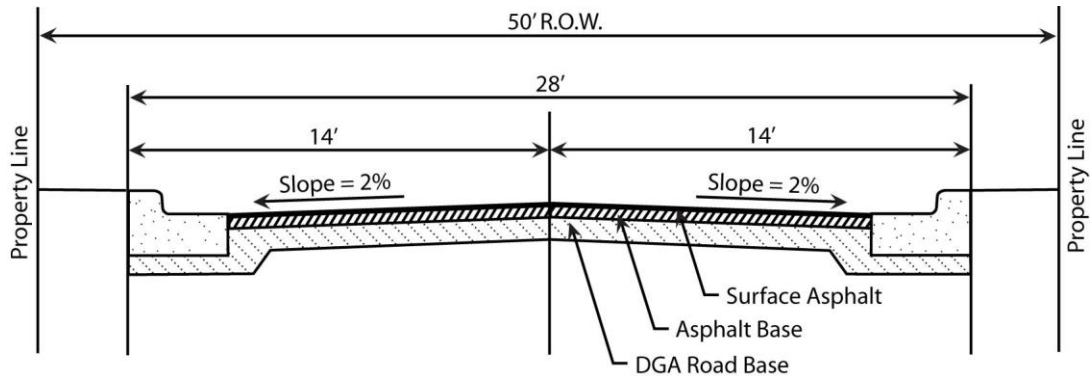
40.14 Dedication of right-of-ways for existing streets

Subdivisions platted along existing roads or streets shall dedicate additional right-of-ways if necessary to meet the minimum street width requirements set forth in Section 40.13 of the Article.

- a. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of the existing street. When the subdivision is located on only one side of an existing street, one-half (1/2) of the right-of-way width, measured from the centerline of the existing roadway, shall be dedicated.
- b. Dedication of one-half (1/2) of the right-of-way for proposed streets along the boundaries of land proposed for subdivisions shall be prohibited.

EXHIBIT 1

RIGHT-OF-WAY SECTIONS



Standard Road Cross Section

Note 1: DGA must be at 8 inches deep

Note 2: Base Asphalt must be 2 inches deep

Note 3: Surface Asphalt must be 1 inch deep

Note 4: Concrete rolled curbs are required

Note 5: Drop inlets and storm water drains are intended to be apart of the drainage infrastructure.

40.15 Intersections

- a. Streets shall intersect as nearly as possible at right angles.
- b. New street intersections must be located directly across from any existing intersection on the opposite side of the road or offset by a minimum of 125 feet.

40.16 Curves in Streets -- Horizontal and Vertical

- a. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.
- b. Where there is a deflection angle of more than ten (10) degrees in the alignment of a street, a curve with a radius adequate to insure safe sight distance shall be made. The Minimum radii shall be:

<u>Street Type</u>	<u>Minimum Curve Radius</u>
Local	100 feet

- c. All changes in grade for streets shall be connected by a vertical curve of a minimum length necessary to provide adequate sight distance and other safety factors. To calculate the minimum length for the curve connecting changes in grade:
 - 1) Calculate the algebraic difference in grades.

40.17 Street Grades and Elevations

- a. Street grades shall conform to the following:

<u>Street Type</u>	<i>Percent Grade Allowable Maximum</i>	<i>Percent Grade Desirable</i>
Local Streets	10	8

- b. The Planning Commission shall not approve streets that will be subject to inundation or flooding. All streets must be located at elevations which will make them flood-free in order that portions of the subdivision will not be isolated by floods. The Planning Commission shall require profiles and elevations of streets in order to determine the advisability of permitting the proposed subdivision activity.

- c. Fill may be used in areas subject to flooding in order to provide flood-free streets if such fill does not unduly increase flood heights. Drainage openings shall be designed so as not to restrict the flow of water and thereby unduly increase flood heights.
- d. Common example of street profile plans will be required as part of the construction plans unless otherwise waived by the Commission Engineer.
- e. All excavated road banks and ditches shall have established grass growing. Ditchlines with greater than 14% grade will be riprapped.

40.18 Marginal Access Streets

Where the proposed subdivision abuts upon or contains an existing or proposed arterial street or highway on which traffic volumes and vehicular speeds warrant special safety considerations, the Planning Commission may require that marginal access streets be provided in order that no lots will front on such existing or proposed arterial street or highway.

40.19 Street Jogs

Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet shall not be made.

40.20 Dead-end Streets (Cul-de-sacs)

Minor terminal or dead-end streets or courts which are designed so as to have one end permanently closed shall be provide at the closed end with a turn-around having a radius at the outside of the right-of-way of at least seventy(70) feet. The paved area of the cul-de-sac shall have a minimum radius of no less than sixty (60) feet.

40.21 Street Names

- a. Proposed streets which are obviously in alignment with other already existing and named streets shall bear the names of such existing streets.
- b. The name of a proposed street which is not in alignment with an existing street shall not duplicate the name of any existing street within Todd County, regardless of the use of the suffix or prefix street, avenue, boulevard, drive, place, court, lane, road, pike, highway, parkway or similar suffix or prefix.
- c. Before final plat approval, the names of streets shall be approved by the Todd County E 911 Coordinator.

40.22 Private Streets and Reserve Strips

- a. Private street constructed to less than public street standards shall not be offered or considered for dedication to the public.
- b. There shall be no reserve strips in a subdivision except where their control is vested in the county and under conditions approved by the Planning Commission and as authorized in these regulations.
- c. Before final plat approval, the names of streets shall be approved by the Todd County E 911 Coordinator.

40.23 Alleys

Alleys shall be provided to give access to the rear of all lots used for business and industrial purposes. Alleys shall not be provided in residential blocks except in cases where the subdivider produces evidence of the need for alleys, which is satisfactory to the Planning Commission.

SECTION 41. STORMWATER MANAGEMENT

All of the major subdivisions shall be designed to insure that stormwater falling on the site shall be absorbed or detained on-site to the extent that the controlled release rate of stormwater runoff shall not exceed the pre-development stormwater runoff rate for a 100-year, 24 hour storm and a 10-year, 1-hour storm, demonstrated by an accepted engineering method in a Stormwater Management Plan.

41.10 Stormwater Management Plan Format, Contents and Standards:

The required Stormwater Management Plan shall contain the following information unless specifically excluded by the Commission Engineer.

- a. A topographic map of the project site and adjacent areas, of the same scale as the Preliminary Plat, unless the Commission Engineer requires a greater scale because of unusual site characteristics, which shall demonstrate the location of all existing:
 - streams, flood plains and calculated high water elevations;
 - any C-1 zones;
 - the shoreline of lakes, ponds and wetlands;
 - sinkholes and their surface drainage areas;
 - retention basins including their inflow and outflow structures, invert elevations of culverts, etc., if any;
 - any existing storm sewers, if any;

- b. The proposed stormwater management system shall be drawn on a topographic map similar to that required by Article 3, which shall identify the location of all drainage structures including the following information:
 - 1) Flowline, elevation, slope, type and size of storm sewer and waterways discharging onto the site and receiving storm sewers and waterways at the points into which stormwater from the site will drain;
 - 2) where existing channels or open drainage facilities will be changed either by construction or by increasing the volume therein, show a profile on one or more cross sections of the existing or proposed channels or other open drainage facilities, showing the existing conditions.

- c. For all detention basins and inflow and outflow structures:
 - 1) A plot or tabulation of storage volumes with corresponding water surface elevations, which shall have adequate capacity to contain the storage volume of tributary stormwater runoff with at least one (1) foot of freeboard above the water surface of overflow in the emergency spillway in a 100-year, 24 –hour storm or as required by State law.
 - 2) Design hydrographs of inflow and outflow for the 100-year, 24-hour and 10-year, one hour events for the site under existing and developed conditions;
 - 3) Demonstration that the floor of the basin will be constructed and compacted to provide at least a 2 % minimum slope to the outlet pipe to insure that detained water fully drains and does not create a health and safety hazard or visual nuisance.
 - 4) Demonstrate that overflow for a storm in excess of the design capacity will be provided and designed to function without specific attention as part of the excess stormwater passage.

SECTION 42. LOT REQUIREMENTS

42.10 Relationship to Streets

All lots shall front on a public dedicated street or road for a minimum distance of fifty (50) feet, except the following:

- 1) Those lots that front on the turn-around of a permanent cul-de-sac may front on such turn-around for a minimum distance of fifty (50) feet.

42.11 Arrangement

Each lot in a subdivision shall contain a building site free from the danger of flooding. Except where unfeasible, side lot lines shall be at right angles to straight street lines and radial to curved street lines.

42.12 Dimensions

Lot dimensions and setbacks shall conform to the requirements of the Elkton Zoning Ordinance except for road frontage requirements and front yard setback requirements required herein. If there is a conflict between these two regulations, the greater of the two shall be required.

SECTION 43. OFF STREET LOADING AND PARKING FACILITIES

In commercial and industrial subdivisions and in the portions of residential subdivisions reserved for commercial or industrial uses, the lots or parcels platted for commercial or industrial sites shall be large enough to provide for off-street loading and unloading facilities and off-street parking facilities.

SECTION 44. UTILITY AND DRAINAGE EASEMENTS

44.10 Easements

Except where alleys are permitted for the purpose of accessing the rear of the property, the Planning Commission shall require easements at least fifteen (15) feet in width centered along all rear lot lines for poles, wires, conduits, storm sewers, sanitary sewers, gas mains, water mains and other utility facilities. Where necessary or advisable in the opinion of the Planning Commission, similar easements shall be provided along side lot lines or across lots.

If the Planning Commission deems it necessary for proper drainage within or through a subdivision, it shall require that a stormwater easement or drainage right-of-way be provided by the subdivider and maintained by the property owners or abutting property owners.

All roads with required roadside drainage ditches shall have restrictions placed on the Final Plat requiring property owners to maintain the grade and integrity of the ditches in compliance of the Final Plat and approved drainage plan.

**ARTICLE V.
MINOR SUBDIVISION PLAT APPROVAL PROCEDURE**

SECTION 50. PROCEDURES FOR MINOR SUBDIVISION PLAT APPROVAL

50.10 Approval Procedures

If a subdivision conforms to the definition of a Minor Subdivision in Article II, applicants shall obtain approval pursuant to the following procedure.

a. Plan preparation

A plat suitable for recording shall be prepared by a registered surveyor, after the developer has communicated with the Planning Office to determine whether the proposed subdivision qualifies for a minor subdivision.

If there are any utility facilities required for the property, the developer must contact the utility companies to determine what easements are required.

b. Submission

The developer shall submit three (3) copies of the original plat to the Planning Office.

c. Review

The planning staff shall review the plat for conformance to all applicable regulations. When the plat conforms to these regulations, the designated staff member will notify the Planning Commission Chairman, or designee, with a recommendation to approve the plat and the Chairman will sign the Commission's Certification of the plat to signify its approval and make the plat eligible for recording. After the Chairman or designee signs the plat, one copy shall stay with the Planning Commission, one copy should be filed in the Recorders Office and one copy will be returned to the developer. A copy of the Land Use Restrictions, if any, shall be filed with the recorded plat.

50.20 Content and Format of Minor Subdivision Plat Material

Minor Subdivision Plats shall be prepared according to the following specifications:

- a. Plat submitted shall be 18 inches by 24 inches in size.
- b. The title block shall include the name of the subdivision, the names, mailing addresses, telephone numbers of the owner and surveyor, graphic scale, north arrow and date of preparation.

- c. A Minor Plat shall contain all information required in the minimum surveying standards for a property boundary survey under State Statute for subdivision plats.
- d. The locations of all buildings, ponds, lakes, rivers, streams, marshes and other waterways shall be shown on the plat.

50.30 Review of Plats Generally

The planning staff is and shall be authorized to review minor plats under this Article for compliance and to recommend approval of same for action on behalf of the Commission. The Chairman of the Commission or designee will be contacted to sign the Commission's certificate of approval for recording.

**ARTICLE VI.
ENFORCEMENT AND PENALTIES FOR VIOLATIONS**

SECTION 60. ENFORCEMENT

- 60.10 No plat or plan of a subdivision of land located within the jurisdiction of the Planning Commission shall be admitted to the records of Todd County or received or recorded by the County Court Clerk until said plat has received final approval in writing by the Planning Commission as provided in the KRS, Chapter 100.
- 60.11 No board, public officer or authority shall accept, layout, improve, or authorize utilities to be laid in any street within the territory for which the Planning Commission has adopted a Subdivision Regulations unless the street is shown on a subdivision plat or a street plat which has been approved by the Planning Commission as provided in KRS, Chapter 100.
- 60.12 The Planning Commission shall have the power to apply for an injunction against any type of subdivision construction by the subdivider or landowner where a subdivision's regulations, approved Final Plat, or approved construction plans have been violated, or where the developer has failed to obtain approval.

SECTION 61. PENALTIES

- 61.10 Any County Clerk who receives, files, or records a plat in violation of the provisions of these regulations shall be fined no less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) as provided in the KRS, Chapter 100.
- 61.11 Any person(s) who transfers or negotiates to transfer any lot in a subdivision before the final plat of said subdivision has been approved by the Planning Commission and recorded in the County Clerk's office, or attempts the description of lands by metes and bounds in violation of these regulations, shall pay to the City of Elkton , a penalty of one hundred dollars (\$100) for each parcel of land so transferred as provided in KRS, Chapter 100. The Planning Commission or the City Council may, by action in the Circuit Court, enjoin the transfer or agreement to transfer land as provided in KRS, Chapter 100.

SECTION 62. FEE SCHEDULES

Interpretation & Plan Review	No Fee
Initial Filing Major Preliminary Plat	\$250.00 Plus \$10 a lot
Final Filing Major Final Plat	\$150.00
Minor Plats	\$20.00 per lot, up to (5) lots per plat

**ARTICLE VII.
ADOPTION, AMENDMENT AND EFFECTIVE DATE**

SECTION 70. ADOPTION

- 70.10 Before the adoption of these Subdivision Regulations or any amendment thereto, a public hearing shall be held by the Planning Commission. A public notice of time and place of the public hearing shall be published in a newspaper of general circulation in the city and county in accordance with the KRS. Chapter 100.
- 70.11 These Subdivision Regulations shall take effect and be in force immediately upon their adoption and publication of a notice of such adoption by the Elkton Planning Commission, Kentucky, legislative body.
- .

Approved by Resolution No.2008-02
Elkton Planning Commission
On August 14, 2008

Al Joynes, Chairman
Elkton Planning Commission

Amendments: Resolution 2014-01, Adopted May 8, 2014

APPENDIX A

PRELIMINARY PLAT REQUIREMENTS CHECK LIST

PRELIMINARY PLAT REQUIREMENTS CHECK LIST

This checklist is provided to assist the developer in the preparation and submission of the Preliminary Plat for approval by the Planning Commission. It is not a substitute for a careful review and compliance with the pertinent sections of these regulations.

	<u>YES</u>	<u>NO</u>
A. Ten sets of uniform size sheets, 24" x 36", including an index of the same size, if warranted.	_____	_____
B. Title block:		
• Name of the proposed development, city name, county name;	_____	_____
• Names, addresses, phone numbers of landowner(s) and developer(s);	_____	_____
• Name, address, phone number, and seal and/or stamp of the licensed engineer and/or registration number of land surveyor responsible for the plat.	_____	_____
• Labeled as "Preliminary Plat".	_____	_____
C. Legend:		
• North arrow	_____	_____
• Graphic scale (not more than 1" = 200 ft.)	_____	_____
• Date of original and revisions	_____	_____
• Acreage of land to be subdivided/developed	_____	_____
D. Vicinity map	_____	_____
E. Information Block:		
• Zoning classification of land to be developed; Proposed zoning (if applicable)	_____	_____
• Typical and minimum lot acreage	_____	_____

	<u>YES</u>	<u>NO</u>
• Typical and minimum lot frontage	_____	_____
• Total gross acreage	_____	_____
• Acreage in R.O.W.	_____	_____
• Other	_____	_____
• Acreage of remaining property	_____	_____
F. Contours, not more than five (5) foot vertical intervals.	_____	_____

PRELIMINARY PLAT SUPPLEMENTARY INFORMATION

The following items of supplementary information shall be required, unless otherwise waived by the Planning Commission, and are considered part of the preliminary subdivision plat submittal as specified in Articles III and IV.

	<u>YES</u>	<u>NO</u>
1. Copy of completed application form and payment for subdivision plat processing fee.	_____	_____
2. Legal description of the tract to be developed.	_____	_____
3. Bearings and distances of original property lines, streets, street names, easements, buildings, water courses (including flood plains, streams, sinkholes), significant individual trees or stands of trees, and other existing physical features; on-site and off-site sinkholes.	_____	_____
4. Proposed location and width of all new streets, alleys, lots, building lines and easements (scale of 1" = 200 ft.); including typical sections of each existing and proposed street keyed to plat.	_____	_____
5. Location of existing sewers, water mains, fire hydrants, storm drains, power transmission lines, and other underground structures.	_____	_____
6. Layout of proposed lots, including dimensions of lot lines, lot numbers, building setback line, and side and rear yard setbacks.	_____	_____

	<u>YES</u>	<u>NO</u>
7. Acreage of each lot; Acreage in streets; Other pertinent acreages; Lot number and area in square feet of the smallest lot in the development.	____	____
8. Location, acreage, and lot number of all areas to be used for non-residential purposes, including lots reserved or dedicated for public use and utility installations.	____	____
9. Location and type of monuments and pins.	____	____
10. Industrial or commercial plats; access points, building masses, proposed entrances, loading areas, number of establishments.	____	____
11. Proposal for accomplishing the installation of improvements.	____	____
12. Location, right-of-way, and pavement width of new streets (sections and plans to be attached);	____	____
Radii, points of curvature, lengths of arcs for proposed streets;	____	____
Proposed changes to existing streets;	____	____
Street names selected so as not to duplicate any other within the County;	____	____
13. Proposed utility and other <u>easements</u> (plans and profiles for utilities to be attached):	____	____
• Location, size and type of sanitary sewer or other sewer disposal facilities;	____	____
• Water mains and other utilities;	____	____
• Facilities for stormwater drainage;	____	____
• Other proposed improvements such as sidewalks, planting and parking, parks and any grading of individual lots.	____	____

		<u>YES</u>	<u>NO</u>
14.	Statement of deed restrictions and protective covenants and homeowner's association requirements, if any.	_____	_____
15.	A plan showing the provisions for stormwater management.	_____	_____
16.	Plans showing the provisions for domestic water supply.	_____	_____
17.	A water quality plan.	_____	_____
18.	Request for modification, variance of waiver of preliminary plat requirements or design standard. (Optional)	_____	_____
19.	Certification by the Planning Commission Engineer.	_____	_____
20.	Septic system availability and/or approval certificate.	_____	_____
21.	Certification of Ownership.	_____	_____
22.	Certification by the developer's registered Land Surveyor.	_____	_____
23.	Certifications of the Utility Companies.	_____	_____
24.	Certification of approval by the Planning Commission.	_____	_____
25.	Notation on streets that indicate whether they are dedicated public R.O.W.'s or private streets. If private streets, a street maintenance agreement should be attached as a deed restriction.	_____	_____

CONSTRUCTION PLANS REQUIRED FOR PRELIMINARY PLATS

1	Certification by the Planning Commission Engineer	_____	_____
2.	Certification by the developer's registered Engineer.	_____	_____

APPLICATION FOR PRELIMINARY PLAT APPROVAL

Date _____

Application No. _____ (This will be filled in at the Planning Commission)

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor or Engineer _____

Address _____

Phone _____

3. Name of Development _____

4. The Application Fee is \$ _____

5. Waivers for plat or design standards.

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

6. List other materials submitted with the application.

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

APPENDIX B

FINAL PLAT REQUIREMENTS AND CHECK LIST

FINAL PLAT REQUIREMENTS AND CHECK LIST

At a minimum, and in conformance with all requirements of Article III and IV, the following information shall be included on the final plat presented for review by the Commission unless accompanied by a request for waiver. Samples of all forms for certification can be found in Appendix III and IV.

	<u>YES</u>	<u>NO</u>
A. Uniform size sheets, 18" x 24" x 36"; index of the same size, if necessary.	_____	_____
B. Title block:		
• Name of the proposed development, city name, county name;	_____	_____
• names, addresses, phone numbers of landowner(s) and developer(s);	_____	_____
• name, address, phone number, and seal and/or stamp of the licensed engineer and/or registration number of land surveyor responsible for the plat.	_____	_____
• Label "Final Plat" or "Final Development Plan"	_____	_____
C. Legend:		
• North arrow	_____	_____
• Graphic scale (not more than 1: = 200 ft.)	_____	_____
• Date of original and revisions	_____	_____
• Acreage of land to be developed	_____	_____
D. Vicinity map	_____	_____
E. Information Block:		
• total gross acreage	_____	_____
• acreage in R.O.W.	_____	_____
• individual lot acreage for each lot	_____	_____
• other	_____	_____
f. Boundary lines of area being developed with accurate distances and angles; correct legal description of the property.	_____	_____

FINAL PLAT SUPPLEMENTARY INFORMATION

The following items of supplementary information shall be required, unless otherwise waived by the Planning Commission, and shall be included as part of the final subdivision plat as specified in Articles III and IV.

	<u>YES</u>	<u>NO</u>
A. Copy of completed application form for final plat review and payment of subdivision processing fees.	_____	_____
B. Legal description of the tract being developed and reflecting the boundary survey.	_____	_____
C. Total site data:		
• acreage;	_____	_____
• number of lots;	_____	_____
• area and lot number of the smallest lot;	_____	_____
• square feet of area or acres in parks and other public uses;	_____	_____
D. Lines of all proposed streets and alleys; widths of proposed streets; names of all streets; addresses of all parcels or units.	_____	_____
E. Location and dimensions of areas intended to be dedicated or granted for public use; statement of dedication.	_____	_____
F. Lot lines, names of property owners, and right-of-way lines of all adjoining property, adjoining streets and alleys with their widths; names of all streets within 100 feet of the proposed development.	_____	_____
G. Lot data		
• location of lots and blocks with dimensions;	_____	_____
• bearings of lot lines;	_____	_____
• building setbacks (including rear & side yard lines)	_____	_____
• identification by consecutive lot number;	_____	_____
• lot width at building line and front lot line for lots located on curves.		

		<u>YES</u>	<u>NO</u>
H.	Location of building lines, easements, or rights-of-way provided for public use, services or utilities, with the limitations of their rights stated on the plat; easement descriptions.	_____	_____
I.	Dimensions necessary for locating boundaries or development, lots, streets, alleys, easements, and other areas for public or private use.	_____	_____
J.	Radii, arcs or chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.	_____	_____
K.	Location and description of survey monuments.	_____	_____
L.	Industrial and commercial plats: buildings masses, entrances, loading areas, number of establishments.	_____	_____
M.	Deed restrictions, protective covenants or homeowner's association requirements shall either be placed on the Final Plat or attached thereto in form for recording. (If recorded separately, reference to the restrictions shall be made on the final plat).	_____	_____
N.	As-built construction plans for sanitary sewer facilities, storm water management facilities, water supply system, and other improvements or proof of improvement guarantees (Article VII).	_____	_____
O.	Signed statement from the Planning Commission Engineer stating that the grading plan and water quality protection improvements have been installed according to the plans required of these Regulations and approved to the satisfaction of the Planning Commission Engineer.	_____	_____
P.	Application requesting modification, variance or waiver of final plat requirements or design standards (as required).	_____	_____
Q.	Certificate of Dedication;	_____	_____
R.	Certification of Surveyor.	_____	_____
S.	Certificate of Review By County Health Officer, if applicable.	_____	_____

		<u>YES</u>	<u>NO</u>
T.	Certificate by the Planning Commission Engineer.	___	___
U.	Certificates of Public Water and/or Sewer Provision.	___	___
V.	Certificates for availability of utility services.	___	___
W.	Source of title.	___	___
X.	Certificate of Planning Commission approval.	___	___
Y.	Deed Restriction note concerning altering Drainage Plan improvements (See Article III, Section 32.10 (u)).	___	___



APPLICATION FOR FINAL PLAT APPROVAL

Date _____

Application No. _____ (This will be filled in by the Planning Commission)

Application Fee \$ _____

1. Name of Applicant _____
Address _____
Phone _____
2. Name of Surveyor or Engineer _____
Address _____
Phone _____
3. Name of Development _____
4. Date Preliminary Plat Approved _____
5. Was a zoning change requested? _____
6. If yes to item 5 above, the plat may not be approved until it conforms with the local zoning.
7. Have all required improvements been installed? _____
If no, include detailed estimates of cost and a statement relative to the method of improvement guarantee. All estimates must be approved by the Planning Commission Engineer. (For Plats only)
8. Do you propose deed restrictions? _____

(If YES, please attach a final copy.)

9. Waivers requested for plat or design standards.

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

10. List other materials submitted with the application.

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

APPENDIX C

SUBDIVISION PLAT CERTIFICATION BLOCKS

PRELIMINARY PLAT CERTIFICATIONS

When applicable utilities or other construction elements (e.g., sanitary sewer, municipal water, etc.) are being planned for any proposed subdivision, the following Certification Blocks are required that relate to each of the applicable elements.

CERTIFICATION OF AVAILABLE CAPACITY FOR WATER SERVICE

I hereby certify that _____ City of Elkton Water and Sewer Department has the capacity within the water distribution system to supply the _____ Subdivision with adequate water services. Providing of such water service will be contingent upon the developer’s satisfactory construction/installation of a water distribution system that has been approved by the Division of Water, Kentucky Environment and Public Protection Cabinet, Department of Environmental Protection and the above mentioned water utility. All costs associated with such construction are to be borne by the developer.

DATE

Utility Superintendent

CERTIFICATION OF AVAILABLE CAPACITY FOR SEWAGE SERVICE

I hereby certify that _____ City of Elkton Water and Sewer Department has the capacity within the sanitary sewer disposal system to supply _____ Subdivision with sanitary sewage disposal. Providing of such sewer service will be contingent upon the developer’s satisfactory construction/installation of a sanitary sewer collection system that has been approved by the Division of Water, Kentucky Environment and Public Protection Cabinet, Department of Environmental Protection and the above mentioned sewer utility. All costs associated with such construction are to be borne by the developer.

DATE

Utility Superintendent

CERTIFICATION OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owners(s) of the property shown and described hereon and that I (we) hereby adopt the plat of the development with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open space to public or private use as shown, in accordance with the City of Elkton Subdivision Regulations, unless otherwise noted.

DATE (signature above line & name of owner typed below line)

Note: Add an additional signature and date line as shown above for each co-owner of the property in question.

CERTIFICATION OF PRELIMINARY PLAT APPROVAL

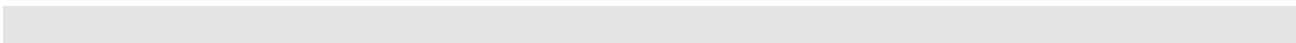
I hereby certify that the preliminary subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Elkton, Kentucky, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission meeting.

DATE Chairman, Elkton Planning Commission

CERTIFICATION OF ACCURACY

I hereby certify that the plat shown and described hereon is a true and correct survey of the property depicted hereon to the accuracy required by the Survey Standards for the State of Kentucky and the Elkton Subdivision Regulations. (Note: Must also show stamp of the Surveyor.)

DATE (signature of registered surveyor)



CONSTRUCTION PLAN CERTIFICATION

=====

CERTIFICATION OF THE ACCURACY, COMPLETENESS, AND CONFORMITY

I hereby certify that the construction plans and profiles for the streets, utilities, storm-water management, and all other improvement submitted for _____ Subdivision have been reviewed and in my opinion they meet or exceed the general engineering standards for such plans and they are in accordance with the Elkton Subdivision Regulations.(Note: Must also show stamp of the Civil Engineer.)

DATE

Commission Engineer



FINAL PLAT CERTIFICATIONS

When applicable utilities or other construction elements (e.g., sanitary sewer, municipal water, on site septic systems, etc.) are being planned for any proposed subdivision, the following Certification Blocks are required that relate to each of the applicable elements.

CERTIFICATION OF THE REVIEW OF STREET AND DRAINAGE

I hereby certify: (1) that all streets and roadways, storm-water management facilities, all utilities, and all other improvements required by the approved construction plans for this subdivision have been installed in accordance with the approved construction plans and the specifications of the Elkton Subdivision Regulations; and, have been inspected and approved by the appropriate agency; Or, (2) the Construction Plans have been approved by the appropriate agency and that a security bond in the amount of \$ _____ in the name of the City Council has been posted with the Planning Commission, or mayor to assure completion of all required improvements in case of default.

DATE

Commission Engineer

CERTIFICATION OF PROVISION FOR WATER SERVICE

I hereby certify that _____ City of Elkton Water and Sewer Department; (1) has inspected and approved the construction/installation of all aspects of the water distribution system for the _____ Subdivision and certify that the system has been installed in accordance with the approved Construction Plans; or (2) the Construction Plans for the Water Distribution System have been approved by the appropriate agency and a Surety Bond in the amount of _____ has been posted in the name of the Elkton City Council has been posted with the Mayor to assure completion of all required improvements in case of default.

DATE

Utility Superintendent

CERTIFICATION OF PROVISION FOR SEWAGE

I hereby certify that _____ City of Elkton Water and Sewer Department; (1) has inspected and approved the construction/installation of all aspects of the sanitary sewer system for the _____ Subdivision and certify that the system has been installed in accordance with the approved Construction Plans; or (2) the Construction Plans for the Sanitary Sewer System have been approved by the appropriate agency and a Surety Bond in the amount of _____ has been posted in the name of the City Council with the Mayor to assure completion of all required improvements in case of default.

DATE

Utility Superintendent

CERTIFICATION OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owners(s) of the property shown and described hereon and that I (we) hereby adopt the plat of the development with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open space to public or private use as shown, in accordance with the Elkton Subdivision Regulations, unless otherwise noted.

DATE

(signature(s) above line & name(s) of owner(s) typed below

The following note shall be placed on all Plats:

NOTICE TO ALL PROPERTY PURCHASERS:

Any filling, grading, or otherwise altering a roadside drainage ditch or other drainage improvement required and constructed as part of the Street and/or Storm-water Management Plans approved by the Planning Commission is prohibited. Any property owner(s) that alters the approved drainage improvements shall be required to reconstruct the drainage improvements at the owner(s) expense to conform to the approved Street and Drainage Plans.

Upon written notice from the Street Department or City Engineer or Commission Chairman, a property owner must reconstruct the property as per the drainage improvements indicated in the approved street and/or Drainage Plans within 60 days. If the property owner(s) does not reconstruct the approved drainage improvements within the 60-day deadline, the City Street Department shall have free and unrestrained access to the property for the purpose of reconstructing the drainage improvements. The property owner(s) will be responsible for reimbursing the City for all expenses involved in the reconstruction of the drainage improvements.

CERTIFICATION OF ACCURACY

I hereby certify that the plat shown and described hereon is a true and correct survey to the accuracy required by the Elkton Subdivision Regulations and that the monuments have been placed as shown herein.

DATE

(signature of registered surveyor)

CERTIFICATION OF AVAILABILITY OF UTILITY SERVICES

I hereby certify that _____(name of agency or company) shall supply the _____(name of subdivision) with _____(electric/gas/telephone) services and the proposed utility easements of said development meet the requirements of this agency and all other applicable requirements.

DATE

Company representative (title)

CERTIFICATION OF FINAL SUBDIVISION PLAT APPROVAL

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

DATE

Chairman, Elkton Planning Commission

DRAINAGE EASEMENT DESCRIPTION

Drainage easements contain stormwater channels, stormwater storage areas/facilities and access rights for maintenance of such facilities. No channel alteration or construction that would obstruct the flow of stormwater is allowed.

UTILITY EASEMENT DESCRIPTION

Easements grant and convey to the appropriate utility companies, their successors, assigns, and lessees, the right to trim any and all trees, and remove any structures and obstacles in the easements, which might interfere with the maintenance of their facilities. No building shall be erected, and no excavation or other change in grade shall be performed, upon the easements after installation of facilities. The right of ingress and egress is hereby granted to users of the utility easement as required to construct, operate, and maintain the facilities within the easements.

EXHIBIT C-1 SAMPLE PLAT OF SURVEY

