

HARDIN COUNTY

SUBDIVISION

REGULATIONS



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Hardin County Planning and Development Commission

01. PURPOSE.

The purpose of this article is to establish the procedure for Planning Commission review and action regarding applications for subdivisions and/or site plans. The procedure is intended to provide orderly and expeditious processing of such applications.

02. PRE-APPLICATION.

For the purpose of expediting applications and reducing subdivision and site plan design and development cost, and development cost, the developer may request a pre-application conference and/or concept plan in accordance with the following requirements:

A. Pre-Application Conference.

1. At the request of the applicant, the Planning Commission shall authorize a pre-application conference.
2. The pre-application conference shall allow the applicant to meet with appropriate county representatives. These individuals, who shall be designated by the Fiscal Court may include:
 - a. Planning Director or his/her agent;
 - b. Road Department Supervisor or his/her agent;
 - c. Representative of the Planning Commission; and
 - d. Anyone invited by the Planning Commission chairperson or Director.
3. Applicants seeking a pre-application conference shall submit the information stipulated in Article 8 of this ordinance ten days prior to the pre-application conference.
4. If requested and paid for by the applicant, a brief written summary of the pre-application conference shall be provided within ten working days of the final meeting.
5. The applicant may be charged reasonable for a pre-application conference.
6. The applicant shall not be bound by the determination of the pre-application conference.

B. Concept Plan.

1. In addition or as an alternative to the pre-application conference, at the request of the applicant, the Planning Commission shall grant an informal review of a concept plan for a development for which the applicant intends to prepare and submit an application for development. The purpose of the concept plan is to provide Planning Commission input in the formative stages of subdivision and site plan design.
2. Applicants seeking concept plan informal review shall submit the items stipulated in Article 8 of this ordinance ten days before the concept plan meeting. These items provide the applicant and Planning Commission with an opportunity to discuss the development proposal in its formative stages.
3. If requested and paid for by the applicant, a brief written summary for the concept plan review shall be provided within 10 working days of the final meeting.

4. The applicant shall not be bound by any concept plan for which review is requested, nor shall the Planning Commission be bound by any such review.

03. APPLICATION.

Application shall be made for any activity which creates a subdivision as described under KRS 100.111 (22), as amended. All plans for development shall comply with specifications and standards contained in this section.

Under no condition shall development activities commence, shall lots be sold, or shall a building be occupied for any residential, commercial or industrial use until such time as one or more of the following plans required by this Section have been approved.

- A. Development Plans.
- B. Minor Subdivision Plats.
- C. Major Subdivision Plats.
- D. Road Construction Plans.
- E. Conservation Plans.
- F. Drainage Plans.

Included within this requirement is the provision that in accordance with KRS 100.3681, a Certificate of Land Use Restriction and Subdivision plats be filed in the Office of the Hardin County Court Clerk. See sample certificate of Land Use on next page.

04. COMMISSION ACTION.

At its next meeting, the Commission shall take one of the following courses of action.

- A. It shall accept and approve the appropriate plan (s) in light of the fact that it satisfies all applicable standards promulgated by this ordinance.
- B. It shall conditionally approve the appropriate plan (s) for reasons which shall be stated. Upon receipt of this notification, the applicant shall have one month from the Commission meeting date, in which to make the indicated changes and return said plan to the staff; upon receipt of a corrected plan, the staff shall remove the conditions and approve the plan.
- C. It shall deny the appropriate plan (s) for extenuating reasons which shall be stated. Upon receipt of this notification the applicant shall have one month from the Commission meeting date in which to make the indicated changes and return said plan to the staff; upon receipt of a revised plan. The staff shall review it and prepare a recommendation to the Commission which must act on it the second time. If approval or conditional approval is granted, the proposal shall proceed as indicated in (1) or (2) above.

CERTIFICATE OF LAND USE
COUNTY OF HARDIN
COMMONWEALTH OF KENTUCKY
DGSN 000-00-00-000
(DATE)

Name and Address of Property Owner (s):

Address of Property:

Name of Subdivision or Development:

The following records are maintained by
Hardin County Planning and Development Commission,
R.R. Thomas County Government Building
14 Public Square, Third Floor
Elizabethtown, Kentucky 42701:

_____ Conditional Use Permit
_____ Development (Plot) Plan
_____ Variance

The following records are maintained by
Hardin County Clerk,
R.R. Thomas County Government Building
14 Public Square, First Floor
Elizabethtown, Kentucky 42701:

_____ Subdivision Plat
_____ Amended Plat

Chris Hunsinger, Director
Hardin County Planning and Development
Commission

05. WAIVER OF SITE PLAN APPLICATIONS.

The Planning Commission may waive the requirement for site plan approval where there is a change in use or occupancy and no extensive construction or improvements is sought. The waiver may be granted only upon a resolution by the Planning Commission, finding that the use will not affect existing drainage, circulation, relationship of buildings to each other, landscaping, buffering, lighting and other considerations of site plan approval, and that the existing facilities do not require upgraded or additional site improvements. The application for a waiver of the site plan shall include a discussion of the prior use and its impact. The Planning Commission may delegate the above-mentioned authority to an agent by resolution.

06. EXCEPTION OF SPECIFIC SUBDIVISION REQUIREMENTS.

The Planning Commission when acting upon applications for preliminary or minor subdivision approval, shall have the power to grant such exceptions from the requirements for subdivision approval as may be reasonable and within the general purpose and intent of the provision for subdivision review and approval of this ordinance, if the literal enforcement of one or more provisions of the ordinance is impractical or will exact undue hardship because of peculiar conditions pertaining to the land in question. The Planning Commission may delegate the above-mentioned authority to an agent by resolution.

07. THE PROVISIONS AND SPECIFICATIONS FOR DEVELOPMENT PLANS.

Development plans shall be submitted as defined by KRS 100.111 (8) for all commercial and industrial districts and for assembly, recreational and institutional land uses permitted as a use-by-right in all residential districts. If such development will create a new street, a preliminary plat shall be submitted and approved by the Commission for the area in question.

A. Submitting Development Plans.

The applicant shall submit a development plan prior to the commencement of any construction activity. The development plan shall be drawn by the applicant or his agent. Building plans conforming to the Kentucky Building Code, a conservation plan, and any needed deed restrictions shall also be submitted at this time. This submission shall be made no less than fourteen days prior to the next meeting of the Commission. Upon receipt of a copy of the development plan as well as the other required information, the staff shall review it and prepare a recommendation to the Commission.

B. Technical Specifications for Development Plans.

Development plans shall be clearly and legibly drawn on a sheet to be supplied by the staff; lead pencil drawings will not be accepted. The minimum scale shall be 100 feet to the inch. If the entire site cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map at a reduced scale. The following information shall be shown on all development plans.

1. A title block which shall present the following information:
 - a. The name of the development;
 - b. The DEVELOPMENT GUIDANCE SYSTEM number as assigned by the staff;
 - c. The name and address of the owner;
 - d. A written scale; and
 - e. The total acreage involved in the site.

2. The site's boundary along with its dimensions.
3. The dimensions of all existing or proposed buildings and their distances from property lines.
4. The location of the septic tank and lateral lines, or, the point of access to public sewerage.
5. The point of access to public water or the location of the private well.
6. The location and dimensions of all existing and proposed utility easements.
7. The location of all outdoor lighting fixtures and direction of beam.
8. The location, dimensions, and height of all existing and proposed signs.
9. The location, dimension, and surface type of all existing and proposed parking facilities.
10. The distances from property lines to all driveways/entrances.
11. The location and dimensions of all roadways, their names and rights-of-way.
12. A north arrow.
13. The location of flood lines, in accordance with Hardin County Ordinance 56-89, relating to flood damage prevention and the National Flood Insurance Program; or a note stating – “As indicated on map number 00000c0000-c of Flood Insurance Rate Maps, dated November 4, 1988, this site is located in Zone () which has been determined to be outside the 100-year flood plain”.
14. A vicinity map showing the entire site whether or not all of it is proposed for development. This shall be illustrated at a minimum scale of one inch to 2,000 feet (available from the staff).
15. The location of any municipal or county line which crosses or falls adjacent to the site.
16. The locations, dimensions, and extent of any land to be dedicated to public use including any improvements to be made to that land.

5. The Hardin County Board of Health shall certify as follows:

I certify that the water supply and sewage disposal systems installed or proposed for installation in this development fully meet the requirements of this jurisdiction and are approved.

Date

Official

Title

6. The Hardin County Road Department shall certify as follows when access to the site is gained by way of a non-state-maintained road.

I certify that the site shown has (a legal and adequate entrance onto the indicated road, received and Encroachment Permit for access onto the indicated road) as shown.

Date

Official

Title

08. THE PROVISIONS AND SPECIFICATIONS FOR MINOR SUBDIVISION PLATS.

Plats for minor subdivision development shall be submitted according to the following procedures.

- A. Minor Subdivision Plats. Minor subdivision plats may be filed for the following:
1. A subdivision which does not involve the construction of a new street;
 2. The merging of two or more properties which share at least one common boundary into fewer lots than originally existed;
 3. Any plat in need of revision, correction, or amending; and
 4. Any subdivision necessary as a means for creating a larger future development.
- C. Minor Plat Approval Process. The applicant shall submit a record plat conforming to standards established under 7.08 (H) through 7.08 (M) of this section. The appropriate fees must be paid for this process by the applicant. Building plans (as applicable) conforming to the Kentucky Building Code, a conservation plan, and any proposed

deed restrictions or other required information, shall also be submitted at this time. Upon receipt of a record plat conforming to the appropriate standards and other required information, the staff shall have five days to review it and notify the applicant of the findings. If all standards and specifications have been met, the Director shall sign the plat, make the needed number of copies, and assist the applicant in getting the plat, the deed restrictions, and the Certificate of Land Use Restriction filed in the Office of the Hardin County Clerk. One month shall be allowed for this action.

If deficiencies are found, the staff shall notify the applicant, return the plat, and assist in the correction process. Upon receipt of a corrected plat, the Director shall sign it, make the needed number of copies, and assist the applicant in getting the plat, the deed restrictions, and the Certificate of Land Use Restriction filed in the Hardin County Clerk's Office within the one month time period.

Whenever such plats are approved, the staff shall report the action to the Commission at its next meeting.

09. MAJOR PLAT APPROVAL PROCESS.

Major subdivision plats include all developments which are not listed under Section 7.07.

- A. Preliminary Plats Required. Applicants shall have a registered land surveyor prepare preliminary plats for submission to the Commission. These plats shall display the entire development as it relates to previously filed subdivisions or of the remainder of the vacant parcel.
- B. Technical Specifications for Preliminary Plats. Preliminary plats shall be clearly and legibly drawn in ink. The minimum scale shall be 100 feet to the inch on a sheet size no greater than 24 by 36 inches. If the entire site cannot be shown on a sheet of this size, it may be shown on more than one sheet with an index map at a reduced scale.
- C. Items to be Shown on Preliminary Plats. The following shall be shown on all preliminary plats.
 1. A title block which shall present the following information:
 - a. the words PRELIMINARY PLAT;
 - b. the name of the subdivision;
 - c. the name and address of the owner of record;
 - d. the DEVELOPMENT GUIDANCE SYSTEM number;
 - e. the names and addresses of the land surveyor or engineer involved in preparation of the plat;
 - f. a graphic and written scale; and

- g. the acreage involved in the proposed development, and the total acreage involved if only a part of the site is to be developed at this time.
- 2. The boundary lines of the tract by bearing and distance, giving distances to the nearest one-tenth foot and angles to the nearest minute, balancing and closing with an error not to exceed one in 5,000.
- 3. Ground elevations with two-foot contour intervals for developments with lots of less than five acres, and ten-foot contour intervals for developments with lots of greater than five acres. Whenever developments contain a mixture of lots of greater and lesser than five acres, two-foot contour intervals shall be used. The contours are to exceed at least 200 feet beyond subject property.
- 4. Lot lines with dimensions to the nearest one foot; the acreage of each lot to the nearest one-tenth acre; and lot numbers and block letters where applicable. Bearings are not required for a preliminary plat.
- 5. The location of all right-of-way, property line, and survey monuments.
- 6. The location of all existing roadways on or adjacent to the site, their widths, names, and rights-of-way.
- 7. The location and dimensions of all existing easements on or adjacent to the site.
- 8. The location of all streets proposed for the site, their names, widths, and rights-of-way, as well as their angles of intersection and radii.
- 9. The location of flood lines for streams, lakes, and rivers, in accordance with Hardin County Ordinance 56-89, relating to flood damage prevention and the National Flood Insurance Program; or a note stating – “As indicated on map number 00000c0000-c of Flood Insurance Rate Maps, this site is located in Zone () which has been determined to be outside 500-year flood plain.”
- 10. A north arrow.
- 11. A vicinity map showing the entire site whether or not all of it is proposed for development. This shall be shown at a minimum scale of one inch to 2,000 feet.
- 12. The location of any municipal or county line which crosses or falls adjacent to the site.
- 13. Date of original and all subsequent revisions.
- 14. Size and location of any existing structures. If the existing structure(s) is/are to be removed, then list the anticipated removal date.

shall be on department letterhead and shall state that all lots have been approved for subsurface solid waste treatment facilities.

- G. Record Plats Required. The applicant shall present a record plat when all requirements for the preliminary plat have been fulfilled. Record plats shall conform to provisions of the approved preliminary plat and shall be filed with the Hardin County Court Clerk no later than one year from the Commissioner's action on the preliminary plat.

Upon receipt of one mylar and one paper copy of the record plat (both shall contain original signatures), the staff shall have five days to review the plat and notify the developer of the findings. If all specifications have been met, the Director shall sign the plats, make the needed number of copies, and work with the applicant toward getting the plat, the deed restrictions, and the Certificate of Land Use Restriction filed in the Office of the Hardin County Clerk within one month.

If deficiencies are found, the staff shall notify the applicant, return the plat, and assist the applicant in the correction process. A maximum of one month shall be permitted for these efforts. Upon receipt of a correct plat, the Director shall sign the plat, make the needed number of copies, and assist the applicant in getting the plat, the deed restrictions, and the Certificate of Land Use Restriction filed in the Hardin County Clerk's office within one month of approval.

Whenever such plats are approved, the staff shall report the action to the Commission at its next meeting.

- H. Preparation of Record Plats. Applicants shall have a registered land surveyor prepare record plats for submission to the staff. The record plat shall show only the part of the parcel that is to be subdivided at this time.

- I. Technical Specifications for Record Plats. Record plats shall be clearly and legibly drawn on reproducible mylar film; lead pencil drawings shall not be accepted. The minimum scale shall be 100 feet to the inch on a sheet size not greater than 24 by 36 inches. If the entire development cannot be shown on a sheet this size, it may be shown on more than one sheet with an index map at reduced scale.

- J. Items to be Shown on Record Plats. The following shall be shown on all record plats.

1. A title block which shall present the following information:
 - a. the words RECORD PLAT; or, the words AMENDED RECORD PLAT as applicable;
 - b. the name of the subdivision;
 - c. the name and address of the owner of record;
 - d. the DEVELOPMENT GUIDANCE SYSTEM number;
 - e. the names and addresses of the land surveyor or engineer involved in preparation of the plat;

- f. a graphic and written scale; and
 - g. the acreage involved in the proposed development.
2. A note of explanation as to the purpose of any amended record plat is required.
 3. The boundary lines of the parcel by bearing and distance, giving distances to the nearest one-hundredth foot and angles to the nearest second, balancing and closing with an error not to exceed one in 5,000.
 4. Lot lines with dimensions to the nearest one-hundredth foot; angles to the nearest second; the acreage of each lot to the nearest one-thousandth acre; and lot numbers and block letters where applicable.
 5. The location of all setback lines.
 6. The location of all right-of-way, property line, and survey monuments including materials used and a description of each.
 7. The location of all existing roadways on or adjacent to the site, their widths, names and rights-of-way.
 8. The location and dimensions of all existing and proposed easements on or adjacent to the site.
 9. The location of all streets proposed for the site, their names, widths, and rights-of-way, as well as their angles of intersection, radii, and lines of tangent.
 10. The location of flood lines for streams, lakes, and rivers, in accordance with Hardin County Ordinance 56-89, relating to flood damage prevention and the National Flood Insurance Program; or a note stating – “As indicated on map number 00000C0000-C of Flood Insurance Rate maps dated November 4, 1988, this site is located in Zone () which has been determined to be outside 100-year flood plain”.
 11. The names and deed book and page numbers of all adjoining property owners or the adjacent subdivision name, plat cabinet, sheet number and lot numbers.
 12. A north arrow.
 13. A vicinity map showing the entire site whether or not all of it is proposed for development. This shall be shown at a minimum scale of one inch to 20,000 feet.
 14. The location, dimensions, and extent of any land to be used for any purpose other than residential use, including any improvements to be made to that land.
 15. The location, dimensions, and extent of any buffer areas required to include types and sizes of trees, fences, berms, or walls.
 16. The location of any municipal or county line which crosses or falls adjacent to the site.

17. Date of original and all subsequent revisions.
18. Size and location of any existing structures which are to remain.
19. List of dimensional variances either requested or secured.
20. List any requested or secured design exceptions.
21. List any water courses, flood plains, wetlands, sinkholes or other environmentally sensitive areas on or within 200 feet of the site.
22. Dimensions of any required sight triangles.
23. Existing system of drainage of subject tract including the eventual stormwater receiver.

K. Certifications Required on Record Plats. The following certifications shall be shown and executed on all record plats.

1. The land surveyor who prepared the plat shall certify as follows:

I certify that this plat was prepared by me or under my direction; that all monuments indicated here do actually exist and that their locations, sizes, and materials are correctly indicated; and that the information shown hereon is correct to the best of my knowledge and belief.

Date

Signature

Registration Number

shall present an acceptable bond, letter of credit or cash at the time of presenting the record plat for approval. An acceptable bond or letter of credit shall run to the Hardin County Planning and Development Commission on behalf of Hardin County, Kentucky. It shall cover the entire cost of all road, drainage way and other necessary improvements to be made in the development. It further shall run for one year. An annual extension of up to two (2) years may be granted to this time period by the Commission upon receipt of a written request from the applicant.

M. Provisions for the Release of Subdivision Bonds, Acceptance of Improvements. When the Commission has approved the record plat and permitted bonding in lieu of completing required improvements, the following shall apply:

1. After completing all improvements, the developer shall notify the Commission that all requirements have been met.
2. Working with the Road Supervisor, the staff shall inspect the improvements to determine whether all requirements have been met. When all have been met to the satisfaction of the staff and the Road Supervisor, the staff shall recommend to the Commission that the bond or letter of credit be released.

Conversely, if the date of completion has passed without all requirements being met, the staff shall recommend that the bond or letter of credit be called.

3. The Commission shall act on the staff's recommendation at its next meeting.
4. When all improvements have been met, the Fiscal Court shall accept all improvements for maintenance upon recommendation from the Commission.

10. Conservation Plans Required.

Applicants proposing development shall submit a conservation plan as a component of the record plat or development plan. The following criteria shall be addressed in the preparation of conservation plans.

- A. The plan shall state the degree to which the proposed development will preserve existing features on the site. This shall include amenities such as trees, groves, woodlands, waterways, vistas, historic sites and historic or architecturally significant buildings. It shall also show the degree to which the proposed development will be in harmony with these amenities.
- B. The plan shall state that no more than 120 days will pass from the date ground cover on the site is first disturbed until new ground cover is established.
- C. The plan shall state that the applicant proposed to meet the following principles over and above the 120 day limit required in (2) above:
 1. the smallest possible are of land shall be exposed at any one time during development;

2. when land is exposed, exposure shall be kept to the shortest possible period of time;
3. temporary vegetation or mulching shall be used to protect critical areas exposed during development;
4. sediment basins shall be built and maintained as necessary;
5. permanent vegetation shall be established as soon as possible; and
6. seeding and fertilizing shall be done in conformance with BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITIES published by the Division of Conservation of the Kentucky Natural Resources and Environmental Protection Cabinet.

D. The plan shall be signed by the applicant.

10. Street Design Plans Required.

Upon written notification of full approval of the preliminary plat, the applicant shall submit two paper copies of the required street design plans. Applicants shall have a registered engineer prepare subdivision street design plans. The Director and Road Supervisor shall have fourteen (14) days in which to review the plans. ***In no instance shall construction commence prior to this approval.***

- A. Technical Specifications for Street Design Plans. Subdivision street design plans shall be clearly and legibly drawn in ink. The minimum scale shall be 100 feet to the inch on sheet size no greater than 24 by 36 inches. If the entire area cannot be shown on a sheet of this size, it may be shown on more than one sheet with an index map at a reduced scale.
- B. Items to be Shown on Street Design Plans. The following information shall be shown on all subdivision street design plans.
 1. A title block which shall present the following information;
 - a. The words STREET DESIGN PLANS;
 - b. The name of the subdivision;
 - c. The name and address of the owner of record;
 - d. The DEVELOPMENT GUIDANCE SYSTEM number;
 - e. The name and registration number of the engineer involved in preparation of the plans; and,
 - f. A graphic and written scale.
 2. Street centerline profiles shall be provided illustrating existing ground and proposed grade. A horizontal scale of not more than 100 feet to the inch and a vertical scale of not more than ten feet to the inch for all streets to be constructed. All vertical curve data, such as PVC station, PVI station, PVT station, length of curve, percent grade shall be shown.

3. Typical street cross section at a scale of one inch equal to ten feet illustrating all information necessary for proper street construction, including but limited to: width of paved street; width of shoulder; distance from centerline of street to centerline of roadside ditch; width of right-of-way; slope of pavement; slope of shoulder; maximum slope from the edge of shoulder to centerline of roadside ditch; maximum fill slope; maximum cut slope; subgrade, base and pavement composition.
4. Widths of all rights-of-way and streets.
5. A north arrow.
6. A vicinity map at a minimum scale of one inch to 2,000 feet.
7. The location of all streets proposed for the site, their names, widths, and rights-of-way, as well as their angles of intersection with other streets, their pavement radius at same intersections. Horizontal curve data shall be provided such as radius, tangent, length of curve, central angle and degree of curve.

C. Certifications Required for Street Design Plans. The following certifications shall be shown and executed on all subdivision street design plans.

1. The engineer who prepared the street design plans shall certify as follows:

I certify that the information shown here and proposed for construction in the indicated subdivision is accurate and fully meets the requirements of Hardin County, Kentucky.

_____ _____
Date Engineer

Registration Number

2. The County Road Supervisor shall, upon presentation of an acceptable set of street design plans, certify as follows:

I certify that these street design plans have been approved in accordance with all requirements of Hardin County, Kentucky.

_____ _____
Date for the Hardin County
Road Department

12. Drainage Plans Required.

Upon written notification of full approval of the preliminary plat, the applicant shall submit two paper copies of the required drainage plans. Applicants shall have a registered engineer prepare said plans. The Director shall have fourteen days in which to review the plans. The street design plans and drainage plans should be submitted together in order to expedite review time. In no instance shall construction commence prior to this approval.

A. Technical Specifications for Drainage Plans. Drainage plans shall be clearly and legibly drawn in ink. The minimum scale shall be 100 feet to the inch on a sheet size no greater than 24 by 36 inches. If the entire site cannot be shown on a sheet of this size, it may be shown on more than one sheet with an index map at a reduced scale.

B. Items to be Shown on Drainage Plans. The following information shall be shown on all subdivision street design plans.

1. A title block which shall present the following information:
 - a. the words DRAINAGE PLANS;
 - b. the name of the SUBDIVISION;
 - c. the name and address of the owner of record;
 - d. the DEVELOPMENT GUIDANCE SYSTEM number;
 - e. the name and registration number of the engineer involved in preparation of the plans; and
 - f. a graphic and written scale.
2. Provide a drainage area map.
3. Location of all water courses, flood plains, sinkholes, wetlands or any other environmental feature possibly impacted by stormwater on or within 200 feet of the property in question.
4. Provide all drainage calculations.
5. A north arrow.
6. A vicinity map at a minimum scale of one inch to 2,000 feet.
7. Construction details of all culvert sizes, headwalls, or other associated drainage infrastructure to be constructed.

C. Certifications Required for Drainage Plans. The following certifications shall be shown and executed on all drainage plans.

1. The engineer who prepared the plans shall certify as follows:

I certify that the information shown here and proposed for construction in the indicated subdivision is accurate and fully meets the requirements of Hardin County, Kentucky.

Date

Engineer

Registration Number

2. The Director shall, upon presentation of an acceptable set of drainage plans, certify as follows:

I certify that these drainage plans have been accepted as meeting or exceeding all requirements of Hardin County, Kentucky.

Date

Director

13. Disclaimer of Liability.

Notwithstanding any provision of the DEVELOPMENT GUIDANCE SYSTEM, no approval of any building plans, street design plans, or development plan by the staff, the Road Department, the Planning Commission, or any other public agency or official of Hardin County, whether employed, elected, or appointed, shall operate as a warranty or guarantee of the safety or reasonableness of any building plan, street design plan, development plan, or portion thereof, or act in any way to limit or alter any common law duties imposed on the applicant or authors of such plans.

14. The Requirements and Standards for Subdivision Development

All subdivision development shall conform to the following general requirements and standards.

- A. Building and Electric Permit Requirements. Applicants shall make application and acquire building and electric permits prior to the commencement of any building, moving, or alteration activities. Permits shall become invalid if the authorized work is not commenced within one year after issuance of the permit, or if the work is suspended or abandoned for a period of six months after the time of commencing the work.
- B. Other Permit Requirements. Applicants shall make application and acquire all other necessary permits from the appropriate regulatory agencies prior to the commencement of any building, moving, or alteration activities.
- C. Certification of Occupancy Requirements. Applicants shall not use nor allow the use of any building until the Director has issued a Certificate of Occupancy. This certificate shall show that the structure has been built, moved and reset, or altered in conformance with the Kentucky Building Code.
- D. Name Standards. Names proposed for any development, such as subdivisions, streets, etc., shall have the approval of the Commission. Such names shall not duplicate nor closely approximate names of similar development types anywhere in Hardin County.
- E. Minimum Lot Size. All lots proposed for development shall have a minimum of 7,200 square feet where sewerage systems are present. The minimum where on-site subsurface treatment facilities are proposed shall be as specified by the Hardin County Board of Health in the R-1 district, three acres in the R-2 district and ten acres in the R-3 district.

- F. Block and Lot Standards. Subdivision blocks and lots shall conform to the following standards.
1. Lots shall have a minimum frontage of 60 feet.
 2. Lot width to length ratio shall not exceed one-to-three.
 3. Double frontage lots shall be avoided except where essential to provide separations from traffic or other disadvantageous topography.
 4. Lots shall abut upon an access road in the County Maintenance System.
 5. Blocks shall not be greater than 1,100 feet long.
 6. Blocks shall be wide enough to provide two tiers of lots of minimum length.
 7. Blocks shall have pedestrian walkways, not less than ten feet wide, where deemed essential by the Commission, to provide access to schools, playgrounds, or other community facilities.

G. Monument Standards. All lot and boundary corners shall be marked in accordance with the minimum standards established by the Kentucky Board of Registration for Engineers and Land Surveyors. Special survey monuments, consisting of a 24-inch long, ½ inch diameter iron pin with surveyors identifying cap, shall be placed at two points in all subdivision developments. These special monuments shall be at least 250 feet apart.

H. Setback Standards. All subdivision development shall conform to the setback standards established for the district in question listed below.

R-1 District Front – 40 feet from the property line or 70 feet from the center of the street, whichever is greater;

Side – 10 feet
Rear – 15 feet

R-2 District Front – 70 feet from the property line;

Side – 10 feet
Rear – 50 feet

R-3 and IH Districts Front – 70 feet from the property line;

Side – 20 feet
Rear – 100 feet

C-1, C-2, B-1 and B-2 Districts

Front – 40 feet from the property line or 70 feet from the center of the street, whichever is greater;

Side – 10 feet unless the property abuts a residential district in which case the setback shall be increased to 40 feet or the structure is to be attached to an existing structure under a common wall agreement. Said common/party wall agreement shall be submitted to the commission for file.

Rear – 15 feet unless the property abuts a residential district in which case the setback shall be increased to 40 feet.

I-1 or IPD Districts

Front – 50 feet from the property line unless parking is located behind the structure or otherwise adequately screened from public view in which case the set back may be reduced to 35 feet from the property line.

Side – 20 feet unless the property abuts a residential district in which case the setback shall be increased to 40 feet.

Rear – 35 feet unless the property abuts a residential district in which case the setback shall be increased to 40 feet.

Corner lots shall be large enough to allow for erection of buildings observing the minimum front yard setback from both streets.

The Commission will review all proposals for lots with zero lot lines on a case-by-case basis.

- I. Easement and Reserve Strip Standards. Easements and reserve strips shall conform to the following standards.
 1. Where easements are required, they shall conform to the following standards:
 - a. Easements for utilities are encouraged to be along the back lot line of the site, away from the road, and shall conform to utility company standards;
 - b. Developments with approval for septic tanks shall provide easements for sewer lines;
 - c. Where a site is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water or drainage right-of-way of adequate width to provide for the ultimate channel cross section and a ten (10) foot maintenance strip on each side; and
 - d. Open drainage ditches which are to be constructed or improved for the purpose of drainage shall be provided with an embankment having a minimum slope of three to one; right-of-way easements shall be provided for open drainage ditches to be 20 feet greater than the overall top width of the ditch, ten feet to be on each side of the centerline of the ditch.
 2. Reserve strips controlling the access to streets shall be prohibited except where this control is placed in the hands of the Fiscal Court under conditions approved by the Commission. In an effort to ease traffic congestion and provide for future transportation needs, the Commission may control access to specific roads by requiring all lots to face and have access only to local streets.

- J. Utility Standards. All subdivision development shall provide for utilities as follows:
1. All development shall be provided with a satisfactory water supply as follows:
 - a. Individual wells shall be permitted where sites have been approved for them by the Hardin County Board of Health;
 - b. Except as above, all sites shall be provided with a complete water distribution system as required to serve the proposed development;
 - c. Where applicable, all parts of the public system shall be dedicated to public use.
 2. All development shall be provided with a satisfactory means of sewage disposal as follows:
 - a. Septic tanks shall be permitted where sites have been approved for them by the Hardin County Board of Health;
 - b. Except as above, all sites shall be provided with a public sewage disposal system, except that the Commission may approve a private system in cases where the Commission believes adequate assurances can be given to protect users of such a system as well as the environment; and
 - c. When applicable, all parts of such private systems shall be dedicated to public use.
 3. All development shall be provided with adequate access to electricity and gas where applicable. Such lines shall be constructed in conformance with technical standards as established by the appropriate utility company.
- K. Street Access Requirements. Subdivision streets proposed under provisions of this section shall only be permitted so long as they have direct access from county or state maintained roads. Should a street be proposed with direct access to a roadway which is not on the Hardin County Road Maintenance System, that roadway shall be brought to the minimum county standards, for that classification of roads, according to the Hardin County Road Classifications System.
- L. Access Safety Standards. All subdivision development shall conform to the following safety standards as applicable:
1. Access design standards shall allow an entering vehicle a turning speed of 15 miles per hour to help reduce interference with through traffic.
 2. Access points shall be able to accommodate all vehicle types having occasion to enter the site.

3. Access points shall be such that an exiting vehicle has an unobstructed sight distances according to the following chart.

<u>Road Design Speed</u> <u>MPH</u>	<u>Sight Distances</u> <u>Feet</u>
30 and less	200
35	225
40	275
45	325
50	350
55	375

4. Right turn lanes and tapers shall be required:
- a. When expected right-turn ingress movements meet or exceed 50 per hour during a typical weekday peak traffic period;
 - b. When volumes are expected to meet or exceed 1,000 vehicles per day; or
 - c. When it can be documented through traffic analysis that such treatment is necessary to avoid congestion or unsafe conditions on the public roadway.
5. Access spacing, to include crossovers on divided highways, shall be determined according to standards enforced by the Department of Highways of the Kentucky Transportation Cabinet.
6. Intersections shall be designed with a flat grade whenever practicable. Maximum grade within intersections shall be five percent (5%) except for all collectors which shall be three (3%) percent.
7. Sight triangles easements shall be required and shall include the area on each street corner that is bounded by the line which connects the sight or "connecting" points located on each of the right-of-way lines of the intersecting street. The planting of trees or other plantings or the location of structures exceeding thirty inches in height that would obstruct the clear sight across the area of the easement shall be prohibited, and a public right-of-entry shall be reserved for the purpose of removing any object, material or otherwise, that obstructs clear sight.

The distances between the connecting points and the intersection of the right-of-way lines shall be required as listed on the following table.

- M. General Subdivision Street and Right-of-way Standards. Subdivision streets and rights-of-way shall conform to the following general standards.
1. Streets shall be so laid out that their use by through traffic will be discouraged.
 2. Existing streets shall be continued at the same or greater width, but in no case less than the required width.
 3. Street jogs with centerline offsets of less than 150 feet shall not be permitted.
 4. Half streets shall be prohibited.
- N. Subdivision Street and Right-of-Way Dimensional Standards. Construction of subdivision streets, cul-de-sacs and sidewalks shall conform to the criteria and standards included on the following pages. Standards for right-of-way width, pavement width, and shoulder width. Standards for drainage way and sidewalk widths are also shown. The Commission shall deal with proposals for divided streets (those with grassed medians) on a case by case basis and shall have the right to require greater half widths than are specified in the following illustrations.
- O. Options to Street and Right-of-Way Standards. Street standards are open to options. Lessened right-of-way width may be exchanged for construction of curbs and gutters. Where curbs and gutters are selected, they shall conform to 13 (Q) (7). The following pages show the standards as well as the applicable options.
- P. Street Design Standards. Streets constructed in subdivision developments shall conform to the following design standards.
1. Street intersections shall be as nearly at right angles as possible with no street intersection being at an angle of less than 75 degrees.
 2. Street pavement radii at street intersections shall be a minimum of 25 feet. Where the angle of street intersection is less than 90 degrees, the Road Department Supervisor may require a longer radius.
 3. Development that adjoins existing roads shall dedicate additional right-of-way as needed to meet the required 40 foot minimum set by the Hardin County Fiscal Court. Those shall be given as follows:
 - a. The entire right-of-way where any part of the development is on both sides of the existing road; or
 - b. When the development is located on one side of an existing road, one-half of the required right-of-way, measured from the centerline of the existing road.
 4. All pavements shall have a one-quarter inch per foot slope away from the center of the road except where approaching or leaving horizontal curves where super elevations would be required.
 5. All pavements shall have a minimum grade of one percent (1%) and a maximum grade of eight percent (8%).

- Q. Street and Drainage Way Construction Standards. Streets and drainage ways constructed in subdivision developments shall conform to the following construction standards.
1. All streets and shoulders shall be grade and compacted to 95% of the maximum density their full width by the developer so that pavements can be constructed. The preparation of the right-of-way shall be completed before grading is started and the construction of cuts and fills shall be accomplished in accordance with these requirements.
 2. An adequate drainage system based on at least the ten year rainfall frequency including necessary curb, pipes, culverts, headwalls, and ditches shall be provided for the proper drainage of all surface water. Major drainage channels and creeks shall be designed on at least a 25 year frequency. No storm water lines shall be connected or constructed so as to allow water to flow into any sanitary sewage system. In computing storm water run off, applicants shall consider the area being developed and the amount of impervious surface to be constructed on the site.
 3. After grading is completed and approved and before any base is applied, all of the underground utilities – water mains, sewer mains, gas mains, and all service connections related – shall be installed completely and approved throughout the length of the street and across the section.
 4. The minimum ratio for all fill or cut slopes shall be two-to-one. All shoulders shall slope one inch to the foot. When all construction is completed, all slopes and shoulders shall be cleared of all rubbish and shall have a stand of grass established to prevent erosion, either by sodding or seeding, according to soil conservation service standards.
 5. Pavements for the street types of ‘minor cul-de-sac’ through ‘street’ shall be constructed as follows:
 - a. concrete – two inches of dense grade aggregate and six inches of portland cement concrete; or
 - b. asphalt – six inches of dense grade aggregate, two inches of bituminous base, and one inch of bituminous surface.

Pavements for ‘major streets’ shall be constructed as follows:

 - c. concrete – four inches of dense grade aggregate and eight inches of portland cement concrete;
 - d. asphalt – eight inches of dense grade aggregate, three inches of bituminous base, and one inch of bituminous surface.

The Commission shall retain the authority, working with the Fiscal Court, to require any of these street types to surpass these standards. To do so, the Commission shall prove that these standards will not handle the anticipated traffic load or weight.

All pavement materials and construction methods shall be in conformance with the KENTUCKY DEPARTMENT OF HIGHWAYS STANDARDS FOR ROAD AND BRIDGE CONSTRUCTION, current edition.

6. When it is necessary for an applicant or utility company to break existing pavement for the installation of utilities, for drainage facilities, or for any other purpose, the applicant, or utility company, shall be financially responsible for the repair of the pavement. All backfill shall be of dense grade aggregate.
 7. Moundable curbs and gutters shall be of portland cement concrete and shall have a width of not less than 24 inches.
 8. Sidewalks shall be of portland cement concrete and shall have a minimum width of 42 inches and a minimum thickness of four (4) inches on a compacted base.
- R. Access Drainage Culvert Standards. All access points shall be provided with a culvert conforming to the following standards:
1. All access or entrance culverts shall be installed to allow proper drainage under the entrance. This culvert shall be 12 inches minimum diameter and 24 feet minimum length, or of sufficient length to provide two (2) feet of pipe on each side of the entrance. The County Road Supervisor shall have the right and authority to require culvert pipe of larger diameter and/or greater length in cases where lesser specifications would prove inadequate.
 2. Entrances shall be constructed so as to allow the lowest point of the entrance to be directly over the culvert. This low point shall be three to four inches below street grade at a minimum.
- S. Floodproofing Standards. All subdivision development proposed within an area identified by the federal government as being flood prone shall conform with Hardin County Ordinance 56-89, relating to flood damage prevention and the National Flood Insurance Program. Elevations used to establish 100 year flood levels shall be calculated by the closest bench mark. The location of said benchmark shall be shown or indicated on the plat.
- T. Subdivision Sidewalk Standards. Sidewalks shall be required in subdivision development as specified in Section N. Additionally, sidewalks shall be required in all subdivision developments within one mile of any school facility, provided that, in the opinion of the Commission, local terrain, roadways, and traffic are conducive to children walking to school.
- U. Minimum Plant Standards. Live plantings required in subdivision developments by the Development Guidance System shall conform to the following standards:
1. Canopy trees of single stems shall be 1.5 inch caliper at the minimum, while multi stem clumps shall be eight feet tall at the minimum.
 2. Understory trees shall be one inch caliper at the minimum.
 3. Evergreen trees shall be five feet tall at the minimum.

4. Deciduous shrubs shall be 24 inches tall at the minimum while evergreen shrubs shall be 18 inches tall at the minimum.
5. The following are recommended types of plants because of their hardiness.
 - a. Canopy trees – Bradford Pear, Honey Locust, White Ash, Pin Oak, Sycamore, River Birch;
 - b. Understory trees – Redbud, Shadblow Juneberry, Hawthorn, Golden Rain, Saucer Magnolia;
 - c. Evergreens – White Pine, Austrian Pine; and
 - d. Shrubs (deciduous) – Red and Yellow Twig Dogwood, Forsythia, Pyracantha, Barberry, honeysuckle, Quince; (evergreen) Taxus Yew, Armstrong Juniper, Golden Pfitzer Juniper, Seagreen Juniper, Blue Haven Juniper, Bark Juniper.
6. It is recommended that plants placed under provisions of this ordinance have been grown in zones one through six (Kentucky and north) for assured longevity.