

SECTION 6

DEVELOPMENT PLAN REQUIREMENTS

6-1 INTENT

This Section establishes and defines Development Plans which may be utilized for a wide variety of planning related procedures. This Section outlines the procedure for submission and content of all Development Plans required by these regulations unless another procedure or different contents are specified elsewhere.

The purpose in requiring submission of a Development Plan is to assure compliance with the standards and requirements of the Zoning Ordinance and other County ordinances for all construction, with the intent of implementing the Comprehensive Plan and promoting the public health, safety and general welfare through planned development. It is the intent of the Development Plan submission to provide as much information to all county departments and public agencies for their reviews, in an effort to streamline the approval process for developers and owners.

6-2 DEVELOPMENT PLAN REQUIRED

Development Plans, as defined by KRS 100.111(8), shall be required as follows:

1. For map amendment requests, as authorized by KRS 100.203(2), (except R-1, R-2, R-3 and A-1 Zones);
2. For new construction within commercial and industrial zones and for assembly and recreational land uses in all residential zones;
3. For enlargements, additions, extensions within commercial and industrial zones and for assembly and recreational uses in all residential zones;
4. For new construction of multifamily structures. This includes the conversion or alteration or addition to existing structures into multifamily units;
5. For Conditional Use Permits within non-residential zones (except R-1, R-2, R-3 and A-1 Zones);
6. For Variances within non-residential zones (except R-1, R-2, R-3 and A-1 Zones);
7. For the conversion of a residential structure to a non-residential use;
8. For a change in use of a commercial or industrial structure when parking, perimeter landscape screening or other similar improvements are required or changed.

6-3 DEVELOPMENT PLAN PROCEDURES

The following shall be the procedure for consideration of any Development Plan. Development Plans, which fully meet the requirements herein, may be approved and certified by the Director without action by the Commission.

FILING – To formally request action on the required Development Plan, the applicant shall file a completed application form, a filing fee, and two (2) copies of the plan prepared by a Professional Engineer or Land Surveyor. After review, the applicant shall then provide two (2) copies of the corrected final plan, with the appropriate certifications signed, for full approval.

REVIEW – The Director and concerned agencies shall meet to review the Development Plan for the purpose of resolving all differences. This review shall be open to the applicant and to any interested citizen.

ACTION – The Director shall act within 60 days of submission in the following form:

- **Approval** — The Director may approve the Development Plan as submitted.
- **Conditional Approval** — The Director may conditionally approve the Development Plan with conditions and require amendment to the plan and/or completion of all conditions before granting full approval.
- **Resubmission** — The Director may review the plan and submit review comments to the owner and/or owner’s agent listing items that must be provided, corrected or completed for additional review before full approval.
- **Disapproval** — The Director may disapprove the Development Plan and shall state in writing, its reasons for disapproval. To be reconsidered, a new Development Plan shall be submitted to the Director, and must be approved or disapproved within 60 days of submission.

DEVELOPMENT PLAN PETITION – A request for review before the Commission for final determination of compliance with the development standards may be granted upon proper notice to the Director by written request to appear before the Planning Commission.

COMMISSION ACTION - No Development Plans shall be considered for petition by the Commission until they have been reviewed by the Director unless this requirement is waived by the Commission.

The Commission will review any conditions required by the Director and concerned agencies recommendations and then act for approval, conditional approval with conditions noted, resubmission, or disapproval. The Commission may modify or disapprove the Development Plan if it

finds the plan does not comply with the requirements of the Zoning Ordinance, and when applicable, the Subdivision Regulations, or if it finds there are existing or potential flood, drainage, traffic, topographic, health, safety, nuisance or other similar problems relating to the development of the subject property.

In addition to these items, Development Plans which seek to amend the original Development Plan or its approved amendments shall also be subject to the provisions of this Section. Reasons for action of postponement or disapproval shall be fully incorporated in the minutes of the Commission. The following actions by the Commission shall have the meanings so stated:

Action At the meeting for the appeal request, the Commission shall act in the following form:

- **Approval** — The Commission may approve the Development Plan as submitted. In cases where a map amendment request is later disapproved, this action automatically disapproves the Development Plan.
- **Conditional Approval** — The Commission may conditionally approve the Development Plan with conditions and require amendments to the plan and/or completion of all conditions, before full approval is granted by the Commission.
- **Resubmission** — The Commission may review the plan and submit review comments to the owner and/or owner's agent listing items that must be provided, corrected or completed for additional review before full approval.
- **Disapproval** — The Commission may disapprove the Development Plan and shall state in writing its reasons for disapproval. To be reconsidered, a new Development Plan shall be submitted, and must be approved or disapproved by the Commission within 60 days of resubmission.

6-4 CONSTRUCTION COMMENCEMENT Any approved Development Plan shall become invalid if the authorized work has not commenced within one (1) year of plan approval. To be reconsidered, a new Development Plan shall be resubmitted to the Commission for approval.

6-5 APPROVAL OF DEVELOPMENT PLAN BEFORE BUILDING PERMIT
When a Development Plan is required, no building permit shall be issued until a Development Plan is approved by the Commission Chair or the Director. The approved Development Plan shall limit and control the issuance of all building and occupancy permits, and restrict the construction, location and use of all land and structures to the conditions as set forth in the plan.

6-6 COMPLETION OF SITE CONSTRUCTION WORK AND REQUIREMENTS

All requirements of the approved Development Plan must be completed within six months of building occupancy unless the Director upon request grants an extension. The Commission Staff will inspect completed site construction work when the applicant receives a certificate of building occupancy and thereafter if necessary. If no building construction is being proposed, all site construction work if begun, is to be completed within six months. A copy of the approved Development Plan shall be retained on the job site until all site improvements have been completed and have been accepted by the Hardin County Planning Commission.

6-7 CONTENT OF DEVELOPMENT PLAN

Required plan information shall be as follows (unless certain items are waived by the Commission):

1. A stamp or seal of a Kentucky registered professional engineer, architect, landscape architect or land surveyor; the scope of work performed by such professionals in conjunction with a development plan submission is limited to that permitted by their respective licensing authorities. If grading and/or storm drainage construction work are being proposed, a Kentucky registered professional engineer shall be required to submit grading information and design the appropriate stormwater system. A stamp or seal of a Kentucky registered professional engineer is required for grading and stormwater construction work. All plans shall be created using an engineering drafting scale and shall be a minimum size of 11"x17". The plan's scale shall be approved by the Commission upon submission but typically should be 1"=100' or less, unless otherwise approved.
2. The title block shall be placed on the bottom right corner of the sheet and shall contain the following:
 - a. plan name, preceded by the words "Development Plan For (name of development)";
 - b. a written and graphic scale,
 - c. north arrow;
 - d. the name and address of the developer and plan preparer;
 - e. the development address, deed book, page number and PVA Map Parcel Number.
3. The boundary of the subject property with dimensions, its record plat designation (if available) and a record plat name and lot number or owner's name(s), deed book and page number of all adjoining properties.
4. A vicinity map, illustrating the entire site and oriented in the same direction as the design scheme with the North arrow pointing up or to the right.
5. Zoning classification of all abutting properties, including those across any street, railroad or other public way.

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6. Size, location, height, floor area, number of stories and use of all proposed and/or existing buildings, signs and dumpsters, including service structures.
7. Location, arrangement and dimensions of existing and proposed driveways, walkways, parking areas and arrangement of parking spaces. Appropriate “accessible parking” (handicapped) accommodations must be illustrated. The location of all street entrances and access points and with their respective radius must also be illustrated.
8. Location, pavement width, and right-of-way of any proposed or existing streets within or abutting the subject property.
9. Screening, landscape buffering, recreational and other open space areas including notes on landscaping material used. A separate landscape plan may be required by the Commission.
10. General locations and a note for the Natural Features and Drainage & Stormwater Receivers of special flood hazard areas, sinkholes, blue line streams, bodies of water, waterways, storm water retention/detention areas and any other designated environmentally sensitive or geologic hazard areas.

Natural Features Note

As indicated on the _____ USGS Quadrangle Map dated ____, there are _____ located within the subject property of this development.

Drainage and Stormwater Receiver Note

The stormwater receiver(s) of this development is _____ for the subject property.

11. A Flood Note relating to a review of the local Flood Insurance Rate Map (F.I.R.M.) determining the property’s inclusion in or exclusion from a special flood hazard area.

As indicated on map number _____ of Flood Insurance Rate Maps dated _____, this site is located in Zone X which has been determined to be outside the 500-Year Flood.

As indicated on map number _____ of Flood Insurance Rate Maps dated _____, a portion this site is located in Zone _____ which is a Special Flood Hazard Area Inundated by 100-Year Flood. As noted for Zone _____, (no) base flood elevations have been determined. No structure shall be located in the floodplain unless approval is received in compliance with the Hardin County Ordinance adopted 14 August 2007 relating to Flood Damage Prevention and the National Flood Insurance Program as recorded in Ordinance Book 4 Page 182 and Fiscal Court Order Book 77 Page 452 in the Hardin County Clerks’ Office.

12. Proposed and existing building setbacks and easements for drainage, utilities and/or other purposes.

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13. Utility information such as water, septic area or sanitary sewer, natural gas, electric service, and the location of all outdoor lighting and fire hydrants.
14. Areas of existing trees including those located along fence rows and drainage areas.
15. Notes relative to any special restrictions on the property, such as, any variances or conditional use permits that have been secured, access, shared features (entrances, parking or drive lanes), record plat restrictions/covenants and maintenance of common areas.
16. A statistical summary of all pertinent site data (this information should be listed in acreage, square footage and/or percentage of the site as applicable), including site area, zoning, use, building coverage and floor area, parking and open space areas, number of parking spaces, number of dwelling units, building height, and required landscaping.
17. The following certifications, Table 2, shall be shown and executed on all Development Plans:
 - Owner Certification
 - Notary Certification
 - Preparer's Certification
 - Kentucky Department of Highways Certification
 - Hardin County Encroachment Permit Certification
 - Wastewater Certification
 - Engineering Department Certification
 - Commission Certification

OWNER CERTIFICATIONS	
<p>I (we) do hereby certify that I am (we are) the only owner(s) of the property shown herein and do adopt this as my (our) (Master Plan / Conceptual Development Plan) concept for the property.</p>	
<p>_____</p> <p>Owner signature</p>	<p>_____</p> <p>Date</p>
<p>I (we) do hereby certify that I am (we are) the only owner(s) of the property shown herein, do adopt this as my (our) (Development Plan / Site Plan) for the property and agree to complete all site improvements shown hereon in their entirety prior to receiving a Certificate of Occupancy to use and occupy the building(s) and property. I (we) further assure and understand that the building and premises, including all landscape materials shall be maintained in a proper manner.</p>	
<p>_____</p> <p>Owner signature</p>	<p>_____</p> <p>Date</p>

NOTARY CERTIFICATION	
<p>COMMONWEALTH OF KENTUCKY COUNTY OF HARDIN</p>	
<p>I, the undersigned Notary Public, do hereby certify that the foregoing instrument was delivered and acknowledged before me in Hardin County, Kentucky. I further certify that the above signature(s) (is, are) legal and (has, have) been executed voluntarily on this date, to the best of my knowledge and belief.</p>	
<p>Witness my hand this _____ day of _____ (MONTH); _____ (YR)</p>	
<p>_____</p> <p>Notary Public</p>	<p>_____</p> <p>My Commission Expires</p>

PREPARERS CERTIFICATION	
<p>I certify that this Plan was prepared by me and is a true and correct representation of the indicated land.</p>	
<p>_____</p> <p>Preparer signature</p>	<p>_____</p> <p>Date</p>
<p>Certification Number _____</p>	

KENTUCKY DEPARTMENT OF HIGHWAYS CERTIFICATION		
<p>I certify that the site shown has (a legal and adequate entrance onto the indicated road or has received an Encroachment Permit for access onto the indicated road) as shown.</p>		
<p>_____</p> <p>Official</p>	<p>_____</p> <p>Title</p>	<p>_____</p> <p>Date</p>

HARDIN COUNTY ENCROACHMENT PERMIT CERTIFICATION		
<p>I certify that the site shown has (a legal and adequate entrance onto the indicated road or has received an Encroachment Permit for access onto the indicated road) as shown.</p>		
_____	_____	_____
Official	Title	Date

WASTEWATER CERTIFICATION		
<p>I certify that the wastewater disposal system(s) installed or proposed for installation in this development fully meet the requirements of this jurisdiction and are approved.</p>		
_____	_____	_____
Official	Title	Date

ENGINEERING DEPARTMENT CERTIFICATION		
<p>The plans for this development have been reviewed by this office and appear to meet the requirements of this jurisdiction. In performing this limited review of the plans, this office does not design the plans or rerun any of the design calculations or models or confirm in any way that the plans have been prepared in accordance with the required professional standards.</p>		
_____	_____	
County Engineer signature	Date	

COMMISSION CERTIFICATION		
<p>I do hereby certify that this Plan has been approved in accordance with the regulations administered by the Hardin County Planning and Development Commission.</p>		
_____	_____	
Commission Chair or Director Signature	Date	